



# **muswellbrook shire council**

## ***ORDINARY COUNCIL MEETING***

### ***BUSINESS PAPER***

***14 FEBRUARY, 2017***

**MISSION:**

**"To do what is best for our community through leadership,  
excellent service and encouragement of sustainable development"**

**ORDINARY COUNCIL MEETING, 14 FEBRUARY 2017**

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122  
MUSWELLBROOK  
13 February, 2017

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **14 February, 2017** commencing at 6:00PM.

Steve McDonald  
**GENERAL MANAGER**



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19.2	DEVELOPMENT OF WASTE CONTRACT SPECIFICATION - POST JULY 2018 SERVICES <i>Item 19.2 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.</i>	
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19.4	NEW SOUTH WALES LAND AND HOUSING CORPORATION - VACANT LAND <i>Item 19.4 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</i>	

*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.*

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**MUSWELLBROOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING**

**AGENDA  
TUESDAY 14 FEBRUARY 2017**

- 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** 13 December 2016, the Extra Ordinary Meeting **held on** 21 December 2016, the Extra Ordinary Meeting **held on** 25 January 2017, and the Extra Ordinary Meeting **held on** 7 February 2017, 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 DEVELOPMENT APPLICATION 95/2016 - CONSTRUCTION OF A TWO STOREY VEHICLE SALES PREMISES

<b>Responsible Officer:</b>	<b>Fiona Plesman - Acting Director - Planning, Community &amp; Corporate Services</b>
<b>Author:</b>	<b>Donna Watson - Development Planner Pathum Gunasekara - Strategic Planner</b>
<b>Community Plan Issue:</b>	<b><i>Promote and support economic growth and diversity within Muswellbrook Shire through policy development and action</i></b>
<b>Community Plan Goal:</b>	<b><i>Business districts are well designed and planned to encourage new investment, local jobs, business opportunities and skill development through improved access to local education opportunities</i></b>
<b>Community Plan Strategy:</b>	<b><i>Encourage new and diverse business investment and opportunity</i></b>
<b>Attachments:</b>	<b>A. Draft conditions B. Plans C. Submissions D. Application response to Submissions</b>

**Documents referred to in assessment not attached:**

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000
- Building Code of Australia
- Local Environmental Plan 2009
- Development Control Plan 2009
- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No.64 – Advertising and Signage
- Interim Construction Noise Guidelines
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Noise Control) Regulation 2008
- Australian Standard 1428: 2009– Design for Access & Mobility
- Australian Standard 2890.1: 2004 – Parking Facilities – Off Street Car Parking
- NSW Environment Protection Authority Noise Policy

#### APPLICATION DETAILS

<b>Applicant:</b>	<b>KDC</b>
<b>Owner:</b>	<b>Mr C J and Mrs J C Landcaster</b>
<b>Proposal:</b>	<b>Construction of a two storey commercial premises</b>
<b>Location:</b>	<b>Lot 4 DP 1090457 15 – 17 Rutherford Road, Muswellbrook</b>
<b>Permissibility:</b>	<b>The proposed development is permissible as <i>Commercial premises (retail)</i> within the B2 Local Centre Zone</b>

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Recommendation:                      Approval

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**RECOMMENDATION**

1. That Development Application No. 95/2016 proposing the construction of a two storey commercial premises at Lot 4 DP 1090457, 15 – 17 Rutherford Road, Muswellbrook be approved subject the conditions in Appendix A to the report.
2. A report to be prepared by the Community Infrastructure Department to be considered by the Local Infrastructure Committee investigating the closure of the access way between 7 and 9 Casuarina Close.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

☐ Cr J. Ledlin☐ Cr S. Bailey☐ Cr G. McNeill☐ Cr J. Foy☐ Cr M. Green☐ Cr R. Scholes☐ Cr S. Reynolds☐ Cr B.N. Woodruff☐ Cr S. Ward☐ Cr J.F. Eades☐ Cr M. Bowditch☐ Cr M.L. Rush



**Aerial Photograph Identifying Development Site****DISCUSSION FROM EXTRA-ORDINARY COUNCIL MEETING**

The application was reported to the December 2016 Extra-ordinary meeting for determination. On the day of the Extra-ordinary meeting, Council staff received four (4) additional submissions from the public. As the assessment report had been completed and a recommendation made, Council staff did not have an opportunity to fully consider these submissions in the assessment report. As a result, Council resolved the following:

*This matter be deferred to the February 2017 Council Meeting to allow Councillors time to consider additional information that has been provided.*

In order to consider the four (4) late submissions, the report that was considered at the Extra Ordinary meeting in December has now been amended to consider the issues raised in the submissions. As a result of the amended assessment, the conditions have been amended to reflect concerns raised in the submissions.



**ISSUES SUMMARY**

The application is being reported to Council for determination due to:

- Two submissions being received
- Four late submissions being received
- Non-compliance with Section 16 – Off Street Parking of the Muswellbrook Development Control Plan 2009.
- Direction of previous Council regarding advertising signage facing residential properties.

**1.0 BACKGROUND**

The development site has been vacant for a number of years being zoned B2 Local Centre under to MLEP 2009. The proposal is defined as a vehicle sales premises *Commercial Premises (vehicle sales)*, which is permitted with consent in the B2 Zone.

In 2005, the site was subject to a subdivision (DA 254/2005), which separated the current parcel of land, being Lot 4 DP 1090457 from the lots to the east occupied by Muswellbrook Fair Shopping Centre.

Council had previously indicated previously motor vehicle dealerships may be more appropriately located within the Muswellbrook Showground site currently subject to the Draft Development Control Plan report **(refer item (MICHELLE PLEASE INSERT ITEM NUMBER)).**

A number of discussions were held to relocate the motor vehicle dealerships on the preferred showground site however the applicant for this subject Development Application has legitimately acquired this Rutherford Road site to meet their business requirements, as acquisition of showground lands was not feasible.

**2.0 SITE AND LOCALITY DESCRIPTION**

The site is located within Muswellbrook in the area known as South Muswellbrook. To the north, south and west of the site are residential properties, to the east is the shopping centre known as Muswellbrook Fair.

**3.0 DESCRIPTION OF PROPOSAL**

The Applicant is seeking consent for:

- the construction of a new two storey commercial building
- cut and fill
- construction of a driveway including reinforced concrete throughout the site
- 100 car parking spaces
- site landscaping

A full set of plans are attached as **Appendix B.**

**4.0 ADEQUACY OF APPLICANT'S SUBMISSION**

In relation to the Statement of Environmental Effects, the plans and other documentation submitted with the Application, the applicant has provided adequate information to enable an assessment of the Application.

**5.0 SPECIALIST COMMENTS****5.1 Internal Referrals**

The application was referred to Council's Building Section, Environmental Health Officer, Water and Waste and Community Infrastructure. Each section reviewed the proposal and recommended standard conditions to be placed on the development consent should the application be approved.

**5.1.1 Local Traffic Committee**

The application was reported to the Local Traffic Committee on 15 November 2016. At this meeting it was decided the Committee did not need to provide formal comment on the application as it was outside the delegations of the Committee. The Committee did have an informal discussion regard the development at the closure of the meeting and agreed on the following advice:

1. *All vehicles must enter and leave the site in a forward direction*
2. *The proponent shall construct an access to allow right hand exit onto Rutherford Road to accommodate vehicle carriers through the median*
3. *There is to be no direct access to Woollybutt Way*
4. *No heavy vehicles over 10 tonne associated with this development are to use Ironbark Road or Skellatar Stock Route*
5. *Directional signage is to be erected on the site to inform traffic movements to the satisfaction of Council*
6. *The visitor and disabled carparking spaces are to be signposted*
7. *All loading/unloading of vehicles must be undertaken on site*
8. *No vehicle or signage is to be displayed within the road reserve*
9. *No right turn is to be permitted into the site*
10. *Staff parking is to be on site*
11. *All vehicles for service must be parked on site*

The applicant was made aware of the main issue raised by the informal discussions, this being the construction of a right hand turn onto Rutherford Road through the median. A preliminary design was prepared by Council's Community Infrastructure Section and tabled in the discussions. A copy of this plan was provided to the applicant for their consideration. A detailed design will be required with the lodgement of the Construction Certificate, if the application is approved.

## **6.0 ASSESSMENT**

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

### **Section 79C Matters for Consideration**

#### **Section 79C(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 B2 Local Centre pursuant to MLEP 2009. The proposal is defined as a vehicle sales premises *Commercial Premises (vehicle sales)*, which is permitted with consent in the subject Zone.

###### Objectives of the B2 Local Centre Zone

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To maintain the status and encourage the future growth of the Muswellbrook established business centre as a retail, service, commercial and administrative centre while maintaining the centre's compact form.*
- *To enable a wide range of land uses that are associated with, ancillary to, or supportive of the retail and service functions of a business centre.*

- *To maintain the heritage character and value and streetscape of the business centre of Muswellbrook.*
- *To support business development by way of the provisions of parking and other civic facilities.*

It is considered that the development proposal is not contrary to the objectives of the Zone.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

Part 1 Preliminary	
1.1 Name of Plan	Muswellbrook Local Environmental Plan 2009
1.1AA Commencement	The MLEP 2009 was gazette 17 April 2009.
1.2 Aims of Plan	Noted
1.3 Land to which Plan applies	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
1.4 Definitions	Noted
1.5 Notes	Noted
1.6 Consent authority	The consent authority for this development is Muswellbrook Shire Council.
1.7 Maps	Noted.
1.8 Repeal of planning instruments applying to land	Noted.
1.8A Savings provision relating to pending development applications	Noted
1.9 Application of SEPPs	Noted
1.9A Suspension of covenants, agreements and instruments	Not applicable
Part 2 Permitted or prohibited development	
2.1 Land use zones	Noted
2.2 Zoning of land to which Plan applies	The land is zoned B2 Local Centre.
2.3 Zone objectives and Land Use Table	Refer to objective of the zone listed above.
2.4 Unzoned land	Not applicable
2.5 Additional permitted uses for particular land	Not applicable
2.6 Subdivision—consent requirements	Not applicable
2.7 Demolition requires development consent	Not applicable
2.8 Temporary use of land	Not applicable
Part 3 Exempt and complying development	
3.1 Exempt development	Not applicable
3.2 Complying development	Not applicable
3.3 Environmentally sensitive areas excluded	Not applicable
Part 4 Principal development standards	
4.1 Minimum subdivision lot size	MLEP 2009 specifies a minimum lot size of 600m <sup>2</sup> in relation to the land. The proposal does not seek to subdivide the land, and therefore complies with this development standard.
4.1AA Minimum subdivision lot size for community title schemes	Not applicable
4.2 Rural subdivision	Not applicable
4.3 Height of buildings	MLEP 2009 specifies a maximum building height of 13m in relation to the land. The proposal does not involve building works

	over 10m.
4.4 Floor space ratio	MLEP 2009 specifies a floor space ratio of 2:1 in relation to the land. The proposal does not exceed this requirement.
4.5 Calculation of floor space ratio and site area	Noted
4.6 Exceptions to development standards	Not applicable
Part 5 Miscellaneous provisions	
5.1 Relevant acquisition authority	Not applicable
5.2 Classification and reclassification of public land	Not applicable
5.3 Development near zone boundaries	Not applicable
5.4 Controls relating to miscellaneous permissible uses	Not applicable
5.5 Development within the coastal zone	Not applicable
5.6 Architectural roof features	The development is not exceeding the height limit as identified in the Height of Buildings Map.
5.7 Development below mean high water mark	Not applicable
5.8 Conversion of fire alarms	Not applicable
5.9 Preservation of trees or vegetation	Not applicable
5.9AA Trees or vegetation not prescribed by development control plan	Not applicable
5.10 Heritage conservation	Not applicable
5.11 Bush fire hazard reduction	Not applicable
5.12 Infrastructure development and use of existing buildings of the Crown	Not applicable
5.13 Eco-tourist facilities	Not applicable
Part 6 Urban release areas	
6.1 Arrangements for designated State public infrastructure	Not applicable
6.2 Public utility infrastructure	Not applicable
6.3 Development control plan	Not applicable
6.4 Relationship between Part and remainder of Plan	Not applicable
Part 7 Additional local provisions	
7.1 Terrestrial biodiversity	Not applicable
7.2 Subdivision in Zone RU1 Primary Production and Zone E3 Environmental Management	Not applicable
7.3 Controls relating to rural worker's dwellings	Not applicable
7.4 Subdivision in Zone R1 General Residential and Zone RU5 Village	Not applicable
7.5 Erection of dwelling houses on land in certain rural and environmental protection zones	Not applicable
7.6 Earthworks	The applicant is proposing cut and fill of the site. As a result of this works, retaining walls will be required to be constructed as a part of the development. Should the application be approved, suitable conditions will be recommended to be placed on the consent.

7.7 Development at Muswellbrook Showground	Not applicable
7.8 Events permitted on public reserves and public roads without development consent.	Not applicable

**2. State Environmental Planning Policy No. 55 – Remediation of Land**

A review of Council's Contaminated Land Information System has found the site is not listed as being contaminated.

**3. State Environmental Planning Policy No.64 – Advertising and Signage**

The applicant has indicated the signage for the development will be subject to separate application/s. However, the plans submitted by the applicant, indicates proposed locations for each dealership. The notification plan does indicate the proposed location of three pylon signs along the Rutherford Road frontage. There are no details of the pylon sign, in this regard, height or width.

Therefore, no further assessment with regard to signage can be undertaken as no details have been provided.

**4. State Environmental Planning Policy**

The following State Environmental Planning Policies apply to the Muswellbrook Local Government Area and were considered and found not to be applicable to the proposed development.

- SEPP No. 21 Caravan Parks
- SEPP No. 30 Intensive Agriculture
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 36 Manufactured Home Estates
- SEPP No. 44 Koala Habitat Protection
- SEPP No. 62 Sustainable Aquaculture
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP (Housing for Seniors or People with Disability) 2004
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (miscellaneous Consent Provisions) 2007
- SEPP (Rural Lands) 2008
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Affordable Renting Housing) 2009
- SEPP (State and Regional Development) 2011

**Section 79C(1)(a)(ii) the provisions of any draft EPI.**

There are no draft EPIs relevant to the subject Application.

**Section 79C(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 fourteen days from 2 November 2016 to 16 November 2016. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

One submission was received during the notification period and further submission received after the conclusion of the notification period. The issues raised in the submissions are addressed in this Report.

### Section 9 – Local Centre Development

9. LOCAL CENTRE DEVELOPMENT	
9.1 Built Form	
9.1.1 Building Design	The site is located outside the main Central Business District of Bridge Street. However, the site is located adjacent to the Muswellbrook Fair Shopping Centre which was constructed approximately 2006. The proposed building is similar in construction materials to Muswellbrook Fair.
9.1.2 Building Height	The maximum height of the proposed building is no more than 9.5m
9.1.3 Setbacks	The subject building is proposed to be setback over 30m from Rutherford Road. This is consistent with the buildings located within Muswellbrook Fair.
9.1.4 Accessibility	The building is a new construction. In this regard, the applicant is to have consideration of implementing disable access.
9.2 Urban Landscape	
9.2.1 Landscaping	The applicant has provided a detailed landscaping plan for the development. This plan identifies the proposed species to be planted on site. Should the application be approved, a condition will be imposed on the consent requiring the applicant to comply with the approved landscaping plan.
9.2.2 Car Parking	Refer to discussion in Section 16 of the Muswellbrook Development Control Plan.
9.2.3 Outdoor Eating Areas	Not Applicable
9.2.4 Signage and Advertising	Refer to discussion in Section 14 of the Muswellbrook Development Control Plan.

### Section 14 – Outdoor Signage

The applicant has indicated the signage for the development will be subject to separate application/s. However, the plans submitted by the applicant, indicates proposed locations for each dealership. The notification plan does indicate the proposed location of three pylon signs along the Rutherford Road frontage. There are no details of the pylon sign, in this regard, height or width. Conditions related to signage are included in the recommendation.

### Section 16 – Car Parking and Access

The submitted plans indicate there will be 100 carparking spaces to be provided. An assessment of the application has been carried out under Section 16 of the Muswellbrook Development Control Plan 2009. The assessment is provided below:

	Comment
16.1 Introduction	Noted
16.2 Residential Development	Not Applicable
16.3 Non – Residential Development	The development will have a number of carparking spaces, loading areas and one main driveway to service the site. The carparking

	<p>spaces will be constructed in accordance with AS 2890.</p> <p>The submitted plans indicate, the site will allow circular movement around the site. This will reduce the potential noise impact on the adjoining properties.</p>
<b>16.4 Design Guidelines for off-street vehicular parking areas</b>	
16.4.1 Access to the site	<p>Access to the site is off Rutherford Road. The Applicant will be required to obtain a Section 138 Permit for the construction of the driveway crossover. Should the application be approved, this will be recommended as a condition.</p> <p>In addition, the location of the proposed driveway does not comply with the 1.5m side boundary setback. The plans indicate the driveway will be 1.19m from the boundary. Again, should the application be approved, a condition will be recommended that the applicant comply with this requirement.</p>
16.4.2 Car Park Design	<p>The proposed carpark design appears to address the controls under this clause. Should the application be approved, a condition will be recommended that the disabled and visitors carparking spaces be signposted.</p>
16.4.3 Parking for people with disabilities	<p>The Applicant has provided one (1) disabled carparking space for the development. This section of the DCP requires a rate of 2% of the overall carparking spaces to be identified as disabled. From the site plan provided, the applicant is not complying with this section of the DCP and this can be addressed as a condition.</p>
16.4.4 Loading/Unloading Facilities	<p>The submitted plans do not indicate any designated loading/unloading areas. However, the layout of the site allows for vehicles to move in a circular direction around the site.</p> <p>The Applicant has advised the car transporter vehicles will be loaded/unload at the rear of the building.</p>
16.4.5 Internal roads	<p>The proposed development does include an internal road which allows vehicles to move around the site in a circular motion. As the development proposes to have approximately 100 carparking spaces, the minimum circulation width is 6m.</p> <p>A review of the site plan has revealed the internal driveway/road way appears to be 3m in width at the smallest area. However, as the majority of this road will be utilised by staff traffic, it is not warranted to require a 6m circulation width to be provided.</p>
16.4.6 Construction Materials	<p>The site is currently vacant. The applicant will be required, by the imposition of conditions, to construct the carparking area in accordance with the requirements of Australian Standard 2890.</p>
16.4.7 Landscaping	<p>The Applicant has provided a landscaping plan for the site which includes a list of the plant species and maturity.</p>

16.5 Qualifications and exceptions to parking standards	
16.5.1 Calculation of numbers	See table below
16.5.2 Extensions/additions to existing development	Not applicable
16.5.3 Small scale additions	Not applicable
16.5.4 Low intensity uses	Not applicable
16.5.5 Change of use	Not applicable
16.5.6 Mixed use development	Not applicable
16.5.7 Undefined development	Not applicable
16.5.8 Major traffic generating development	The proposed development is not deemed to be a traffic generating development under Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007.
16.5.9 Contributions	There are no provisions in Council's Fees and Charges or Contribution Plan which allows for payment to be received should a development not be able to provide the required number of carparking spaces.
16.5.10 Referrals	The application has been referred to Council's Community Infrastructure Department for consideration and comment.
16.6 Carparking schedule for specific land uses	

The development has a range of definitions relating to the different uses within the building. This can be seen in the table below:

use	area	Parking classification
Dealership - Holden	155m <sup>2</sup>	Vehicle showroom
Dealership - Hyundai	172m <sup>2</sup>	Vehicle showroom
Dealership 3 - TBA	190m <sup>2</sup>	Vehicle showroom
Dealership 4 - TBA	139m <sup>2</sup>	Vehicle showroom
Used car office	10m <sup>2</sup>	Business premises
F & I	8m <sup>2</sup>	Business premises
DP Office	12m <sup>2</sup>	Business premises
Sales Manager	11m <sup>2</sup>	Business premises
Sales Manager	13m <sup>2</sup>	Business premises
Service Manager	16m <sup>2</sup>	Business premises
Parts Manager	9m <sup>2</sup>	Business premises
File warranty foreman	26m <sup>2</sup>	Business premises
Meeting room	24m <sup>2</sup>	Business premises
Office - upstairs	12m <sup>2</sup>	Business premises
Office - upstairs	14.5m <sup>2</sup>	Business premises
Boardroom	20m <sup>2</sup>	Business premises
Fire proof storage	10.5m <sup>2</sup>	Not included in calculation
Archive	15m <sup>2</sup>	Not included in calculation
Reception Service and parts	214m <sup>2</sup>	Not included in calculation
Workshop	561m <sup>2</sup>	Vehicle Repair Station
Used car display area	780m <sup>2</sup>	Vehicle showroom

Land Use Requirement	Criteria	Required
Vehicle Showroom	0.75 spaces per 100m <sup>2</sup> of site area	1440m <sup>2</sup> (assumed area – includes showroom and used car area) / 100m <sup>2</sup> = 14.4



Land Use Requirement	Criteria	Required
		14.4 x 0.75 spaces = 10.8
	PLUS	
	1 space per 2 employees	1 x 10 (maximum of 20 staff) = 10
Vehicle Repair Station	1 space per 40m <sup>2</sup> of gross floor area	561m <sup>2</sup> / 40 = 14.03 spaces
	OR	
	3 spaces per workshop bay Whichever is the greater	10 work bays x 3 spaces = 30 spaces
Business Premise (office area)	1 space per 35m <sup>2</sup> of gross floor area	175.5m <sup>2</sup> / 35m <sup>2</sup> = 5.02 spaces
	<b>Total carparking required</b>	45.82 (rounded up to 46)
	<b>Total carparking provided</b>	48

From the above table, the development is required to provide 46 spaces under Section 16 of the Muswellbrook Development Control Plan 2009. The applicant is providing 42 spaces for the development, hence a shortfall of four (4) carparking spaces. The applicant has submitted a Traffic Impact Assessment for the development. This assessment provides a justification regarding the amount of carparking provided for the site. The Traffic Impact Assessment report confirms the development has 100 parking spaces within the site, some of which will be utilised for the display of vehicles. The Traffic Impact Assessment indicates of the 100 spaces provided on site, only 52 of these will be used to display vehicles. In this regard, there will be 48 carparking spaces available for staff, servicing and visitor parking.

#### Section 20 – Erosion and Sediment Control

The applicant has provided a sediment and erosion control plan for the site. Conditions will be imposed on the development that sediment and erosion control measures be implemented during the construction phase. These measures will need to be reinstated every day to reduce the potential for sediment leaving the site.

#### Section 24 – Waste Management

The applicant has provided a Waste Management plan for the development. The application was referred to Council's Environmental Section for consideration and comment. No objection was raised in relation to the waste management plan.

#### Section 25 – Stormwater Management

25.1 Preamble	Noted
25.1.1 Aims	Noted
25.2 General	
25.2.1 Applications	Noted
25.2.2 Existing Drainage Systems	The proposed development will connect to existing stormwater systems in the vicinity of the site.
25.2.3 Flooding and Runoff Regimes	The site is not subject to flooding. However, the applicant has provided preliminary concept plans on the proposed drainage of the site.
25.2.4 Overflow disposal	The application was referred to Council's Community Infrastructure section for comment. Suitable conditions have been proposed to be included in the consent, should the application be approved.
25.2.5 Pollutants	The development will require a Trade Waste approval

25.3 Residential Development	Not applicable
25.4 Non-Residential Development	A preliminary concept stormwater design has been provided with the civil plans. Council will require a detailed stormwater management plan to be provided with the Construction Certificate.
25.5 Subdivisions	Not applicable
25.5.1 Stormwater Collection	Council will require the applicant to connect to Council's stormwater system
25.6 Plans	Noted

#### Section 94A Contributions Plan 2009

The development will be required to pay Section 94A developer contributions as the approved subdivision under Development Application 254/2005 did not pay any Section 94 contributions. In this regard the amount payable is based on the estimated cost of the development and must be paid prior to the release of the Construction Certificate.

The amount payable is **\$28,258.56**. A condition of consent will be recommended requiring this payment, should the application be approved.

The following sections of the Muswellbrook Development Control Plan 2009 were considered and found not to be applicable to the proposed development:

Section 1 - Introduction	Section 2 – Submitting an application
Section 5 – Subdivision	Section 6 – Residential Development
Section 7 – Village Zones	Section 8 – Rural Development
Section 11 – Extractive Industries	Section 10 – Industrial Development
Section 13 – Flood Prone Land	Section 12 – Tourist Facilities and Accommodation
Section 15 – Heritage Conservation	Section 18 – Child Care Centres
Section 17 – Sex Services Premises	Section 20 – Erosion and Sediment Control
Section 19 – Use of Public Footpaths	Section 22 – Land Use Buffers
Section 21 – Contaminated Land	Section 26 – Site Specific controls
Section 23 – Onsite Wastewater management systems	Section 27 – West Denman Urban Release Area

#### **Section 79C(1)(a)(iia) the provisions of any planning agreement**

There are no planning agreements relevant to the subject Application.

#### **Section 79C(1)(a)(iv) the provisions of the regulations**

Division 8A of the Environmental Planning and Assessment Regulation 2000 applies to the development.

#### **Section 79C(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 79C(1)(b) the likely impacts of that development**

##### Context and Setting

The site is located within a B2 Local Centre Zone. However, the majority of the adjoining land is residential. The applicant is proposing to construct a double storey building, having a maximum height of 10m.

Built form

The proposed building will be tilt panel concrete which reduces construction time. This type of material is consistent with commercial and industrial type developments. The northern aspect of the building will contain the showroom areas, and hence will be predominately glass. This will help provide a contrast to the building and reduce the scale of the building.

Potential impacts on adjacent properties

The application was placed on public notification for a period of not less than 14 days. During this time, Council received two submissions. A further four submissions were received after the close of the notification period. All submissions were referred to the applicant for their consideration and comment. The details of the submissions are discussed later in the report.

There will be minimal impact on adjacent properties with regard to increased traffic movements. From the east of the site, back to the New England Highway, there are minimal residential properties. However, to the west of the site, residential properties directly adjoin the site.

The applicant provided a lighting plan, which indicates the location of the lights and the amount potential spillage/reflectivity may be directed onto adjoining properties. This appears to be minimal, and should the application be approved, a condition will be placed on the recommended conditions requiring the lights to be hooded and down pointing to limit the impact to adjoining properties.

Utilities

The site was subdivided in 2005 and at the time of subdivision, the site had access to services. In this regard, the development will be required to be connected to Council's water and sewer services. The application was referred to Council's Water and Waste Department for comment and a Notice of Requirements will be required to be imposed as a condition of consent, should the application be approved.

Further, a condition will be placed on the consent indicating that all services are to be extended at the full cost to the applicant.

Soils

The applicant has indicated there will be cut and fill undertaken on the site. In this regard, it is required that a Geotechnical report be provided to the Certifying Authority to determine the soil classification, and hence the type of slab required.

Air and microclimate

The construction phase of the development may generate additional dust which may leave the site. Conditions will be recommended that suitable arrangements be made to reduce the potential dust impact to adjoining properties. Once the development is operational, there should be minimal impact to adjoining properties.

Noise and Vibration

The construction phase of the development may generate an increase in noise for the adjoining properties. Conditions will be placed on the consent detailing the construction and operational hours for the development.

However, due to the slope of the site and the amount of cut and fill proposed, there should be minimal impact to adjoining properties in relation to noise.

Access, Traffic and Transport

The major issue for this development is the issue of heavy vehicular access to service it. Council received the application on 9 September 2016. Upon receipt of the application, clarification was sought with regard to how the car transporter vehicles would leave the site to return to the New England Highway. The supporting documentation indicated these vehicles would perform a U-Turn at the end of Rutherford Road.

The Applicant provided a response to Council's request on 18 October 2016. The Applicant's response stated that car transporter vehicles will turn left onto Rutherford Road, heading west, and turn right onto Ironbark Road. It was then proposed that the car transporter vehicles would proceed down the Skellatar Stock Route and turn right onto Denman Road. Further, the applicant has stated that all other vehicles would carry out a U-Turn at the end of Rutherford Road.

The Skellatar Stock Route has a load limit with regard to heavy vehicles. In this regard, the route proposed by the applicant would exceed the load limit currently in force.

Council held pre-lodgement meetings with the Applicant and Developer to discuss the proposed development. At these meetings, Council indicated a "seagull" type intersection would be required in order to allow vehicles to turn right when leaving the site. At a meeting held with the Applicant at the end of September, this was again raised as Council's preferred option for vehicles leaving the site. The Applicant stated at this meeting, should a "seagull" type intersection be required with the development, it would make the proposal "cost prohibitive".

The problem here is that the proposed right-hand turn access through the median out of the development is the right solution for truck access. It keeps the commercial impacts away from the residential neighbourhood immediately surrounding the site, and from going further into the residential area where light traffic restrictions apply.

There are a number of options related to the delivery of this access including:

- Up front construction prior to the development commencing
- Staging to allow construction access, and final detailing prior to occupation
- Council construction of the access on contract to the developer
- Construction in concrete versus 2-coat bitumen seal, which might reduce traffic control costs.

Council's Community Infrastructure department have agreed to allow the applicant to remove the mountable kerbs that make up the median and place sand bags filled with a sand and cement mix to reduce sediment and erosion. These sandbags are to be painted white to indicate this area is part of temporary works. Once the removal of the mountable kerb and median has occurred, the applicant will be required to place large steel sheets or other acceptable solutions in the area where the median is to be crossed. Prior to the issuing of the Occupation Certificate, the work within the median has to be completed to Council's requirements. Upon completion of this work, the Applicant will be required to submit a Works-As-Executed plan for approval. These requirements will be included in the recommended conditions of consent.

The application was informally discussed with the members of the Local Traffic Committee and the applicant was made aware of the recommendations suggested by the Committee. The Committee also agrees with the median access.

#### *Internal movements*

The submitted plans indicate the site will have one access point, which will be off Rutherford Road. This access is proposed to be 12m in width, which will allow the car transporter vehicles to access the site. The development has considered a circular path for car transporter vehicles to access the site. These vehicles will unload/pick up vehicles at the rear of the building. The Applicant has indicated car deliveries will be during operational hours and generally early morning and/or towards the end of the working day.

#### Safety, Security and Crime Prevention

The applicant has submitted a Crime Prevention Through Environmental Design (CPTED) report for the development. This report does not raise any substantial issues with the site. Recommendations made throughout the report will be incorporated in the conditions of consent, should the application be approved.

#### Economic Impact on the locality

Should the application be approved, it will potentially allow for an increase in staff for the business. The development will provide an opportunity to have up to four different vehicle franchises. This has the potential to increase the number of people coming to Muswellbrook to purchase vehicles.

#### Site Design and Internal design

The proposed development will not be utilising the whole site, which will allow for the future opportunity to expand, should it be required. The layout of the site will allow easy movement for car transporters and staff.

The general layout of the building is consistent with modern car dealerships throughout NSW.

#### Construction

The applicant has indicated the development will not be staged and is to be constructed under one construction certificate. In this regard, the application has been referred to Council's Health and Building Surveyor for review and suitable conditions have been recommended for the development and will be included in the draft conditions.

Further, the application will be required to be constructed in accordance with the Building Code of Australia, appropriate Australian Standards and other relevant legislation.

The following additional matters were considered and, where applicable, have been addressed elsewhere in this report:

Public Domain	Waste
Heritage	Energy
Other land resources	Natural hazards
Water	Technological hazards
Flora & fauna	Social Impact on Locality
Cumulative Impacts	

#### **Section 79C(1)(c) the suitability of the site for the development**

It is considered that the development is permissible within the zone and complies with the requirements of the MLEP and MDCP.

#### **Section 79C(1)(d) any submissions made**

A total of six submissions were received (i.e. two submissions were received during the notification period and four submissions were received after the closure of the notification period). A copy of the submissions are attached as **Appendix C**.

Name	Address	Town
Mr and Mrs Watts	417 Sandy Creek Road	MUSWELLBROOK NSW 2333
Hunter Valley Aboriginal Corporation	P O Box 579	MUSWELLBROOK NSW 2333
Mr Luke Mitchell	3 Casuarina Close	MUSWELLBROOK NSW 2333
Mr and Mrs Green	17 Wanaruah Circuit	MUSWELLBROOK NSW 2333
Mr Rodney Howard	12 Casuarina Close	MUSWELLBROOK NSW 2333
Ms Betty Lambley	7 Casuarina Close	MUSWELLBROOK NSW 2333

The concerns raised in the submissions are summarised below.

#### **1. Will staff be required to park on site**

Comment: The applicant will be required to provide carparking for the development. In this regard, it is generally required that all carparking associated with the

development be located wholly within the site. Refer to the earlier discussion under Section 16 of the Development Control Plan 2009.

2. *Will there be new and used cars located on the site*

Comment: The proposed development is for a commercial premises which will include vehicle repairs and showroom. In this regard, the assessment of the application does not consider whether or not the vehicles are new or used. It is the use of the site which is assessed.

3. *Will loading occur within the site*

Comment: The submitted plans do not specify any loading bays for the development. However, the applicant has confirmed the design of the site, being an internal ring road, will allow the car transport vehicles to be loaded and unloaded wholly within the site.

4. *Confirmation of access to Rutherford Road*

Comment: The application was informally considered by the Local Traffic Committee. In addition to this, the application was referred to Council's Community Infrastructure Department for comment and relevant conditions have been recommended to be placed on the consent, if approved. Refer to the earlier section on access, traffic and transport for the detailed discussion.

5. *How will the development reduce the potential increase in stormwater runoff.*

Comment: The application was referred to Council's Community Infrastructure Department for consideration and comment. Conditions have been recommended with regard to the applicant providing a detailed stormwater management plan.

6. *Confirmation regarding access from Woollybutt Way.*

Comment: The proposed development will have no direct access off Woollybutt Way. This will be further enforced by a condition of consent.

7. *Status of the pathway from Casuarina Close*

Comment: The pathway in question was created in 1982 when the lots in Casuarina Close were constructed. Upon review of the deposited plan for the development site, it is noted there is no registered easement for access extending from the pathway. In this regard, the applicant can legally erect a fence on the property boundary. It is recommended that an additional report be prepared by the Community Infrastructure Department to be considered at the Infrastructure Committee regarding the closure of this pathway.

The submissions were forwarded to the Applicant for their consideration and comment. The applicant has provided a response to the submissions, which is attached as **Appendix D.**

**Section 79C(1)(e) the public interest.**

It is considered that the proposal is not contrary to the public interest.

Council Adopted and Draft Policies

The following policies have been adopted by Council and are required to be considered in the assessment of the application. In this regard the following policies are not applicable to the development

D7/1	Development Cost Estimating
D25/1	Rivers and Drainage Channel
S28/1	Street Trading Policy
D6/1	Demolition Policy
C20/1	Contaminated Land Policy
S15/1	Building Over Existing Sewer Policy
R26/1	Retaining wall

## **5 CONCLUSION**

The application has been assessed in accordance with the legislation listed at the beginning of the report. The application has also been placed on public exhibition for a minimum of fourteen days with six submissions being received.

It is recommended the application be approved subject to conditions of consent outlined in **Appendix A**.

### **Disclosure of Political Donations and Gifts:**

No disclosures of a political donations or gifts have been made in relation to this application.

### **SOCIAL IMPLICATIONS**

The development as presented will not result in any specific social implications for Council.

### **FINANCIAL IMPLICATIONS**

This development as presented has no direct financial impact upon Council's adopted budget or forward estimates.

### **POLICY IMPLICATIONS**

The development as presented will not result in any specific policy implications for Council.

### **STATUTORY IMPLICATIONS**

Statutory implications relating to assessment of the subject application have been addressed in the body of the report

### **LEGAL IMPLICATIONS**

This matter has no specific legal implications for Council.

### **OPERATIONAL PLAN IMPLICATIONS**

This matter has no specific Operational Plan implications for Council.

### **RISK MANAGEMENT IMPLICATIONS**

This matter has no specific risk management implications for Council.





**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.	Rev	Drawn by	Drawing Date
01 – Site Plan	4	W. A. Brown Building Pty Ltd	5 August 2016
02 – Site Analysis	3	W. A. Brown Building Pty Ltd	27 June 2016
03 – Ground Floor Plan	3	W. A. Brown Building Pty Ltd	27 June 2016
04 – First Floor Plan	3	W. A. Brown Building Pty Ltd	27 June 2016
05 – Elevations	3	W. A. Brown Building Pty Ltd	27 June 2016
06 – Perspectives	3	W. A. Brown Building Pty Ltd	27 June 2016
07 – Perspectives	3	W. A. Brown Building Pty Ltd	27 June 2016
Lighting – exterior		Madloc Lighting	5 October 2016

**2.        Plans on Site**

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

**ANCILLARY MATTERS TO BE ADDRESSED TO THE SATISFACTION OF COUNCIL PRIOR TO THE  
ISSUE OF THE CONSTRUCTION CERTIFICATE**

**3.        Construction Management Program**

A Construction Management Program must be prepared and submitted to, and approved in writing by the Council prior to the issue of any Construction Certificate. The program shall include such matters as:

- a)                    a Safe Work Method Statement;
- b)                    the proposed method of access to and egress from the site for construction vehicles, including access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;
- c)                    the proposed phases of construction works on the site, and the expected duration of each construction phase;
- d)                    the proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken;
- e)                    the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;

- f) the proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site;
- g) the proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- h) the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
- i) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising structural engineer, or equivalent;
- j) proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of "B" class hoardings and fans over footpaths and laneways;
- k) proposed protection for Council and adjoining properties;
- l) the location and operation of any on site crane;
- m) the location of any Construction Zone (if required) approved by Council's Traffic Committee, including a copy of that approval; and
- n) location, identification, treatment and disposal of all hazardous materials on site.

All work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Program and any conditions attached to the approved plan. A copy of the approved Construction Management Plan, and any conditions imposed on that plan, shall be kept on the site at all times and made available to any officer of Council upon request.

#### **4. Traffic Management Plan**

A Traffic Management Plan prepared by an appropriately qualified civil engineer shall be prepared and submitted to Council for written approval prior to the issue of any Construction Certificate. The Traffic Management Plan shall include certification and details addressing the following:-

- (a) Details demonstrating compliance with relevant provisions in AS2890.1 – Off Street Car Parking Facilities, including, but not limited to, aisle widths, and parking space dimensions;
- (b) Details of the proposed circulation routes within the car park;
- (c) Details of proposed pedestrian routes, kerb construction methods and other protective measures such a bollards or the like to ensure safety of users;

(d) Details of the temporary Intersection improvements involving the right hand turn through the existing median strip as required by condition 31 of this consent.

(e) Details of proposed traffic control signage to be installed and references to relevant RTA Guidelines and Australian Standards; and

(f) Details of speed limit restrictions within the car park.

Notes:

(i) It is recommended that the Traffic Management Plan be prepared and submitted at an early stage as the Traffic Committee only meets once a month, and make require further information prior to approval.

(ii) The Traffic Management Plan is used to ensure appropriate safety and traffic management is provided within the development which can be enforced through relevant legislation. It is in the interests of the applicant that it is completed.

## **5. Trade Waste**

Prior to release of construction certificate, the applicant is to submit to Council a completed trade waste application form and obtained a liquid trade waste approval in accordance with Council's Liquid Trade Waste Policy.

## **6. Road Design – Intersection**

The applicant is to submit to and have approved by Council, a detailed design of the intersection improvements on Rutherford Road, to allow a right hand movement out of the site.

## **7. Landscaping**

The applicant shall submit to the certifying authority revised landscaping plans indicating additional vegetation effectively screening the development from adjoining residential properties along the western boundary of the site.

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

## **8. Building Code of Australia**

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

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

## **9. Muswellbrook Shire Water and Waste Division**

A 'Notice of Requirements' under the Water Management Act 2000 must be obtained, prior to any Construction Certificate application, detailing water and sewer extensions to be built and charges to be paid by the applicant. Any charges identified in the 'Notice of Requirements' as requiring payment at construction certificate stage are to be paid prior to release of a Construction Certificate.

Details demonstrating compliance with any requirements for works by Muswellbrook Shire Council Water & Waste Department are to be provided with the Construction Certificate application.

The final compliance certificate must be submitted to the Principal Certifying Authority prior to release of any Occupation Certificate.

#### **10. Foundations Adjacent to Sewer and Drainage Easements**

The foundations for building structures and walls adjacent to the sewer and stormwater drainage easement are to be constructed in such a manner that does not affect the integrity of sewer and stormwater main drainage lines. Details demonstrating compliance are to be submitted to Certifying Authority for approval with the Construction Certificate.

#### **11. Design and Survey for Public Infrastructure**

The applicant shall engage an appropriately qualified person to undertake the survey, design and preparation of plans for all works located within Council's property or all works that revert to Council's care and control upon completion of the development. The design plans are to be certified by an appropriately qualified and practising Civil Engineer to confirm compliance with appropriate Australian Standards and submitted to the Road Authority for a preliminary Section 138 of the Roads Act 1993 consent prior to the issuing of the Construction Certificate. Works required to be designed include but are not limited to a right turn from the property for heavy vehicles exiting the site, the access way and stormwater connections.

#### **12. Vehicular Accessway Design – Commercial**

The applicant shall design the sealed vehicular access way in compliance with the following:

- (a) the Concrete vehicular access way shall be designed to comply with Muswellbrook Shire Council footpath, kerb and guttering policy to ensure that vehicles entering the premises will not scrape/strike the surface of the carriageway, layback, vehicular crossing or garage floor;
- (b) the width of the vehicular layback shall be sized (including the wings) to meet the requirements of the turning path for the largest vehicle to enter and exit the site;
- (c) the crossing (between the layback and the property boundary) shall be placed on a single straight grade of less than 5%, falling to the back of the layback;
- (d) any twisting of the driveway access shall occur entirely within the subject property;
- (e) a Cross section along the centre-line of each access way to the building at a scale of 1:50 to be taken from the centre of the road and shall include all changes of grade both existing and proposed; and
- (f) a certificate prepared by an appropriately qualified and practising Civil Engineer shall be provided to the Certifying Authority to certify compliance with these requirements and the suitability of the construction and the intended use of the access way prior to the issue of any Construction Certificate.

### **13.     Parking for People with Disabilities**

A minimum of one car-parking space for use by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed in accordance with Australian Standard AS2890.1 to achieve compliance with the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

### **14.     Off Street Car Parking**

A total of 42 off-street car-parking spaces, together with access driveways, shall be constructed, paved, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards and industry best practice as appropriate. The plans shall also nominate the allocation of parking spaces for specific purposes as required by conditions of this consent. A certificate prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement shall be submitted to the Certifying Authority for approval with the Construction Certificate.

### **15.     Sediment Control**

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including plans and specifications shall be submitted to Council accompanying the Construction Certificate, which provide adequate measures for erosion and sediment control. As a minimum, control techniques are to be in accordance with Muswellbrook Shire Council's Guidelines on Erosion and Sediment Control, or a suitable and effective alternative method. The Control Plan shall incorporate and disclose:

- (a)            all details to protect and drain the site during the construction processes;
- (b)            all sediment control devices, barriers and the like;
- (c)            sedimentation tanks, ponds or the like;
- (d)            covering materials and methods;
- (e)            a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing that these design requirements have been met shall be submitted to Council with a Local Government Act Section 68 application for connection to Council's stormwater drainage system and approved in writing prior to issuing of the Construction Certificate.

### **16.     Access for People with Disabilities**

Ramps and access for people with disabilities are to be provided to and within the ground floor of the building. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

## **17.     Waste Management Plan**

A Waste Management Plan is to be submitted with the Construction Certificate. The plans should include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, all landfill removed from the site, haulage routes, design of on-site wind proof waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

## **18.     Engineer Designed Stormwater**

Plans and certification indicating all engineering details relevant to the site regarding the collection and disposal of stormwater from the site, buildings and adjacent catchments, shall be submitted to Council for approval under Section 68 of the Local Government Act and approved prior to the issue of a Construction Certificate for construction works. Stormwater shall be conveyed by gravity from the site to the nearest Council stormwater drainage system. All designs shall be in accordance with the following specifications:-

- (a)                conveyed by gravity (not a charged or pumped system) to Council's a direct connection to Council's street stormwater gully in Rutherford Road. If a direct connection to the pit option is implemented then the pipeline within the footpath area shall have a minimum cover of 300mm.
- (b)                the applicant shall engage a specialist Hydraulics Engineer to carry out an evaluation of Council's stormwater drainage system and the effect of the proposed development on this system. The results of this evaluation shall be submitted with all other drainage details to Council.
- (c)                all civil and drainage works within the road reserve and Council's stormwater drainage easement shall be designed and built in accordance with Council's current "Infrastructure Specification".
- (d)                video inspection must be carried out of completed drainage works that are to revert to council and a DVD forwarded to Council's Development Engineer to support the certification.
- (e)                the stormwater drainage system shall be designed for an average recurrence interval (A.R.I.) of 1 in 20 years.
- (f)                all redundant stormwater pipelines within the footpath area shall be removed and the footpath and kerb reinstated.

(g) all plumbing within the site shall be carried out in accordance with AS/NZ3500.3.2, National Plumbing and Drainage Code.

(h) prevent any stormwater egress into adjacent property by creating a physical barrier or land reshaping.

(i) any proposed fence is to be constructed so as not to impede the natural overland flow along the line of the easement.

(j) engineering details are to be prepared to comply with relevant Australian Standards and Council guidelines, and shall be certified by an appropriately qualified and practising Civil Engineer.

A design report summarising the design method and assumptions shall be submitted with a Maintenance Plan for the stormwater management system.

## **19.     On-Site Stormwater Detention**

On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped site, which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the site for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to the kerb and gutter or piped drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 Edition.

Engineering calculations, design and certification shall be certified by an appropriately qualified and practicing Civil or Hydraulic Engineer and submitted to the Council under Section 68 of the Local Government Act and approved prior to the issue of a Construction Certificate.

## **20.     Section 94A Contributions**

Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010, a contribution of **\$28,258.56** shall be paid to Muswellbrook Shire Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010. The contribution is to be paid prior to the issue of the Construction Certificate.

### **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT**

## **21.     Sediment and Erosion Control**

All required erosion and sedimentation 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.

## **22.     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.

## **23.     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 onsite.

## **24.     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.

## **25.     Public Liability Insurance**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Muswellbrook Shire Council, as an interested party and a copy of the Policy must be submitted to Council and the Principal Certifying Authority prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

(Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.)



## **26.     Stabilised access**

Unless existing site access is utilised, stabilised site access consisting of at least 200mm of aggregate at 30–60mm in size and a minimum of 3m in width must be provided from the road edge to the front of the building being constructed prior to the commencement of work. The stabilised access must be fully maintained and removed from the site when a permanent driveway has been constructed.

## **27.     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:
  - i.     be a standard flushing toilet, connected to a public sewer, or
  - ii.    if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
  - iii.   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:
  - i.     protect and support the building from damage, and
  - ii.    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.

## **28.     Water Meter**

A water meter as issued and installed by Muswellbrook Water & Waste department must be connected to the town's reticulated water supply prior to any commencement.

## **29.     Section 68 Local Government Act Approval**

Prior to the commencement of any works it shall be necessary for the applicant to obtain a Section 68 Local Government Act approval for all water supply and sewer drainage works.

The application shall include the submission of Hydraulic Engineers details for all water supply and sewer drainage works.

**30.     Vehicle Entry**

Prior to commencing construction of the driveway/vehicle crossing/layback or stormwater drainage, within the road reserve, a permit for the work must be obtained from Council, under Section 138 of the Roads Act 1993.

**31.     Road Works – Temporary Intersection improvements**

Prior to work commencing on site, the applicant shall construct a temporary right hand turn through the existing median strip on Rutherford Road in consultation with Council's Community Infrastructure Department and pursuant to the approved Traffic Management Plan. The works are to include the following:

- a)     Removal of sections of mountable kerb and median to allow adequate room for traffic to perform a right hand turn when leaving the site.
- b)     Placement of sandbags on either side of the removed section to reduce the potential for sediment runoff. These sandbags are to be painted white to indicate the area where work has been undertaken.
- c)     Placement of large steel sheets or other acceptable solutions over the extracted area where the median is to be crossed prior to the intersection being used.

<b>CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK</b>
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**32.     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.

**33.     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.

**34.     Dust Emission and Air Quality**

- a)     Materials must not be burnt on the site.
- b)     Vehicles entering and leaving the site with soil or fill material must be covered.

c) Dust suppression measures must be carried out to minimise wind-borne emissions in addition odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

**35.     Applicant's Cost of Work on Council Property**

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

**36.     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 96 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.

**37.     Excavation**

- a) All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.
- b) All excavations associated with the erection of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) The builder is to ensure that persons working on the site comply with the WorkCover Authority's requirements.

**38.     Retaining Walls & Drainage**

- a) The excavation, footings and drainage associated with construction of the retaining wall shall be located wholly within the property boundaries of .
- b) The approved retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must:-
  - (i) be constructed as soon as practicable (not more than 30 days) after the site has been cut and filled.

- (ii) have adequate provision for drainage in accordance with the requirements of AS3500.

### **39. Protection of Public Places**

- (1) If the work involved in the erection of a building:-

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or

- (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public place and be contained within the site boundary unless prior permission has been obtained in writing from Council.

- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.

- (5) No access across public reserves or parks is permitted.

### **40. Essential Services**

The following essential services are to be installed in the building:

- (a) hydrants as per E1.3 of Building Code of Australia
- (b) hose reels as per E1.4 of Building Code of Australia
- (c) portable fire extinguishers as per section E1.6 Building Code of Australia
- (d) emergency lighting as per Section E4.4 Building Code of Australia
- (e) exit signs as per section E4.8 Building Code of Australia

### **41. Mandatory Council Inspections**

At the following stages of construction, a satisfactory report from Council is to be obtained prior to works proceeding:

- (a) Sewer drains – all pipes are to be correctly laid, suitably bedded and ready to backfill. Suitable backfill material is to be available on site at the time of inspection.
- (b) Connection of stormwater drainage to easement– following installation and bedding of drainage lines and prior to backfilling

(c)                      Driveway crossover of the footpath or nature strip:

- prior to pouring concrete
- Section 138 Roads Act Permit required prior to inspection being carried out.

(d)                      Council infrastructure- at completion of works and prior to an Occupation Certificate inspection.

To arrange an inspection please contact Council's Environmental Service Department on (02) 6549 3745.

Note:                      Inspection fees will be charged in accordance with Council's adopted fees and charges and must be paid prior to the issue of the Construction Certificate.

#### **42.        Erosion and Sediment Controls**

The approved Sediment & Erosion controls shall be reinstated daily prior to workers leaving the site where modified at any time. Any sediment that escapes from the allotment shall be cleaned, collected and disposed of to Council's waste management facility or the sediment shall be returned to the subject allotment on a daily basis.

<b>CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE</b>
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#### **43.        Occupation**

The building is 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.

#### **44.        Reinstatement**

All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of a final Occupation Certificate.

#### **45.        Pedestrian/Cycleway**

The applicant is to extend the existing shared pedestrian cycleway for the full frontage of the development at their cost, in accordance with AUSPEC specifications D9 and C271.

The shared pedestrian cycleway construction is to be undertaken prior to the release of the occupation Certificate. Footpath sections are to be made available for inspection by the Principal Certifying Authority immediately prior to concrete pours.

#### **46.        Access for People with Disabilities**

Provision shall be made for access to and within the building on the site for persons with a disability in accordance with the provisions of AS 1428 Part 1 prior to the issue of any Occupation Certificate.

**47.        Disabled Access from the Public Realm – Tactile Surface Indicators**

Tactile ground surface indicators complying with AS1428.4 shall be provided at the point of common public access to the building and at the vehicular access points to assist people with visual impairments in gaining access to and from the public way and the premises prior to occupation. Such works are to be undertaken wholly within the boundaries of the site.

**48.        Storage of Hazardous or Toxic Material**

To ensure hazardous and toxic materials are not a threat to the environment they must be stored in accordance with WorkCover Authority requirements. All tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bonded area. Certification of compliance with this requirement shall be obtained prior to the issuing of any Occupation Certificate.

**49.        Certification – Civil Works**

An appropriately qualified and practising Civil Engineer shall certify to the Principal Certifying Authority that the stormwater drainage system was constructed in accordance with this consent and the provisions of AS3500. The applicant shall, upon completion of the development works and prior to the issue of an Occupation Certificate, submit to Council a copy of the aforementioned letter of certification.

**50.        Landscaping – Nature Strip**

All disturbed and vegetated areas of land to the front of the building and nature strip are to be fully landscaped to prevent soil erosion and migration prior to the release of any Occupation Certificate. The vegetation landscape screening along the western boundary of the site adjoining residential properties shall be established prior to the release of any Occupation Certificate.'

**51.        Connection to Sewer**

The premises shall be connected to the sewer system in accordance with the Australian Standard 3500. A works as executed plan on Council's approved form is to be submitted to Council within seven (7) days following the final drainage inspection and prior to any Occupation Certificate being issued.

**52.        Protection of inter-allotment drainage**

Any inter-allotment drainage pits on the site shall be protected and inspected for damage prior to the release of the Occupation Certificate.

**53.        Allocation of Parking Areas**

All required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas shall fully constructed, sealed, line marked, sign posted, numbered and in accordance with the consent prior to the release of the Occupation Certificate.

**54.        Road Works – Intersection improvement – Completion**

Prior to the issuing of any Occupation Certificate, the Applicant shall ensure the intersection upgrade, which will allow for a right hand turn onto Rutherford Road, has been constructed in accordance with the approved design.

**55.        Works as Executed Plans – drainage**

Prior to the issue of any Occupation Certificate a works as executed plan drawn on the NSW Fair Trading approved template detailing the layout and location of the sewer and stormwater pipe work is to be submitted to Muswellbrook Shire Council.

**56.        Work as executed plans – new intersection**

Prior to the issuing of any Occupation Certificate, the Applicant shall submit to Council for approval the works as executed documentation, including Quality Assurance Documentation for the construction work associated with the new intersection undertaken in the road reserve.

**57.        Redundant Vehicle Crossings**

Where a redundant layback will occur at the frontage of the property, a new concrete kerb and gutter must be constructed to replace the redundant layback prior to the issue of an occupation certificate.

**58.        Public Infrastructure Inspection**

Prior to the issue of an Occupation Certificate written confirmation is to be obtained from Muswellbrook Shire Council' building section that all damage caused to Council's infrastructure has been reinstated to a satisfactory condition. Council's inspection charges will apply.

**59.        Evidence of mandatory inspections**

Prior to the issue of an Occupation Certificate, a satisfactory inspection report is to be obtained from Council confirming that the following inspections have been carried out:

- (a)            Sewer drainage
- (b)            Connection of stormwater drainage to easement
- (c)            Driveway crossover of the footpath or nature strip
- (d)            Council infrastructure

<b>CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES</b>
---

**60. Stormwater Management**

The approved stormwater management system must be maintained in accordance with the approved maintenance program.

**61. Hours of Operation**

The business may be open only between the following hours:-

Car Showroom	
7 days per week	7am to 6pm
Workshop	
Monday – Saturday	7am to 6pm
Sunday	Closed

**62. Trade Waste**

At all times, the premises operations must comply with Councils Liquid Trade Waste Policy and the *Protection of the Environment Operations Act 1997*.

**63. Impact on Amenity of Surrounding Area – Non Residential Areas**

The implementation and intensity of this development shall not adversely affect the amenity of the neighbourhood by reason of excessive levels of illumination (internal or external), solar glare arising from the building materials utilised in any construction processes or fit-out, the emission of noises, noxious fumes, odours and waste.

**64. Lighting Glare**

The applicant shall ensure that external lighting shown on the approved plans shall comply with the AS4282:1997 Control of obtrusive effects of outdoor lighting, or its latest version to the satisfaction of the certifying authority.

**65. Visitors Sign**

A sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such.

**66. Obstruction of Parking Areas**

No parking spaces, loadings bays or vehicular access ways or access thereto shall be restricted, constrained or enclosed by any form of structure such as fencing, or the like, without prior consent from Council.

**67. Loading Within Site**



All loading and unloading operations shall be carried out wholly within the confines of the site, at all times and within loading areas designated on the approved plans.

**68.     Vehicle Egress Signs**

Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.

**69.     Waste Collection**

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

**70.     Waste Removal**

Excessive excavated material and waste matter must be disposed of at a licensed waste facility.

**71.     Delivery Hours**

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

**72.     Landscaping**

The landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan

**73.     Noise – compliance with legislation**

All noise generated from the premises must comply with the NSW EPA Industrial Noise Policy and the Protection of the Environment Operations (Noise Control) Regulation 2008. If council receives noise complaints and council verifies these as “offensive noise” an acoustic consultant must be engaged and the offending equipment modified to reduce noise emissions to comply with the above standards.

**74.     Noise criteria for the development**

The premises must comply with following noise limits as specified in the Muller Acoustic Consulting Noise Report, dated August 2016.

	Day L <sub>aeq</sub> (15 minute))	Evening L <sub>aeq</sub> (15 minute))	Night (L <sub>aeq</sub> (15 minute))	Sleep Criteria (L <sub>a1</sub> (1 minute))
R1	43	30	30	51
R2	40	28	28	51
R3	45	32	32	51
R4	45	31	31	51
R5	45	30	30	51
R6	41	29	29	51
R7	42	32	32	51
R8	33	30	30	51
R9	36	32	32	51
R10	38	36	36	51

R11	38	36	36	51
R12	37	36	36	51
R13	39	36	36	51
R14	39	37	37	51
R15	36	36	36	51

The limits in the noise table above do not apply if the Applicant has a written agreement with the relevant owner(s) of these residences to generate higher noise levels, and Council has been advised in writing of the terms of this agreement.

#### **75. Interpretation of Noise Levels**

(a) For the purposes of the interpretation of noise levels detailed in the consent, refer to the following:

	Definition
Day	the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays
Evening	the period from 6pm to 10pm
Night	the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

(b) Noise generated by the development must be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time) or an equivalent NSW Government noise policy.

#### **76. Noise – Offensive**

Noise associated with the premises including all associated mechanical plant and equipment must not be a source of “offensive noise” at the nearest affected premises:

“offensive noise” is defined under the *Protection of the Environment Operations Act 1997* as noise:

a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:

i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or

ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or

b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulation.

#### **77. Odour – Offensive**

Odour associated with the premises must not be a source of ‘offensive odour’ at the nearest affected premises:

“offensive odour” is defined under the *Protection of the Environment Operations Act 1997* as an odour:

a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances:

- i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
- ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or

b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.

**78. Access – direction**

All vehicles must enter and leave the site in a forward direction

**79. Access – Restriction**

There is to be no direct access to Woollybutt Way

**80. Access**

No right turn is to be permitted into the site

**81. Vehicle – heavy vehicle restriction**

No heavy vehicles over 10 tonne associated with this development are to use Ironbark Road or Skellatar Stock Route

**82. Parking - limitation**

All staff parking and vehicles for service must be parked on site.

**83. Signage – Directional**

Directional signage must be erected on the site to inform traffic movements to the satisfaction of Council

<b>REASON FOR IMPOSITION OF CONDITIONS:</b>
---

The reason for the imposition of the following conditions is to ensure, to Council's satisfaction, the objects of the *Environmental Planning and Assessment Act 1979* (as amended) are achieved:

(a) To encourage:

- (i) The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forest, minerals, water, cities, towns, and villages for the purpose of promoting the social and economic welfare of the community and a better environment;
- (ii) The promotion and co-ordination of the orderly and economic use of development of land;
- (iii) The protection, provision, and co-ordination of communication and utility services;
- (iv) The provision of land for public purposes;
- (v) The provision and co-ordination of community services and facilities;

- (vi)            The protection of the environment, including the protection and conservation of native animals and plants including threatened species, populations, and ecological communities and their habitats;
  - (vii)           Ecologically Sustainable Development; and
  - (viii)          The provision and maintenance of affordable housing.
- (b)        To promote the sharing of the responsibility for environmental planning between the different levels of government in the State.
- (c)        To provide increased opportunity for public involvement and participation in environmental planning and assessment.

**ADVICE:**

**(1)    Location of Services**

Prior to construction work commencing you should ensure that all services have been clearly located and identified by contacting “Dial before you Dig” by telephoning 1100.

**(2)    Obstruction of Nominated Exits**

During the occupation and life of the building nominated exits must not be blocked at the point of discharge.

**(3)    Advertising Signage**

All advertising signs shall be the subject of a separate development application which is to be submitted for Council’s approval prior to erection or placement.

INDUSTRIAL

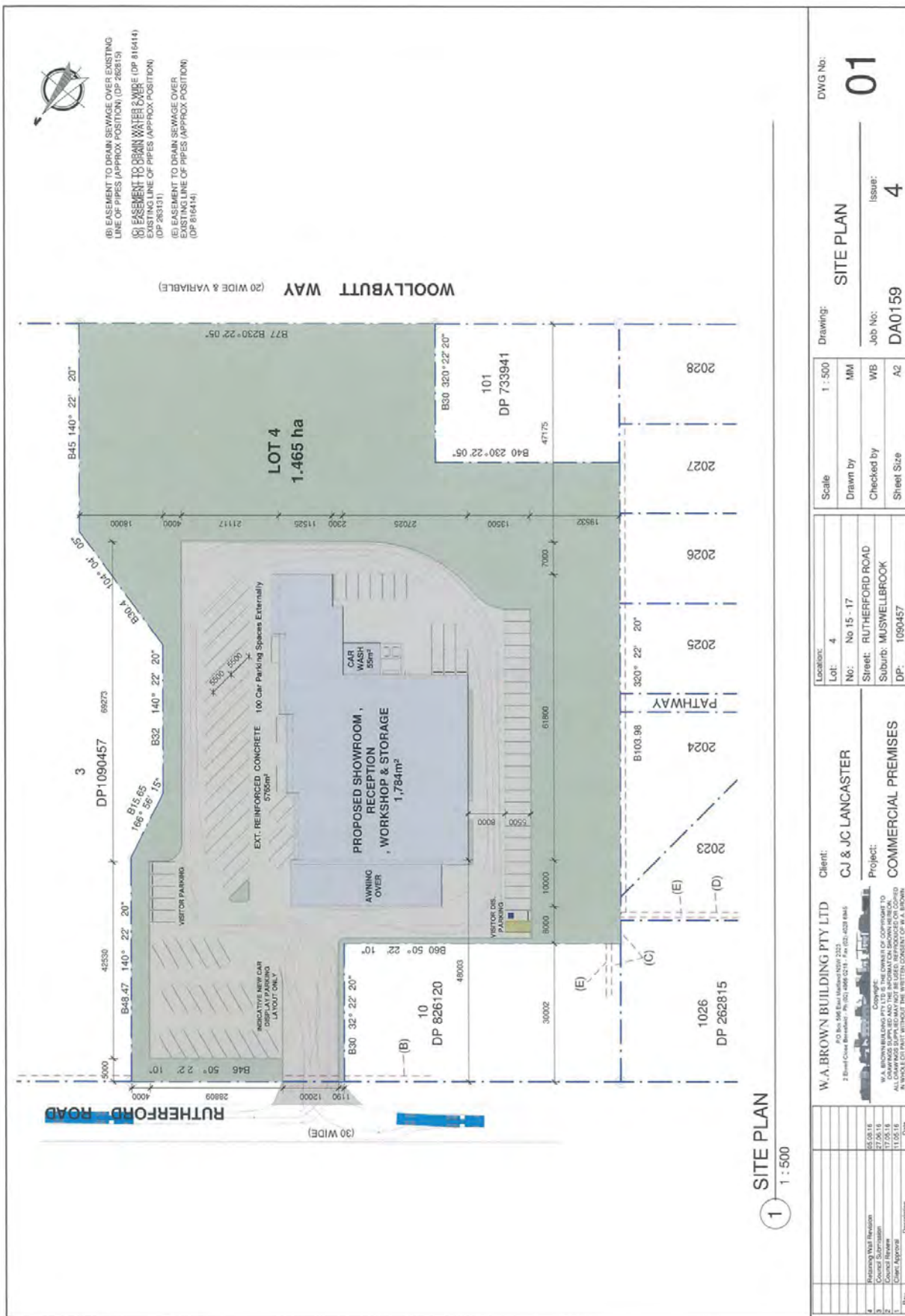
COMMERCIAL

PROJECT MANAGEMENT

**DEVELOPMENT APPLICATION****Project:** COMMERCIAL PREMISES**Client:** CJ & JC LANCASTER**Lot:** 4**No:** No 15 - 17**Street:** RUTHERFORD ROAD**Suburb:** MUSWELLBROOK**DP:** 1090457**Drawn by:** MM**Checked by:** WB**Job No:** DA0159**SHEET LIST**

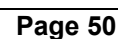
Sheet Number	Sheet Name	Current Revision
00	TITLE SHEET	3
01	SITE PLAN	4
02	SITE ANALYSIS	3
03	GROUND FLOOR PLAN	3
04	FIRST FLOOR PLAN	3
05	ELEVATIONS	3
06	PERSPECTIVES	3
07	PERSPECTIVES	3

**WA BROWN BUILDING PTY LTD**
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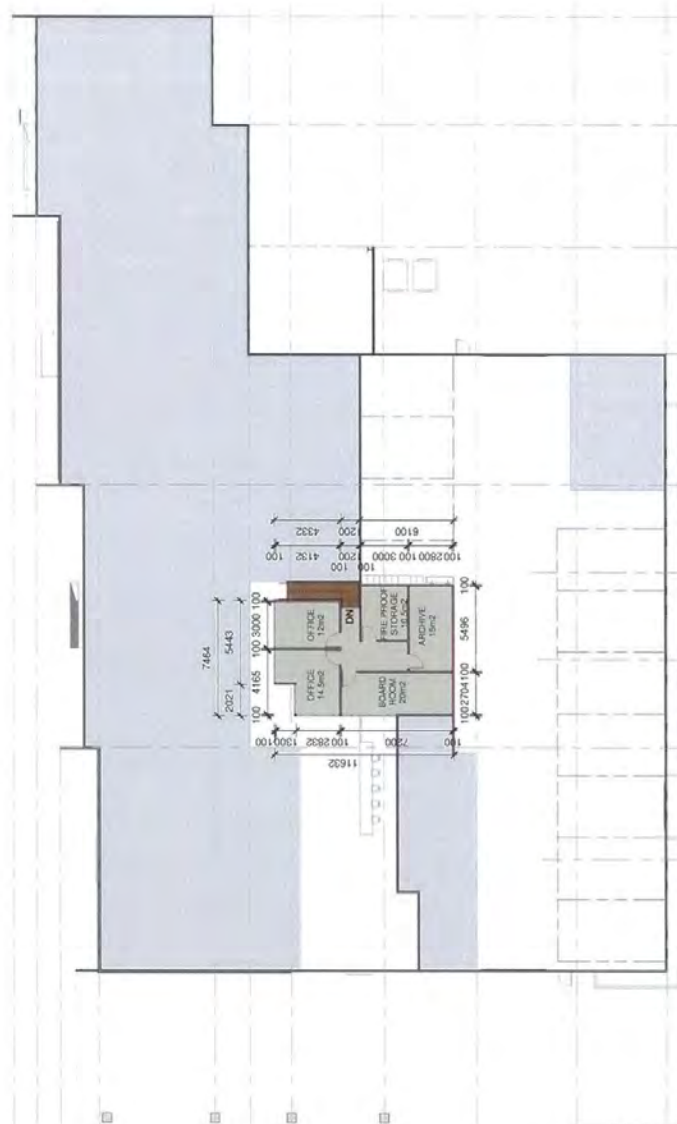













FIRST FLOOR PLAN

1  
1 : 200

3	Council Submission	27.06.16
2	Council Review	17.05.16
	Council Approval	11.05.16

**W.A. BROWN BUILDING PTY LTD**  
P.O. Box 198 East Maitland NSW 2323  
2 Christ Church Maitland Ph (01) 4986 5214 Fax (01) 4923 0845

**Client:**  
**CJ & JC LANCASTER**

**Project:**  
**COMMERCIAL PREMISES**

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Location:	
Lot:	4
No:	No 15 - 17
Street:	RUTHERFORD ROAD
Suburb:	MUSWELLBROOK
DP:	1090457

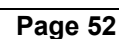
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FIRST FLOOR PLAN

Job No: \_\_\_\_\_ Issue: \_\_\_\_\_

4





1 3D VIEW A



2 3D VIEW B



3 3D VIEW C



W.A. BROWN BUILDING PTY LTD P.O. Box 998 East Malvern NSW 2233 2 Bunde Court Berridale Ph (02) 4566 0218 Fax (02) 428 8943		Client: CJ & JC LANCASTER		Location: Lot: 4		Scale Drawn by: MM		Drawing: PERSPECTIVES		DWG No: 06													
Project: COMMERCIAL PREMISES		Street: RUTHERFORD ROAD Suburb: MUSWELLBROOK		No: No 15 - 17		Checked by: WB		Job No: DA0159		Issue: 3													
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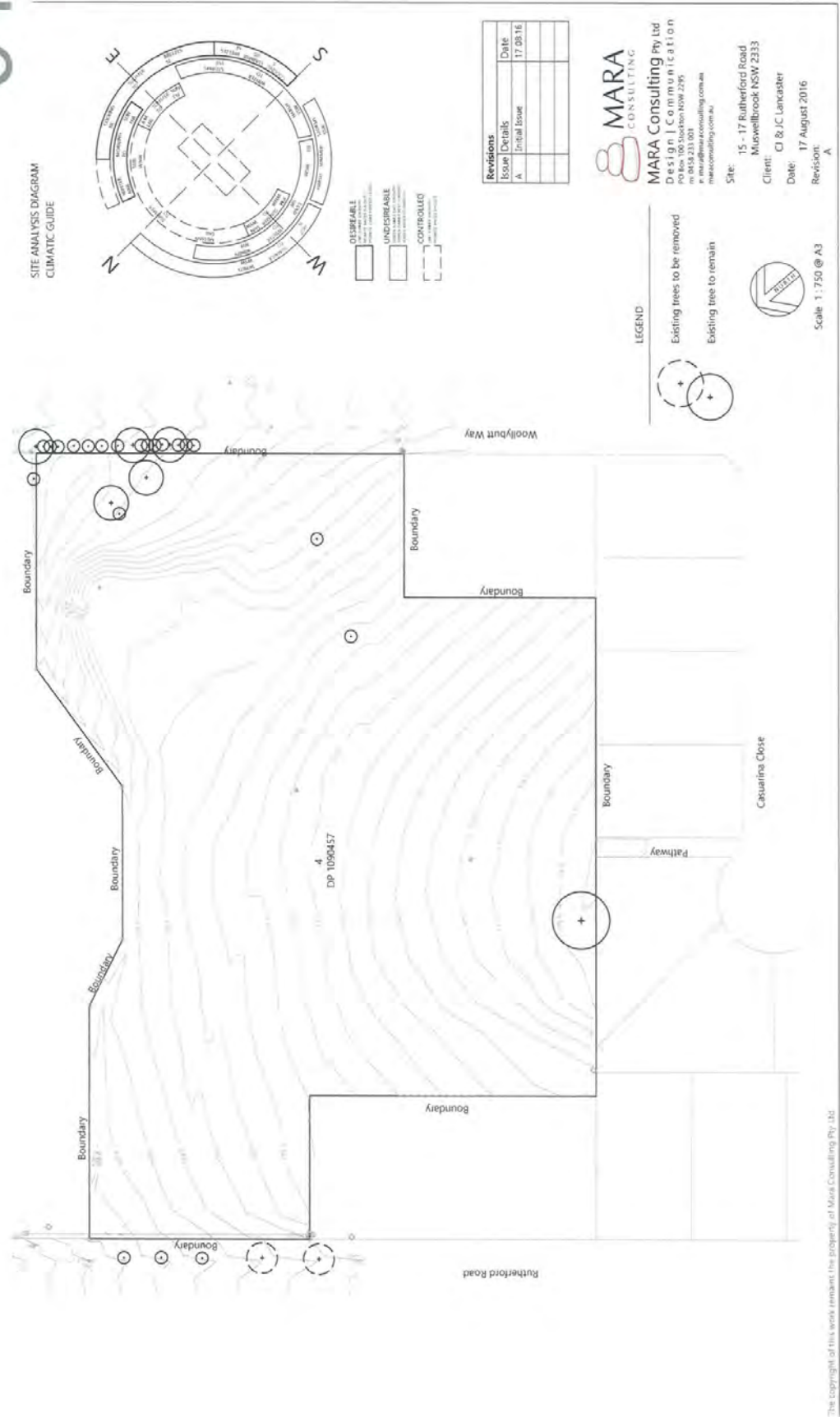
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2 3D VIEW E

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## Existing Site



# Landscape Design Report

## 02

### Site - General Description

This landscape design report has been prepared in accordance with the requirements of Muswellbrook Shire Council Development Control Plan 2009. The subject site is located at 15-17 Rutherford Road, Muswellbrook, NSW. The site occupies approximately 14,652 m<sup>2</sup>. The landscape under this submission occupies a total of 7,144 m<sup>2</sup>. The site is bordered by Rutherford Road to the northwest, a shopping centre to the northeast, Woollybutt Way to the southeast and residential houses to the southwest. Access to the site is from Rutherford Road.

The site slopes from the southwest to the northeast with the steepest portion at the northeast corner. The proposed development will require cut and fill earthworks. The site is currently an open area used as a walk through space. The site is primarily vegetated with field grass groundcovers. There is a shrub and tree planting beside Woollybutt Way and there are two young Eucalyptus trees growing on the site close to Woollybutt Way. There is a mature Eucalyptus tree growing near the pathway leading to Casuarina Chase and five young street trees along Rutherford Road.

Vegetation to be retained includes three street trees along Rutherford Road, groundcovers, shrubs and trees along the south western boundary. Vegetation to be removed includes the Jacaranda tree and the Silky Oak tree on Rutherford Road where the proposed entrance is located, and the internal groundcover grasses in the areas marked for development and cut and fill earthworks. The site is contained within the Muswellbrook LEP 2009 B2 Local Centre Zone.

### Proposed Development

The proposed development consists of a car showroom, comprised of four car dealerships, a reception area, a workshop and storage area, a carwash, 100 car parking spaces and retaining walls around the Rutherford Road and commercial building sides of the site. Soft landscaping will encompass plantings around the site boundary the development. This will frame and soften the development, enhance the views from the road and stabilise slopes.

### Proposed Landscape Works and Objectives

The proposed landscape works aim to improve the amenity of the site and the surrounding area. The design plans meet Council's planning objectives through the consideration of environmental, ecological concerns and public amenity.

- The existing site characteristics have been considered and have been realised in the built form through a number of landscape related elements, these include:
- Planting around the new development that defines and enhances the site
  - Tree planting to frame and soften the development area and to provide shade around the carpark
  - Planting that complements the existing character of the surrounding development
  - Groundcover grasses to stabilise slopes
  - Plant selection of native species with low maintenance requirements

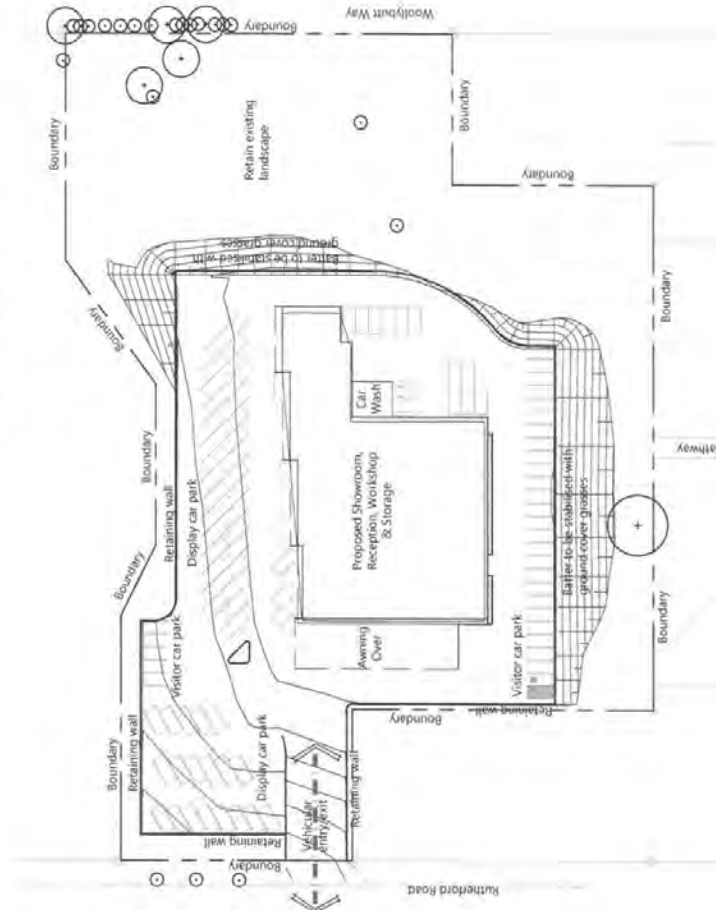
### Landscape Themes

The planting palette is based on the character of the surrounding developments and the durability of the species selected. The primary groundcover proposed around the site's boundary consists of durable cultivars of Lomandra and Dianella which will provide a durable, yet attractive site boundary. These plants will provide spatial delineation and bank stability while

### Design Principles

In response to the existing site, Muswellbrook Shire Council requirements and needs of the proposed development, the design principles outlined below have been developed. These have guided the landscape design and selection of materials.

The main principles are identified in the diagram below:



### Consultants Declaration

I, Todd Anderson, have prepared the design plan and related documents to meet the requirements of Muswellbrook Council for this category of development as outlined in Muswellbrook Development Control Plan 2009 and guidelines relevant for this development.

Qualification: Registered Landscape Architect, ALA  
Member no: 2051

**Trees Required**  
Number of car park spaces: 100  
Required ratio: 1 tree per 10 spaces  
Number of trees required: 10  
Number of trees provided: 40

Revisions	Issue Details	Date
A	Initial Issue	17.08.16



**MARA Consulting Pty Ltd**  
Design | Communications  
PO Box 105 Stockton Vale NSW 2333  
t: 02 6551 2222  
e: mara@maraconsulting.com.au  
maraconsulting.com.au

Site: 15 - 17 Rutherford Road  
Muswellbrook NSW 2333  
Client: CJ & JC Lancaster  
Date: 17 August 2016  
Revision: A



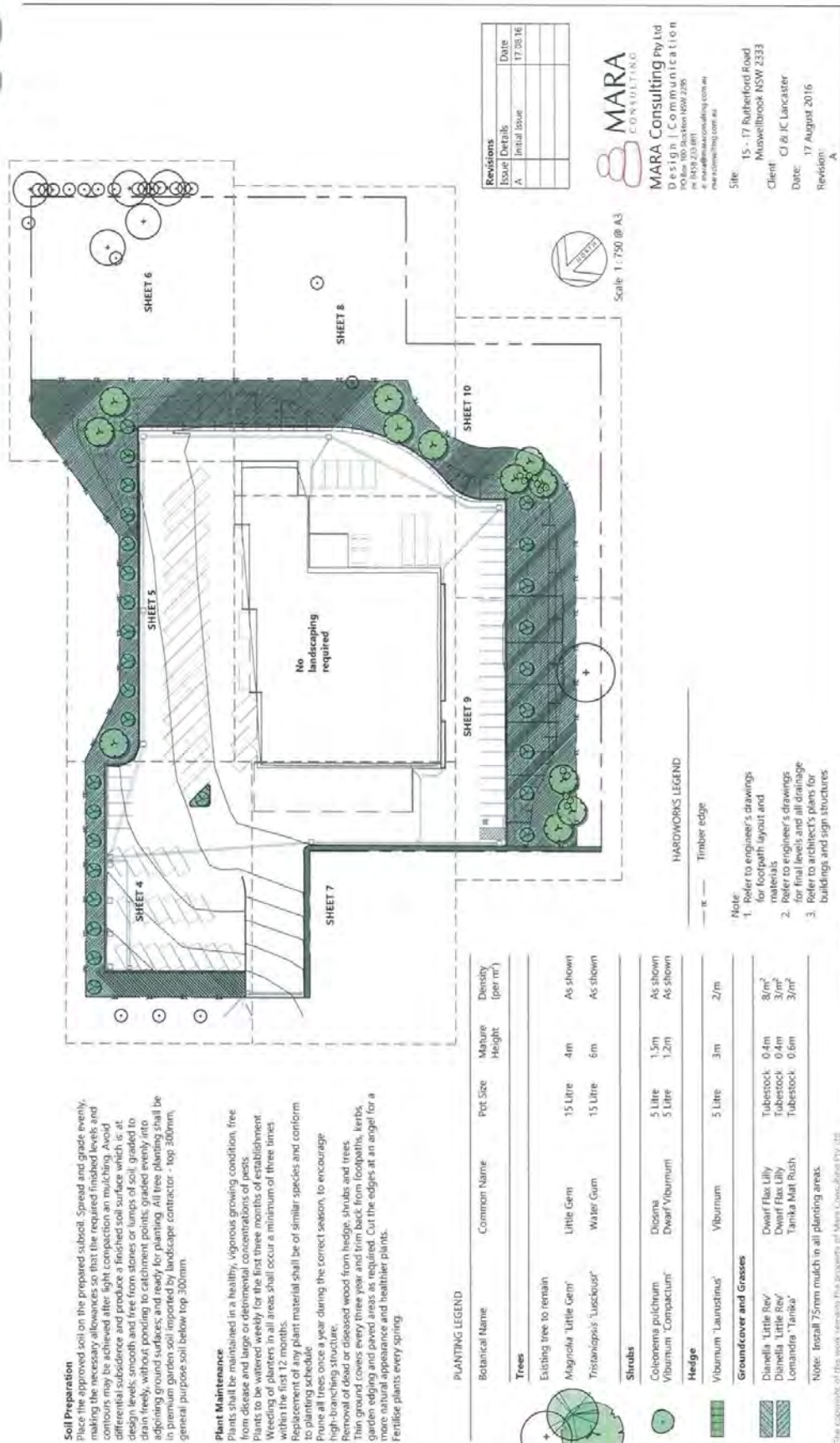
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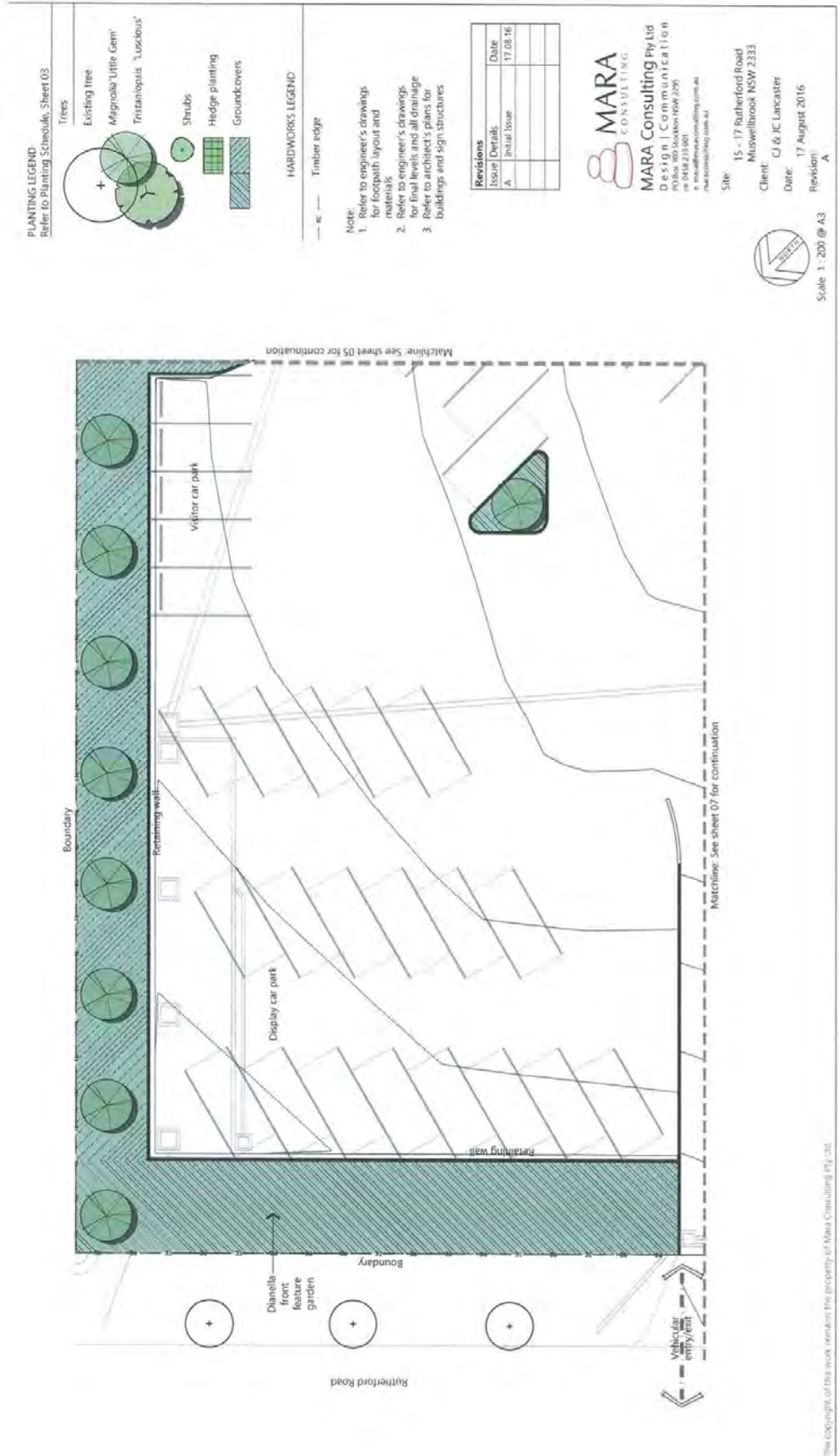
## Key Plan &amp; Plant Schedule

03



# Landscape Plan

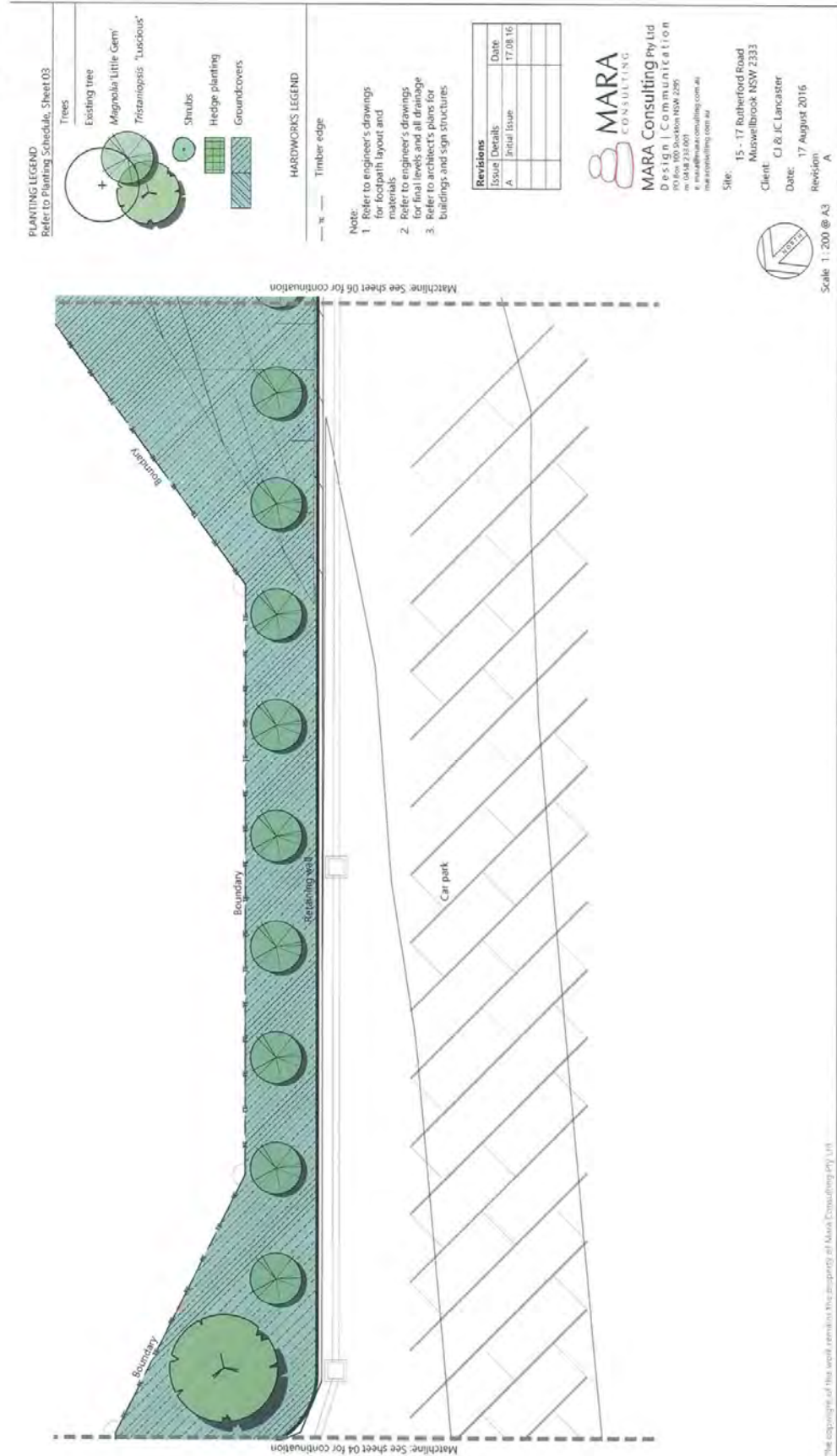
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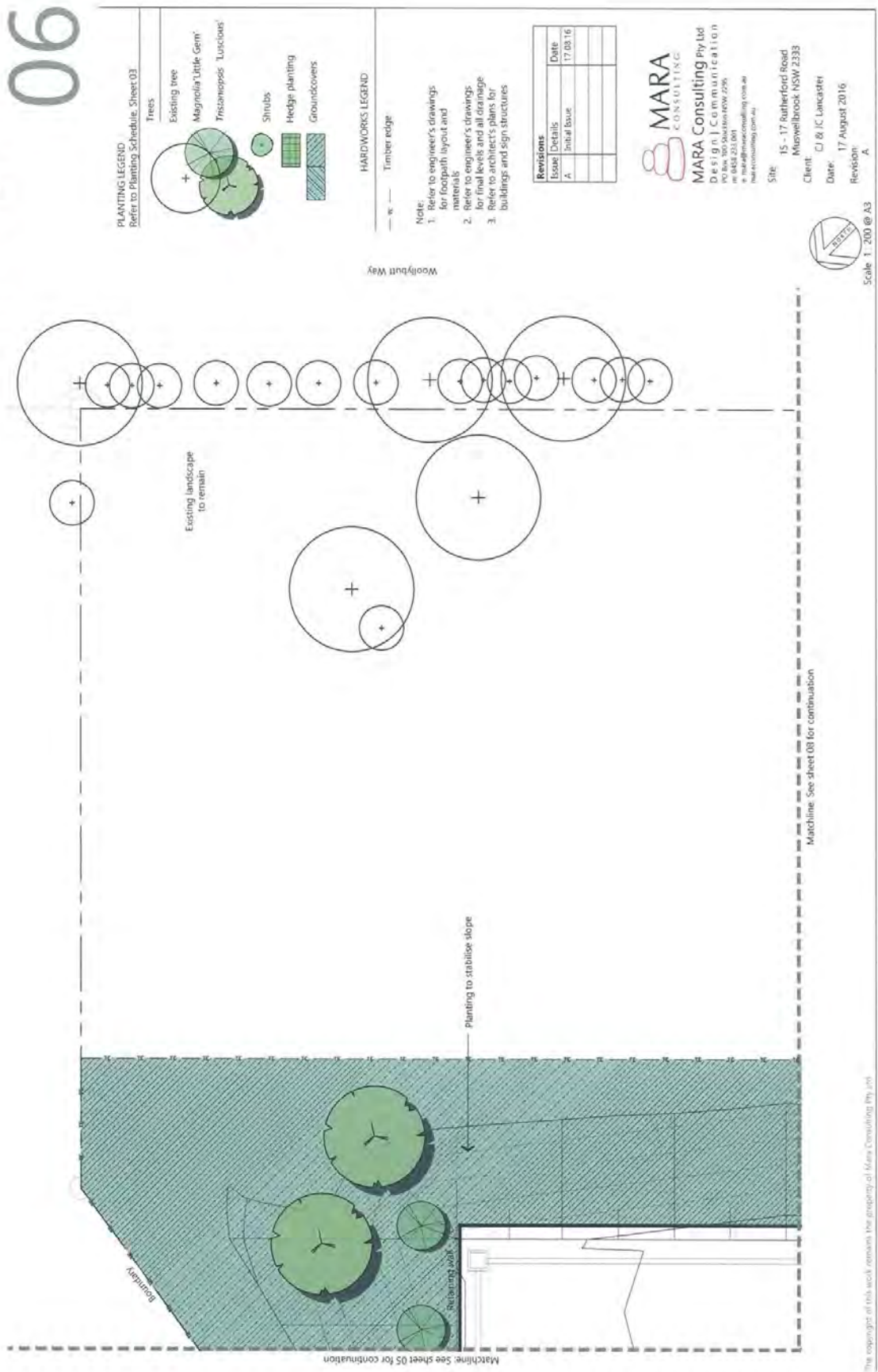
# Landscape Plan

## 05



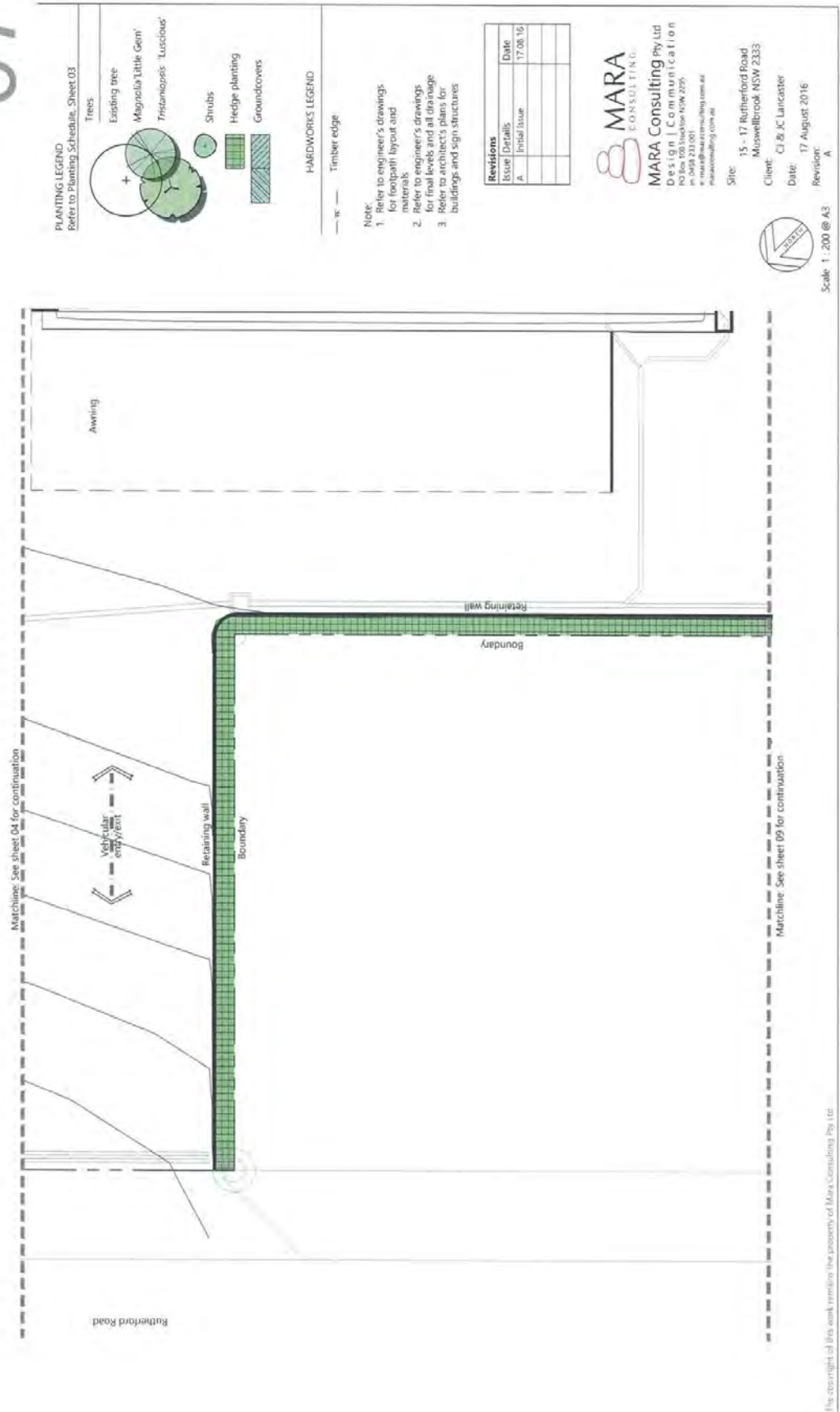
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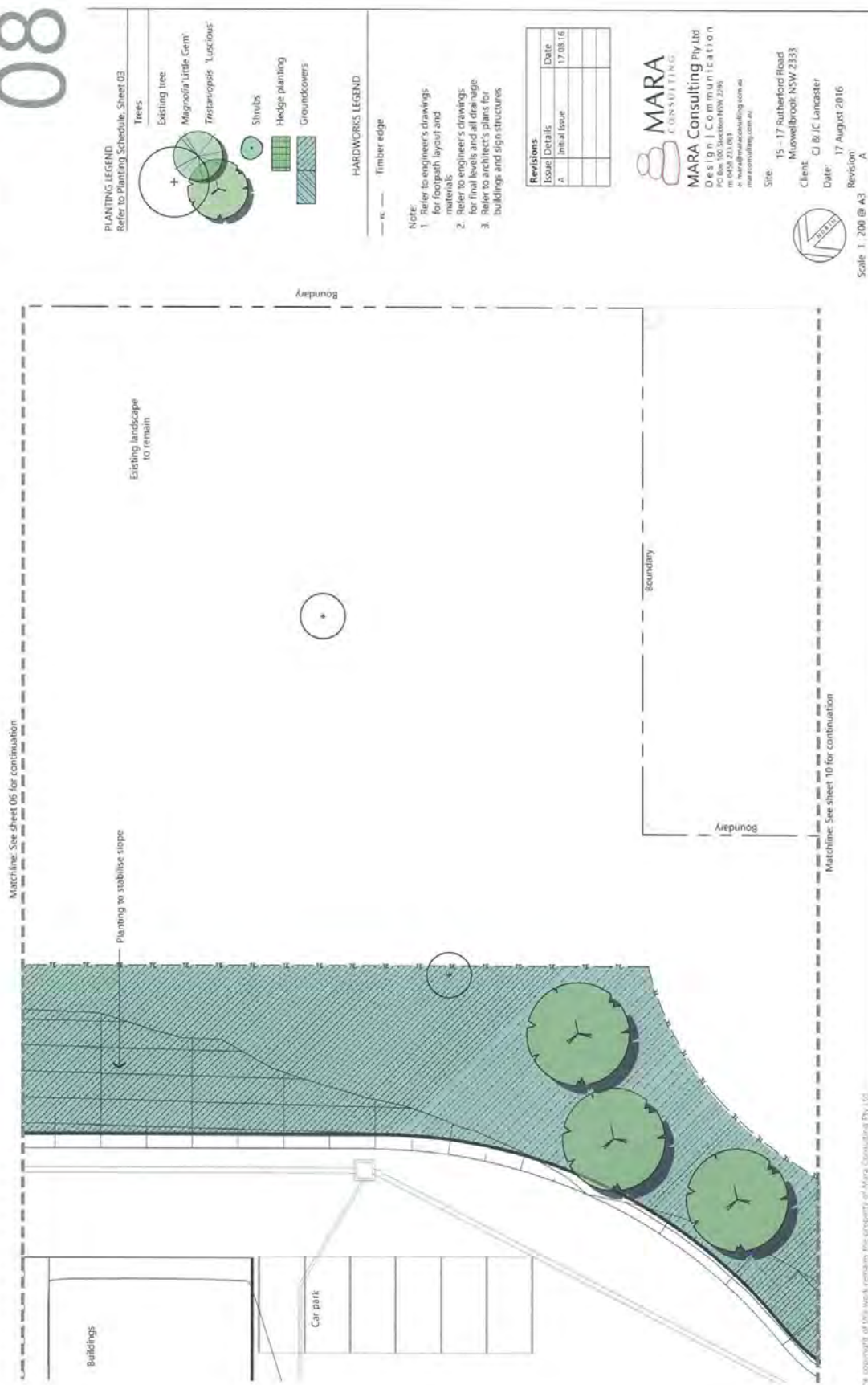


## Landscape Plan

07



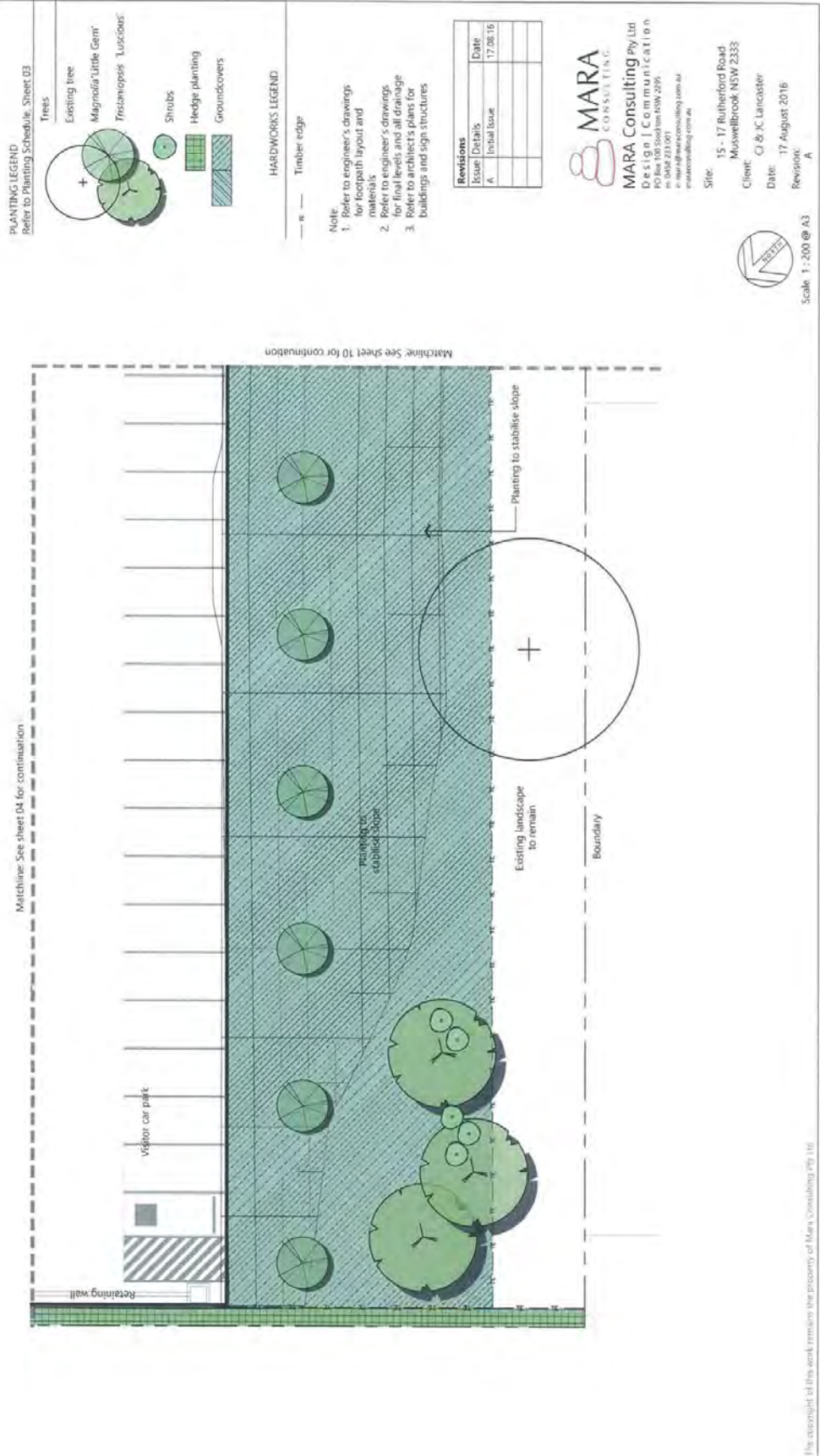
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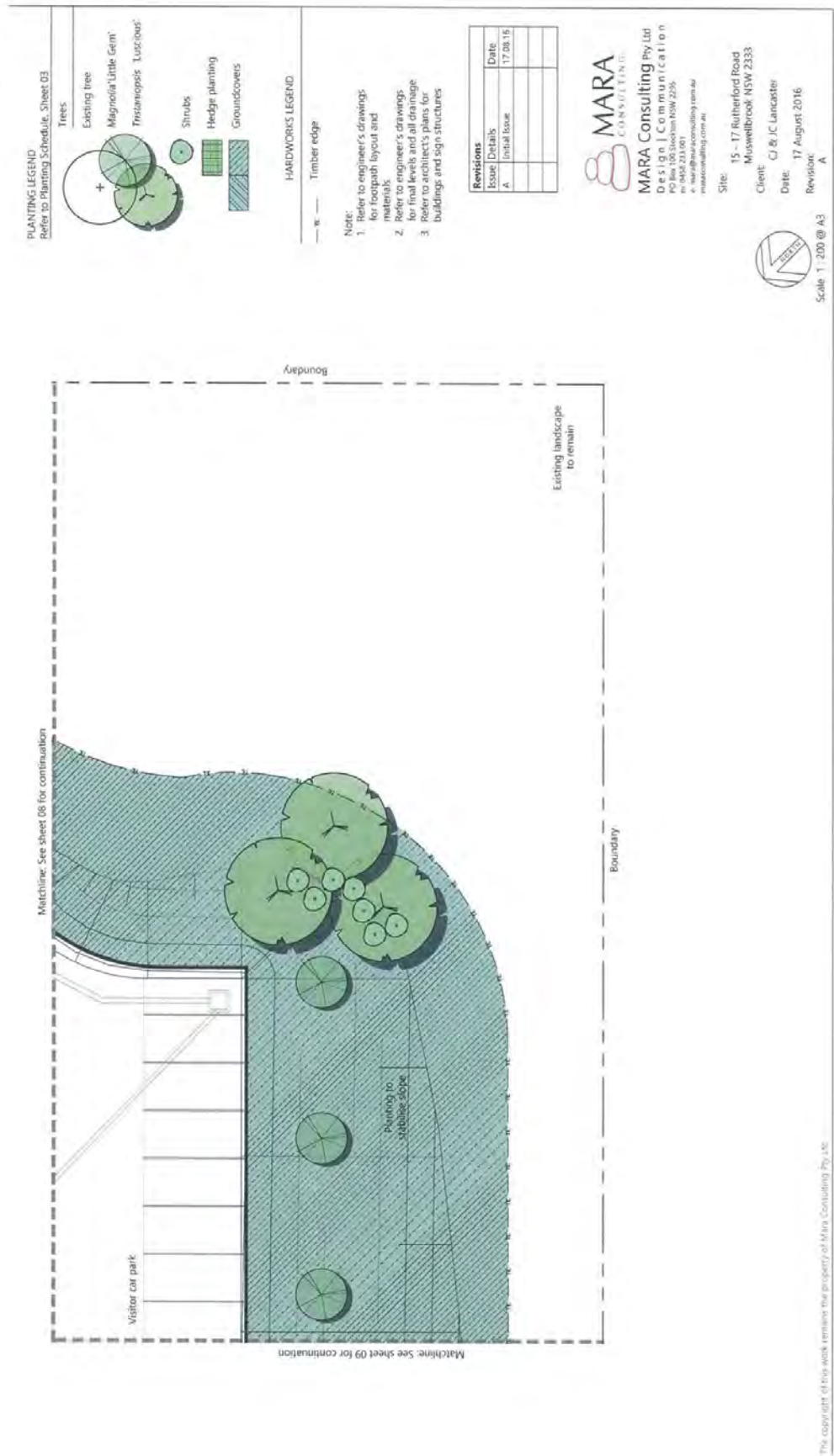
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09

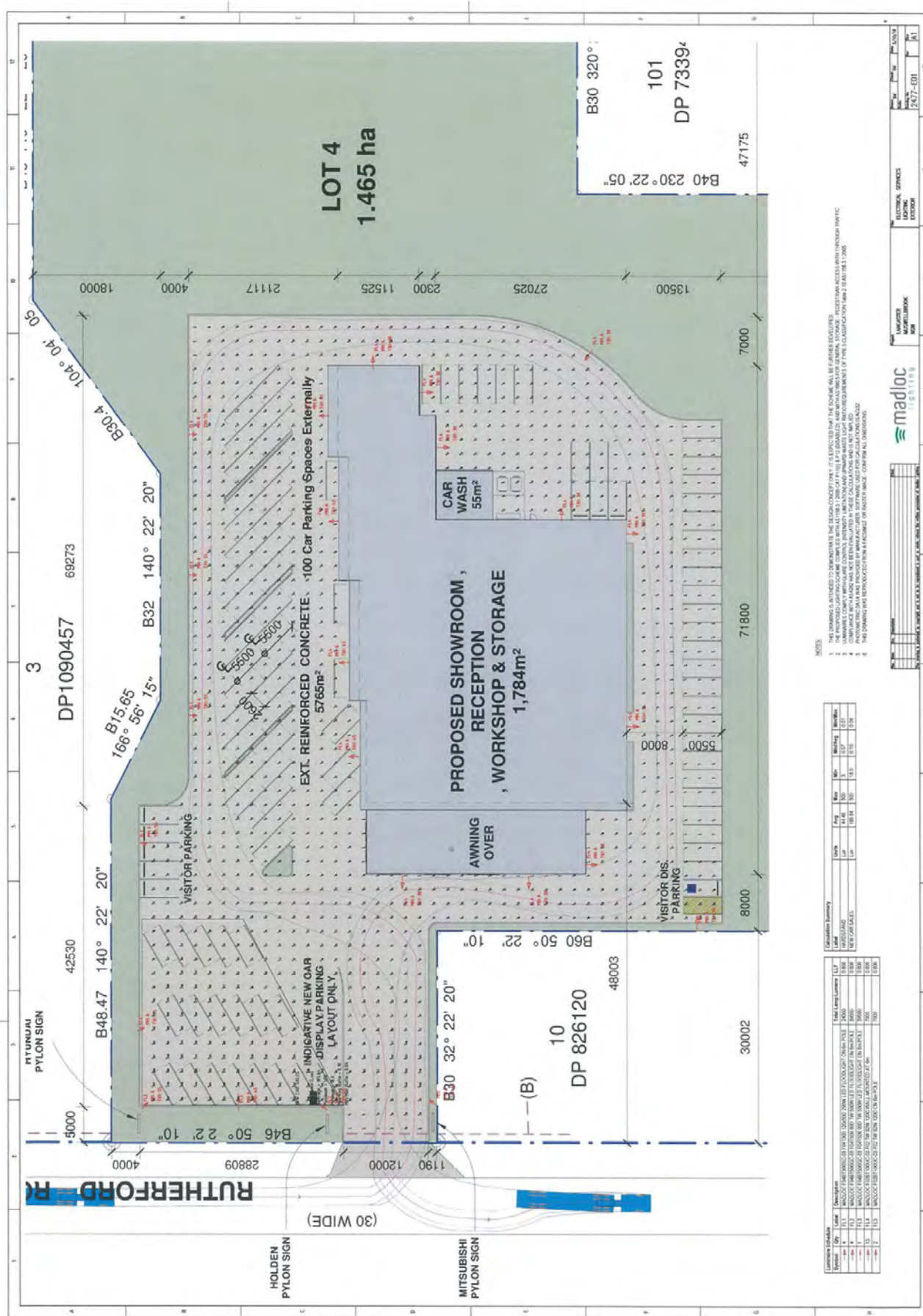


# Landscape Plan

# 10







Mr RG & GA Watts  
Glenray  
417 Sandy Creek Road  
MUSWELLBROOK NSW 2333

The General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Dear General Manager

RE: Your letter dated 20th October 2016  
Notice of Proposed Development - DA95/2016

Could you please respond to the following;

- 1) Will all employee & staff parking be restricted to within the Development area and thus the surrounding streets will not be used as employee & staff parking?
- 2) Will the Development be used for new and used vehicle sales?
- 3) Will the loading and unloading of vehicles from road transport be only preformed within the Development area. IE No trucks parking in the residential streets.
- 4) Please supply drawings 02, 03, 04 & 05 of Job No DA0159 as they are not included in the correspondence sent.
- 5) Does the "construction of a new vehicular access crossing for the site" mean access to the South bound lane of Rutherford Road only OR does it include a new access across the medium strip/nature reserve between the South and North bound lanes of Rutherford Road?

Yours Faithfully



Grahme Watts  
Signed on behalf of Ray & Glenda Watts



Noted. Acknowledgement letter  
sent to submitter + application



Hunter Valley Aboriginal Corporation

28 November 2016

Mrs D Watson

Muswellbrook Shire Council

By Email [Council@muswellbrook.nsw.gov.au](mailto:Council@muswellbrook.nsw.gov.au)

Re: DA95/2016

Dear Mrs Watson.

I am writing on behalf of the Hunter Valley Aboriginal Corporation regarding this development, unfortunately we did not get notification until late last week as the mail was redirected to the wrong address.

We have several concerns listed below.

1. Since the section has been backfilled, (Lots 15 -17 Rutherford Road, Muswellbrook). The run off surface water after rain now comes into Woollybutt Way, Will the Council or developers mitigate this by installation of remedial stormwater pipework. Council workers have already dug a trench to contain and direct stormwater onto the road of Woollybutt Way to stop flood water spreading and creating a flooding issue, but we see this as a temporary measure only.
2. We have noticed at the Toyota franchise trucks loading and unloading cars can take up the entire block from Acacia Drive and Woollybutt way. This causes congestion and some traffic issues. Some of this is due to staff and customers taking up parks in front of the caryard, we feel that a truck loading/unloading area in the rear of the new developments parking area will address this and keep the congestion down, especially during school hours.

3. We also have been told there would not be any access to the site from Woollybutt Way, and we support this as we have rental properties in Woollybutt Way which often have young children and we did have concerns about trucks in a residential neighbourhood.

We appreciate your time in letting us submit our concerns. If you have any further queries, please don't hesitate to contact us. We are always happy to assist.

Kind regards



Ross Pahuru

Manager.



Mr. Luke Mitchell,  
3 Casaurina Close,  
MUSWELLBROOK, NSW 2333.

*The General Manager,  
Muswellbrook Shire Council,  
PO Box 122  
MUSWELLBROOK NSW 2333.*

Dear General Manager,

RE: Letter dated 20 October, 2016.

Notice of Proposed Development DA 95/2016.

As a resident living directly adjacent to the site of the proposed construction of the two (2) storey commercial building (car dealership and workshop) on 15-17 Rutherford Road, Muswellbrook, I wish to raise specific concerns with respect to the development plans and their affect on my property.

- 1) Noise nuisance: My concern as a local shift worker is both the noise associated with the construction of the site and with respect to the continual noise disturbance from the proposed motor vehicle workshop operations including but not limited to, the use of pneumatic tools, engine testing equipment and compressors. Despite control measures such as reducing noise in early morning and late afternoon, as a shift worker the noise throughout the day will directly impact sleep preparations for night work.
- 2) Lighting interference: Similarly, the proposed development has raised concerns regarding light interference. A bedroom, living area and kitchen within my property directly face the proposed site, increasing potential lighting disturbance.
- 3) General design and aesthetic: the height, setback and number of storeys of the proposed development impact not only my property views but also, privacy. The height of the building will overlook and overshadow my yard and the constructional level of my property will mean the kitchen, lounge, bedroom and outdoor living spaces will directly face the building.
- 4) Property devaluation: as the property owner, I have concerns regarding how the noise, lighting disturbance, aesthetic and privacy issues will impact the future value of my property and how these issues would affect residential buying potential.

Thus, I feel that there has been an inadequate analysis of the impact that the planned commercial building will have on neighbouring residents and would merit response to the above concerns about the proposed development.

Yours faithfully,

Mr. Luke Mitchell.

Tuesday, 20<sup>th</sup> December 2016

Thomas and Michelle Green  
17 Wanaruah Circuit  
MUSWELLBROOK NSW 2333

The General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Dear Steve,

**RE: Notice of Proposed Development – DA95/2016**

I apologise for the late submission but unfortunately we did not realise until last night that this DA was in progress. To the best of our knowledge, we did not receive correspondence pertaining to this DA, even though we believe our property in Casuarina Close will be affected by the current proposals in DA95/2016.

We have several concerns listed below that we would appreciate a response to:

**1. Noise**

The current plans indicate the location of the vehicle service and repair centre to be on the residential side of the complex that adjoins Casuarina Close. Very little attention appears to have been applied to the issue of noise in the DA, except to suggest it will be minimal. We fail to understand how air compressors, rattle guns, pneumatic tools, grinders, drills, engine testing (starting and revving), banging metal tools, hoists, vehicle reverse beacon alarms, etc. will have “minimal” noise impact on the residents living in the adjoining residential cul-de-sac who have enjoyed a very peaceful and quiet location for many years.

Casuarina Close is uphill from the complex and we are all aware that sound travels particularly well uphill. We can hear events (rodeos, car shows, Muswellbrook Show, etc.) very clearly drifting up from the Showgrounds, so we find it difficult to believe that a vehicle service and repair centre adjoining our cul-de-sac will only produce minimal and unobtrusive levels of noise.

There are a number of owner/occupier and rental residents living in Casuarina Close who are shift workers. The current proposal for a vehicle service and repair centre to be operating so close to their homes will significantly impact the quality of day sleep that shift workers require to be fit-for-work for

their nightshift duties. Also residing in Casuarina Close are families with young children still needing day naps and elderly residents wishing to peacefully enjoy their retirement. All of these residents will be impacted by the relentless sounds of a busy vehicle service and repairs workshop and I urge Council to review this matter in more depth before approving the DA.

**Solutions:**

A suggestion would be to move the location of the service and repair centre of the complex to the commercial boundary of the site, that borders the Muswellbrook Fair Shopping Complex, thus allowing maximum distance from the residents and providing greater sound attenuation by the building itself between the service and repair workshop and the Casuarina Close residences.

Other suggestions to address noise:

- Fit mechanical ventilation systems with noise-proof ducting and acoustically designed intake and exhaust openings.
- Provide noise barriers such as acoustic screens (fixed or mobile) around activities that may create environmental harm or nuisance. Vegetation screens can also assist with noise reduction.
- Locate equipment that generates high levels of noise away from noise sensitive land uses.
- Fit noise reduction mechanisms to equipment and machinery where possible.
- Reduce the amount of noise and vibrations from mechanical equipment by:
  - Mounting on individual foundations/mounts designed to isolate structure-borne vibration and noise.
  - Mounting on rubber mats
  - Increasing mass weight of equipment

**2. Visual Amenity**

We wish to be assured that those residents whose properties directly adjoin the DA site will not be lumbered with an eye sore of a commercial complex. From their rear verandas and windows, these residents currently enjoy the pleasing vista of the Showgrounds and beyond to the golf course. Whilst realising that this is a commercially zoned site and the reality is a business will one day be constructed here, we think careful consideration of the privacy of the residents in Casuarina Close should be paramount. Screening between the property and the adjoining residences with native trees and plantings sufficient to soften the harshness of a commercial property whilst also providing privacy and sound attenuation is a must.

**3. Impact On Property Prices and Rental Returns**

We personally enjoyed a quiet and happy 5 years in our house at 8 Casuarina Close. 1 year ago, we made the decision to relocate because we required more space to accommodate our growing family and 2 home-based businesses. Selling our property 8 Casuarina Close was not an option due to the recent fall in property prices, instead we opted to rent our property. *The major selling point when marketing our house for lease was its very quiet location, perfect for shift workers.* Having both been shift workers whilst residing in this house for 5 years, we are absolutely certain, even with the block-out roller shutter over the master bedroom window, obtrusive, persistent and stressful noise would emanate from a vehicle service and repair centre and from the loading and unloading of cars from car-carriers if the complex was constructed as per the current DA. The impact this would have on our

attractiveness to the rental market would be severely diminished, resulting in the possibility of a lower rental return or worse, no occupancy. If we were to sell, we believe the price of our property would be negatively affected if there was workshop noise clearly heard during the day.

#### 4. Traffic

From a traffic viewpoint, we applaud the decision to have all loading and unloading of cars to take place on the premises. The Toyota franchise trucks completing these activities frequently create traffic hazards on Rutherford Rd. However, as mentioned above, the noise of large trucks and the loading and unloading process within the complex may impact nearby residents (?). We also support disallowing these large vehicles to have access via the surrounding residential streets, thereby assuring the safety of residents. We understand the intricacies of ensuring safe and effective traffic flow to and from the DA location on Rutherford Road and feel assured Council will ensure a suitable outcome to this complex issue.

We wish to state that we are not against this DA and fully support bigger, better businesses and job creation in the Muswellbrook Shire but as the current DA stands, we feel insufficient consideration has been given to the substantial impact the residents of Casuarina Close WILL feel if the DA was to be approved in its current form.

Thank you for taking our concerns into consideration. We are happy to assist with any further enquiries.

Kindly,

Michelle and Tom

Owners of: 8 Casuarina Close, Muswellbrook, NSW 2333

Ph: 0434 589 161

**Donna Watson**

---

**From:** Michelle Sandell-Hay on behalf of Steve McDonald  
**Sent:** Wednesday, 21 December 2016 5:35 PM  
**To:** Donna Watson  
**Subject:** FW: Letter of concern regarding DA 95/2016

*Michelle Sandell-Hay*

PA to the General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333  
Phone: 02 65493762  
Email: [michelle.sandell-hay@muswellbrook.nsw.gov.au](mailto:michelle.sandell-hay@muswellbrook.nsw.gov.au)

---

**From:** rodneyjhoward87 [<mailto:rodneyjhoward87@gmail.com>]  
**Sent:** Wednesday, 21 December 2016 3:52 PM  
**To:** Steve McDonald  
**Subject:** Letter of concern regarding DA 95/2016

Rodney Howard  
12 Casuarina close  
Muswellbrook NSW 2333

The General Manager  
Muswellbrook shire council  
PO Box 122  
Muswellbrook NSW 2333

As a resident of Casuarina close i am writing this letter to outline my concerns about the proposed 2 storey car dealership and workshop complex proposed for 15-17 Rutherford road. My concerns are as follows:

1) workshop noise.

As a shift worker the prospect of a workshop and the noise produced by it would hinder myself and others in preparing for shifts.

2)design.

The 2 storey development would not only block views of which are part of the reason i purchased my property but would also be detrimental to the private and quiet area.

3)property price.

For the reasons above i believe it is inevitable that my property's future value would decrease as prospective buyers will be turned away by these negatives caused by the development.

For these reasons i believe that further analysis be conducted regarding the effects that the development would have on residents in the surrounding area.

Yours sincerely,

Rodney Howard.

Sent from my Samsung Galaxy smartphone.

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B. Lambley

7 Casuarina Close  
Muswellbrook Lot 2025  
21st December 2016

The General Manager  
Muswellbrook Shire Council  
PO Box 122  
Muswellbrook 2333

No Political Donations made  
**Development Application No 95/2016**

**Dear Sir**

I would like to submit details of my concerns regarding the above application:-

**Workshop**

From looking at the information given, the workshop opens uphill, therefore open to the residential areas. My back verandah overlooks this area; if the noise from the workshop is very loud it will make the use of this area untenable. Perhaps this area could be opened in another direction so the noise will not carry to the residents.

**Visual Impact**

I would prefer not to lose the view of the hills beyond—I am unable to estimate the finished height of the buildings to access this impact.

**Walkway—Sited between sites 2025 and 2024**

This walkway has obviously been factored into previous developments and is used regularly to access the supermarket area. Retaining this access across the area is important; otherwise it may lead to vandalism and becomes less safe for nearby residents.

**Tree Buffer Zone**

Buffer zones of trees or shrubs of reasonable height would soften the industrial aspect of the development. Any grassland area should be well maintained.

**Perimeter Fence—what type**

Colorbond would become an eyesore and invite graffiti.

My apologies for missing the deadline for any objections to the above development.

Yours faithfully  
Betty Lambley  
7 Casuarina Close  
Muswellbrook



KDC PTY LTD ABN 61 148 085 492  
PHONE (02) 4940 0442  
EMAIL admin@kobydc.com.au  
WEBSITE www.kobydc.com.au  
ADDRESS Suite 1, Level 1, 187 Union Street  
The Junction NSW 2291  
POST PO Box 70 The Junction NSW 2291

9<sup>th</sup> January 2017

The General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Attention: Donna Watson

**RE: Response to Submissions for Development Application No. 95/2016 – Construction of a Two (2) Storey Commercial Building proposed at 15 – 17 Rutherford Road, Muswellbrook NSW 2333**

Dear Mrs Watson,

In response to your letter of 3<sup>rd</sup> January 2017 advising of 4 late submissions to the above application, I would like to respond to concerns raised within the submissions as follows:

Noise Impact: It is noted that the four submission raised issues of the development having a noise impact on the surrounding residences.

An acoustic report was submitted with the application and identifies that the development will have an acceptable noise impact on the surrounding area. It is noted that acoustic report has requested that upgrading to the building is required to ensure that the noise generated by the site will be acceptable.

Light Impact: The impact of light spillage from the site is raised as a concern from the neighboring properties.

The proposed light poles that will be installed on the within the site, are not to be illuminated all night. To prevent potential vandalism and antisocial behaviors in the area during the night the light poles will be fitted with a sensor which will turn on when activated by people moving around the site. This is a similar situation that is utilised for other car yards held by the client.

A lux plan has been provided to Council that indicates there will be minimal light spillage from the site which will note result in a glare nuisance to adjoining properties.

Visual Impact: The visual impact of the building when viewed from the surrounding properties has been questioned.

The location that the building is proposed to be constructed is well separated from the surrounding residential land uses, and it is noted that the floor level of the building is 172.50mAHD and that the ground level at the rear of the houses on Casuarina Close is approx. 177mAHD.

Given that the building is a minimum of 4.5m lower than the buildings located on Casuarina Close and at a distance of 33m from the dwellings on Casuarina Close the visual dominance of the building is considered to be minimal. Further to this the difference in materials provided to the building and the articulation of the building is considered to provide visual interest and not just be a large industrial shed.

Further to the above it is noted that the landscaping plans provide for the retention of the existing mature trees located on the rear of the site and promote more plantings on the site to help provide a green buffer between the development and residential properties.



Fencing in of the walkway: It is noted that the existing pathway from Casuarina Close will be fenced off, this is considered to be necessary from a Crime Prevention Through Environmental Design perspective. During the Pre DA discussions of the application with Council the option for fencing off the pathway was suggested by Council and considered appropriate.

By fencing the pathway it will reduce people lingering in the area or being able to gain access to the landscaped area at the rear of the site and provide a physical and visual reinforcement of the space that people should not be in the area.

Property valuation Impact: The submissions that have been put to Council detail that the development may de-value the property values in the area.

Given that this development is a standalone development and will allow for the town to become more resistant to impacts forced on the town from changes in mining, we are surprised that this would be raised as an issue. The development of the car yard will increase employment within the area, not only during the construction phase, but also during operation. Further to this the ongoing operation of the site will also provide for other smaller business's in town to propagate which will be relied upon by the people that are employed by the car dealership.

Further to the above, given that the development has been identified as not having any significant impact on the surrounding residences there is no reason to believe that the proposed development will have a negative impact on the property prices of the surround properties.

As detailed within the statement of environmental effects submitted with this development application, the proposed development is permissible with consent, and appropriate for the growth of the area. Although all residents' concerns have been considered, the issues raised are considered to have been mitigated through the design of the development, onsite traffic management and onsite parking.

The proposed development will not adversely affect the amenity of the area and will not unreasonably impact surrounding land uses, and will allow for land uses appropriate to the local area.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Quinlan'.

**Patrick Quinlan**  
Senior Planner  
KDC Pty Ltd

## 10.2 DEVELOPMENT APPLICATION 95/2015 - DEMOLITION AND CONSTRUCTION OF NEW SERVICE STATION, LOT 1 DP 410315, 1612 MERRIWA ROAD, SANDY HOLLOW

<b>Responsible Officer:</b>	<b>Fiona Plesman - Acting Director - Planning, Community &amp; Corporate Services</b>
<b>Author:</b>	<b>Donna Watson - Development Planner</b>
<b>Community Plan Issue:</b>	<i>Promote and support economic growth and diversity within Muswellbrook Shire through policy development and action</i>
<b>Community Plan Goal:</b>	<i>Business districts are well designed and planned to encourage new investment, local jobs, business opportunities and skill development through improved access to local education opportunities</i>
<b>Community Plan Strategy:</b>	<i>Encourage new and diverse business investment and opportunity</i>
<b>Attachments:</b>	<b>A. Draft conditions</b> <b>B. Plans</b> <b>C. Roads and Maritime Services- Response</b> <b>D. NSW Environment Protection Authority - Response</b> <b>E. Submissions</b>

### Documents referred to in assessment not attached:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000
- Building Code of Australia
- Local Environmental Plan 2009
- Development Control Plan 2009
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No.64 – Advertising and Signage
- State Environmental Planning Policy (Rural Lands) 2008
- Muswellbrook Council's Contaminated Land Policy
- Interim Construction Noise Guidelines
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Noise Control) Regulation 2008
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008
- Food Act 2003
- Public Health Act 2010
- Public Health Regulation 2012
- Australia and New Zealand Food Standards Code
- Australian Standard 1428: 2009– Design for Access & Mobility
- Australian Standard 4674: 2004 – Design, construction and fit out of a food premises
- Australian Standard 2890.1: 2004 – Parking Facilities – Off Street Car Parking
- NSW Environment Protection Authority Noise Policy
- Planning and Development Process for sites with Underground Petroleum Storage Systems – DECCW 2009

### APPLICATION DETAILS

**Applicant:** **Rana and Singh Management Pty Ltd**

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Owner:	Rana and Singh Management Pty Ltd
Proposal:	Demolition of the existing and construction of a new service station
Location:	Lot 1 DP 410315, 1612 Merriwa Road, Sandy Hollow
Permissibility:	The proposed development is permissible as Service Station within the RU1 Primary Production Zone
Recommendation:	Approval

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**RECOMMENDATION**

That Development Application No. 95/2015 proposing demolition of the existing and construction of a new service station at Lot 1 DP 410315, 1612 Merriwa Road, Sandy Hollow be approved subject the conditions in Appendix A to the report.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

<input type="checkbox"/> Cr J. Ledlin	<input type="checkbox"/> Cr S. Bailey	<input type="checkbox"/> Cr G. McNeill
<input type="checkbox"/> Cr J. Foy	<input type="checkbox"/> Cr M. Green	<input type="checkbox"/> Cr R. Scholes
<input type="checkbox"/> Cr S. Reynolds	<input type="checkbox"/> Cr B.N. Woodruff	<input type="checkbox"/> Cr S. Ward
<input type="checkbox"/> Cr J.F. Eades	<input type="checkbox"/> Cr M. Bowditch	<input type="checkbox"/> Cr M.L. Rush

**Aerial Photograph Identifying Development Site****DISCUSSION FOLLOWING ON FROM EXTRAORDINARY COUNCIL MEETING**

The application was reported to the December Extraordinary Council meeting held on Wednesday 21 December 2016. At this meeting the following was resolved:

*184 RESOLVED on the motion of Crs Scholes and Rush that:*

- 1. The matter be considered at the ordinary Council meeting in February, 2017; and*
- 2. The General Manager liaise with the proponent particularly in regards to supplying whatever information the proponent might give that supports the provision of two truck parking bays only and particularly that those trucks interacting with the development or making use of the development won't park on the highway; and*
- 3. The General Manager also liaise with the RMS about their intentions and plans for an RMS truck stop and how that truck stop might interact with the proposed truck stop at this location.*

*In Favour: Crs M. Bowditch, J. Eades, J. Foy, M. Green, J. Ledlin, G. McNeill, S. Reynolds, M. Rush, R. Scholes, S. Ward and B. Woodruff.*

*Against: Nil.*

In accordance with point 1 of the resolution, the application has been reported back to the February 2017 Council meeting for determination.

With regard to point 2 of the resolution, during discussions at the extraordinary Council meeting 21 December 2016, Councillors raised concern regarding the potential for the development to be deficient in anticipated demand for onsite truck parking, given an existing issue within the vicinity of the site of trucks parking for extended periods of time on the Golden Highway. Concern was raised that the development and resulting improvement to amenity facilities on the site may lead to increased patronage from truck drivers, where the provision of only 2 truck parking bays may be inadequate and lead to increased truck parking on the highway.

Following this discussion the applicant was been advised of Council's concerns and requested to provide a response to which the following comments were received by email 30 January 2017:

*'The proposed development is for a service station and is not for a truck stop. The proposed service station is only upgrading the existing service station on site and improving the facilities. There is no requirement for truck parking facilities for a service station in either Council or RMS requirements and there is currently no truck parking facilities on site.'*

*'The original application did not include truck parking and was only included at Council request. Additional truck parking was provided, however, Council asked that all truck movements were to be in forward motion. The truck parking was then reduced to two.'*

The applicants response is considered reasonable given the

With regard to resolution point 3 it is noted that proposed upgrade works for a truck rest stop in Sandy Hollow has been identified as being outstanding within the **Golden Highway Corridor Strategy October 2016**, Section 5.3 'Heavy Vehicles on the Golden Highway – Heavy vehicle rest areas', page 76 as stated below:

*'In reference to the major rest areas identified by Roads and Maritime Services for enhancement in 2010 there are still a number of upgrade works outstanding. These are:*

*Upgrade the Sandy Hollow rest area near the service station. Formalise the rest area by acquiring land, providing suitable access and shelter with tables/chairs and bins. Heavy vehicle operators park in this location and use the facilities provided by the nearby service station. Roads and Maritime Services is committed to formalising and enlarging this area by providing a heavy vehicle rest area.... It is expected that these works will be completed in the short-term as funding permits, with the Sandy Hollow heavy vehicle rest area a high priority'*

It is noted that during the Council meeting 21 December 2016 staff clarified that the RMS had indicated in their referral response letter dated 2 April 2016 the following:

*'Roads and Maritime has identified the property immediately east of the subject site as a potential heavy vehicle rest / parking area for up to six or seven heavy vehicles. Currently Roads and Maritime have not acquired the land for the parking / rest area and no timeframe has been identified for the commencement of the works'.*

Further to resolution point 3 staff further contacted RMS who advised by email 18 January 2017 the following:

*'The Network & Corridor team advises that the Sandy Hollow rest area remains a high priority unfunded project, with no timing for when it will go ahead. A project manager advised that the the proposal got to strategic concept stage, where land acquisition commenced but was not finalised due to difficulties with the community consultation process.'*

In this regard, it is clear that the remit for managing and making provision for heavy vehicle rest areas lies with RMS, where they have indicated no objection to the application and additionally reinforced the high priority nature of the Sandy Hollow rest area project as outlined above.

Furthermore it is noted that Council is obliged consider the comments of RMS, whom raised no objections subject to consideration of their recommended conditions, and the considerations of the Local Traffic Committee whom meeting on 19 July and following submission of revised plans showing two truck parking spaces 20 September 2016, indicated no objection to the development.

For further discussion regarding the carparking requirements, refer to the later section in the report regarding Section 16.

## **PURPOSE OF REPORT**

The application is being reported to Council due to:

- One submission being received during the exhibition period.
- Non-compliance with setback requirements under Section 8 of the Muswellbrook Development Control Plan 2009.
- Non-compliance with the height requirements of pylon signs under Clause 14.2.3 of the Muswellbrook Development Control Plan 2009.

## **REPORT**

### **1.0 BACKGROUND**

The existing service station was approved in 1973 by the State Government amending the prevailing planning instruments which prohibited service stations in this location. The development was constructed and has been operating since then on a continuous basis. There is a residence, sheds and a swimming pool constructed on the site.

### **2.0 SITE AND LOCALITY DESCRIPTION**

The existing site is located within the township of Sandy Hollow. The land to the north is vacant, to the west of the site is the Sandy Hollow Caravan Park and the south and east of the site contains a mix of residential and commercial development.

The site contains a service station, a number of awnings, bitumen paving which is used as a carparking area, dwelling, three metal sheds and an inground swimming pool. All of these structures will be demolished.

### **3.0 DESCRIPTION OF PROPOSAL**

The applicant is seeking consent for the demolition and construction of a new service station, including refuel canopies, hardstand area and associated car and truck parking at Sandy Hollow.

The new service station will contain a convenience store, and provides four (4) tables to sit and consume meals prepared in the kitchen. The plans provide truck parking at the rear of the site for a maximum of two semi-trailers and for seventeen (17) cars at the front. The applicant has advised there is no change proposed to the existing access driveways for the site.

The applicant submitted revised plans to Council on 18 August 2016. These plans included the provision of truck parking at the rear of the site

A copy of the complete set of plans is attached as **Appendix B**.

### **4.0 ADEQUACY OF APPLICANT'S SUBMISSION**

In relation to the Statement of Environmental Effects, the plans and other documentation submitted with the Application, the applicant has provided adequate information to enable an assessment of the Application.

The applicant has included the following ancillary reports with the supporting documentation:

- Water Cycle Management Plan
- Traffic Assessment



- Preliminary Contamination Assessment
- Noise Assessment report
- Multi level Risk Assessment
- Crime Prevention through Environmental Design

## **5.0 SPECIALIST COMMENTS**

### **5.1 Internal Referrals**

The application was referred to Council's Building Section, Environmental Health Officer, Water and Waste and Community Infrastructure. Each section reviewed the proposal and recommended standard conditions to be placed on the development consent should the application be approved.

#### **5.1.1 Local Traffic/Development Committee**

The application was considered by the Local Traffic Committee on 19 July 2016 where the following was recommended:

- *Further information be provided for through truck movements to the rear parking area;*
- *Rear truck parking area to be redesigned for all truck movements to be in a forward direction;*
- *Provide a directional signage plan indicate traffic flow through the site and entry and exit points*
- *Provide accurate truck turning circles that show practical and achievable truck movements without the need for reversing*

The applicant provided an amended plan and a further report was prepared for the Local Traffic Committee meeting held on 20 September 2016. At this meeting the Committee noted the revised plans and raised no objections to the development.

### **5.2 External Referrals**

#### **5.2.1 Roads and Maritime Services**

The application has been referred to the RMS for consideration and comment under Clause 104 of State Environmental Planning Policy (Infrastructure) 2007. The RMS have provided comments on the development and raised no objections subject to consideration of their recommended conditions. Further discussion on the proposed upgrade works for a truck rest stop in Sandy Hollow as identified within the Golden Highway Corridor Strategy October 2016, Section 5.3 is discussed above. A copy of their response is attached as **Appendix C.**

#### **5.2.2 NSW Police**

The application was referred to the NSW Police for consideration and comment. No formal response was received. However, conditions have been formulated to consider the Crime Prevention through Environmental Design.

#### **5.2.3 Environment Protection Authority**

The application has been referred to the NSW EPA for consideration and comment as the application involves underground petroleum storage systems. The EPA stated that the applicant has not advised if intrusive works would be undertaken, that is the removal of the existing underground fuel tanks. Due to the age of the existing tanks a sub-surface infrastructure plan

should confirm if the existing tanks will be removed and replaced and their location/depth in relation to the proposed new building. This type of plan was not provided.

They also advised that should the existing tanks be removed and replaced with new compliant tanks, the applicant will be required to provide Council with a decommissioning report. However, if the tanks will not be replaced, the applicant will be required to provide a site contamination report to ensure the site is suitable for the continuing use as a service station.

A copy of the EPA response is attached as **Appendix D**.

## **6.0 ASSESSMENT**

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

### **Section 79C Matters for Consideration**

#### **Section 79C(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 RU1 Primary Production pursuant to MLEP 2009. The proposal is best defined as a Service Station, which is permitted with consent in the subject Zone.

###### Objectives of the RU1 Primary Production Zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To protect the agricultural potential of rural land not identified for alternative land use, and to minimise the cost to the community of providing, extending and maintaining public amenities and services.
- To maintain the rural landscape character of the land in the long term.
- To ensure that development for the purpose of extractive industries, underground mines (other than surface works associated with underground mines) or open cut mines (other than open cut mines from the surface of the flood plain), will not:
  - (a) destroy or impair the agricultural production potential of the land or, in the case of underground mining, unreasonably restrict or otherwise affect any other development on the surface, or
  - (b) detrimentally affect in any way the quantity, flow and quality of water in either subterranean or surface water systems, or
  - (c) visually intrude into its surroundings, except by way of suitable screening.
- To protect or conserve (or both):
  - (a) soil stability by controlling development in accordance with land capability, and
  - (b) trees and other vegetation, and
  - (c) water resources, water quality and wetland areas, and their catchments and buffer areas, and

- (d) valuable deposits of minerals and extractive materials by restricting development that would compromise the efficient extraction of those deposits.

It is considered that the development proposal is not contrary to the objectives of the Zone.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

<i>Part 1 Preliminary</i>	
1.1 <i>Name of Plan</i>	Muswellbrook Local Environmental Plan 2009
1.1AA <i>Commencement</i>	The MLEP 2009 was gazette 17 April 2009.
1.2 <i>Aims of Plan</i>	Noted
1.3 <i>Land to which Plan applies</i>	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
1.4 <i>Definitions</i>	Noted
1.5 <i>Notes</i>	Noted
1.6 <i>Consent authority</i>	The consent authority for this development is Muswellbrook Shire Council.
1.7 <i>Maps</i>	Noted.
1.8 <i>Repeal of planning instruments applying to land</i>	Noted.
1.8A <i>Savings provision relating to pending development applications</i>	Noted
1.9 <i>Application of SEPPs</i>	Noted
1.9A <i>Suspension of covenants, agreements and instruments</i>	Not applicable
<i>Part 2 Permitted or prohibited development</i>	
2.1 <i>Land use zones</i>	The site is zoned RU1 Primary Production
2.2 <i>Zoning of land to which Plan applies</i>	Noted
2.3 <i>Zone objectives and Land Use Table</i>	The applicant has lodged an application and the objectives of the zone will be considered in the assessment of the application.
2.4 <i>Unzoned land</i>	Not applicable
2.5 <i>Additional permitted uses for particular land</i>	Not Applicable
2.6 <i>Subdivision—consent requirements</i>	The application is not for a subdivision and therefore is not applicable.
2.7 <i>Demolition requires development consent</i>	The application includes demolition of the existing service station. Conditions have been recommended to be imposed on the development, should it be approved, relating to demolition.
2.8 <i>Temporary use of land</i>	Not applicable
<i>Part 3 Exempt and complying development</i>	

3.1 <i>Exempt development</i>	Not applicable
3.2 <i>Complying development</i>	Not applicable
3.3 <i>Environmentally sensitive areas excluded</i>	Not applicable
<b>Part 4 Principal development standards</b>	
4.1 <i>Minimum subdivision lot size</i>	The minimum lot size for a dwelling entitlement is 80 hectares. The applicant is not proposing a subdivision and therefore, there will be no changes to the existing lot boundaries.
4.1AA <i>Minimum subdivision lot size for community title schemes</i>	Not applicable
4.2 <i>Rural subdivision</i>	Not applicable
4.3 <i>Height of buildings</i>	MLEP 2009 specifies a maximum building height of 12m in relation to the land. The proposal does not involve building works over 4.6m.
4.4 <i>Floor space ratio</i>	The subject site does not have any requirement for floor space ratio.
4.5 <i>Calculation of floor space ratio and site area</i>	Not applicable
4.6 <i>Exceptions to development standards</i>	Not applicable
<b>Part 5 Miscellaneous provisions</b>	
5.1 <i>Relevant acquisition authority</i>	Not applicable
5.2 <i>Classification and reclassification of public land</i>	Not applicable
5.3 <i>Development near zone boundaries</i>	Not applicable
5.4 <i>Controls relating to miscellaneous permissible uses</i>	Not applicable
5.5 <i>Development within the coastal zone</i>	Not applicable
5.6 <i>Architectural roof features</i>	Not applicable
5.7 <i>Development below mean high water mark</i>	Not applicable
5.8 <i>Conversion of fire alarms</i>	Not applicable
5.9 <i>Preservation of trees or vegetation</i>	Council does not have a Tree Preservation Order.
5.9AA <i>Trees or vegetation not prescribed by development control plan</i>	Not applicable
5.10 <i>Heritage conservation</i>	Not applicable
5.11 <i>Bush fire hazard reduction</i>	Not applicable
5.12 <i>Infrastructure development and use of existing buildings of the Crown</i>	Not applicable
5.13 <i>Eco-tourist facilities</i>	Not applicable

<i>Part 6 Urban release areas</i>	
6.1 <i>Arrangements for designated State public infrastructure</i>	Not applicable
6.2 <i>Public utility infrastructure</i>	Not applicable
6.3 <i>Development control plan</i>	Not applicable
6.4 <i>Relationship between Part and remainder of Plan</i>	Not applicable
<i>Part 7 Additional local provisions</i>	
7.1 <i>Terrestrial biodiversity</i>	Not applicable
7.2 <i>Subdivision in Zone RU1 Primary Production and Zone E3 Environmental Management</i>	Not applicable
7.3 <i>Controls relating to rural worker's dwellings</i>	Not applicable
7.4 <i>Subdivision in Zone R1 General Residential and Zone RU5 Village</i>	Not applicable
7.5 <i>Erection of dwelling houses on land in certain rural and environmental protection zones</i>	Not applicable
7.6 <i>Earthworks</i>	The development will require some earthworks to be undertaken in relation to the removal and replacement of the underground fuel tanks located on the site.
7.7 <i>Development at Muswellbrook Showground</i>	Not applicable
7.8 <i>Events permitted on public reserves and public roads without development consent.</i>	Not applicable

## 2. **State Environmental Planning Policy No.64 – Advertising and Signage**

The development proposal is for an advertising sign and therefore SEPP 64 needs to be considered in the assessment of the application.

Clause	Comment
<i>Part 1 – Preliminary</i>	
3 <i>Aims, objective etc</i>	Noted
4 <i>Definitions</i>	The development proposes a range of different signage. This includes – Business Identification Signage and Free standing signage.
5 <i>Area of application of this policy</i>	This Policy applies to the whole of NSW.
6 <i>Signage to which this policy applies</i>	This Policy applies to this development as the proposed signage is not deemed to be exempt development.
7 <i>Relations with other environmental planning instruments</i>	Noted
<i>Part 2 – Signage generally</i>	
8 <i>Granting of consent to signage</i>	Noted

<b>Part 3 – Advertisements</b>		
<b>Division 1 – General</b>		
9	<i>Advertisement to which this Part applies</i>	This part of the Policy does not apply to the business identification signage proposed on the Service Station building. However, the Policy is applicable for the other proposed signage.
10	<i>Prohibited advertisement</i>	Not applicable
<b>Division 2 – Control of advertisements</b>		
11	<i>Requirements for consent</i>	Noted
12	<i>Consent authority</i>	Muswellbrook Shire Council is the consent authority for this application
13	<i>Matters for consideration</i>	Noted
14	<i>Duration of consents</i>	The signage is restricted to 15 years. A condition will be imposed on the development consent.
<b>Division 3 – Particular advertisement</b>		
15	<i>Advertisements on rural or non-rural land</i>	The application was referred to the RMS for comment due to the signage being within 250m of a classified road.
16	<i>Transport corridor land</i>	Not applicable
17	<i>Advertisements with display area greater than 20m<sup>2</sup> or higher than 8m above ground</i>	Not applicable
18	<i>Advertisements greater than 20m<sup>2</sup> and with 250m of, and visible from, a classified road</i>	Not applicable
19	<i>Advertising display area greater than 45m<sup>2</sup></i>	Not applicable
20	<i>Location of certain names and logos</i>	noted
21	<i>Roof or sky advertisements</i>	Not applicable
22	<i>Wall advertisements</i>	Complies. The applicant is proposing one wall advertisement. This will be located on the front of the building.
23	<i>Freestanding advertisements</i>	Noted
24	<i>Advertisements on bridges</i>	Not applicable
25	<i>Special promotional advertisements</i>	Not applicable
26	<i>Building wrap advertisements</i>	Not applicable
27	<i>Advertisements within navigable waters</i>	Not applicable
28	<i>Application of provisions of this Division</i>	Noted
<b>Part 4 – Miscellaneous</b>		
29	<i>Advertising design analysis</i>	Muswellbrook Development Control Plan Section 14 does not include an advertising design analysis.
30	<i>repealed</i>	Not applicable
31	<i>Consultation with RTA</i>	Noted
32	<i>Applications made before the commencement of this policy</i>	Not applicable
32A	<i>Savings for development applications made before SEPP No. 64</i>	Not applicable
33	<i>Exempt development</i>	Not applicable
34	<i>Review of Policy</i>	Noted

It is considered that the proposed signage is consistent with SEPP 64, specifically Schedule 1, refer to the table below.

<b>SEPP 64: Schedule 1 Assessment Criteria</b>	
<b>Assessment Item</b>	<b>Planning Comment</b>
1. <i>Character of the area</i>	
2. <i>Special areas</i>	The subject site is not identified as a special area. Therefore, this matter is not applicable to the subject development.
3. <i>Views and vistas</i>	The proposed signage will not obscure or compromise views, will not dominate the skyline and will not limit the viewing rights of other advertisers.
4. <i>Streetscape, setting or landscape</i>	As above.
5. <i>Site and building</i>	The proposed signage is considered to be compatible with the scale and proportion of the building on which it is located.
6. <i>Associated devices and logos with advertisements and advertising structures</i>	This matter is not applicable to the subject development.
7. <i>Illumination</i>	This matter is not applicable to the subject development.
8. <i>Safety</i>	The proposed signage is not considered a risk to public safety.

### 3. **State Environmental Planning Policy No. 55 – Remediation of Land**

Clause	Comment
1 – <i>Name of Policy</i>	State Environmental Planning Policy No. 55 – Remediation of Land
2 – <i>Object of this Policy</i>	Noted
3 – <i>Notes</i>	Noted
4 – <i>Definitions</i>	Noted
5 – <i>Land to which this Policy applies</i>	This Policy applies to the whole of NSW
6 – <i>Contamination and remediation to be considered in zoning or rezoning proposal</i>	Not applicable. The application is not for a re-zoning.
7 – <i>Contamination and remediation to be considered in determining development application</i>	The subject site is identified as being potentially contaminated on Council's Contaminated Land Information system.  The applicant has provided a site investigation report for land. Additional conditions will be recommended, should the application be approved, regarding on going monitoring etc.
8 – <i>Remediation work permissible</i>	Noted
9 – <i>Category 1 remediation work – work needing consent</i>	Not applicable
10 – <i>Consent authority in relation to remediation works</i>	The consent authority in Muswellbrook Shire Council
11 – <i>repealed</i>	Not applicable



12 – Refusal of consent to category 1 remediation work	Not applicable
13 – Advertising of development application	Not applicable as the work does not meet Category 1 works.
14 – Category 2 remediation work – work not needing consent	Not applicable
15 – Remediation work that is ancillary to other development	Not applicable as the work does not meet Category 1 works.
16 – Prior notice of category 2 remediation work	Noted, should the applicant be required to undertake remediation of the site, suitable conditions will be imposed on the consent.
17 – Guidelines and notices – all remediation work	Noted
18 – Notice of completion of remediation work	Noted. The applicant will be required, by way of recommended conditions, to provide a validation report to Council.
19 – Relationship to other environmental planning instruments	Noted
21 – Clean up notice remediation – special provision	Noted.

#### 4. State Environmental Planning Policy (Rural Lands) 2008

Clause	Comments
<b>Part 1 Preliminary</b>	
1 – Name of Policy	State Environmental Planning Policy (Rural Lands) 2008
2 – Aims of Policy	Noted
3 – Definitions	Noted
4 – Land to which Policy applies	The Policy applies to Muswellbrook Shire Council as well as other identified LGAs
5 – Relationship with other environmental Planning Instruments	Noted
6 – Repeal of Schedule	Noted
<b>Part 2 Rural Planning Principles</b>	
7 – Rural Planning Principles	Noted
<b>Part 3 Rural Subdivisions and dwellings</b>	
8 – Rural subdivision principles	Not applicable
9 – Rural subdivision for agricultural purposes	Not applicable
10 – Matters to be considered in determining development applications for rural subdivisions or rural dwellings	Not applicable
11 – Amendment of concessional lot provisions	Not applicable
<b>Part 4 State Significant agricultural land</b>	
12 – Objects of part	Not applicable
13 – State significant agricultural land	Not applicable
<b>Part 5 Rural Lands Planning Panels</b>	
14 – Functions of panels	Not applicable
15 – Constitution of panels	Not applicable

16 –	<i>Members of panels</i>	Not applicable
17 –	<i>Alternate member</i>	Not applicable
18 –	<i>Term and other conditions of office</i>	Not applicable
19 –	<i>Vacancy in office</i>	Not applicable
20 –	<i>Pecuniary interests</i>	Not applicable
21 –	<i>Procedure at meetings</i>	Not applicable
22 –	<i>Quorum</i>	Not applicable
<b>Part 6 Miscellaneous</b>		
23 –	<i>Existing development applications</i>	Not applicable

#### 5. **State Environmental Planning Policy (Infrastructure) 2007**

The application is deemed to be a traffic generating development under Schedule 3 of the SEPP. In this regard, the application was forwarded to the Roads and Maritime Services for consideration and comment. Refer to discussion earlier in the report.

#### 6. **State Environmental Planning Policy**

The following State Environmental Planning Policies apply to the Muswellbrook Local Government Area and were considered and found not to be applicable to the proposed development.

- SEPP No. 15 Rural Landsharing Communities
- SEPP No. 21 Caravan Parks
- SEPP No. 30 Intensive Agriculture
- SEPP No. 32 Urban Consolidation (Redevelopment of Urban Land)
- SEPP No. 36 Manufactured Home Estates
- SEPP No. 44 Koala Habitat Protection
- SEPP No. 62 Sustainable Aquaculture
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP (Housing for Seniors or People with Disability) 2004
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Major Development) 2005
- SEPP (infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (miscellaneous Consent Provisions) 2007
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Affordable Renting Housing) 2009
- SEPP (State and Regional Development) 2011

#### **Section 79C (1)(a)(ii) the provisions of any draft EPI.**

There are no draft EPI's relevant to the subject Application.

#### **Section 79C (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 18 November 2015 to 9 December 2015. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

One submission was received during the notification period. The issues raised in the submissions are addressed in this Report.

Due to the request for additional information and the revised plans which were submitted, the proposed development was amended to include truck parking at the rear of the development. In this regard, due to the significant change in the proposed development, the application was re-notified from 9 September to 23 September 2016. During this re-notification period, Council received one submission.

#### Section 8 – Rural and Environmental Zone development

	Comments
<b>8.1 Introduction</b>	
<b>8.1.1 Dwelling Houses on existing parcels of land</b>	The site contains a dwelling. The applicant is proposing to demolish this dwelling
<b>8.2 Built Form</b>	
<b>8.2.1 Scenic Protection and Building Location</b>	This site is located within Sandy Hollow Village and the proposed development will not detract from the streetscape
<b>8.2.2 Setbacks</b>	This section of the DCP requires a 50m setback from the public road and 10m from any property boundary. The new service station building will be setback approximately 48m from the Golden Highway (Merriwa Road). In this regard, there is a non-compliance of 2m to the front setback requirement.  The proposed building complies with the side and rear setbacks of 10m.
<b>8.2.3 Colours and Materials</b>	The site is located within the town limits of Sandy Hollow and will be generally the same as other “Coles Express/Shell” service station buildings. The development will not detract from the rural aspect.
<b>8.2.4 Car Parking and Access</b>	This will be discussed in Section 16 of the DCP.
<b>8.2.5 Temporary Dwellings</b>	Not applicable
<b>8.3 Environmental Matters</b>	
<b>8.3.1 Topography</b>	The site is relatively flat and drains to the street.
<b>8.3.2 Vegetation</b>	The site is currently used as a service station and has limited vegetation. The proposed development has included a landscaping plan which will be implemented once the construction phase has been completed. A condition of consent will be imposed on the determination requiring the applicant to comply with the submitted landscaping plan.
<b>8.3.3 Riparian Buffers</b>	Not applicable
<b>8.3.4 Management of Rivers, Creeks, Streams and Drainage</b>	Not applicable
<b>8.3.5 Services</b>	The site has access to power and telecommunications. However, the site is not

	connected to Council's water or sewer system.
8.4 Frost Control Fans	Not applicable

#### Section 14 – Outdoor Signage

	Comment
<i>14.1 Signage Design and Analysis</i>	
<i>14.2 Matters for consideration</i>	Refer to the section above in which SEPP 64 is discussed
<i>Signage Design, location and content</i>	
<i>14.2.1 Design, scale and size</i>	The applicant is proposing a range of signage types for the development. The proposed signage is consistent with the corporate signage for "Coles Express/Shell" sites.
<i>14.2.2 Location</i>	The site has contained a Service Station since the early 1970s and has always had signage in one form or another. The proposed development will not detract or alter the intent of the streetscape of Sandy Hollow.
<i>14.2.3 Restrictions</i>	The applicant is proposing one large pylon sign, canopy signage, business identification signage and a range of directional signage on the site. This Clause restricts pylon signs to a maximum height of 7m.
<i>14.2.4 Inappropriate forms</i>	Not applicable
<i>14.2.5 Content</i>	The content of the signs are applicable to the development on which is carried out on the site.
<i>14.2.6 Pedestrian and road safety</i>	The proposed development will not distract drivers. The site has been used as a service station since the early 1970s.
<i>14.2.7 Signs on Heritage items and in conservation areas</i>	Not applicable
<i>14.2.8 Illuminated signs</i>	The applicant is proposing to have all signage illuminated on site, with the exception of directional signage. The development is proposing to operate 24 hours. A condition will be imposed requiring the applicant to consider light spillage.
<i>14.2.9 Roof or sky advertisements</i>	Not applicable
<i>14.2.10 Wall Signs</i>	The applicant is proposing one wall sign per frontage of the canopy and one wall sign on the frontage of the building.
<i>14.2.11 Special promotional advertisement</i>	Not applicable
<i>14.2.12 Signage to assist disabled access</i>	Noted
<i>14.2.13 New technologies</i>	Noted
<i>14.2.14 A-frame signs</i>	The applicant has not proposed any A-frame signs.

#### Section 16 – Car Parking and Access

	Comment
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16.1 <i>Introduction</i>	Noted
16.2 <i>Residential Development</i>	Not Applicable
16.3 <i>Non – Residential Development</i>	The applicant has indicated the development will continue to use the existing access points to the site. Should the application be approved, the carparking will need to comply with the Australian Standard 2890.
<b>16.4 <i>Design Guidelines for off-street vehicular parking areas</i></b>	
16.4.1 <i>Access to the site</i>	Access to the site is existing and the applicant has indicated there will be no change to this arrangement. As a result of the Local Traffic Committee, it was recommended there be directional signage erected within the site to better direct traffic. In this regard, the western access way (Merriwa side) is to be designated as the entrance and the eastern access way (Muswellbrook side) will be designated as the exit. Suitable conditions will be recommended in the draft conditions.
16.4.2 <i>Car Park Design</i>	The applicant has provided truck turning templates which show how these vehicles can enter and leave the site in a forward direction, as well as how they can access the truck parking area located at the rear of the site. The applicant has also included the provision of car parking, which will be located towards the front of the building.
16.4.3 <i>Parking for people with disabilities</i>	The development has provided for one disabled carparking space, which is located in front of the building.
16.4.4 <i>Loading/Unloading Facilities</i>	The applicant has indicated an area where deliveries will be received. This area is also the same location as the waste bins.
16.4.5 <i>Internal roads</i>	The internal area of the site will be predominately concrete with the truck parking at the rear being hardstand
16.4.6 <i>Construction Materials</i>	The internal area of the site will be predominately concrete with the truck parking at the rear being hardstand
16.4.7 <i>Landscaping</i>	The applicant has provided a landscaping plan for the development.
<b>16.5 <i>Qualifications and exceptions to parking standards</i></b>	
16.5.1 <i>Calculation of numbers</i>	Refer to table below.
16.5.2 <i>Extensions/additions to existing development</i>	Not applicable
16.5.3 <i>Small scale additions</i>	Not applicable
16.5.4 <i>Low intensity uses</i>	Not applicable
16.5.5 <i>Change of use</i>	Not applicable
16.5.6 <i>Mixed use development</i>	The application is predominately a service station with a convenience store being ancillary.
16.5.7 <i>Undefined development</i>	Not applicable
16.5.8 <i>Major traffic generating development</i>	The proposed development is deemed to be a traffic generating development under

	SEPP (infrastructure) 2007. The application was referred to the RMS for consideration and comment.
16.5.9 Contributions	The development is not able to provide the required number of carparking spaces on the site. However, there are no provisions of payment of shortfall in carparking within Council's Fees and Charges.
16.5.10 Referrals	The application was referred to Community Infrastructure and the Local Traffic Committee. Refer to earlier discussions.
16.6 Carparking schedule for specific land uses	

The development has been assessed against Section 16 of the Muswellbrook Development Control Plan regarding car parking, as follows:

Land Use Requirement	Required
Service Station	6 spaces per work bay, <b>PLUS</b>
	1 space per 20 m2 of gross floor area of the convenience store
	<b>PLUS</b>
	1 space per 6.5 m2 of gross floor area
	<b>OR</b>
	1 space per 3 seats if a restaurant facility is provided, WHICHEVER IS GREATER.

Council's DCP requirements relate to work bays, gross floor area of convenience store and an overall requirement for floor area of the service station building, as listed in the table above. The applicant has indicated there will be no work bays proposed.

If applied on an additive basis, a total of 44 spaces is required. It is not considered appropriate to make these requirements additive and this is an issue Council should examine in its current project to review the DCP.

An assessment based on individual components within the building against Council's DCP requirements suggests 21 spaces (overall gross floor area of the convenience store divided by a requirement of one space per 20 m<sup>2</sup>, and 1 space per 6.5m<sup>2</sup> of GFA). A comparison with a recent approval by Singleton Shire Council where a control of one space 20 m<sup>2</sup> of retail area applies, would suggest a requirement of 18 spaces.

The applicant provided a traffic assessment of the site which includes traffic counts and car parking calculations based on an assessment of other existing service stations. This report was prepared by M R Cagney and raises concerns about the double counting of car parking requirements. This assessment suggests a requirement of 15 spaces based on comparison with similar facilities.

The development plans provide for 17 car parking spaces separate from the parking which will occur at bowlers on the tarmac area. It is considered that this level of parking in the location of Sandy Hollow will be adequate for passenger vehicles.

The plans also provide for two semi-trailer spaces at the rear of the property with adequate maneuvering area to enter and leave the site in a forward direction. The plans provided for two ensuite facilities adjacent to the dining area. It is likely that this will be attractive for drivers

on long journeys. The challenge for Council is the uncertainty as to how much of a “truckstop” the proposed development might become however these considerations should be considered on balance with the proposed RMS upgrade works for a truck rest stop in Sandy Hollow identified as being outstanding within the Golden Highway Corridor Strategy October 2016, Section 5.3. As proposed the parking facilities would meet the needs of a normal service station.

Conditions are included ensure the spaces are properly constructed, drained and line marked to service the development.

#### Section 20 – Erosion and Sediment Control

The applicant has submitted a sediment plan for the development. This plan indicates the location of sediment fencing, stockpiles, direction of overland flow, pollutant traps and shaker grids. As the site is listed on Council’s Contamination Land Information System, more detail regarding sediment and erosion control may be required. If warranted, conditions will be recommended regarding consideration of potential runoff of contaminants.

#### Section 21 – Contaminated land

<u>21.0 Introduction*</u>	Noted
<u>21.1 What is Contamination?</u>	The subject site is identified on Council’s Contaminated Land Information System as being potentially contaminated.
<u>21.2 Duty to Report</u>	Noted
<u>21.3 Procedural Principles</u>	The applicant has submitted an Environmental Site Assessment.
<u>21.4 Procedures for Development Applications</u>	Noted
<u>21.5 Procedures for Rezoning Applications</u>	Not applicable
<u>21.6 Definitions</u>	Noted

Should the application be approved, conditions relating to contamination will be imposed on the consent.

#### Section 23 – On-site Sewage Management Systems

The site currently has an approval to operation an on-site sewage management system. As the proposal includes the demolition and construction of a new service station, the waste water system will need to be upgraded to accommodate the additional uses proposed in the new service station. The application was referred to Council’s Environmental Officer for consideration and comment. Conditions have been recommended should the application be approved.

#### Section 24 – Waste Management

	Comment
<u>24.1 Site Waste Minimisation and Management</u>	Noted
<u>24.2 Submission/Application requirements</u>	The applicant has provided a Site Waste Minimisation Plan for the construction phase only. Should the application be approved, the applicant will be required to prior a waste management plan for the demolition and ongoing operations of the site. This will



	be included in the Construction Management Plan.
<b>24.3 Assessment Criteria/controls for all development</b>	
<b>24.3.1 Demolition of buildings or structure</b>	The development includes the demolition of the existing structures located on the site.
<b>24.3.2 Construction of buildings or structure</b>	Should the application be approved, conditions will be imposed requiring waste storage to be provided on site.
<b>24.4 Development specific assessment criteria/controls</b>	
<b>24.4.1 Single dwellings, semi-detached and dual occupancy</b>	Not applicable
<b>24.4.2 Multi unit dwelling</b>	Not applicable
<b>24.4.3 Commercial developments and change of use</b>	The applicant has not provided a detail plan which complies with this clause of the DCP. Should the development be approved, a condition will be imposed on the consent.
<b>24.5 Industrial</b>	Not applicable

### Section 25 – Stormwater Management

The applicant has submitted a Water Cycle Management Plan and associated drawings. The report which was provided states the stormwater from the service centre roof will be directed to a 3,000L rainwater tank and the overflow from this tank will be directed to the on-site bio retention basin. The bio-retention basin is an open shallow basin which is used to slow and treat on-site stormwater runoff.

Conditions have been recommended to be imposed on the development consent, should the application be approved.

### Section 94A Contributions Plan 2009

The site has not been developed since early 1970 and therefore no Section 94 Contributions have been paid. Therefore, Council's Section 94A Contributions Plan 2010 applies to the development. In this regard, developer contributions of \$16,379.00 will apply to the proposed development should the Application be approved.

The following sections of the Muswellbrook Development Control Plan 2009 were considered and found not to be applicable to the proposed development:

Section 1 - Introduction	Section 2 – Submitting an application
Section 5 – Subdivision	Section 6 – Residential Development
Section 7 – Village Zones	Section 10 – Industrial Development
Section 9 – Local Centre Development	Section 12 – Tourist Facilities and Accommodation
Section 11 – Extractive Industries	Section 18 – Child Care Centres
Section 13 – Flood Prone Land	Section 22 – Land Use Buffers
Section 15 – Heritage Conservation	Section 21 – Contaminated Land
Section 17 – Sex Services Premises	Section 27 – West Denman Urban Release Area
Section 19 – Use of Public Footpaths	

### **Section 79C(1)(a)(iia) the provisions of any planning agreement**

There are no planning agreements relevant to the subject Application.

### **Section 79C(1)(a)(iv) the provisions of the regulations**

Division 8A of the Environmental Planning and Assessment Regulation 2000 applies to the development.

### **Section 79C(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 79C(1)(b) the likely impacts of that development**

#### Context and setting

The proposed development will improve the streetscape of Sandy Hollow as the existing service station will be demolished and a replacement building constructed.

#### Built Form

The Applicant is proposing a single storey building, which is not inconsistent with the existing structure on site. The building will have a greater front setback than the existing building. This will allow better movement of traffic throughout the site.

#### Potential impact on Adjacent Properties

The proposal may have an impact on adjoining properties during both the construction and operational phases of the development. The development will not be changing the access points onto the Golden Highway, however, there will be additional vehicle movements along the western property boundary. This has been discussed throughout the report.

#### Noise and Vibration

The Applicant provided a Noise Assessment Report for the proposal. The report took into consideration the existing noise levels generated by the development and modelled these levels to the proposed development.

As a result of the assessment, the existing noise levels, for the service station, exceed all periods of the amenity criteria as detailed in the EPA's Industrial Noise Policy. This means, the existing service station does not comply with the EPA's requirements. The following table details the exceedances:

**Table 5 Amenity Criteria**

Location	Period	Measured Industrial Noise Level LAeq(period) dBA	Recommended LAeq Noise Level dBA		Amenity Criteria, LAeq(period)
			Acceptable	Recommended Maximum	
All residential receivers	Day	60	50	55	50
	Evening	59	45	50	45
	Night	55	40	45	40
Community Hall (Active Recreation)	When in use	N/A	55	60	55

Note: Day period is 7am to 6pm, evening is 6pm to 10pm, night period is 10pm to 7am

The conclusions and recommendations of the Noise Assessment Report for the development include:

- *Toolbox and induction of personnel prior to shift to discuss noise control measures*
- *All plant should be shutdown when not in use*
- *Plant to be parked/started at farthest point from relevant assessment locations*
- *Operating plant in a conservative manner*
- *Selection of the quietest suitable machinery available for each activity*
- *Avoidance of noisy plant/machinery working simultaneously where practicable*
- *Notify residences of advance work*
- *Minimisation of metallic impact noise*
- *All plant are to utilise a broadband reverse alarm*
- *Undertake letter box drops of notify receivers of potential works*
- *Construction of an acoustic fence on the western boundary of the site.*

As a result, the recommended conditions regarding noise reduction measures should the application be approved.

#### Safety, Security and Crime Prevention

The Applicant has provided a Crime Prevention through Environmental Design (CPTED) Report. This report was forwarded to the NSW Police - Hunter Valley Local Area Command for consideration and comment. At the time of writing this report, Council has not received any comments from the NSW Police in relation to this application.

As a result, conditions have been formulated to consider the CPTED criteria and will be included in the recommended conditions.

#### Construction

The development will be required to be construction in accordance with the requirements of the Building Code of Australia. Conditions will be imposed on the development with regard to construction hours.

The following additional matters were considered and, where applicable, have been addressed elsewhere in this report:

Access, Traffic and Transport	Waste
Public Domain	Energy
Utilities	Natural hazards
Heritage	Technological hazards
Other land resources	Social Impact on Locality
Water	Economic Impact on the Locality
Soils	Site Design and Internal Design
Air & microclimate	Cumulative Impacts
Flora & fauna	

#### **Section 79C(1)(c) the suitability of the site for the development**

It is considered that the development is compatible with surrounding land uses and site characteristics, subject to consent conditions.

#### **Section 79C(1)(d) any submissions made**

One submission was received during the notification period.

Name	Address	Town
Sandy Hollow Tourist Park	1618 Golden Highway	SANDY HOLLOW NSW 2333

The submission is attached as **Appendix E**. The concerns raised in the submissions are summarised below.

1. *Increase in noise*

Comment: The Applicant has provided Council with a noise assessment report for the proposed development. This report has been assessed by Council staff and conditions have been recommended should the development be approved. Refer to earlier discussion regarding noise and vibration.

2. *Damage to adjoining property due to heavy vehicles accessing the site*

Comment: The application was reported to the Local Traffic Committee on two separate occasions for comment. The Committee raised no concerns regarding heavy vehicles accessing the site. The plans submitted by the Applicant, indicate the front section of the site will be concreted. The rear of the site, where the allocated truck parking is located, will be hardstand. From the information provided by the applicant, Council does not foresee any impact to the adjoining property occurring.

3. *Loss of social amenity*

Comment: The noise assessment report provided by the Applicant indicates there will be an acoustic fence erected along the western boundary of the site. The acoustic fence will increase privacy to the Sandy Hollow Tourist Park, which it currently does not have.

4. *Location of diesel refuelling point*

Comment: The diesel refuelling point has been relocated from the existing location by this development. By locating the diesel refuelling point on the western side of the site, this will allow trucks, which may contain refrigeration units, to be facing north east. This will help reduce the noise once the trucks restart to leave the site. If the diesel refuelling site was on the eastern side of the site, there may be potentially more noise deflected onto the adjoining property.

5. *Subsidence/runoff of soil along common boundary*

Comment: Should the application be approved, the Applicant will be required to implement sediment and erosion control measures during the construction component of the development. Conditions will be imposed on the development consent requiring this to occur. Once the work has been completed and the development is operational, there should be no runoff to adjoining properties.

6. *Vent pipes at the fuel tanks*

Comment: The proposed development, if approved, must comply with the requirements of *AS 1940-2004: Storage and Handling of Flammable and Combustible Liquids*.

7. *Concern about effluent disposal*

Comment: The Applicant has provided a detailed Wastewater Management Plan which has been assessed by Staff. Council staff have recommended

conditions to be placed on the development consent should the application be approved.

8. *Concern about the retention basin becoming "unsightly".*

Comment: The Applicant provided Council with a Water Cycle Management Plan and associated stormwater plans. This has been referred to Council staff for consideration and comment. Conditions have been recommended to be included in the development consent, if approved.

9. *Location of the grease trap not shown*

Comment: The proposed development will require a Trade Waste Agreement to be in place prior to the issuing of any Occupation Certificate. The Trade Waste Agreement will include a plan of the site detailing the location of the grease trap and other equipment used on site.

10. *Entrance/exit length of access to the site*

Comment: The application was referred to the Roads and Maritime Services (RMS) for consideration and comment due to the property fronting a classified road. The RMS have raised no objection to the proposed development subject to consideration of their recommended conditions.

**Section 79C(1)(e) the public interest.**

It is considered that the proposal is not contrary to the public interest as the site currently contains a Service Station. The demolition of the existing and construction of new service station will improve the streetscape of Sandy Hollow and provide some new and additional services for the residents of the town.

Council Adopted and Draft Policies

The following policies have been adopted by Council and are required to be considered in the assessment of the application.

*D7/1 Development Cost Estimating*

At the time of lodgement, this policy was not adopted. However, the estimated cost of the development is considered appropriate.

*D25/1 Rivers and Drainage Channel*

This policy is not applicable as the site does not adjoining a watercourse.

*S28/1 Street Trading Policy*

This policy is not applicable as the Applicant is not proposing any street trading.

*D6/1 Demolition Policy*

The policy is applicable to the development as the proposal involves the demolition of the existing service station, dwelling, swimming pool and other associated structures.

Clause	Comment
<i>Policy Statement</i>	Noted
<i>Policy Objectives</i>	Noted
<i>1 – Application</i>	This policy is applicable as the applicant is seeking consent for the demolition of the existing service station, dwelling, swimming pool and other associated structures.

2 – Standards	The application was referred to Council's Health and Building Surveyor for consideration and comment. Conditions have been recommended to be imposed on the development, if approved, relating to compliance with AS 2601.
3 – Information to be provided with applications for development consent	The subject application was lodged with Council prior to the adoption of this policy. However, a condition will be imposed requiring a Construction Management Plan for the site. A part of this Plan will be timing and sequencing of the demolition of the existing structures on site.
4 – Relationship to Development Control Plan (DCP)	Noted

## C20/1 Contaminated Land Policy

This policy is applicable as the site is identified as being potentially contaminated on Council's Contaminated Land Information System.

Clause	Comment
<i>Policy Objectives</i>	Noted
<i>Application</i>	Noted
<i>Policy Statement</i>	Noted
<i>Glossary</i>	Noted
<i>Legislation</i>	Noted. Refer to earlier assessment under State Environmental Planning Policy No. 55.
<i>Procedure</i>	
<i>Remediation</i>	The development proposes to remove the existing underground fuel tanks and replace with new tanks. In this regard, there will be some remediation of the soil required.
<i>CLIS Classification</i>	Noted. Council's Contaminated Land Information System identifies the land as being possibly contaminated.
<i>Section 149 Certificate</i>	Not applicable
<i>Providing information from the CLIS</i>	Not applicable
<i>Including or removing land from Council's CLIS</i>	Not applicable
<i>Potentially contaminated land uses</i>	Noted. The site contains an existing service station which will be demolished and replaced by a new service station.
<i>Information to be provided in certain circumstances</i>	
<i>Development applications</i>	A Development Application has been received for the demolition of existing and construction of a new service station. As the development will be disturbing the soil, the applicant has submitted a contamination report. However, this report does not address the removal of soil from the site.
<i>Summary document</i>	The applicant has not provided this document.
<i>Requirements for consultants reporting on potentially contaminated land and remediation</i>	The "Environmental Site Assessment" provided by the applicant states the report was prepared in accordance with the EPA Guidelines. However, the report does not include the following:

	<ul style="list-style-type: none"> <li>- Details of the qualifications and/or experience of the people involved in the investigation.</li> <li>- Certificate of currency for Professional Indemnity up to \$5,000,000</li> <li>- A statement confirming the consultant has relevant expertise</li> <li>- Confirmation the consultant has full membership in one or more appropriate professional organisations.</li> </ul> <p>In this regard, the consultant's report cannot be varied as being suitably prepared in accordance with the EPA Guidelines. In this regard, a condition will be recommended that the Applicant provide a Site Contamination Audit Report due to the submitted report provided by the Applicant not being suitable.</p>
<i>Submission of reports by Consultants</i>	The Environmental Assessment report submitted by the applicant does not address this clause of the Policy.
<i>Section 60 – Contaminated Land Management Act 1997</i>	Not applicable
<i>Circumstances where a Site Audit Statement is required</i>	Under this policy, Council requires a Site Audit Statement to be prepared by an accredited EPA Site Auditor. The applicant has not provided this Statement.
<i>Environmental Management Plans</i>	Council received comments from the EPA in relation to this development and it was recommended that an Environmental Management Plan be prepared for the proposal. This will be included in the recommended conditions.

**S15/1 Building Over Existing Sewer Policy**

This policy is not applicable as the site is currently on a waste water treatment system.

**R26/1 Retaining wall**

This policy is applicable as the development is proposing the construction of retaining walls.

Clause	Comment
<i>Policy Statement</i>	Noted
<i>Policy Objectives</i>	Noted
<i>1 – Application</i>	This policy applies due to a component of the retaining walls will be constructed within 1m of the property boundary as defined by this clause.
<i>2 – Materials</i>	Noted. Suitable conditions will be imposed on the consent regarding the life of materials used for the retaining walls.
<i>3 – Structural Certificate of retaining wall</i>	Noted. Suitable conditions will be imposed on the consent regarding compliance with AS 4678 and the certificate of the walls by a practising structural engineer.
<i>4 – Easements for support</i>	Noted.
<i>5– Restrictions as to User not permitted</i>	Noted.
<i>6– Relationship to Development Control Plan</i>	Noted



**5 CONCLUSION**

The application has been assessed in accordance with the legislation listed at the beginning of the report. The application has also been placed on public exhibition for a minimum of fourteen days with one submission being received.

It is recommended the application be approved subject to conditions of consent.

**Disclosure of Political Donations and Gifts:**

No disclosures of a political donations or gifts have been made in relation to this application.

**SOCIAL IMPLICATIONS**

The development as presented will not result in any specific social implications for Council.

**FINANCIAL IMPLICATIONS**

This development as presented has no direct financial impact upon Council's adopted budget or forward estimates.

**POLICY IMPLICATIONS**

The development as presented will not result in any specific policy implications for Council.

**STATUTORY IMPLICATIONS**

Statutory implications relating to assessment of the subject application have been addressed in the body of the report

**LEGAL IMPLICATIONS**

This matter has no specific legal implications for Council.

**OPERATIONAL PLAN IMPLICATIONS**

This matter has no specific Operational Plan implications for Council.

**RISK MANAGEMENT IMPLICATIONS**

This matter has no specific risk management implications for Council.

**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.	Rev	Drawn by	Drawing Date
1 – Proposed site plan	K	W A Brown	1 August 2016
2 – Demolition Plan	C	W A Brown	8 February 2016
3 – Site Analysis Plan	C	W A Brown	14 October 2015
4 – Store Layout Plan	C	W A Brown	14 October 2015
5 – Store Roof Plan	C	W A Brown	14 October 2015
6 – Store Elevations	C	W A Brown	14 October 2015
7 – Car canopy layout plans	C	W A Brown	14 October 2015
8 – Canopy Elevations	C	W A Brown	14 October 2015
9 – Truck Canopy layout plans	D	W A Brown	14 January 2016
10 – Truck Canopy elevations	D	W A Brown	14 January 2016
11 – Signage	C	W A Brown	14 October 2015
12 – Sediment Plan	H	W A Brown	1 August 2016
13 – Landscaping Plan	H	W A Brown	1 August 2016
14 – Vehicle Movement Plan	B	W A Brown	1 August 2016
15 – Site Directional Signage	A	W A Brown	1 August 2016
2333 – E50 – Fuel Systems Electrics	A	Myros Design	February 2016
2333 – E51 – Proposed Fuel System Conduits	A	Myros Design	February 2016
2333 – F02 – 1 – Dangerous Goods Site Layout	A	Myros Design	February 2016
2333 – F02 – 2 – Dangerous Goods Fuel System notes	A	Myros Design	February 2016

**2. Plans on Site**

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

**3. Development in Accordance with Documentation**

The development is to be carried out generally in accordance with the following documents:

Title	Written by	Date
Statement of Environmental Effects	W A Brown	30 May 2016
Traffic Assessment	MRCagney	26 April 2016
Crime Prevention Through Environmental Design	KDC	2 June 2016
Noise Assessment	Muller Acoustic Consulting	September 2016

Multi-level Risk Assessment	Myros Design	29 January 2016
Wastewater Management Report	Decentralised Water Consulting	16 August 2016

<b>ANCILLARY MATTERS TO BE ADDRESSED TO THE SATISFACTION OF COUNCIL PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE</b>
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**4. Construction Management Program**

A Construction Management Program must be prepared and submitted to, and approved in writing by the Council prior to the issue of any Construction Certificate. The program must include such matters as:

- a) a Safe Work Method Statement;
- b) the proposed method of access to and egress from the site for construction vehicles, including access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;
- c) the proposed phases of construction and demolition works on the site, and the expected duration of each construction phase;
- d) the proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken;
- e) the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
- f) the proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site;
- g) the proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- h) the proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
- i) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising structural engineer, or equivalent;
- j) proposed protection for Council and adjoining properties;

- k) the location and operation of any on site crane;
- l) the location of any Construction Zone (if required) approved by Council's Traffic Committee, including a copy of that approval; and
- m) location, identification, treatment and disposal of all hazardous materials on site.

All work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Program and any conditions attached to the approved plan. A copy of the approved Construction Management Plan, and any conditions imposed on that plan, shall be kept on the site at all times and made available to any officer of Council upon request.

## **5. Traffic Management Plan.**

A Traffic Management Plan prepared by an appropriately qualified civil engineer shall be prepared and submitted to Council for written approval prior to the issue of any Construction Certificate. The Traffic Management Plan shall include certification and details addressing the following:-

- (a) Details demonstrating compliance with relevant provisions in AS2890.1 – Off Street Car Parking Facilities, including, but not limited to, aisle widths, and parking space dimensions;
- (b) Details of the proposed circulation routes within the car park;
- (c) Details of proposed pedestrian routes, kerb construction methods and other protective measures such as bollards or the like to ensure safety of users;
- (d) Details of improvement/upgrade of existing access ways.
- (e) Details of proposed traffic control signage to be installed and references to relevant RTA Guidelines and Australian Standards; and
- (f) Details of speed limit restrictions within the car park.

### **Notes:**

- (i) It is recommended that the Traffic Management Plan be prepared and submitted at an early stage.
- (ii) The Traffic Management Plan is used to ensure appropriate safety and traffic management is provided within the development which can be enforced through relevant legislation. It is in the interests of the applicant that it is completed.

## **6. Site Contamination Audit Report**

A site contamination report prepared by an appropriately qualified consultant (such as an Occupational Hygienist or Environmental Consultant) shall be prepared in accordance with the relevant provisions of Council's Contaminated Land guidelines and SEPP 55 and submitted to, and approved in writing by the Certifying Authority prior to the issue of any Construction Certificate. The report shall contain details regarding:

- a) preliminary investigation
  - (i) review and assess the accuracy of any previous site contamination/environmental assessment reports particularly in respect to the nature, extent and type of site contamination;

- (ii) review the adequacy of site remediation works already undertaken on the site; and
- b) detailed investigation
  - (i) physical site specific investigation;
  - (ii) sampling and testing of material; and
- c) remediation plan
  - (i) indicate any remedial action necessary;
  - (ii) confirm the suitability of the site for the proposed development.
- d) Capped sections if identified
  - (i) full details of the site area to be capped.
  - (ii) a detailed monitoring programme for a period of <<monitoring – number of years>> years after the certification of the completion of the remedial works by the Consultant shall be undertaken. Progress reports are to be submitted annually to the Principal Certifying Authority with a copy provided to Council for their records.

## **7. Covenant for Site Contamination**

Within a period of ninety (90) days and prior to the issue of any Construction Certificate or the future sale or transfer of land a covenant must be registered on the title of the land giving notice of the former use, contamination of the site, the existence of contaminated material onsite and identification of capped sections.

The covenant shall bind the owner and future owners to be responsible for all ongoing maintenance and any further rehabilitation works required to prevent discharge of any contaminants. The covenant is to also restrict the use of any capped sections by the general public.

<b>OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION</b>
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## **8. Building Code of Australia**

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

## **9. Smoke Free Environment Act 2000**

All covered outside areas that permit smoking must comply with the Smoke-Free Environment Act 2000 and the Smoke-Free Environment Regulation 2016.

<b>ANCILLARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE</b>
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**10.     Pedestrian/Cycleway**

A 2.5m metre wide reinforced concrete shared pedestrian cycleway shall be provided along the frontage of the site at the cost of the applicant, in accordance with AUSPEC specifications D9 and C271.

Details demonstrating compliance with this required are to be submitted for approval with the lodgement of the Construction Certificate.

The shared pedestrian cycleway is to be aligned 1 metre from the back of kerb, 150 mm depth of 20 MPa concrete, reinforced with F72 mesh, sand bedded on compacted subgrade. Footpath sections are to be made available for inspection by the Principal Certifying Authority immediately prior to concrete pours.

**11.     Structural Engineer's Plans and details – Proposed Works**

A certificate and detailed drawings issued by an appropriately qualified structural engineer are to be submitted to the Certifying Authority with the Construction Certificate application, which certifies that the design and construction of the structural elements will be structural adequate for its intended purpose.

**12.     Vehicular Access way Design – Commercial and Industrial**

The applicant shall design the sealed vehicular access way in compliance with the following:

- a) the sealed vehicular access way shall be designed to comply with Muswellbrook Shire Council footpath, kerb and guttering policy to ensure that vehicles entering the premises will not scrape/strike the surface of the carriageway, layback, vehicular crossing or garage floor;
- b) the width of the vehicular layback shall be sized (including the wings) to meet the requirements of the turning path for the largest vehicle to enter and exit the site;
- c) the crossing (between the layback and the property boundary) shall be placed on a single straight grade of 5%, falling to the back of the layback;
- d) a Cross section along the centre-line of each access way to the building at a scale of 1:50 to be taken from the centre of the road and shall include all changes of grade both existing and proposed; and
- e) a certificate prepared by an appropriately qualified and practising Civil Engineer shall be provided to the Certifying Authority to certify compliance with these requirements and the suitability of the construction and the intended use of the access way prior to the issue of any Construction Certificate.

**13.     Kerb and Gutter Alignment Levels**

The kerb and gutter alignment levels shall match the existing levels except where modified for the vehicular crossing. The applicant shall design and construct having regard for the aforementioned levels. No approval is granted for any change to existing kerb and gutter alignment levels to accommodate the development. Details demonstrating compliance with this requirement must be submitted to the Certifying Authority for approval with any Construction Certificate for works that relate to the provision of vehicular access or accommodation.

**14.     Bicycle Storage and Parking**

A bicycle storage area shall be provided within the site to accommodate a minimum of 4 bicycles, and a visitor parking bicycle rail shall be provided for the site, such bicycle storage lockers and bicycle rail to be designed in accordance with AS 2890. Details demonstrating compliance are to be submitted to the Certifying Authority for approval with the Construction Certificate.

**15.     Parking for People with Disabilities**

A minimum of one (1) car-parking spaces to be used by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed in accordance with Australian Standard AS2890.6 to achieve compliance with the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

**16.     Off Street Car Parking**

A total of 17 off-street car-parking spaces, together with access driveways, shall be constructed, paved/sealed, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards and industry best practice as appropriate. A certificate prepared and certified by an appropriately qualified and practising Civil Engineer for the construction of these areas in accordance with this requirement shall be submitted to the Certifying Authority for approval with the Construction Certificate.

**17.     Sediment Control**

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including plans and specifications shall be submitted to Council accompanying the Construction Certificate, which provide adequate measures for erosion and sediment control. As a minimum, control techniques are to be in accordance with Muswellbrook Shire Council's DCP provisions on Erosion and Sediment Control, or a suitable and effective alternative method. The Control Plan shall incorporate and disclose:

- (a)     all details to protect and drain the site during the construction processes;

- (b) all sediment control devices, barriers and the like;
- (c) sedimentation tanks, ponds or the like;
- (d) covering materials and methods;
- (e) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing that these design requirements have been met shall be submitted with the Construction Certificate and approved in writing by the Certifying Authority prior to issuing of the Construction Certificate.

#### **18. Landscape Design Plan**

A landscape design plan in respect of the proposed landscaping is to be submitted to Certifying Authority with the Construction Certificate. The plan is to include botanical names, quantities, planted state of maturity of all proposed trees, shrubs and ground covers and to be in accordance with Council's Landscaping Guidelines.

#### **19. Asbestos & Hazardous Material Survey (High Hazard)**

In relation to the demolition of the existing buildings and structures on the site:

- (a) a report prepared by an appropriately qualified person (such as an Occupational Hygienist or Environmental Consultant) is to be submitted to the Certifying Authority, with the Construction Certificate application, detailing whether any asbestos or hazardous materials exist on the site that are affected by the proposed building works. (e.g. lead in paints, ceiling dust, glass fiber insulation or asbestos based products).

Note: If no hazardous materials are identified, the demolition may proceed in accordance with AS2601 and the following conditions, including dust control and WorkCover requirements.

- (b) should any hazardous materials be identified as per item (a), a Work Plan shall be submitted to the Certifying Authority with the Construction Certificate application and set out in accordance with AS2601 – Demolition of Buildings. The report shall contain details regarding:
  - i. The type of hazardous material;
  - ii. The level or measurement of the hazardous material in comparison to National Guidelines;
  - iii. Proposed methods of containment; and
  - iv. Proposed methods of disposal.
  - v. Details of signage to be provided on the site to comply with the provisions of the Work Health and Safety Regulation 2011, to ensure persons are warned, by the use of signs, labels or other similar measures, of the presence of asbestos or asbestos-containing material in a place at which construction work is being carried out.



- (c) where unacceptably high levels of lead are found in a premises to be demolished soil samples from site are to be tested by a NATA Registered laboratory before and after demolition and submitted to Council. This will determine whether remediation of the site is necessary.
- (d) the demolition must be undertaken in accordance with AS2601.
- (e) any works involving asbestos based products must be undertaken in accordance with the requirements of the WorkCover Authority in relation to removal, handling and disposing of material, and the Work Safe Australia Asbestos Code of Practice.
- (f) all work involving lead removal must not cause lead contamination of air or ground, and the Work Plan submitted to comply with item (b) must comply with the requirements of AS 4361.2-1998 : Guide to lead paint management - Residential and commercial buildings. Particular attention must be given to the control of dust levels on the site.

Details demonstrating compliance with these requirements are to be approved by the Certifying Authority and submitted with the Construction Certificate.

Notes:

- 1. Further details regarding requirements for removal of hazardous materials can be obtained from the WorkCover website or at [www.lead.org.au](http://www.lead.org.au).
- 2. Failure to comply with legislative requirements relating to the removal or handling of hazardous materials is likely to result in enforcement action, including fines or prosecution without prior warnings.

**20. No External Service Ducts**

Service ducts shall be provided within the building to keep external walls free of plumbing, drainage or any other utility installations. Details demonstrating compliance are to be provided in the Construction Certificate documentation.

**21. Cigarette Butt Receptacle – Commercial**

Cigarette butt receptacles must be provided on site, and permanently provided for the commercial building component of the development after construction. Details of the size and the location of the receptacle are to be provided to the Certifying Authority for approval with the Construction Certificate.

**22. Access for People with Disabilities**

Access for people with disabilities must be provided to and within the entire building. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

**23.     Waste Management Plan**

A detailed Waste Management Plan must be submitted with the Construction Certificate. The plans should include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, all landfill removed from the site, haulage routes, design of on-site wind proof waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

**24.     Geotechnical Investigation**

A certificate prepared by an appropriately qualified Geotechnical Engineer shall be submitted to the Certifying Authority for approval with the Construction Certificate, certifying that the existing substrate on the site is capable of:

- a)     withstanding the proposed loads to be imposed;
- b)     withstanding the extent of the proposed excavation, including any recommendations for shoring works that may be required to ensure the stability of the excavation;
- c)     providing protection and support of adjoining properties;
- d)     the provision of appropriate subsoil drainage during and upon completion of construction works.

**25.     Engineer Designed Stormwater**

Plans and certification indicating all engineering details relevant to the site regarding the collection and disposal of stormwater from the site, buildings and adjacent catchments, shall be submitted to Council for approval under Section 68 of the Local Government Act and approved prior to the issue of a Construction Certificate for construction works. Stormwater shall be conveyed by gravity from the site to the nearest Council stormwater drainage system. All designs shall be in accordance with the following specifications:-

- (a)     conveyed by gravity (not a charged or pumped system) to Council's a direct connection to Council's street stormwater gully in Golden Highway. If a direct connection to the pit option is implemented then the pipeline within the footpath area shall have a minimum cover of 300mm.
- (b)     the applicant shall engage a specialist Hydraulics Engineer to carry out an evaluation of Council's stormwater drainage system and the effect of the proposed development on this system. The results of this evaluation shall be submitted with all other drainage details to Council.
- (c)     all civil and drainage works within the road reserve and Council's stormwater drainage easement shall be designed and built in accordance with Council's current "Infrastructure Specification".

- (d) video inspection must be carried out of completed drainage works that are to revert to council and a DVD forwarded to Council's Development Engineer to support the certification.
- (e) the stormwater drainage system shall be designed for an average recurrence interval (A.R.I.) of 1 in 20 years.
- (f) all redundant stormwater pipelines within the footpath area shall be removed and the footpath and kerb reinstated.
- (h) all plumbing within the site shall be carried out in accordance with AS/NZ3500.3.2, National Plumbing and Drainage Code.
- (i) prevent any stormwater egress into adjacent property by creating a physical barrier or land reshaping.
- (j) any proposed fence is to be constructed so as not to impede the natural overland flow along the line of the easement.
- (k) engineering details are to be prepared to comply with relevant Australian Standards and Council guidelines, and shall be certified by an appropriately qualified and practicing Civil Engineer.

A design report summarising the design method and assumptions shall be submitted with a Maintenance Plan for the stormwater management system.

## **26. On-Site Stormwater Detention**

On site detention must be provided to ensure that the maximum discharge of stormwater collected from the undeveloped site, which would occur during a 1 in 5 year storm of 1-hour duration is not exceeded. All other stormwater run-off from the site for all storms up to a 1 in 20 year storm event is to be retained on the site for gradual release to the kerb and gutter or piped drainage system. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

For small areas up to 0.5 hectares, determination of the required cumulative storage may be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Runoff Volume 1, 1987 Edition.

Engineering calculations, design and certification shall be certified by an appropriately qualified and practising Hydraulic Engineer and submitted to Council under Section 68 of the Local Government Act and approved prior to the issue of a Construction Certificate.

## **27. Section 94A Contributions**

Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010, a contribution of **\$16,379.00** shall be paid to Muswellbrook Shire Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010. The contribution is to be paid prior to the issue of the Construction Certificate.

**28.     Private Water Supply**

Details of an appropriate drinking water management system, in compliance with NSW Health requirements and the *Public Health Act 2010* and *Regulation 2012* is to be submitted with the Construction Certificate.

If the proposed development cannot be connected to a potable water supply then the applicant must demonstrate that the drinking water supplied to the premises will consistently meet the *Australian Drinking Water Guidelines 2011* and any subsequent amendments to the guidelines.

**29.     Food – Preparation and Storage**

Detailed plans and elevations of the food preparation and food storage areas shall be submitted to, and approved by Council, prior to the release of the Construction Certificate. Plans shall include the finishes to the floors, walls, ceilings, benches and shelves, elevations of fixtures and fittings and location of hand wash basins.

<b>CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT</b>
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**30.     Sediment and Erosion Control**

All required erosion and sedimentation 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.

**31.     Site Sign**

A sign must be erected in a prominent position on any work site on which work involved in the erection and/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 to building work or demolition work is being carried out, but must be removed when the work has been completed.

**32.     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 onsite.

**33.     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.

**34.     Section 68 Local Government Act Approval**

Prior to the commencement of any works it shall be necessary for the applicant to obtain a Section 68 Local Government Act approval for all water supply and sewer drainage works.

The application shall include the submission of Hydraulic Engineers details for all water supply and sewer drainage works

**35.     Notice of Proposed Work (Contaminated Land)**

Notice of proposed work must be given to the Council in accordance with SEPP 55, Clause 16.

Note: At least 30 days notice is required, except in the case of work required to be carried out immediately under the terms of remediation order (in which case, at least 1 days notice is required).

SEPP 55, Clause 16 requires that the notice must:

- (a) Be in writing;
- (b) Provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given;
- (c) Briefly describe the remediation work;
- (d) Show why the person considers that the work is category 2 remediation work by reference to Clause 9, 14 and (if it applies) 15(1);
- (e) Specify, by reference to its property description and street address (if any), the land on which the work is to be carried out;
- (f) Provide a map of the location of the land; and

- (g) Provide estimates of the dates for the commencement and completion of the work.

The following additional information must be submitted with the notice to the Council:

- i. Copies of any preliminary investigation, detailed investigation and remediation action plan for the site; and
- ii. Contact details for the remediation contractor and any other party responsible for ensuring compliance of remediation work with regulatory requirements.

### **36. Public Liability Insurance**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Muswellbrook Shire Council, as an interested party and a copy of the Policy must be submitted to Council and the Principal Certifying Authority prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

### **37. Site Facilities**

- (a) If the development involves building work or demolition work, the work site must be fully enclosed in accordance with the staging of the demolition and construction by temporary security fencing (or hoarding) before work commences within each stage.
- (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.

### **38.     Vehicle Entry**

Prior to commencing construction of the driveway/vehicle crossing/layback, within the road reserve, a permit for the work must be obtained from Council, under Section 138 of the Roads Act 1993.

<b>CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK</b>
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### **39.     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.

### **40.     Noise – Construction Noise Guidelines**

Noise during demolition and construction must not exceed the limits specified in the Interim Construction Noise Guidelines. The applicant is ensure all reasonable and feasible measures are undertaken to comply with Interim Construction Noise Guidelines.

### **41.     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.

**42.     Second Hand Materials**

Second hand materials must not be used unless specifically approved by the Certifying Authority or Principal Certifying Authority in writing.

**43.     Dust Emission and Air Quality**

- (a)    Materials must not be burnt on the site.
- (b)    Vehicles entering and leaving the site with soil or fill material must be covered.
- (c)    Dust suppression measures must be carried out to minimise wind-borne emissions in addition odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

**44.     Applicant's Cost of Work on Council Property**

The applicant must bear the cost of all works associated with the development that occurs on Council's property.

**45.     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 96 of the Environmental Planning and Assessment Act 1979.

Failure to obtain a permission for work outside of the approved hours may 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.

**46.     Erosion and Sediment Control (Contaminated Land)**

Erosion and sediment control techniques are to be in accordance with Muswellbrook Shire Council guidelines on Erosion and Sediment Control. All remediation works shall be conducted in accordance with an erosion and sediment control plan that follows the brochure "Preparing an Erosion and Sediment Control Plan", published by the Department of Conservation and Land Management. The plan must be kept on-site and made available to Council officers on request.

Erosion and sediment control measures must be established prior to commencement of work. All erosion and sediment measures must be maintained in a functional condition throughout the remediation works.



Temporary stockpiles of contaminated materials must be kept in a secure area. Facilities must be installed for cleaning vehicles prior to leaving the site. Detailed designs for any pollution control system, including leachate collection and disposal, must be provided to the Council with notice of proposed work required under SEPP 55, Clause 16.

**47.     Water Quality from Contaminated Sites**

Runoff must be drained to an adequately bunded central collection sump and treated, if necessary, to meet NSW Environment Protection Authority discharge criteria.

**48.     Waste from Contaminated Sites**

Any removal of contaminated solids from the site must comply with applicable laws for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed of on land without:

- (a)   permission of the land owner;
- (b)   development consent from the relevant local Council (if required);
- (c)   an environment protection licence from the NSW Environment Protection Authority; and
- (d)   compliance with the provisions of the Protection of the Environment and Operations Act.

**49.     Excavation and Demolition**

- (a)   All excavations and backfilling associated with the erection and demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (b)   All excavations associated with the erection and demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c)   Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.
- (d)   The builder is to ensure that persons working on the site comply with the WorkCover Authority's requirements.

**50.     Retaining Walls & Drainage**

- a)   Separate development consent will be required for any retaining walls over 600mm in height that do not comply with the specified development standards of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for Earthworks

- b) The excavation, footings and drainage associated with construction of the retaining wall shall be located wholly within the property boundaries of Lot 1 DP 410315.
- c) The approved retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must:-
  - (i) be constructed as soon as practicable (not more than 30 days) after the site has been cut and filled.
  - (ii) have adequate provision for drainage in accordance with the requirements of AS3500.

#### **51. Protection of Public Places**

- (1) If the work involved in the erection or demolition of a building:-
  - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
  - (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public place and be contained within the site boundary unless prior permission has been obtained in writing from Council.
- (2) Any such hoarding, fence or awning is to be removed when the work has been completed.

#### **52. Hot Water Installations**

Hot water installations shall be in accordance with AS 3500 and shall deliver hot water to all sanitary fixtures used primarily for personal hygiene purposes, at a temperature not exceeding:-

- (a) 50°C in all other buildings;
- (b) the new hot water temperature limiting device shall be adequately maintained or replaced when defective; and
- (c) where hot water is being delivered to an outlet of a sanitary fixture, used primarily for personal hygiene purposes on commercial premises or by the public, at a temperature exceeding 50°C, such fixture shall have a sign, using symbol and red writing on a white background in appropriate languages, displayed adjacent to the sanitary fixture which states, "Warning – this fixture may deliver hot water which will scald".

#### **53. Demolition and Removal of Buildings**

- (a) Demolition must be carried out in accordance with AS 2601–1991, *Demolition of structures*.
- (b) Demolition materials must not be burnt or buried on the work site.

- (c) A person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials, have their loads covered and do not track soil or waste material onto the road.
- (d) If demolition work obstruct or inconvenience pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to council to enclose the public place with a hoarding or fence.
- (e) 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 and must be maintained in a functional condition throughout the construction activities until the site is stabilised.
- (f) The work site must be left free of waste and debris when work has been completed.

#### **54. Mandatory Council Inspections**

At the following stages of construction, a satisfactory report from Council is to be obtained prior to works proceeding:

- (a) Sewer drains – all pipes are to be correctly laid, suitably bedded and ready to backfill. Suitable backfill material is to be available on site at the time of inspection.
- (b) Connection of stormwater drainage to easement– following installation and bedding of drainage lines and prior to backfilling
- (c) Driveway crossover of the footpath or nature strip:
  - prior to pouring concrete
  - Section 138 Roads Act Permit required prior to inspection being carried out.
- (d) Council infrastructure- at completion of works and prior to an Occupation Certificate inspection.

To arrange an inspection please contact Council's Environmental Service Department on (02) 6549 3745.

Note: Inspection fees will be charged in accordance with Council's adopted fees and charges and must be paid prior to the issue of the Construction Certificate.

#### **55. Erosion and Sediment Controls**

The approved Sediment and Erosion controls shall be reinstated daily prior to workers leaving the site where modified at any time. Any sediment that escapes from the allotment must be cleaned, collected and disposed of to Council's waste management facility or the sediment shall be returned to the subject allotment on a daily basis.

<b>CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE</b>
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**56. Reinstatement**

All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of a final Occupation Certificate.

**57. Occupation**

The building is 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.

**58. Access for People with Disabilities**

Provision shall be made for access to and within the building on the site for persons with a disability in accordance with the provisions of AS 1428 Part 1 prior to the issue of any Occupation Certificate.

**59. Disabled Access from the Public Realm – Tactile Surface Indicators**

Tactile ground surface indicators complying with AS1428.4 shall be provided at the point of common public access to the building and at the vehicular access points to assist people with visual impairments in gaining access to and from the public way and the premises prior to occupation. Such works are to be undertaken wholly within the boundaries of the site.

**60. UPSS – compliance with legislation**

Prior to the issue of any occupation certificate, certification is to be submitted to the Principal Certifying Authority that the Underground Petroleum Storage System (UPSS) was installed, tested and commissioned by duly qualified persons in accordance with the UPSS regulations.

**61. UPSS – Certification**

Prior to commissioning of the fuel storage system, certification from an appropriately qualified person shall be submitted to Muswellbrook Shire Council verifying that all works and the system as installed are fully compliant with *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014*.

**62. UPSS – Ground water monitoring wells**

Prior to the issue of any Occupation Certificate, certification is to be submitted to the PCA that the ground water monitoring wells have been designed, installed, certified and tested by a duly qualified person in accordance with UPSS regulation. Documents relating to the operation of the ground water monitoring wells are to be kept on site.

**63.     Validation for Remediation**

A validation and site monitoring report prepared in accordance with relevant guidelines issued under the Contaminated Land Management Act 1997 must be submitted to the Principal Certifying Authority and Council within one month from completion of the remediation work, and prior to the issuing of any Occupation Certificate.

A detailed survey of all sites used for landfill disposal must be prepared within one month from completion of the remediation work, and submitted to Council. The plan must identify the extent and depth of all fill material in relation to existing roadways and buildings. The survey must also include a detailed survey of all sites used as landfill disposal pits, identifying boundaries and depth of disposal pits in relation to existing roadways and buildings.

**64.     Emergency Spill Response Management Plan**

Prior to the issue of any Occupation Certificate an Emergency Spill Response Management Plan is to be submitted to and approved by Muswellbrook Shire Council.

The plan shall include but not be limited to the following:

- a)     List of chemicals and maximum quantities to be stored at the site;
- b)     Identification of potentially hazardous situations;
- c)     Procedure for incident reporting;
- d)     Details of spill stations and signage;
- e)     Containment and clean-up facilities and procedures; and
- f)     The roles of all staff in the Plan and details of staff training.

The plan is to be to the satisfaction of council.

**65.     Storage of Hazardous or Toxic Material**

To ensure hazardous and toxic materials are not a threat to the environment they must be stored in accordance with WorkCover Authority requirements. All tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bonded area. Certification of compliance with this requirement shall be obtained prior to the issuing of any Occupation Certificate.

**66.     Mechanical Exhaust Ventilation**

The mechanical exhaust system shall be installed in accordance with AS1668, and be operated in such a way so as to minimise/prevent the creation of odours, fumes and excessive noise which may adversely affect the amenity, or interfere unreasonably with the comfort or repose of occupants of the building and adjoining premises.

Certification, from an appropriately qualified and practising Mechanical Engineer, is to be submitted to the Principal Certifying Authority, detailing that the exhaust ventilation

system has been installed in accordance with AS1668, prior to completion and the issue of any Occupation Certificate.

**67.     Disposal Information**

Upon completion of works and prior to occupation, the person entitled to act on this consent shall provide to Council the following information;

- (a)    the total tonnage of all waste and excavated material disposed of from the site;
- (b)    the disposal points and methods used; and
- (c)    a copy of all disposal receipts are to be provided

**68.     Asbestos Clearance Certificate (Major Works)**

Prior to issuing any Occupation Certificate for building works where asbestos based products have been removed, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to the Principal Certifying Authority (and a copy forwarded to Council) for the building work which certifies the following:-

- (a)    the site is free of asbestos;

The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot. If asbestos is retained on site the certificate must identify the type, location, use, condition and amount of such material.

Note:     Further details of licensed asbestos waste disposal facilities can be obtained from [www.dec.nsw.gov.au](http://www.dec.nsw.gov.au)

**69.     Certification – Civil Works**

- (a)    An appropriately qualified and practising Civil Engineer shall certify to the Principal Certifying Authority that the stormwater drainage system was constructed in accordance with this consent and the provisions of AS3500. The applicant shall, upon completion of the development works and prior to the issue of an Occupation Certificate, submit to Council a copy of the aforementioned letter of certification.
- (b)    An appropriately qualified and practicing Civil Engineer shall certify to the Principal Certifying Authority that the vehicular crossing and associated works and road works were constructed in accordance with this consent. The applicant shall, upon completion of the development works and prior to the issue of an Occupation Certificate, submit to Council a copy of the aforementioned letter of certification.

**70. Identification of Non Potable Water**

Signage in accordance with AS3500.1 shall be installed to all taps that supplied by the rainwater tank where mains reticulated water supply is provided to the site.

**71. On-site Sewage Management**

The development will require an On-Site Sewage Management System. Such a system requires approval from Council to install, construct or modify under Section 68 of the Local Government Act 1993.

A current Approval to Operate will also be required before an Occupation Certificate can be issued. Applications to install a system must be accompanied by a Wastewater Management Plan including a Site and Soil Assessment prepared by a suitably qualified person.

**72. Works as Executed Plans**

Prior to the issue of any Occupation Certificate a works as executed plan drawn on the NSW Fair Trading template detailing the layout and location of the sewer and stormwater pipe work is to be submitted to Muswellbrook Shire Council.

**73. Public Infrastructure Inspection**

Prior to the issue of an Occupation Certificate written confirmation is to be obtained from Muswellbrook Shire Council's Building section that all damage caused to Council's infrastructure has been reinstated to a satisfactory condition. Council's inspection charges will apply.

**74. Evidence of mandatory inspections**

Prior to the issue of an Occupation Certificate, a satisfactory inspection report is to be obtained from Council confirming that the following inspections have been carried out:

- (a) Sewer drainage
- (b) Connection of stormwater drainage to easement
- (c) Driveway crossover of the footpath or nature strip
- (d) Council infrastructure

**75. Food – Registration**

Prior to the issuing of an occupation certificate, the food premises must be registered with Council's Environmental Health section accordance with the Food Safety Standards, prior to commencement of food business operations.

**76.     Food – Council Inspection**

Upon completion of the work and prior to the issuing of an occupation certificate, the premises must be inspected by Council's Environmental Health Officer to ascertain compliance with relevant Food Safety Standards.

**77.     Food – certification**

Food Business and Food Safety Supervisor shall be notified to Council's Environmental Health Officer prior to occupation.

**78.     Acoustic Fence**

A 76 metre long, 2.8 metre above ground level, lapped and capped acoustic fence, on the north-western site boundary must be provided prior to any occupation certificate. The acoustic fence shall commence shall be located in accordance with the plan in Muller Acoustic Consulting Noise Report, dated September 2016.

**79.     Garbage and Recycling Facilities**

An appropriate area shall be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements shall be met:

- a)     all internal walls of the storage area shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- b)     include provision for the separation and storage in appropriate categories of material suitable for recycling;
- c)     the storage area shall be adequately screened from the street and located behind the building line;
- d)     all waste is to be removed weekly from the site by a contractor and disposed of at a site approved for such purposes

<b>CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES</b>
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**80.     Obligation to minimise harm to the environment**

The Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation and where relevant decommissioning of the development.

**81.     Stormwater Disposal**

All stormwater from the development including all hardstandings and overflows from rainwater tanks is to be collected to the existing stormwater drainage on site and disposed of to the kerb and gutter.



- (a) an appropriately constructed discharge point at a distance of 3m clear of the proposed and any adjoining buildings. The discharge point shall be constructed to avoid erosion of the adjacent ground.

**82. Hours of Operation**

The Service Station may be open for business on a 24 hour basis

**83. Prohibition on Burning**

Materials or rubbish resulting from the land clearing, demolition and building works, must not be burnt on the site.

**84. Obstruction of Parking Areas**

No parking spaces, loadings bays or vehicular access ways or access thereto shall be restricted, constrained or enclosed by any form of structure such as fencing, or the like, without prior consent from Council.

**85. Allocation of Parking Areas**

All required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas shall fully constructed, sealed, line marked, sign posted, numbered and in accordance with the consent prior to the release of the Occupation Certificate.

**86. Visitors Sign**

A sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such.

**87. Loading Within Site**

All loading and unloading operations must be carried out wholly within the confines of the site, at all times and within loading bays designated on the approved plans.

**88. Vehicle Ingress Signs**

Appropriate signage must be provided and maintained within the site at the point of vehicular ingress for trucks.

**89. Illumination Intensity**

The level of illumination and/or lighting intensity used to illuminate the signage, forecourt area and truck parking is to be minimised to ensure that excessive light spill or nuisance is not caused to any nearby premises.

**90.     Waste Collection**

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

**91.     Delivery Hours**

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

**92.     Landscaping**

The landscaped area of the development is to be maintained at all times in accordance with the approved landscape plan

**93.     Stormwater maintenance**

The approved stormwater management system must be maintained in accordance with the approved maintenance program.

**94.     Food – legislative requirements**

All food preparation and food storage areas shall comply with the requirements of standard 3.2.3 of Chapter 3 of the Food Standards Code, the Food Act 2003 and the Food Regulation 2015.

**95.     Food – Flooring**

Flooring in the food preparation and food storage areas must be appropriate for the area; able to be effectively cleaned; non-absorbent; laid so there is no ponding of water or harbouring of pests; and, coved at the floor/wall junction to a minimum 25mm radius. If using ceramic floor tiles, tiles shall be epoxy grouted and laid in accordance with the requirements of AS 3958.1.

**96.     Food – Splashback**

Splashbacks shall be a minimum height of 450mm behind sinks, hand wash basins, food preparation benches, counters and tables. Splashbacks shall be sealed at all joints, edges and adjacent walls or other vertical surfaces.

**97.     Food – shelving/cupboards**

Designated shelving/cupboards shall be provided for the storage of cleaning chemicals and staff personal belongings.

**98.     Food – Hand wash basin/s**

- a) A hand wash basin shall be provided within the food preparation area. Hand wash basin shall be of adequate size to allow easy and effective washing of hands, arms and face.

- b) Hand wash basin in the food preparation area and staff toilets shall be provided with hot and cold water dispensed through a single mix tap.
- c) A paper towel and soap dispenser shall be fitted adjacent to the hand wash basin.

**99. Food – ceilings**

The ceilings shall be of smooth, sealed, and of an impervious material. Drop in panel ceilings are not acceptable.

**100. Food – walls and ceiling**

- (a) Walls shall be of solid construction, sealed, of an impervious material, and able to be easily and effectively cleaned.
- (b) Walls and ceilings in the food preparation and food storage areas, where not fitted with tiles or metal splashbacks, shall be painted in a light coloured washable paint.
- (c) The surfaces of all food preparation benches are to be smooth, impervious and capable of being effectively cleaned and sanitised.

**101. Food - Lighting**

Lights fittings in the food preparation and food storage areas, including those that are part of equipment used to process or display open food, shall be

- (i) Designed and constructed to prevent contamination of food should the globe or tube shatter; and
- (ii) Free from any features that would harbour dirt, dust or insects or make the fitting difficult to clean.

**102. Food – Refrigeration**

The walls of the cool room and freezer must be extended to the ceiling.

**103. Food – vermin**

The external door/s must be fitted with a vermin proof strip/s.

**104. Food – Mechanical exhaust**

The mechanical kitchen exhaust hood shall comply with Part F4.12 of the National Construction Code 2011 Building Code of Australia.

**105. Impact on Amenity of Surrounding Area – Non Residential Areas**

The implementation and intensity of this development shall not adversely affect the amenity of the neighbourhood by offensive odour, noise or dust as defined under the *Protection of the Environment Operations Act 1997*.

**106. Noise – Legislation**

All noise (including coolers and air conditions) generated from the premises must comply with the NSW EPA Industrial Noise Policy and the Protection of the Environment Operations (Noise Control) Regulation 2008.

Note: If council receives noise complaints and council verifies these as “offensive noise” an acoustic consultant must be engaged and the offending equipment modified to reduce noise emissions to comply with the above standards.

**107. Noise – Tyre inflation**

The tyre inflation point shall not contain an audible alarm.

**108. Noise criteria for the development**

The premises must comply with following noise limits as specified in the Muller Acoustic Consulting Noise Report, dated September 2016.

Table 1:

	Day (L <sub>aeq</sub> (15 minute))	Evening (L <sub>aeq</sub> (15 minute))	Night (L <sub>aeq</sub> (15 minute))	Sleep Criteria (L <sub>a1</sub> (1 minute))
R1	38	38	35	50
R2	42	42	37	50
R3	31	31	31	50
R4	42	42	37	50
R5	42	42	35	50
R6	39	39	32	50
R7	41	41	34	50
R8	42	42	38	50
R9	39	39	34	50
C1	43			50

The limits in the noise table above do not apply if the Applicant has a written agreement with the relevant owner(s) of these residences to generate higher noise levels, and Council has been advised in writing of the terms of this agreement.

**109. Interpretation of Noise Levels**

- (a) For the purposes of the interpretation of noise levels detailed in the consent, refer to the following:

	Definition
Day	the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays
Evening	the period from 6pm to 10pm
Night	the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

- (b) Noise generated by the development must be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time) or an equivalent NSW Government noise policy, and as amended by the details below:

**Noise Compliance Assessment:**

a)     Applicable Meteorological Conditions

The noise criteria in Table 1 is to apply under all meteorological conditions except for the wind speeds greater than 3m/s at 10m above ground level.

**Compliance monitoring**

- Attended monitoring must be used to evaluate compliance with the relevant conditions of this consent;
- During the period in which mining operations continue, this monitoring must be carried out a minimum of 4 times a year, by an independent noise consultant, unless Council agrees otherwise;
- Unless otherwise agreed by Council, this monitoring must be carried out in accordance with the relevant requirements for reviewing performance set out in the NSW Industrial Noise Policy (as amended from time to time) or an equivalent NSW Government noise policy, in particularly the requirements relating to:
  - Monitoring locations for the collection of representative noise data;
  - Meteorological conditions during which collections of data is not appropriate;
  - Equipment used to collect noise data, and conformance with Australian Standards relevant to such equipment; and
  - Modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors, apart from adjustments for:
    - i.     Duration; or
    - ii.    Low frequency noise, where it is demonstrated that the site contributed dBC – dBA noise difference of greater than 15dBA is caused by distance attenuation only.

**110.     Request for independent monitoring and acquisition**

(a)     Monitoring and Management

In the event that a private landowner considers that noise from the development, at their residence, is in excess of the noise level criteria listed in Table 1 (being an owner who has not earlier entered into an agreement with the applicant to exceed their noise levels) and Council is satisfied that an investigation is required, the Applicant must upon the receipt of a written request from Council:

- (i)     consult with the owner affected to determine their concerns;
- (ii)    make arrangements for, and bear the costs of, following consultation as far as reasonably practicable and to the satisfaction of Council, to quantify the impact and determine the source of the effect and the contribution of the development. The location, duration and timing of these noise assessments is to be in accordance with the Industrial Noise Policy or its replacement;
- (iii)   modify the operation of the development, if repeated exceedances are demonstrated by the investigation to result in part from the operation of the development. This must include:

- \* introduction of additional controls, either on noise emission from individual sources on the site or on site operations or modification to operations, to ensure that the noise criteria detailed in Table 1 is achieved by reasonable and feasible measures, or;
  - \* seek agreement of the landowner, to provide such other forms of benefit or amelioration of the impacts of noise as may be agreed between the parties as providing acceptable compensation for the noise levels experienced.
- (iv) conduct follow up investigations to the satisfaction of Council, where necessary. If necessary, the follow up investigation should be conducted 3 months after the initial investigation to give the Applicant time to implement the recommended noise control.

**111.     UPSS – Legislative requirements.**

The installation and operation of the Underground Petroleum Storage System (UPSS) shall comply with the provisions of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 – the UPSS Regulation. Verification of compliance shall be issued to council prior to commissioning that is prepared and certified by the installer/appropriately qualified person.

**112.     UPSS – Environmental Protection Plan**

The site shall have an Environmental Protection Plan implemented in accordance with UPSS regulations prior to commencing operations that includes loss monitoring, leak detection and incident management procedures. A copy of all records relating to the plan shall be kept on site and is to be available to the Council or relevant authority when requested.

**113.     UPSS – Wastewater removal**

Wastewater generated in the undercover refuelling forecourt shall not be discharged to the approved environmental management system or Council's sewerage system. Waste waters shall be collected and appropriately stored for removal by an EPA licensed contractor and disposed of at an appropriate facility.

**114.     Flammable Liquids – storage and handling**

The storage and handling of all flammable and combustible liquids must be carried out in accordance with Australian Standards AS 1940-2004.

**REASON FOR IMPOSITION OF CONDITIONS:**

The reason for the imposition of the following conditions is to ensure, to Council's satisfaction, the objects of the *Environmental Planning and Assessment Act 1979* (as amended) are achieved:

- (a)     To encourage:

- (i) The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forest, minerals, water, cities, towns, and villages for the purpose of promoting the social and economic welfare of the community and a better environment;
  - (ii) The promotion and co-ordination of the orderly and economic use of development of land;
  - (iii) The protection, provision, and co-ordination of communication and utility services;
  - (iv) The provision of land for public purposes;
  - (v) The provision and co-ordination of community services and facilities;
  - (vi) The protection of the environment, including the protection and conservation of native animals and plants including threatened species, populations, and ecological communities and their habitats;
  - (vii) Ecologically Sustainable Development; and
  - (viii) The provision and maintenance of affordable housing.
- (b) To promote the sharing of the responsibility for environmental planning between the different levels of government in the State.
- (c) To provide increased opportunity for public involvement and participation in environmental planning and assessment.

<b>ADVICE:</b>
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**1. Location of Services**

Prior to construction work commencing you should ensure that all services have been clearly located and identified by contacting “Dial before you Dig” by telephoning 1100.

**2. Water Use Restrictions**

The granting of this approval does not override or permit additional water usage beyond that of the current level of water restrictions in force. For further information please contact Muswellbrook Water & Waste on (02) 6549 3840.

**3. Obstruction of Nominated Exits**

During the occupation and life of the building nominated exits must not be blocked at the point of discharge.

**4. Framing Details**

Full details of the framing, roof trusses, bracing details and tie down connections involved in the construction indicating compliance with the Australian Standard are to be submitted to the Certifying Authority prior to the frame inspection.

NOTE: The frame inspection will not be passed until this information has been submitted.

**5. On-Site Waste Water**

A completed septic tank application is to be approved by Council prior to any drainage works commencing.

INDUSTRIAL

COMMERCIAL

PROJECT MANAGEMENT

DA Submission

Project:

Client:

Lot:

No:

Street:

Suburb:

DP:

Drawn by:

Checked by:

Job No:

Proposed Service Station

Rizwan Rana Petroleum

1

1612

MERRIWA ROAD

SANDY HOLLOW

410315

ST

WB

DA117

15	Site Directional Signage	Council Amendments - TRUCK PARKING	01.08.16	ST	A
14	Vehicle Movement Plan	Council Amendments - TRUCK PARKING	01.08.16	ST	B
13	Landscaping Plan	Council Amendments - TRUCK PARKING	01.08.16	ST	H
12	Sediment Plan	Council Amendments - TRUCK PARKING	01.08.16	ST	H
11	Signage	DA Submission	14.10.15	ST	C
10	Truck Canopy Elevations	Diesel canopy layout change	14.01.16	ST	D
09	Truck Canopy Layout Plans	Diesel canopy layout change	14.01.16	ST	D
08	Canopy Elevations	DA Submission	14.10.15	ST	C
07	Car Canopy Layout Plans	DA Submission	14.10.15	ST	C
06	Store Elevations	DA Submission	14.10.15	ST	C
05	Store Roof Plan	DA Submission	14.10.15	ST	C
04	Store Layout Plan	DA Submission	14.10.15	ST	C
03	Site Analysis Plan	DA Submission	14.10.15	ST	C
02	Demolition Plan	Demolition Plan amended	08.02.16	ST	C
01	Proposed Site Plan	Council Amendments - TRUCK PARKING	01.08.16	MM	K
No	Drawing	Description	Date	Dwn	Rev

ARCHITECTURAL DRAWINGS

WA BROWN BUILDING PTY LTD

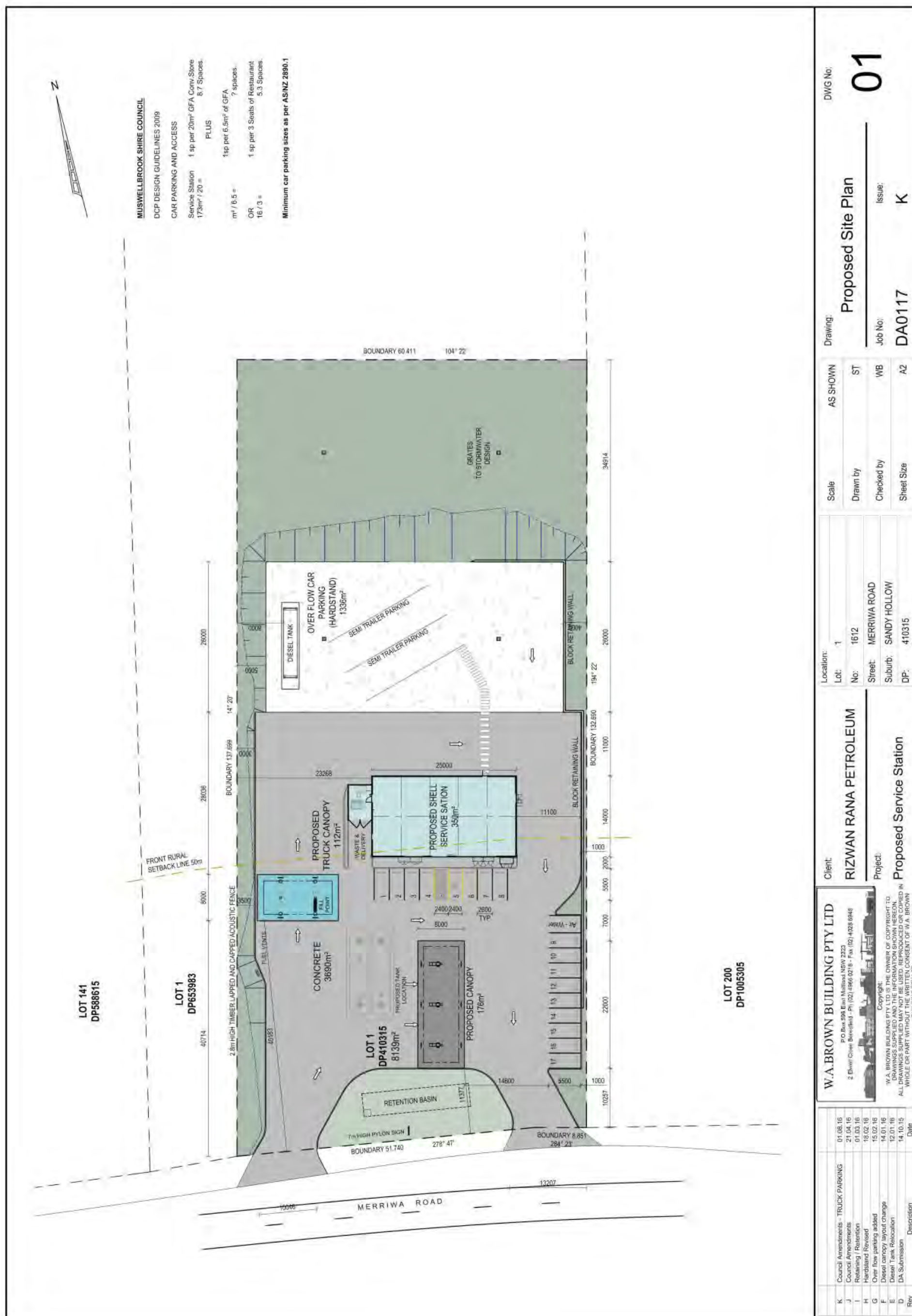
P.O. Box 596 East Maitland NSW 2323

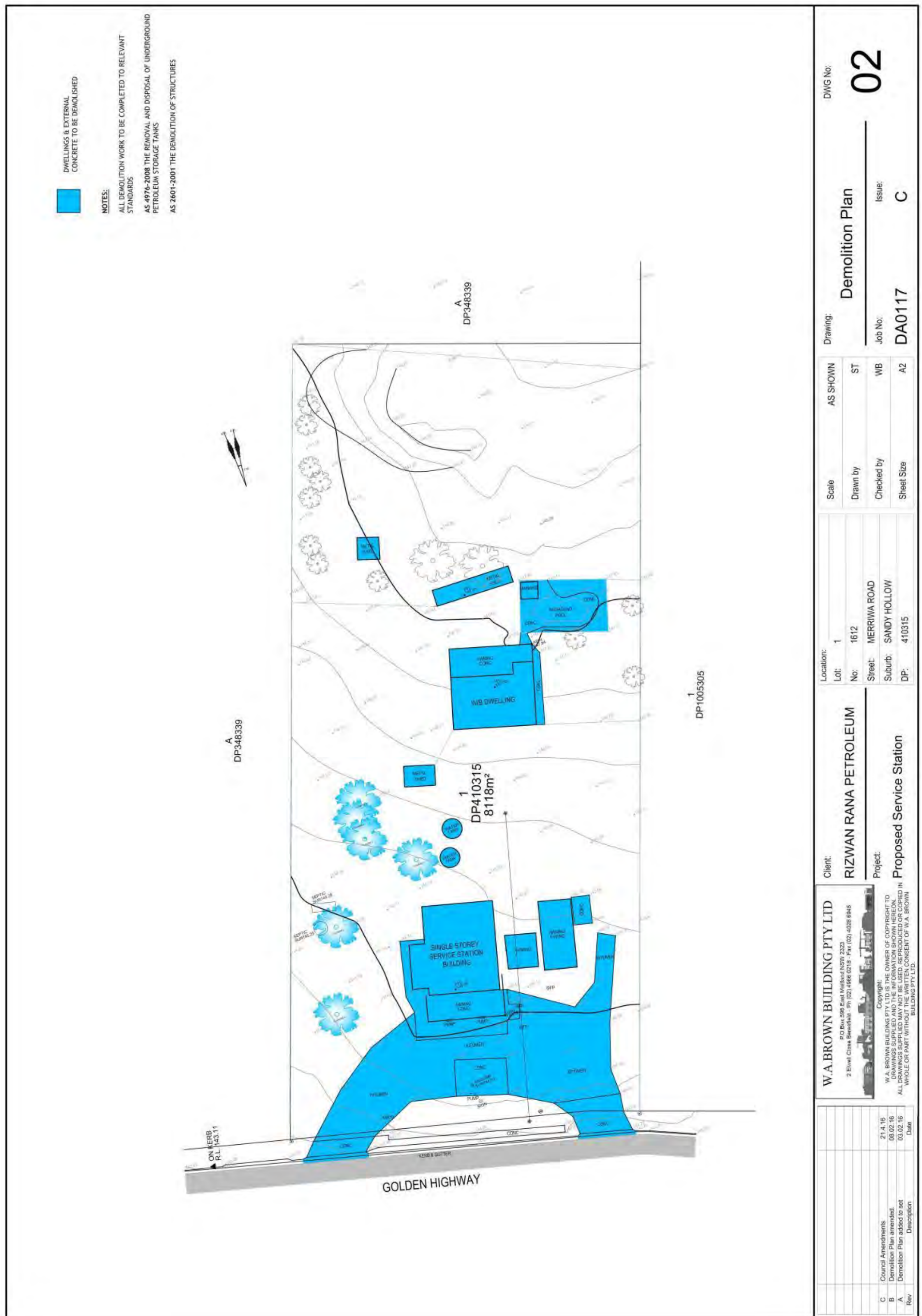
2 Elwell Close Beresfield - Ph (02) 49660218 - Fax (02) 4028 6945

Attachment B

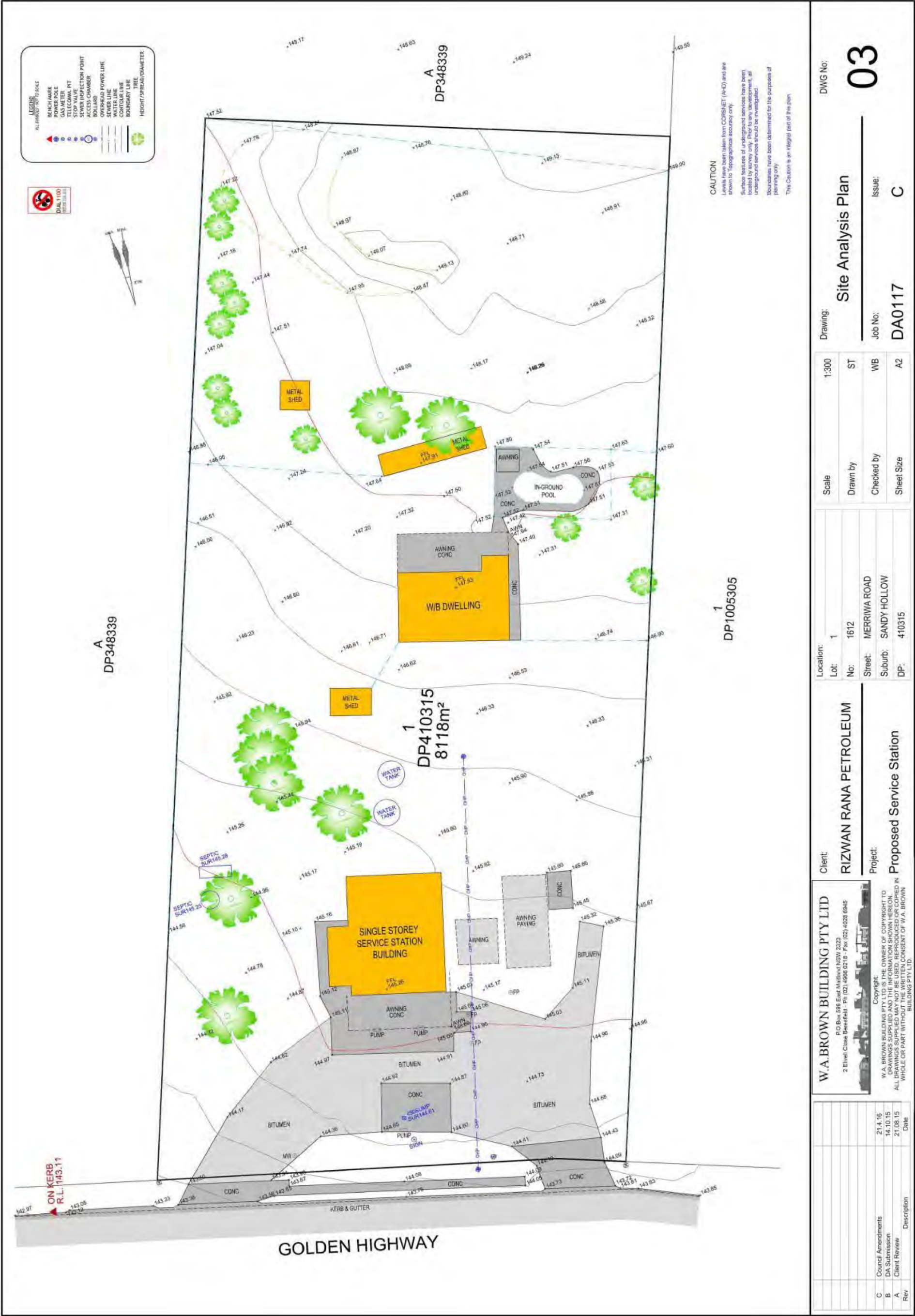
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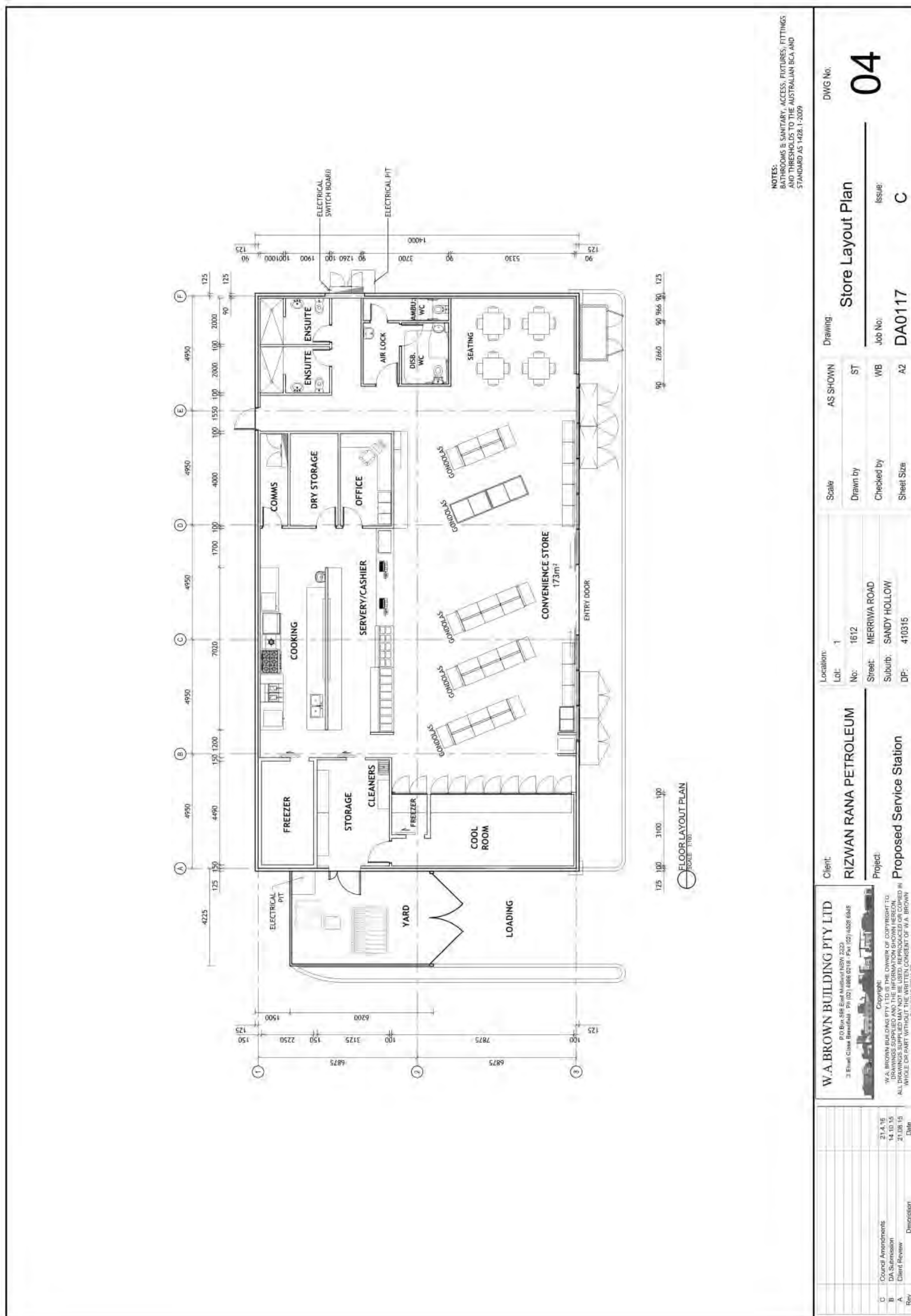


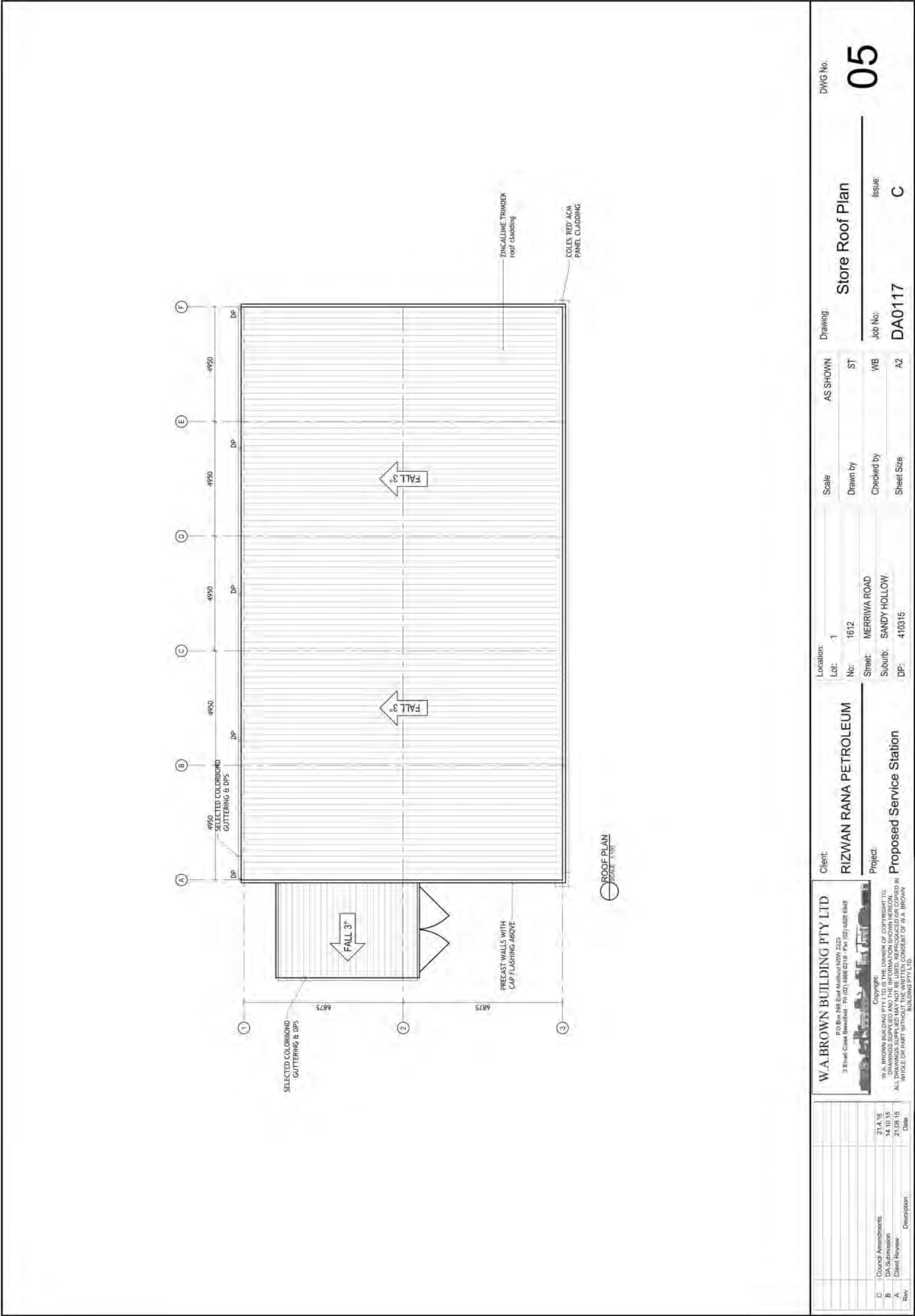




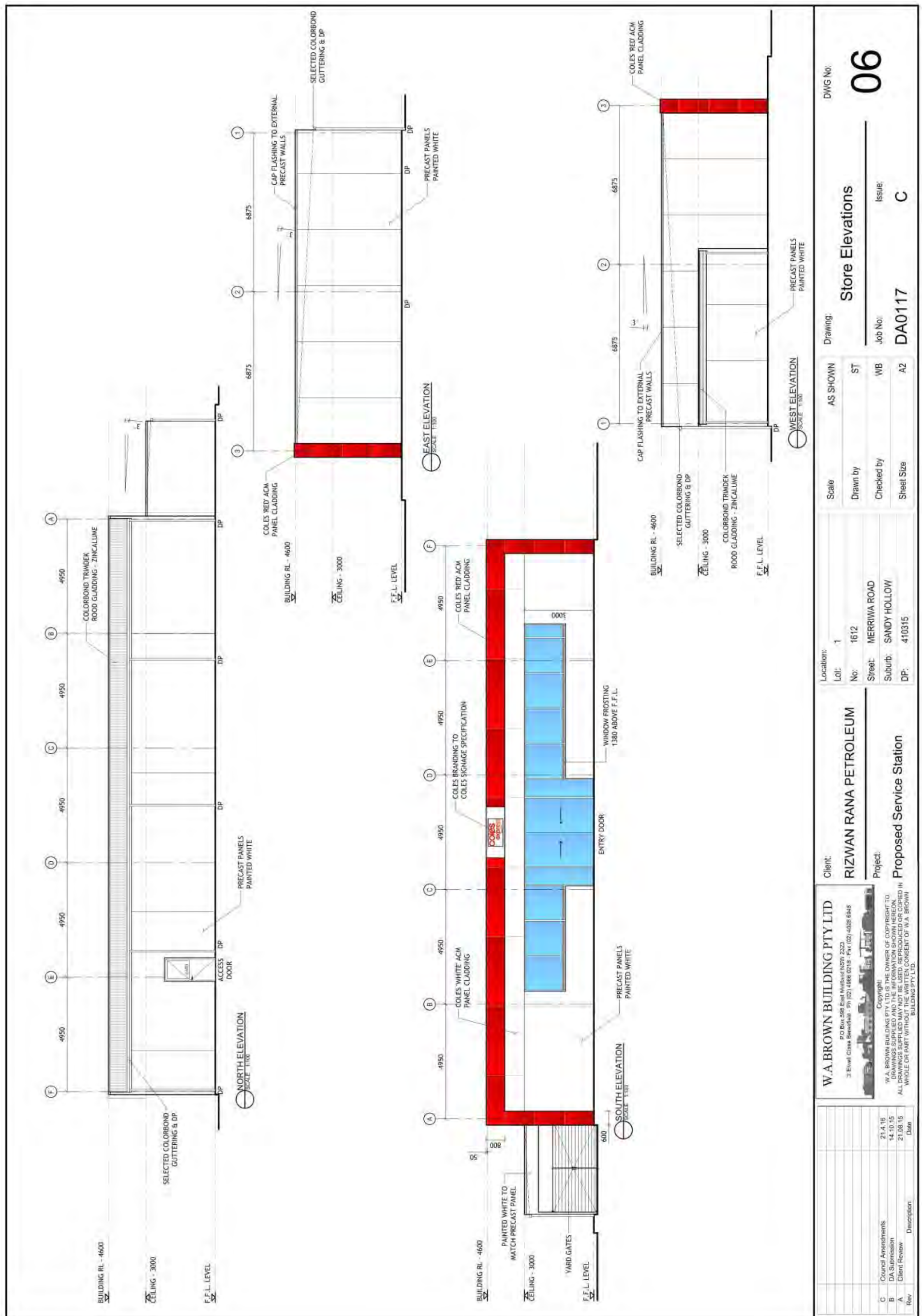


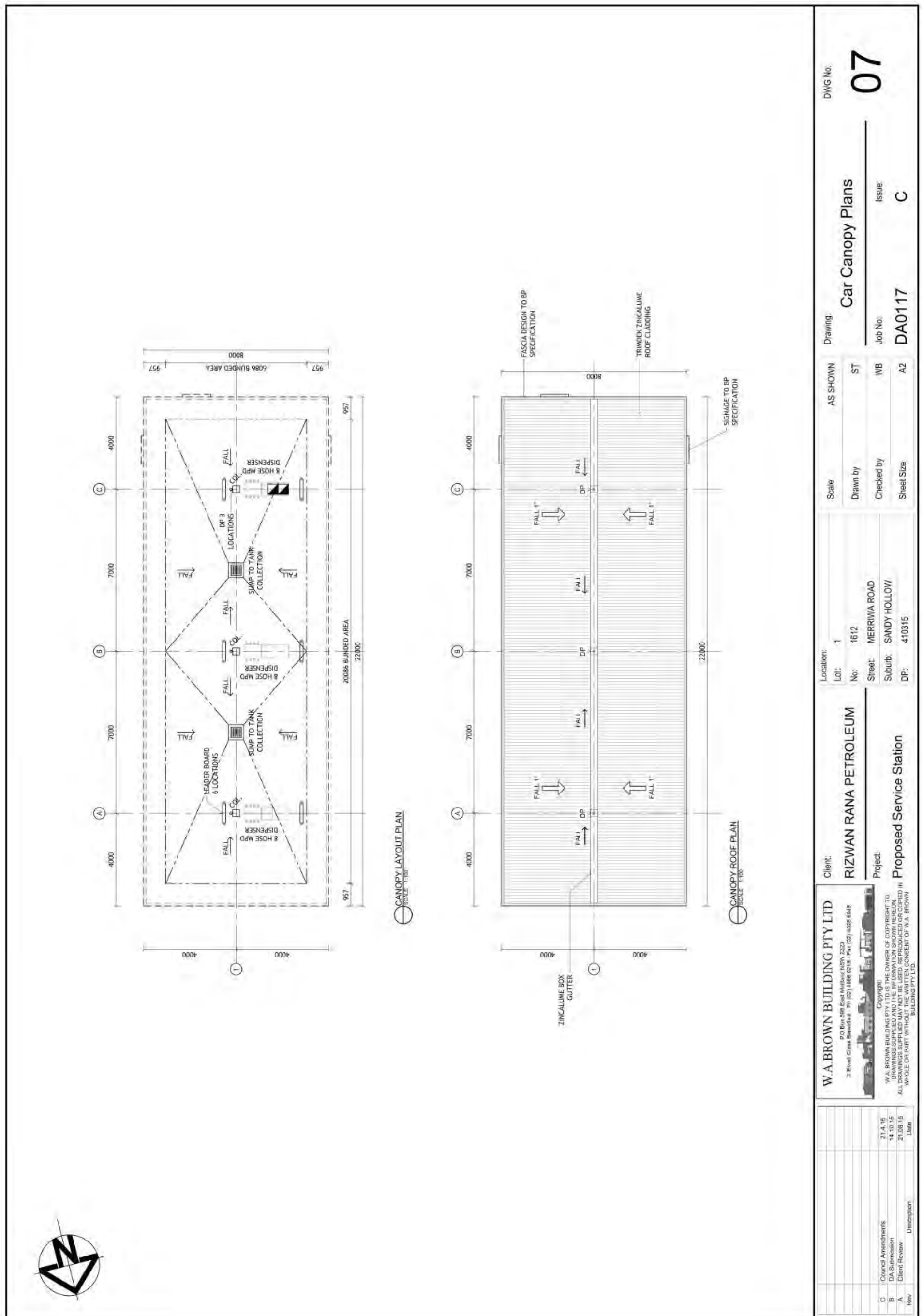


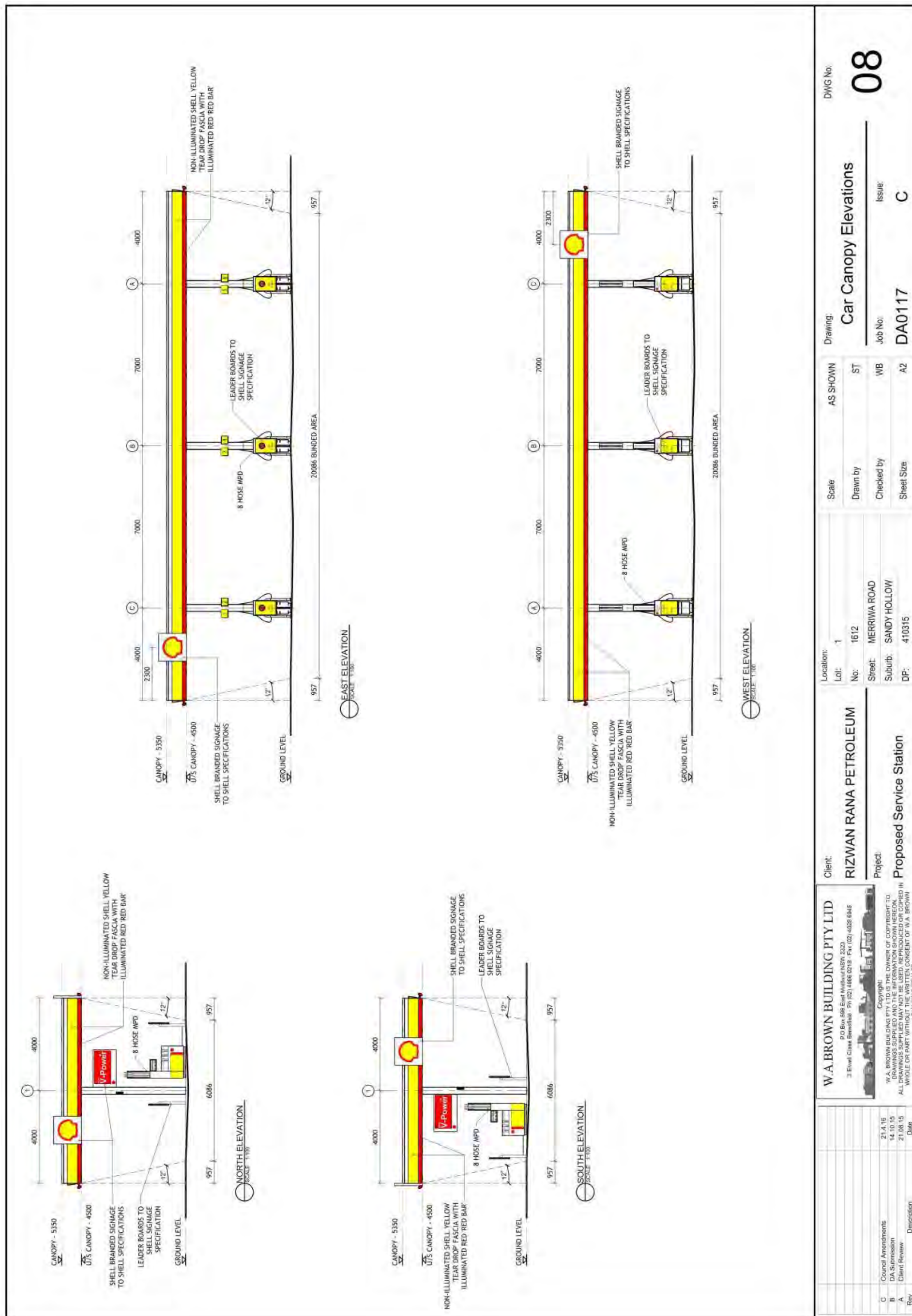




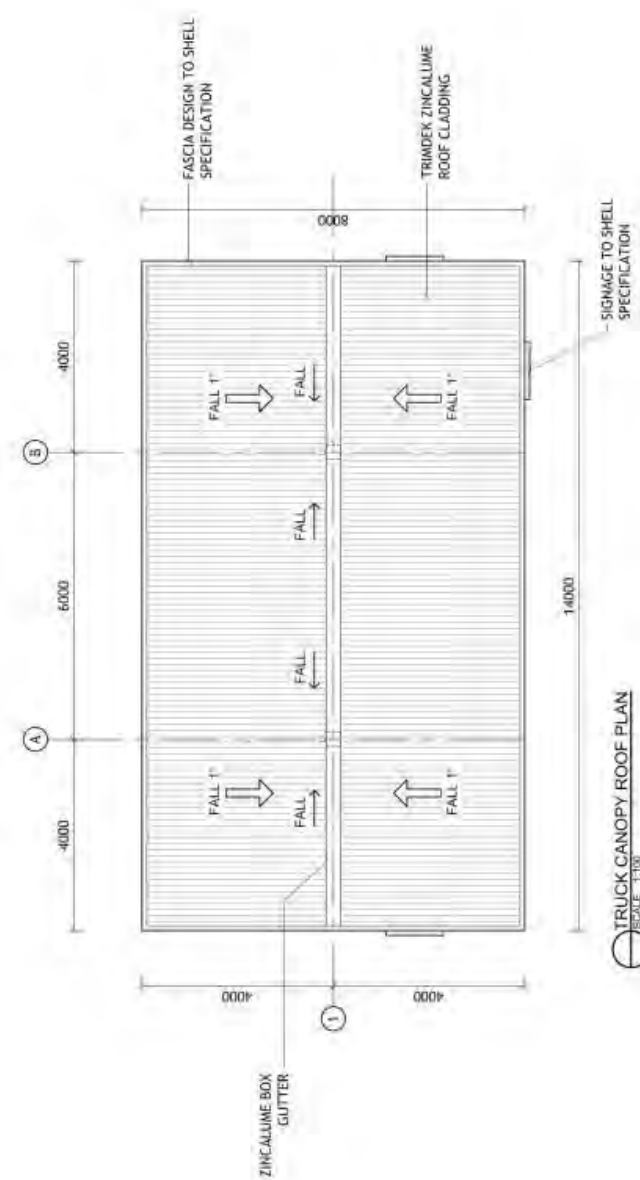
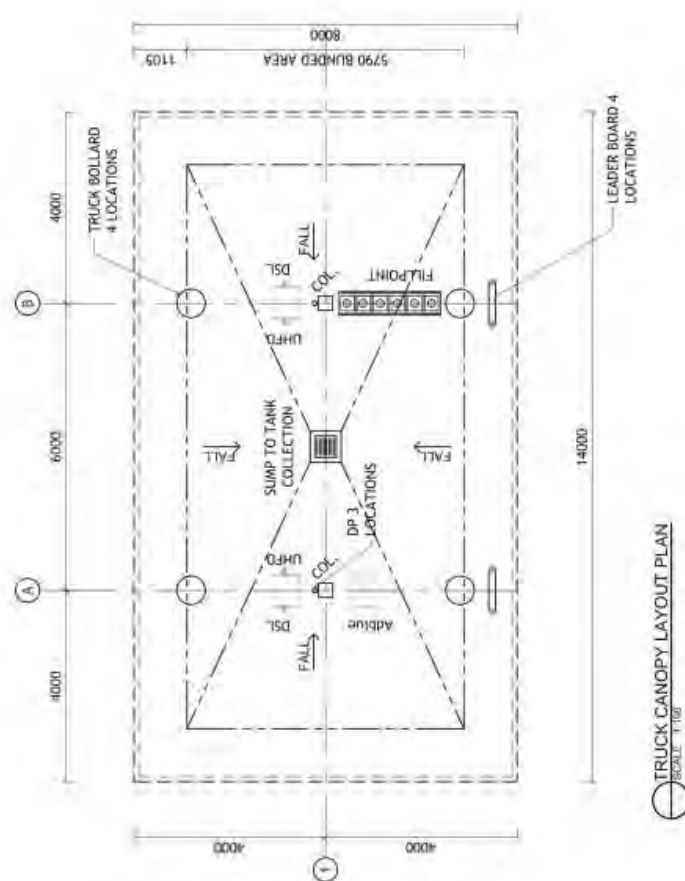












Rev	Description	Date
C	Diesel category layout change	14.01.16
B	DA Submission	14.10.15
A	Client Review	21.08.15

**W.A. BROWN BUILDING PTY LTD**

P.O. Box 586 East Melbourne NSW 2233  
2 Elvett Close Benalla - Ph (02) 4866 0218 - Fax (02) 4825 6345



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Client: RIZWAN RANA PETROLEUM

Project: Proposed Service Station

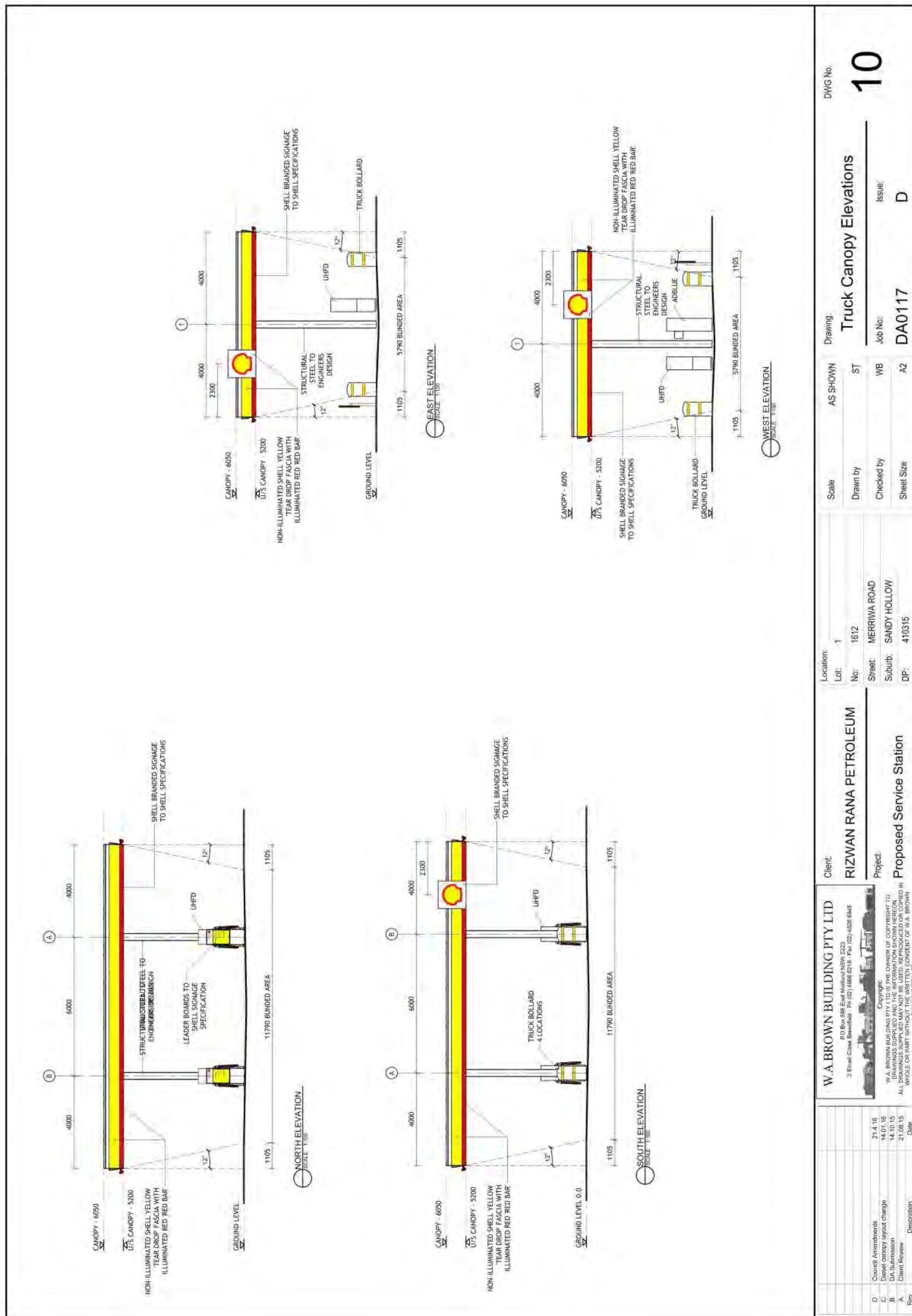
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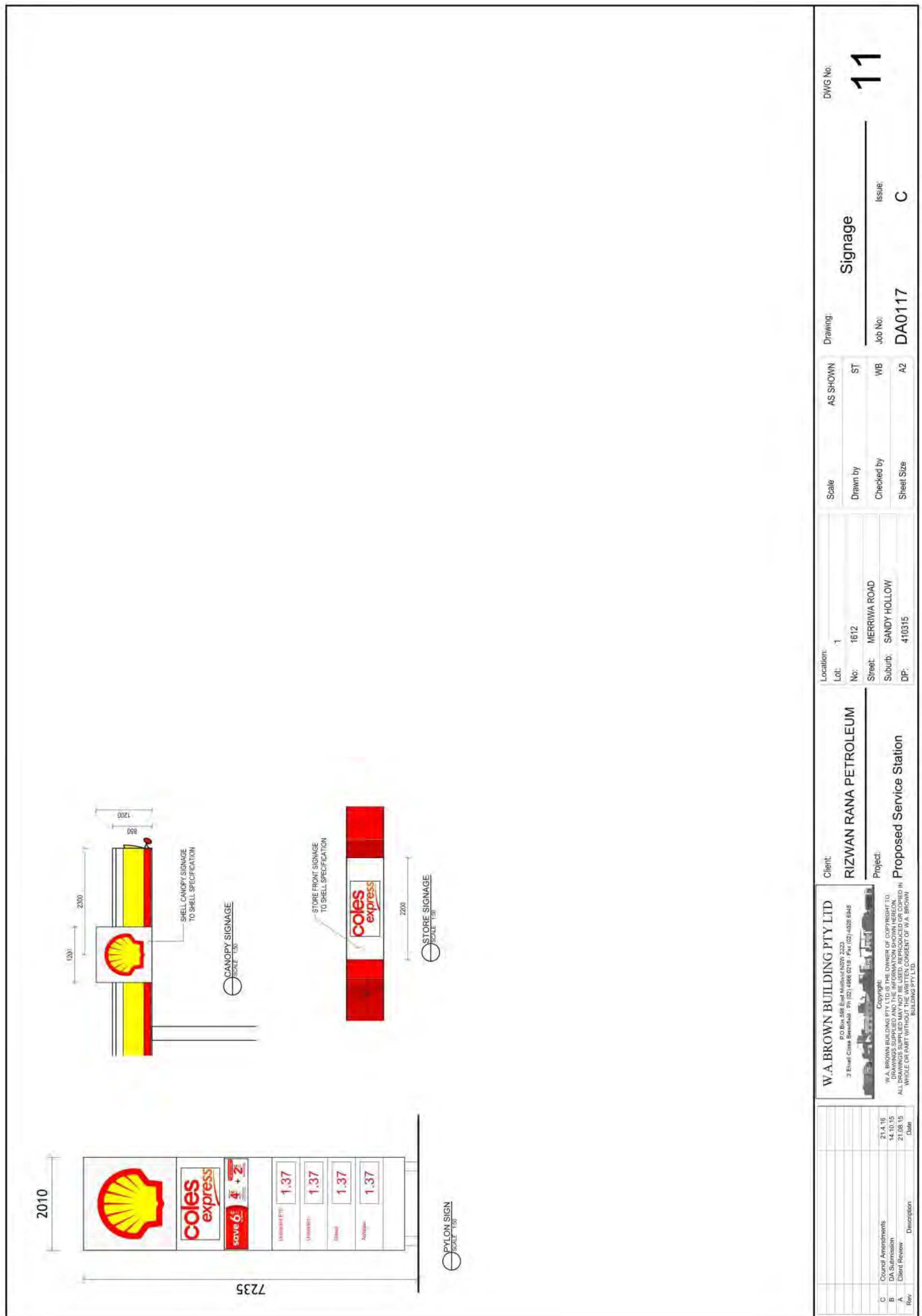
Drawing: **Truck Canopy Plans**

Job No: **DA0117** Issue: **C**

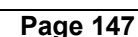
DWG No.:

09













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01.08.16  
21.4.16  
01.03.16  
18.02.16  
15.02.16  
14.01.16  
12.01.16  
14.10.15

Council Amendments - TRUCK PARKING  
Council Amendments  
Retaining / Retention / Landscaping  
Hardstand Revised  
Over flow parking added  
Diesel canopy layout change  
Diesel Tank Relocation  
DA Submission

01.08.16  
21.4.16  
01.03.16  
18.02.16  
15.02.16  
14.01.16  
12.01.16  
14.10.15

Date

Client:  
**RIZWAN RANA PETROLEUM**

Project:  
**Proposed Service Station**

Location:  
Lot: 1  
No: 1612  
Street: MERRIWA ROAD  
Suburb: SANDY HOLLOW  
DP: 410315

Scale  
1:200  
Drawn by: ST  
Checked by: WB  
Sheet Size: A2

DWG No:  
**13**

Landscaping Plan

Issue:  
**H**

Job No:  
**DA0117**

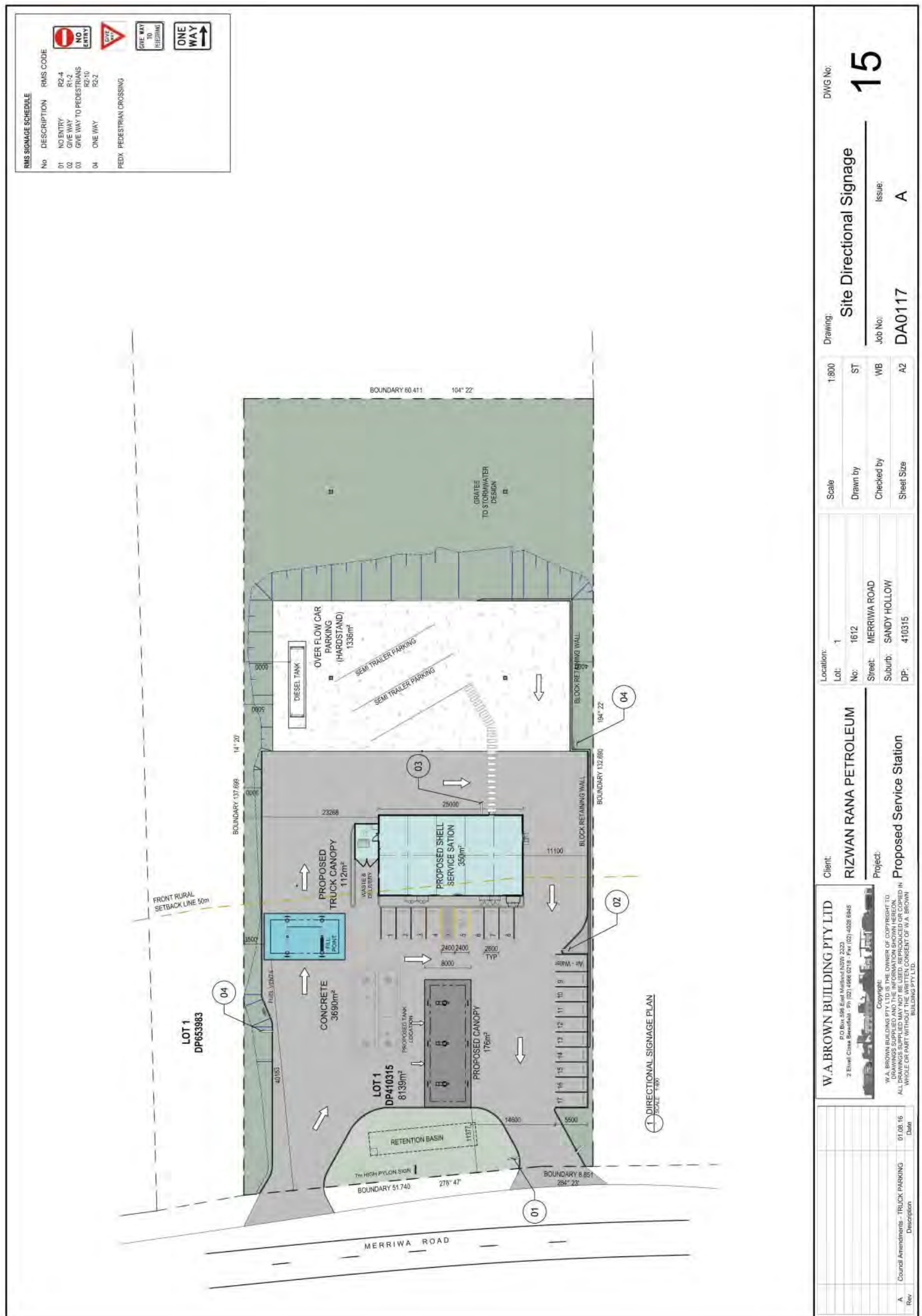
Attachment B

Page 148



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Transport  
Roads & Maritime  
Services

2 April 2016

SF2015/191067  
CR2016/001251  
MJ

General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Attention: Donna Watson,

GOLDEN HIGHWAY (B84): PROPOSED DEMOLITION OF EXISTING SERVICE STATION AND ERECTION OF NEW SERVICE STATION INCLUDING A COLES EXPRESS SHOP AND CAFÉ FACILITIES, LOT 1 DP 410315, 1612 MERRIWA ROAD, SANDY HOLLOW (DA 95/2015)

I refer to Council's letters dated 27 November 2015 and 18 March 2016 regarding the subject development application forwarded to Roads and Maritime Services (Roads and Maritime) for comment in accordance with Clause 138 of the *Roads Act 1993*.

Roads and Maritime understands the development involves the demolition of an existing service station and the erection of a new service station incorporating a Coles Express shop and a small café facility. Vehicular access to and from the site is via Merriwa Road (Golden Highway). It is noted that the service station includes bowsters for heavy vehicles and is located in a 60 km/hr speed zone.

Roads and Maritime has identified the property immediately east of the subject development as a potential heavy vehicle rest / parking area for up to six or seven heavy vehicles. Currently Roads and Maritime have not acquired the land for the parking / rest area and no timeframe has been identified for commencement of the works.

#### Roads and Maritime Response

Roads and Maritime has reviewed the information provided, including the Traffic Impact Assessment (TIA) prepared by MRCagney, and has no objections to the proposed development, provided the following matters are addressed and included in Council's conditions of development consent:

- All signs shall be constructed entirely within private property and shall not encroach or overhang, into the road reserve.

#### Roads and Maritime Services

Level 1, 59 Darby Street, Newcastle NSW 2300 |  
Locked Bag 2030, Newcastle NSW 2300 |

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 13 22 13



- The advertising sign shall meet the criteria contained in Section 3.2.5 of the Department of Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007)* - Illumination and reflectance.
- Any proposed advertising sign must not have / use:
  - Flashing lights or messages.
  - Electronically changeable messages, unless in accordance with the Department Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007)*.
  - Animated display, moving parts or simulated movement.
  - Complex displays that hold a driver's attention beyond "glance appreciation".
  - Displays resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop'.
  - A method of illumination that distracts or dazzles.

#### Advice to Council

- Roads and Maritime has no proposal that requires any part of the property.
- All matters relating to internal arrangements on-site such as car parking, traffic / pedestrian management, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to determine.
- Discharged stormwater from the development shall not exceed the capacity of the Merriwa Road stormwater drainage system. Council shall ensure that drainage from the site is catered for appropriately and should advise Roads and Maritime of any adjustments to the existing system that are required prior to final approval of the development.

On Council's determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact David Collaguazo on 4924 0334 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au)

Yours sincerely,



David Collaguazo  
A/Manager Land Use Assessment  
Hunter Region



Our reference: DOC16/246445, EF14/500  
Contact: Kurt Sorensen (02) 4908 6827  
Electronic correspondence to: [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au)

MUSWELLBROOK SHIRE COUNCIL  
PO BOX 122  
MUSWELLBROOK NSW 2233

Attention: Ms Donna Watson

**DEVELOPMENT APPLICATION NO. 95/2015  
DEMOLITION OF SERVICE STATION AND ERECTION OF NEW SERVICE STATION  
1612 MERRIWA ROAD, SANDY HOLLOW NSW 2333**

Dear Ms Watson

I refer to your letter to the Environment Protection Authority (EPA), received by the EPA on 22 March 2016, which provides additional information relating to the proposed demolition of a service station and erection of a new one at 1612 Merriwa Road, Sandy Hollow. The letter requests the EPA provide comments in relation to the additional information. Please note the EPA provided comments dated 15 December 2015 in relation to the original application which should be considered in conjunction with this letter. This letter confirms email advice provided on 22 April 2016.

Based on the information provided the site does not require an Environment Protection Licence for the activity in accordance with Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act).

Included in the additional information are several plans and assessments relevant to the development application. The EPA encourages the development of such documents to ensure that proponents have met their statutory obligations and designated environmental objectives. However, the EPA does not review these documents as our role is to set environmental objectives for environmental/conservation management, not to be directly involved in the development of strategies to achieve those objectives.

The EPA will however take the opportunity to provide the following comment. I refer to document titled *RE: DA/2015 – 1612 MERRIWA ROAD SANDY HOLLOW* dated 29 February 2016 prepared by W.A.BROWN BUILDING PTY LTD. Dot point 8a confirms that a validation and decommissioning report will be provided once tanks are removed from the site and that it is anticipated that this will be a condition of the consent.

PO Box 488G Newcastle NSW 2300  
Email: [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au)  
117 Bull Street, Newcastle West NSW 2302  
Tel: (02) 4908 6800 Fax: (02) 4908 6810  
ABN 43 692 285 758  
[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

Dot point 8c confirms that a construction management plan will be prepared for those works on site prior to the construction certificate being issued and that it is anticipated this will be a condition of the consent.

The EPA considers it appropriate that both the requirements for a validation and decommissioning report and a construction management plan be conditions of the consent. In relation to the construction management plan, the applicant should prepare and submit to Council a plan to describe how odour, noise and dust issues associated with the works will be managed. The plan should also include an 'unexpected finds' protocol, as works at old service stations often find unexpected and unknown infrastructure (including tanks) and deposits of workshop waste. All waste retrieved during excavation works, including contaminated soil, must be appropriately and lawfully treated and/or disposed of to a licensed waste facility.

If you require any further information regarding this matter please contact Kurt Sorensen on (02) 4908 6827.

Yours sincerely,



19.5.16

**KAREN MARLER**  
Head Regional Operations Unit – Hunter  
Environment Protection Authority

parkservosubsept16

**SUR FIN PTY LTD**  
***T/As Sandy Hollow Tourist Park***  
***1618 Golden Highway***  
***SANDY HOLLOW***  
***NSW 2333***  
ABN 88 002 397 355

The General Manager  
Muswellbrook Shire Council  
By email: [council@muswellbrook.nsw.gov.au](mailto:council@muswellbrook.nsw.gov.au)

21 September 2016

Sir

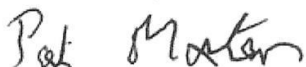
Attachment: Objection and Submission re DA 95/2015

Please find attached our objection and submission relating to the alterations to the service station on Lot 1 DP 410315, 1612 Merriwa Road.

Our comments in this submission are in addition to those we submitted last year. That is, our two submissions are to be considered as one.

We do not object to the expansion of the service station per se but we do object to the apparent lack of consideration to our business, its customers and to ourselves as residents on the neighbouring affected lots.

Yours sincerely



Patrick Morten  
Sole Director

Tel No 0265474575

email: [info@sandyhollow.com.au](mailto:info@sandyhollow.com.au)

E

1. LOT1 DP 410315 IS HIGHER IN ELEVATION THAN ITS NEIGHBOURING LOTS, LOT 1/DP653983 AND LOT 141/DP588615. THERE IS CONCERN THAT THERE COULD BE DAMAGE, VIBRATION AND NOISE CAUSED BY THE PLANNED LAYOUT OF THE NEW SERVICE STATION TO THESE NEIGHBOURING, COMMERCIAL AND RESIDENTIAL USE PROPERTIES.
2. THE POSSIBLE DAMAGE COULD BE DUE TO AT LEAST TWO FACTORS: ONE, THE PASSAGE OF EXTREMELY HEAVY ROAD VEHICLES CLOSE TO THE BOUNDARY AND, TWO, BY THE UNSECURED SHEER WEIGHT OF THE VEHICLES, THE PLANNED TANKAGE AND THE SUPPORTING HARD-STANDING.
3. WE HAVE IMPOSED A BAN ON THE HEAVY VEHICLES USED BY OUR OWN CONTRACTOR-CLIENTS FROM USING THE PARK ROAD ON LOT1 DP 653983 BECAUSE THEIR WEIGHT CONTINUALLY DAMAGED THE MAIN COUNCIL SUPPLY WATER PIPE AND THE SWIMMING POOL CAUSING WATER LEAKS.
4. THE 'SOCIAL AMENITY' PROVIDED BY THE POOL FOR THE RESIDENTS OF SANDY HOLLOW AND OUR OWN PARK USER/RESIDENTS CAN ONLY BE DISRUPTED BY THESE ROAD LEVIATHANS RUMBLING BY AND REFUELLING WITHIN METRES OF THE POOL AND OUR MOTEL ROOMS.
5. THE VIBRATION AND NOISE CAUSED BY THESE EXTREME VEHICLES WILL NOT BE TOTALLY NEGATED BY A FENCE, HOWEVER TALL AND ACOUSTICALLY DESIGNED IT MAY BE.
6. THE DIESEL REFUELLING POINT IS IN CLOSE PROXIMITY TO OUR COMMON BOUNDARY COULD IT NOT BE PLACED ON THE OTHER PARALLEL BOUNDARY?
7. PERHAPS BRACING PILES IN CONJUNCTION WITH THE FENCE POSTS COULD NEGATE THE POTENTIAL SOIL SLIPPAGE/SUBSIDENCE ALONG THE COMMON BOUNDARY?
8. SHOULD THERE BE A FILTER AT THE VENT PIPES TO THE FUEL TANKS DUE TO THE CLOSE PROXIMITY OF HUMAN ACCOMMODATION, NAMELY, THE MOTEL UNITS, LAUNDRY, PUBLIC TOILETS AND POOL?
9. NO MENTION APPEARS TO HAVE BEEN MADE ON EFFLUENT DISPOSAL FROM SUCH A LARGE AREA OF, QUITE POSSIBLY, FUEL CONTAMINATED CONCRETE OR FROM THE POTENTIAL INCREASE IN HUMAN ORGANIC AND INORGANIC WASTE BEFORE DISPOSAL IN TO THE LOCAL ENVIRONMENT?
10. THE RETENTION BASIN WILL TEND TO ENCOURAGE THE PILE UP OF UNSIGHTLY REFUSE ALONG THE FRONTAGE. A REMEDY COULD BE TO 'COVER' THE BASIN AND/OR TO IMPOSE A REGULAR CLEANSING REGIME AS A DA CONDITION.
11. THERE APPEARS TO BE NO INDICATION OF THE POSITION OF THE REQUIRED GREASE TRAP FOR THE RESTAURANT.
12. SHOULD THE 'LEAD IN/OUT' BE LONGER TO ALLOW THE HEAVY VEHICLES TO BETTER ACCELERATE/SLOW DOWN WITHOUT IMPEDING THROUGH TRAFFIC?

21/9/16

Morton

Pak



**10.3 DEVELOPMENT APPLICATION 98/2016 - FREE RANGE POULTRY EGG OPERATIONS, LOT 9 DP 1012622, 68 PRETORIA ROW, MUSWELLBROOK**

<b>Responsible Officer:</b>	<b>Fiona Plesman - Acting Director - Planning, Community &amp; Corporate Services</b>
<b>Author:</b>	<b>Olivia Harris - Manager, Planning &amp; Regulatory</b>
<b>Community Plan Issue:</b>	<i>Promote and support economic growth and diversity within Muswellbrook Shire through policy development and action</i>
<b>Community Plan Goal:</b>	<i>That local government policies support business growth and diversity</i>
<b>Community Plan Strategy:</b>	<i>Encourage new and diverse business investment and opportunity</i>
<b>Attachments:</b>	<b>A. Conditions of Consent B. Proposed Property Zones Plan C. Process and Operational Areas Plan D. Submission</b>

**Documents referred to in assessment not attached:**

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000
- Water Management Act 2000
- Building Code of Australia
- Local Environmental Plan 2009
- Development Control Plan 2009
- Rivers & Drainage Channels Policy
- Contaminated Land Policy
- Hunter River Flood Study 2014
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Noise Control) Regulation 2008
- Food Act 2003
- Public Health Act 2010
- Public Health Regulation 2012
- Australia and New Zealand Food Standards Code
- Australian Standard 4674: 2004 – Design, construction and fit out of a food premises
- NSW Environment Protection Authority Noise Policy

**APPLICATION DETAILS**

<b>Applicant:</b>	<b>Mr SB Moffitt</b>
<b>Owner:</b>	<b>Mr SB &amp; Mrs TA Moffitt</b>
<b>Proposal:</b>	<b>Free range poultry egg operation</b>
<b>Location:</b>	<b>68 Pretoria ROW Muswellbrook, Lot 9 DP 1012622</b>
<b>Permissibility:</b>	<b>The proposed development is permissible as Intensive Agriculture within the RU1 Zone.</b>
<b>Recommendation:</b>	<b>Approval</b>

**RECOMMENDATION**

That Development Application No. 98/2016 proposing a free range poultry egg operation at 68 Pretoria ROW Muswellbrook, Lot 9 DP 1012622 be approved subject the conditions in Appendix A to the report.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

<input type="checkbox"/> Cr J. Ledlin	<input type="checkbox"/> Cr S. Bailey	<input type="checkbox"/> Cr G. McNeill
<input type="checkbox"/> Cr J. Foy	<input type="checkbox"/> Cr M. Green	<input type="checkbox"/> Cr R. Scholes
<input type="checkbox"/> Cr S. Reynolds	<input type="checkbox"/> Cr B.N. Woodruff	<input type="checkbox"/> Cr S. Ward
<input type="checkbox"/> Cr J.F. Eades	<input type="checkbox"/> Cr M. Bowditch	<input type="checkbox"/> Cr M.L. Rush

**Aerial Photograph Identifying Development Site****ISSUES SUMMARY**

The application is being reported to Council for determination due to:

- One submission being received.

**REPORT**

Date of Report

2 February 2017

**1.0 BACKGROUND**



*The lodgement of the development application was a response to a site inspection by Council officers, following a complaint regarding the activities on the site. The applicants were under the mistaken understanding that development consent was not required for the activity and has been operating their free range poultry egg business in conjunction with their cattle and sheep operations since March 2015.*

*Development approval (DA 2010/296) was approved by Council for a home Business – refrigerated storage and sale of meat, on the subject land in February 2011.*

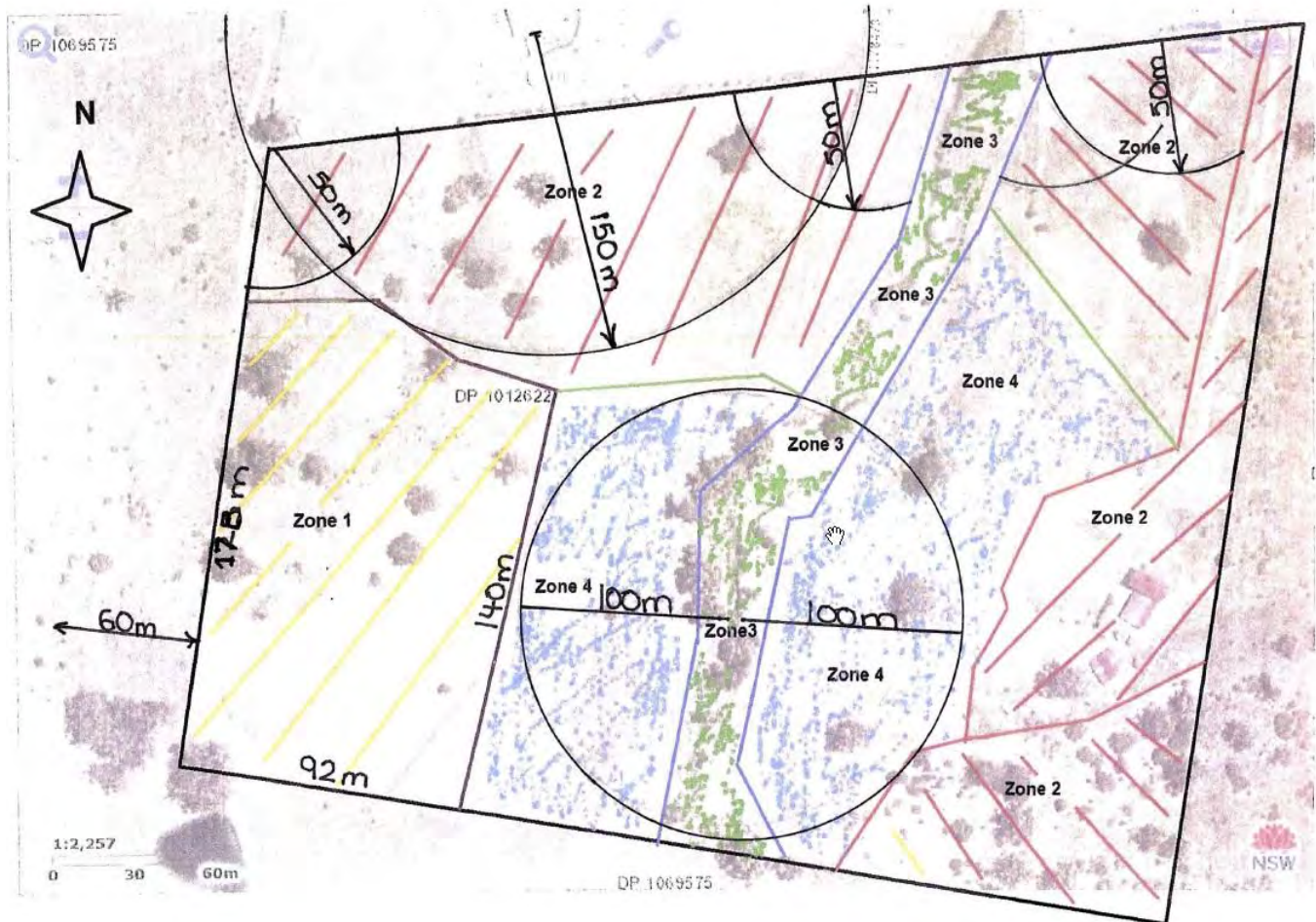
## **2.0 SITE AND LOCALITY DESCRIPTION**

The subject land is located at McCully's Gap being the most southerly property at the end of Pretoria ROW. The land has an area of 10.26ha being split by an unformed paper road. Topography of the site dips through the central section where a natural watercourse runs (mostly a dry creekbed) and rises to the west to the upper escarpment area. The proponents also own the adjoining lot 21 DP 1069575 zoned E3 Environmental Management which has an area of 53.78ha and shares the western and southern boundaries.

## **3.0 DESCRIPTION OF PROPOSAL**

The development application seeks approval to operate the free range poultry egg operation business with a maximum number of 2000 hens. The documentation indicates that 1000 – 1500 will be maintained under sustainable conditions, with the additional hens being on site during rotation and replacement of stock numbers under optimal conditions. Birds are to be housed in mobile coops for egg laying and night time roosting, while exercising free range conditions over the 1.4ha area during the day supplemented by pellet feed & water sources in accordance with accepted Poultry farming guidelines.

The free range poultry activity will be restricted to an area of approximately 1.4ha shown below within the 'Proposed Property Zones' Diagram as 'Zone 1'. Based on a standard density of 1500 birds per ha, 2000 birds in total would be acceptable in accordance with poultry farming guidelines referenced in section 4.1.1 below. The 1.4ha area is determined by several 'buffers' including a 100m distance from watercourse (zone 3) and a 150m setback from an adjoining residence (zone 2) which is located on land not part of the proposed activity. These 'buffer' setbacks also accord with the triggers for the Intensive Agricultural activity not requiring assessment as Designated Development under the EP&A Regulations 2000.

**DP 1012622 Lot 9 Pretoria ROW McCully's Gap - Proposed Property Zones****ADEQUACY OF APPLICANT'S SUBMISSION**

In relation to the Statement of Environmental Effects, the plans and other documentation submitted with the Application, the applicant *has* provided adequate information to enable an assessment of the Application.

The applicant has included the following ancillary reports with the supporting documentation:

- *Response to public submission dated 1/11/2016*
- *Response to request for additional information from Department of Primary Industries dated 28/11/2016*

**4.0 SPECIALIST COMMENTS****4.1 Internal Referrals**

The application was referred to Council's Environmental Health Officer, and Community Infrastructure section. Each section reviewed the proposal and recommended standard conditions to be placed on the development consent should the application be approved.

**4.2 External Referrals****4.2.1 Department of Primary Industries – Agricultural Land Use Planning Unit**

Response dated 4/11/2016 advised that DPI had reviewed the documentation submitted with the DA. In general, DPI support was given to the proposal with the following comments:

*'The proposed development is in line with industry practice for small scale free range egg layer farm. The proposal addresses key risks associated with poultry developments as outlined in the "Environmental Guidelines for Australian Egg Industry". The siting of the production area and proposed design and management of the operation (described as Zone 1) should limit potential environmental and amenity impacts, assuming good management, with the expansion of the total area available for bird ranging encouraged where suitable'.*

The response however noted that there was insufficient information provided assess whether the operation will meet the requirements of:

- (i) Model Code of Practice for the Welfare of Animals Domestic Poultry – 4<sup>th</sup> Edition
- (ii) Guidelines for Biosecurity on Free Range Egg Farms
- (iii) National Water Biosecurity Manual – Poultry Production

The proponent was requested to submit the additional information which was subsequently forwarded to DPI for further response, from which the following comments were received 1/2/2017:

*'DPI considers the applicant has, as recommended, consulted the appropriate guidelines (Model Code of Practice for the Welfare of Animals Domestic Poultry – 4th Edition, Guidelines for Biosecurity on Free Range Egg Farms, National Water Biosecurity Manual – Poultry Production) in the proposal to establish and operate the small scale free range poultry enterprise. As stated in the documentation he acknowledges the associated responsibilities and obligations.*

*DPI is satisfied with the Council position that the development be approved with the advice that the farm is operated in accordance with these guidelines, including any future updates.'*

## **5.0 ASSESSMENT**

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

### **Section 79C Matters for Consideration**

#### **Section 79C(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 RU1 Primary Production pursuant to MLEP 2009. The proposal is best defined as Intensive Agriculture, which is defined as:

*intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of the following:*

- (a) dairies (restricted),*
- (b) feedlots,*
- (c) piggeries,*
- (d) poultry farms,*

*but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.*

Intensive Agriculture is permitted with consent in the subject Zone.

Objectives of the RU1 Primary Production Zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To protect the agricultural potential of rural land not identified for alternative land use, and to minimise the cost to the community of providing, extending and maintaining public amenities and services.*
- *To maintain the rural landscape character of the land in the long term.*
- *To ensure that development for the purpose of extractive industries, underground mines (other than surface works associated with underground mines) or open cut mines (other than open cut mines from the surface of the flood plain), will not:*
  - a. *destroy or impair the agricultural production potential of the land or, in the case of underground mining, unreasonably restrict or otherwise affect any other development on the surface, or*
  - b. *detrimentally affect in any way the quantity, flow and quality of water in either subterranean or surface water systems, or*
  - c. *visually intrude into its surroundings, except by way of suitable screening.*
- *To protect or conserve (or both):*
  - a. *soil stability by controlling development in accordance with land capability, and*
  - b. *trees and other vegetation, and*
  - c. *water resources, water quality and wetland areas, and their catchments and buffer areas, and*
  - d. *valuable deposits of minerals and extractive materials by restricting development that would compromise the efficient extraction of those deposits.*

It is considered that the development proposal is not contrary to the objectives of the Zone.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

Part 1 Preliminary	
1.1 Name of Plan	Muswellbrook Local Environmental Plan 2009
1.1AA Commencement	The MLEP 2009 was gazette 17 April 2009.
1.2 Aims of Plan	Noted
1.3 Land to which Plan applies	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
1.4 Definitions	Noted
1.5 Notes	Noted
1.6 Consent authority	The consent authority for this development is Muswellbrook Shire Council.
1.7 Maps	Noted.
1.8 Repeal of planning instruments applying to land	Noted.
1.8A Savings provision relating to pending development applications	Noted
1.9 Application of SEPPs	Noted
1.9A Suspension of covenants, agreements and instruments	Not applicable
Part 2 Permitted or prohibited development	
2.1 Land use zones	Noted

2.2 Zoning of land to which Plan applies	The land is zoned RU1 Primary Production
2.3 Zone objectives and Land Use Table	Refer to objective of the zone listed above.
2.4 Unzoned land	Not applicable
2.5 Additional permitted uses for particular land	Not applicable
2.6 Subdivision—consent requirements	Not applicable
2.7 Demolition requires development consent	Not applicable
2.8 Temporary use of land	Not applicable
<b>Part 3 Exempt and complying development</b>	
3.1 Exempt development	Not applicable
3.2 Complying development	Not applicable
3.3 Environmentally sensitive areas excluded	Not applicable
<b>Part 4 Principal development standards</b>	
4.1 Minimum subdivision lot size	The proposal does not seek to subdivide the land, and therefore complies with this development standard.
4.1AA Minimum subdivision lot size for community title schemes	Not applicable
4.2 Rural subdivision	Not applicable
4.3 Height of buildings	The proposal does not involve building works other than mobile roosting coops considered as exempt farm buildings under Subdivision 16 of the exempt and complying SEPP which do not exceed 5m in height.
4.4 Floor space ratio	Not applicable.
4.5 Calculation of floor space ratio and site area	Noted
4.6 Exceptions to development standards	Not applicable
<b>Part 5 Miscellaneous provisions</b>	
5.1 Relevant acquisition authority	Not applicable
5.2 Classification and reclassification of public land	Not applicable
5.3 Development near zone boundaries	Not applicable
5.4 Controls relating to miscellaneous permissible uses	Not applicable
5.5 Development within the coastal zone	Not applicable
5.6 Architectural roof features	Not applicable.
5.7 Development below mean high water mark	Not applicable
5.8 Conversion of fire alarms	Not applicable
5.9 Preservation of trees or vegetation	Not applicable
5.9AA Trees or vegetation not prescribed by development control plan	Not applicable
5.10 Heritage conservation	Not applicable
5.11 Bush fire hazard reduction	Not applicable
5.12 Infrastructure development and use of existing buildings of the Crown	Not applicable
5.13 Eco-tourist facilities	Not applicable
<b>Part 6 Urban release areas</b>	
6.1 Arrangements for designated State public infrastructure	Not applicable
6.2 Public utility infrastructure	Not applicable
6.3 Development control plan	Not applicable

6.4 Relationship between Part and remainder of Plan	Not applicable
Part 7 Additional local provisions	
7.1 Terrestrial biodiversity	Not applicable – watercourse proposed to be revegetated in association with guidance from Landcare Officer and proposed McCullys Gap Landcare Group in preliminary establishment stages.
7.2 Subdivision in Zone RU1 Primary Production and Zone E3 Environmental Management	Not applicable
7.3 Controls relating to rural worker's dwellings	Not applicable
7.4 Subdivision in Zone R1 General Residential and Zone RU5 Village	Not applicable
7.5 Erection of dwelling houses on land in certain rural and environmental protection zones	Not applicable
7.6 Earthworks	Any ground disturbance earthworks will be suitably controlled through erosion and sedimentation conditions in any final consent.
7.7 Development at Muswellbrook Showground	Not applicable
7.8 Events permitted on public reserves and public roads without development consent.	Not applicable

**2. State Environmental Planning Policy (Rural Lands) 2008**

Pursuant to clause 10 of SEPP (Rural Lands) 2008, it is considered that the proposed development is consistent with adjoining rural land uses and will not significantly diminish the agricultural and/or mining potential of the subject land.

**3. State Environmental Planning Policy**

The following State Environmental Planning Policies apply to the Muswellbrook Local Government Area and were considered and found not to be applicable to the proposed development.

- SEPP No. 21 Caravan Parks
- SEPP No. 30 Intensive Agriculture
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 36 Manufactured Home Estates
- SEPP No. 44 Koala Habitat Protection
- SEPP No. 55 Remediation of Land
- SEPP No. 62 Sustainable Aquaculture
- SEPP No. 64 Advertising and Signage
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP (Housing for Seniors or People with Disability) 2004
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (miscellaneous Consent Provisions) 2007
- SEPP (Rural Lands) 2008
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Affordable Renting Housing) 2009
- SEPP (State and Regional Development) 2011

**Section 79C(1)(a)(ii) the provisions of any draft EPI.**

There are no draft EPIs relevant to the subject Application.

### **Section 79C(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 5/10/2016 to 19/10/2016. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

One submission was received during the notification period. The issues raised in the submissions are addressed in this Report.

#### Section 8 – Rural and Environmental Zone development

	Comments
8.1 Introduction	
8.1.1 Dwelling Houses on existing parcels of land	Not applicable.
8.2 Built Form	
8.2.1 Scenic Protection and Building Location	Not applicable.
8.2.2 Setbacks	Not applicable.
8.2.3 Colours and Materials	Not applicable.
8.2.4 Car Parking and Access	Not applicable.
8.2.5 Temporary Dwellings	Not applicable.
8.3 Environmental Matters	
8.3.1 Topography	
8.3.2 Vegetation	No vegetation onsite affected by proposal, revegetation of grazed required through stock rotation in accordance with accepted DPI best practise guidelines.
8.3.3 Riparian Buffers	The proposed free range poultry operation has been setback 100m from the watercourse onsite in line with the EP&A Act designated development parameters. Watercourse also proposed to be subject to a replanting and restoration program c/o the Landcare Officer and landcare group currently in early establishment phases.
8.3.4 Management of Rivers, Creeks, Streams and Drainage	
8.3.5 Services	Not applicable.
8.4 Frost Control Fans	

#### Section 20 – Erosion and Sediment Control

	Comment
20.1 Legal Requirements	
20.2 Erosion and sediment control planning	
i) Erosion and sediment control strategy (ESCS	Not applicable.
ii) Erosion and sediment control plan	



(ESCP)	
iii) Aims of and Erosion and Sediment control plan	
iv) Structure of erosion and sediment control plans	
v) Plan variations	
20.4 Management of Erosion and Sediment control	
i) Introduction	An erosion and sedimentation plan and grazing area rehabilitation will be required as a condition of consent.
ii) Compliance responsibility	
iii) Development Control	
iv) Runoff Water Control	
v) Rehabilitation	
vi) Topsoil and Stockpile Management	
viii) Erosion and sediment control Maintenance	
20.5 Environmental performance bond	
20.6 Exempt works	

### Section 22 – Land use Buffers

<b>22.4 Summary of Minimum Buffers</b>	
22.4.1 Table 1: Minimum buffers for primary industries*	The 1.4ha area is determined by several 'buffers' including a 100m distance from watercourse (zone 3) and a 150m setback from an adjoining residence (zone 2) which is located on land not part of the proposed activity. These 'buffer' setbacks also accord with the triggers for the Intensive Agricultural activity not requiring assessment as Designated Development under the EP&A Regulations 2000.
22.4.2 Table 2: Minimum buffers for key environmental assets*	Not applicable.
22.4.3 Muswellbrook and Denman Sewerage Treatment Plant*	Not applicable.
22.5 Variation Provisions	Not applicable.
22.6 Land use conflict risk assessment	
22.7 Land Use Buffer Controls	

### Section 94 Contributions Plan 2001

#### Section 94A Contributions Plan 2009

A developer contribution will not apply to the proposed development.

The following sections of the Muswellbrook Development Control Plan 2009 were considered and found not to be applicable to the proposed development:

Section 1 - Introduction	Section 2 – Submitting an application
Section 3 – Site Analysis	Section 4 - Notification
Section 5 – Subdivision	Section 6 – Residential Development
Section 7 – Village Zones	Section 8 – Rural Development
Section 9 – Local Centre Development	Section 10 – Industrial Development
Section 11 – Extractive Industries	Section 12 – Tourist Facilities and Accommodation
Section 13 – Flood Prone Land	Section 14 – Outdoor signage

Section 15 – Heritage Conservation	Section 16 – Carparking and Access
Section 17 – Sex Services Premises	Section 18 – Child Care Centres
Section 19 – Use of Public Footpaths	Section 20 – Erosion and Sediment Control
Section 21 – Contaminated Land	Section 22 – Land Use Buffers
Section 23 – Onsite Wastewater management systems	Section 24 – Waste Management
Section 25 – Stormwater Management	Section 26 – Site Specific controls
Section 27 – West Denman Urban Release Area	

### **Section 79C(1)(a)(iia) the provisions of any planning agreement**

There are no planning agreements relevant to the subject Application.

### **Section 79C(1)(a)(iv) the provisions of the regulations**

Division 8A of the Environmental Planning and Assessment Regulation 2000 applies to the development.

### **Section 79C(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 79C(1)(b) the likely impacts of that development**

The following additional matters were considered and, where applicable, have been addressed elsewhere in this report:

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 79C(1)(c) the suitability of the site for the development**

It is considered that the development is compatible with surrounding land uses and site characteristics, subject to consent conditions.

### **Section 79C(1)(d) any submissions made**

A total of one submissions was received during the notification period:

Name	Address	Town
Mr K & Mrs L McTaggart	'Glenayr' 50 Pretoria ROW, McCullys Gap	Muswellbrook

The concerns raised in the submissions are summarised below.

1. Containment of free ranging chickens onto adjoining property causing nuisance.

Town Planning Response: Since the making of the submission the applicant has contained all chickens to Zone 1, has erected chicken wire fencing along the subject property boundary and intends to erect permanent poultry and vermin proof fencing along the boundaries of Zone 1 once final development approval is obtained. A condition of consent requires fencing to be in place with six months of the date of approval.

2. Zone 1 containment area should be extended to 175m from adjoining dwelling.

Town Planning Response: The 150m setback is an accepted environmental buffer parameter defined by the Environmental Planning and Assessment Act for Intensive Agriculture without triggering designated development requiring more intensive assessment based on perceived potential intensified environment impact. Additionally an elevated natural ridge that exists between the majority of Zone 1 and the adjoining dwelling acts to prevent a direct line of sight to any mobile roosting coop (presently 2 on site – one for laying hens, one for hens being transitioned off the property without cross contamination of stock). Furthermore a condition of consent will require additional landscaping screening to be established along the northern boundaries of zone one to avoid potential impacts of noise, odour, dust, visual amenity should the maximum area of zone 1 (the northern elevated sections of the ridge) be utilised during stock grazing area rotation.

### **Section 79C(1)(e) the public interest.**

It is considered that the proposal is not contrary to the public interest.

#### NSW Legislation

There is a number of applicable legislation that needs to be considered and referred to in the assessment of this application. The applicable legislation has been listed at the start of the report. The assessment has considered these pieces of legislation throughout the report in their relevant sections, however, the following legislation has not been discussed in detail elsewhere in the report.

#### Council Adopted and Draft Policies

The following policies have been adopted by Council and are required to be considered in the assessment of the application.

D7/1	Development Cost Estimating
D25/1	Rivers and Drainage Channel
S28/1	Street Trading Policy
D6/1	Demolition Policy
C20/1	Contaminated Land Policy
S15/1	Building Over Existing Sewer Policy
R26/1	Retaining wall

## **6.0 CONCLUSION**

The application has been assessed in accordance with the legislation listed at the beginning of the report. The application has also been placed on public exhibition for a minimum of fourteen days with one submission being received.

It is recommended the application be approved subject to conditions of consent.

### **Disclosure of Political Donations and Gifts:**

No disclosures of a political donations or gifts have been made in relation to this application.

**SOCIAL IMPLICATIONS**

The development as presented will not result in any specific social implications for Council.

**FINANCIAL IMPLICATIONS**

This development as presented has no direct financial impact upon Council's adopted budget or forward estimates.

**POLICY IMPLICATIONS**

The development as presented will not result in any specific policy implications for Council.

**STATUTORY IMPLICATIONS**

Statutory implications relating to assessment of the subject application have been addressed in the body of the report

**LEGAL IMPLICATIONS**

This matter has no specific legal implications for Council.

**OPERATIONAL PLAN IMPLICATIONS**

This matter has no specific Operational Plan implications for Council.

**RISK MANAGEMENT IMPLICATIONS**

This matter has no specific risk management implications for Council.

**IDENTIFICATION OF APPROVED PLANS**

**1. Development in Accordance with Plans and Documentation**

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

Drawing No.	Rev	Drawn by	Drawing Date	Council Internal Doc ID
Proposed Property Zones	-	SB Moffitt	Received 23/09/2016	666260
Process and Operational Areas, Existing Tree and Foliage Screening	-	SB Moffitt	Received 23/09/2016	666260

**2. Plans on Site**

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

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

**3. Building Code of Australia**

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

**Note:** Separate development consent will be required for any mobile roosting coop that does not comply with the specific development standards of Subdivision 16 Farm Buildings of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**CONDITIONS THAT MUST BE ADDRESSED WITHIN 6 MONTHS OF THE DATE OF THIS CONSENT**

**4. Fencing**

Permanent poultry and vermin proof fencing shall be erected along boundaries of Zone 1 within six months of the date of this consent. All birds shall be contained within the boundaries Zone 1 except during contained transportation relating to of stock replacement.

Specifications of fencing to be provided for written agreement of the consent authority with 3 months of date of this consent.

**5. Screen landscape plantings**

Suitable screen plantings shall be established along the northern boundary of Zone 1 and in direct line of sight of the adjoining dwelling within 12 months of the date of approval, with details of species and plant numbers to be agreed with the Landcare Officer with 3 months.

All plantings shall be maintained while the poultry farm activity is in operation.

**6. Sediment Erosion Control**

Details including plans and specifications of proposed sedimentation and nutrient run off control measures surrounding the boundaries of Zone 1 shall be submitted to Council within six months of the date of approval. As a minimum, control techniques are to be in accordance with Muswellbrook Shire Council's Guidelines on Erosion and Sediment Control, or a suitable and effective alternative method. The Control Plan shall incorporate and disclose:

- (a) all sediment control devices, barriers and the like;
- (b) sedimentation tanks, ponds or the like;
- (c) covering materials and methods;
- (d) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

**7. Water Quality**

A water quality assurance plan (*Public Health Act 2010*) shall be submitted for written approval of Council within six months from the date of the approval.

<b>CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES</b>
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**Maximum numbers**

8. Maximum numbers of birds contained with Zone 1 shall not exceed 2000.

**Operational Management Plan**

9. Operation of the Free Range Poultry activity shall be carried out in accordance with the 'Proposed Management Plan and mitigation measures' received by Council 23 September 2016.

**Waste Management Plan**

10. Waste Management Plan shall be carried out in accordance with the 'Proposed Management Plan and mitigation measures – Waste Management' received by Council 23 September 2016.

**Dust, Odour, Noise and Pollution Measures**

11. Dust suppression measures must be carried out to minimise wind-borne emissions so as to prevent nuisance occurring at adjoining properties.

12. The premises must not produce offensive noise as defined under the *Protection of the Environment Operations Act 1997*. "Offensive noise" is defined under the *Protection of the Environment Operations Act 1997* as noise:

- a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
  - ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulation.

If council receives noise complaints and council verifies these as "offensive noise" an acoustic consultant must be engaged and the offending equipment modified to reduce noise emissions to comply with the above standards.

13. Odour associated with the premises must not be a source of 'offensive odour' at the nearest affected premises. "Offensive odour" is defined under the *Protection of the Environment Operations Act 1997* as an odour:

- a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances:
  - i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
  - ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.

14. A complaint management record system in accordance with *Figure 3 'Example Complaints Register – Environmental Guidelines for the Australian Egg Industry, 2008'* must be implemented within 1 month of the date of approval, detailing, date, time, complaint and action taken. Copies of the register shall be provided to Council within 14 days of written request.

15. The facility and egg processing room, shall comply with *AS 4674 – Design, Construction and Fit-Out of Food Premises, Food Act 2003 and Food Regulation 2015* at all times.

Flooring in the food preparation and food storage areas must be appropriate for the area; able to effectively cleaned; non-absorbent; laid so there is non-ponding of water or harbouring of pests.



**REASON FOR IMPOSITION OF CONDITIONS:**

The reason for the imposition of the following conditions is to ensure, to Council's satisfaction, the objects of the *Environmental Planning and Assessment Act 1979* (as amended) are achieved:

- (a) To encourage:
  - (i) The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forest, minerals, water, cities, towns, and villages for the purpose of promoting the social and economic welfare of the community and a better environment;
  - (ii) The promotion and co-ordination of the orderly and economic use of development of land;
  - (iii) The protection, provision, and co-ordination of communication and utility services;
  - (iv) The provision of land for public purposes;
  - (v) The provision and co-ordination of community services and facilities;
  - (vi) The protection of the environment, including the protection and conservation of native animals and plants including threatened species, populations, and ecological communities and their habitats;
  - (vii) Ecologically Sustainable Development; and
  - (viii) The provision and maintenance of affordable housing.
- (b) To promote the sharing of the responsibility for environmental planning between the different levels of government in the State.
- (c) To provide increased opportunity for public involvement and participation in environmental planning and assessment.

**ADVICE:**

1. Operation of the free range poultry farm activity shall be carried out in accordance with:
  - a) Model Code of Practice for the Welfare of Animals Domestic Poultry – 4th Edition;
  - b) Guidelines for Biosecurity on Free Range Egg Farms;
  - c) National Water Biosecurity Manual – Poultry Production;Or any update to the above guidelines.

For further guidance and advice please contact the Department of Primary Industries, Agricultural Land Use Planning Unit.
2. All advertising signs shall be the subject of a separate development application which is to be submitted for Council's approval prior to erection or placement.
3. You are advised that changes to the operation of the activity as defined in this consent, changes to the site layout **MAY** require the submission of a modification under Section 96 of the Environmental Planning & Assessment Act, 1979. Any such changes may need to be the subject of a separate Development Application.

Council staff would be pleased to assist in identifying such changes which may require the submission of a modification of a Development Application under Section 96 of the Environmental Planning & Assessment Act.

4. Failure to comply with any of the above requirements is an offence under the provisions of the Act, and may result in enforcement action being taken by Council if these requirements are not complied with.

<b>RIGHT OF APPEAL:</b>
-------------------------

Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) within six (6) months *after receipt of this Notice of Determination*, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of the determination with Council Officers before lodging such a request.

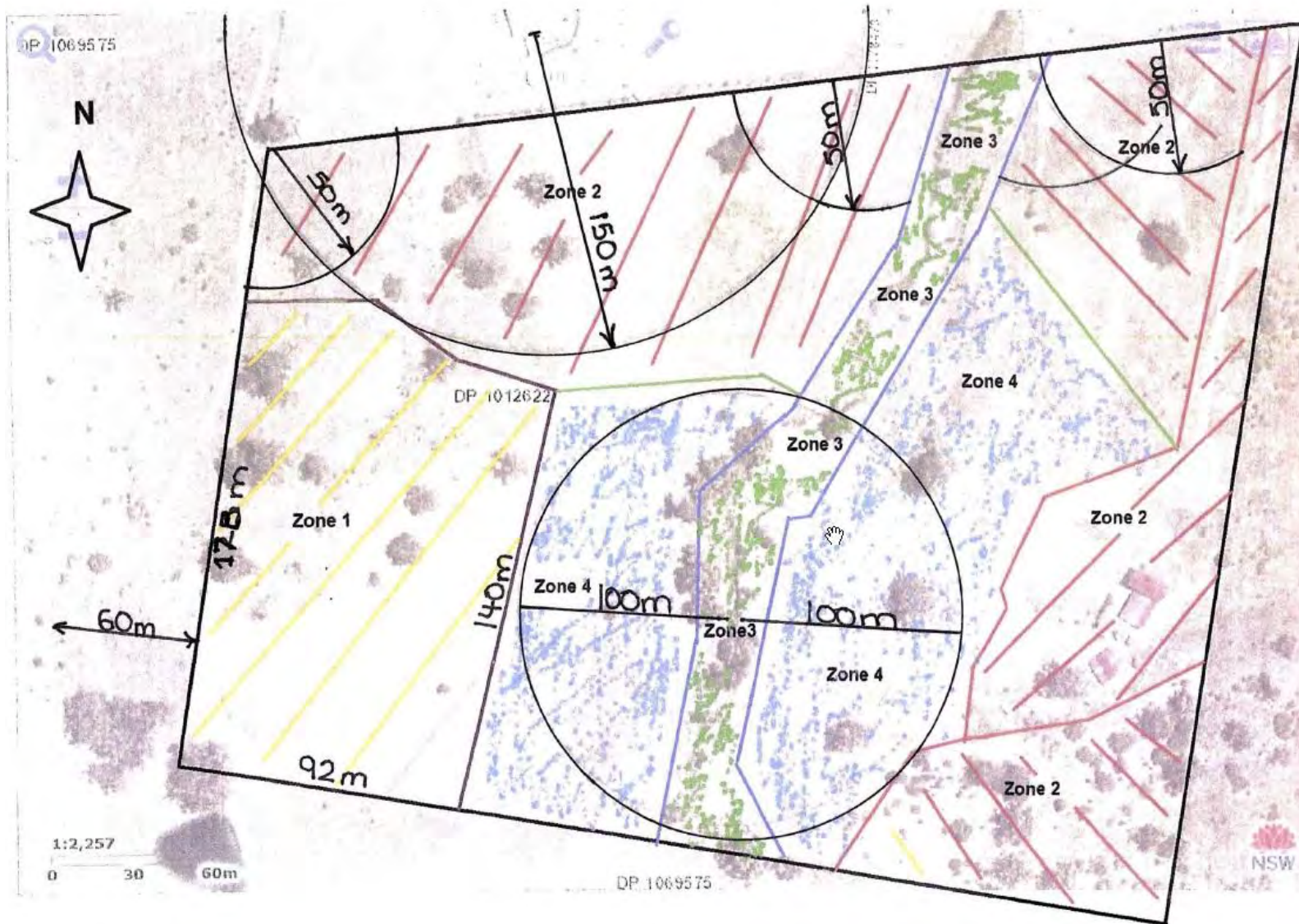
If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

**APPROVED UNDER DELEGATED AUTHORITY**

Olivia Harris  
**Manager Planning and Regulatory Services**

Date   /   /

# DP 1012622 Lot 9 Pretoria ROW McCully's Gap - Proposed Property Zones





## PROCESS &amp; OPERATIONAL AREAS, EXISTING TREE &amp; FOLIAGE SCREENING

MAP 4



Mr K & Mrs L McTaggart  
"Glenayr"  
50 Pretoria ROW  
McCullys Gap NSW 2333

19<sup>th</sup> October 2016

The General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

ATTENTION: COLLEEN WOOD & DONNA WATSON

Dear Sir,

**DEVELOPMENT APPLICATION 98/2016**

**IN RELATION TO LOT9 DP 1012622 BEING 68 PRETORIA ROW, MUSWELLBROOK**

We are the registered proprietors of the neighbouring land being Lot 10 in DP 1012622 known as "Glenayr" 50 Pretoria ROW, McCullys Gap.

For approximately 16 months our neighbours have been in the process of developing and operating a free-range poultry egg operation.

We have therefore had an opportunity to experience having our neighbour's poultry egg operation next door to us for sufficient time to assess its impact upon our property in its current scale.

We have reviewed the Development Application and on the assumption that the Development Application relates only to ZONE 1 on the plan attached to the Development Application, we make the following submissions:

- 1 It has become apparent that the free-range chickens have not been able to be contained by our neighbours. They frequently enter our land.
- 2 When the chickens enter our land it is often in an area where we have horses being trained in dressage and show jumping and there is no doubt that the chickens cause the horses to become flighty and at times unmanageable. This is creating a danger to both the rider and handlers. We are concerned for the safety of our daughter who rides the horses as well as for our own safety when we are feeding and rugging the horses due to the disturbance created by the chickens.
- 3 We believe that if Council is to approve the Development Application in relation to ZONE 1, the additional matters need to be addressed as follows:
  - a) That the exclusion zone of 50 metres from the boundary is inadequate in that area where our horse stables and dressage arena are located and in our view that distance should be extended to a 150 metres exclusion zone.

- b) That the free-range chickens should be properly contained in ZONE 1 in order to prevent the chickens escaping onto our land and potentially creating a danger when horses are being exercised and handled as well as the erosion of our landscaped gardens.
- c) That the exclusion zone of 150 metres from the our house is inadequate as this distance will significantly affect the amenity of the neighbourhood by reason of noise, dust, flashing lights and waste odour and in our view should be extended to 175 metres which places the free-range poultry egg production activity beyond a natural ridge which will reduce, BUT NOT ELIMINATE, the above problems.

We look forward to hearing from you in regards to the proposed development and in particular in relation to our submissions.

Yours faithfully

Kerry & Linda McTaggart

*Kerry McTaggart*  
*Linda McTaggart*

## 10.4 MUSWELLBROOK SHOWGROUND – DRAFT DEVELOPMENT CONTROL PLAN AND DRAFT SECTION 94 CONTRIBUTION PLAN

<b>Attachments:</b>	<b>A. RMS Submission 08.08.2016</b> <b>B. RMS Submission 16.09.2016</b> <b>C. RMS Submission 25.01.2017</b> <b>D. Draft Section 94 Plan</b> <b>E. Draft DCP</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - Acting Director - Planning, Community &amp; Corporate Services</b>
<b>Author:</b>	<b>Pathum Gunasekara - Strategic Planner</b>
<b>Community Plan Issue:</b>	<b><i>Plan liveable and sustainable urban areas</i></b>
<b>Community Plan Goal:</b>	<b><i>Sustainable planning, design and regulation support community needs</i></b>
<b>Community Plan Strategy:</b>	<b><i>Plan for development that balances the needs of the community and allows for managed growth</i></b>

### PURPOSE

The purpose of this report is to inform Council of the final steps taken to resolve the draft Development Control Plan (DCP) and Section 94 Contribution Plan (S94 Plan) for the Muswellbrook Showground site redevelopment. It is recommended that Council adopt both of these amended plans.

### OFFICER'S RECOMMENDATION

**That:**

1. The draft Development Control Plan (dated January 2017) and Section 94 Contribution Plan (dated December 2016) for Muswellbrook Showground be endorsed.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

### BACKGROUND

In July 2012, the Muswellbrook Showground site was rezoned from RE2 Private Recreation to part B5 Business Development and part B2 Local Centre with an intention to redevelop the site with bulky goods retail and mixed use businesses.

In order to allow the rezoning to proceed in a timely manner and in acknowledgment of the likely timeframe for the relocation of the showground activities to an alternate site, Council included a local provision; *7.7 Development at Muswellbrook Showground*, into the Local Environment Plan 2009 (MLEP 2009). The objective of the local provision is to ensure that development of the site proceeds in an orderly and logical manner, and that necessary arrangements for the provision of required infrastructure is made. It allows a development application to be considered once detailed planning for the site, in the form of a site specific Development Control Plan (DCP) and Section 94 Contribution Plan (S94 Plan) has been adopted by Council.

The site specific DCP identifies development principles and provides more detailed development guidelines and controls for development of the land. In March 2014, Council commissioned *JBA Urban Planning Consultants Pty Ltd* (JBA) to undertake the preparation of a DCP. The draft DCP was placed



on public exhibition from 3 October to 31 October 2014. JBA and Council staff reviewed submissions received and amended the draft DCP where appropriate.

At the beginning of this project, it was considered that the subject site would be developed by one entity using a Voluntary Planning Agreement as the best option for funding infrastructure. At this stage, there is some uncertainty as to whether a single developer or multiple developers will develop the site.

Council resolved to undertake engineering investigations and prepare a supplementary S94 Plan for the Showground site. A S94 Plan requires resolution of infrastructure such as drainage and traffic and calculation of costs for its provision. If development occurs on a staged basis (as is likely) then all parties will have clarity on sequencing of infrastructure facilities, and costs can be apportioned on a staged basis.

Section 94 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the mechanism to fund additional or upgraded public facilities and infrastructure (e.g. traffic, traffic management, stormwater) as a consequence of development and the increased demand it creates. The S94 Plan provides an administrative framework for this process. Councils can only seek contributions where it has contribution plans in place.

In February 2016, Council commissioned *GHD Pty Ltd* (GHD) to undertake this work. A staff workshop was held on 26 April 2016 to discuss initial investigations and a briefing session for Councillors was held on 23 May 2016.

At its meeting on 27 June 2016, the Corporate Policy and Planning Committee considered a report in relation to the draft DCP and S94 Plan prepared for Muswellbrook Showground and adjoining properties. In noting the report, the Committee resolved that:

- (a). The Draft Section 94 Contribution Plan and updated Development Control Plan for redevelopment of Muswellbrook Showground site be exhibited for a minimum period of 28 days.*
- (b). A further report be submitted to Council following public exhibition.*

In accordance with the above resolution, the draft S94 Plan and updated draft DCP for redevelopment of Muswellbrook Showground was on public exhibition from 4 July 2016 to 5 August 2016. Public notices were placed in the local newspapers and on Council's website, with key stakeholders and relevant public authorities were notified directly. The draft documents were available for inspection at Council's Administration Centre and the Muswellbrook and Denman libraries. During the public exhibition period, Council received submissions from the NSW Roads & Maritime Services (dated 8 August 2016/*Appendix A*) and the Upper Hunter Show Inc.

On 11 October 2016, Council considered a further report on the submissions received which emphasised the RMS's objection to draft Plans and suggested to further investigate the potential solutions to address RMS's concerns in terms of safety and efficiency of the New England Highway. In noting the report, Council resolved that:

- (a). The plan be amended to accommodate the concerns of NSW Roads and Maritime Services.*

## REPORT

### Consultation - NSW Roads & Maritime Services (RMS)

The RMS objected to the proposed new signalised New England Highway/Kamilaroi Street intersection (refer to *Appendix A*). They indicated that additional intersections on the New England Highway were likely to affect the safety and efficiency of the classified/State road. RMS suggested Council investigate the potential to upgrade the existing New England Highway/Thompson Street intersection.

A meeting was held on 29 August 2016 to discuss their objection and concerns raised in the submission. A revised concept plan for the RMS preferred outcome was prepared and forwarded to them prior to the meeting. The concept plan proposes to upgrade the existing New England Highway/Thompson Street to a signalised intersection instead of the previously proposed new signalised intersection on the New England Highway/Kamilaroi Street.

On 16 September 2016, a supplementary submission received from the RMS indicating their support for the revised concept plan subject to the following:

- Traffic modelling is to be carried out to determine the extent of works required for the proposed upgrade the New England Highway / Thompson Street intersection.
- A detailed concept drawing illustrating the design of the traffic controls signal intersection should be submitted to RMS for consideration and approval.
- The draft S94 Plan should be amended to include the cost of works associated with an upgrade of the New England Highway /Thompson Street to a signalised intersection. RMS requests that the cost of works for the upgrade be submitted for consideration and approval prior to the inclusion of the cost in the S94 Plan.

A copy of the RMS supplementary submission (dated 16 September 2016) is attached as *Appendix B*. In order to finalise draft S94 Plan, GHD's engagement was extended to undertaken the required additional works including traffic modelling and detailed concept designs in consultation with the RMS.

Subsequently, GHD submitted a draft S94 Plan and updated Traffic Impact Study to Council on 15 December 2016. The Project Steering Committee (Director Community Infrastructure, Manager Technical Services, Manager Strategic Landuse Planning and Strategic Planner) reviewed documentation in late December 2016 and decided to refer it to RMS for final comments. On 21 December 2016, a referral was sent to RMS requesting their comments prior to 20 January 2017.

On 25 January 2017, a submission was received from the RMS (*Appendix C*) indicating that they have no objection to the updated draft plans, subject to Council's consideration of the following matters:

- Amend draft DCP to reflect the provisions for road upgrades described within the draft S94 Plan (Dec 2016).
- Provision for construction of a left in/left out access from a future local road to the New England Highway has been excluded from the draft S94 Plan as it is expected that the future local road will be required at the event of the first application for subdivision.
- Proposed location of future traffic signal poles (New England Highway/Thompson Street intersection) which appear to be above the existing underground stormwater pipe network.
- Cost estimate for the future traffic control signal upgrade at New England Highway/ Thompson Street intersection.
- Proposed pedestrian fencing and provision of adequate access to public transport.
- Stormwater discharge from Muswellbrook Showground site to the existing New England Highway stormwater management system.

It is noted that the draft DCP has been updated to reflect above comments.

A copy of the draft updated DCP and draft updated S94 Plan are attached as *Appendix D* and *Appendix E* respectively, for the information of Council.

**CONCLUSION**

Part 7.7 of Muswellbrook Local Environmental Plan 2009 ensures that development on Muswellbrook Showground site occurs in a logical and cost effective manner, but only after a DCP that includes specific controls has been prepared for the land.

Council committed itself to the preparation of a DCP and a S94 Plan for Muswellbrook Showground site, by engaging external consultancies and landowner (Upper Hunter Show Inc.) to ensure that the redevelopment of Muswellbrook Showground site occurs in timely manner. Accordingly, a site specific DCP and a supplementary S94 Plan which are specifically written to meet the needs of Muswellbrook Showground redevelopment have been prepared.

It is recommended that the draft DCP (dated January 2017) and draft S94 Plan (dated December 2016) of Muswellbrook Showground site be adopted by Council.

**SOCIAL IMPLICATIONS**

Not applicable.

**FINANCIAL IMPLICATIONS**

The cost associated with the preparation of the S94 Plan has been allocated from the Council's Strategic Planning Budget. The funding of this study is cost recoverable through the S94 contribution process.

**POLICY IMPLICATIONS**

Not applicable.

**STATUTORY IMPLICATIONS**

Not applicable.

**LEGAL IMPLICATIONS**

Not applicable.

**OPERATIONAL PLAN IMPLICATIONS**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS**

Not applicable.



Transport  
Roads & Maritime  
Services

8 August 2016

CR2016/003466  
SF2011/001359  
KAP

General Manager  
Muswellbrook Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Attention Pathum Gunasekara,

**NEW ENGLAND HIGHWAY (A15): EXHIBITION OF DRAFT S94 CONTRIBUTION PLAN AND  
UPDATED DRAFT DEVELOPMENT CONTROL PLAN FOR MUSWELLBROOK SHOWGROUND  
SITE AND ADJOINING PROPERTIES**

Reference is made to Council's letter dated 1 July 2016 notifying Roads and Maritime Services (Roads and Maritime) of the exhibition of the Draft Section 94 Contribution Plan and updated Draft Development Control Plan ("draft DCP") for Muswellbrook Showground site and adjoining properties.

In accordance with the *Roads Act 1993*, Roads and Maritime has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. The New England Highway (A15) is a classified (State) road. Roads and Maritime concurrence is required for connections to the classified road under Section 138 of the *Roads Act*. Similarly, Roads and Maritime's consent is required for traffic control signals and facilities under Section 87 of the *Act*.

Roads and Maritime understands the draft DCP, if adopted, will guide development of land at the Muswellbrook Showground and surrounding lands for bulky goods premises, vehicle sales premises and mixed use business. The draft Section 94 Contributions Plan then details the infrastructure required by the development, the costs of the infrastructure and the mechanisms to capture funding from the development for the infrastructure.

Roads and Maritime response

Roads and Maritime has reviewed the information provided, including the supporting Traffic Impact Study, prepared by GHD, dated June 2016, and objects to the Draft Section 94 Contributions Plan and updated Draft Development Control Plan for the following reasons:

**Roads and Maritime Services**

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Locked Bag 30, Newcastle NSW 2300 |

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- The subdivision layout illustrated within the Draft DCP illustrates two new intersections from the site to the New England Highway, including a new signalised intersection. Roads and Maritime have provided correspondence in past years consistently advising Council that any future development on the Muswellbrook Showground site should utilise the existing local road network and intersections for access to the New England Highway as additional intersections on the New England Highway will affect the safety and efficiency of the classified (State) road.

The traffic impact study, prepared by GHD, suggests that a new intersection is needed at New England Highway / Kamilaroi Street to alleviate congestion and delays currently experienced at the existing New England Highway / Thompson Street intersection however the study does not investigate the potential to upgrade the existing New England Highway / Thompson Street intersection to a signalised intersection.

Roads and Maritime recommends that the proposed subdivision layout be reviewed and the new intersections to New England Highway be removed from the design. Furthermore, an investigation into the potential upgrade of New England Highway / Thompson Street intersection to full signals should be undertaken and submitted for review. As advised in past correspondence from Roads and Maritime (dated 19 December 2011, 31 October 2014 and 17 May 2016) Roads and Maritime is supportive of a central access in the form of left-in/left out intersection from the subject showground site however the access should be incorporated in revised modelling for a signalised intersection at New England Highway / Thompson Street.

- In response to the above recommendations, Council should consider amending the draft Section 94 Contributions Plan by calculating the cost of works associated with an upgrade of the New England Highway / Thompson Street to a signalised intersection.
- Roads and Maritime is not satisfied that the matters within Clause 7.7(4) of the *Muswellbrook LEP 2009* have been appropriately addressed by the draft DCP as the plan does not provide for suitably located public facilities and service, specifically provision for appropriate traffic management facilities, for reasons outlined above. Furthermore, a staging plan and a plan illustrating the overall transport movement hierarchy were not provided.
- It is recommended that the draft DCP be amended to include development controls for signage associated with the future commercial / retail development to ensure that signage is appropriately managed and does not result in visual clutter along the classified road. Consideration should be given to the aims and objectives of the Department of Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines* (July 2007).

Roads and Maritime requests that a meeting be held with Council to discuss the matters outlined above before the finalisation of the draft DCP or draft Section 94 Contributions Plan.

Should you require further information please contact Hunter Land Use on 4924 0688 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au)

Yours sincerely



David Collaguazo  
A/ Manager Land Use Assessment  
Hunter Region





Transport  
Roads & Maritime  
Services

16 September 2016

CR2016/004433  
SF2011/001359  
KAP

General Manager  
Muswellbrook Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Attention Pathum Gunasekara,

NEW ENGLAND HIGHWAY (A15): EXHIBITION OF DRAFT S94 CONTRIBUTION PLAN AND  
UPDATED DRAFT DEVELOPMENT CONTROL PLAN FOR MUSWELLBROOK SHOWGROUND  
SITE AND ADJOINING PROPERTIES

Reference is made to the meeting held at Roads and Maritime Service's (Roads and Maritime) offices on 29 August 2016 following Council's receipt of Roads and Maritime's submission (dated 5 August 2016) to the *Draft Section 94 Contribution Plan and updated Draft Development Control Plan ("draft DCP")* for Muswellbrook Showground site and adjoining properties.

A revised draft plan, being drawing number 22-18250-C150 Rev A, prepared by GHD and dated 25 August 2016, was submitted for further consideration by Roads and Maritime. The drawing illustrates a modified road layout that includes a new left-in / left-out access from a future local road to the New England Highway and an upgrade of the New England Highway / Thompson Street intersection to traffic control signals ('TCS').

Following consideration of the abovementioned amended plan and the meeting held with Council officers on 29 August, Roads and Maritime raises no further objection to the *Draft Section 94 Contributions Plan* and updated *Draft Development Control Plan*, subject to the following:

- Traffic modelling is to be carried out to determine the extent of works required for the proposed upgrade the New England Highway / Thompson Street to a signalised intersection and an electronic copy submitted to Roads and Maritime for review. Consideration should also be given to traffic volumes likely to use the proposed new left-in / left-out local road connection and nearby traffic-generating development (e.g. McDonalds).
- In addition to modelling, a detailed concept drawing illustrating the design of the TCS intersection should be submitted to Roads and Maritime for consideration and approval.

Roads and Maritime Services


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- The draft Section 94 Contributions Plan should be amended to include the cost of works associated with an upgrade of the New England Highway / Thompson Street to a signalised intersection. Roads and Maritime requests that the cost of works for the upgrade be submitted for consideration and approval prior to the inclusion of the cost in the Section 94 Contributions Plan.

Should you require further information please contact Hunter Land Use on 4924 0688 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au)

Yours sincerely



Kylie-Anne Pont  
A/ Manager Land Use  
Hunter Region





Transport  
Roads & Maritime  
Services

25 January 2017

CR2016/005885  
SF2011/001359  
KAP

General Manager  
Muswellbrook Council  
PO Box 122  
MUSWELLBROOK NSW 2333

Attention Pathum Gunasekara,

NEW ENGLAND HIGHWAY (A15): EXHIBITION OF DRAFT S94 CONTRIBUTION PLAN AND  
UPDATED DRAFT DEVELOPMENT CONTROL PLAN FOR MUSWELLBROOK SHOWGROUND  
SITE AND ADJOINING PROPERTIES

Reference is made to Council's email received 21 December 2016, inclusive of an amended *Draft Muswellbrook South Business District Section 94 Contribution Plan (December 2016)* ("draft s.94 plan") for Muswellbrook Showground site and adjoining properties.

A Traffic Impact Study, prepared by GHD and dated December 2016 has also been submitted for consideration. The traffic study provides reasons to support the proposed left-in / left-out local road connection with New England Highway and also provides justification to support an upgrade of the intersection at New England Highway / Thompson Street to traffic control signals (TCS). The amended draft s.94 plan also includes provision for an upgrade of the TCS and associated infrastructure works.

An updated *Draft Development Control Plan* ("draft DCP") consistent with the modifications identified within the draft s.94 contributions plan has not been provided for consideration.

#### Roads and Maritime response

Roads and Maritime has reviewed the information provided and raises no objection to the draft s.94 plan or the draft DCP subject to Council's consideration of the following matters:

- Draft DCP: The draft DCP should be amended to reflect the provisions for road upgrades described within the draft s.94 plan. Illustrations of the concept road layout should be modified

#### **Roads and Maritime Services**

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and reference should be made to the provision of the TCS upgrade at New England Highway / Thompson Street.

- Left in /left out: Roads and Maritimes understands that the provision for construction of a left in / left out access from a future local road to the New England Highway has been excluded from the Draft Section 94 Contribution Plan as it is expected that the future local road will be required at the event of the first application for subdivision. Council should inform the future developer that such works will require entering into a Works Agreement Deed with Roads and Maritime.
- Design of TCS: Attached is a copy of Roads and Maritime's design review comments for Council to consider. Of particular reference is the proposed location of future traffic signal poles which appear to be above the existing underground stormwater pipe network. Consideration should be given to the required depth of the stormwater pipes in relation to the required footings for the future traffic signal poles and median. Alterations to the existing stormwater network in this area may be at significant expense that is not captured within the s.94 costs for the TCS.
- Cost of TCS: The full cost estimate for the future TCS upgrade at New England Highway / Thompson Street intersection is approximately \$1.37 million as provided within the cost estimate provided to Roads and Maritime by GHD on 12 January 2017. It is noted that the total expected value is inclusive of acquisition and other expenses not included within the \$850,000 identified within the *Draft Section 94 Contribution Plan*, however acquisition and some other expenses are separated from the construction costs of the infrastructure within the plan.
- Pedestrian fencing: Council should take into account Section 117 (2) direction 3.4 (*Integrating Land Use Development and Transport*) under the *Environmental Planning and Assessment Act 1979*, in relation to the provision of adequate access to public transport, especially for the elderly. Opportunities for pedestrians and cyclists connections to the surrounding area should also be considered.

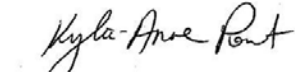
The TCS concept design includes the provision of a 250m pedestrian fence within the central median between Thompson Street. Roads and Maritime understands that the purpose of the fencing is to prevent pedestrians from crossing mid-block from Bell Street. Roads and Maritime recommends that Council investigate options to improve pedestrian safety and connectivity from Bell Street to Thompson Street. While a signalised pedestrian crossing at the future TCS will provide safe crossing, no formal pathway exists along the southbound road reserve connecting the local roads, which encourages pedestrians to walk along the road shoulder of the highway.

- Stormwater management: Future development of the Muswellbrook Showground should be inclusive of a stormwater drainage design that demonstrates that the proposal neither ensures the discharge rates do not exceed the existing capacity or discharge rate of the New England Highway stormwater drainage system. Council shall ensure that drainage from the site is catered for appropriately and should advise Roads and Maritime of any adjustments to the existing system that are required prior to final approval of the development.

On Council's determination of this matter, please forward a copy of the final Council report and minutes of the Council meeting to Roads and Maritime for record and / or action purposes. Should


you require further information please contact Hunter Land Use on 4908 7688 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au).

Yours sincerely

  
for Peter Marler  
Manager Land Use Assessment  
Hunter Region





 <b>Transport Roads &amp; Maritime Services</b> Engineering Technology Road Design		<b>Project Title</b> HW9 - New England Highway - Thompson Street Intersection Upgrade for Muswellbrook Show Ground Rezoning, Muswellbrook - R0014782	<b>DESIGN REVIEW</b>	
<b>Road No.</b> HW9	<b>Design Organisation</b> GHD	<b>Drawing No.</b> 22-18250-C163 22-18250-C167-9	<b>ROAD ENGINEERING</b>	
		This design review by the Roads & Maritime Services (hereafter referred to as "RMS") covers an examination of the provided drawings and report to determine if they conform to RMS policy and practice. The review is not a proof check or a dimensional check and may not be complete..		
<b>Review requested by:</b> 01 – Kylie-Anne Pont, Development Assessment Officer, Land Use, RMS		<b>Review performed by:</b> 01 – Ryan Edwards (RE), Lead Design, Design Newcastle, Engineering Technology, RMS	<b>Project Status</b> 01 – Strategic Design	<b>Issue No</b> 01
<b>Statement by reviewer:</b> 01 – Drawings with 4 sheets Drawing No. 22-18250-C136 Rev C and 22-18250-C167-9 Rev D dated 01/12/2016		<b>Review Issue Date</b> 01 – 12/01/17		

Item	Date (DD/MM/YY)	Reviewer(s) (Initials)	Aspect (D – Design, C – CAD/Drafting)	Design Component / Discipline	Sheet / Section	Review Comment	To be completed by Designers prior to any further assessments being carried out by RMS			Status (I-N-O-P-)	Closeout (Initial & DD/MM/YY)
							Response & Action	Response By (Disciple & Initials)	Response Date (DD/MM/YY)		
Issue 01 – Strategic											
1.	09/12/16	RE	D	Clash	22-18250-C163	TCS posts in the medians & on eastern side of HW9 (southbound) appear to clash with the stormwater drainage system	Agreed or otherwise with comment. Note what has been done to address the review comment if applicable.	Position – AA	(DD/MM/YY)		
2.	09/12/16	RE	D	Clash	22-18250-C163	Several TCS posts on western side of HW9 (northbound) appear to clash with underground water network	Agreed or otherwise with comment. Note what has been done to address the review comment if applicable.	Position – AA	(DD/MM/YY)		
3.	09/12/16	RE	D	TCS	22-18250-C163	TCS post on the nose of southern median (HW9) appears to be redundant.					
4.	09/12/16	RE	D	Pedestrians	22-18250-C163	The northern marked foot crossing appears to be located too far from the intersection. Increased distance between stoplines on HW9 and reduces sight of left turning vehicles from Thompson St to pedestrians using the crossing.	Agreed or otherwise with comment. Note what has been done to address the review comment if applicable.	Position – AA	(DD/MM/YY)		
5.	09/12/16	RE	D	Property Access	22-18250-C163	Location of existing property access No.81 HW9 NEH will be located too close to the proposed signalised intersection. Vehicles exiting this property may experience difficulty executing a right turn onto HW9 from Thompson St. These vehicles will not be able to exit the property and align correctly on the right turn vehicle detectors to call up the right turn phase.	Agreed or otherwise with comment. Note what has been done to address the review comment if applicable.	Position – AA	(DD/MM/YY)		
6.	09/12/16	RE	D	Turning Paths	22-18250-C167	The left turn from HW9 into Thompson St for heavy vehicles is extremely tight. These heavy vehicles will be required to turn from the adjacent through lane to negotiate this turn without striking the raised concrete median or the kerbside gutter.	Agreed or otherwise with comment. Note what has been done to address the review comment if applicable.	Position – AA	(DD/MM/YY)		
7.	09/12/16	RE	D	Drainage / Environment	22-18250-C169	The proposed hardstand area in No.1 Shaw Cres may result in increased rainfall run-off, due to the impervious surface. This run-off will flow over the existing footway and onto Thompson St. This hardstand area will also require the removal of a large tree on the property.	Agreed or otherwise with comment. Note what has been done to address the review comment if applicable.	Position – AA	(DD/MM/YY)		

<b>Resolved by:</b> (to be completed by reviewer)	ACTION "I" = Incorporated into design or documentation (item can be closed-out) ACTION "O" = Issue/Comment remains outstanding ACTION "P" = Pending    ACTION "N" – No action required (item can be closed-out)	<b>Response &amp; Action</b>	<b>To be completed by design team</b>	<b>Closeout:</b>	<b>Record date of closeout by Reviewer/Approver.</b> Responsible designer to seek closeout of all comments prior to submission of revised design.
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# **Muswellbrook Shire Council**

## Muswellbrook South Business District Section 94 Developer Contributions Plan

December 2016

WATER | ENERGY & RESOURCES | ENVIRONMENT | PROPERTY & BUILDINGS | TRANSPORTATION





## Executive summary

### Overview

The redevelopment of the Showground site in Muswellbrook is a significant opportunity for achieving a range of vehicle oriented commercial and bulky goods retail development to meet the needs of the local and Upper Hunter region community. This development will require an upgrade of existing public infrastructure, predominantly for traffic, stormwater management and public domain landscaping. Depending on how the development is achieved, Council intends to secure required external infrastructure either through a voluntary planning agreement in association with a single comprehensive development, as condition of consent at subdivision and/ or development stages and/or monetary contributions in accordance with this Plan.

Section 94 of the *Environmental Planning and Assessment Act 1979* authorises a consent authority responsible for determining a development application to grant consent to a proposed development subject to a condition requiring the payment of a monetary contribution or the dedication of land free of cost, or both, towards the provision of public amenities and public services.

This Plan was prepared in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. This Plan has been prepared taking into consideration the principles of nexus, apportionment and reasonableness. This plan describes the forecast future demands for select public amenities, services and infrastructure in Muswellbrook South Business District, the program of works (projects) which will be implemented to meet these demands, the anticipated costs of these programs, and the basis for determining a reasonable apportionment of the costs to development.

### Implementation

As a condition of development consent, Council will require payment of money and/or dedication of land and/or works as a contribution to the cost of the provision of infrastructure required to enable development in the Muswellbrook South Business District. The value of the contributions are based on the formulae shown in this Contributions Plan, using the cost of infrastructure and the extent of estimated development also shown in this Contributions Plan.

The table below provides a summary of the cost of the proposed infrastructure to be funded under this Contributions Plan and the funds to be collected under this Contributions Plan.

Purpose	Cost of works funded under this plan	Funds to be collected
Traffic and transport management facilities	\$3,146,500	\$3,146,500
Stormwater management facilities (including land acquisition)	\$1,099,350	\$1,099,350
Landscaping	\$100,750	\$100,750
<b>TOTAL</b>	<b>\$4,346,600</b>	<b>\$4,346,600</b>

### Contribution rates

The following contribution rates for traffic and transport management facilities, stormwater management facilities and landscaping are relevant at the date of adoption of this Contributions Plan. Over time these rates will be adjusted in accordance with the Consumer Price Index Number (Sydney All Groups).

#### Traffic and transport management facilities contribution

Contribution Rate = \$28.48/m<sup>2</sup>

#### Stormwater management facilities contribution

Contribution Rate = \$9.95/m<sup>2</sup>

#### Landscaping contribution

Contribution Rate = \$0.91/m<sup>2</sup>

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- Appendix B – Traffic and transport management facilities
- Appendix C – Stormwater management facilities



# 1. Introduction

## 1.1 Name of the Plan

This Plan is referred to as the Muswellbrook South Business District Section 94 Developer Contributions Plan. This Contributions Plan has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979*, as amended, the *Environmental Planning and Assessment Regulation 2000*, the Department of Planning and Environment's Development Contributions Practice Notes, Circulars and Guidelines and relevant Ministerial Directions.

## 1.2 Commencement of Plan

This Contributions Plan takes effect on **XX of XXXX 2017**. Planning proposals (for the purposes of planning agreements), development applications and applications for complying development certificates determined on or after this date will be subject to the provisions of this Plan.

## 1.3 Purpose of the Plan

The purpose of this Plan is to enable Council to require a contribution from development towards the provision, extension or augmentation of public amenities, services and infrastructure that will be, or are likely to be, required as a consequence of the development within the Muswellbrook South Business District, including:

- Traffic and transport management facilities and associated land acquisition
- Stormwater management facilities and associated land acquisition
- Public domain landscaping

The contribution may involve the dedication of land (free of cost), works in kind, material public benefit or the payment of a monetary contribution.

## 1.4 Objectives

This Plan has the following objectives:

- To provide a framework for the assessment, collection, expenditure, accounting and review of developer contributions towards the provision of public amenities, services and infrastructure on an equitable basis and as an alternative to a voluntary planning agreement (VPA) or outcomes achieved as conditions of development consent
- To identify the additional public amenities, services and infrastructure required to meet the demands of the development of the Muswellbrook South Business District
- To provide an adequate level of public amenities, services and infrastructure to meet development demands within a reasonable time as development occurs and at a reasonable cost
- To ensure that the development contributions are based on reasonable estimates of cost

- To ensure that the existing community is not unduly burdened by the provision of public amenities, services and infrastructure which are needed (either partly or fully) as a result of the development of the Muswellbrook South Business District, and that there is a reasonable apportionment of cost between existing demand and new demand for public infrastructure provided by Council
- To ensure that contributions are fair and reasonable

### 1.5 Land to which the Plan applies

This Contributions Plan applies to all land shown in Figure 1-1 below.



**Figure 1-1 Development area**

### 1.6 Types of development to which this Plan applies

This Plan applies to any development proposal in accordance with the current zoning of the study area pursuant to Muswellbrook LEP 2009.

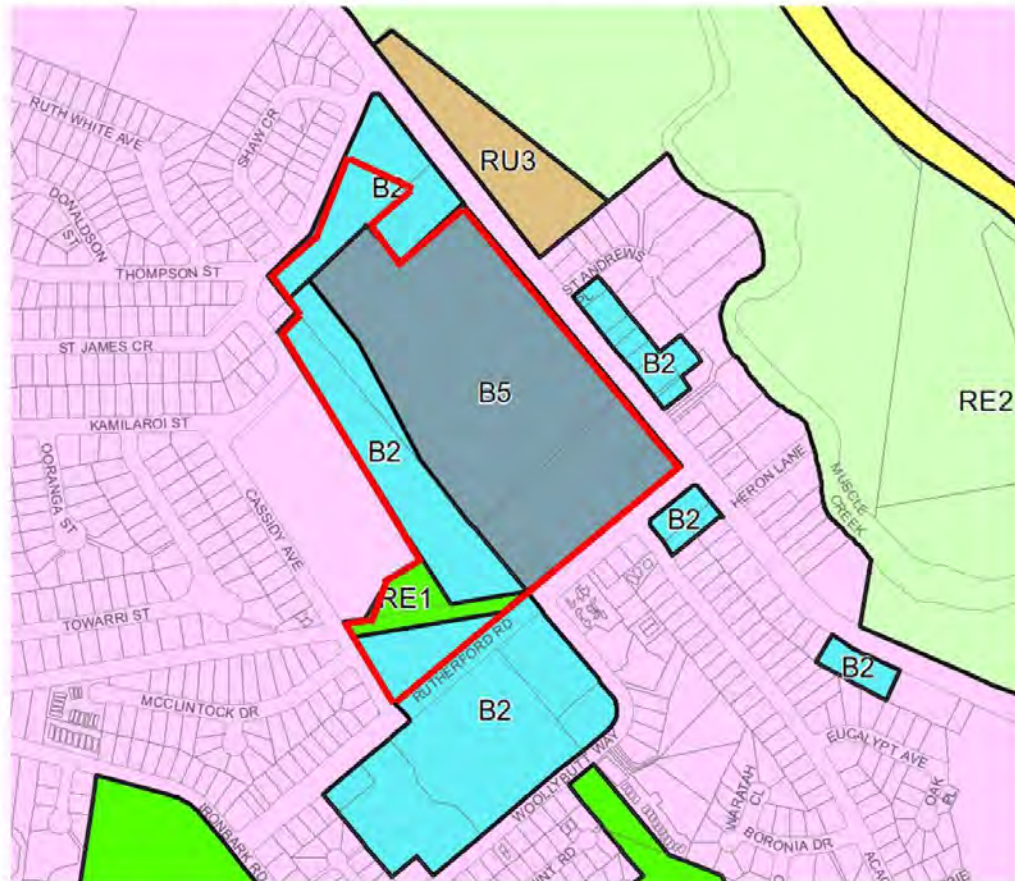
As identified in the DCP, the site has been identified for car-oriented commercial and bulky goods retail development (car dealerships; bulky goods retail; larger scale retail outlets). Infrastructure provision may also be included as conditions of consent on an overall subdivision of the site rather than as individual contributions on a site-by-site basis.



This Plan envisages predominantly car orientated commercial development of the study area in line with its current land use zoning (refer Figure 1-2). In this regard, the B2 zoning permits with development consent a range of uses, including but not limited to: Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Health services facilities; Highway service centres; Hostels; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Research stations; Respite day care centres; Restricted premises; Roads; Service stations; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals; and Wholesale supplies.

The B5 zone allows a range of uses subject to development consent including but not limited to: Bulky goods premises; Child care centres; Community facilities; Garden centres; Hardware and building supplies; Landscaping material supplies; Light industries; Shop top housing; Storage premises; Take away food and drink premises; Vehicle sales or hire premises; and Warehouse or distribution centres.

There may however be other types of development not specified in this Plan that generate a need for new or augmented public amenities, services and infrastructure. In such instances the applicant may be requested to prepare a needs analysis for the development to determine development contribution requirements.



**Figure 1-2 Current zoning under Muswellbrook LEP 2009**

### **1.7 Variations**

Council may consider an application to discount or exempt a development from contributions. Applicants seeking variations in the contributions rate must be able to demonstrate to the satisfaction of Council that the nature of the proposed development results in a lesser demand on public amenities, services and infrastructure than that envisaged by this Plan. Council will consider the merits of such a request, including the potential social and financial implications, and the ability of the proposed facilities to meet the demand generated by the incoming working population.

The applicant will need to make a written application to Council, including full documentation and justification of the variation. The acceptance of an application will be at Council's absolute discretion and will only be provided in exceptional circumstances.

### **1.8 Relationship to other Plans and Policies**

Muswellbrook Shire Council has the following general Section 94 Plans in place:

- Muswellbrook Section 94 Plan 2001
- Section 94A- Developer Contributions Plan 2010

These Plans do not apply to commercial development in the Muswellbrook South Business District. However any residential development proposed within the Muswellbrook South Business District would be subject to the above plans.

This Plan should be read in conjunction with Muswellbrook Local Environmental Plan 2009 and Muswellbrook Development Control Plan 2009.



## 2. Operation of the Plan

### 2.1 Application of the Plan

In determining a development application to which this Plan applies, this Plan authorises Council to impose a condition of consent requiring the provision of the infrastructure outlined in the plan and/or payment of a monetary contribution and/or the dedication of land free of charge in accordance with the provisions of this Plan, or in lieu accept the provision of a material public benefit or works in kind.

Prior to the issue of a subdivision certificate for development to which this Plan applies, Council will impose a condition pursuant to this Plan if such condition may be imposed. In accordance with section 94EC of the EP&A Act this Plan:

*"(b) can only authorise the imposition by an accredited certifier of a condition under Section 94 that requires the payment of a monetary contribution,"*

### 2.2 Types of contributions

Subject to Council approval, a developer can meet their obligations to provide the infrastructure needed as a result of rezoning of subject land, a Section 94 contribution by either, or a combination of:

- Monetary contribution
- Dedication of land
- Material Public Benefit
- Works in Kind

Where a developer negotiates a material public benefit, works in kind or the dedication of land in lieu of paying any part of the monetary contribution required under this Plan, the applicant must still pay Council's reasonable costs for the management of the Plan (plan management and administration contributions).

The Act also provides for the Council to consider entering into a Voluntary Planning Agreement (VPA) at either a development application or when rezoning land. Public amenities, services and infrastructure delivered through a VPA may be in addition to or instead of the payment of a monetary contribution under Section 94.

#### 2.2.1 Monetary contribution

This Plan identifies the monetary contribution required for the provision of public amenities, services and infrastructure, calculated on a per square metre basis. The contribution amount payable will be included as a condition of consent on a development approval.

#### 2.2.2 Dedication of land

This Plan authorises the Council to consent to the carrying out of development subject to a condition imposed under Section 94 of the Act requiring the dedication of land free of cost to the Council.

Such a condition may be imposed where the land is reasonably required towards the provision, extension or augmentation of a public amenity or public service identified in the works schedule or reviewed works schedule accompanying this Plan.

### 2.2.3 Works in kind/Material public benefits

A Material Public Benefit (MPB), Works in Kind (WIK) or dedication of land may be offered as a means of partial or full settlement of a condition of consent requiring a monetary contribution.

Works in Kind (WIK) is undertaking a work that is specifically listed in the works schedule of a contributions plan, in lieu of the part or full payment of either a monetary contribution or the dedication of land that would normally apply. WIK are generally offered and assessed as part of the development application process. Applicants seeking Council's acceptance of a WIK arrangement should initially discuss such a proposal with Council officers to determine whether Council would agree to enter into such agreement and to establish Council's requirements.

A Material Public Benefit (MPB) may be offered by the developer in part or full satisfaction of a condition requiring the payment of a monetary contribution or the dedication of land. A MPB may include work that is not scheduled within the Plan.

Council may accept the provision of a MPB that is not nominated in the works schedule, if it is satisfied that it is of equivalent or greater benefit to the community compared to what has been identified under the Plan.

Such alternative development contributions arrangements may be negotiated with the Council in connection with the carrying out of development in the following circumstances:

#### *a) Offer made to the Council as part of a development application*

If an applicant does not wish to pay a monetary Section 94 contribution in connection with the carrying out of development, the applicant may include in the development application a proposal to carry out the works towards which the contribution or levy would have been applied.

The Council will consider the alternative arrangement as part of its assessment of the development application. If the Council agrees to the arrangement and grants consent to the application, it will impose a condition of consent requiring the works to be carried out. If the Council does not agree to the alternative arrangement, it may grant consent subject to a condition imposed under Section 94 requiring payment of the monetary contribution.

#### *b) Offer made to Council following the granting of development consent*

If development consent has been granted to the carrying out of development subject to a condition under Section 94 requiring payment of a monetary contribution towards the cost of public amenities, services and infrastructure, the applicant may request in writing that they instead provide to the Council a MPB in part or full satisfaction of the requirements of the relevant condition.

The MPB may be the carrying out of work or another public benefit but not the payment of money or the dedication of land free of cost.

If the Council agrees to the applicant's request, the applicant will be required to comply with the alternative arrangement and is relieved of the obligation, to comply with the conditions imposed under Section 94, in part or whole, as the case requires. If the Council declines the applicant's request, the applicant will be required to comply with the conditions imposed under Section 94.

In either case the Council will have particular regard to the following matters deciding whether to accept a MPB:

- Whether the proposed benefit involves a public benefit, or is merely of benefit to the subject development or the developer
- Whether the proposed benefit addresses the demand for public facilities which the monetary contribution was intended to address



- The value of the benefit for the purposes of the contributions plan
- The likely impact on the implementation of the contributions plan of the acceptance of the benefit, including on timing and the nature of public facilities to be provided
- Whether, in all of the circumstances, the benefit should be accepted instead of a direct community infrastructure contribution
- The quantities, finishes and costings of the proposed works
- Recurrent maintenance costs to council

The acceptance of a WIK agreement or a MPB will be at Council's absolute discretion.

Only in exceptional circumstances will credits be granted for WIK carried out by the developer in excess of the required contribution amount. Where the value of the WIK, MPB or dedication of land is less than the value of the required contribution, the applicant will be required to settle the balance of the contribution by way of a monetary contribution and/or land dedication.

#### **2.2.4 Planning agreements**

An applicant may offer to enter into a Voluntary Planning Agreement (VPA) with the Council in connection with a development application or a planning proposal that is made for the purposes of being able to subsequently make a development application.

Under a VPA, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. A VPA may include public amenities, services and infrastructure that are also the subject of this Plan. This Plan and individual planning agreements should work in harmony to the fullest extent possible. The VPA may be additional to, or instead of, making contributions under Section 94 of the Act. This Plan and relevant contributions may need to be amended to reflect works provided through a VPA.

### **2.3 Payment of the contribution**

#### **2.3.1 Timing of payments**

The time of payment of contributions is as follows:

- Development applications involving subdivision – prior to the release of the subdivision certificate.
- Development applications involving building work – prior to the release of the construction certificate.
- Development applications involving both subdivision and building work – prior to the release of the construction certificate, or the release of the subdivision plan, whichever occurs first.
- Development applications where no subdivision or building approval is required – prior to the issue of development consent or issue of the occupation certificate.
- Complying development - prior to the issue of the complying development certificate. Certifying authorities should ensure compliance with Section 146 of the Environmental Planning and Assessment Regulation.

The amount of any monetary contribution to be paid will be the contribution payable at the time of consent, and depending upon the time of payment will be subject to reasonable adjustment due to movements in the Consumer Price Index and/or changes to the rates indicated within this Plan (refer to Sections 2.6 and 2.7).

### 2.3.2 Deferred or periodic payments

Written application may be made to Council for the deferred payment of contributions, or payments made by periodic instalments, stating the proposed length of deferral. The following matters will be considered by Council in determining whether to accept the application:

- The impact on the timing or the manner of the provision of the public amenities, services and infrastructure included in the Works Schedule
- Cash flow impacts
- Whether the periodic or deferred contributions are to be paid, including interest, at no cost to Council
- The types of security required to ensure the contribution is paid in full within an agreed timeframe consistent with minimising the financial risk
- Whether there are valid reasons for the deferral or periodic payment
- Whether compliance with the standard timing of payment provisions in the contributions plan is unreasonable or unnecessary in the circumstances of the case; or
- Whether the applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a monetary contribution

Council may accept deferred payment by way of a bank guarantee which:

- Is by an Australian Bank
- Is for a maximum period of twelve months
- Is for the total contribution or the amount of the outstanding contribution at the time of deferring payment, plus an amount estimated to cover any likely adjustments in contribution rates calculated from the date a condition requiring the payment of a contribution was imposed on the development until the date of final payment
- Is unconditionally guaranteed by the bank to be paid if Council so demands in writing, no earlier than 6 months from the provision of the guarantee or completion of the work, whichever occurs first
- Is to be paid by the bank without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent
- Discharges the bank's obligations when payment to the Council is made in accordance with the approved bank guarantee or when Council notifies the bank in writing that the guarantee is no longer required
- Meets Council's costs and any fees payable to Council

The conditions under which Council may accept periodic payment for a staged development are:

- The instalments are paid before the work commences on each relevant stage of the development.
- The contribution amount payable is to be proportional to the demand generated by that stage and is to include any adjustments made to contribution rates from the date that the condition was imposed requiring a contribution.



## 2.4 Construction certificates

Certifying authorities must ensure that a receipt(s) confirming that contributions have been paid is to be included with copies of the certified plans provided to the Council in accordance with Clause 142(2) of the Environmental Planning and Assessment Regulation. Failure to follow this procedure may render such a certificate invalid.

An exception to this requirement is where a WIK, MPB, dedication of land or deferred arrangement has been agreed and confirmed in writing by the Council.

## 2.5 Goods and services tax

Monetary Section 94 development contributions are exempt from the Federal Government Goods and Services Tax (GST).

## 2.6 Adjustment and 'indexing' of contribution rates

The indexing of contributions is important to underpin the financial viability of the Contributions Plan to negate the effects of inflation on construction costs, plan administration and other factors, and the adverse effects of land value escalation over time.

Council will index the contribution rates indicated in this Plan, on a quarterly basis, with reviewed rates to apply from the first working day of December, March, June and September.

Clause 32 of the Environmental Planning and Assessment Regulation allows a development contributions plan to revise the rates of Section 94 monetary contributions set out in the plan to reflect quarterly or annual variations to:

- Readily accessible index figures adopted by the Plan (such as a Consumer Price Index), or
- Index figures prepared by or on behalf of the Council from time to time that are specifically adopted by the Plan

This Plan adopts the Consumer Price Index (All Groups) for Sydney (Catalogue No. 6401.0), which is published by the Australian Bureau of Statistics as the basis for indexation of the non land contribution rates in this Plan

When land is to be acquired or an easement sought over land, the current market value of this land would be assessed, by an independent valuer at the time of acquisition or determination of compensation with regard to current market conditions, the availability of services, appropriate heads of compensation and the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991.

Non land contributions will be reviewed quarterly in accordance with the following formula:

$$\text{Revised Contribution Rate (RC)} = \frac{\text{IC} \times \text{CPI 2}}{\text{CPI 1}}$$

where:

- IC is the initial contribution rate at the time of adoption of the Plan, expressed in dollars
- CPI 2 is the Consumer Price Index Number (Sydney All Groups) available at the time of the review
- CPI 1 is the Consumer Price Index Number (Sydney All Groups) available at the date of adoption of the Plan, or its subsequent amendment

## 2.7 Adjustment and 'indexing' of contributions at the time of payment

Contribution amounts will be calculated at the time development consent is granted. The contributions amounts imposed in a condition of development consent will be adjusted to reflect the applicable contribution rates at the time of the payment and not at the date of the approval of the development.

Adjustments to the non land contributions amount in a consent will be made as follows:

$$\text{Contribution payable (CP)} = \frac{\text{CD} \times \text{CPI 2}}{\text{CPI 1}}$$

where:

- CP is the amount of the contribution calculated at the time of payment
- CD is the amount of the original contribution imposed as a condition of the development consent
- CPI 2 is the Consumer Price Index Number (Sydney All Groups) available at the date of payment
- CPI 1 is the Consumer Price Index Number (Sydney All Groups) available at the date of development consent

The current contribution rates are published by Council and are available from Council Offices.

## 2.8 Reassessment of contributions

A written application may be made to Council for the reassessment of the development contribution payable. This may result in no change, or in the contribution being reduced or waived or modified.

Where a condition of development consent has already been imposed requiring the payment of a contribution, the applicant will need to lodge an application to review the consent in accordance with Section 82 or Section 96 of the Environmental Planning and Assessment Act 1979, as amended.

The application must provide sufficient information to satisfy Council of the inappropriate nature of the contribution and identify the implications to Council of reducing or waiving the contribution.

## 2.9 Review of the Plan

Regular reviews of this Plan will be undertaken to ensure its appropriateness.

A major review of this Plan is anticipated every five (5) years from the date of commencement of the Plan.

## 2.10 Funding and timing of works

Public amenities, services and infrastructure are required at the time demand is created, which may be before completion of development and before sufficient contributions are received. Council's ability to forward fund these public amenities, services and infrastructure is limited, and consequently their provision is largely contingent upon the availability of contributions. Pooling of funds to assist with the provision of infrastructure, as detailed in Section 2.11 will be considered and used when necessary.

To provide a strategy for the implementation of the public amenities, services and infrastructure levied for in this Plan, and to use contributions in the most effective manner, the individual work schedules may be re-prioritised. This will take into account development trends, population characteristics, existing funds, funds from other sources (where required) and anticipated revenue flows.

### **2.11 Pooling of contributions**

This Plan authorises monetary Section 94 Contributions paid for different purposes to be pooled and applied (progressively or otherwise) for those purposes.



### 3. Administration of the Plan

#### 3.1 Management costs of the Plan

The costs associated with the preparation, administration, periodic review, and management of this Plan are included in the contribution rate. These costs are shown separately in the rates schedule and the method of calculation is described in Section 4. Studies have been undertaken to determine the demand arising from the proposed development, and the design and costing of works included in the Plan are also shown and included in the contribution rate.

The Plan Administration and Management elements of the contribution rate still apply where a MPB or WIK agreement is negotiated between a developer and the Council, in order to cover Council's costs of Plan review and other costs associated with administering the MPB or WIK.

##### 3.1.1 Explanation of contribution formulae

A formula is used in this Plan to calculate the contribution rate applicable to a specific service or facility. The contribution rate is a function of the total cost of the facility divided by the developable area, as shown below:

$$\text{Contribution Per m}^2 = \frac{TC}{CA}$$

where:

- TC = Total cost of infrastructure generated by new commercial development
- CA = Commercial area (ha) within Muswellbrook South Business District

#### 3.2 Land values including easements

Council's objective is to ensure that the funds Council receives for land acquisition from Section 94 contributions are equivalent to the amount required to fund the purchase of all the land and the creation of easements identified for acquisition in the Plan.

Costs associated with land acquisition and creation of easements are to be included in the determination of contribution rates.

When land is to be acquired or an easement is to be created, the current market value of this land or the value of the easement will be assessed by an independent valuer at the time of acquisition or creation of the easement or determination of compensation with regard to current market conditions, the availability of services, appropriate heads of compensation and the provisions of the *Land Acquisition (Just Terms Compensation) Act, 1991*, and a contribution rate determined accordingly.

## 4. Strategy plans

This section of the Plan establishes the relationship (nexus) between the expected types of development in the Muswellbrook South Business District and the demand for additional public amenities, services and infrastructure to meet the needs of that development.

There is a nexus between the public amenities, services and infrastructure for which contributions are sought in this Plan and the demand created by anticipated development in the Muswellbrook South Business District. Nexus exists between the development and the contributions sought in the following ways:

- Causal nexus (what) – the expected types of development will or are likely to increase demand for public amenities, services and infrastructure
- Spatial or physical nexus (where) – the proposed facility will be located so as to serve the identified demand for public amenities, services and infrastructure created by the expected types of development
- Temporal nexus (when) – the public amenities, services and infrastructure will be provided in a timely manner to benefit those who have contributed towards it

New public amenities, services and infrastructure are needed to meet the demand arising from development at Muswellbrook South Business District. Demand will exceed the capacity of certain existing infrastructure and will require new infrastructure such as traffic and transport facilities, stormwater management systems, and public domain facilities in order to serve the new community. It is considered that the level of public amenities, services and infrastructure for which contributions are sought is reasonable and consistent with generally accepted standards of provision.

Further details of the relationship between the demand arising from new development and the need for public amenities, services and infrastructure is provided below.

### 4.1 Traffic and transport management facilities

#### 4.1.1 Nexus

The nexus between development and the increased demand for roads is based on the accepted practice that efficient traffic management is facilitated best by a hierarchy of roads from local roads which are characterised by low traffic volumes, slow speeds and serve a small number of properties up to arterial roads which are characterised by large volumes of traffic travelling at higher speeds.

In establishing new land releases, it is desirable for Council to provide for major roads to allow for the large volumes of relatively high-speed traffic. At the Muswellbrook South Business District site, the New England Highway adjoins the site and currently caters for through traffic and the distribution to the local surrounding road network. Rutherford Road and Thompson Street currently act as collector roads to surrounding residential areas and would provide direct access to the site.

#### Access

The Structure Plan, as shown in Appendix A, includes internal roads within the site that provide access to New England Highway, Kamilaroi Street, Rutherford Road and Thompson Street.



The access points for the site will be located as follows:

- From Rutherford Road opposite Woollybutt Way
- A left in/left out off New England Highway
- Traffic signals at the Thompson Street/ New England Highway intersection
- A new roundabout from Thompson Street opposite Shaw Crescent (west)

These access roads and intersections have been included in Council's DCP for this site. Any proposed amendment to the overall layout of the site will need to be approved by Council. Sight distance has not been assessed as detailed design of the accesses has not been completed. Sight distance will be required in accordance with AS2890.1. For a 50 km/hr frontage road speed, the desirable sight distance is 69 metres, and the minimum safe sight distance is 45 metres.

Service vehicles will require access to the site and will need to be considered in the design including turning paths for manoeuvrability.

#### *Circulation*

There are two internal roads perpendicular to each other providing access within and through the site. These are an extension of Kamilaroi Street through to the New England Highway and Rutherford Road at the Woollybutt Way intersection through to Thompson Street.

The internal roads are proposed to be two lane, two way with a wide median, and will be designed in accordance with Council and RMS requirements. Manoeuvrability of service vehicles will need to be considered in the design.

#### *Parking*

Each part of the development will provide parking in accordance with Muswellbrook Shire Council's Development Control Plan (DCP). RMS also provides guidance on the number of parking spaces required in the Guide to Traffic Generating Developments 2002. For bulky goods retail, the Council requirement is one (1) parking space per 45 m<sup>2</sup>. The RMS Guide does not have a specific requirement for bulky goods retail.

The total parking requirement of the 8.5 ha bulky goods site would be about 1,133 spaces. Residential parking will be provided at the rate of 1 per dwelling (on site).

At this stage of the site planning the layout of parking areas have not been designed in detail. Compliance with the Muswellbrook DCP and AS2890.1 will be required.

GHD (2016) prepared a traffic study for the Muswellbrook South Business District for the purposes of informing this Plan. To assess the traffic impacts of the future development a SIDRA Intersection model was developed for the surrounding road network.

The study found that signalisation of Thompson Street/New England Highway is required to provide for the increased demand for turns onto the New England Highway northbound. Currently the Thompson Street/New England Highway intersection performs at level of service (LOS) F (generally considered to be poor) in the peaks and the signalisation of the Thompson Street junction will improve the performance of that intersection. The remainder of the intersections surrounding the site will continue to perform well under the increased traffic conditions.

A roundabout was considered necessary at the Thompson Street/ Shaw Crescent intersection to control traffic flow along Thompson Street from the highway and the site and to improve safety at the intersection.



The Woollybutt Way/Rutherford Road intersection was modelled as a four leg unsignalised intersection. While the intersection performed well, a roundabout at this intersection was considered necessary to improve traffic flow along Rutherford Road from the highway and improve safety at the intersection.

Conceptual designs of the proposed traffic and transport management infrastructure are contained in Appendix A.

Any additional access points along Rutherford Road, particularly to the south eastern part of the site, should be left-in left-out to avoid negative safety implications. A roundabout at Woollybutt Way or the existing roundabout at Muswellbrook Fair would allow U-turns for traffic using this access from New England Highway.

Pedestrian and cyclist connectivity and safety would be improved by a footpath or shared path constructed along the south side of Thompson Street as well as within the site. As per the Bitzios Consulting 2015 report, footpaths are also recommended along the eastern side of Cassidy Street and both sides of Rutherford Road.

#### 4.1.2 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution for traffic and transport management facilities is considered to be reasonable as it will ensure that the additional traffic generated by the future development of the area will not have undue impact upon the performance and safety of the existing surrounding road network.

#### 4.1.3 Apportionment

The need to provide the traffic and transport management facilities identified in this part of the plan is generated by the future development of Muswellbrook South Business District. Traffic and transport management facilities are considered essential in order to allow the proposed development to occur and will primarily benefit that development. It is therefore appropriate that all development within this Plan be subject to the full cost of providing these facilities.

#### 4.1.4 Works program

**Table 4-1 Traffic and transport management facilities - works program**

Works	Qty	Unit	Rate	Costs
Upgrade Thompson Street/New England Highway Intersection	1	Item	\$850,000.00	\$850,000.00
New intersection Thompson Street/Shaw Crescent	1	Item	\$450,000.00	\$450,000.00
Land Acquisition for New Intersections	1	Item	\$230,000.00	\$230,000.00
New intersection at Woollybutt Way/Rutherford Road roundabout	1	Item	\$450,000.00	\$450,000.00
Street signs, line marking, concrete footpaths	1	Item	\$50,000.00	\$50,000.00
Contractor preliminaries/overhead/profit		\$2,030,000	(15%)	\$304,500.00
Design consultant/client management		\$2,030,000	(15%)	\$304,500.00
Contingency		\$2,030,000	(20%)	\$406,000.00
Administration		\$2,030,000	(5%)	\$101,500.00
<b>TOTAL</b>				<b>\$3,146,500.00</b>

#### 4.1.5 Formula and contribution rates

Contributions will be collected from commercial development within the Muswellbrook South Business District toward traffic and transport management facilities as outlined in Table 4-2.

**Table 4-2 Traffic and transport management facilities contribution formula**

Development type	Contribution formula
Contribution per m <sup>2</sup> = $\frac{TC}{CA}$	Contribution per m <sup>2</sup> = $\frac{\$3,146,500}{11.05}$ = \$284,751.13/ha or \$28.48/m <sup>2</sup>

Where:

- TC = Total cost of infrastructure generated by new commercial development
- CA = Commercial area (ha) within Muswellbrook South Business District

## 4.2 Stormwater

### 4.2.1 Nexus

The impact of urban development on flow regimes, erosion and siltation, and flooding can be substantially reduced by adopting stormwater management techniques that concentrate on continuing the function of the natural drainage system as far as possible. Therefore, future development in the Muscle Creek catchment will need to manage stormwater run-off both up and down stream of development. This is best achieved through trunk stormwater facilities and structures.

To facilitate the efficient delivery of trunk infrastructure, it is reasonable for the costs associated with stormwater management be recouped through contributions. The schedule of works includes stormwater management facilities to adequately detain and treat stormwater at the development site.

New development can result in an increase in impervious surfaces, leading to higher volumes and flow rates of urban stormwater runoff, increased stormwater velocities, and increased transfer of pollutants from urban to natural environments. Given the Muswellbrook South Business District development site would incorporate large areas of impervious surfaces, trunk stormwater management is required to ensure that the site is considered holistically rather than on a lot by lot basis.

GHD prepared Drainage Options Assessment (March 2016) for the Muswellbrook South Business District. This assessment summarised the modelling undertaken to determine the existing drainage regime and assessed a number of options to deal with post development stormwater volumes and treatment and to recommend a preferred option.

Four options for the proposed drainage strategy were investigated and modelled. Option 3 was identified as the preferred option and would involve creating a stormwater basin (main basin) adjacent to the New England Highway and a separate smaller stormwater basin within Skellatar Park. Alternatives to the main basin would be a detention basin within the Muswellbrook Golf Course or within proposed car parking areas within the future development.

The main basin would need to have an area of 6,380 m<sup>2</sup>, requiring approximately 0.81 - 0.85 ha and the Skellatar Park basin would need to have an area of 900 m<sup>2</sup> which could be used as a feature for the park. Alternatively, the Skellatar Park basin could utilise tanks under the public car parking area.

The main basin would drain via a new pipe under the highway and through the nursery site (via an easement) and the Muswellbrook golf course into Muscle Creek. The Skellatar Park basin would drain into the existing drainage network that currently runs down Rutherford Road discharging at Heron Lane.

In addition to stormwater quantity, water quality would need to be addressed through:



- An open swale along Woollybutt Way extension approximately 340 m long with a maximum top width of 5 m collecting flow from Skellatar Park and the residential/aged care areas.
- A HumeGard separator between the swale and the basin.
- A 1,000 m<sup>2</sup> of bio retention which could be constructed within the road reserve, public open space or within the carpark areas as islands/tree planters adjacent to the automotive and commercial areas.
- Two Humes Jelly Fish Filters would be required based on mean daily maximum flow rate.

Conceptual designs of the proposed stormwater management infrastructure are contained in Appendix B.

GHD also recommended the channel through the golf course is deepened to the invert level of the 900 mm pipes to better contain the 1% AEP flows. If deepening the channel causes additional flood concern due to back flow from Muscle Creek, consideration should be given to at least deepening the channel part way to provide additional storage at the outlet, or constructing a weir at the Muscle Creek outlet.

#### 4.2.2 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution for stormwater management facilities is considered to be reasonable as it levies for the needs of new workers and ensures the equitable provision of trunk stormwater management for the development site. The additional flows, and need for water quality treatment are generated directly by the development site.

#### 4.2.3 Apportionment

The need to provide the stormwater management identified in this part of the plan is generated by the development of the Muswellbrook South Business District. Stormwater management works are considered essential in order to allow the proposed development to occur and will primarily benefit that development. It is therefore appropriate that all development within this Plan be subject to the full cost of providing these facilities.

The costs included in this Plan for stormwater only include those items to be considered trunk stormwater facilities. Other drainage infrastructure required to drain internal roads, such as kerb and gutter, subsoil drainage below kerb lines, transverse drainage lines, and inlet pits (not associated with the trunk stormwater facilities) are not included in this Plan.

#### 4.2.4 Works program

**Table 4-3 Stormwater management facilities - works program**

Works	Qty	Unit	Rate	Costs
Subsoil Drainage, inc 375 slotted drain, clean fill and bidim liner	150	m	\$45.00	\$6,750.00
450 mm concrete pipe	150	m	\$205.00	\$30,750.00
600 mm concrete pipe	150	m	\$275.00	\$41,250.00
675 mm concrete pipe	480	m	\$320.00	\$153,600.00
900 mm concrete pipe	195	m	\$540.00	\$105,300.00
Headwall	5	No.	\$1,500.00	\$7,500.00
Access Chambers	14	No.	\$2,600.00	\$36,400.00
Total Bioretention area - includes filtration	1800	m <sup>2</sup>	\$130.00	\$234,000.00

media, liners, planting				
Excavation of basins- allows cut/fill	8200	m <sup>3</sup>	\$10.00	\$82,000.00
Land acquisition	700	m <sup>2</sup>	\$95.00	\$66,500.00
Land acquisition administration	1	Sum	\$30,000.00	\$30,000.00
Contractor preliminaries/overhead/profit			\$615,550 (18%)	\$110,799.00
Design consultant/client management			\$615,550 (16%)	\$98,488.00
Contingency			\$712,050 (20%)	\$142,410.00
Administration			\$712,050 (5%)	\$35,602.50
TOTAL				<b>\$1,099,350</b>

#### 4.2.5 Formula and contribution rates

**Table 4-4 Stormwater management facilities contribution formula**

Development type	Contribution formula
Contribution per m <sup>2</sup> = $\frac{TC}{CA}$	Contribution per m <sup>2</sup> = $\frac{\$1,099,350}{11.05}$ = \$99,488.68 or \$9.95/m <sup>2</sup>

Where:

- TC = Total cost of infrastructure generated by new commercial development
- CA = Commercial area (ha) within Muswellbrook South Business District

### 4.3 Landscaping

#### 4.3.1 Nexus

Improvement of the public domain of the Muswellbrook South Business District is necessary to accommodate an anticipated increase in population from the viewpoint of safety and amenity of pedestrians as well as providing a major component of the recreation system. Public domain works will also improve the environmental quality, physical appearance and character of streets in the Muswellbrook South Business District.

The Muswellbrook Development Control Plan – Section 28 Muswellbrook Showground recommends a water sensitive urban design street connecting Rutherford Road to Thompson Street. Street trees and landscape planting is also proposed to soften the public domain. Provision has been made for this landscaping in the works program.

#### 4.3.2 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution for public domain landscaping is considered to be reasonable as it levies for the needs of new workers and ensures the equitable provision of public domain landscaping for all to enjoy.

#### 4.3.3 Apportionment

The need to provide the public domain landscaping identified in this part of the plan is generated by the future development of the Muswellbrook South Business District development site. The works program presented has been based on the Muswellbrook Development Control Plan 2009 – Section 28 Muswellbrook Showground (Version 6, June 2016) and the Structure Plan presented in Appendix A. Public domain landscaping works are considered essential in order to achieve a sense of place within the development site.

**4.3.4 Works program****Table 4-5 Landscaping - works program**

Works	Qty	Unit	Rate	Costs
Landscaping - trees/shrubs vegetation in swales	1	Item	\$65,000.00	\$65,000.00
Contractor preliminaries/overhead/profit		\$65,000	(15%)	\$9,750.00
Design consultant/client management		\$65,000	(15%)	\$9,750.00
Contingency		\$65,000	(20%)	\$13,000.00
Administration		\$65,000	(5%)	\$3,250.00
<b>TOTAL</b>				<b>\$100,750.00</b>

**4.3.5 Formula and contribution rates****Table 4-6 Landscaping contribution formula**

Development type	Contribution formula
Contribution per m <sup>2</sup> = $\frac{TC}{CA}$	Contribution per m <sup>2</sup> = $\frac{\$100,750}{11.05}$ = \$9,117.65 or \$0.91/m <sup>2</sup>

Where:

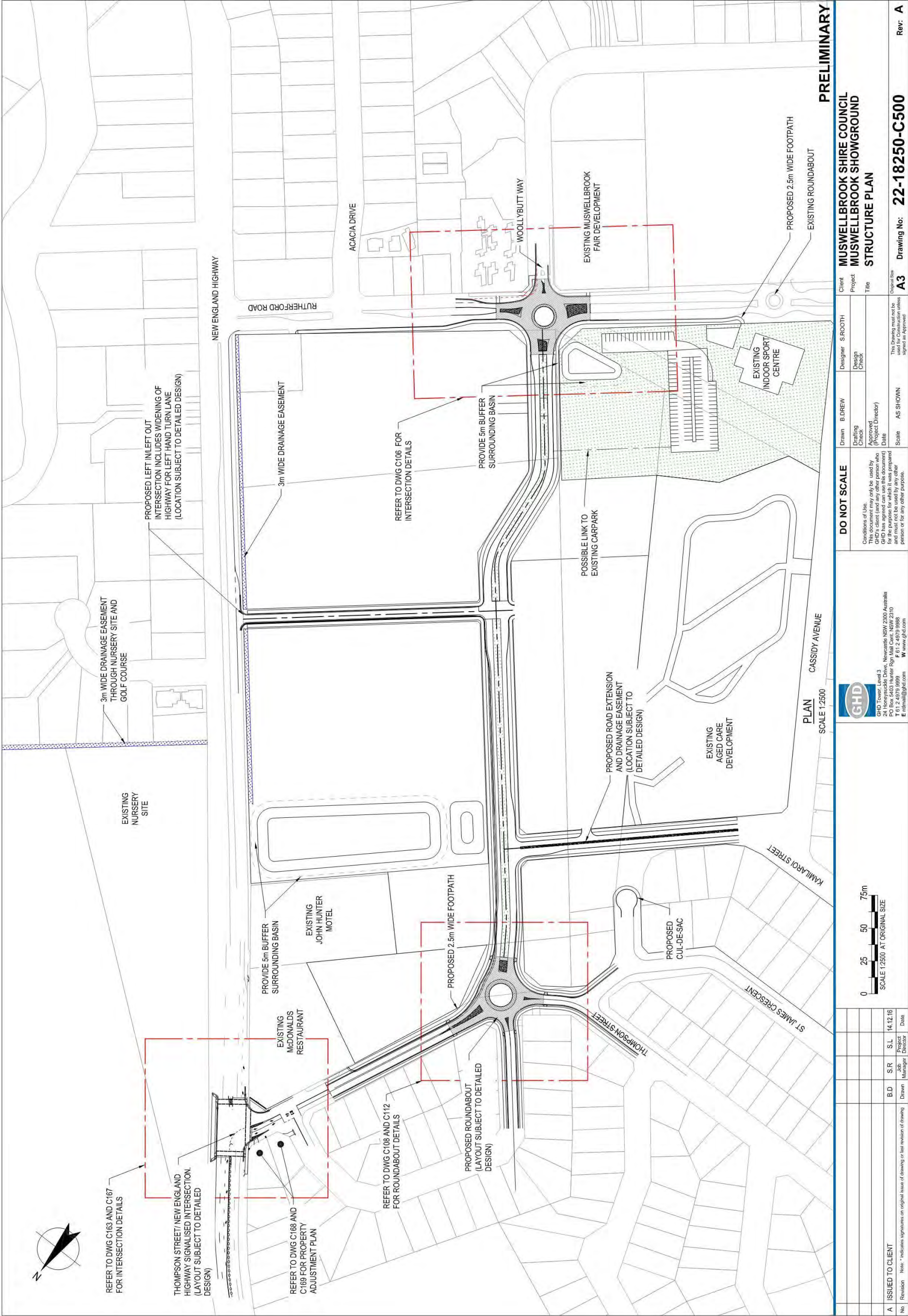
- TC = Total cost of infrastructure generated by new commercial development
- CA = Commercial area (ha) within Muswellbrook South Business District





## Appendices

## **Appendix A** – Structure plan

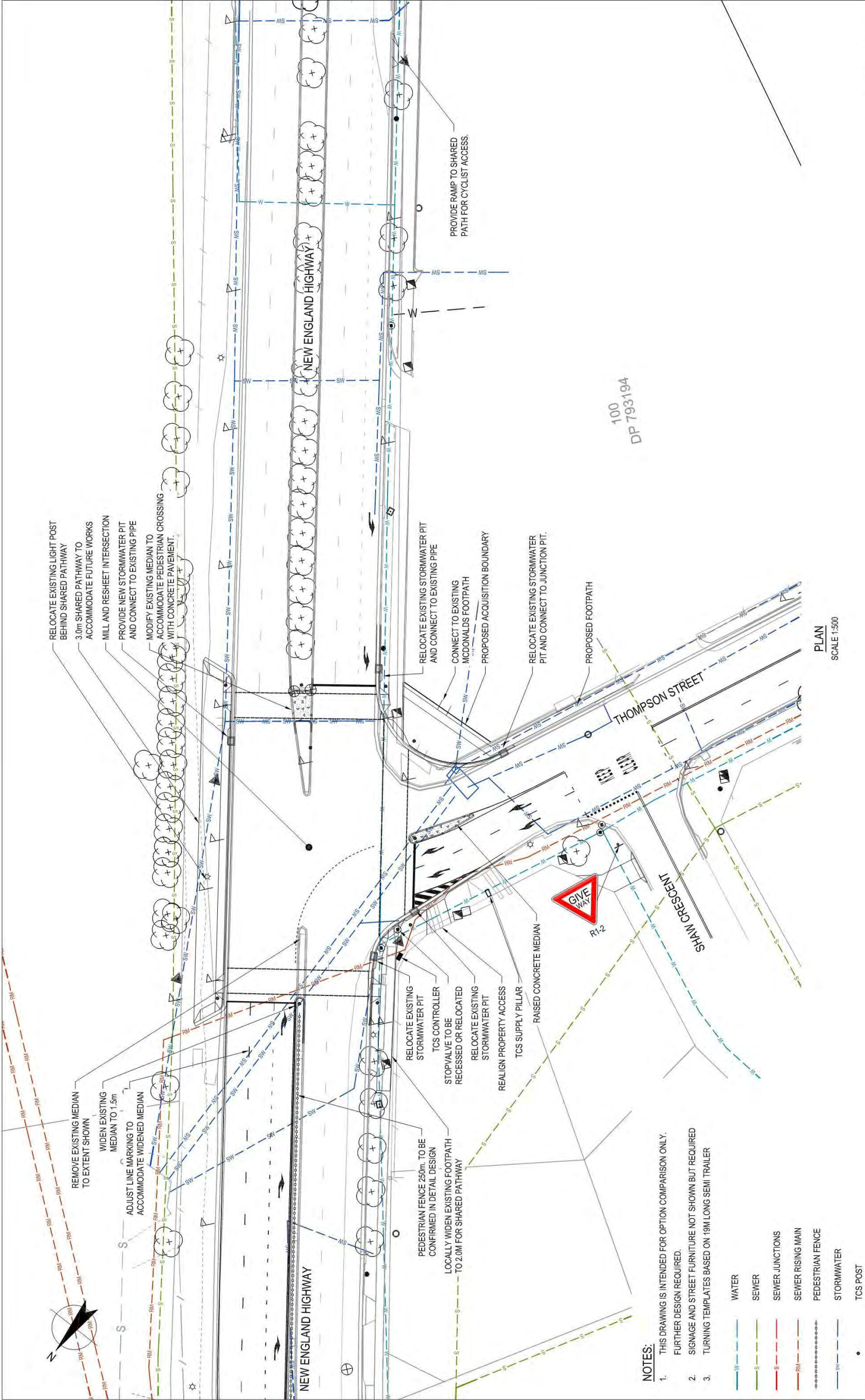




## **Appendix B** – Traffic and transport management facilities





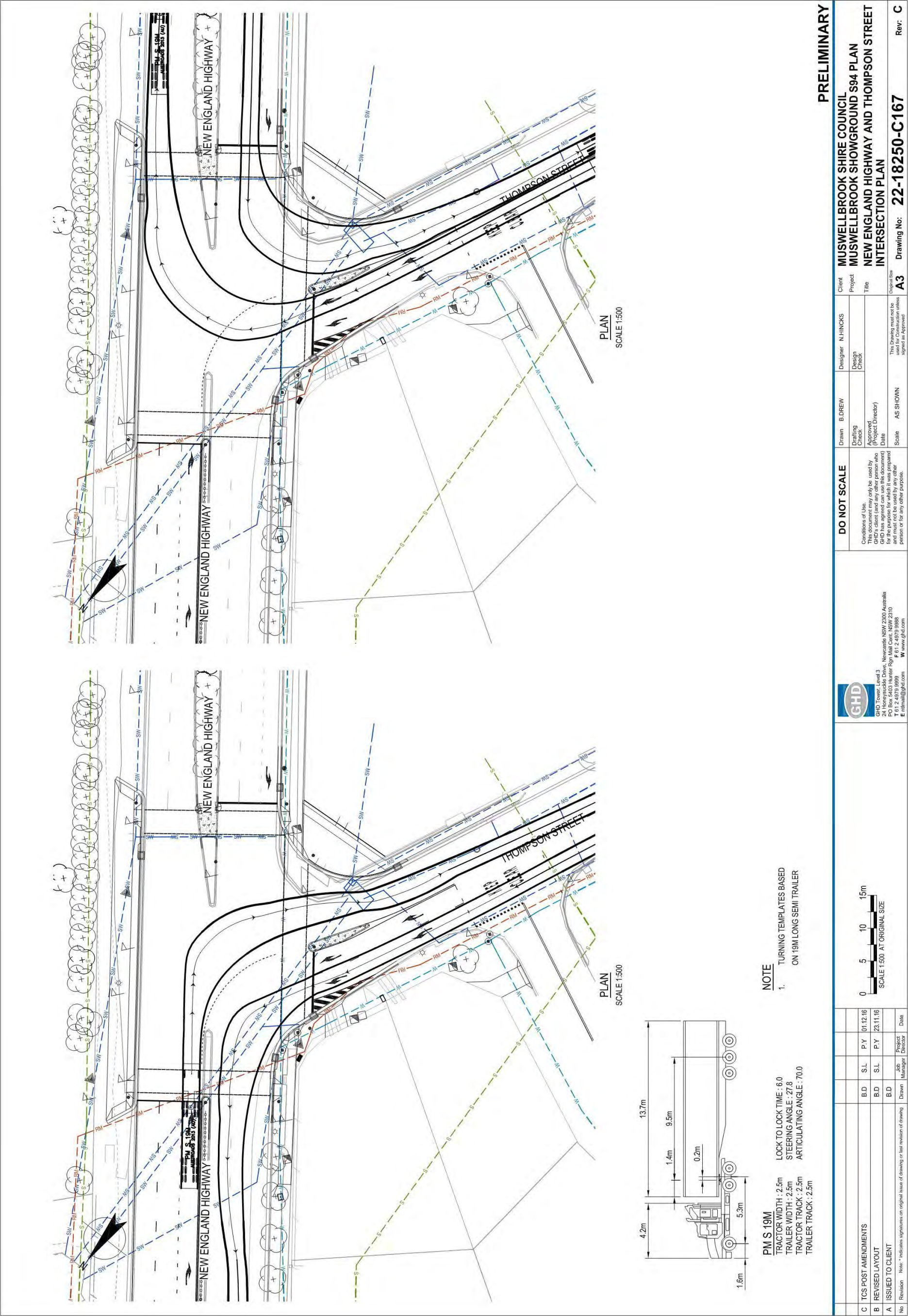


- NOTES:
1. THIS DRAWING IS INTENDED FOR OPTION COMPARISON ONLY. FURTHER DESIGN REQUIRED.
  2. SIGNAGE AND STREET FURNITURE NOT SHOWN BUT REQUIRED
  3. TURNING TEMPLATES BASED ON 19M LONG SEMI TRAILER

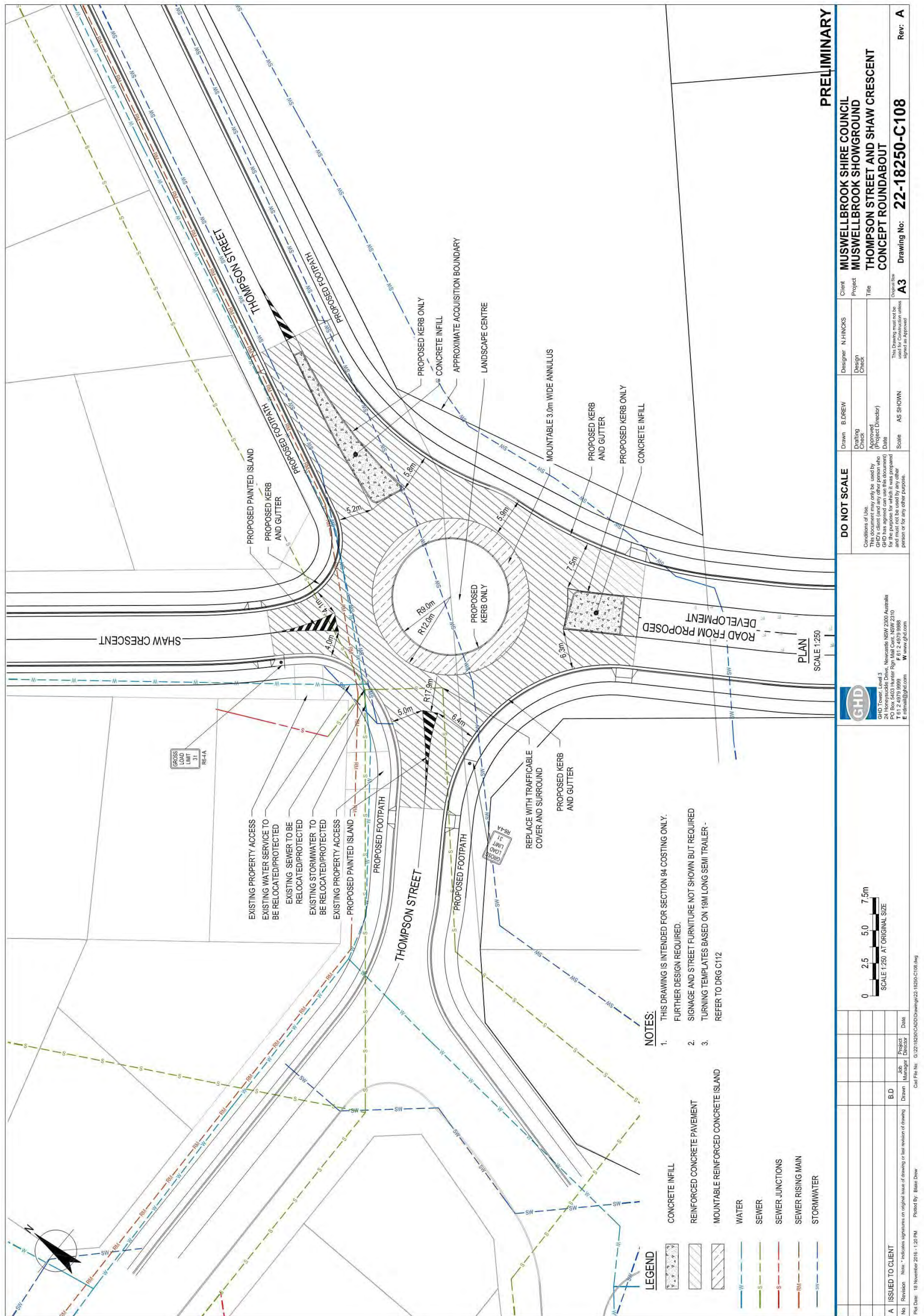
- WATER
- SEWER
- SEWER JUNCTIONS
- SEWER RISING MAIN
- PEDESTRIAN FENCE
- STORMWATER
- TCS POST

D TCS POST AMENDMENTS				B.D	S.L	P.Y	01.12.16
C PEDESTRIAN FENCE AMENDED				B.D	S.L	P.Y	25.11.16
B REVISED LAYOUT				B.D	S.L	P.Y	23.11.16
A ISSUED TO CLIENT				B.D			
No	Revision	Note: * Indicates signposts on original issue of drawing or last revision of drawing					
		Drawn	Job Manager	Project Director	Date		
Client File No: G-02118250/CADD/Drawings/25-18250-C163.dwg				Printed By: Blake Dow			
Preliminary				Scale: AS SHOWN			
Client: MUSWELLBROOK SHIRE COUNCIL				Project Title: MUSWELLBROOK SHOWGROUND S94 PLAN			
Project Title: NEW ENGLAND HIGHWAY AND THOMPSON STREET INTERSECTION PLAN				Original Size: A3			
Drawing No: 22-18250-C163				Rev: D			

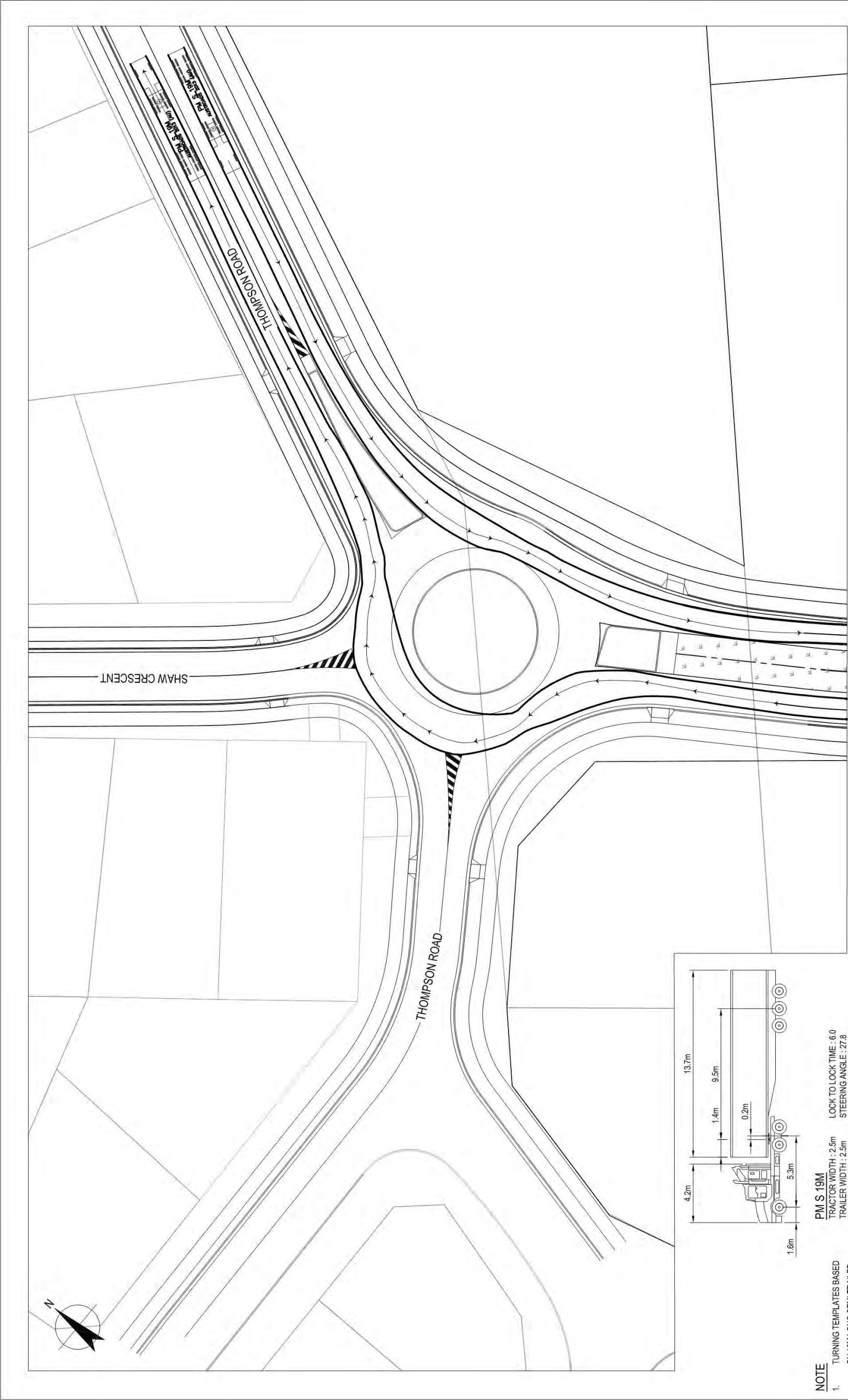












**NOTE**  
1. TURNING TEMPLATES BASED ON 19M LONG SEMI TRAILER

**PM S 19M**  
TRACTOR WIDTH : 2.5m  
TRAILER WIDTH : 2.5m  
TRACTOR TRACK : 2.5m  
TRAILER TRACK : 2.5m  
LOCK TO LOCK TIME : 6.0  
STEERING ANGLE : 27.8  
ARTICULATING ANGLE : 70.0

PLAN  
SCALE 1:500



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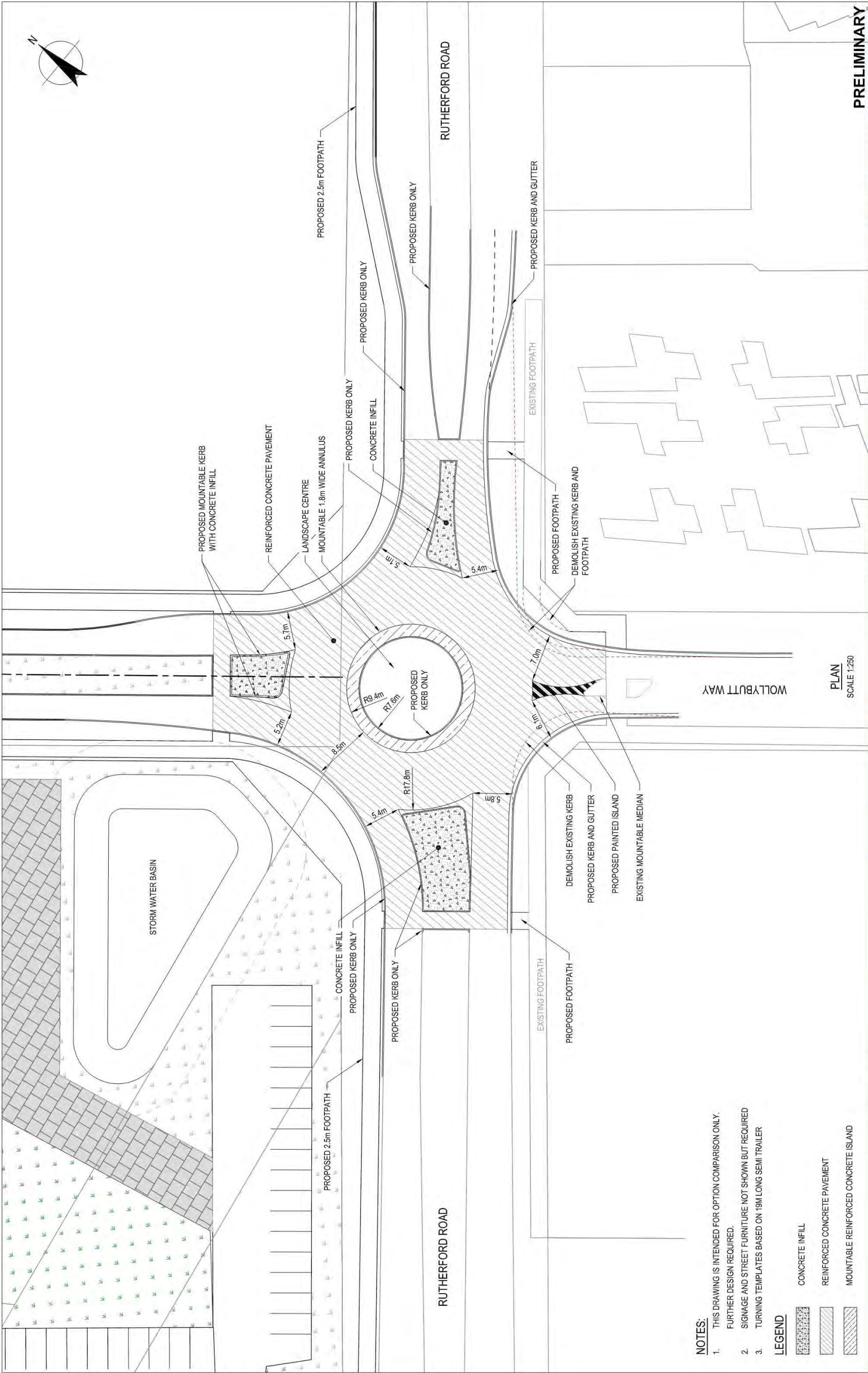
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	Drafting Check		Design Check
	Approved (Project Director)		
	Date		
Scale AS SHOWN			
The Drawing must not be used for Construction unless signed as Approved			
Original Size			
A3			
Drawing No: 22-18250-C112			
Rev: A			

PRELIMINARY

MUSWELLBROOK SHIRE COUNCIL			
MUSWELLBROOK SHOWGROUND			
THOMPSON STREET AND SHAW CRESCENT			
CONCEPT ROUNDABOUT TURNING PATHS			
Client			
Project			
Title			
Original Size			
A3			
Drawing No: 22-18250-C112			
Rev: A			

Plot Date: 18 November 2016 1:16 PM  
Posted By: Blake Drew  
Plot File No: G:\21\18250\CADD\Drawings\22-18250-C112.dwg





- NOTES:**
- 1. THIS DRAWING IS INTENDED FOR OPTION COMPARISON ONLY. FURTHER DESIGN REQUIRED.
  - 2. SIGNAGE AND STREET FURNITURE NOT SHOWN BUT REQUIRED
  - 3. TURNING TEMPLATES BASED ON 19M LONG SEMI TRAILER

**LEGEND**

- CONCRETE INFILL
- REINFORCED CONCRETE PAVEMENT
- MOUNTABLE REINFORCED CONCRETE ISLAND



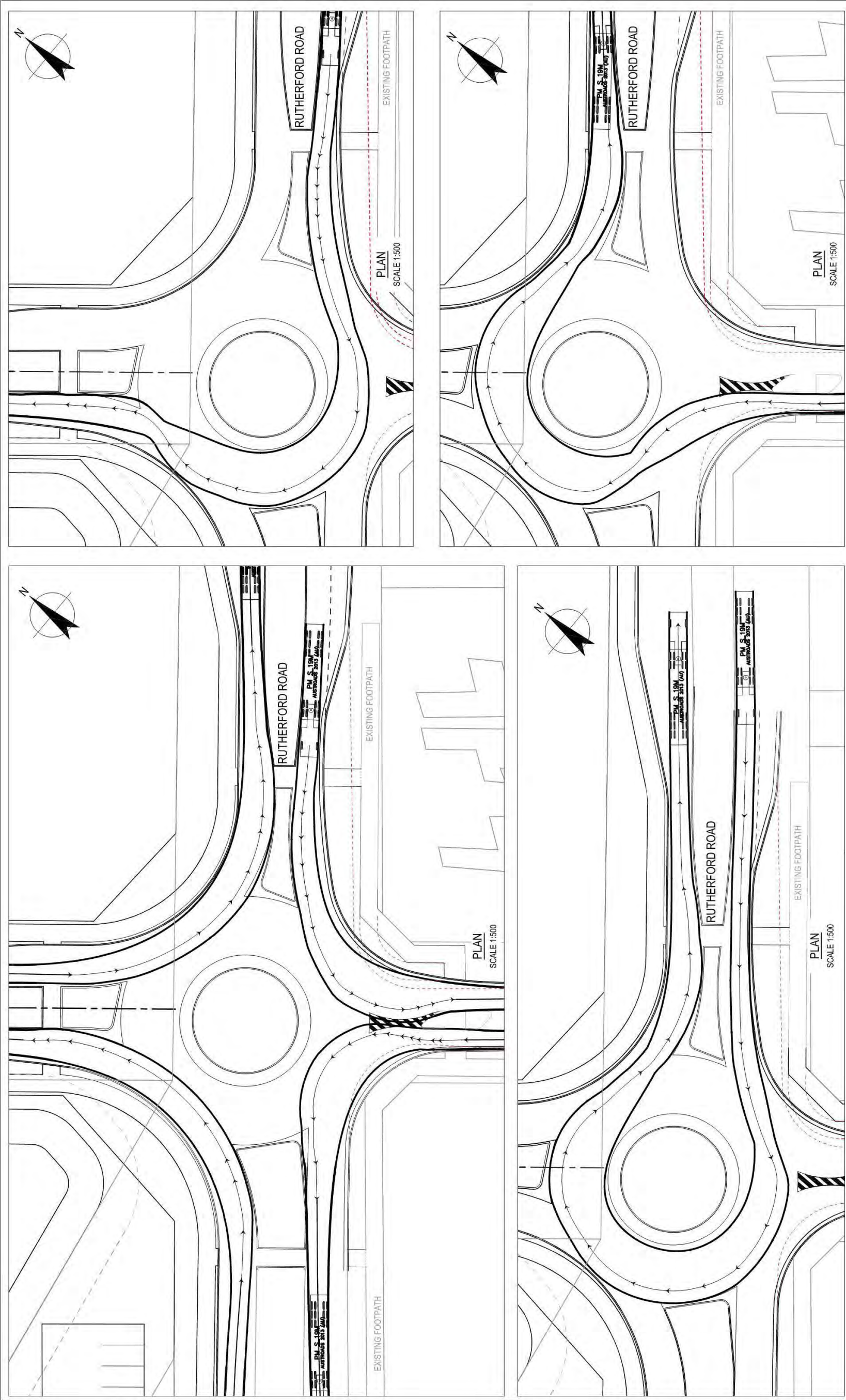
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				MUSWELLBROOK SHIRE COUNCIL	MUSWELLBROOK SHOWGROUND	S.ROOTH	AS SHOWN
					RUTHERFORD ROAD AND WOOLLYBUTT WAY	A. SNEDDON	
					CONCEPT ROUNDABOUT		
				Original Size			
				A3			
				Drawing No:	22-18250-C106		Rev: B

No.	Revision	Date	Drawn	Job Manager	Project Director	Scale
B	PRELIMINARY ISSUE	23.03.16	B.D	S.R	S.L	
A	ISSUED TO CLIENT		B.D			

Plot Date: 24 March 2016 3:21 PM  
Plot By: Steve Routh  
Cadd File No: G:\2218250\CADD Drawings\22-18250-C106.dwg





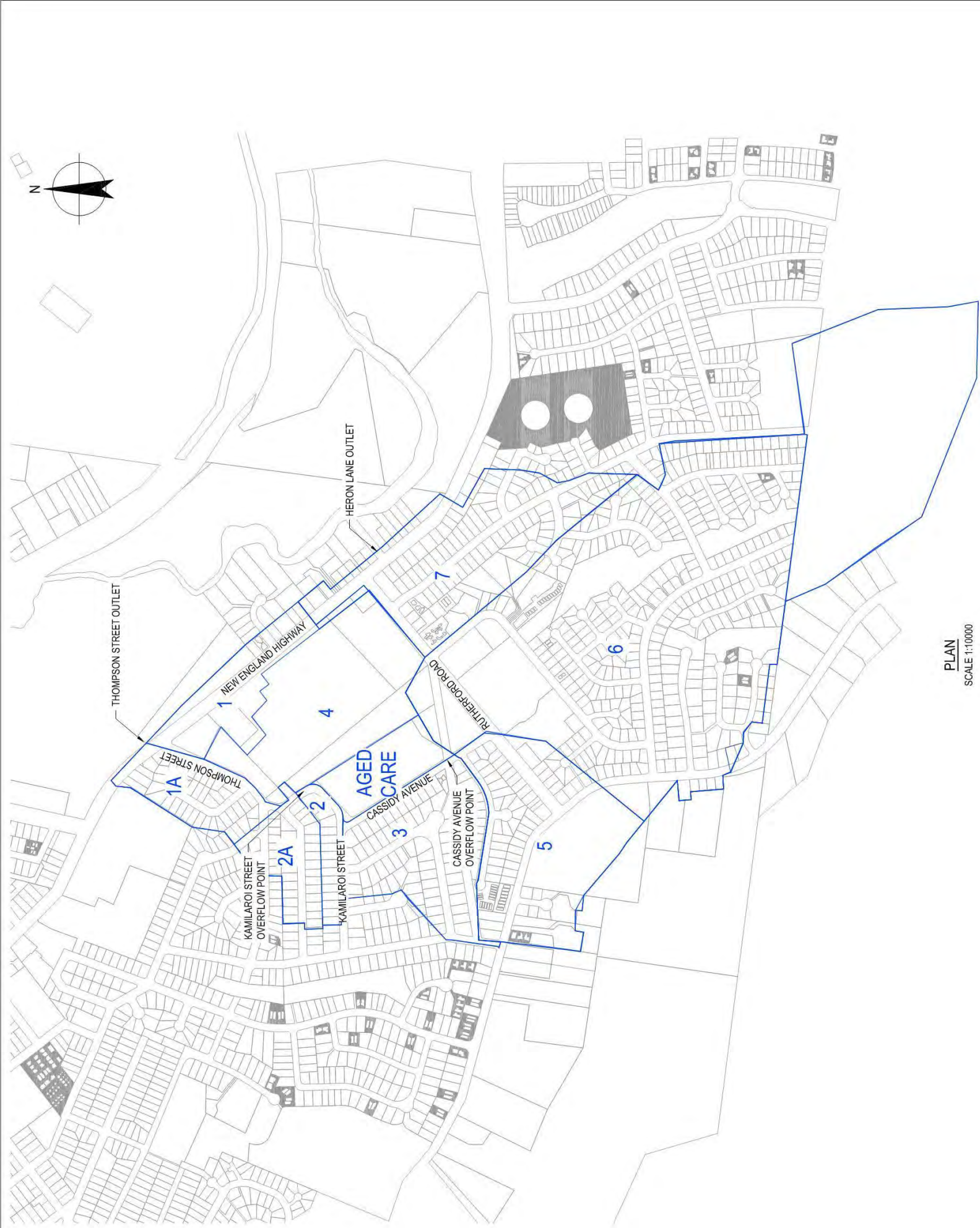
NOTE									
1. TURNING TEMPLATES BASED ON 19M LONG SEMI TRAILER									
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SIZE</div></div><div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></d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PRELIMINARY

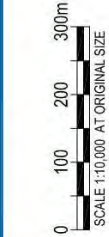


## **Appendix C** – Stormwater management facilities





DRAINAGE CATCHMENTS				
CATCHMENT	TOTAL AREA	PERVIOUS	IMPERVIOUS	
1A	47331.98m <sup>2</sup>	50%	50%	
1	52412.97m <sup>2</sup>	85%	15%	
2A	38634.76m <sup>2</sup>	50%	50%	
2	18306.43m <sup>2</sup>	50%	50%	
3	10218.09m <sup>2</sup>	40%	60%	
4	129779.13m <sup>2</sup>	99%	01%	
5	141009.45m <sup>2</sup>	25%	75%	
6	512391.93m <sup>2</sup>	35%	65%	
7	144644.90m <sup>2</sup>	50%	50%	
AGED CARE	36040.59m <sup>2</sup>	90%	10%	

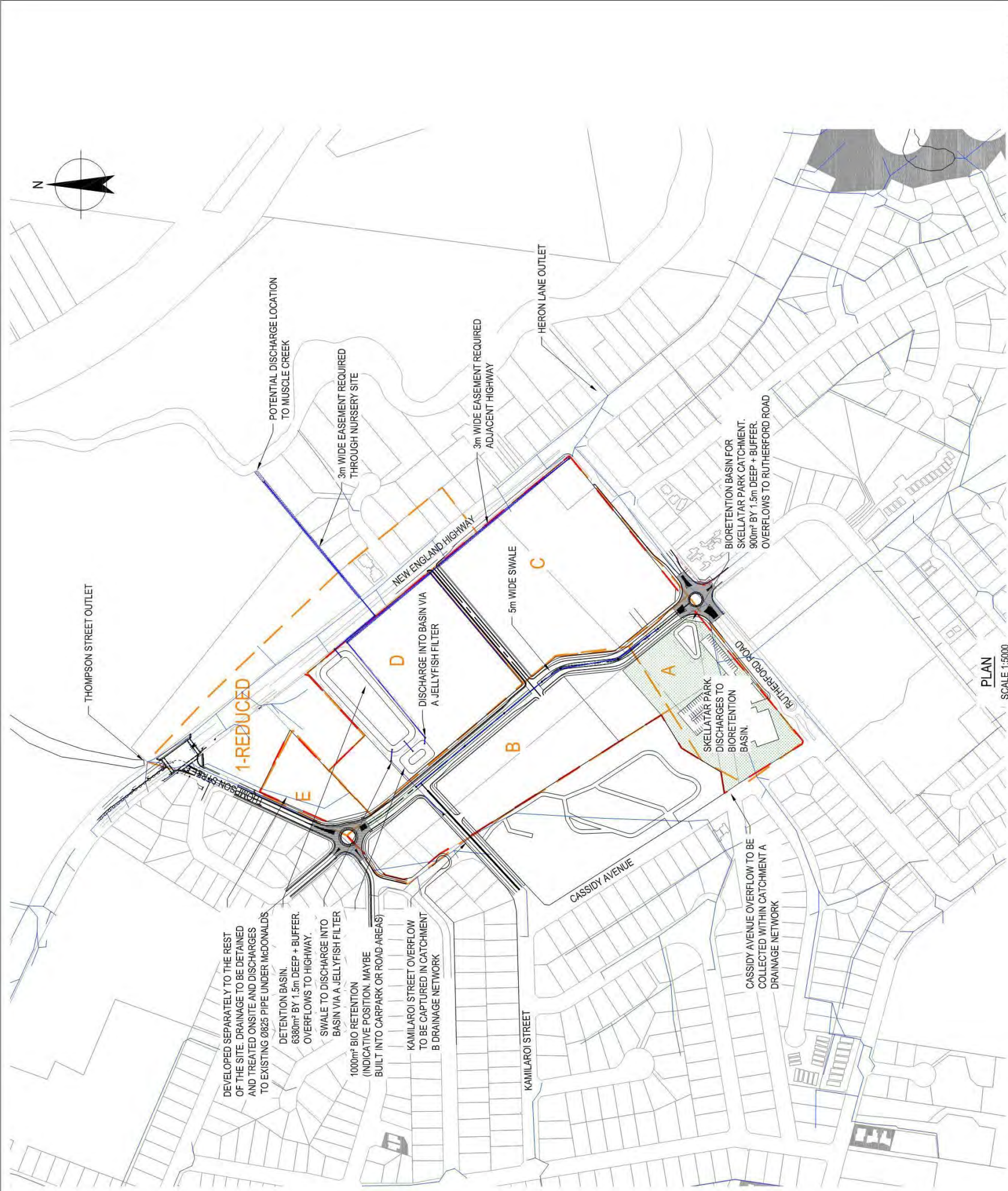


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E [enquiries@ghd.com](mailto:enquiries@ghd.com) W [www.ghd.com](http://www.ghd.com)

DO NOT SCALE		Drawn	B DREW	Designer	S ROOTH	Client	MUSWELLBROOK SHIRE COUNCIL
Conditions of Use: This document may only be used by the person or persons for whom it was prepared and must not be used by any other person or for any other purpose.		Drafting Check	Approved (As Shown) Date	Design Check		Project Title	MUSWELLBROOK SHOWGROUND EXISTING CATCHMENTS
Scale		AS SHOWN		Original Size		A3	Drawing No: 22-18250-C200
A ISSUED TO CLIENT		B.D		Project Manager		Rev: A	
No	Revision	Note: * Indicates signatories on original issue of drawing or last revision of drawing		Date		This Drawing must not be used for Construction unless signed as Approved	
Pld Date: 14 March 2016 - 10:52 AM		Posted By: Blake Drew		Cadd File No: G:\22\18250\CADD\Drawings\22-18250-C200.dwg			

PRELIMINARY





PLAN  
SCALE 1:5000

DRAINAGE CATCHMENTS				
CATCHMENT	TOTAL AREA	IMPERVIOUS	PERVIOUS	
1-REDUCED	42489.64m <sup>2</sup>	85%	15%	
A	23073.05m <sup>2</sup>	70%	30%	
B	45076.42m <sup>2</sup>	60%	40%	
C	46376.31m <sup>2</sup>	90%	10%	
D	39455.64m <sup>2</sup>	90%	10%	
E	8014.15m <sup>2</sup>	90%	10%	



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No	Revision	Date	By	Check	Drawn	Project Manager	Director
B	UPDATED TO MATCH APPROVED STRUCTURE PLAN			S.R.			
A	ISSUED TO CLIENT			B.D			

Plot Date: 11 January 2017 - 10:56 AM  
Printed By: Steve Rooth  
Calc File No: G:\2218250\CADD\Drawings\22-18250-C203.dwg

Client	Project	Designer	Drawn	Checked	Scale	Original Size
MUSWELLBROOK SHIRE COUNCIL	MUSWELLBROOK SHOWGROUND	S.ROOTH	B.DREW	Design Check	AS SHOWN	A3

**DO NOT SCALE**

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**PRELIMINARY**

**MUSWELLBROOK SHIRE COUNCIL**  
**MUSWELLBROOK SHOWGROUND**  
**OPTION 3 PROPOSED CATCHMENTS AND DRAINAGE LAYOUT**

Drawing No: **22-18250-C203**

Rev: **B**

GHD

230 Harbour Drive  
Coffs Harbour NSW 2450

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Document Status

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		Name	Signature	Name	Signature	Date
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# Muswellbrook Development Control Plan 2009

## Section 28 - Muswellbrook Showground

Version: 8.0  
February 2017

Muswellbrook Showground Draft Development Control Plan

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## 1.0 Introduction

### 1.1 Name of the Plan and commencement

This plan is called the Muswellbrook Development Control Plan (DCP) - Section 28 - Muswellbrook Showground. It has been prepared pursuant to the provisions of Section 74C of the *Environmental Planning and Assessment Act 1979* (the Act).

This DCP was adopted by the Muswellbrook Shire Council on *(date to be inserted)* and came into force on *(date to be inserted)*.

### 1.2 Purpose of the Plan

The purpose of this DCP is to guide development of land at the Muswellbrook Showground and surrounding lands for bulky goods premises, vehicle sales premises and mixed use businesses.

### 1.3 Land to which this Plan applies

This DCP applies to development on land known as the Muswellbrook Showground (Lot 22 DP 616590, Lot 10 DP 843828, Lot 11 DP 843828 and Lot 400 DP 578684) and adjoining properties, as shown at **Figure 1 - Land to which this DCP applies** (the site).

### 1.4 Relationship with other Plans

This DCP is a site specific DCP that forms part of the Muswellbrook DCP 2009. It is intended to provide further detailed, site specific guidance in addition to the Muswellbrook LEP 2009, in particular Section 7.7 - Development at Muswellbrook Showground, and the Muswellbrook DCP 2009. The Muswellbrook DCP 2009 will continue to apply to the site, and provides provisions for matters such as outdoor signage and carparking and access. Should there be an inconsistency between this DCP and any other part of the Muswellbrook DCP 2009, this DCP prevails.

### 1.5 Consent Authority

Muswellbrook Shire Council (Council) is the consent authority for development on the site.

Council will consider each application on its merit, having regard to this DCP and the relevant parts of the Muswellbrook DCP 2009, Muswellbrook LEP 2009, any other environmental planning instruments, contributions plans and other council policies.

Council reserves the right to allow variations to the indicative structure plan (figure 2) where Council is satisfied the proposed variations will still be consistent with the vision, development principles and performance criteria of the DCP. Development of land inconsistent with the Figure 2 - Indicative structure plan can occur if the proposed structure is justified by supporting technical investigations, to the satisfaction of the consent authority.

### 1.6 Structure of the Plan

#### Section 1.0 - Introduction

This section contains the legal basis of how and why the document was prepared, identifies land to which the DCP applies and how the DCP relates to other planning documents.

#### Section 2.0 - Vision and Principles

This section establishes the vision and principles for the site. Development must be able to achieve the vision and desired outcomes for it to be approved.

#### Section 3.0 to Section 16 - Performance Criteria and Design Solutions

This section provides performance criteria and design solutions for development for the site. Each development will be assessed on its individual merits, having regard to the performance criteria and design solutions. The performance criteria identify the key outcomes that are to be achieved by development. The design solutions indicate how development may be able to satisfy the performance criteria. An applicant may propose an alternative solution to the design solutions provided that they clearly demonstrate how the performance criteria will be met. Compliance with the design solutions does not guarantee achievement of the performance criteria.

#### Section 17 - Dictionary

Provides definitions for terms used in this part of the DCP that are not defined in the remainder of the Muswellbrook DCP.



### 1.7 Application of the Plan

The provisions of the DCP will apply equally should the site be subdivided and/or developed as a single development or by multiple entities, on a staged basis. If staging is proposed Council will require a concept master plan and a staging plan so it can ensure major infrastructure is co-ordinated to meet the requirements of the development and the wider community. It is the responsibility of the applicant to demonstrate to Council's satisfaction through the development application process that the provisions of this DCP are satisfied.



Figure 1 - Land to which this Plan applies

## 2.0 Vision and Development Principles

### 2.1 Vision

The Muswellbrook Showground is an integrated redevelopment precinct that permits a range of uses allowed under the Muswellbrook LEP land use table; in particular bulky goods premises and vehicle sales and hire premises fronting the New England Highway and Rutherford Road. The site is a large site that is ideally suited to vehicle related business and retail development for the local and Upper Hunter communities. This site complements the role and functions of the Muswellbrook Town Centre and strengthens and diversifies the Muswellbrook economy. The precinct integrates with the surrounding local centre and residential community, and will need to effectively manage the boundary interface with the adjacent residential neighbourhood.

Development needs to make a positive contribution to the visual character of Muswellbrook, with buildings being well designed and the public domain being attractive, comfortable and safe for all. A convenient and efficient movement network needs to provide access and circulation, and cater for all modes of transport, including walking and cycling. New publicly accessible open space is required to provide for a variety of passive and active recreation activities. An integrated stormwater management system is necessary to ensure stormwater quantity and quality outcomes. Development will need to occur in a logical, cost effective manner that is aligned with the provision of infrastructure.

### 2.2 Development Principles

- 2.2.1 Development will need to be oriented to businesses requiring customer access by car, truck and trailer to cater for the larger scale of products sold in the businesses.
- 2.2.2 Development will complement and not adversely impact on the viability of the Muswellbrook Town Centre
- 2.2.3 Development provides for uses allowed for the land under the Muswellbrook LEP land use table, in particular bulky goods premises and vehicle sales and hire premises.
- 2.2.4 Development has a strong and clearly defined spatial structure, with bulky goods premises and vehicle sales located at the public road frontages of the site.
- 2.2.5 Development integrates with the surrounding community, with streets, land uses and open space connecting with surrounding areas
- 2.2.6 Development addresses and minimises adverse impacts on the amenity of the surrounding established residential community
- 2.2.7 Development has a well-designed built form, with buildings having a scale, form and design that is appropriate to its visually prominent location
- 2.2.8 Development creates a comfortable, attractive and safe public domain
- 2.2.9 Development establishes an integrated, efficient, legible and safe movement network that encourages the use of public transport, walking and cycling and minimises impacts on the New England Highway
- 2.2.10 Development creates a high quality open space network, including the creation of a new park and the provision of high quality landscaping to the New England Highway
- 2.2.11 Development provides an integrated stormwater management system that addresses stormwater quality and quantity on site
- 2.2.12 Development achieves a high level of environmental performance
- 2.2.13 Development occurs in a logical and cost effective manner

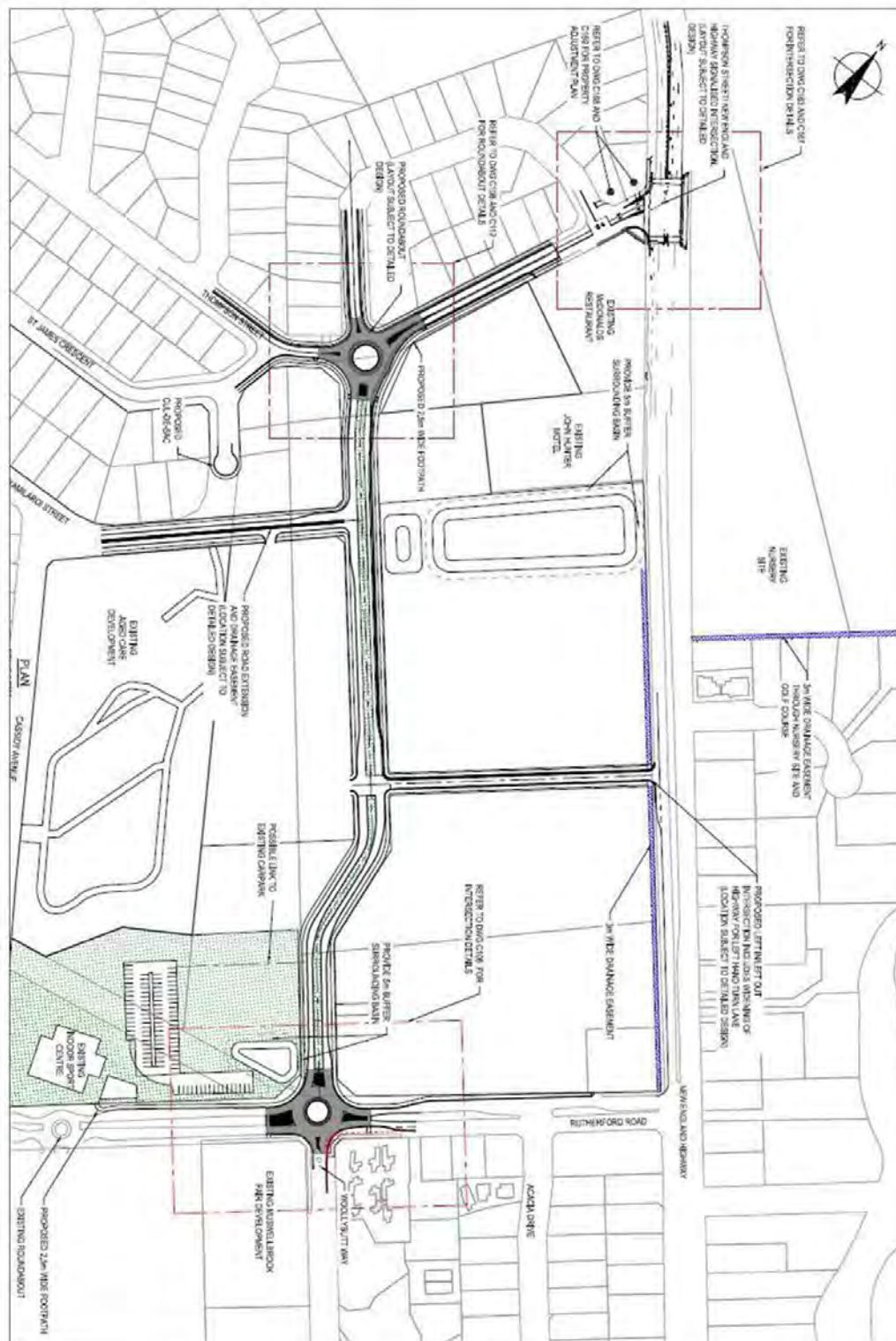
### 3.0 Land Use

Performance criteria	Design solution
<p>PC To ensure that development:</p> <ol style="list-style-type: none"> <li>is development that requires customer access with cars, trucks and trailers for products purchased due to the size or scale of those products.</li> <li>complements and does not adversely affect the economic role and viability of the Muswellbrook Town Centre.</li> <li>does not include uses that are most appropriately located in the Muswellbrook Town Centre such as small tenancy retailing and commercial uses.</li> </ol>	<p>DS The distribution of land use occurs in accordance with <b>Figure 2 - Indicative structure plan</b></p> <p>DS Minimum net lettable area (NLA) of an individual bulky goods tenancy is 500m<sup>2</sup> and for any commercial or retail use is 400m<sup>2</sup></p> <p><i>Note: a GFA schedule clearly identifying the amount of each tenancy is required to be submitted to Council with any DA for development in the Precinct</i></p>

### 4.0 Urban Form and Structure

Performance criteria	Design solution
<p>PC To ensure development comprises an urban form and structure that:</p> <ol style="list-style-type: none"> <li>complements and integrates with the adjoining local centre</li> <li>minimises conflict between different land uses</li> <li>maximises economic advantage for non-residential uses</li> </ol>	<p>DS Development occurs in accordance with <b>Figure 2 - Indicative structure plan</b></p> <p>DS Bulky goods premises and vehicle sales and hire premises are located at the public road frontages of the site</p> <p>DS Commercial activity will be serviced by new roads focussing activity at the New England Highway and Rutherford Road frontages, and away from the adjacent residential neighbourhood.</p> <p>DS No commercial development can occur until Council has approved an overall subdivision plan for the site and internal access roads have been constructed, or part constructed, to any individual development site.</p>

**Figure 2 - Indicative structure plan**



## 5.0 Built Form

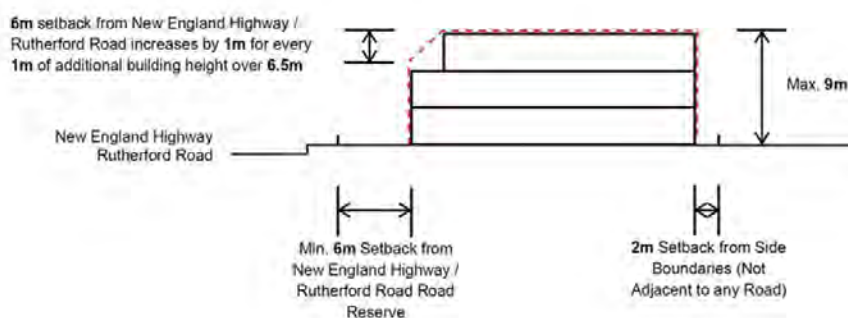
Performance criteria		Design solution	
Building bulk and scale			
PC	To ensure buildings have a bulk and scale that: <ul style="list-style-type: none"><li>a. Is compatible with existing development</li><li>b. does not create inappropriate amenity impacts such as excessive overshadowing</li><li>c. creates an appropriate relationship to street frontages and public domain</li><li>d. provides a transition to established residential areas</li></ul>	DS	Maximum building height is to comply with Muswellbrook LEP 2009, Height of Building Map.
		DS	Provide a minimum 6m wide landscape area to any development fronting the New England Highway or Rutherford Road.
		DS	Development is contained within the building envelopes specified in Figure 3 - Building Envelopes
		DS	A “Muswellbrook South Shopping Centre” directory sign is provided in a splay at the New England Highway/Rutherford Road intersection.
		DS	Maximum site cover is 85%
PC	To ensure buildings are setback from streets and separated from each other to <ul style="list-style-type: none"><li>a. reduce the visual appearance of building bulk and scale</li><li>b. enable adequate sunlight and daylight access and natural ventilation</li><li>c. create an appropriate relationship to the street and public domain</li><li>d. enable the creation of a landscaped open space strip to the New England Highway</li></ul>	DS	Development is contained within the building envelopes specified in Figure 3 - Building Envelopes
		DS	Provide a minimum 6m wide landscape area to any development fronting the New England Highway or Rutherford Road.
Building design			
PC	To ensure buildings are well-designed and: <ul style="list-style-type: none"><li>a. create a high quality visual character consistent with the site’s prominent, gateway location</li><li>b. create a high quality streetscape for the New England Highway and Rutherford Road</li><li>c. incorporate measures that reduce the visual appearance of building bulk and scale</li><li>d. activate the public domain</li></ul>	DS	Each tenancy has at least one pedestrian entrance that directly faces and is accessible from the adjoining public domain
		DS	Facades fronting streets incorporate large, transparent glass windows at the ground level that enable people on the street to perceive activity within the building
		DS	Facades fronting streets are articulated through the use of: <ul style="list-style-type: none"><li>a. variation in form and massing</li><li>b. recesses and projections</li><li>c. elements of a finer scale than</li></ul>



Attwellbrook Showground Draft Development Control Plan

Performance criteria		Design solution	
e. do not include large expanses of blank, unarticulated facades facing streets			the main structural framing such as eaves and awnings
		d. expressive roof forms	
		DS	Mechanical plant are incorporated into the overall building design
Vehicle sales or hire premises		DS	Large expansive blank walls over 15m in length without articulation are not permitted
PC	Vehicle sales or hire premises create an attractive, visually cohesive streetscape and minimise the amount of uncovered hardstand surfaces	DS	Minimum site cover is 30%
		DS	At least 10% of vehicles per tenancy are displayed for sale or hire within a building
		DS	Building exteriors that face the New England Highway are constructed from a combination of high quality, durable materials such as concrete, brick, stone or glass

Setback from New England Highway / Rutherford Road Boundary



Setback from Internal and Other Local Roads

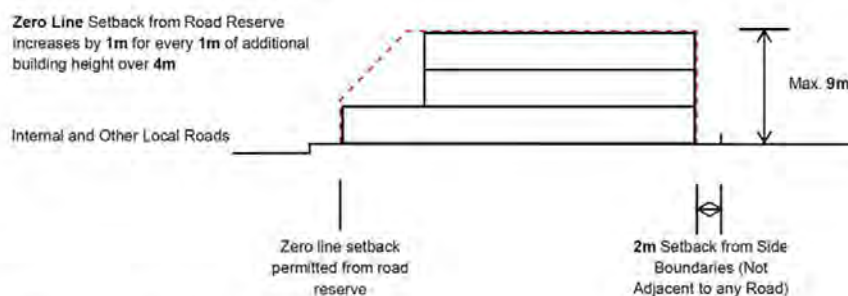


Figure 3 - Building Envelopes

## 6.0 Public Domain

Performance criteria		Design solution	
PC	Development creates a high quality, attractive, comfortable and safe public domain	DS	Public domain is provided in accordance with <b>Figure 2 - Indicative Structure Plan</b>
		DS	Publicly accessible outdoor gathering and resting spaces are provided and: <ul style="list-style-type: none"> <li>a. are located outside or close to main building entries</li> <li>b. maximise sunlight and daylight access in cooler months, provide shade in warmer months through vegetation of built structures and minimise adverse wind conditions</li> <li>c. are co-located with compatible tenancies that will increase the use or enjoyment of the space such as cafes</li> </ul>
		DS	Street furniture is provided that includes a high quality, durable and co-ordinated selection of: <ul style="list-style-type: none"> <li>a. seating</li> <li>b. lighting</li> <li>c. rubbish bins</li> <li>d. signage</li> </ul>
		DS	Street trees are provided on all streets and achieve the following outcomes: <ul style="list-style-type: none"> <li>a. co-ordinated palette of climatically responsive species</li> <li>a. reinforce the street hierarchy and create distinct places</li> <li>b. be robust and low-maintenance</li> <li>c. be planted in a co-ordinated, regularly spaced and formalised manner</li> <li>d. increase the comfort of the public domain for pedestrians</li> <li>e. enhance the environmental performance of the precinct by increasing opportunities for energy efficiency, reducing the heat island effect.</li> </ul>
		DS	A public domain plan is to be submitted with the relevant development application that details the design, maintenance and management of new public streets.

## 7.0 Boundary Interfaces

Performance criteria		Design solution	
Street frontages			
PC	To ensure development creates a visually attractive streetscape	DS	Building utility areas, including vehicle loading, unloading, outdoor storage areas and refuse storage and collection areas are designed and located to not be visible from a public street
Building layout and design			
	To ensure building layout and design minimises adverse impacts on adjoining and nearby sensitive receiving environments	DS	Building layout and design locates noise sources, in particular vehicle loading and unloading areas, away from sensitive receiving environments such as residential uses
		DS	Where noise sources cannot reasonably be located away from sensitive receiving environments, development incorporates noise mitigation measures that reduce noise transmission to acceptable levels
Fencing			
PC	To provide fencing that: <ul style="list-style-type: none"><li>a. makes a positive contribution to the streetscape</li><li>b. is constructed from high quality, durable materials</li><li>c. provides an effective visual and functional screen for adjoining development</li><li>d. increases safety and security</li></ul>	DS	Where provided along a street frontage, fencing is a maximum of 1.2m in height and is at least 50% transparent or where provided along a street frontage to screen utility areas such as vehicle loading and unloading or refuse storage and collection areas, fences may be solid and are to have a maximum height of 1.8m and a street frontage of vehicle display areas, fences may be at least 66% transparent and are to have a maximum height of 1.8m. <i>Note: transparency may be provided through spaces between fencing elements such as timber battens or palings</i>
		DS	Fencing is provided along all non-road frontage site boundaries
		DS	Fencing is constructed from concrete block, brick, stone, metal or timber
		DS	Solid fencing having a minimum height of 1.8 metres is provided along all boundaries with adjoining residential zoned land
		DS	Fencing is provided in conjunction with landscaping to minimise adverse visual amenity impacts on adjoining residential zoned land

Performance criteria		Design solution	
		DS	Where addressing a grade change, retaining walls are terraced to ensure that the maximum height difference between properties is 1m
Where adjoining land in a residential zone			
PC	To ensure development does not have a significant adverse impact upon the amenity of adjoining residential land uses by:	DS	Development is set back a minimum of 2m from the common side and /or rear boundaries
	<ul style="list-style-type: none"> <li>a. loss of sunlight and daylight access to the main living areas of dwellings and adjoining principal private open space</li> <li>b. overlooking and loss of privacy</li> <li>c. blocking of air circulation and natural ventilation</li> <li>d. light spill</li> </ul>	DS	Lighting is located and designed to avoid light spill on to adjoining residential zoned land

## 8.0 Movement Network

This part of the DCP is to be read and interpreted in conjunction with Section 16 - *Car Parking and Access of the Muswellbrook DCP*

Performance criteria		Design solution	
Street Layout			
PC	To establish a convenient, safe and efficient movement network that caters for private vehicles, public transport, pedestrians and cyclists	DS	The street network is provided generally in accordance with <b>Figure 2 - Indicative structure plan</b>
PC	To integrate with the surrounding road network	DS	Woollybutt Way is extended northwards into the site to connect with Thompson Street
PC	To minimise impacts on the efficiency or safety of the New England Highway or local road network	DS	Vehicle access points are provided into the site from the New England Highway in accordance with <b>Figure 2 - Indicative structure plan</b>
		DS	The internal road network is designed to create low-speed traffic environments through the use of traffic calming devices and corner and intersection treatments
Pedestrian Network			
PC	To provide a connected, safe and comfortable pedestrian network that connects all parts of the site and	DS	The pedestrian network is provided generally in accordance with <b>Figure 2 - Indicative structure plan</b>

Performance criteria		Design solution	
provides access for disabled persons		DS	Pedestrian access throughout the site is designed and constructed in accordance with Section 9 - Local Centre Development, Part 9.1.4 - Accessibility of the Muswellbrook DCP 2009 and
<b>Cyclist Access</b>			
PC	To encourage cyclist access for workers and shoppers	DS	Safe and accessible public bicycle parking facilities are provided close to building entries
<b>Universal Design</b>			
PC	The pedestrian and cycle network is designed to provide universal access	DS	Pedestrian and cycle ways, as well as pedestrian refuge islands, are designed so that they are fully accessible by all users in terms of access points and gradients, in accordance with AS 1428 (Part 1 to 4 Design for Access and Mobility)
<b>On-site Carparking</b>			
PC	Sufficient on-site carparking is provided to cater for user demand and does not result in demand for on-street parking	DS	Carparking and access, including carparking rates, is provided in accordance with section 16 of the Muswellbrook DCP 2009
		DS	Carparking is provided in integrated areas that do not rely on the use of internal circulation roads to move between different parts of the carparking
		DS	Multiple access points from internal access roads to areas of carparking are provided to minimise congestion
		DS	Carparking layout is legible, with access points, circulation routes and intersections clearly evident
		DS	Cul-de-sac are avoided

## 9.0 Open Space and Landscaping

Performance criteria		Design solution	
Public open space			
PC	To create a public open space network that:  a. of sufficient size, dimensions and condition to cater for a variety of informal passive and active recreation activities	DS	The open space network is provided in accordance with <b>Figure 2 - Indicative structure plan</b>



Performance criteria		Design solution	
	b. integrates stormwater management devices		
PC	To maximise the visual and physical accessibility and safety of public open spaces	DS	A minimum of 50% of the perimeter of a public open space is surrounded by a public street
		DS	Fencing of properties adjoining public open spaces facilitates opportunities for passive casual surveillance of the open space
Landscaping			
PC	To use landscaping to mitigate the visual impact of buildings and hardcover surfaces	DS	A minimum of 5% of any site is landscaped
		DS	Landscaping is used to define the edges of internal streets, the ends of carparking bays and the boundaries between rows of carparking
		DS	Landscaping is provided to soften the impacts of buildings, as a screen for visual intrusions, to screen parking areas and improve the streetscape
PC	To ensure landscaping contributes to personal and property safety	DS	Landscaping used in internal streets and carparking areas maintains safe sight-lines for vehicles, pedestrians and cyclists
PC	To use landscaping to make a positive contribution to the visual character and quality of streets, in particular the New England Highway	DS	A continuous landscaped area having a minimum width of 6m is provided along the New England Highway and Rutherford Road boundaries of the site
PC	To ensure a high quality of landscape design	DS	Detailed landscape plans are to be provided at the development assessment stage for each public open space that demonstrates how the provisions of this DCP are to be achieved

## 10.0 Water

This part of the DCP is to be read and interpreted in conjunction with Section 25 - *Water Management* and Section 20 - *Erosion and Sediment Control* of the Muswellbrook DCP

Performance criteria		Design solution	
PC	To manage stormwater on-site to ensure that no flooding occurs as a result of development and that the quality of stormwater discharged from the site does not adversely affect the	DS	The stormwater management network is provided in accordance with <b>Figure 2 - Indicative Structure Plan</b>
		DS	Water sensitive urban design measures

Performance criteria		Design solution	
	environmental values of receiving waters		such as bio-filtration systems, including rain gardens or roadside swales, are incorporated into the design of the open space, movement networks and carparks in appropriate locations
PC	To incorporate water elements into landscape design as water features, places of recreation, environmental habitats, amenity or as specific facilities	DS	<p>Detention basins and other water elements are designed to:</p> <ol style="list-style-type: none"> <li>be an integral part of the surrounding open space</li> <li>have an informal, natural character</li> <li>have gentle gradients</li> <li>are planted with wetlands species that can tolerate fluctuations into water volumes and levels</li> </ol>

## 11.0 Safety and Security

Performance criteria		Design solution	
PC	<p>To provide high levels of personal and property safety and security through meeting the principles of Crime Prevention through Environmental Design (CPTED) including:</p> <ol style="list-style-type: none"> <li>maximising opportunities for casual surveillance of the public domain, including parks</li> <li>maximising legibility of the movement network, public domain and building entrances</li> <li>maximising visibility and minimising concealed areas</li> <li>clearly demarcating the public and private domain</li> <li>adequate lighting to all areas of the public domain</li> </ol>	DS	Landscape design and planting provides adequate sight-lines for pedestrian visibility
		DS	Lighting is provided in all streets, public spaces and parks, particularly along pedestrian and cyclist routes
		DS	Pedestrian pathways in parks are direct and have clear sightlines
		DS	Signage is provided that adequately describes pathways and facilities
		DS	The design of streets and location of street furniture is to allow adequate sight lines for motorists
		DS	Driveway entry and exits are to provide adequate sight lines to adjacent footpaths, streets and cycle ways
		DS	Public spaces, including streets, parks, squares and plazas must be directly overlooked by adjacent development

## 12.0 Contamination

Performance criteria	Design solution
<b>PC</b> To ensure that human health and safety is not placed at unreasonable risk from contamination	<b>DS</b> A Remediation Action Plan is prepared that outlines the remediation goals, methods of remediation and validation requirements, including information on removal and/or remediation of contaminated soils, and other information and preparation and implementation of an appropriate Construction Management Plan and Site Management Plan  <i>Note: reference is to be made to Council's Contaminated Land Policy No. C20/1 and Phase 1 Environmental Site Assessment prepared by Environ Australia Pty Ltd (May 2014)</i>

## 13.0 Signage

This part of the DCP is to be read and interpreted in conjunction with Section 14 - *Outdoor Signage* of the Muswellbrook DCP

Performance criteria	Design solution
<b>PC</b> Signage is located and designed to: <ul style="list-style-type: none"> <li>a. complement buildings</li> <li>b. relate in a coherent and integrated way to other signage</li> <li>c. contribute to the vitality and legibility of the precinct</li> <li>d. not adversely impact upon streetscape quality</li> <li>e. not adversely affect amenity</li> <li>f. not pose a safety hazard, in particular by distracting motorists</li> </ul>	<b>DS</b> Signage size, height and dimensions is appropriate to the scale of the building  <b>DS</b> Signage format, materials, colours, illumination and other details are compatible with the building and appropriate to the surrounding context  <b>DS</b> Signage is located in distinct, specific locations within building facades, with the balance of the facade comprising natural materials and colours  <b>DS</b> Signage is integrated into the building design  <b>DS</b> Size, design and illumination does not cause adverse amenity impacts, including through creating a light nuisance  <b>DS</b> Signage directly relates to the use of activity undertaken within the building or tenancy

## 14.0 Sustainability

Performance criteria	Design solution
<b>PC</b> To minimise the impact of development on the environment, in	<b>DS</b> Indigenous plants are used in landscaping to minimise potable water

Performance criteria	Design solution
particular by:	demand
a. encouraging the use of public transport, walking and cycling	DS Where appropriate, opportunities for passive natural ventilation are provided
b. making efficient use of land	DS Where possible, solar panels are incorporated within rooftops
c. reducing demand for artificial lighting, cooling and heating	DS Building siting, layout and design maximises daylight access to internal spaces through measures such as orienting buildings to the north and incorporating large north facing transparent windows
d. reducing demand for potable water use	DS Shade trees with expansive canopies are provided within carparks to reduce the amount of direct sunlight access to hardcover surfaces
e. maximising energy efficiency	DS Roof-water is collected and used within the site for appropriate non-potable uses such as landscape irrigations, toilet flushing and cleaning
f. maximising reuse and recycling	DS Stormwater management devices that reduce the flow of captured water and improve stormwater quality are incorporated into the site, in particular within or adjacent to outdoor carparking areas
g. incorporating passive solar design measures	DS Landscaping maximises the amount of impervious surfaces
	DS Development reduces the amount or intensity of direct sunlight accessing west facing external building facades through the incorporation of external shading devices to such as eaves of awnings, or incorporates screening vegetation

## 15.0 Infrastructure

Performance criteria	Design solution
PC To provide adequate urban standard infrastructure is provided to the site in a timely and cost effective way	DS The site is provided with reticulated water, sewerage, drainage, electricity and telecommunications services
PC To ensure high quality public street frontages	DS Frontage to the site must provide the following to an appropriate urban standard: <ul style="list-style-type: none"> <li>a. high quality paved carriageway and kerb and channel</li> <li>b. a safe, accessible, high quality</li> </ul>

Performance criteria	Design solution
	<p>public walkway compatible and integrated with the surrounding environment</p> <p>c. high quality, finished roadway verge with appropriate street tree plantings and robust, low-maintenance landscaping</p> <p>d. effective drainage</p> <p>e. appropriate conduits to facilitate the provision of required street lighting systems and traffic signals</p> <p>f. shared services trenches</p>

## 16.0 Staging

Performance criteria	Design solution
<p>PC To provide a logical and cost effective staged pattern of development that is aligned with the provision of infrastructure</p>	<p>DS The proposed development staging is to be included in a master plan accompanying the first Development Application for Council approval to enable integration of major infrastructure provision.</p>

## 17.0 Dictionary

Term	Meaning
Impervious surfaces	Surfaces that do not allow the direct infiltration of water into the ground. They are typically used to facilitate the conveyance of motor vehicles. Examples include concrete and bitumen.
Mechanical plant	Ancillary structures, typically attached to a building, that support the functioning of a building such as air-conditioning plant, water and sewerage pipes, rainwater downpipes and ventilation ducts.
Site Cover	The proportion of the site covered by buildings, structures and paving expressed as a percentage of the total site area.

## 18.0 References

1. Muswellbrook Local Environmental Plan 2009
2. Muswellbrook Development Control Plan 2009
3. Muswellbrook Shire Council's Contaminated Land Policy No. C20/1
4. Muswellbrook South Business District Section 94 Developer Contributions Plan (December 2016)
5. Traffic Impact Study (December 2016) prepared by GHD
6. Drainage Investigation and Options Report (December 2016) prepared by GHD



**10.5 DIRECTOR'S REPORT - PLANNING, COMMUNITY & CORPORATE SERVICES**

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Fiona Plesman - Acting Director - Planning, Community & Corporate Services
<b>Author:</b>	Jade Richardson - Co-Ordinator, Customer Service & Administration Carolyn O'Brien - Manager, Community Services
<b>Community Plan Issue:</b>	<i>Progressive leadership</i>
<b>Community Plan Goal:</b>	<i>That Muswellbrook Shire is well led and managed</i>
<b>Community Plan Strategy:</b>	<i>Operational efficiency</i>

**PURPOSE**

To report on those aspects of the Operational Plan which require monthly updates to be provided to Council.

**OFFICER'S RECOMMENDATION**

The information contained in this report be noted.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**REPORT****1. PLANNING & REGULATORY SERVICES****Statistical Information**

**Note:** Statistics for Section 149 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 (18 Nov. to 11 Jan. 2016)**

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
36/2016	S96(1a) Modification - Changes to Conditions	Hebden Road Hebden	0
123/2016	Glass Enclosure of Existing Timber Deck	44 Virginia Street Denman	32,000
119/2016	Above Ground Swimming Pool	11 Grant Miller Street Muswellbrook	5,000
118/2016	Carport	3 Claret Avenue Muswellbrook	4,100
117/2016	Demolition of Existing Building	79 Aberdeen Street Muswellbrook	60,000
116/2016	Cook & Sell Food to Public from Home	816 Muscle Creek Road Muscle Creek	0
115/2016	Home Business - Beauty Salon	6 Mitchell Street Muswellbrook	3,000
3/2000/2	S96(1a) Modification - Widen Existing Driveway	17 Thomas Mitchell Drive Muswellbrook	180,000
113/2016	Erection of a Pylon Sign	94 Maitland Street Muswellbrook	25,000
112/2016	Stage 1 - Temporary Self Bunded Diesel Tank	3 Thomas Mitchell Drive Muswellbrook	0
111/2016	Garage	33 Shaw Crescent Muswellbrook	15,500
110/2016	Carport & Patio Cover	7 Edinglassie Drive Muswellbrook	30,000
108/2016	Shop 19 - Internal Refurbishment - Replace Existing Shopfront with Auto Entry Doors - Replace Existing Awning with New Steel Awning & New Signage	60-82 Bridge Street Muswellbrook	150,000
108/2015/2	S96(2) Modification - Replace Existing Dwelling with Relocate Dwelling	27 Lower Hill Street Muswellbrook	0
342/2000/4	S96(1a) Modification: Boundary Adjustment to Correct Encroachment of Quarry Activities on Adjoining Land	8440 New England Highway Muswellbrook	0
102/2016	New Dwelling	Goulburn Drive Sandy Hollow	207,897
101/2016	Consolidation of Three (3) Lots into Two (2) Lots	182 Scrumlo Road Hebden	0
70/2014/3	S96(1a) Modification - Deletion of Condition 17 requiring S94A Contributions	Cassidy Avenue Muswellbrook	0
94/2016	Shed	44 Top Knot Place Muswellbrook	26,769
89/2016	Additions to Level 1 of RSL Club	113 Bridge Street Muswellbrook	152,960
174/2010/2	S96(1a) Modification - Delete Conditions 4 & 5 of the Consent	39-43 Thomas Mitchell Drive Muswellbrook	0
55/2016	Demolish Shed and Placement of Demountable Building for Landscaping Material Business	Jerdan Street Denman	15,000

**Schedule 2: Development Applications Currently Being Assessed**

DA No.	DESCRIPTION	PROPERTY	RECEIVED	OFFICER	DA STATUS
3/2017	Reinstating Tongue and Groove Boards to rear and Installation of a New Timber Deck	Bridge Street Muswellbrook	10/01/2017	DLW	Awaiting Referral Agency Comments
2/2017	Repairs to Deck - Balustrades & External Stairs - Remove Brick Walls - Relocate Bin Area - Excavate Courtyard & Install Timber Deck - Including Accessibility Ramps	142 Bridge Street Muswellbrook	09/01/2017	DLW	Awaiting Referral Agency Comments
1/2017	Erection of Signage	14 Aberdeen Street Muswellbrook	03/01/2017	DLW	Under Assessment
122/2016	Change of Use - Utilise Existing Facilities to Conduct Motor Vehicle Inspections and Repairs	3 Thomas Mitchell Drive Muswellbrook	08/12/2016	DLW	Under Assessment
42/2015/2	S96(1a) Modification - Delete Clauses 2 - 3 & 4 of Consent	2 Ogilvie Street Denman	08/12/2016	DLW	Under Assessment
120/2016	Mulch and Compost Processing Area	Coal Road Muswellbrook	24/11/2016	DLW	Awaiting Additional Information
63/2010/2	S96(2) Modification - Building Layout Alterations - Changes to Carpark Layout & Location and Stormwater & Earthworks Plans Amended to Suit New Layout	5-7 Enterprise Crescent Muswellbrook	22/11/2016	DLW	Under Assessment
114/2016	Change of Use From Storage Shed to Operations Centre	Savoy Parish County Durham	18/11/2016	DLW	Under Assessment
100/2016	Boundary Adjustment of Two (2) Lots into Two (2) Lots	Golden Highway Denman	23/09/2016	DLW	Awaiting Additional Information
95/2016	Construction of a Two (2) Storey Commercial Building	15-17 Rutherford Road Muswellbrook	09/09/2016	DLW	Report to Council
85/2016	Mobile Concrete Batching Plant	8440 New England Highway Muswellbrook	17/08/2016	DLW	Awaiting Referral Agency Comments
32/2016	Placement of Fill	110 Merriwa Road Denman	12/04/2016	DLW	Awaiting Additional Information
256/2013/2	S96(2) Modification - Rearrangement of approved wine tanks including addition of 5 tanks	Hunter Street Muswellbrook	25/02/2016	DLW	Under Assessment
95/2015	Demolition of Service Station and Erection of New Service Station	1612 Merriwa Road Sandy Hollow	12/11/2015	DLW	Report to Council
4/2017	Above Ground Swimming Pool	109 Giants Creek Road Sandy Hollow	11/01/2017	JNO	Under Assessment
124/2016	Shed	6 Finnegan Crescent Muswellbrook	16/12/2016	JNO	Under Assessment
4/2016/2	S96(1a) Modification: Delete Condition One (1) of Determination	104-106 Palace Street Denman	11/01/2017	DLW	Under Assessment
98/2016	Free Range Poultry Egg Operation	68 Pretoria Row Muswellbrook	22/09/2016	OH	Report to Council
109/2016	Shed and Increase Size of Existing Slab	14 Turner Street Denman	19/10/2016	RJP	Under Assessment

DA No.	DESCRIPTION	PROPERTY	RECEIVED	OFFICER	DA STATUS
121/2016	Change of Use from Upstairs Unit to Offices - Addition of Downstairs Office - Awning & Signage	60-82 Bridge Street Muswellbrook	08/12/2016	RP	Awaiting Additional Information

**4.07.01.1 - On-site sewage management systems meet regulatory standards. Ensure all on site sewage management systems have necessary approvals and inspections are to be carried out.**

**On-site Wastewater Statistics - 13 Month Analysis (2015/2016)**

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Applications Received (new installation)	1	1	0	3	0	0	2	1	0	1	1	2	3
Applications Approved (new installation)	1	1	1	2	0	1	0	0	2	2	0	3	3
Inspections (new system)	0	1	0	2	0	0	0	2	5	1	0	1	0
Inspections (existing system)	33	30	20	55	39	66	18	50	8	33	51	61	83

**4.01.01.1 - Reduce the environmental impact of development on our community by carrying out regular inspection of building sites and monitoring waste.**

**Building Site Compliance Inspection Statistics – 13 Month Analysis (2015/2016)**

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Total Sites Inspected	3	4	4	3	2	7	3	4	3	3	2	1	0
Total non-compliant and educated	1	1	1	0	0	6	2	2	1	2	0	1	0
Total compliance after education	3	3	4	0	0	6	1	1	2	1	0	1	0
Total Penalty Notices Issued	0	0	1	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 (2015/2016)**

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Total Investigations	3	0	16	14	19	12	26	23	18	1	4	3	5
Total Clean up by Council - insufficient evidence	0	0	8	6	6	8	8	7	8	1	3	2	3
Total Clean Up by individual	0	0	5	5	4	0	10	4	3	0	0	0	2
Total Penalty Notices Issued	0	0	2	1	1	0	0	0	0	0	0	1	0
Court Attendance Notice Issued	0	0	0	0	0	0	0	0	0	0	0	0	0
Still under investigation	2	2	3	3	9	4	8	11	7	0	1	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 (2015/2016)**

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Applications for Compliance Certs.</b>	0	1	3	0	2	3	2	3	0	2	0	2	1
<b>Total compliance inspections (not inc. Final Insp. for Occ. Certs)</b>	19	26	29	27	25	35	15	31	15	23	18	25	17
Initial Inspections	13	18	23	19	17	23	8	24	13	21	14	19	17
Re-inspections	6	8	6	8	8	12	7	7	2	2	4	6	0
<b>Compliance Certs / Occ. Certs issued</b>	17	21	25	19	14	17	12	12	13	11	12	16	8

**Total Pools in Council's Swimming Pool Register = 867**

**Compliance as at 30 June 2016 = 44.3%**

**Current Compliance = 53.1%**

(i.e. 460 out of 867 pools have a valid Compliance Certificate or Occupation Certificate.

Note: Certificate is valid for 3 years)

**Percentage of pools inspected during Financial Year 2016/2017 = 12.5%**

(i.e. 108 out of 867 pools have had at least one inspection carried out during FY 2016/2017. Council's program outlines that we will inspect 10% of pools per year).

## **2. COMMUNITY AND ECONOMIC DEVELOPMENT**

### **Community Workers**

#### **6.01.01 - Pursue opportunities for place-making and improved liveability**

- Work in collaboration with other departments of Council and strategically integrate the social housing stock.
- Participate in any ongoing placemaking activities of the State Government as well as Council.

Meetings were held in November and December with key stakeholders to advocate for improved housing stock in Muswellbrook Shire.

Additionally, meetings have been held with Newcastle University regarding the Family Action Centre's future directions in Muswellbrook Shire.

#### **6.02.01 - Ensure that transport within the Shire is as cohesive and comprehensive as possible.**

- Advocate for continued improvement in the levels of public, private and community transport.

"Go Catch" a share ride service is expected to start operations shortly.

#### **6.03.01 - Monitor major development applications and, where appropriate, make submissions in respect of the effect of the development on human health and social wellbeing.**

Community Services staff have not been required to provide advice on recent Development Applications with regard to human health and social wellbeing.

- Develop a social impact policy that integrates with the DCP.



Guidelines relating to social impact assessment are being prepared for integrated inclusion in the Development Control Plans.

**6.06.02 - Conduct Youth Week activities.**

Planning has commenced with Upper Hunter Youth Services as the lead agency in the delivery of Youth Week activities in 2017.

**6.07.02 - Continue to develop the Muswellbrook Shire Ageing Strategy.**

The strategies in the Ageing Strategy continue to be delivered by the relevant section in Council, as the plan comes to an end in 2017 a review of the plan will commence soon.

**6.08.01 - Provide opportunities for all Shire residents to improve their wellbeing through access to a full range of community services which operate in collaboration with each other.**

- a) Convene and facilitate formal networks for human service providers.

The Upper Hunter Community Services Interagency Network was convened during this reporting period.

- b) Support community service providers to operate according to best practice through the provision of information and advice.

Significant support has been provided on at least (20) occasions on an individual basis as well as organisational including;

- Drug & Alcohol Health Service;
- Community Drug Action Team;
- Domestic Violence Committee;
- Upper Hunter Homeless Support Service;
- Upper Hunter Youth Services;
- Ungooroo Community Health Day;
- Mental Health Support Working Group;
- Internal sections of council re ABS Statistics;

**6.10.01 - Support improvements in community safety through the implementation of a Community Safety Strategic Plan.**

Muswellbrook Shire Council is a part of the Hunter Councils – Hunter Steal from a Motor Vehicle Grant Application. This application for funds has been submitted to Justice NSW for consideration, the projects focus is community education and raising the communities' awareness of crime prevention strategies across the whole of the Hunter.

**13.01.01 - Maintain the Aboriginal Reconciliation Committee.**

- b) Support Aboriginal organisations on at least five (5) occasions annually to provide new and existing services.

Muswellbrook Shire Council have been successful in securing funds through MACH Energy to undertake an Oral History Project with the Aboriginal Community of Muswellbrook and surrounding areas.

Assistance and support was provided to Ungooroo Aboriginal Corporation to host a Community Health Day at Simpson Park this month. The event was well attended by the community the days primary focus was improving health indicators for Aboriginal Community Members.

**13.01.02 - Increase awareness of Aboriginal culture.**

- a) Facilitate and support the Aboriginal Culture and Heritage Working Group.

A meeting of the Aboriginal Culture and Heritage Working Party was held during December. This was a productive meeting, water management issues and the Local Environmental Plan Review was considered at this meeting. The meeting was well attended by all representatives and other meeting to follow up on these issues is planned for February.

**13.01.03 - Maintain the [www.workingwithatsi.info](http://www.workingwithatsi.info) website.**

- a) The website is checked continuously and breakdowns reported and corrected.

A major review of the website is almost complete with final additions to be made in January.

**13.01.04 - Preserve, promote and provide opportunities to support Aboriginal culture.**

- a) Seek external funding to pursue the oral history project to provide Elders and others with an opportunity to share their stories.

Muswellbrook Shire Council has been successful in securing funds through MACH Energy to undertake an Oral History Project with the Aboriginal Community of Muswellbrook and surrounding areas.

- c) Facilitate the preservation and display of Aboriginal relics where appropriate.

The official handover of the Scarred Tree occurred during December in Simpson Park. This was a partnership project between Anglo America, Registered Aboriginal Parties and Muswellbrook Shire Council. It was a very successful opening and the end result has been an important addition of an Aboriginal Artefact to Simpson Park and its synergy with the Reconciliation Mural.

**13.01.05 - Support indigenous art and culture.**

- a) Implement the maintenance plan for the Aboriginal mural at Simpson Park.

An inspection of the Aboriginal Mural in Simpson Park suggests that a budget needs to be identified for some small maintenance in the next financial year.

- b) Develop an Aboriginal Cultural Program for inclusion in the 2017/18 year Operational Plan.

Internal discussions have commenced around the aspects of this report to Council.

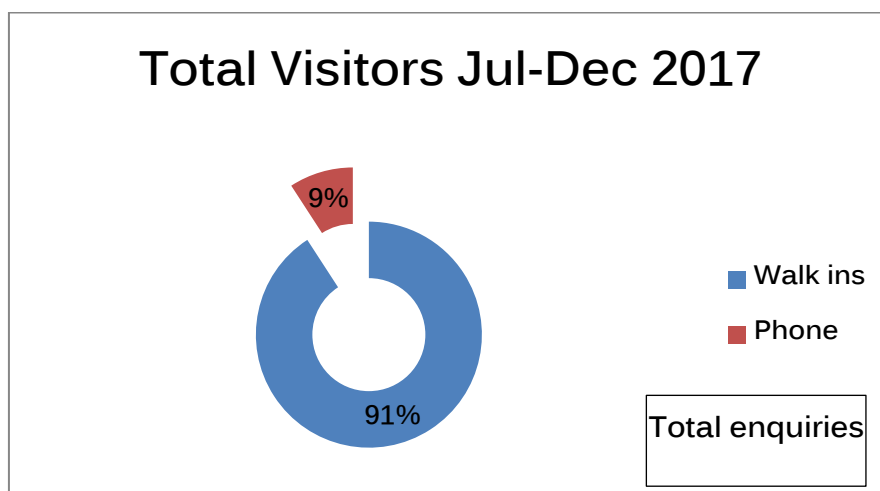
**TOURISM AND EVENTS**

**12.03.01 - Develop and partner with industry in the delivery of the Muswellbrook Shire Tourism Strategy, enabling growth of the visitor economy.**

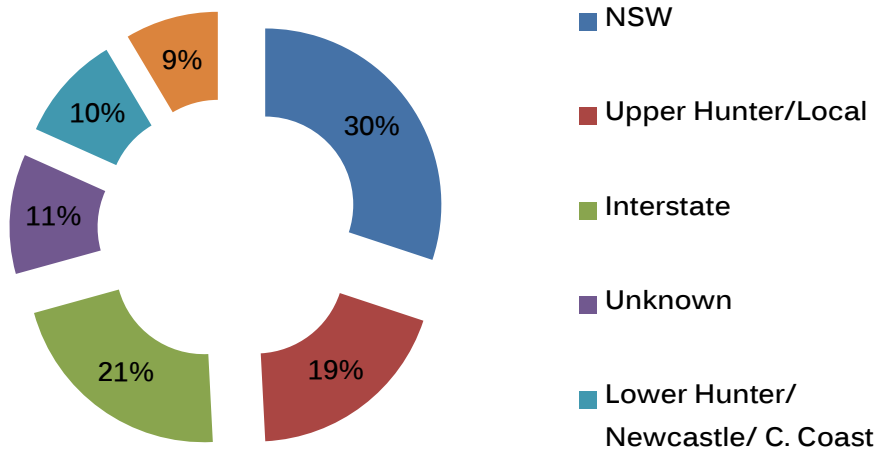
The 2017 Upper Hunter Country Tourism “Come on up” Visitor Guide was launched at the Upper Hunter Country Tourism Association’s Annual General Meeting on Tuesday 13 December. A new Board was elected with many new faces stepping into Executive roles: Steve Tilse from Omadale Brook Estate as President; Craig Benjamin from Upper Hunter Tours as Vice President and Tamara Petersen from the Remington Motor Inn as Treasurer.

**12.03.02 - Provide quality visitor information services.**

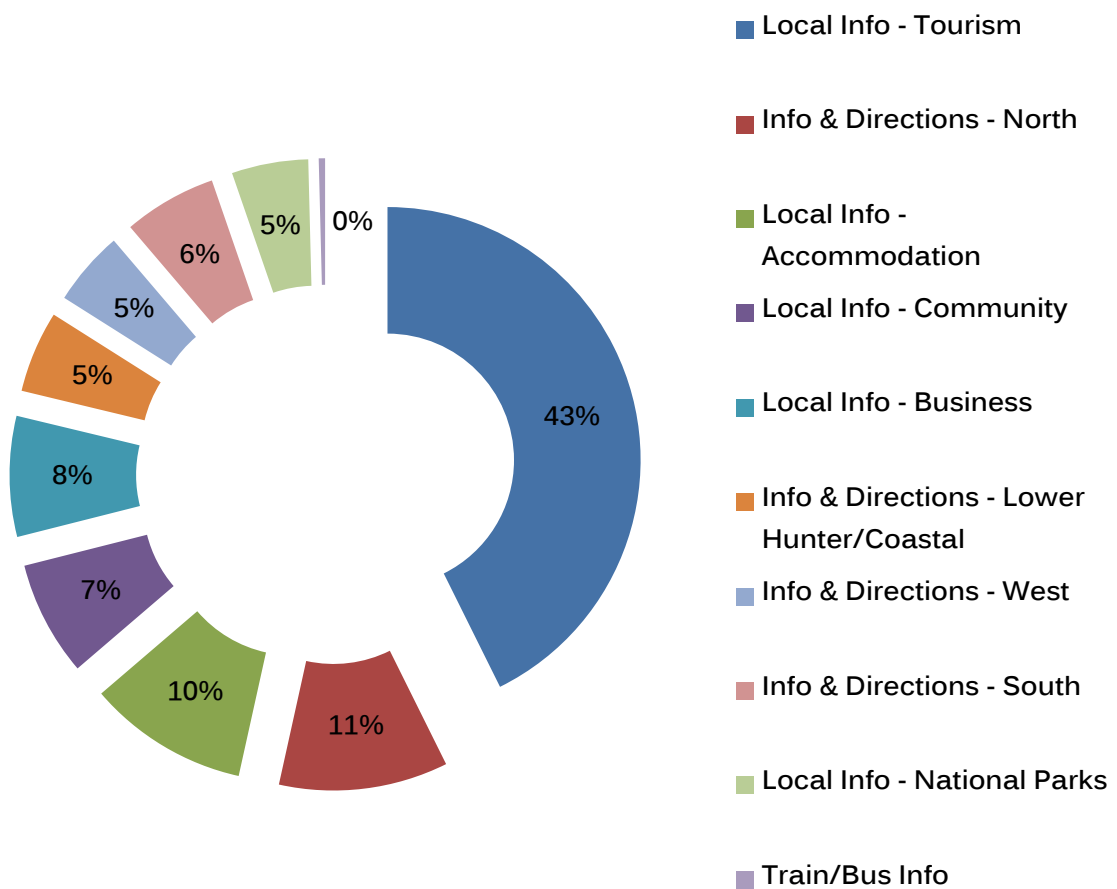
The Visitor Information Centre (VIC) received 3 new volunteers at the end of 2016 that have commenced on a regular roster to complement the existing arrangements. This brings the total regular volunteers to 5. During an average week the VIC is manned by volunteers for 44 out of the total opening hours of 48.



### Visitor Origins Jul-Dec 2017



### Information Requested Jul-Dec 2017



**12.3.2 - Improve the quality of the tourism product within existing tourism events and promotions.**

The 2016 Blue Heeler Film Festival was held on 23 and 24 September. There were 14 entries over the three categories of Junior, Senior and Open. More than 400 people attended both the Short Film Screening Night at Highbrook Park and the Red Carpet Awards Night at Two Rivers Wines.

The 2016 Bottoms Up Festival was held on Saturday 22 October in Simpson Park and Market Street. Over 460 people passed through the gates and enjoyed a great selection of food and beverages as well as high quality live music. Numbers were low due to the rainstorm on the morning of the event but feedback from participants was overwhelmingly positive.

Funding has been made available from the Department of Industry for Council to celebrate and promote small to medium businesses during Back to Business Week 26 February to 4 March 2017. Staff will liaise with the Muswellbrook Chamber of Commerce and Industry and well as local small to medium businesses to create an event focussing on their contribution to the community.

Staff are coordinating an Art in the Park event for Sunday 12 March to coincide with the Muswellbrook Art Prize. Plans to create a larger, weekend long arts and culture festival to premiere in 2018 are also underway.

**UPPER HUNTER REGIONAL LIBRARY (MUSWELLBROOK AND DENMAN BRANCHES)**

December and January are historically busy months and this year the statistics show increased visits that exceed previous visitation data. Over 2600 people visited Muswellbrook Branch in the last two weeks of January. The Summer Reading program attracted 98 people to Denman events and over 150 people for the end of Summer Reading party at Muswellbrook on 25 January.

**Library Visits:**

Muswellbrook Door Count: 7800

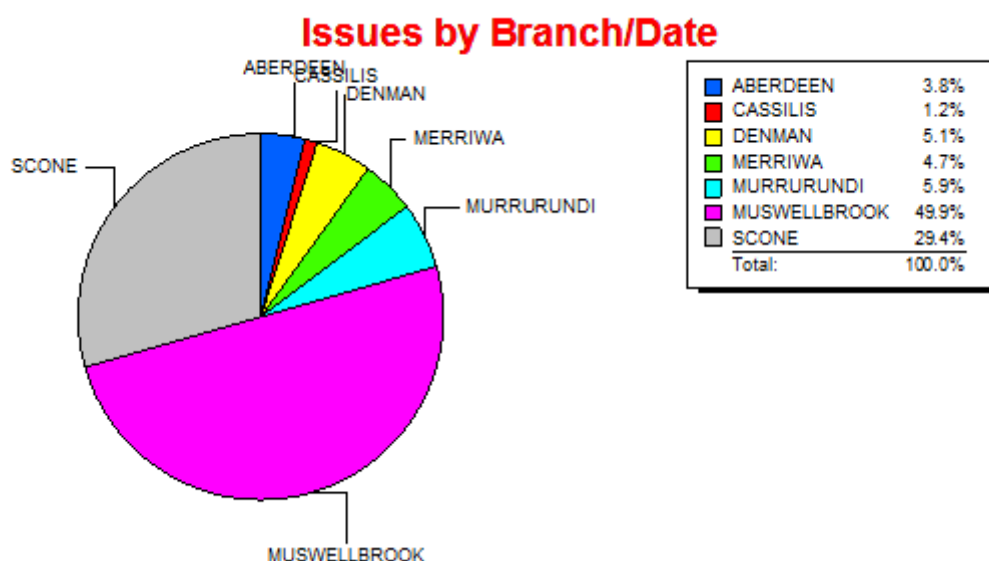
Denman: 403

**Loans - Physical:**

Muswellbrook -8037

Denman – 724

## Issues by Branch from 30/11/2016 to 30/01/2017

**Digital Loans:**

EBook Loans: 47

Zinio Loans: 14

E-Resources:

**Inter-Library Loans:**

Supplied to other libraries: 6

Requested for our customers: 2

**Local Studies December/January:**

8 people have used the Local Studies room

17 students requested assistance in local studies

16 people have requested help with research and help with ancestry and Find My Past and English Birth Deaths and Marriages.

**Mini Mobile Library and Home Library Services**

Collection Type	Date last delivered	Number and Location of Collection Items	Date last delivered	Number and Location of Collection Items
Mini Mobile Library		Council Works -100 Depot -100 Hunter Health -50 Hunter Park -50		Currently no MML in Denman
Home Library Service		5 borrowers 50 items		All deliveries from MBK



**Membership: Muswellbrook and Denman**New

Muswellbrook: 169

Denman: 26

Total

Muswellbrook: 5587

Denman: 634

**Media utilised to increase memberships.**

Media hits which include social media, Denman News & Muswellbrook Chronicle and the library website were high. The social media aspect of library promotions has been particularly encouraging with 7905 hits.

Event Name & Date	No. of Attendees
<b>Heroes and Villains Storytime @ Muswellbrook Library-Featuring : Eat the Rainbow 11.01.2017</b>	28 kids/10parents
<b>Sunday Teen Gamin session @ Muswellbrook 15.01.2017</b>	12 teens
<b>Superhero Mask and Badge Making workshop @ Muswellbrook 18.01.2017</b>	26 kids/9 adults
<b>Mad Scientist Workshop @ Muswellbrook Library 23.01.2017</b>	23 kids/9 adults
<b>Summer Reading Club Party @ Muswellbrook 25.01.2017</b>	157 kids and parents

**Denman Library update:**

The Summer Reading Program was a success in Denman with 140 children and adults visiting the library during these events. Most notable was the Wildlife Show with Aaron Turner that brought in over 90 visitors. One positive outcome was an increase in junior membership over the summer as well as the chance to show families what wonderful and free resources public libraries offer.

Taken article from the Denman News, *Thursday 26 January, 2017*

*Issue 775*

*“Pride of the Hunter”*

Denman Library has been a fun place over the Summer Holidays -

Aaron Turner ‘Wild Life Show’ came for a visit with his gang of frogs, lizards and snakes for the kids to see, touch and enjoy.

Aaron had the children enthralled with his knowledge and love of wildlife, keeping the kids entertained for hours. Denman Library also ran a ‘Mad Scientist Workshop’ complete with hands on experiments for the children to get involved in, which made for a fun, but messy day at the Denman Library

Sadly, Janice Cracknell, who worked at Denman Library for about 40 years and retired in 2016, passed away recently. Janice had a wealth of knowledge about Denman Library and the Denman community. She was a well-respected member of Denman community and will be sadly missed.

## 11 COMMUNITY INFRASTRUCTURE

### 11.1 MT PLEASANT S138 CONSENT

<b>Attachments:</b>	<b>A. Mt Pleasant CHPP Report Plans</b> <b>B. General Conditions</b> <b>C. Additional General Conditions</b> <b>D. Special Conditions</b>
<b>Responsible Officer:</b>	<b>Neil Pope - Director, Community Infrastructure</b>
<b>Author:</b>	<b>Peter Higgins - Manager, Technical Services</b>
<b>Community Plan Issue:</b>	<b><i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i></b>
<b>Community Plan Goal:</b>	<b><i>Residents, visitors and workers are travelling on safe and appropriate road and street networks within Muswellbrook Shire.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Ensure a safe and efficient road network with acceptable ride quality</i></b>

#### PURPOSE

This report presents for Council consideration and delegation to the General Manager approval of a Section 138 (Roads Act) Consent applied for by MACH Energy for roadworks to provide access to the Mt Pleasant Rail Loop off Wybong Road; and to build a culvert/bridge under Wybong Road for a proposed coal conveyor to the rail loading facility.

#### OFFICER'S RECOMMENDATION

That Council:

1. Delegate to the General Manager authority to sign the Section 138 (Roads Act) consents for the works proposed in Attachment A by MACH Energy generally in accordance with the Conditions outlined in Attachments B, C and E.
2. Requires that a suitable form of security be negotiated by the General Manager with MACH Energy prior to commencement works.
3. That an additional Special Condition be applied that: "The length of Wybong Road to be covered by the Maintenance Management Plan and ongoing maintenance for the life of the development under Condition 41 be extended to Gates 20 and 21."

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

#### BACKGROUND

The development is a State Significant Development with approval. The proposed roadworks are required to comply with condition 38 (f). The applicant proposes an underpass to contain a conveyor and small vehicular access from the CHPP located north of Wybong Road to the proposed Coal Rail Loading Facility on the southern side of Wybong Road and upgraded rural accesses at Gates 20 and 21 for limited construction access. Full sets of plans will be available for the information of Councillors at the briefing.

A plan showing the works is provided as Attachment A.

## CONSULTATION

The Mine Officer (Planning); Manager Roads and Drainage and the Director Community Infrastructure have been consulted as well as the Applicant.

## CONSULTATION WITH COUNCILLOR SPOKESPERSON

Not applicable.

## REPORT

The Road Work related consent conditions are:

### *Road Works*

38. *The Applicant shall, at its own expense:*

- (f) construct an overpass or underpass across Wybong Road, or other means of crossing Wybong Road, should a construction road be proposed, to the satisfaction of Council.*

### *Road Maintenance*

41. *During the development, the Applicant shall maintain the roads and intersections between the Bengalla Mine main entrance and the Mt Pleasant Mine main entrance, including:*

- (a) part of the Bengalla Link Road;*
- (b) part of the Wybong Road; and*
- (c) part of the Mount Pleasant Western Link Road.*

*The Applicant shall develop a Maintenance Management Plan in respect of these roads, to the satisfaction of Council.*

The works are shown on drawings in Attachment A and comprise of two areas of work:

- The underpass for the conveyor and light vehicles; and
- The surface intersections off Wybong Road to the southern side of the road to the coal rail loading facility.

The applicant estimates the works will take about 12 Weeks.

## Approval Condition 38 (f)

### Underpass

To comply with condition 38 (f) above the applicant has agreed to provide a box culvert arrangement for the full width of the Road Reserve for the underpass crossing of Wybong Road. This will involve the construction of a temporary detour and associated works. Conditions regarding removal of the mine owned infrastructure will also apply. A bond for the removal and/or demolition of the mine owned infrastructure and the road reinstatement for these works is also be required.

A condition drafted for this consent is as follows:

2. The Consent Holder must lodge with Council a Security to be held for the removal of the mine owned asset from the road reserve and restoration of the landform to the satisfaction of council. The Security in the form of a cash bond or bank guarantee is for an amount to be agreed with the General Manager prior to the commencement of the construction of the Mine owned Infrastructure. The Security as a bank guarantee is to be indexed at the Construction Price Index rates biannually and if a cash bond, the amount is to be reviewed every five years from lodgement. The Security is to be held until the mine owned asset is removed from the

road reserve and the road reserve and landform is restored to the satisfaction of council or alternatively the affected road is closed and acquired by the Mine.

### **Other Means**

During the construction phase of the coal rail loading facility it is proposed that the “other means of crossing Wybong Road” that may satisfy Council is a crossing of Wybong Road under a Traffic Control Plan. During construction plant and materials will need to cross Wybong Road to access the construction site. The main access to the mine is off the previously approved Wybong Road works. It is proposed to upgrade existing Gates 20 and 21 for access across Wybong Road. Use of the crossing from Gates 20 to 21 or entry directly into gate 21 should be monitored and if required could be conditioned to allow use only under a Traffic Control Plan. Such a plan may include accredited Traffic Controllers and/or temporary Traffic Signals.

As it is not mentioned in the Mine Development Approval under Condition 41; and, as this consent involves additional works that Council will own, it is proposed that the length of Wybong Road to be covered by the Maintenance Management Plan and ongoing maintenance for the life of the development under Condition 41 be extended to Gates 20 and 21.

### **138 Consent Conditions**

Consent conditions for projects of this size are usually broken into three areas:

1. General conditions applying to all 138 consents including minor permits for driveway construction and the like. Attachment B.
2. Additional General conditions which apply to more substantial Consents for Projects related to major developments. Attachment C.
3. Special Conditions are provided for specific developments including major mine related developments. Attachment D.

### **OPTIONS**

Council could either:

- approve the Delegation to the General Manager to issue this consent for works under Section 138 (Roads Act) 1993 with the conditions recommended by staff; or
- request modification to the conditions; or
- refuse the delegation.

### **CONCLUSION**

This report covers a section 138 application which is currently progressing to final design and is a result of conditions of consent for the development of Mount Pleasant Mine. Mine development conditions (Condition 41) also require the mine to develop a Maintenance Management Plan for the road and to implement that plan at no cost to council and to Council's satisfaction.

### **SOCIAL IMPLICATIONS**

The opening of the mine will provide employment within the Shire.

### **FINANCIAL IMPLICATIONS**

Council will recover its costs through the consent conditions.

### **POLICY IMPLICATIONS**

Nil



**STATUTORY IMPLICATIONS**

Council is the Road Authority under the Roads Act 1993 and is acting within its powers.

**LEGAL IMPLICATIONS**

Nil

**OPERATIONAL PLAN IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Risks are managed by the use of qualified consultants required to submit and certify designs for the infrastructure to be placed within Council's Road Reserves and Council staff acceptance of the designs and oversight of the construction. Works are required to comply with RMS guidelines "Traffic Control at Work Sites."



# MT PLEASANT COAL MINE

## BENGALLA



### S138 APPLICATION



LOCALITY PLAN  
N.T.S



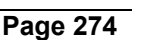
DRAWING SCHEDULE	
No.	DRAWING TITLE
GENERAL	COVER SHEET
CDJV-ME16009-GS1437-RD-4510-000_B	OVERALL SITE LAYOUT PLAN
CDJV-ME16009-GS1437-RD-4510-001_B	TEMPORARY ROAD ALIGNMENT LAYOUT PLAN
CDJV-ME16009-GS1437-RD-4510-002_B	TEMPORARY TRAFFIC MANAGEMENT PLAN
CDJV-ME16009-GS1437-RD-4510-003_B	TEMPORARY ROAD LONGSECTION
CDJV-ME16009-GS1437-RD-4510-004_B	TEMPORARY ROAD CROSS SECTIONS SHEET 1 OF 5
CDJV-ME16009-GS1437-RD-4510-005_B	TEMPORARY ROAD CROSS SECTIONS SHEET 2 OF 5
CDJV-ME16009-GS1437-RD-4510-006_B	TEMPORARY ROAD CROSS SECTIONS SHEET 3 OF 5
CDJV-ME16009-GS1437-RD-4510-007_B	TEMPORARY ROAD CROSS SECTIONS SHEET 4 OF 5
CDJV-ME16009-GS1437-RD-4510-008_B	TEMPORARY ROAD CROSS SECTIONS SHEET 5 OF 5
CDJV-ME16009-GS1437-RD-4510-009_B	EROSION AND SEDIMENT CONTROL PLAN
CDJV-ME16009-GS1437-RD-4510-010_B	ULTIMATE WYBONG ROAD ALIGNMENT LAYOUT PLAN
CDJV-ME16009-GS1437-RD-4510-011_B	ULTIMATE WYBONG ROAD LONGSECTION
CDJV-ME16009-GS1437-RD-4510-012_B	ULTIMATE WYBONG ROAD CROSS SECTIONS
CDJV-ME16009-GS1437-RD-4510-013_B	GATE 20 & 21 SITE WORKS PLAN
CDJV-ME16009-GS1437-RD-4510-014_B	TRAFFIC FLOW PLAN
CDJV-ME16009-GS1437-S-4510-051_A	SPECIFICATION NOTES
CDJV-ME16009-GS1437-S-4510-052_A	CULVERT PLAN AND INSITU SLAB DETAILS
CDJV-ME16009-GS1437-S-4510-053_A	CULVERT SECTIONS SHEET 1
CDJV-ME16009-GS1437-S-4510-054_A	CULVERT SECTIONS SHEET 2
CDJV-ME16009-GS1437-S-4510-055_A	PRECAST UNITS A & B DETAILS SHEET 1
CDJV-ME16009-GS1437-S-4510-056_A	PRECAST UNITS A & B DETAILS SHEET 2 & SPANDREL DETAILS
CDJV-ME16009-GS1437-S-4510-057_A	PRECAST UNITS C & D DETAILS
CDJV-ME16009-GS1437-S-4510-058_A	PRECAST UNITS E, F, G, & H DETAILS

### MT PLEASANT COAL MINE

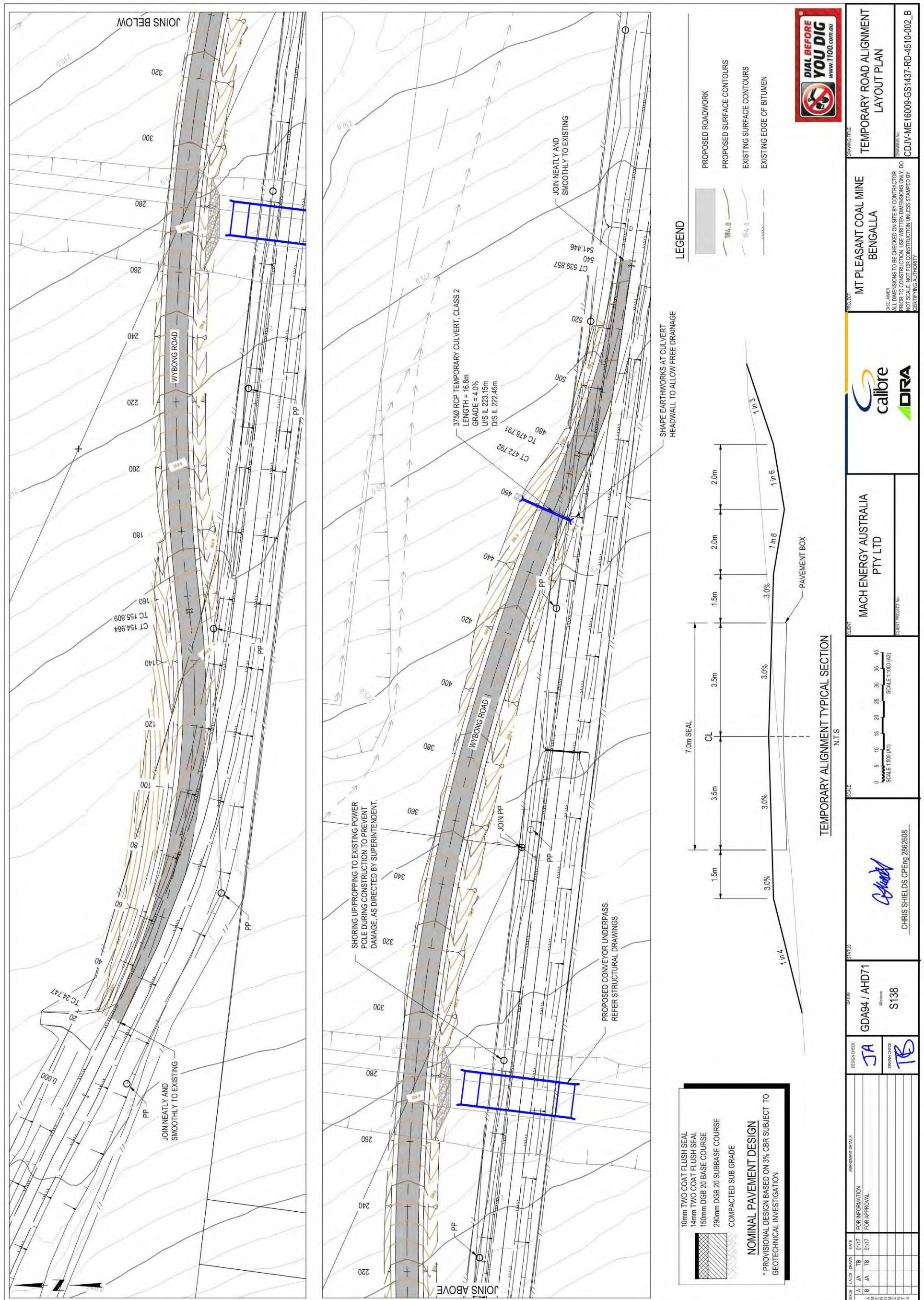
#### BENGALLA

Internal Ref No.:	Drawing No.:	Revision Date:
16-001836	S138	CDJV-ME16009-GS1437-RD-4510-000_B

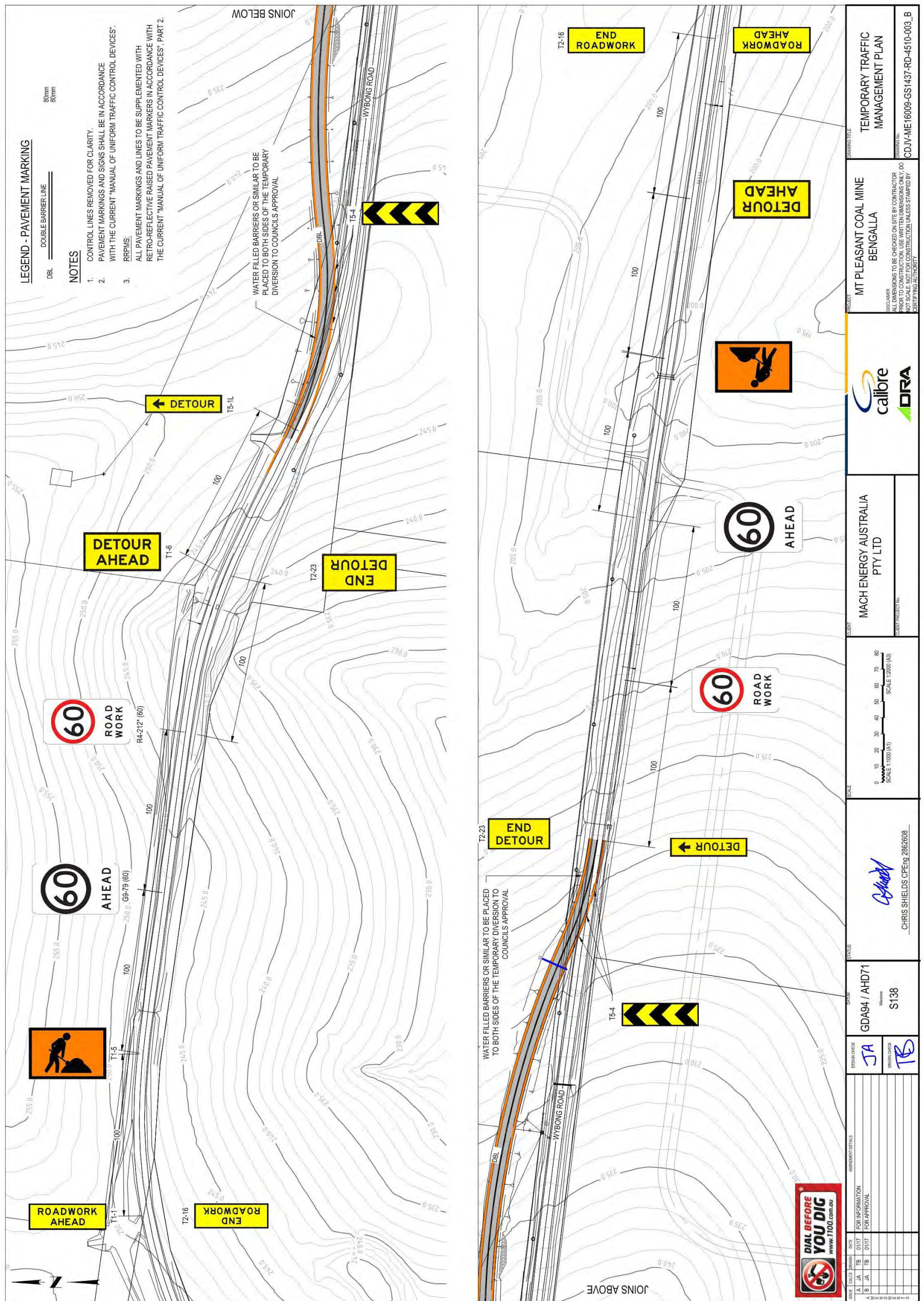




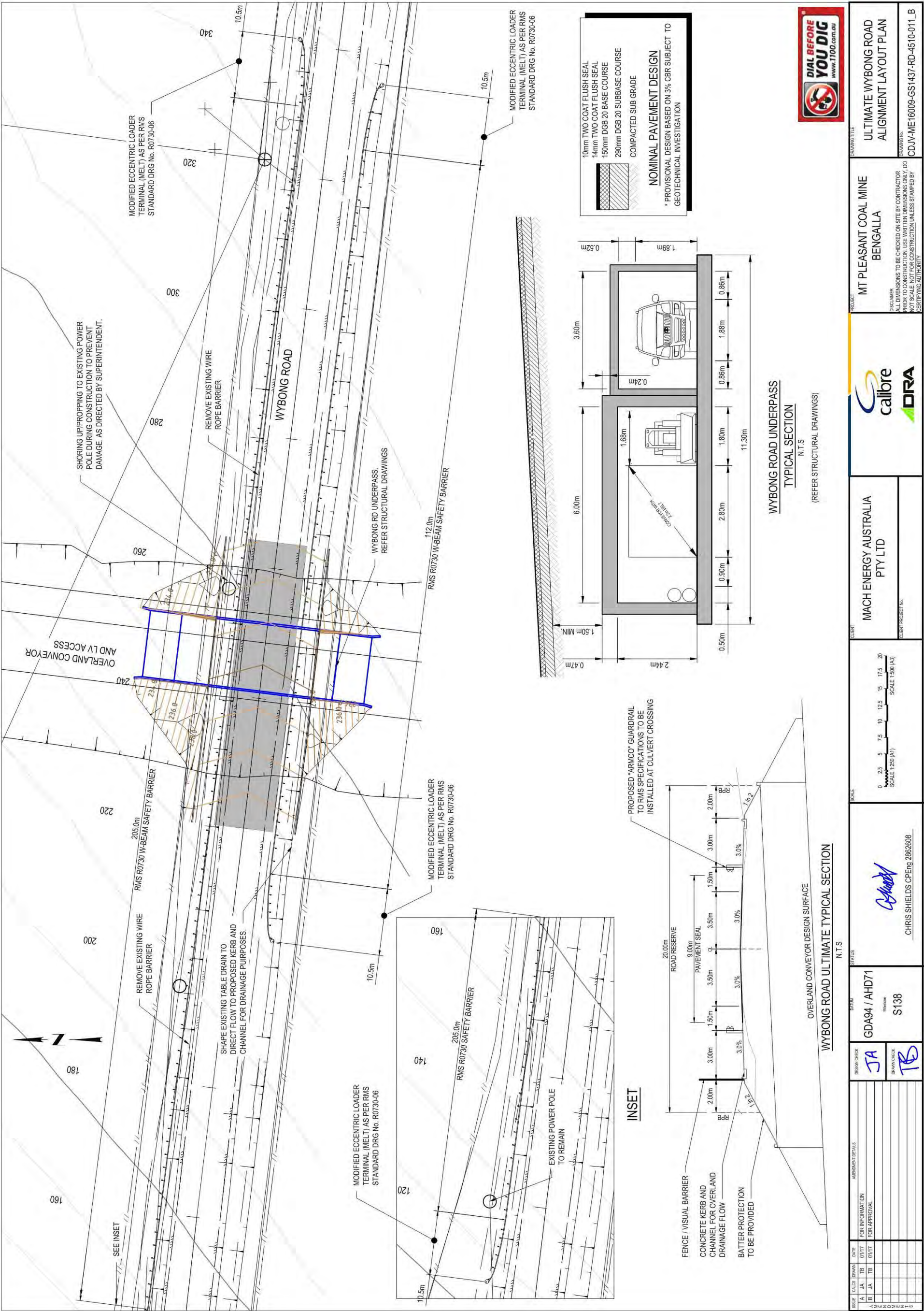




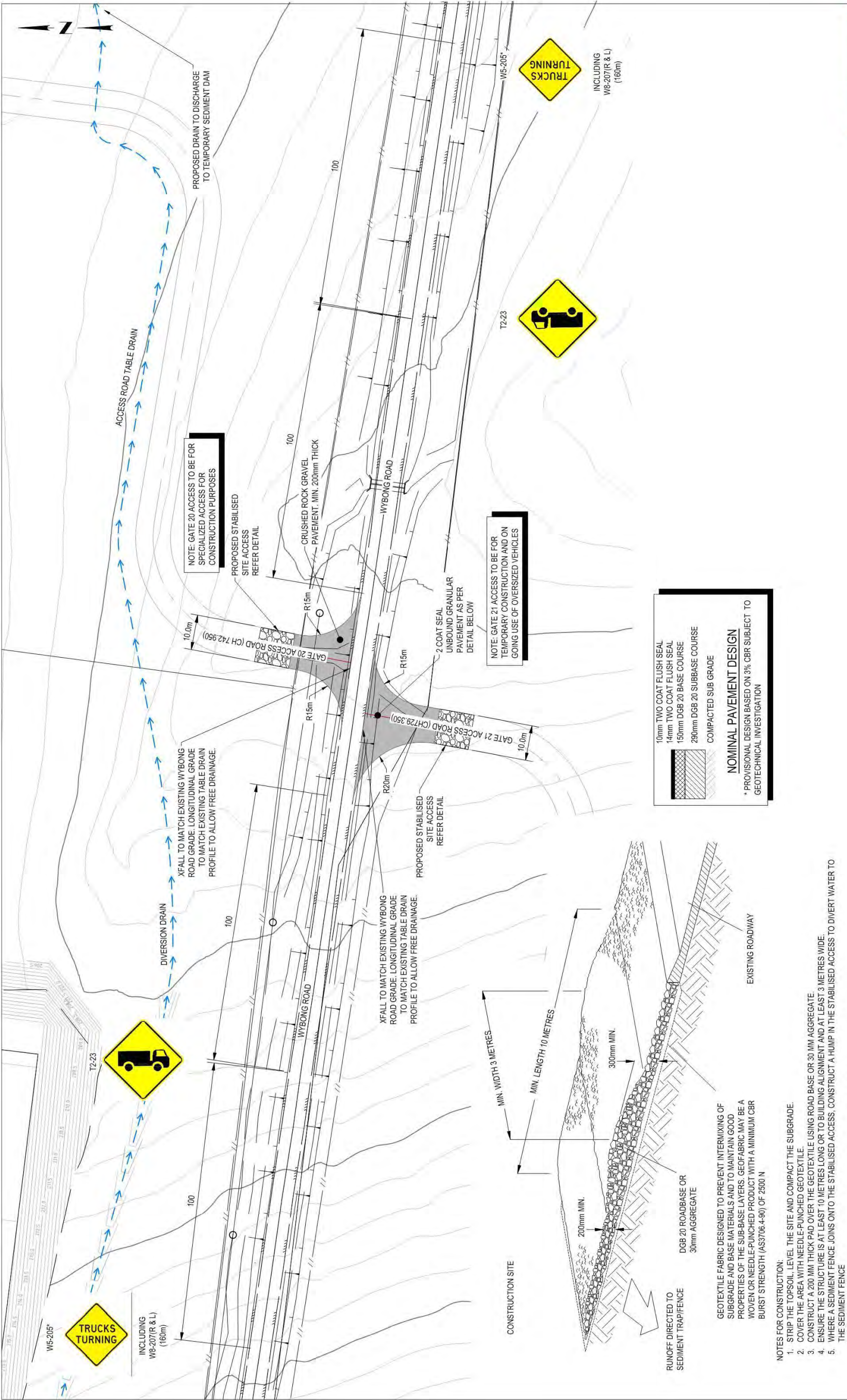












REVISIONS		DATE	FOR INFORMATION	FOR APPROVAL	DATE	BY	DATE	BY	DATE	BY
A	JA	TB	0117							
B	JA	TB	0117							
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STATUS		DATE	FOR INFORMATION	FOR APPROVAL	DATE	BY	DATE	BY	DATE	BY
GDA94 / AHD71										
S138										
Chris Shields CPEng 2862608										
CLIENT		DATE	FOR INFORMATION	FOR APPROVAL	DATE	BY	DATE	BY	DATE	BY
MACH ENERGY AUSTRALIA PTY LTD										
PROJECT		DATE	FOR INFORMATION	FOR APPROVAL	DATE	BY	DATE	BY	DATE	BY
MT PLEASANT COAL MINE BENGALLA										
DRAWING TITLE		DATE	FOR INFORMATION	FOR APPROVAL	DATE	BY	DATE	BY	DATE	BY
GATE 20 & 21 SITE WORKS PLAN										
DRAWING No.		DATE	FOR INFORMATION	FOR APPROVAL	DATE	BY	DATE	BY	DATE	BY
CDIV-ME16009-GS1437-RD-4510-014_B										

STABILISED SITE ACCESS  
N.T.S

- NOTES FOR CONSTRUCTION:
1. STRIP THE TOPSOIL LEVEL, THE SITE AND COMPACT THE SUBGRADE.
  2. COVER THE AREA WITH NEEDLE-PUNCHED GEOTEXTILE.
  3. CONSTRUCT A 200 MM THICK PAD OVER THE GEOTEXTILE USING ROAD BASE OR 30 MM AGGREGATE.
  4. ENSURE THE STRUCTURE IS AT LEAST 10 METRES LONG OR TO BUILDING ALIGNMENT AND AT LEAST 3 METRES WIDE.
  5. WHERE A SEDIMENT FENCE JOINS ONTO THE STABILISED ACCESS, CONSTRUCT A HUMP IN THE STABILISED ACCESS TO DIVERT WATER TO THE SEDIMENT FENCE.

GEOTEXTILE FABRIC DESIGNED TO PREVENT INTERMIXING OF SUBGRADE AND BASE MATERIALS AND TO MAINTAIN GOOD PROPERTIES OF THE SUB-BASE LAYERS. GEO-FABRIC MAY BE A WOVEN OR NEEDLE-PUNCHED PRODUCT WITH A MINIMUM CBR BURST STRENGTH (AS3706.4-90) OF 2500 N

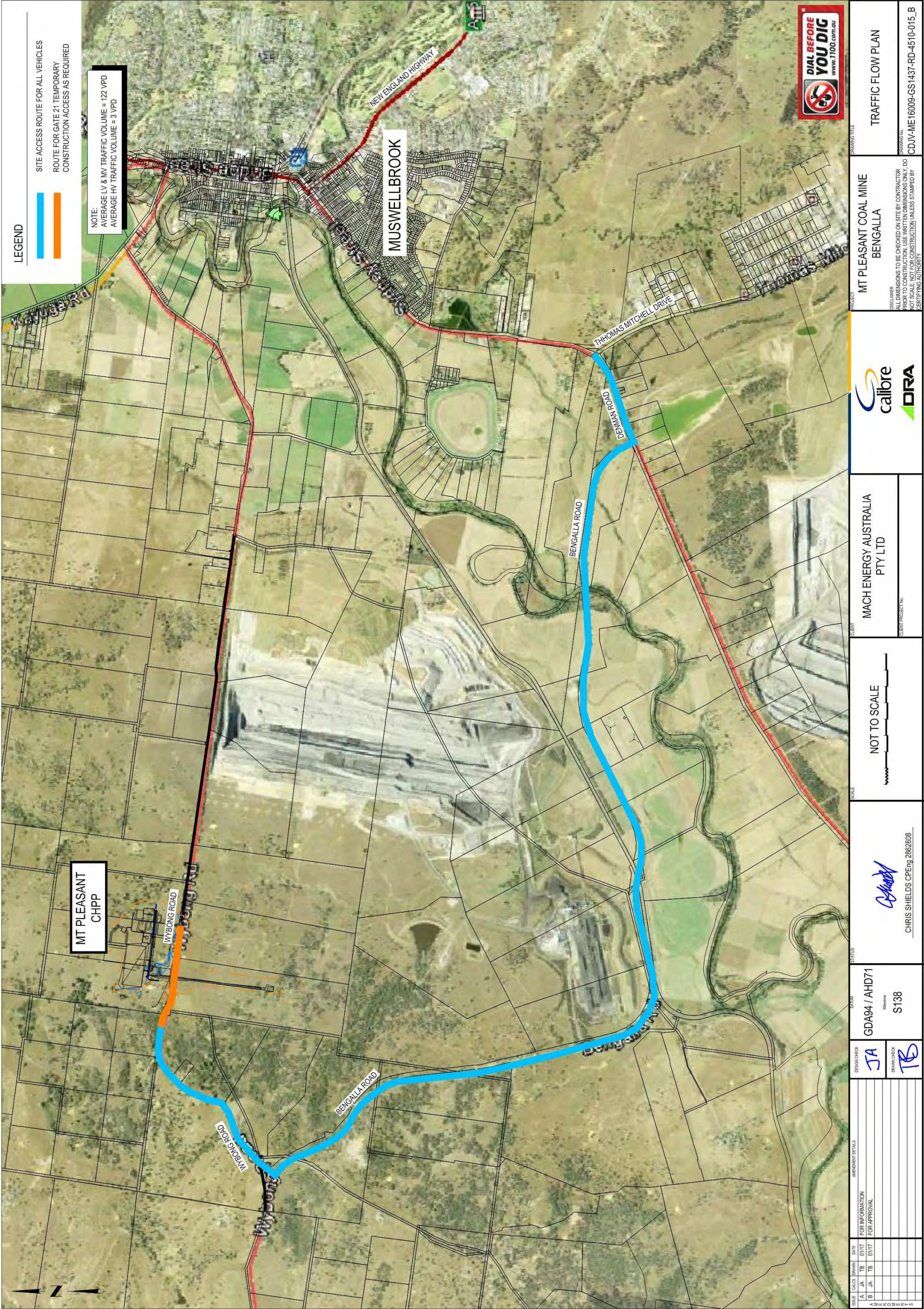
RUNOFF DIRECTED TO SEDIMENT TRAP/FENCE

**NOMINAL PAVEMENT DESIGN**  
\* PROVISIONAL DESIGN BASED ON 3% CBR SUBJECT TO GEOTECHNICAL INVESTIGATION

10mm TWO COAT FLUSH SEAL
14mm TWO COAT FLUSH SEAL
150mm DGB 20 BASE COURSE
200mm DGB 20 SUBBASE COURSE
COMPACTED SUB GRADE













## General Conditions

### 1. Definitions:

- 1.1. In the Consent and any memoranda annexed to the Consent the following words have the following meanings:

**“Act”** means *Roads Act* 1993 (NSW)

**“Business Hours”** means the opening hours of Muswellbrook Shire Council Administration Centre;

**“Claims”** means any loss, damages, claims, demands, causes of action or suits of any kind;

**“Consent Holder”** is the person specified at (B) of the Consent;

**“Consent Period”** means the period specified at (A) of the Consent;

**“Council”** means Muswellbrook Shire Council;

**“Council Officer”** means the Muswellbrook Shire Council’s nominated officer;

**“Consent Fee”** means the fee paid by the Consent Holder to Council for the administrative costs associated with the issue of the Consent and shown in the Specifications;

**“Pipe work”** means pipes, conduits, hoses, tubing, cables and wires;

**“Plan”** means the plan attached to the Consent and marked Annexure “A”;

**“Restoration Fee”** means a fee paid to Council in consideration for the Council restoring the Road surface after completion of the Work;

**“Road”** means the road described at (C) of the Consent.

**“RMS”** means Roads and Maritime Services;

**“Service Conduit”** means conduits used to run service wires and cables underground;

**“Specifications”** means Council’s Technical Conditions 1151 and/or 1152, Council’s CBD Specifications, and any other specifications contained in any Memoranda annexed to the Consent and listed at (D) of the Consent.

**“Traffic Control Plan”** is a plan to be submitted by the Contractor approved by Council in accordance with the RMS guidelines “Traffic Control at Work Sites”

**“Traffic Management Plan”** is a statement of how traffic, parking etc. will be managed on site.

**“Works”** means the plan of works described in the application, including any restoration whether by the Consent Holder or Council, and special instructions

### 2. Manner of Works

- 2.1. The Works must be conducted according to the Plan and the Specifications.
- 2.2. The Consent Holder must complete any backfilling of trenching works in accordance

with Council's AusSpec #1 Specification 306 – "Road Openings and Restoration" – as stipulated in Technical conditions 1151 and/or 1152.

- 2.3. Where Works are undertaken in the CBD, the Consent Holder must meet the Council's CBD specifications, at the Consent Holder's expense.

**3. Council Requirements**

- 3.1. The Consent Holder must comply with all Council requirements in relation to the Works:
  - a) Contained in the Consent and Memoranda annexed to the Consent;
  - b) Contained in any notice in writing concerning the Works given to the Consent Holder by the Council; and
  - c) Any direction given to the Consent Holder by the Council.

**4. Legislation**

- 4.1. The Consent Holder must observe all requirements with respect to the Works imposed by any statute, regulation or ordinance or otherwise imposed by a statutory or other authority.

**5. Term**

- 5.1. The Works must not be carried out at any time other than during the Consent Period.

**6. Proceed Continuously**

- 6.1. The Consent Holder must carry out the Works as expeditiously and safely as practicable and proceed continuously until completion.

**7. Layout of Work**

- 7.1. All pipe work crossing the Road must be laid perpendicular to the direction of the Road unless otherwise consented to by Council and described in the Specifications or shown in the Plan.
- 7.2. The pavement surrounding any excavation of the Road must be neatly saw-cut prior to excavation.
- 7.3. The Consent Holder must ensure that any cut pavement maintains a neatly finished edge at all times.

**8. Advise Council**

- 8.1. The Consent Holder must give the Council a minimum of five working days' notice prior to when the Works is to commence.
- 8.2. The Consent Holder must notify Council as soon as the Work is completed if completion occurs during Business Hours.
- 8.3. The Consent Holder must notify Council during the next Business Hours if the Work is completed outside of Business Hours.

**9. Expense**

- 9.1. The Works are carried out at the Consent Holder's expense.

**10. Consent and Acknowledgement**

- 10.1. The Consent must be signed for and on behalf of Council in order for consent to be granted.

**11. Service Conduit**

- 11.1. Any Service Conduit placed across the Road must have at least 400mm of fill cover in addition to the road pavement thickness.

**12. Footpaths**

- 12.1. Where any footpath is disturbed it must be restored to the original condition by the Consent Holder at the Consent Holder's cost.

**13. Fee**

- 13.1. The Consent is not valid unless the Consent Fee is paid.

**14. Restoration Fees**

- 14.1. Where Council is required to undertake Restoration works, determination of the Restoration Fees is governed by Section 67 of the *Local Government Act*.
- 14.2. Where a Restoration Fee is applicable the Consent Holder must pay the Restoration Fee:
- a) As soon as the Work is completed if completion occurs during Business Hours;  
or
  - b) During the next Business Hours if the Work is completed outside of Business Hours.
- 14.3. If disturbance to the Road exceeds that shown on the Specifications, the Consent Holder must pay the additional cost to Council for restoration.

**15. Indemnity and Insurance**

- 15.1. The Consent Holder indemnifies and holds Council harmless against all Claims by any person arising in connection with any acts or performance of an obligation under this Consent.
- 15.2. Specific Indemnities: - Without limiting clause 15.1 the Consent Holder indemnifies and holds Council harmless against any Claim arising directly or indirectly out of the following:
- a) The construction and installation of the Works;
  - b) Conduct by the Consent Holder which amounts to a breach of any license, permit, approval or legislation;
  - c) Council granting consent to the Consent Holder to carry out the Works;
  - d) Failure to comply with any obligation of the Consent Holder under this Consent.
- 15.3. The Consent Holder must maintain a public liability insurance policy with an insurer approved by Council with a limit for any one event of not less than twenty million dollars (\$20,000,000).

- 15.4. The insurance must be on terms to the reasonable satisfaction of Council and name Council as an insured party

**16. Traffic Management Plan**

- 16.1. The Consent Holder must ensure that a Traffic Management Plan is in place whilst the Work is being carried out.
- 16.2. The appropriate traffic control measures must be established at the Consent Holder's cost.
- 16.3. The traffic control measures must be in accordance with the approved Traffic Control Plan prepared under the current RMS Guidelines "Traffic Control at Work Sites".
- 16.4. The Consent Holder must not interrupt or otherwise disturb the traffic flow on the Road without the written consent of Council.

**17. Responsibility for Restoration works**

- 17.1. Where the Consent Holder is not able to meet the standards required, the Consent Holder can either contract the services of another provider that can – or apply to Council's Works Department for a quote, and for the work to be undertaken by Council at the Consent Holder's expense.
- 17.2. Where council is required to undertake the restoration works, the Consent Holder is responsible for the Works until Council's road maintenance service provider completes the standard road pavement restoration. Where the Consent Holder undertakes to do the restoration work themselves, then the Consent Holder is responsible until Council agrees to the standard of that restoration work.

**18. Responsibility in the event of absence or emergency**

- 18.1. In the Consent Holder's absence from the site of the Works, or in the event of any emergency, Council may take such action as it considers, in its absolute discretion, necessary to prevent:
- a) Loss of or damage to the whole or any part of the Works;
  - b) Loss or damage to the Road or any property adjacent to the Works; or
  - c) To prevent personal injury to any person.
- 18.2. Any such action (under sub-clause 18.1) is at the Consent Holder's expense.

**19. Safety**

- 19.1. The Consent Holder must carry out the Work with due regard to the safety and rights of the public.
- 19.2. In addition to clauses 2, 3 and 4 the Consent Holder must comply with the requirements of the NSW Work Cover Authority, the Department of Industrial Relations & Employment, and the Police Service of NSW.

**20. Relocation**

- 20.1. If it is necessary in the reasonable opinion of Council:
- a) To relocate or remove any portion of the Works; or

- b) Carry out any additional work for the safety and protection of the public,

the Consent Holder must relocate or carry out such removal or additional work as reasonably determined and directed by the Council.

- 20.2. Any such relocation and/or additional work required to be carried out is at the Consent Holder's expense.

**21. Public Risk**

- 21.1. Nothing in this consent shall be deemed to:

- a) Prejudice or affect the rights of the public to free passage upon or along the Road;
- b) Authorise any nuisance to, or permanent obstruction of, the Road or public places;
- c) Confer upon the Consent Holder exclusive right or title to that part of the Work within the boundaries of the Road, or
- d) In any way restrict or limit the powers of the Authority and the Council in respect of the Road.

**22. Deemed Acknowledgement**

- 22.1. Upon commencement by the Consent Holder of any part of the Work it shall be deemed that the Consent Holder has agreed with the Council to comply with the conditions of this consent.

**23. Conditions for moving or grazing stock on Council roads**

- 23.1. The Consent Holder is to comply with the following conditions if stock is being moved or grazed on Council roads at the site or near the site of the Works:

- a) That stock warning signs as described in the *Local Land Act* 2013 indicating the presence of stock on the road shall be prominently displayed 200 metres before and after the section of road being used;
- b) Stock signs must be displayed at all times when stock are on or adjacent to a roadway, and removed when stock are no longer present;
- c) That the distance over which stock are being grazed does not exceed 2kms at any one time;
- d) When stock are being moved along the road, warning signs shall be no further than 5kms apart;
- e) That at least one person shall be attending the stock at all times;
- f) That the stock may only be present on a public road during daylight hours.



## **Additional General Conditions**

### **1. Definitions:**

1.1. In this Memorandum the following words have the following meanings:

**Defined terms** - In addition to the meanings or values assigned in the Schedule of Details, in this document:

**Approval** means any consent, approval, authorisation, licence, registration, order, permission or concurrence required by law, including by a Legislative Requirement and any Council acceptance, condition or approval including those under this Consent, required for the commencement, execution or completion of the Works.

**Authority** means a Commonwealth, State or local government department, a Minister, body, instrumentality, trust or public authority in the exercise of a governmental regulatory function.

**Business Day** means any day not a Saturday, Sunday or public holiday in New South Wales, and also excluding Council Christmas closure for one (1) week in December.

**Design Documents** means a drawing, specification, document, calculation, software, sample, model, pattern and the like, required by this Consent or created for the construction of the Works.

**Item** means an item set out in the Schedule of Details.

**Legislative Requirements** includes an act, ordinance, regulation, by-law or order of a government or Authority, or an Approval of an Authority (including any condition or requirement under an Approval).

**Management Plan** means a detailed plan setting out how a nominated aspect of the carrying out of the Works will be managed and implemented to ensure the requirements of this Consent are met, and includes plans for Traffic Control, Traffic Management, Occupational Health and Safety, Quality, Inspection and Testing, and Environmental Management and the Construction Program.

**Security** has the meaning given in clause 6.1(e).

### **2. Consent Holder's Responsibilities**

- 2.1. It is the Consent Holder's responsibility to maintain the Works in good condition with no cost to the Council during the service life.
- 2.2. The Council relies on the advice, skill and judgment of the Consent Holder and the Consent Holder's consultants and contractors in connection with:
  - a) the correctness and reliability of the Schedule, submitted with the application and in accordance with Condition 40 of the Development Determination.
  - b) the correctness and suitability of the Design Documents;
  - c) the performance of the Consent Holder's obligations under this Consent;
  - d) the fitness for purpose of the completed Works; and
  - e) the fitness for purpose of each item of plant and equipment used either in the construction of, or forming a part of, the Works.
- 2.3. The Council makes no representation or warranty as to the Works and assumes no duty of care in respect of them or any information provided by the Council.

- 2.4. The Consent Holder must not carry out any modification of the Works without further approval from the Council.
- 2.5. It is Consent Holder's responsibility to conduct routine inspections of the Works during the service life and enter into a maintenance agreement with Council as required by the Consent.

### **3. Develop Documents and Management Plans**

- 3.1. The Consent Holder must develop:
  - a) Design Documents required to construct the Works; and
  - b) Management Plans required by the Council; based on the Scope Drawing referred to in Item 1 and in accordance with RMS material and workmanship specifications; and especially the traffic management plan is to comply with the RMS Traffic Control at Work Sites manual.

### **4. Obtain Approvals**

- 4.1. The Consent Holder must obtain:
  - a) all Approvals required for the design and construction of the Works; including Planning Approval, Local Government Act Section 68 approvals and any other approval required by law. Note: Planning and Section 68 approval are accepted as not required for Drainage in this case being approved under the DA and the Infrastructure SEPP. However, approvals remain the responsibility of the Consent Holder.
  - b) certification of all Design Documents by an independent engineer to the satisfaction of the Council; and
  - c) acceptance by the Council of the Design Documents, Management Plans.

### **5. Co-operation with Council**

- 5.1. The Consent Holder must assist the Council to meet the Council's obligations under the Environmental Planning and Assessment Act 1979 (NSW) and other Legislative Requirements (including the requirement for the Council to make a final determination that the Works can proceed prior to acceptance of the Design Documents).
- 5.2. The Consent Holder must not without the Council's prior written approval make any modification to the Works or the Design Documents or Management Plans once approved by a Road or other Authority or after acceptance by the Council.
- 5.3. The Consent Holder must obtain the Council's prior written approval of proposed contractors and subcontractors and, to the extent required by the Council, must ensure that such contractors and subcontractors are:
  - a) suitably experienced in constructing similar works;
  - b) prequalified at a level and class appropriate for the work to be performed by them,
  - c) engaged by the Consent Holder under terms and conditions that ensure that the contractor will satisfy the Consent Holder's relevant obligations to the Council under this Consent.

**6. Commencement of Works on Site**

- 6.1. Pre-conditions - The Consent Holder must not commence construction of the Works, including bringing plant or materials onto the Site or implementing steps in a Management Plan, unless and until:
- a) it has complied with the Consent Holder's obligations under clauses 2 and 3 of this Memorandum;
  - b) it has taken out the insurances referred to in this Consent and provided evidence of those insurances to the satisfaction of the Council;
  - c) it has provided at least 10 Business Days prior notice of the proposed start date for the road occupancy at the Site, for approval by the Council;
  - d) it has agreed with the Council 's requirements for dedication and transfer of land necessary for the public road or the establishment of a suitable road reserve;
  - e) it has provided the Council with an unconditional bank guarantee in a form acceptable to the Council for 10% of the Estimated Cost of the Works set out in Item 3 (Security);
  - f) it has paid to the Council the amount nominated as Estimated Council Costs in Item 4; and
  - g) the Council has completed any necessary environmental assessment and determined that the Works can proceed.

**7. Construction of the Works**

- 7.1. Consent Holder obligations - The Consent Holder must:
- a) implement the Works expeditiously, to the satisfaction of the Council and in accordance with the Construction Program, and control traffic in accordance with the Traffic Management Plan accepted by the Council;
  - b) at all times act in a lawful manner in respect of the Works;
  - c) allow people authorised by the Council access to the Site at all times and undertake any testing or permit examination of any documentation or tests of materials or workmanship that the Council requires;
  - d) obtain for the benefit of the Council all available product and work warranties from the Consent Holder's suppliers, contractors and subcontractors in respect of equipment and materials used in the Works or assign such benefit to the Council where the warranty is not in favour of the Council;
  - e) ensure that directions or other requirements of the Council given from time to time (including a direction to immediately stop work) are complied with;
  - f) ensure that a report is immediately sent to the Council's Representative of any injury to a person suffered in connection with the Works or while present at or adjacent to the Site and of any claims made pursuant to workers' compensation insurance and assist the Council to promptly investigate and monitor the incident; and
  - g) ensure that all subcontractors and workers engaged by the Consent Holder in

connection with the Works are fully paid money properly due and payable to them under relevant awards, contracts and enterprise agreements.

- 7.2. The Consent Holder must not without the Council's prior written approval, use explosives at the Site or in relation to any part of the Works.

7.3. Step in by Council

- a) If the Council determines it is necessary to maintain traffic flows or for public safety, or if the Consent Holder breaches any condition of this Consent or a Management Plan, the Council may take control of all or any part of the Site and/or the Works for whatever period it considers is appropriate.
- b) The Council may undertake remedial, protective, or traffic control work that it considers is urgently required and recover or set-off the cost under clause 9.

7.4. Principal Contractor

- a) The Consent Holder is, for the purposes of the *Work Health and Safety Act 2011* considered a person conducting businesses or undertakings involving management or control of workplaces. The person with management or control of a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.
- b) The Consent Holder must comply with all aspects of the Work Health and Safety Act 2011 and the Regulations.

**8. Completion**

8.1. Practical completion - The Consent Holder must:

- a) give the Council 10 Business Days' notice of the date on which it anticipates practical completion will be reached;
- b) when it is of the opinion that practical completion has been reached, provide further notice to the Council together with a report of practical completion which includes:
- c) necessary acceptances or Approvals by other Authorities; and
- d) test results, identification of further work required to finally complete the Works, and such other information as the Council requires to assess practical completion; and
- e) provide "as built" drawings to the Council, within 4 weeks of practical completion.

- 8.2. Council 's response - Following receipt of the documents referred to in clause 8.1(b), the Council will inspect the Works and notify the Consent Holder of the date on which the Council is satisfied that practical completion has been reached (Date of Completion), or the reasons why it is not satisfied.

- 8.3. A notice that the Council is satisfied practical completion has been reached will not constitute an admission by the Council of the Consent Holder's performance of its obligations, or that that the Works comply with the requirements of this Permit.

- 8.4. Defect rectification - The Defects Liability Period commences on the Date of Completion. The Council may at any time before the end of the Defects Liability Period issue a list of defects or non-conforming work to the Consent Holder, and the Consent Holder must correct the items listed within the time frame nominated by the Council.
- 8.5. Final completion - At the end of the Defects Liability Period, the Consent Holder must notify the Council after the Works are finally complete (Final Completion Notice), which must include a statutory declaration in a form satisfactory to the Council (or such other documentation as the Council may require) that:
- a) all contractors and workers engaged by the Consent Holder or a subcontractor in connection with the Works have been fully paid money, remuneration and other benefits properly due and payable to them; and
  - b) that relevant pay-roll tax and workers compensation premiums have been paid.
- 8.6. Maintenance -The Consent Holder shall maintain the works during the service life in satisfactory condition acceptable to Council in accordance with the consent conditions.
- 8.7. Following receipt of the Final Completion Notice), the Council may provide the Consent Holder with a statement:
- a) showing the amount determined by the Council as owing by the Consent Holder to the Council (and attach an invoice for amounts not previously invoiced); and
  - b) setting out the balance of the Security still held by the Council.
- 8.8. The Council has no obligation to release the balance of the Security it holds until the Consent Holder has completed all its obligations under this Consent.

**9. Costs and Payments**

- 9.1. General - The Consent Holder must pay all of the Council's costs in connection with the Works and this Consent, including:
- a) internal and external costs of reviewing documents or producing reports, obtaining or providing consents, Approvals or determinations and surveillance or administration;
  - b) legal costs associated with this Consent (including on termination), complying with Legislative Requirements or prosecuting or defending an action;
  - c) the cost of remedying a breach of this Consent by the Consent Holder or of taking emergency or special measures required by the Council.
- 9.2. **Adjustment of costs** - If the Council 's costs exceed the amount paid by the Consent Holder under clause 6.1(f), the Council may invoice the Consent Holder for the additional costs at any time and the Consent Holder must pay the full amount of the invoice within 10 Business Days from the date of the invoice.
- 9.3. To the extent that the Consent Holder does not comply with this clause, the Council may, without limiting other rights, call on the Security and set-off the amount owing against it.
- 9.4. **GST and other taxes** - The Consent Holder must pay all taxes (including GST, stamp duties, levies or government charges) in connection with this Consent and the Works. Costs referred to in this Consent, unless specifically described as GST inclusive, do not include an amount on account of GST. If a supply made by the Council in connection with this Consent is subject to GST, the Consent Holder must pay the Council the amount payable for the



supply plus an additional amount equal to the GST payable by the Council.

**10. Termination**

10.1. Termination - The Council may terminate this Consent:

- a) immediately by written notice if the Consent Holder breaches any provision of this Consent and does not rectify that breach within 10 Business Days of receiving written notice from the Council requesting it to do so; or
- b) without prior notice if:
  - the Consent Holder fails to pay within 10 Business Days of the due date, an amount due and payable to the Council under this Consent or for any other service supplied to the Consent Holder or its related bodies corporate by the Council; or
  - a receiver, liquidator, provisional liquidator or administrator is appointed over any of the Consent Holder's undertakings or assets, or if the Consent Holder enters into an arrangement with its creditors.

10.2. Effects of termination - Termination does not affect the Consent Holder's accrued responsibilities and obligations, nor does it affect any conditions which expressly or by implication are intended to operate after termination.

**11. General**

- 11.1. No Restriction on Rights - Nothing in this Consent is deemed to in any way restrict or limit the powers of the Council or other relevant Authority or fetter the Council in the exercise of its statutory functions and in the event such exercise is undertaken in accordance with the law.
- 11.2. Assignment - The Consent Holder must not assign or encumber any right, obligation or interest under this Permit without the written approval of the Council.
- 11.3. Notices - A party notifying or giving notice under this Consent must do so in writing sent by prepaid registered post or facsimile and the original by post to the other party's Representative nominated in the Schedule at the address or facsimile number specified on the first page of this Consent.

## Schedule of Details

1. The Works	The works are the works within the Road Reserve of XXXXX Road as detailed in the letter and application MACHEnergy dated **DATE** and held by Council as Doc ID ???? and the plans ID ?????.	
2. The Site	XXXX Road and associated areas as shown in the above documents.	
3. Estimated Cost of the Works	\$ (GST inclusive)	[Clause 6.1(e)]
4. Estimated Council Costs	Plan Approval \$,xxx.00 (GST inclusive) Construction Observation Traffic Control Plans \$ xxxxx.00 (GST inclusive) Final Acceptance (WAE review etc) \$ xxxxx.00 (GST inclusive)  Total \$ xxxxx.00 (GST inclusive)	[Clause 6.1(f)]
5. Defects Liability Period	12 Months	[Clause 8.4]
6. Consent Holder's Representative	Name..... Position..... Mobile Phone..... Office Phone..... Email . Facsimile.....	[Clause 14.3]
7. Council's Representative	Name.....Peter Higgins..... Position.....Manager Technical Services..... Mobile Phone.....0400 117 374..... Office Phone.....02 6549 3755..... Email .....Peter.Higgins@muswellbrook.nsw.gov.au..... Facsimile.....02 6549 3701.....	[Clause 14.3]

## **Special Conditions**

1. The works must be commenced within one month of the consent date.
2. The Consent Holder must lodge with Council a Security to be held for the removal of the mine owned asset from the road reserve and restoration of the landform to the satisfaction of council. The Security in the form of a cash bond or bank guarantee is for an amount to be agreed with the General Manager prior to the commencement of the construction of the Mine owned Infrastructure. The Security as a bank guarantee is to be indexed at the Construction Price Index rates biannually and if a cash bond, the amount is to be reviewed every five years from lodgment. The Security is to be held until the mine owned asset is removed from the road reserve and the road reserve and landform is restored to the satisfaction of council or as approved by Council.
3. The works should be completed without delay in accordance with the approved time table. Should works be delayed by weather or other cause beyond the control of the applicant an early application for a time extension will be considered.
4. The applicant must apply for a Section 138 Consent for ongoing maintenance in accordance with Condition 41 of the Development Determination for maintenance of Bengalla Link Road, Wybong Road and the decommissioning of Wybong Road and establishment of suitable landscape works as required.
5. Provisional closure of unnamed unformed roads must be undertaken by fencing off the road where access is available from public roads in use and providing appropriate signage as directed.
6. The Consent Holder is to advise Council's Engineering Officer Works Quality on 0418 110 010 three days prior to commencing work to confirm inspections prior to commencement.
7. The Consent Holder is to advise directly affected residents and property owners of the program of Works that may affect access etc. at least a week in advance, and incorporate reasonable access needs for those properties. The Consent Holder is to advise the general public of the Works by variable message board in the local area of the Works and advertisement in the local newspaper at least a week prior to site works.
8. The occupation of the Road should be undertaken in a safe manner, with adequate dust control.
9. The Consent Holder shall check for other services and is responsible for any damage to services and Council Infrastructure. Dial before you dig 1100.
10. This Consent does not constitute approval of any environmental impacts and the Consent Holder is responsible for any such impacts and any approvals that may be required in relation to the Works.
11. The Consent Holder must ensure that mud and dust from the Works is not carried on to the Road. (It is suggested that a device (from the Soil management book) may be required to remove such materials prior to entering the roads. Note: If required a shake down device should be placed off the existing road so that the public did not need to travel on it.)

**11.2 WASTE COMPLIANCE REPORT**

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Neil Pope - Director, Community Infrastructure</b>
<b>Author:</b>	<b>Joann Polsen - Senior Technical Officer Waste</b>
<b>Community Plan Issue:</b>	<b><i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i></b>
<b>Community Plan Goal:</b>	<b><i>That our community infrastructure is appropriate, sustainable and well maintained</i></b>
<b>Community Plan Strategy:</b>	<b><i>Provide a long term safe, secure, efficient and effective waste management and resource recovery service for customers</i></b>

**PURPOSE**

- To inform Council of contractor J. R. Richards' compliance with Key Performance Indicators (KPI's) within the Collection of Waste and Recoverable Resources (Contract No. 4/2005) per the Operational Plan 8.6.1(a).
- To inform Council about Waste Management's continued compliance with monthly NSW Waste and Environment Levy reports and payments under S88 of the Protection of the Environment Operations Act 1997.

**OFFICER'S RECOMMENDATION**

**The Council notes the information contained in Waste Compliance Report to November, 2016.**

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**REPORT**

J. R. Richards & Sons, as service provider of the Collection of Waste and Recoverable Resources (Contract No. 4/2005), are required to comply with Key Performance Indicators (KPI's) regarding Mobile Garbage Bin (MGB) repairs, replacement, removal of services, provision of new services and returning to collect any missed services. Additionally, transfer bins from the transfer station areas at Denman and Muswellbrook are picked up and taken to the Muswellbrook landfill within 4 hours of the request by Council staff at these facilities.

J. R. Richards provide a monthly report on their compliance against the contract KPI's to council staff, along with a Health, Safety and Environmental report. Reports have been received for March through to November 2016.

Table 1 details the relevant contract KPI's, the level of compliance for each month reported, as well as details on the number of new services, replacements and missed collections for the reporting period.

**Table 1:** Contract 4/2005 Key Performance Indicators, numbers of new services, bin replacements and missed collections.

Key Performance Indicator	Compliant? Y/N (Number of services or bins)								
	Mar	April	May	June	July	Aug	Sept	Oct	Nov
New Services: Within 72 hours of notification of new services, the Contractor must provide the new service with the required set of MGB's.	Y (0)	Y (4)	Y (4)	Y (5)	Y (5)	Y (5)	Y (3)	Y (7)	Y (3)
Bin Replacements: Within 72 hours of notification	Y (41)	Y (54)	Y (30)	Y (21)	Y (20)	Y (18)	Y (29)	Y (28)	Y (16)
Removal of services: Within 72 hours of notification	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)
Collection Service is only rendered inside the approved collection times and days (weekdays, 6am to 6pm)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Missed Services: A collection service is provided to all missed services within 24 hours of notification from Council.	Y (0)	Y (0)	Y (0)	Y (0)	Y (0)	Y (4)	Y (6)	Y (0)	Y
The Wheel-out, Wheel-back policy is implemented on the first collection service immediately following notification from Council of eligible premises.	n/a	n/a	n/a	n/a	n/a	Y (1)	Y (1)	Y (1)	Y (1)
A contract meeting is held once per month between Council's representatives and J.R. Richards representatives.	Y	Y	Y	Y	Y	Y	Y	Y	Y

Additionally, J. R. Richard's Health, Safety and Environmental Reports for this timeframe indicate that there were six WHS issues and one environmental issue reported. All monthly site meetings were held, as summarised in Table 2.

**Table 2:** J. R. Richard's Health, Safety and Environmental reporting.

Issues Reported	Mar	April	May	June	July	Aug	Sept	Oct	Nov
Workplace Health & Safety	0	0	0	0	2	2	1	0	1
Environmental	0	0	1	0	0	0	0	0	0
Site meeting held?	Y	Y	Y	Y	Y	Y	Y	Y	Y

J R Richards reported an environmental incident in May - whilst carrying out a domestic collection run, the hydraulic hose on the lifting mechanism of the waste collection vehicle failed, resulting in hydraulic oil spilling onto the road surface. Following correct procedure, the spill was immediately contained and successfully cleaned up.

J R Richards reported two safety incidents which occurred in July. These incidents have been resolved to Council satisfaction.



In August J R Richards reported two incidents of damage to property by collection vehicles. The incidents were investigated and resolved to Council's satisfaction.

An incident was also reported in September - whilst carrying out a domestic waste collection run, the waste collection vehicle made contact with a low hanging power line, disconnecting it from a house. The driver immediately contacted Essential Energy, who were already in the area making repairs to lines damaged due to recent storm activity. The line was not damaged and was able to be immediately reconnected to the house.

Lastly, in November it was reported that whilst at Muswellbrook Landfill, the waste collection vehicle was unable to gain traction on the damp ground when attempting to drive forward. The driver required assistance to be pulled to a position where the vehicle was able to obtain sufficient traction to move forward of its own accord.

### NSW Waste and Environment Levy compliance

Monthly NSW Waste and Environment Levy reports and subsequent payments prepared by Council staff have been submitted well within deadlines from April through to December 2016. Table 3 shows the total incoming waste received, the outgoing recoverable waste from the Muswellbrook Waste & Recycling Facility, and the amount of NSW Waste & Environment levy paid for this period:

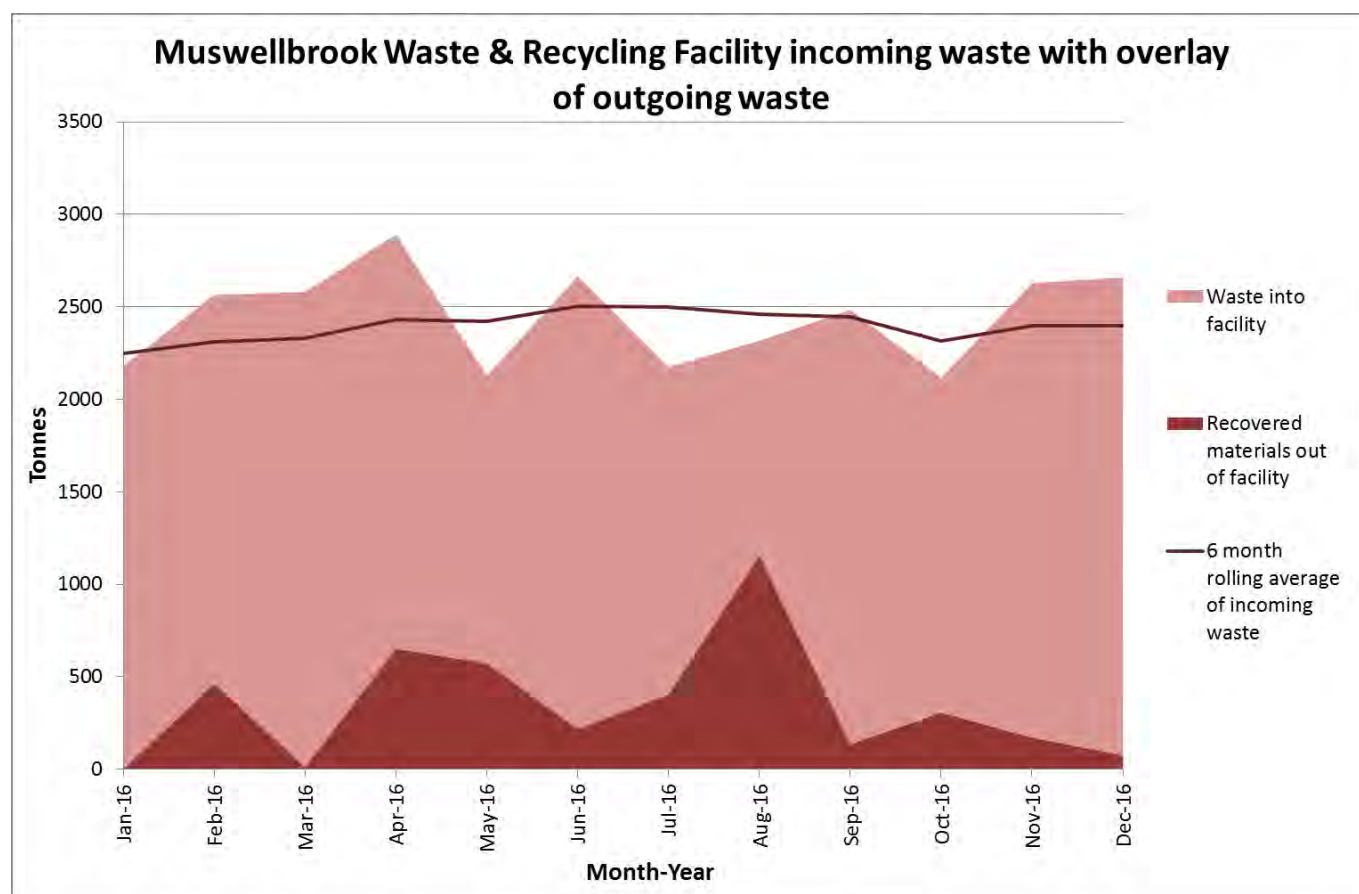
**Table 3:** Tonnage of materials over the weighbridge at Muswellbrook Waste & Recycling Facility.

	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Incoming waste:</b>									
Total waste received (tonnes)	2891	2128	2664	2175	2317	2483	2116	2629	2659
<b>Outgoing (recovered):</b>									
Total recoverable materials removed (tonnes)	650	571	216	404	1155	133	305	170	74
<b>NSW Waste &amp; Environment Levy:</b>									
Monthly Levy payment (\$,000s)	174	126	188	140	99	184	141	192	202

Presented graphically, Figure 1 displays overall incoming tonnage of waste to the Muswellbrook Waste & Recycling Facility over the past 12 months, supplemented with a rolling 6-month average to better indicate the overall waste disposal trend. Tonnage of recovered materials leaving the site for recycling, reuse or reprocessing each month has been overlaid.

Stockpiles of scrap metal are typically cleared and sent for recycling twice annually; Figure 1 displays volumes of recovered materials leaving site, scrap metal was cleared in February and July 2016. The large spike in August 2016 of recovered materials was the removal of stockpiled aggregate by Council's Works department. Spikes in April and May 2016 primarily comprise mulch sales. The increase of materials in to the facility in April 2016 was due to stockpiling of aggregate from Roads & Drainage.

**Figure 1:** Muswellbrook Waste & Recycling Facility incoming waste per month with overlay of outgoing waste tonnages.



All wastes received at the Facility are categorised by source; Municipal, Commercial & Industrial, or Construction & Demolition. For the purposes of statutory reporting and levy calculation, waste generated by Council's operations fall within the Municipal category, along with kerbside bin collections and self-haul waste from residents. Additionally, waste received at the facility which is collected in Upper Hunter Shire, is categorised as a commercial collection, which brings in around 300 tonnes of waste materials per month. Figure 2 illustrates the past 12 months waste received categorised by these sources.

Significant fluctuations in the amount of Municipal waste received each month are evident in Figure 2 - the major peaks shown are delivery of recovered road base and soil from Council road works which occurred in April, June, September and December 2016. This material is stockpiled for re-use within road projects within the 24 month levy deduction window. Construction & Demolition waste increased slightly in November 2016.

**Figure 2:** Waste tonnage delivered to Muswellbrook Waste & Recycling Facility categorised by source (UHSC Red & Yellow = Upper Hunter Shire Council red lid and yellow lid bin kerbside collections).

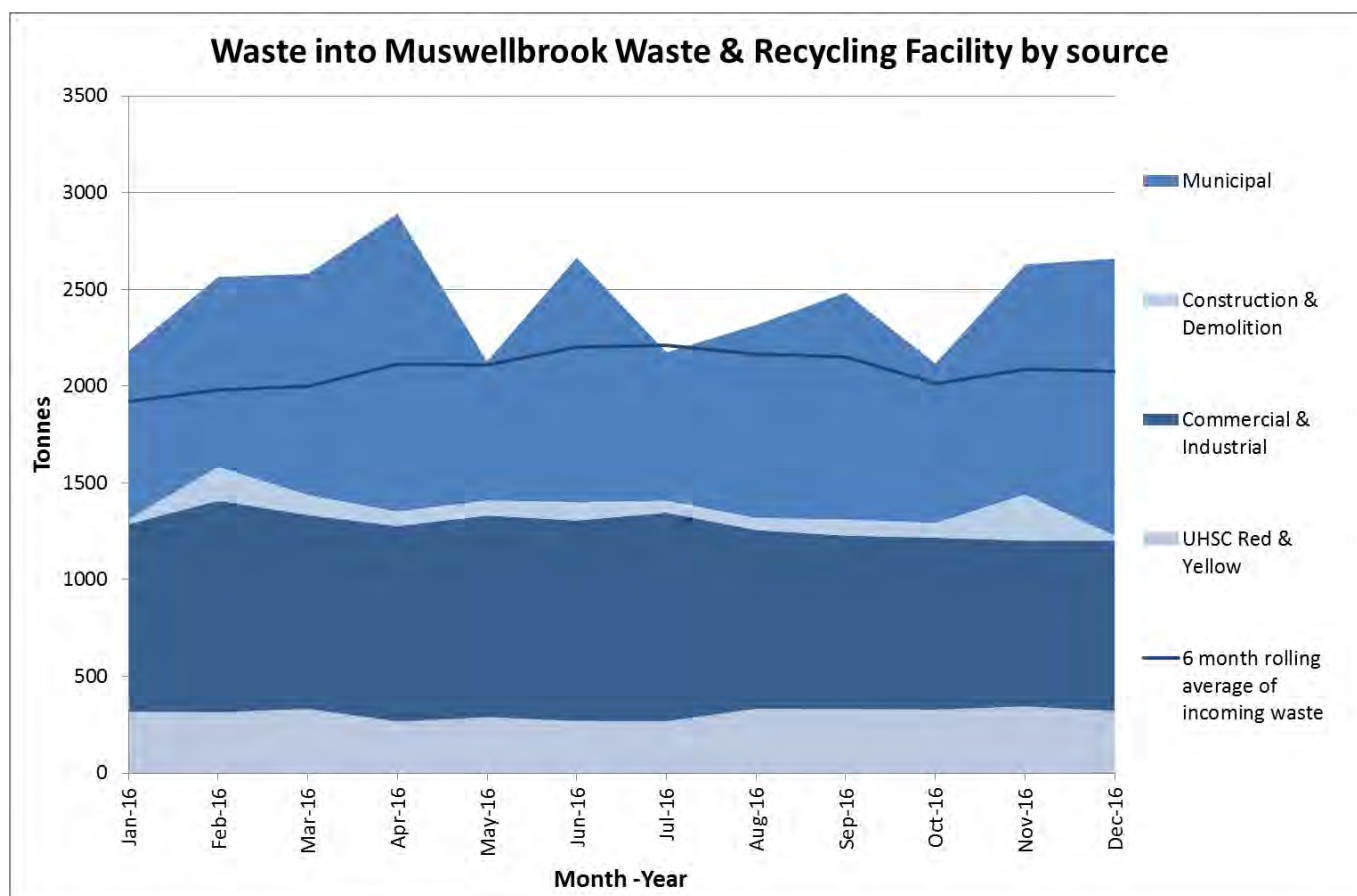
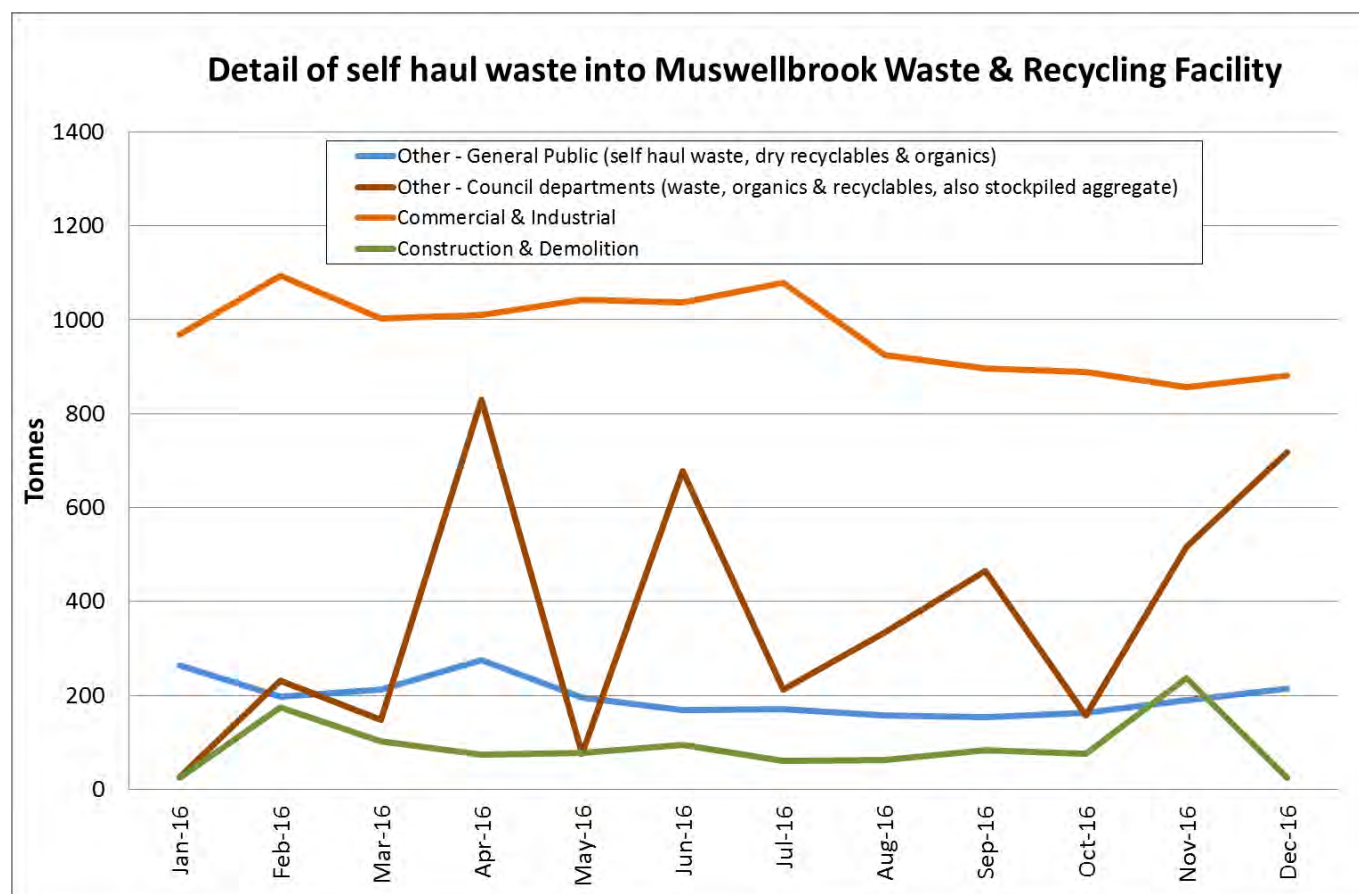
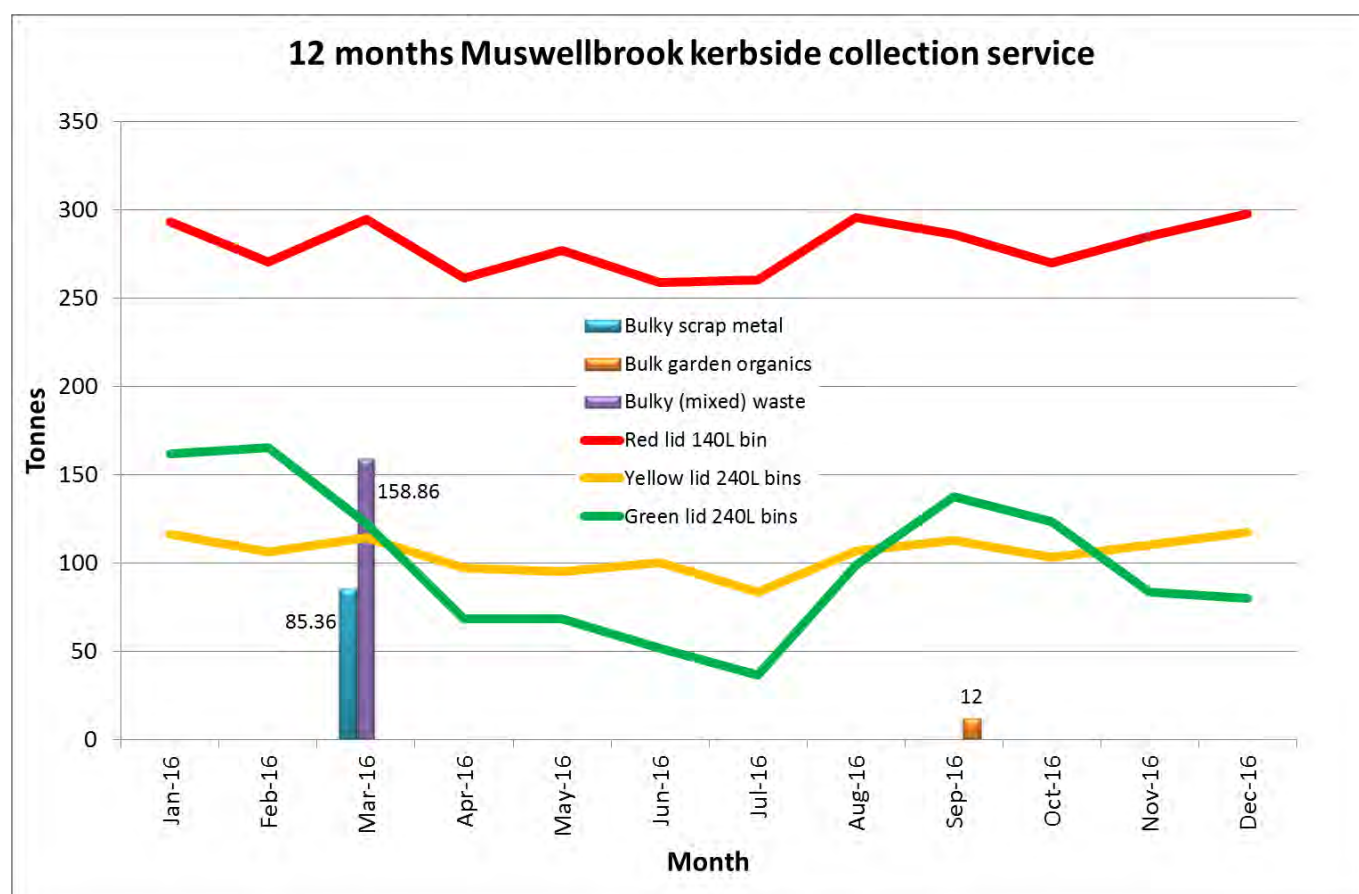


Figure 3 has been developed to highlight the volumes of waste delivered to the facility by self-haul from all sources. This is waste that is brought directly to the Waste & Recycling Facility by residents, businesses and charities, but excludes the kerbside collections. Waste from the general public is consistently around 200 tonnes per month, compared to other sources which experience more fluctuation in waste generation. Commercial & Industrial stream includes wastes from heavy industries.

Figure 4 displays the kerbside bin collection performance throughout 2016. Bulky general waste is shown alongside the scrap metal component that was collected during the Bulky Waste campaign of March 2016, while the bulk Garden Organics pickup in September is also shown, where 12 tonnes were collected kerbside. The bulky general waste coincides with a minor peak in Red Lid Bin usage in March, which may be due to residents taking the opportunity to clear out unwanted items more generally, prompted by the kerbside bulky goods collection.

**Figure 3:** Self haul waste from all sources in detail.**Figure 4:** Overview of kerbside 3-bin system performance.

**11.3 2016-2017 Q2 COMMUNITY INFRASTRUCTURE CAPITAL WORKS STATUS REPORT**

<b>Attachments:</b>	<b>A. 2016-2017 CI Capital Works - Hybrid</b>
<b>Responsible Officer:</b>	<b>Neil Pope - Director, Community Infrastructure</b>
<b>Author:</b>	<b>Regina Connon - Business Systems &amp; Plant Co-Ordinator</b>
<b>Community Plan Issue:</b>	<b><i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i></b>
<b>Community Plan Goal:</b>	<b><i>That our community infrastructure is appropriate, sustainable and well maintained</i></b>
<b>Community Plan Strategy:</b>	<b><i>Develop and maintain the Shire's infrastructure</i></b>

**PURPOSE**

This report presents in tabular form the status of 2016-2017 Community Infrastructure Capital Works Projects updated to 31 December 2016.

**OFFICER'S RECOMMENDATION**

Council note the information contained in the 2016–2017 Community Infrastructure Capital Works Status Report updated to 31 December 2016.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**BACKGROUND**

This report is updated by Community Infrastructure Section Managers on a monthly basis and reported quarterly to the Infrastructure Committee.

**CONSULTATION**

Not Applicable.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Not Applicable.

**REPORT**

Please refer to the attached report.

**OPERATIONAL PLAN IMPLICATIONS**

The submission of this report complies with sections 4.02.01.1, 4.02.02.2, 4.04.01.2, 4.04.02.2, 4.04.03.1, 4.05.01.1, 4.05.02.1, 4.06.01.2, 4.07.01.2, 4.08.01.1, 9.01.01.1, 9.01.01.2, 9.02.03.1, 9.03.01.2, 9.07.06.1 of the Operational Plan.



## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D)/ Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
Responsible Officer = EDI								
Roads Capital Works								
Denman Gateway Project [3550.4261]	C	\$700,000	Jul-16	Dec-16	May-17	Jul-16		Landscaping works at the intersection of Crinoline and Golden highway is mostly completed except for minor refinements. Awaiting for light fittings to complete the installation of uplighting. Tree planting in Palace is to be undertaken in Autumn as reported to Council. Renewal of kerb and gutter and road pavement on the section of Palace St. is completed. Renewal of sections of footpath and restoration and vegetation of the nature strip is also completed.
Safety Device Renewal Program [3590.4145]	C	\$81,293	Aug-16	Jun-17		Sep-16		Council approved to utilise this allocation to match the grant funding to construct shared pathway in Dolaherty St and Rutherford Road.
Drainage Devices Program [3540.4065]	D/C	\$160,000	Mar-17	Jun-17				Not commenced.
ARTC Underpass Project	C	\$125,000	Nov-16	Dec-16	Mar-17	Jul-16		Installation of signage panels is complete. There is a delay in supply of lighting columns and therefore installation of the lights will be delayed. Required power connections and tooling of the lighting columns is complete.
Road Rehabilitation (R4R - Round 3)		\$4,200,000	July '15	Apr-17	May-17	Sep-15		(see comments below)
1. Bylong Valley Way	D/C							Four sections of Bylong Valley Way have been completed since June 2015.
2. Wybong Road	D/C							Rehabilitation of failed sections between 17.9 and 19 km has been completed. A contractor was engaged to undertake the works on the section from 27.8 km to 29.2 km this work is now complete.

## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D)/ Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
3. Hebden Road	C							Scope of work has been developed. Construction to commence in Feb 2017
4. Bureen Road								Works completed in 2015/2016 financial year.
Stabilisation of Rosemount Road Cutting (R4R R2)	C	\$1,100,000	Sep-16	Dec-16	Mar-17	Sep-16		A contractor was engaged to undertake the stabilisation works. A section of road was stabilised.
Sandy Hollow Town Centre Project	C	\$40,000	Oct-16	Dec-16		Oct-16	Dec-16	Construction of concrete footpath between tourist hotel and the community hall is completed.
Kerb & Gutter Renewal [3560.4065]	C	\$120,000	Feb-17	Jun-17		Nov-16		A report was submitted to July infrastructure committee with a prioritised list of projects. Identified renewals of damaged section in Shiraz St is in progress.
Footpath Renewal [3500.4072]	C	\$100,000	Oct-16	Apr-17				A report was submitted to July infrastructure committee with a prioritised list of projects. Identified renewals will be undertaken in 2nd and 3rd quarters of the year.
New Footpaths [3500.4073]	C	\$150,000	Sep-16	Dec-16		Aug-16	Dec-16	A report was submitted to July infrastructure committee with a prioritised list of projects. Construction of the footpath on a section of Anzac Pde, which is funded through Social Housing Improvement Program is completed. Construction of the shared pathway on Dolahenty St is complete.
Urban Road Renewal [3500.4050]	C	\$885,000	Aug-16	Jun-17		Aug-16		Renewal of Palace Street from Crinoline St to Ogilvie Street is complete. Stormwater drainage, Kerb & gutter and road pavement works are completed. Vegetation of the nature strip is planned to be completed by end Dec 2016. Renewal of a section of Lorne St to be commenced in Nov 2016.
CBD Stage 6	D/C	\$1,000,000	Jul-16	Jun-17		Jul-16		Concept design submitted for Council's endorsement 2016/10/11.
Carpark Renewal [3580.4234]	C	\$100,000	TBA	TBA				Available funds is insufficient to undertake the renewal of carpark adjacent to Campbell's Corner carpark. The availability of sufficient funds from the saving of other programs to be reviewed in Mar 17.
Cycleway Design- Industrial Estate to MbK Township [3500.4260.504]	D	\$60,000	Jun-16	Mar-17		Sep-16		Survey and design is in progress

## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D)/ Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
<b>Responsible Officer = DEREK</b>								
Rural Road Regravelling Program [3500.4035]	C	\$320,000	Feb-17	Jun-17				These works have commenced with the program to be undertaken throughout the third and fourth quarter of 2016-2017.
Regional Road Renewal Program [3502.4135]	C	\$274,800	Sep-16	Jun-17		Aug-16	Nov-16	Stage 1 project adjacent to James Estate Winery has been completed. Stage 2 project between Goulburn River bridge and Richmond Grove Rd has also been completed.
Road Resealing Program [3500.4030]	C	\$1,161,826	Nov-16	Mar-17		Oct-16		Initial sealing effort completed during October. 100% of urban reseal program completed. 95% of rural reseal program completed. Resealing of the nominated section of Wyborng Rd will take place upon disestablishment of adjacent construction works.
<b>Responsible Officer = PHIL</b>								
<b>WASTE MANAGEMENT</b>								
Waste Less, Recycle More – Household Problem Wastes Drop-Off Centre	D	\$181,280 granted. \$63,000 Council's allocation from Better Waste and Recycling Fund.	Jun-15	Apr-16	Mar-17	Jan-17		Tender awarded to Hunter Sheds and Garages. Earthworks commenced.
<b>WATER</b>								
Reservoir Renewal and Replacements [5310.4321]	C	\$137,300	Jul-15	Jun-16	Dec-16	Jul-16	Sep-16	Planned work for current financial year complete. Currently scoping works for 2017/18 financial year.
Integrated Water Cycle Management Planning [5310.4325]	D	\$73,098	Feb-16	Apr-17		Feb-16		Options study report presented to stakeholder meeting 1/12/2016. Further amendments currently underway. Work being collaborated with Upper Hunter and Singleton Councils.
Renewable Energy Target Works [5310.4326]	D	\$80,000	Oct-16	Mar-17		Oct-16		Installation of 31 kW photovoltaic system at Sandy Hollow Water Treatment Plant to commence Jan 2017.

## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D)/ Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
Water Leakage Investigation and Repair [5310.4363]	I/C	\$159,628	Jul-15	Nov-16	Jun-17	Jun-16		Leakage investigation conducted with leaks identified. Major leaks repaired and minor leaks being completed as a scheduled program of works. New inflow water meter installed at South Muswellbrook Reservoir. Other flow meter installation in recommended locations scheduled for October and November 2016. Water use and flow pattern in different zones will be monitored prior to further investigation on possible leakage losses.
South Muswellbrook Reservoir [5310.4542]	I/D	\$184,183	Apr-15	Sep-16	Jun-17	Jul-16		The design for the Pump station, Reservoir, and Pipelines for the original route completed. All investigations including Review of Environmental Factors completed for the alternative pipeline route, pump station and reservoir location. The design of the reservoir for the alternative location is complete with the development of specifications for pipeline, pump station and associated works in progress for the alternative pipeline route.
Contribution to Bulk Water of Glenbawn Dam [5310.4557]	I	\$103,899	Jul-16	Jun-17		Jul-16		Consultants Options Report reviewed by Public Works who have developed a number of alternatives which are currently under consideration by Muswellbrook and Upper Hunter.
Denman Water Treatment Works [5310.4559]	I/C	\$315,620	Oct-16	Jun-17		Oct-16		The membranes have reached the end of their useful life and needs to be replaced. A membrane option study advised to replace existing membranes with the same technology membranes to keep cost realistic, but also suggested process improvements. Specifications will be prepared for the improvement works on the treatment process and also for membrane procurement. A program has been developed and minor improvements will commence in January 2017.



## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D) Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
Muswellbrook Water Treatment Plant Replacements [5310.4560]	D/C	\$750,000	Jul-15	Jun-17	Jun-18	Aug-16		Tender Contract for Clarifier Upgrade has been awarded with works scheduled for completion by end April 2017. Specifications for electrical upgrades currently underway by Public Works.
Reticulation - Muswellbrook - Capital [5320.4340]	I/D/C	\$1,060,000	Oct-16	Jun-17		Oct-16		Ultrasonic testing of water pipelines completed in critical areas of Muswellbrook with initial focus on relining for Brook and Bridge Streets to be completed by end March 2017.
Telemetry and Associated Equipment [5340.4384]	I/D/C	\$70,698	Jun-16	Dec-16	Jun-17	Sep-16		Telemetry will be changed from Citect to ClearScada software. ClearScada is tailored for the water and wastewater environment and widely used by other Water Utilities. Work has commenced and will be completed by June 2017.
Asset Management System Development [5340.4399]	I/D	\$60,000	Jul-16	May-17		Jul-16		Detailed inspections underway along with the scoping of rectification works, which will form the basis of the long term plan - continuing.
Unaccounted for Water and Investigations	I/C	\$60,000	Jul-15	Jun-18	Dec-16	Jul-15	Jan-17	Ultrasonic testing completed on identified high risk pipelines. Results received and currently under review to develop rehabilitation program.
Sandy Hollow water supply	I	\$180,000	Jan-14	Jun-18	Jun-17	Jul-16		Options including domestic softener systems and a feasibility of new water main from Denman to Sandy Hollow evaluated and submitted to Infrastructure Committee, which requested a further report on other options. A draft policy on potable rainwater tank subsidy prepared in April but not reported to Infrastructure Committee, as IWCM process which is underway, anticipated to provide community guidance on preferred options.
<b>SEWERAGE</b>								



## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D)/ Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
Renewable Energy Target Works [6310.4326]	D	\$133,486	Oct-16	Feb-17		Oct-16		Installation of 40 kW photovoltaic system at Denman Sewer Treatment Plant to commence 16 January 2017.
Reticulation - Muswellbrook - Capital [6310.4340]	I/C	\$950,000	Jul-16	Jun-17		Jul-16		Concept design currently under way.
I & D New Sewerage Treatment [6310.4436]	I/D	\$755,000	Jul-15	Oct-16	Nov-16	Jul-15	Nov-16	Design complete tenders being finalised.
CCTV Inspection of Mains [6310.4457]	I	\$350,000	Aug-16	Jun-17		Jan-17		A contract for the fourth stage of the CCTV Cleaning and inspection program have been received and evaluated, and a report was submitted to Council and awarded.
Muswellbrook Effluent Re-use [6310.4464]	I/D/C	\$150,000	Feb-16	Jun-16	Mar-17	Aug-16		Recommendations of the reuse options study to be implemented. Discussions held with Golf club about implementation which can commence once agreements in place. Irrigation construction commenced.
Upgrade Pump Station 5 [6310.4467]	I/D	\$120,000	Sep-16	Jun-17		Oct-16		Detailed inspection and scoping for required upgrade currently underway.
Muswellbrook Recycle Water Treatment Works [6310.4469]	D	\$820,000	Jul-16	Jun-17		Jul-16		The contract with Aurecon Australasia has progressed as follows: Milestone 1 – Pond 1 design, 100%, tender 100% and construction 98% Milestone 2 – RWTW Final Concept Design 100% Milestone 3 – RWTW Detail Design and Specification 99% Milestone 4 – Alternate power supply 80% Milestone 5 – EOI / ETI / Tender 95% Milestone 6 - Professional services during Construction phase (Not started)
Emptying & Part Infilling of Pond 1 [6310.4471]	C	\$1,042,188	Aug-16	Nov-16	Jan-17	Aug-16		The project, constructed by Conhur Pty Ltd, has reached 98% complete with clean-up and demobilising still to occur.

## STATUS OF COMMUNITY INFRASTRUCTURE 2016-2017 CAPITAL WORKS AS AT 31 December 2016

Project	Project Stage Investigation (I) Design (D)/ Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 2016
Construction - RWTW [6310.4472]	C	\$12,525,000	Jan-17	Jun-18				The Contract for the Design and Construction of Dividing Wall in Existing Effluent Pond 2 has been awarded to Gleeson Civil Engineering Pty Ltd and the contractor has mobilised on site to start the construction.  Tender responses have been received for the main Contract and are being evaluated, with construction expected to commence early in 2017.
Denman Treatment Plant Upgrade [6310.4473]	I/D	\$200,000	Oct-16	Jun-17		Oct-16		Public Works currently completing options studies for upgrades.
Asset Management Planning [6340.4474]	I/D	\$60,000	Sep-16	May-17		Jul-16		Detailed condition assessments underway.
Access & Security Improvements [6340.4475]	I/C	\$120,000	Nov-16	Jun-17		Jul-16		Improvements are planned to improve security and access to all sites. The installation of CCTV cameras and tob access to various sites have commenced.
Technical Services								
Responsible Officer = PETER								
Showground Intersections [3910.5856.504]	I	\$300,000	TBA	TBA (Requires sale of showground and progress to acquire new site)				Report to Council on 11 October 2016 approved this allocation be added to consultants scope of work for the Section 94 Contribution Plan to obtain RMS approval to concept plans for Thompson Street Signals. Once concept approved by RMS, detailed design may be commenced.
West Denman Implementation [1044.0605.500]	I	\$184,000	Aug-13	TBA		Aug-13		A report to Council approved funds to undertake tellout drainage works in association with the ARTC culvert works. Further negotiations have been undertaken to obtain an easement to cover the proposed works. The budget allocation has been increased.

**11.4 WATER AND WASTE PROGRAM TO ACHIEVE FORTY PERCENT RENEWABLE ENERGY TARGET**

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Neil Pope - Director, Community Infrastructure
<b>Author:</b>	John Wisniewski - Waste Reuse & Environment Operations Manager
<b>Community Plan Issue:</b>	<i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i>
<b>Community Plan Goal:</b>	<i>That our community infrastructure is appropriate, sustainable and well maintained</i>
<b>Community Plan Strategy:</b>	<i>Provide Environmentally Compatible Water And Sewerage Services to minimise Impacts on the community</i>

**PURPOSE**

The purpose of this report is to outline to Council how the Water and Waste Department will progress toward achievement of the forty (40) percent renewable energy target by 2020.

**OFFICER'S RECOMMENDATION**

That Council endorse the Water and Waste Department strategy to achieve its portion of Council's forty (40) percent renewable energy target by 2020.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**BACKGROUND**

At the Ordinary Council Meeting of 8 December 2014 Council resolved to "establish a renewable energy target across the organisation excluding street lighting and vehicles of 40% by 2020". The 40% target is significantly more ambitious than the targets set by the current State and Federal Governments.

The means of achieving the 40% target set out in the 8 December 2014 Council report included:

- Photovoltaics;
- Wind turbines;
- Greenpower (from accredited sources); and
- Carbon offsets, carbon neutral and carbon abatement schemes.

**CONSULTATION**

Director Community Infrastructure

Executive Manager Water and Waste

Asset Manager (W&W)

Operations Manager (W&W)

Project Manager (W&W)

Manager Community Services

Sustainability Co-ordinator

Environmental Projects Officer

Consultant – Genesis Now

Consultant - Aurecon

## CONSULTATION WITH COUNCILLOR SPOKESPERSON

The Utilities Spokesman has been consulted about various renewable energy opportunities, including the planned 800 kW solar photovoltaic system at the new Muswellbrook Recycle Water Treatment Works (RWTW).

## REPORT

The Water and Waste Department is Council's largest consumer of electricity as it is involved in energy intensive supply, treatment, reticulation and storage activities associated with the provision of potable water services and sewer services to the community. It manages thirty three (33) separate electricity accounts with a total consumption of 2,459 MWh of electricity in 2015/16, which is regarded as the base year (Table 1).

In order to achieve the 40% renewables target, it will be necessary to generate or procure 984 MWh of electricity from renewable sources by 2020.

**Table 1. Water and Waste Department electricity consumption in 2015/16.**

Site	Electricity consumed (kWh)	Percentage of Total
<b>Denman Water</b>		
River Intake Works - Denman	177,749	7.23%
Water Treatment Plant - Denman	55,826	2.27%
Reservoir - Denman	996	0.04%
<b>Sub-total</b>	<b>234,571</b>	<b>9.54%</b>
<b>Muswellbrook Water</b>		
Intake Works and Water Treatment Plant – Muswellbrook (including pumps to reservoirs)	1,055,288	42.91%
Booster pump – Queen St, Muswellbrook	110,076	4.48%
Booster pump – Common Rd, Muswellbrook	45,352	1.84%
Booster pump – Pinaroo, Muswellbrook	15,401	0.63%
Reservoir – Common Rd, Muswellbrook	1,678	0.07%
Reservoir – Acacia Drive, Muswellbrook	314	0.01%
<b>Sub-total</b>	<b>1,228,109</b>	<b>49.94%</b>
<b>Sandy Hollow Water</b>		
Intake Works and Water Treatment Plant – Sandy Hollow	21,798	0.89%
Reservoir – Sandy Hollow	1,113	0.05%
<b>Sub-total</b>	<b>22,911</b>	<b>0.93%</b>
<b>Denman Sewer</b>		
Sewage Treatment Works - Denman	122,121	4.97%

Site	Electricity consumed (kWh)	Percentage of Total
Effluent Re-use (golf course) - Denman	8,988	0.37%
Sewage Pump Station 1 – Babbington St, Denman	12,468	0.51%
Sewage Pump Station 2 – Palace St, Denman	1,711	0.07%
<b>Sub-total</b>	<b>145,288</b>	<b>5.91%</b>
<b>Muswellbrook Sewer</b>		
Sewage Treatment Works - Muswellbrook	247,492	10.06%
Sewage Pump Station 1 – Sydney St, Muswellbrook	52,872	2.15%
Sewage Pump Station 2 – Hunter St, Muswellbrook	10,990	0.45%
Sewage Pump Station 3 – Newman St, Muswellbrook	30,748	1.25%
Sewage Pump Station 4A – Bell St, Muswellbrook	67,703	2.75%
Sewage Pump Station 5 – Maitland St, Muswellbrook	71,992	2.93%
Sewage Pump Station 6 – Queen St, Muswellbrook	5,804	0.24%
Sewage Pump Station 7 – Dalwood Place, Muswellbrook	9,0991	0.37%
Sewage Pump Station 8 – George St, Muswellbrook	10,371	0.42%
Sewage Pump Station 9 – Aberdeen St, Muswellbrook	2,673	0.11%
Sewage Pump Station 10 – Aberdeen St, Muswellbrook	1,240	0.05%
Sewage Pump Station 11 – Lot 317 Drainage Reserve, Muswellbrook	1,233	0.05%
Sewage Pump Station 12 – Skellatar Stock Route, Muswellbrook	151	0.01%
Sewage Pump Station 13 – New England Hwy, Muswellbrook	4,641	0.19%
Mt Arthur Re-use Pumps & Industrial Area Potable Water Supply Pumps – Denman Rd, Muswellbrook	265,685	10.80%
Muswellbrook Golf Course Re-use Pumps– Denman Rd, Muswellbrook	41,458	1.69%
<b>Sub-total</b>	<b>824,152</b>	<b>33.51%</b>
<b>Other</b>		
Denman Waste Transfer Station, Rosemount Rd, Denman	2,647	0.11%
Rural Fire Service – Skellatar Stock Route, Muswellbrook	1,671	0.07%
<b>TOTAL</b>	<b>2,459,349</b>	<b>100.00%</b>

It is anticipated that the existing antiquated Muswellbrook Sewage Treatment Works will be replaced by the Muswellbrook Recycled Water Treatment Works (RWTW) towards the end of 2018. Whilst this new facility will produce a significantly improved high quality recycled water product it will also consume significantly more electricity (estimated annual electricity consumption of 2,172 MWh/year) than the current facility (555 MWh/year; Table 2) reflecting more sophisticated technologies.

Some existing facilities at the Muswellbrook STP site will become redundant with the construction and commissioning of the RWTW. These include the Muswellbrook Golf Course Re-use Pumps and the Mt Arthur Re-use Pumps (the latter is complicated because it shares an electricity supply and meter with the



Industrial Area Potable Water Booster Pumps; the Industrial Area Potable Water Booster Pumps will remain in operation after the RWTW is built).

**Table 2. Water and Waste Department electricity consumption in post-construction of the Muswellbrook Recycled Water Treatment Works (i.e. 2018/19).**

Site	Electricity consumed (kWh)	Cost
Muswellbrook Water and Waste Department (2015/16)	2,459,349	
2018/19 Muswellbrook Recycled Water Treatment Works	2,171,750	
<b>Annual electricity consumption TOTAL</b>	<b>4,631,099</b>	
<i>Subtract 2015/16 electricity consumption of redundant sites once RWTW constructed</i>		
Sewage Treatment Works - Muswellbrook	-247,492	
Muswellbrook Golf Course Re-use Pumps– Denman Rd, Muswellbrook	-41,458	
Mt Arthur Re-use Pumps & Industrial Area Potable Water Supply Pumps – Denman Rd, Muswellbrook	-265,685	
<b>Adjusted estimated annual electricity consumption TOTAL</b>	<b>4,076,464</b>	
Energy efficiency action electricity savings identified in Genesis Now report (October 2016)	-355,000	\$285,000
<b>Revised annual electricity consumption TOTAL</b>	<b>3,721,464</b>	
<b>RENEWABLES TARGET (40% OF ELECTRICITY CONSUMED)</b>	<b>1,488,586</b>	
<b>Renewables Generation implemented to date</b>		
2015/16 - Denman Water Treatment Plant (15.08kW)	22,665	\$27,000
2016/17 - Denman Sewage Treatment Plant (39.96kW)	54,476	\$68,000
2016/17 - Sandy Hollow Water Treatment Plant (31.08kW)	40,068	\$56,000
<b>TOTAL</b>	<b>117,209</b>	
<b>Renewables Generation planned</b>		
2017/18 - Muswellbrook Water Treatment Plant (100kW)	133,000	\$475,000
2018/19 - Muswellbrook Recycled Water Treatment Works (800kW)	1,273,000	\$2,170,000
<b>TOTAL RENEWABLES GENERATION (2018/19) - 40.9%</b>	<b>1,523,209</b>	<b>\$3,081,000</b>
<b>Contingencies</b>		
Muswellbrook Waste and Recycling Facility (25kW)	33,725	\$45,000
Denman River Intake Works (30kW)	39,930	\$62,000

If it is assumed that the electricity consumption across all other Water and Waste sites remains constant, then the new total electricity consumption (after construction of the RWTW in 2018) will be in the order of 4,076 MWh/year (Table 2).

In October 2016 Genesis Now presented the Water and Waste Department with an energy efficiency analysis that identified 56 potential energy saving opportunities across the Department's operations. Fourteen specific opportunities were further analysed and quantified, indicating potential electricity consumption savings of 355,000 kWh which translates to about \$180,000 in cost savings for an estimated investment of \$285,000. Implementing these select projects represents excellent value with rapid paybacks.

Accounting for potential energy saving projects (i.e. 355 MWh), the total electricity consumption will reduce from 4,076 MWh to 3,721 MWh. A forty percent renewable energy target based on this electricity consumption figure is 1,489 MWh (Table 2).

Table 2 indicates that the renewable electricity projects already implemented (Denman WTP, Denman STP and Sandy Hollow WTP) are estimated to produce 117 MWh annually. Proposed photovoltaics projects in 2017/18 at the Muswellbrook Water Treatment Plant (133 MWh) and the new Muswellbrook RWTW (1,273 MWh) will see Water and Waste potentially achieve a renewable energy production capacity of approximately 40.9% of its operational consumption.

Overall the Water and Waste renewable energy target strategy consists of two broad actions:

- Improving the energy efficiency of existing operations (thus reducing the quantum of the renewable energy target); and
- Installation of renewable energy generation capacity (986 kW of photovoltaics). This includes Council's approved 800 kW photovoltaic system with future battery storage provision flexibility at the new RWTW.

Two photovoltaics projects have been added at the end of Table 2 and treated as a contingency. These have been included as it is assumed that in the period leading up to 2020 there will potentially be additional electricity loads added throughout Water and Waste's operations. An example of this already occurring is the IT Department setting up a "Server" room at the Water and Waste Scott Street offices. This will result in an office now being air-conditioned 24 hours per day seven days per week. Previously this office was only air-conditioned Monday to Friday from 7AM to 5PM. It will now be required to offset forty percent of this additional electricity consumption with renewable energy.

## **OPTIONS**

Achievement of the forty percent renewables target could be undertaken using one of several strategies or even a combination of strategies. For example:

- Installation of renewable energy generating infrastructure (e.g. photovoltaics, wind turbines, micro hydro systems);
- Purchase of Greenpower (from accredited sources);
- Purchase of Carbon offsets, carbon neutral and carbon abatement schemes; and
- Energy efficiency improvements (to reduce the quantity of renewable energy required to achieve the forty percent target).

Financially, the cheapest way to achieve the target would be to purchase accredited Green Power from an electricity retailer or to purchase Carbon offsets. However this would be an ongoing operational expense.

The Water and Waste department has determined that a combination of energy efficiency improvements and installation of renewable energy generation capacity (photovoltaics) provides the best option for achieving the renewable energy target and achieving some long-term cost savings.

## **CONCLUSION**

The Water and Waste Department has set out a strategy which will enable it to supply approximately 41% of its operational energy requirements from renewable sources by early 2019.

Already 86 kW solar photovoltaics have been installed at Denman and Sandy Hollow treatment works. An additional 900 kW installed capacity is planned for Muswellbrook facilities, including the RWTW which will have future battery storage provision flexibility. Other initiatives include fourteen specific actions

which will result in significant energy efficiency improvements featuring rapid paybacks for minimal investment.

The strategy includes contingency initiatives which could make further renewables contributions. It is also expected that other investigation and planning work will identify further opportunities.

### **SOCIAL IMPLICATIONS**

Not applicable

### **FINANCIAL IMPLICATIONS**

Table 2 indicates that to implement the identified actions outlined in the Water and Waste Department's strategy will require approximately \$3.2Million, which is provided for in Water & Waste's long term financial model endorsed by Council. A significant proportion of this funding will be expended upon the new RWTW 800kW photovoltaic system, for which Council has approved development of a design and supply performance specification.

### **POLICY IMPLICATIONS**

The strategy outlined above is consistent with Council's policy to achieve a forty percent renewable energy target across its operations.

### **STATUTORY IMPLICATIONS**

Nil

### **LEGAL IMPLICATIONS**

Procurement needs to be in line with Local Government Act requirements and Council's purchasing guidelines.

### **OPERATIONAL PLAN IMPLICATIONS**

The proposed strategy to achieve the forty percent renewable energy target for Water and Waste's operations links in with Operational Plan strategies that emphasise the provision of environmentally friendly and financially sound Water and Sewer services to the community

### **RISK MANAGEMENT IMPLICATIONS**

Risks to the successful implementation of this strategy identified previously involve significant changes being made to, or imposed upon, the Water and Waste Department's operations that result in increased consumption of electricity. This could dramatically alter the target that needs to be met in 2020.

Other risks include the implementation of energy efficiency measures not achieving the estimated savings predicted in the Genesis Now report. However some contingency projects have been identified that could be used to mitigate such an outcome.

Procurement of renewable energy generation technologies and energy efficiency services also contains an element of risk though this can be mitigated to some extent through the use of appropriate selection criteria and checking the references of potential service providers.

## 12 CORPORATE AND COMMUNITY SERVICES

### 12.1 SMALL CAPITAL GRANTS (SPORT AND RECREATION) ROUND 2 - APPLICATIONS

Attachments:	A. Small Capital Grant Guidelines
Responsible Officer:	Matthew Lysaught - Manager, Property and Building Services
Author:	Ren Rogers - Communications & Grants Officer
Community Plan Issue:	<i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i>
Community Plan Goal:	<i>That our community infrastructure is appropriate, sustainable and well maintained</i>
Community Plan Strategy:	<i>Plan, provide and manage a selected range of recreation facilities to an appropriate standard in a safe and efficient manner</i>

#### PURPOSE

The second round of Council's Sport and Recreation Small Capital Grants Program has now closed. Twelve applications were received from sporting groups within the Shire. This report provides the relevant detail of these applicants and makes a recommendation for the allocation of funds.

#### OFFICER'S RECOMMENDATION

##### Council:

1. Award funding to all eligible applicants with additional funds sourced from Recreation Reserves; and
2. Require that applicants in future programs further demonstrate how the projects improve public recreation facilities and/or increase public participation.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

#### BACKGROUND

Council resolved at its Ordinary Meeting of 9 September, 2015 that:

*\$20,000 be set aside from unrestricted cash in the 2015/16 Budget for small capital grants for sport and recreation projects, to be made available on a matched funding (dollar for dollar) basis, up to a value of \$2,000 (Council's contribution)*

The total grant amount for the second round of funding was increased to \$25,000 due to the popularity of the grant program. Round 2 opened for applications on 9 November 2016 and closed on 9 December 2016, with eighteen applications from local sporting and recreational groups received. Round 2 requests are for a total of **\$29,101.40** in funding for projects worth a collective **\$112,042.20**. This exceeds the allocated funding amount by **\$4,101.40**.

#### CONSULTATION

Manager Property and Building Services

Manager Corporate Services

Recreation and Property Officer

## CONSULTATION WITH COUNCILLOR SPOKESPERSON

Not applicable

## REPORT

<b>Sporting group</b>	<b>Purpose of funding</b>	<b>Funding requested</b>	<b>Total project cost</b>
Denman Little Athletics	Field lighting – partnership with Denman Sandy Hollow Junior Rugby League Football Club	\$2,000	\$12,325.50
Denman Sandy Hollow Junior Rugby League Club	Field lighting – partnership with Denman Little Athletics	\$2,000	-
Denman Basketball Association	Lockable cupboard for club records	\$500	\$1,000
Denman and District Cricket Club	Mains power outlets – partnership with Denman Junior Cricket Club	\$1,175	\$4,700
Denman Junior Cricket Association	Mains power outlets – partnership with Denman Senior Cricket Club	\$1,175	-
Denman Pony Club	New entry gate to grounds	\$2,000	\$4,845.50
Denman Rugby League Football Club	Electronic scoreboard	\$2,000	\$20,000
Denman Squash Club	Relay flooring	\$2,000	\$16,567
Denman Swimming Club	Seating and safety barricades	\$911.40	\$1822.80
Early Arms Rifle and Pistol Club	Metal silhouette targets	\$1,850	\$3,700
Glengallic Shooting Club Inc	Laptop and printer for club accounts and membership records	\$500	\$1,000
Muswellbrook Football Club Inc	Hot water system – purchase and installation	\$990	\$1,980
Muswellbrook Junior Cricket	Practice and sunsafe equipment	\$2,000	\$4,049.40
Muswellbrook Little Athletics Centre Inc	Permanent long jump run	\$2,000	\$4,220
Muswellbrook Rugby Union Club	Electronic scoreboard	\$2,000	\$7,557
Muswellbrook Rugby	Secure interchange	\$2,000	\$4,000



Sporting group	Purpose of funding	Funding requested	Total project cost
League Football Club	benches with running water		
Olympic Park Tennis Club	Outdoor seating	\$2,000	\$4,675
Muswellbrook Swimming Club	New starting system	\$2,000	\$20,000
<b>TOTAL</b>		<b>\$29,101.40</b>	<b>\$112,042.20</b>

There were problems with the applications for partnership between Denman Junior Cricket and Denman Senior Cricket as they were seemingly unclear on cost of the project however this was later clarified that deemed the applications eligible. Also Muswellbrook Swimming Club requested \$2,000 funding via email rather than submitting a formal funding application. Finally all applications were accepted.

The second funding round of Small Capital Grants attracted 18 applications (shown in the table above) for a total of \$29,101.40 increasing from the first funding round in 2015/16 which attracted 13 applications. However the amount of \$29,101.40 exceeds the allocated funding pool of \$25,000.

### OPTIONS

If Council is to only fund projects to the extent of the allocated \$25,000 then the recommendation is for projects that improve public facilities should be prioritised over equipment consistent with the grant guidelines attached.

4. Grants are for maintenance, refurbishment, improvements or replacement of public sport or recreation facilities.

### CONCLUSION

Given how successful the program has been subscribed and the nominal amount of additional funding required, in consideration of Council's annual capital and operational to sport and recreation, it is recommended that the additional funds this year are sourced from Recreation Reserves.

However the program is budgeted for future years and therefore it is recommended that future applications be required to demonstrate how the projects improve public recreation facilities and/or increase public participation.

### SOCIAL IMPLICATIONS

Improving the facilities and equipment of local sporting groups will encourage increased participation in sporting and recreational activities, leading to improved health and social outcomes. Financial assistance from Council ensures that clubs are able to operate with appropriate equipment and facilities despite financial difficulty.

### FINANCIAL IMPLICATIONS

If Council chooses to fund all of the eligible projects, an additional \$4,101.40 will need to be sourced from Recreation Reserves.

### POLICY IMPLICATIONS

F16-1 Financial Assistance Policy

*Applications for financial assistance not listed in the annual Management Plan are referred to the appropriate Council Committee to assess the applications and make a recommendation to Council.*

*For financial assistance requiring applications, a maximum allocation of \$1,000.00 per community group, organization or sporting group applies. Any request in excess of this amount will require a separate report to Council.*

**STATUTORY IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Funding recipients will be required to sign an agreement outlining their rights and responsibilities regarding the funded project, reporting of works, administration of funds, and post-project acquittal.

**OPERATIONAL PLAN IMPLICATIONS**

10.1 *Plan, provide and manage a selected range of recreation facilities to an appropriate standard in a safe and efficient manner.*

**RISK MANAGEMENT IMPLICATIONS**

All applicants were required to show proof of capacity to match the requested funding and quotes for proposed items/activities. Evidence of all regulatory and planning approvals (where relevant) is required from the applicant before funding can be released. The funded project will be the subject of a formal acquittal on completion. Each successful applicant will sign a funding contract with Council prior to release of funds.



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## Sport and Recreation Small Capital Grants Program Guidelines

1. Grant applications will be considered from sporting and community groups in the Muswellbrook Shire Local Government Area that have an ABN.
2. Grants are available on a matched funding (dollar for dollar) basis, up to a value of \$2,000 per project.
3. Donated materials or voluntary labour will generally not be considered in assessing applicant contributions. However, if the applicant can provide independent evidence of their value such submissions will be considered on a case-by-case basis.
4. Grants are for maintenance, refurbishment, improvements or replacement of public sport or recreation facilities.
5. Evidence of sufficient funds being held by the applicant to match the grant will be required before the grant is approved.
6. Accurate cost estimates/quotes must be submitted as part of an application.
7. The grant may only be used for the purpose specified in the funding agreement.
8. Funded projects must be completed within 12 months of the grant being approved.
9. If grants are for structures, relevant approvals must be in evidence before funding will be made available.
10. The Councillor Spokesperson for Sport and Recreation has the authority to determine applications following consideration of advice from Council staff officers and reference to the Guidelines.
11. Council has the authority to approve grants of less than the amount being sought to applicant organisations.
12. The number of grants given in any funding period is subject to the total annual funding pool of \$25,000.
13. All applicants will be notified of the funding round outcome within 10 working days of determination.
14. Grants will be payable to successful applicants on the provision of an invoice(s) from the applicant.
15. The successful applicant will be responsible for project management and all project costs in excess of the approved grant, with all works undertaken required complying with Council policy, including but not limited to Workplace Health and Safety, Volunteer and procurement policies. Works will be subject to inspection and verification.
16. Applications may not be submitted for work that has already taken place.
17. Successful applicants must provide an acquittal of the monies received with evidence of expenses and photos of the project before and after submitted to Council's General Manager within 1 month of project completion.
18. Council reserves the right to publicise approved projects in any media form it chooses.
19. These guidelines are subject to change from time to time.
20. Funding received from Council must at a minimum be matched by the successful applicant.



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## Sport and Recreation Small Capital Grants Program Application

### Your organisation

Name of organisation:

Contact name:

Position or office within organisation:

Postal address:

Email address:

Phone number:

Organisation Facebook (optional):

Australian Business Number (ABN):

### Application details

Where is your project located?

Please describe your project:

Why is this project needed?

What is the total cost of your project?  
**NOTE the total project cost must be at least double the amount of funding requested**  
 \$

attach cost estimates/quotes

Amount of grant funding requested?  
**NOTE the maximum funding for one project is \$2,000 and ALL funding must be matched by the applicant**  
 \$

Does your organisation have the available funds to match the grant amount?  
☐ Yes ☐ No  
 If yes, attached evidence

Does your project need Development Approval?  
☐ Yes ☐ No  
 If yes, does your project have Development Approval yet?  
☐ Yes ☐ No

I certify that the information provided in and supporting this application is true and correct and that I am legally authorised to sign this application for and on behalf of the applicant organisation.

Applicant's signature

Position

Date

## 12.2 FINANCIAL ASSISTANCE POLICY F16-1

<b>Attachments:</b>	<b>A. Policy F16-1 - Financial Assistance</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - Acting Director - Planning, Community &amp; Corporate Services</b>
<b>Author:</b>	<b>Michelle Sandell-Hay - PA to the General Manager</b>
<b>Community Plan Issue:</b>	<b><i>Protect and recognise community identity and diversity through community development principles</i></b>
<b>Community Plan Goal:</b>	<b><i>Our residents are encouraged and supported to live healthy and active lives</i></b>
<b>Community Plan Strategy:</b>	<b><i>Support community development and build community capacity</i></b>
	<b><i>Corporate Policy And Planning Committee at its meeting on 30 November 2016 resolved that the matter be referred to the Ordinary Meeting meeting to be held on 13 December 2016.</i></b>

### PURPOSE

To formally adopt the Financial Assistance Policy F16/1 following a review and subsequent public exhibition of the revised Policy.

### OFFICER'S RECOMMENDATION

**Council adopt the Financial Assistance Policy F16/1 as revised on 13 December, 2016 and publicly exhibited during January and February 2017.**

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

### BACKGROUND

A report was submitted to the December meeting advising that in recent months reports had been tabled recommending that the fees paid in respect of a particular development application, complying development certificate application and application for activity approval be waived. On the most recent occasion it was also resolved that a draft policy be developed and presented to Council on the waiving of fees and charges for charities and not for profit organisations.

At the December, 2016 Council Meeting Council resolved the following:

"1. that an additional provision be inserted into the Financial Assistance Policy in the following terms: -

#### "Waiving of Fees and Charges

1. 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.*

2. *The applicable fees waived pursuant to this Policy are to be met from Council's Donations Budget."*

2. *The amended Policy should be publicly exhibited for a period of not less than 28 days."*

## CONSULTATION

The Policy was placed on public exhibition for a period of not less than 20 days between 12 January, 2017 and 9 February, 2017.

## CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor spokespersons have not as yet been determined.

## REPORT

The Policy has been amended by adding

### "Waiving of Fees and Charges

1. *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: -*

e) *An activity or event being held for the purposes of raising funds for the Westpac Rescue Helicopter Service;*

f) *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;*

g) *A charitable and not for profit organisation operating in the Muswellbrook Shire Local Government Area*

h) *A community hall, that operates as a rural hall.*

2. *The applicable fees waived pursuant to this Policy are to be met from Council's Donations Budget."*

The amended Policy was publicly exhibited for a period of not less than 28 days between 12 January, 2017 and 9 February 2017. The Draft Policy was placed on Council's website on 12 January, 2017 with advertisements being placed in the Hunter Valley News and the Denman News.

## OPTIONS

The Committee may choose to: -

1. Adopt the Financial Assistance Policy as recommended; or
2. Amend the Financial Assistance Policy as recommended with variations; or
3. Establish a stand alone policy for the waiving of fees and charges;
4. Retain the status quo and require each individual request for the waiving of fees to be referred to Council.

**CONCLUSION**

Adopting the amended Financial Assistance Policy will enable the process for waiving fees and charges in circumstances previously approved by Council to be streamlined and will overcome the need for individual reports to be tabled for the Committee's and Council's consideration for recurring events.

**SOCIAL IMPLICATIONS**

Waiving application fees in the circumstances outlined in this report will assist those organisations that contribute to the well-being of the community.

**FINANCIAL IMPLICATIONS**

The recommended changes to the Financial Assistance Policy will not lead to any material increase in expenditure over and above what is already occurring by way of individual Council resolutions. The changes will simply streamline the decision making process in circumstances that are considered to be consistent with the precedents already set by Council.

**POLICY IMPLICATIONS**

The amended Financial Assistance Policy was on public exhibition for 28 days.

**STATUTORY IMPLICATIONS**

Not applicable.

**LEGAL IMPLICATIONS**

Not applicable.

**OPERATIONAL PLAN IMPLICATIONS**

Not applicable

**RISK MANAGEMENT IMPLICATIONS**

Not applicable.



# muswellbrook shire council

## Financial Assistance

### Policy No. F16/1

#### Authorisation Details:

<b>Authorised by:</b>	Council
<b>Minute No:</b>	
<b>Date:</b>	
<b>Review timeframe:</b>	
<b>Department:</b>	Planning, Community & Corporate Services
<b>Document Owner:</b>	Co-Ordinator, Executive Services

#### Details History:

<b>Version No.</b>	<b>Date changed</b>	<b>Modified by</b>	<b>Amendments made</b>
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

## **POLICY OBJECTIVES**

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

**Author**                    Executive Services Co-Ordinator (Joshua Brown)

**Date**                      January 2017.

## 12.3 OLYMPIC PARK MASTER PLAN AND CAR PARK

<b>Attachments:</b>	A. Olympic Park Car Park - Concept Design B. Olympic Park Car Park - Preliminary Design
<b>Responsible Officer:</b>	Fiona Plesman - Acting Director - Planning, Community & Corporate Services
<b>Author:</b>	Matthew Lysaught - Manager, Property and Building Services
<b>Community Plan Issue:</b>	<i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i>
<b>Community Plan Goal:</b>	<i>That our community infrastructure is appropriate, sustainable and well maintained</i>
<b>Community Plan Strategy:</b>	<i>Plan, provide and manage a selected range of recreation facilities to an appropriate standard in a safe and efficient manner</i>

### PURPOSE

To provide an update on the design and timing for the construction of the car park and the proposed scope of the master plan.

### OFFICER'S RECOMMENDATION

**Council:**

1. **Support the construction of the Car Park Stage 1 to follow the completion of the Olympic Park Master Plan; and**
2. **Endorse the scope of the Olympic Master Plan as outlined in the report.**

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

### BACKGROUND

The Olympic Park precinct which is the Crown's 'Fitzgerald Estate' for which Council is the Appointed Trustee is Muswellbrook's major sporting precinct. It hosts Muswellbrook Cycle Club, Muswellbrook Junior and Senior Cricket Clubs, Muswellbrook Rugby League (Junior and Senior), Muswellbrook Touch Football including Mens', Ladies', Mixed and Junior competitions, and Olympic Park and Park Tennis Clubs. Further, located in the general precinct is the Muswellbrook Aquatic Centre and across Bell St the Muswellbrook Golf Club. Olympic Park itself is considered one of the premier grounds in the region.

In April 2016 the Bengalla Mining Company Community Investment Committee:

RECOMMENDED on the motion of Mr Randell and Mr Bancroft that:

The Committee recommend to Council the funding of the Olympic Park Master Plan and Carpark Stage 1 (71 Spaces) up to the value of \$710,000.

The recommendation was subsequently adopted at the May 2016 Ordinary Council meeting:

RESOLVED on the motion of Crs Scholes and Lecky that:

The Minutes of the Bengalla Mining Company Community Funding Investment Committee Meeting held on Tuesday 3 May 2016 be received and the recommendations contained therein ADOPTED.

The total amount of funding for the project is \$710K funded from Voluntary Planning Agreement Funds. The estimated costs are \$660K for the car park and \$50K for the master plan.

**CONSULTATION**

Manager Roads and Drainage

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Councillor Spokesperson for Sport

**REPORT**Car Park Stage 1

The preliminary design of the car park has been refined (attached). However before proceeding with the construction of the car park staff consider there are number of master plan documents that should be developed or finalised beforehand. These include the resolution of the expansion and upgrade to the facilities at Muswellbrook Aquatic Centre and associated planning, the finalisation of the draft Muswellbrook Urban Riparian Landcare Master Plan and the completion of the Olympic Park Master Plan.

It is anticipated that this planning work would be completed before the end of the 2016/17 financial year. While it is unlikely that the general area allocated to car parking at Olympic Park will dramatically change it would be practical to wait until all planning documents are completed and integrated before proceeding with the construction of the car park.

Olympic Park Precinct user groups have been consulted generally about the timing of the master plan and car park and no objections have been raised. Construction of the car park work would ideally take place towards the end of the calendar year (September/October) to avoid any clash with the rugby league season when the use of the precinct is at its most intense.

Olympic Park Master Plan

It is proposed that the Master Plan for Olympic Park would include a concept plan and a report that provides the following:

- An overall site master plan  
(integration with Muswellbrook Aquatic Centre and Urban Riparian Landcare master plans);
- Location of parking and traffic management design;
- Linkages between active and passive recreation spaces and community infrastructure;
- An understanding of the proposed balance of uses of the site;
- Inclusion of both active and passive recreation opportunities;
- Detailed concepts of key areas;
- Location and style of embellishments (e.g. covered seating, picnic facilities, play equipment and lighting)
- Landscaping information and site characteristics;
- Natural features such as trees, mass planting and shrubs;
- Site features such as contours and services;
- Consideration of sustainability measures particularly water and energy use;
- Photographs and illustrations of examples of key embellishments;
- Park embellishment palette;
- Planting palette;
- Crime Prevention through Environmental Design considerations;
- Staged development information;
- Design rationale;

- Recommendations for Council to incorporate in corporate, operational and financial planning
- Prioritised (staged) development plan; and
- Cost estimates for development (itemised according to the proposed staging).

**OPTIONS**

Council could choose to proceed with the Car Park Stage 1 as planned prior to the completion of respective master plans or choose to have the construction follow the completion of this planning.

**CONCLUSION**

The Urban Riparian Landcare Master Plan is developing and the Muswellbrook Aquatic Centre upgrade concept is being progressed through the Aquatic Centre Stage III Sunset Committee. If Council endorses the scope of the Olympic Park Master Plan then expressions of interest will be sought in February for a suitable consultant. It is important that all three documents are integrated with each other and while it is expected the location of Car Park Stage 1 will not dramatically change it is practical to have this work follow the finalisation of the respective master plans.

**SOCIAL IMPLICATIONS**

Works following the master plan would encourage increased community involvement in fitness and organised sport.

**FINANCIAL IMPLICATIONS**

The estimated costs are \$660K for the car park and \$50K for the master plan.

**POLICY IMPLICATIONS**

Not Applicable

**STATUTORY IMPLICATIONS**

Not Applicable

**LEGAL IMPLICATIONS**

Not Applicable

**OPERATIONAL PLAN IMPLICATIONS**

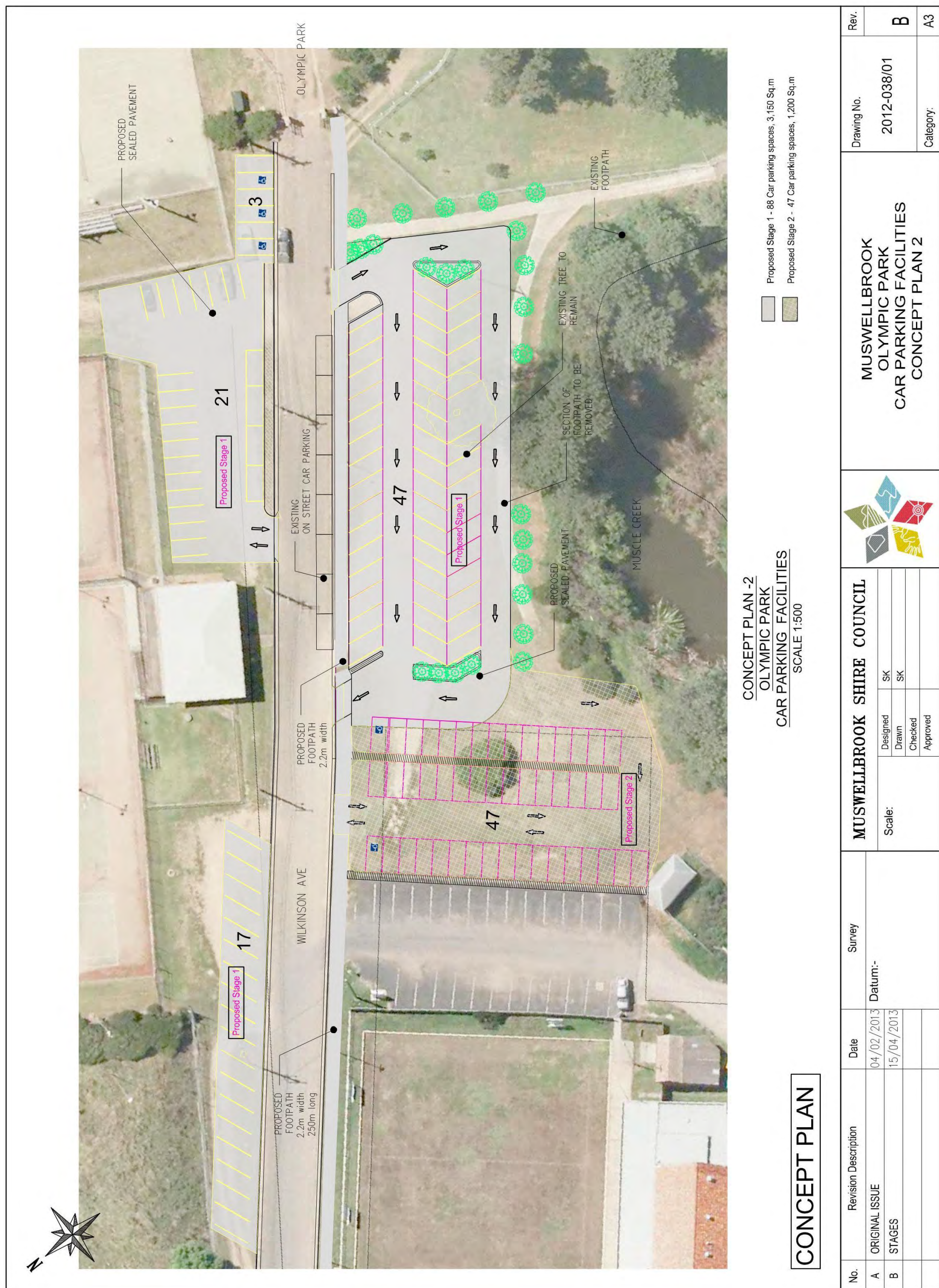
'11.3.1 Carry out investigation and design on forward works program. b. Olympic Park Master Plan.' 2016-17 Operational Plan.

**RISK MANAGEMENT IMPLICATIONS**

Provision of suitable car parking and master planning would significantly contribute to the safe management of the use of the Olympic Park precinct.











## LEGEND

- Concrete surface
- Dia. 375mm Stormwater pipe
- Proposed Tree

No.	Revision	Date	Survey	CLIENT	PROJECTS NAME:	DRAWING TITLE:	Approved By:	Rev.
01	For Review	10/25/2016	Datum:- PM 37379 MGA 94 Zone 56 AHD RL 185.740	MUSWELLBROOK SHIRE COUNCIL	OLYMPIC PARK PROPOSED CAR PARK CONSTRUCTION Wilkinson Ave. MUSWELLBROOK, NSW 2333	Plan View	_____	_____
				Scale: AS SHOWN			Drawing No. 2012-038/ 2a	A
				Designed Drawn Checked Approved	AM AM KS EW			A3



**12.4 PROPERTY AND BUILDING SERVICES CAPITAL WORKS - STATUS UPDATE**

<b>Attachments:</b>	<b>A. Property and Building Service - Capital Works Status</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - Acting Director - Planning, Community &amp; Corporate Services</b>
<b>Author:</b>	<b>Matthew Lysaught - Manager, Property and Building Services</b>
<b>Community Plan Issue:</b>	<b><i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i></b>
<b>Community Plan Goal:</b>	<b><i>That our community infrastructure is appropriate, sustainable and well maintained</i></b>
<b>Community Plan Strategy:</b>	<b><i>Develop and maintain the Shire's infrastructure</i></b>

**PURPOSE**

This report presents the status of 2016-2017 Property and Building Services Capital Works Projects updated to 31 December 2016.

**OFFICER'S RECOMMENDATION**

The information contained in this report be noted.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**BACKGROUND**

Please refer to the attached spreadsheet.

Project	Project Stage Investigation (I) Design (D) Construction (C)	Budget for Project	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS as of 31 December 201
<b>Buildings</b>								
Aquatic Centre Stage III	I	\$60,000	Jan-17	Jun-17		Jan-17		Master plan being amended to reflect key deliveries
Administration Centre - Emergency generator	D	\$143,000	Feb-17	Apr-17		Feb-17		Mainswitch Board being modified to include a generator link box
Administration Centre - Entry footpath	C	\$20,000	Apr-17	Apr-17				Remove pavers and concrete
Administration Centre - Staff Kitchen	C	\$15,000	Feb-17	Jun-17		Feb-17		New kitchen for staff area
Administration Centre - Staff relocation	C	\$15,000	Jul-16	Jun-17		Oct-16		Reorganisation of business units locations
Muswellbrook Regional Arts Centre - Air-conditioning	I	\$18,000	Aug-16	Feb-17		Aug-16	Feb-17	Investigate air-conditioning and energy options
Muswellbrook Regional Arts Centre - Storage Stage 1	C	\$30,000	Jan-17	Jan-17		Jan-17	Jan-17	Stage 1 of additional arts centre storage
QE II Square Improvements	C	\$60,000	Feb-17	Apr-17		Feb-17		Landscaping improvements
Regional Convention and Performance Centre	D	\$150,000	Dec-16	Jun-17		Dec-16		Concept design of Regional Convention and Performance Centre
Works Depot Building - Roof	I	\$60,000	Jul-16	Jun-17		Jul-16	Jun-17	Relocation of staff and investigation of damage to roof caused by termites. Staff have been relocated and ceilings are being removed for assessment.
<b>Commercial Buildings</b>								
Campbells Corner Lights	C	\$15,000	Nov-16	Dec-16		Nov-16	Dec-16	Installation of multicolour lights
Loxton House	C	\$230,000	Nov-16	Apr-17		Nov-16		Restoration of building
Loxton House - Innovation Hub Design	D	\$30,000	Nov-16	Feb-17		Nov-16	Feb-17	Concept design of refurbished space
Weidmann Cottage	C	\$60,000	Nov-16	Apr-17		Nov-16		Restoration of Building
<b>Recreation</b>								
Highbrook Playground Soft-fall	C	\$20,000	Feb-17	Jun-17		Feb-17		Staged replacement of sand with alternatives
Hunter Park Renewal	C	\$10,000	Apr-17	Jun-16				Park renewal
General Cemetery Program - Automation of Irrigation	C	\$15,000	Jan-17	Feb-17		Jan-17		Automation of irrigation in lawn cemetery including turfing
Muswellbrook Aquatic Centre - Sun Shelter	C	\$30,000	Dec-15	Feb-17		Dec-16		Installation of sun shade over shallow end of outdoor 50m pool
Muswellbrook Aquatic Centre - Heat Pump	I	\$5,000	Aug-16	Feb-17		Aug-16	Feb-17	Investigate heat pump and energy options
Olympic Park Drainage	I	\$14,000	Jan-17	Apr-17		Jan-17		Drainage along team benches
Olympic Park Master Plan	D	\$50,000	Feb-17	Jun-17		Feb-17		Master plan of Olympic Park Precinct
Pony Club - Power and circuits	C	\$4,000	Dec-16	Apr-17		Dec-16		Replacement of power cables and circuits
Victoria Park Improvements	I	\$100,000	Feb-16	Dec-17		Feb-16		Major field renovations
Vietnam Memorial	D	\$15,000	Jul-16	Dec-16		Jul-16	Feb-17	Concept design for retaining wall
Volunteer Park Irrigation	I	\$40,000	Mar-17	May-17				Installation of automated irrigation system
Denman Recreation Area Accessibility Design	I	\$5,000	Sep-16	Mar-17				Design works for accessibility ramp
Volunteer Park Accessibility Path	C	\$15,000	Nov-16	Nov-16		Nov-16	Nov-16	Install accessible path and spectator seating
Security lighting facilities	I	\$18,000	Jan-17	Jun-17		Jan-17		Install stand alone solar lighting at sports ground facilities
Recreation Needs Study	I	\$25,000	Jul-15	Dec-16		Jun-15		Public exhibition process completed and submissions sent to consultant
Shade Sails new and replacement	C	\$40,000	Feb-17	Mar-17		Feb-17		New shade sails at playgrounds
Signs for Sportsgrounds	C	\$20,000	Feb-17	Jun-17		Feb-17		New signs at sportsgrounds

**12.5 DECEMBER 2016 QUARTERLY BUDGET REVIEW**

<b>Attachments:</b>	<b>A. Summary of Impact of Proposed Changes per Fund</b> <b>B. December 2016 Budget Review</b>
<b>Responsible Officer:</b>	<b>Grant O'Leary - Manager, Corporate Services</b>
<b>Author:</b>	<b>Grant O'Leary - Manager, Corporate Services</b> <b>Lynn Payne - Co-Ordinator, Financial Services</b>
<b>Community Plan Issue:</b>	<b><i>Progressive leadership</i></b>
<b>Community Plan Goal:</b>	<b><i>That Muswellbrook Shire is well led and managed</i></b>
<b>Community Plan Strategy:</b>	<b><i>A financially sustainable council</i></b>

**PURPOSE**

To present the December 2016 Quarterly Budget Review for adoption.

**OFFICER'S RECOMMENDATION**

**Council adopt the recommended changes and include them in the 2016/17 Operating and Capital Budgets.**

**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**

All Managers with budget responsibility as well as the MANEX group.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

[Type text here](#)

**REPORT**

Finance staff, in conjunction with the responsible managers have reviewed the 2016/17 Budget in comparison to actual revenues and expenditures and recommend a series of changes to the allocations that have been made. A full list of the proposed changes has been attached. A summary of the impact of the proposed changes on the overall results in each of the funds has also been attached.

The major proposed changes are described in more detail below:-

- There have a number of major changes proposed in relation to the Depreciation expense. These have impacted on the Fleet Operations, Roads and Drainage and Education Division business units. In relation to the works fleet, the increase in plant deprecation (\$330,741) has brought about due to the addition of a number of replacement plants items (\$191K) and the transfer of the deprecation related to some large waste facility plant items from the Waste Business Unit to the Fleet Operations Business Unit (\$139K). In Roads and Drainage, the roads deprecation has again been reviewed to better take account of factors such as the unit rates applicable in determining the replacement values, the roads condition and useful lives. There has been a degree of volatility in the calculation of this expense in recent years, as Council has sought to comply with new reporting and calculation requirements. This level of deprecation correlates with



the audited 2015/16 Statements and the 2017/18 Budgeted amount. It is expected that this amount should now be a more stable levels from now on. In the Education Division, the depreciation on a number of newly completed buildings has been brought to account. This issue arise due to the way that these buildings are valued i.e. as Infrastructure, Property, Plant and Equipment rather than as Investment Properties. The buildings involved include Sam Adams College, the Town Education Campus and the upper floor of Campbell's Corner.

- In the Recreation Business Unit, an allocation of \$35K has been added for the oversow programme as per Council's resolution.
- In the Aquatic Centre Business Unit, Gym Fee revenues have been adjusted downward by \$15K in order to reflect actual usage trends in 2016/17 and an additional allocation of \$35K is proposed in Muswellbrook Pool Operations in order to allow for greater water usage brought about by ongoing leaks at the pool.
- In the Finance Section, it is proposed to increase the allocation for Special Postage by \$15K to cover the increased cost of postage.
- In the Integrated Planning Unit it is proposed to increase the allocation for Internal Audit by \$25K in order to be able to fund the full programme as proposed by the Audit Committee.
- In order to compensate for the above proposals a series of small reductions have been made to the wages and salaries allocations in Economic Development and Community Services (\$26K), Human Resources and Safety (\$15K), Cultural (\$11K) and Corporate Services Management (\$20K).
- All other proposed changes as the result of Council resolutions or are items with matching transactions that eliminate the impact of the change.
- In the Water Fund, the allocation in regard to Water Mains Maintenance is proposed to increase by \$125K in order to cater for a higher than expected number of broken mains and increased compliance costs in relation to matters such as Work Health and Safety. This has been largely offset by proposed reductions totalling \$115K in regard to the Water Treatment and Water Meters and Private Works function.
- In the Sewer Fund, some budget amounts have been reallocated to reflect changing levels of work on different functions. However, the proposed changes have the effect of offsetting each other with no net impact on the Operating result.
- In the General Fund Capital Budget, all the proposed changes are related to the Depreciation issues outlined earlier or are the result of Council resolutions that also outline the funding source for the project, meaning that there is no net impact arising from these changes.
- There are no notable changes proposed in either the Water or Sewer Capital Budgets.
- In the Future Fund Capital Budget, transactions related to the Loxton House Innovation Hub and Wiedmann Cottage are included as per Council's resolution.

Overall, this Budget Review has presented few major issues that have been required to be addressed with offsetting transactions being readily available in regard to all proposed increases.

## **OPTIONS**

Council may resolve to alter any of the proposed changes.

## **CONCLUSION**

Overall, this Budget Review has presented few major issues that have been required to be addressed with offsetting transactions being readily available in regard to all proposed increases.

## **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

	General Fund			Water Fund		Sewer Fund		Future	
Original Operating Budget	\$97,875	Deficit		\$204,002	Surplus	\$740,042	Surplus	\$	127,875.00
September Review Changes	\$6,000	Improvement		No impact		No impact			No impact
September Review Result	\$91,875	Deficit		\$204,002	Surplus	\$740,042	Surplus	\$	127,875.00
December Review Changes	\$1,311,686	Improvement		No impact		No impact		\$	291,254.00
December Review Result	\$1,219,811	Surplus		\$204,002	Surplus	\$740,042	Surplus	\$	163,379.00
Original Capital Budget	\$30,000	Surplus		\$0	Balanced	\$0	Balanced	\$0	
September Review Changes	\$30,000	Deterioration		Nil		Nil			Nil
September Review Result	Nil	Balanced		\$0	Balanced	\$0	Balanced	\$0	
December Review Changes	\$0	Balanced		Nil		Nil			Nil
December Review Result	\$0	Balanced		\$0	Balanced	\$0	Balanced	\$0	

Fund		
Surplus		
Surplus		
Deterioration		
Deficit		
	Balanced	
	Balanced	
	Balanced	



# **muswellbrook shire council**

**2016/17 Consolidated Budget**

**December 2016 Budget Review Operating Budget**



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## Muswellbrook Shire Council Budget Review 2016/17

Fund: All Funds  
Business Unit: Consolidated General, Water, Sewer and Commercial Buildings Funds

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Rates and Charges	(20,031,815)	0	(20,031,815)	(17,980,107)	(20,031,815)	(20,038,852)	(20,038,852)
User Charges and Fees	(13,528,819)	0	(13,528,819)	(5,220,152)	(13,548,819)	(13,520,926)	(13,520,926)
Interest and Investments	(2,254,500)	0	(2,254,500)	(570,007)	(2,268,000)	(2,268,000)	(2,268,000)
Other Revenues	(2,424,537)	(225,637)	(2,650,174)	(1,215,777)	(2,552,776)	(3,002,744)	(3,002,744)
Operating Grants and Contributions	(6,250,744)	0	(6,250,744)	(2,644,354)	(6,373,128)	(6,341,904)	(6,341,904)
Internal Revenue	(4,783,353)	(1,334,550)	(6,117,903)	(3,523,813)	(6,010,476)	(6,163,353)	(6,163,353)
<b>Total Operating Revenues</b>	<b>(49,273,768)</b>	<b>(1,560,187)</b>	<b>(50,833,955)</b>	<b>(31,154,210)</b>	<b>(50,785,014)</b>	<b>(51,335,779)</b>	<b>(51,335,779)</b>
<b>Expenses</b>							
Wages and Salaries	13,094,137	20,028	13,114,165	6,804,553	13,290,484	13,179,528	13,179,528
Materials and Contracts	14,214,548	1,520,264	15,734,812	6,084,991	15,464,105	15,735,739	15,735,739
Other Costs	3,204,843	19,895	3,224,738	1,871,861	3,264,185	3,321,222	3,321,222
Borrowing Costs	1,715,858	0	1,715,858	595,354	1,715,858	1,715,858	1,715,858
Overheads	4,783,353	0	4,783,353	3,525,302	4,783,353	4,785,662	4,785,662
Depreciation	11,286,985	0	11,286,985	5,185,375	11,286,985	10,597,294	10,597,294
<b>Total Operating Expenses</b>	<b>48,299,724</b>	<b>1,560,187</b>	<b>49,859,911</b>	<b>24,067,436</b>	<b>49,804,970</b>	<b>49,335,303</b>	<b>49,335,303</b>
<b>Total Operating Result Before Capital</b>	<b>(974,044)</b>	<b>0</b>	<b>(974,044)</b>	<b>7,086,774</b>	<b>(980,044)</b>	<b>(2,000,476)</b>	<b>(2,000,476)</b>

## Muswellbrook Shire Council Budget Review 2016/17

Fund:	General Consolidated General Fund							
Business Unit:		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
	Revenues							
	Rates and Charges	(14,450,315)	0	(14,450,315)	(13,095,789)	(14,450,315)	(14,450,315)	(14,450,315)
	User Charges and Fees	(6,434,666)	0	(6,434,666)	(2,945,167)	(6,444,666)	(6,411,773)	(6,411,773)
	Interest and Investments Revenues	(931,500)	0	(931,500)	(539,293)	(945,000)	(945,000)	(945,000)
	Other Revenues	(2,424,537)	(225,637)	(2,650,174)	(1,215,777)	(2,552,776)	(3,002,744)	(3,002,744)
	Operating Grants and Contributions	(6,174,744)	0	(6,174,744)	(2,575,391)	(6,297,128)	(6,267,941)	(6,267,941)
	Internal Revenue	(4,783,353)	(1,334,550)	(6,117,903)	(3,523,813)	(6,010,476)	(6,163,353)	(6,163,353)
	Total Operating Revenues	(35,199,115)	(1,560,187)	(36,759,302)	(23,895,230)	(36,700,361)	(37,241,126)	(37,241,126)
	Expenses							
	Wages and Salaries	11,231,316	20,028	11,251,344	5,791,864	11,427,663	11,226,707	11,226,707
	Materials and Contracts	10,912,698	1,520,264	12,432,962	4,672,590	12,168,605	12,520,239	12,520,239
	Other Costs	2,286,850	19,895	2,306,745	1,374,382	2,329,842	2,386,879	2,386,879
	Borrowing Costs	592,127	0	592,127	153,409	592,127	592,127	592,127
	Overheads	1,763,353	0	1,763,353	1,665,362	1,763,353	1,765,662	1,765,662
	Depreciation	8,510,646	0	8,510,646	3,697,639	8,510,646	7,529,701	7,529,701
	Total Operating Expenses	35,296,990	1,560,187	36,857,177	17,355,246	36,792,236	36,021,315	36,021,315
	Total Operating Result Before Capital	97,875	0	97,875	6,539,984	91,875	(1,219,811)	(1,219,811)
Fund:	Future Funds							
Business Unit:	Education Division and Commercial Division Fund							
	Revenues							
	User Charges and Fees	(3,052,303)	0	(3,052,303)	(1,195,616)	(3,062,303)	(3,062,303)	(3,062,303)
	Interest and Investments Revenues	0	0	0	(714)	0	0	0
	Total Operating Revenues	(3,052,303)	0	(3,052,303)	(1,196,330)	(3,062,303)	(3,062,303)	(3,062,303)
	Expenses							
	Wages and Salaries	80,000	0	80,000	44,112	80,000	80,000	80,000
	Materials and Contracts	577,150	0	577,150	193,859	570,800	570,800	570,800
	Other Costs	359,043	0	359,043	246,441	375,393	375,393	375,393
	Borrowing Costs	908,235	0	908,235	334,016	908,235	908,235	908,235
	Overheads	1,000,000	0	1,000,000	0	1,000,000	1,000,000	1,000,000
	Depreciation	0	0	0	145,627	0	291,254	291,254
	Total Operating Expenses	2,924,428	0	2,924,428	964,055	2,934,428	3,225,682	3,225,682
	Total Operating Result Before Capital	(127,875)	0	(127,875)	(232,275)	(127,875)	163,379	163,379

## Muswellbrook Shire Council Budget Review 2016/17

## General Fund Principal Activities - Use of General Revenues

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Fleet Operations</b>							
Revenue	(2,048,427)	0	(2,048,427)	(997,701)	(2,048,427)	(2,379,168)	(2,379,168)
Expenses	2,048,427	0	2,048,427	1,094,545	2,048,427	2,379,168	2,379,168
<b>Total Fleet Operations</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>96,844</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Recreation</b>							
Revenue	(20,000)	0	(20,000)	0	(20,000)	(20,000)	(20,000)
Expenses	1,424,527	0	1,424,527	667,438	1,424,527	1,459,527	1,459,527
<b>Total Recreation</b>	<b>1,404,527</b>	<b>0</b>	<b>1,404,527</b>	<b>667,438</b>	<b>1,404,527</b>	<b>1,439,527</b>	<b>1,439,527</b>
<b>Aquatic Centres</b>							
Revenue	(651,050)	0	(651,050)	(325,597)	(651,050)	(645,550)	(645,550)
Expenses	1,265,575	0	1,265,575	573,908	1,265,575	1,310,075	1,310,075
<b>Total Aquatic Centres</b>	<b>614,525</b>	<b>0</b>	<b>614,525</b>	<b>248,311</b>	<b>614,525</b>	<b>664,525</b>	<b>664,525</b>
<b>Roads and Drainage - Works</b>							
Revenue	(3,595,787)	0	(3,595,787)	(918,432)	(3,599,787)	(3,611,787)	(3,611,787)
Expenses	10,866,668	327,323	11,193,991	4,864,753	11,140,093	9,969,097	9,969,097
<b>Total Roads and Drainage - Works</b>	<b>7,270,881</b>	<b>327,323</b>	<b>7,598,204</b>	<b>3,946,321</b>	<b>7,540,306</b>	<b>6,357,310</b>	<b>6,357,310</b>
<b>Technical Services</b>							
Revenue	0	0	0	(37,724)	(37,730)	(38,457)	(38,457)
Expenses	767,406	348,969	1,116,375	555,071	1,033,167	1,033,167	1,033,167
<b>Total Technical Services</b>	<b>767,406</b>	<b>348,969</b>	<b>1,116,375</b>	<b>517,347</b>	<b>995,437</b>	<b>994,710</b>	<b>994,710</b>
<b>Domestic Waste</b>							
Revenue	(2,355,651)	0	(2,355,651)	(2,291,193)	(2,355,651)	(2,357,960)	(2,357,960)
Expenses	2,355,651	0	2,355,651	1,698,079	2,355,651	2,357,960	2,357,960
<b>Total Domestic Waste</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(593,114)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Waste Management Facility</b>							
Revenue	(4,891,957)	0	(4,891,957)	(2,986,469)	(4,371,273)	(4,975,491)	(4,975,491)
Expenses	4,297,037	317,713	4,614,750	1,814,209	4,673,516	4,538,734	4,538,734
<b>Total Waste Management Facility</b>	<b>(594,920)</b>	<b>317,713</b>	<b>(277,207)</b>	<b>(1,172,260)</b>	<b>(297,757)</b>	<b>(436,757)</b>	<b>(436,757)</b>
<b>Economic Development and Community Services</b>							
Revenue	(260,000)	0	(260,000)	(75,571)	(260,000)	(310,455)	(310,455)
Expenses	752,404	70,717	823,121	342,736	794,734	885,143	885,143
<b>Total Economic Development and Community Services</b>	<b>492,404</b>	<b>70,717</b>	<b>563,121</b>	<b>267,165</b>	<b>534,734</b>	<b>574,688</b>	<b>574,688</b>
<b>Human Resources and Safety</b>							
Revenue	(42,000)	0	(42,000)	(68,819)	(42,000)	(86,481)	(86,481)
Expenses	709,564	61,779	771,343	278,402	700,958	685,958	685,958
<b>Total Human Resources and Safety</b>	<b>667,564</b>	<b>61,779</b>	<b>729,343</b>	<b>209,583</b>	<b>658,958</b>	<b>599,477</b>	<b>599,477</b>

## Muswellbrook Shire Council Budget Review 2016/17

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Property and Building Services</b>							
Revenue	(272,210)	0	(272,210)	(134,239)	(252,450)	(262,800)	(262,800)
Expenses	1,988,102	20,000	2,008,102	1,088,692	1,995,202	2,005,552	2,005,552
<b>Total Property and Building Services</b>	<b>1,715,892</b>	<b>20,000</b>	<b>1,735,892</b>	<b>954,453</b>	<b>1,742,752</b>	<b>1,742,752</b>	<b>1,742,752</b>
<b>Financial Services</b>							
Revenue	(19,231,237)	(1,560,187)	(20,791,424)	(14,966,796)	(20,616,945)	(20,830,322)	(20,830,322)
Expenses	1,198,762	51,801	1,250,563	511,076	1,261,228	1,276,228	1,276,228
<b>Total Financial Services</b>	<b>(18,032,475)</b>	<b>(1,508,386)</b>	<b>(19,540,861)</b>	<b>(14,455,720)</b>	<b>(19,355,717)</b>	<b>(19,554,094)</b>	<b>(19,554,094)</b>
<b>Cultural</b>							
Revenue	(39,500)	0	(39,500)	(12,312)	(39,500)	(39,500)	(39,500)
Expenses	311,153	8,000	319,153	148,052	319,153	308,463	308,463
<b>Total Cultural</b>	<b>271,653</b>	<b>8,000</b>	<b>279,653</b>	<b>135,740</b>	<b>279,653</b>	<b>268,963</b>	<b>268,963</b>
<b>Libraries</b>							
Revenue	(190,100)	0	(190,100)	(16,434)	(190,100)	(194,100)	(194,100)
Expenses	791,662	1,800	793,462	427,282	793,462	797,462	797,462
<b>Total Libraries</b>	<b>601,562</b>	<b>1,800</b>	<b>603,362</b>	<b>410,848</b>	<b>603,362</b>	<b>603,362</b>	<b>603,362</b>
<b>Information Services</b>							
Expenses	681,706	0	681,706	404,367	716,706	709,724	709,724
<b>Total Information Services</b>	<b>681,706</b>	<b>0</b>	<b>681,706</b>	<b>404,367</b>	<b>716,706</b>	<b>709,724</b>	<b>709,724</b>
<b>Customer Service and Administration</b>							
Expenses	683,403	0	683,403	287,627	683,403	683,403	683,403
<b>Total Customer Service and Administration</b>	<b>683,403</b>	<b>0</b>	<b>683,403</b>	<b>287,627</b>	<b>683,403</b>	<b>683,403</b>	<b>683,403</b>
<b>Emergency Services</b>							
Revenue	(234,000)	0	(234,000)	(216,360)	(192,038)	(216,360)	(216,360)
Expenses	809,643	0	809,643	357,745	872,961	872,961	872,961
<b>Total Emergency Services</b>	<b>575,643</b>	<b>0</b>	<b>575,643</b>	<b>141,385</b>	<b>680,923</b>	<b>656,601</b>	<b>656,601</b>
<b>Environmental Planning</b>							
Revenue	(532,750)	0	(532,750)	(306,443)	(562,873)	(565,658)	(565,658)
Expenses	732,643	212,671	945,314	478,323	927,385	983,330	983,330
<b>Total Environmental Planning</b>	<b>199,893</b>	<b>212,671</b>	<b>412,564</b>	<b>171,880</b>	<b>364,512</b>	<b>417,672</b>	<b>417,672</b>
<b>Regulatory Services</b>							
Revenue	(135,200)	0	(135,200)	(43,600)	(135,200)	(96,700)	(96,700)
Expenses	284,956	1,406	286,362	124,763	258,862	258,862	258,862
<b>Total Regulatory Services</b>	<b>129,756</b>	<b>1,406</b>	<b>131,162</b>	<b>81,163</b>	<b>123,662</b>	<b>162,162</b>	<b>162,162</b>



## Muswellbrook Shire Council Budget Review 2016/17

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Integrated Planning</b>							
Revenue	(15,000)	0	(15,000)	(1,536)	(15,000)	(15,000)	(15,000)
Expenses	658,698	0	658,698	396,383	689,698	664,599	664,599
<b>Total Integrated Planning</b>	<b>643,698</b>	<b>0</b>	<b>643,698</b>	<b>394,847</b>	<b>674,698</b>	<b>649,599</b>	<b>649,599</b>
<b>Executive Services</b>							
Revenue	(40,000)	0	(40,000)	0	(40,000)	(40,000)	(40,000)
Expenses	936,555	0	936,555	434,924	931,555	931,555	931,555
<b>Total Executive Services</b>	<b>896,555</b>	<b>0</b>	<b>896,555</b>	<b>434,924</b>	<b>891,555</b>	<b>891,555</b>	<b>891,555</b>
<b>Corporate Services Management</b>							
Revenue	(700)	0	(700)	(150)	(700)	(700)	(700)
Expenses	1,039,102	6,000	1,045,102	557,107	1,058,102	1,098,602	1,098,602
<b>Total Corporate Services Management</b>	<b>1,038,402</b>	<b>6,000</b>	<b>1,044,402</b>	<b>556,957</b>	<b>1,057,402</b>	<b>1,097,902</b>	<b>1,097,902</b>
<b>Sustainability</b>							
Revenue	(643,546)	0	(643,546)	(495,854)	(669,637)	(554,637)	(554,637)
Expenses	713,346	132,008	845,354	249,764	847,871	811,746	811,746
<b>Total Sustainability</b>	<b>69,800</b>	<b>132,008</b>	<b>201,808</b>	<b>(246,090)</b>	<b>178,234</b>	<b>257,109</b>	<b>257,109</b>
<b>Education Division</b>							
Revenue	(558,995)	0	(558,995)	(322,967)	(558,995)	(558,995)	(558,995)
Expenses	523,985	0	523,985	476,086	523,985	815,239	815,239
<b>Total Education Division</b>	<b>(35,010)</b>	<b>0</b>	<b>(35,010)</b>	<b>153,119</b>	<b>(35,010)</b>	<b>256,244</b>	<b>256,244</b>
<b>Commercial Division</b>							
Revenue	(2,493,308)	0	(2,493,308)	(873,363)	(2,503,308)	(2,503,308)	(2,503,308)
Expenses	2,400,443	0	2,400,443	487,969	2,410,443	2,410,443	2,410,443
<b>Total Commercial Division</b>	<b>(92,865)</b>	<b>0</b>	<b>(92,865)</b>	<b>(385,394)</b>	<b>(92,865)</b>	<b>(92,865)</b>	<b>(92,865)</b>
<b>Water</b>							
Revenue	(6,205,650)	0	(6,205,650)	(2,415,625)	(6,205,650)	(6,215,650)	(6,215,650)
Expenses	6,001,648	0	6,001,648	3,340,657	6,001,648	6,011,648	6,011,648
<b>Total Water</b>	<b>(204,002)</b>	<b>0</b>	<b>(204,002)</b>	<b>925,032</b>	<b>(204,002)</b>	<b>(204,002)</b>	<b>(204,002)</b>
<b>Sewer</b>							
Revenue	(4,816,700)	0	(4,816,700)	(3,647,025)	(4,816,700)	(4,816,700)	(4,816,700)
Expenses	4,076,658	0	4,076,658	2,407,478	4,076,658	4,076,658	4,076,658
<b>Total Sewer</b>	<b>(740,042)</b>	<b>0</b>	<b>(740,042)</b>	<b>(1,239,547)</b>	<b>(740,042)</b>	<b>(740,042)</b>	<b>(740,042)</b>

**Community Infrastructure**

**December 2016**

**Budget Review Operating Budget**

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Fleet Operations

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Other Revenues	(2,048,427)	0	(2,048,427)	(997,701)	(2,048,427)	(2,379,168)	(2,379,168)
<b>Total Operating Revenues</b>	<b>(2,048,427)</b>	<b>0</b>	<b>(2,048,427)</b>	<b>(997,701)</b>	<b>(2,048,427)</b>	<b>(2,379,168)</b>	<b>(2,379,168)</b>
	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	308,000	0	308,000	130,394	308,000	308,000	308,000
Materials and Contracts	962,350	0	962,350	361,728	962,350	962,350	962,350
Other Costs	220,000	0	220,000	158,014	220,000	220,000	220,000
Depreciation	558,077	0	558,077	444,409	558,077	888,818	888,818
<b>Total Operating Expenses</b>	<b>2,048,427</b>	<b>0</b>	<b>2,048,427</b>	<b>1,094,545</b>	<b>2,048,427</b>	<b>2,379,168</b>	<b>2,379,168</b>
<b>Total Operating Result Before Capital</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>96,844</b>	<b>0</b>	<b>0</b>	<b>0</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Fleet Operations

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue							
Other Revenues	(2,048,427)	0	(2,048,427)	(997,701)	(2,048,427)	(2,379,168)	(2,379,168)
<b>Total Other Revenues</b>	<b>(2,048,427)</b>	<b>0</b>	<b>(2,048,427)</b>	<b>(997,701)</b>	<b>(2,048,427)</b>	<b>(2,379,168)</b>	<b>(2,379,168)</b>

Plant Cost Recovery

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Fleet Operations

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure							
Depot Operating Costs	95,000	0	95,000	45,716	95,000	95,000	95,000
Depreciation	558,077	0	558,077	444,409	558,077	888,818	888,818
Plant Operating Costs	1,395,350	0	1,395,350	604,420	1,395,350	1,395,350	1,395,350
<b>Total Operating Expenditure</b>	<b>2,048,427</b>	<b>0</b>	<b>2,048,427</b>	<b>1,094,545</b>	<b>2,048,427</b>	<b>2,379,168</b>	<b>2,379,168</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Recreation

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Operating Grants and Contributions	(20,000)	0	(20,000)	0	(20,000)	(20,000)	(20,000)
<b>Total Operating Revenues</b>	<b>(20,000)</b>	<b>0</b>	<b>(20,000)</b>	<b>0</b>	<b>(20,000)</b>	<b>(20,000)</b>	<b>(20,000)</b>

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	758,377	0	758,377	436,727	838,377	841,377	841,377
Materials and Contracts	607,550	0	607,550	208,228	527,550	550,550	550,550
Other Costs	58,600	0	58,600	22,483	58,600	67,600	67,600
<b>Total Operating Expenses</b>	<b>1,424,527</b>	<b>0</b>	<b>1,424,527</b>	<b>667,438</b>	<b>1,424,527</b>	<b>1,459,527</b>	<b>1,459,527</b>
<b>Total Operating Result Before Capital</b>	<b>1,404,527</b>	<b>0</b>	<b>1,404,527</b>	<b>667,438</b>	<b>1,404,527</b>	<b>1,439,527</b>	<b>1,439,527</b>



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Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Roads and Drainage - Works

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(910,000)	0	(910,000)	(126,549)	(914,000)	(926,000)	(926,000)
Operating Grants and Contributions	(2,685,787)	0	(2,685,787)	(791,883)	(2,685,787)	(2,685,787)	(2,685,787)
<b>Total Operating Revenues</b>	<b>(3,595,787)</b>	<b>0</b>	<b>(3,595,787)</b>	<b>(918,432)</b>	<b>(3,599,787)</b>	<b>(3,611,787)</b>	<b>(3,611,787)</b>
<b>Expenses</b>							
Wages and Salaries	1,726,445	0	1,726,445	986,097	1,726,445	1,732,445	1,732,445
Materials and Contracts	2,226,736	327,323	2,554,059	1,033,036	2,500,161	2,500,161	2,500,161
Other Costs	411,600	0	411,600	192,008	411,600	411,600	411,600
Borrowing Costs	294,127	0	294,127	153,409	294,127	294,127	294,127
Overheads	0	0	0	0	0	0	0
Depreciation	6,207,760	0	6,207,760	2,500,203	6,207,760	5,030,764	5,030,764
<b>Total Operating Expenses</b>	<b>10,866,668</b>	<b>327,323</b>	<b>11,193,991</b>	<b>4,864,753</b>	<b>11,140,093</b>	<b>9,969,097</b>	<b>9,969,097</b>
<b>Total Operating Result Before Capital</b>	<b>7,270,881</b>	<b>327,323</b>	<b>7,598,204</b>	<b>3,946,321</b>	<b>7,540,306</b>	<b>6,357,310</b>	<b>6,357,310</b>

Muswellbrook Shire Council Budget Review 2016/17															
Fund: Principal Activity: Business Unit:		2016/17 Budget		2016/17 Carry Overs		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
1 General Fund Business Unit Roads and Drainage - Works															
Operating Revenue															
User Charges and Fees															
Individually Priced Work Orders IPWOs		(780,000)	0			(780,000)		(59,822)	(780,000)		(780,000)		(780,000)		(780,000)
Over mass/over size vehicle permits		(30,000)	0			(30,000)		(12,480)	(30,000)		(30,000)		(30,000)		(30,000)
Private Works		(15,000)	0			(15,000)		(20,987)	(19,000)		(25,000)		(25,000)		(25,000)
Road Opening Permits		(80,000)	0			(80,000)		(25,724)	(80,000)		(80,000)		(80,000)		(80,000)
Sundry Income		0	0			0		(6,000)	0		(6,000)		(6,000)		(6,000)
Vehicle Contribution		(5,000)	0			(5,000)		(1,536)	(5,000)		(5,000)		(5,000)		(5,000)
Total User Charges and Fees		(910,000)	0			(910,000)		(126,549)	(914,000)		(926,000)		(926,000)		(926,000)
Operating Grants and Contributions															
Block Grant		(186,000)	0			(186,000)		(95,000)	(186,000)		(186,000)		(186,000)		(186,000)
Block Grant Traffic		(42,000)	0			(42,000)		(21,500)	(42,000)		(42,000)		(42,000)		(42,000)
Financial Assistance Grant		(873,787)	0			(873,787)		(434,480)	(873,787)		(873,787)		(873,787)		(873,787)
Roads to Recovery		(475,000)	0			(475,000)		0	(475,000)		(475,000)		(475,000)		(475,000)
S94 Maintenance Conts.		(574,000)	0			(574,000)		(142,228)	(574,000)		(574,000)		(574,000)		(574,000)
SH27 Maintenance SIC		(478,000)	0			(478,000)		(98,675)	(478,000)		(478,000)		(478,000)		(478,000)
Street Light		(57,000)	0			(57,000)		0	(57,000)		(57,000)		(57,000)		(57,000)
Total Operating Grants and Contributions		(2,685,787)	0			(2,685,787)		(791,883)	(2,685,787)		(2,685,787)		(2,685,787)		(2,685,787)

Muswellbrook Shire Council Budget Review 2016/17															
Fund: 1 General Fund Business Unit Roads and Drainage - Works		2016/17 Budget		2016/17 Carry Overs		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
Operating Expenditure		3,700	0	3,700	0	3,700	0	3,700	0	3,700	3,700	3,700	3,700	3,700	3,700
Alcohol Prohibited Signage		113,775	0	113,775	0	113,775	0	113,775	56,085	113,775	113,775	113,775	113,775	113,775	113,775
Car Parking		6,207,760	0	6,207,760	0	6,207,760	0	6,207,760	2,500,203	6,207,760	6,207,760	5,030,764	5,030,764	5,030,764	5,030,764
Depreciation		8,200	0	8,200	0	8,200	0	8,200	7,603	8,200	8,200	8,200	8,200	8,200	8,200
Floodplain Management		90,400	0	90,400	0	90,400	0	90,400	42,893	90,400	90,400	90,400	90,400	90,400	90,400
Footpath Maintenance		680,000	0	680,000	0	680,000	0	680,000	215,639	680,000	680,000	680,000	680,000	680,000	680,000
Individually Priced Work Orders SH 27		47,000	0	47,000	0	47,000	0	47,000	24,082	47,000	47,000	47,000	47,000	47,000	47,000
Levee Banks		294,127	0	294,127	0	294,127	0	294,127	153,409	294,127	294,127	294,127	294,127	294,127	294,127
Loan Repayments		0	209,637	209,637	209,637	209,637	209,637	64,817	168,277	168,277	168,277	168,277	168,277	168,277	168,277
Mine Affected Roads Strategy		9,000	0	9,000	0	9,000	0	9,000	18,653	13,000	13,000	19,000	19,000	19,000	19,000
Private Works		42,000	0	42,000	0	42,000	0	42,000	14,438	42,000	42,000	42,000	42,000	42,000	42,000
Regional Roads Traffic Facilities		40,000	0	40,000	0	40,000	0	40,000	17,122	40,000	40,000	40,000	40,000	40,000	40,000
Road Closure		106,402	117,686	224,088	117,686	224,088	117,686	224,088	60,131	207,550	207,550	207,550	207,550	207,550	207,550
Roads to Recovery		186,000	0	186,000	0	186,000	0	186,000	77,621	186,000	186,000	186,000	186,000	186,000	186,000
RTA Block Grant		478,000	0	478,000	0	478,000	0	478,000	280,887	478,000	478,000	478,000	478,000	478,000	478,000
RTA Road Maintenance Council Contract (RMCC)		76,290	0	76,290	0	76,290	0	76,290	53,549	76,290	76,290	76,290	76,290	76,290	76,290
Rural and Urban Bridges		1,205,726	0	1,205,726	0	1,205,726	0	1,205,726	659,578	1,205,726	1,205,726	1,205,726	1,205,726	1,205,726	1,205,726
Rural Roads		237,428	0	237,428	0	237,428	0	237,428	118,849	237,428	237,428	237,428	237,428	237,428	237,428
Special Variation Maintenance		61,500	0	61,500	0	61,500	0	61,500	10,432	61,500	61,500	61,500	61,500	61,500	61,500
Stormwater Management (GPT Clean Ups)		220,000	0	220,000	0	220,000	0	220,000	84,087	220,000	220,000	220,000	220,000	220,000	220,000
Street and Gutter Cleaning		380,000	0	380,000	0	380,000	0	380,000	166,827	380,000	380,000	380,000	380,000	380,000	380,000
Street Light		379,360	0	379,360	0	379,360	0	379,360	237,848	379,360	379,360	379,360	379,360	379,360	379,360
Urban Roads		10,866,668	327,323	11,193,991	327,323	11,193,991	327,323	11,140,093	4,864,753	9,969,097	9,969,097	9,969,097	9,969,097	9,969,097	9,969,097
Total Operating Expenditure															

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Technical Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Operating Grants and Contributions	0	0	0	(37,724)	(37,730)	(38,457)	(38,457)
<b>Total Operating Revenues</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(37,724)</b>	<b>(37,730)</b>	<b>(38,457)</b>	<b>(38,457)</b>
<b>Expenses</b>							
Wages and Salaries	504,096	0	504,096	390,044	474,096	474,096	474,096
Materials and Contracts	241,278	348,969	590,247	150,640	537,039	537,039	537,039
Depreciation	22,032	0	22,032	14,387	22,032	22,032	22,032
<b>Total Operating Expenses</b>	<b>767,406</b>	<b>348,969</b>	<b>1,116,375</b>	<b>555,071</b>	<b>1,033,167</b>	<b>1,033,167</b>	<b>1,033,167</b>
<b>Total Operating Result Before Capital</b>	<b>767,406</b>	<b>348,969</b>	<b>1,116,375</b>	<b>517,347</b>	<b>995,437</b>	<b>994,710</b>	<b>994,710</b>



Muswellbrook Shire Council Budget Review 2016/17

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Operating Revenue	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Operating Grants and Contributions							
		Contributions - Insurance Claim	0	0	0	(727)	0	(727)	(727)
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Hunter River Grant	0	0	0	(36,997)	(37,730)	(37,730)	(37,730)
		Total Operating Grants and Contributions	0	0	0	(37,724)	(37,730)	(38,457)	(38,457)
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Operating Expenditure	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Asset Management	400,847	0	400,847	368,223	370,847	370,847	370,847
		Asset Management Planning	50,000	0	50,000	34,075	50,000	50,000	50,000
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Asset Valuation	30,000	0	30,000	0	30,000	30,000	30,000
		Contract Engineer Development Assessment	35,000	65,000	100,000	2,500	78,370	78,370	78,370
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Depreciation	22,032	0	22,032	14,387	22,032	22,032	22,032
		Hunter River Flood Plain Risk Management	0	133,255	133,255	58,659	113,192	113,192	113,192
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Implementation Strategy Survey Plans	0	89,513	89,513	0	80,870	80,870	80,870
		Investigation and Design	229,527	61,201	290,728	77,227	287,856	287,856	287,856
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Technical Services	Total Operating Expenditure	767,406	348,969	1,116,375	555,071	1,033,167	1,033,167	1,033,167

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Domestic Waste

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Rates and Charges	(2,304,651)	0	(2,304,651)	(2,244,501)	(2,304,651)	(2,304,651)	(2,304,651)
User Charges and Fees	(10,000)	0	(10,000)	(6,431)	(10,000)	(10,000)	(10,000)
Interest and Investments Revenues	(10,000)	0	(10,000)	(8,952)	(10,000)	(10,000)	(10,000)
Operating Grants and Contributions	(31,000)	0	(31,000)	(33,309)	(31,000)	(33,309)	(33,309)
<b>Total Operating Revenues</b>	<b>(2,355,651)</b>	<b>0</b>	<b>(2,355,651)</b>	<b>(2,291,193)</b>	<b>(2,355,651)</b>	<b>(2,357,960)</b>	<b>(2,357,960)</b>
<b>Expenses</b>							
Wages and Salaries	83,180	0	83,180	83,180	83,180	83,180	83,180
Materials and Contracts	926,118	0	926,118	366,816	926,118	926,118	926,118
Other Costs	3,000	0	3,000	2,721	3,000	3,000	3,000
Overheads	1,343,353	0	1,343,353	1,245,362	1,343,353	1,345,662	1,345,662
<b>Total Operating Expenses</b>	<b>2,355,651</b>	<b>0</b>	<b>2,355,651</b>	<b>1,698,079</b>	<b>2,355,651</b>	<b>2,357,960</b>	<b>2,357,960</b>
<b>Total Operating Result Before Capital</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(593,114)</b>	<b>0</b>	<b>0</b>	<b>0</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund:		2016/17 Carry	2016/17 Total	YTD Actuals	September Review	December Review	March Review
Principal Activity:		Overs	Budget				
Business Unit:							
1 General Fund							
Business Unit							
Domestic Waste							
Operating Revenue							
Rates and Charges							
Annual Waste Service Fees		0	(2,304,651)	(2,244,501)	(2,304,651)	(2,304,651)	(2,304,651)
Total Rates and Charges		0	(2,304,651)	(2,244,501)	(2,304,651)	(2,304,651)	(2,304,651)
User Charges and Fees		0	(10,000)	(6,431)	(10,000)	(10,000)	(10,000)
Garbage Bin Sales		0	(10,000)	(6,431)	(10,000)	(10,000)	(10,000)
Total User Charges and Fees		0	(10,000)	(6,431)	(10,000)	(10,000)	(10,000)
Interest and Investments Revenues							
Interest on Investments		0	(10,000)	(6,952)	(10,000)	(10,000)	(10,000)
Total Interest and Investments Revenues		0	(10,000)	(6,952)	(10,000)	(10,000)	(10,000)
Operating Grants and Contributions							
Pension Rebate Subsidy		0	(31,000)	(33,309)	(31,000)	(33,309)	(33,309)
Total Operating Grants and Contributions		0	(31,000)	(33,309)	(31,000)	(33,309)	(33,309)
Fund:							
Principal Activity:							
Business Unit:							
1 General Fund							
Business Unit							
Domestic Waste							
Operating Expenditure							
Collect and Process Recycling		0	351,422	140,357	351,422	351,422	351,422
Collect Domestic Waste		0	385,801	155,623	385,801	385,801	385,801
Contribution to WMF Operations		0	849,807	849,807	849,807	849,807	849,807
Domestic Waste Administration and Overheads		0	391,180	390,901	391,180	391,180	391,180
Education and Clean Ups		0	188,546	90,555	188,546	190,855	190,855
Green Waste Collection		0	188,895	70,836	188,895	188,895	188,895
Total Operating Expenditure		0	2,355,651	1,698,079	2,355,651	2,357,960	2,357,960

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Waste Management Facility

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(4,007,150)	0	(4,007,150)	(2,025,664)	(4,007,150)	(4,011,368)	(4,011,368)
Other Revenues	(35,000)	0	(35,000)	(31,682)	(35,000)	(35,000)	(35,000)
Operating Grants and Contributions	0	0	0	(79,316)	(79,316)	(79,316)	(79,316)
Internal Revenue	(849,807)	0	(849,807)	(849,807)	(849,807)	(849,807)	(849,807)
<b>Total Operating Revenues</b>	<b>(4,891,957)</b>	<b>0</b>	<b>(4,891,957)</b>	<b>(2,986,469)</b>	<b>(4,971,273)</b>	<b>(4,975,491)</b>	<b>(4,975,491)</b>
<b>Expenses</b>							
Wages and Salaries	737,075	12,028	749,103	415,982	749,103	749,103	749,103
Materials and Contracts	2,599,400	305,685	2,905,085	924,763	2,933,851	2,938,069	2,938,069
Other Costs	15,000	0	15,000	9,362	45,000	45,000	45,000
Borrowing Costs	298,000	0	298,000	0	298,000	298,000	298,000
Overheads	420,000	0	420,000	420,000	420,000	420,000	420,000
Depreciation	227,562	0	227,562	44,102	227,562	88,562	88,562
<b>Total Operating Expenses</b>	<b>4,297,037</b>	<b>317,713</b>	<b>4,614,750</b>	<b>1,814,209</b>	<b>4,673,516</b>	<b>4,538,734</b>	<b>4,538,734</b>
<b>Total Operating Result Before Capital</b>	<b>(594,920)</b>	<b>317,713</b>	<b>(277,207)</b>	<b>(1,172,260)</b>	<b>(297,757)</b>	<b>(436,757)</b>	<b>(436,757)</b>

## Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Waste Management Facility

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Operating Revenue</b>							
<b>User Charges and Fees</b>							
Builders Rubble Fees	(3,000)	0	(3,000)	(25,843)	(3,000)	(3,000)	(3,000)
Buy Back Store Income	(6,150)	0	(6,150)	(2,762)	(6,150)	(6,150)	(6,150)
DECCW Levy	(1,600,000)	0	(1,600,000)	(719,411)	(1,600,000)	(1,600,000)	(1,600,000)
Drum Muster	0	0	0	0	0	0	0
Green Waste Fees	(20,000)	0	(20,000)	(11,835)	(20,000)	(20,000)	(20,000)
Mixed Waste Fees	(2,000,000)	0	(2,000,000)	(1,049,811)	(2,000,000)	(2,000,000)	(2,000,000)
Mulch and Compost Sales	0	0	0	(4,331)	0	(4,218)	(4,218)
Scrap Metal fees	(30,000)	0	(30,000)	(18,275)	(30,000)	(30,000)	(30,000)
Timber Sales	0	0	0	0	0	0	0
Upper Hunter Shire Council Fees	(340,000)	0	(340,000)	(190,924)	(340,000)	(340,000)	(340,000)
Weightbridge Income	(8,000)	0	(8,000)	(2,472)	(8,000)	(8,000)	(8,000)
<b>Total User Charges and Fees</b>	<b>(4,007,150)</b>	<b>0</b>	<b>(4,007,150)</b>	<b>(2,025,664)</b>	<b>(4,007,150)</b>	<b>(4,011,368)</b>	<b>(4,011,368)</b>
<b>Other Revenues</b>							
Lease of Land	(30,000)	0	(30,000)	(28,426)	(30,000)	(30,000)	(30,000)
Recycling Facilities	(4,000)	0	(4,000)	(3,256)	(4,000)	(4,000)	(4,000)
Sundry Income	(1,000)	0	(1,000)	0	(1,000)	(1,000)	(1,000)
<b>Total Other Revenues</b>	<b>(35,000)</b>	<b>0</b>	<b>(35,000)</b>	<b>(31,682)</b>	<b>(35,000)</b>	<b>(35,000)</b>	<b>(35,000)</b>
<b>Operating Grants and Contributions</b>							
Better Waste and Recycling	0	0	0	(79,316)	(79,316)	(79,316)	(79,316)
Waste Less Recycle More	0	0	0	0	0	0	0
Waste Performance Improvement	0	0	0	0	0	0	0
<b>Total Operating Grants and Contributions</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(79,316)</b>	<b>(79,316)</b>	<b>(79,316)</b>	<b>(79,316)</b>
<b>Internal Revenue</b>							
Charge to Domestic Waste	(849,807)	0	(849,807)	(849,807)	(849,807)	(849,807)	(849,807)
<b>Total Internal Revenue</b>	<b>(849,807)</b>	<b>0</b>	<b>(849,807)</b>	<b>(849,807)</b>	<b>(849,807)</b>	<b>(849,807)</b>	<b>(849,807)</b>



## Muswellbrook Shire Council Budget Review 2016/17

Fund:		1 General Fund							
Principal Activity:		Business Unit							
Business Unit:		Waste Management Facility							
	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review		
Operating Expenditure									
Better Waste and Recycling	0	155,412	155,412	15,692	214,178	214,178	214,178	214,178	
Denman Waste Facility	3,500	0	3,500	1,310	3,500	7,718	7,718	7,718	
Depreciation	227,562	0	227,562	44,102	227,562	88,562	88,562	88,562	
Dumping and Waste Chemical Collection	0	0	0	0	0	0	0	0	
Lease and Dividend	420,000	0	420,000	420,000	420,000	420,000	420,000	420,000	
Mulching and Compost Production	56,400	0	56,400	(6,385)	56,400	56,400	56,400	56,400	
Muswellbrook Waste Facility	3,165,803	10,000	3,175,803	995,881	3,175,803	3,175,803	3,175,803	3,175,803	
Temporary Offices - Rent of Buildings	0	0	0	0	0	0	0	0	
Void Management	423,772	0	423,772	230,813	423,772	423,772	423,772	423,772	
Waste Less Recycle More	0	152,301	152,301	112,796	152,301	152,301	152,301	152,301	
Waste Performance	0	0	0	0	0	0	0	0	
Total Operating Expenditure	4,297,037	317,713	4,614,750	1,814,209	4,673,516	4,538,734	4,538,734	4,538,734	

# **Planning, Community and Corporate Services**

## **December 2016**

### **Budget Review Operating Budget**

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Aquatic Centres

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(641,050)	0	(641,050)	(317,597)	(641,050)	(627,550)	(627,550)
Operating Grants and Contributions	(10,000)	0	(10,000)	(8,000)	(10,000)	(18,000)	(18,000)
<b>Total Operating Revenues</b>	<b>(651,050)</b>	<b>0</b>	<b>(651,050)</b>	<b>(325,597)</b>	<b>(651,050)</b>	<b>(645,550)</b>	<b>(645,550)</b>
<b>Expenses</b>							
Wages and Salaries	740,697	0	740,697	345,821	738,697	742,197	742,197
Materials and Contracts	179,200	0	179,200	93,134	181,200	222,200	222,200
Other Costs	174,000	0	174,000	67,554	174,000	174,000	174,000
Depreciation	171,678	0	171,678	67,399	171,678	171,678	171,678
<b>Total Operating Expenses</b>	<b>1,265,575</b>	<b>0</b>	<b>1,265,575</b>	<b>573,908</b>	<b>1,265,575</b>	<b>1,310,075</b>	<b>1,310,075</b>
<b>Total Operating Result Before Capital</b>	<b>614,525</b>	<b>0</b>	<b>614,525</b>	<b>248,311</b>	<b>614,525</b>	<b>664,525</b>	<b>664,525</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund:		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Principal Activity:</b>								
<b>Business Unit:</b>								
<b>Aquatic Centres</b>								
<b>Operating Revenue</b>								
<b>User Charges and Fees</b>								
Aquatic Centre Gym Fees		(95,000)	0	(95,000)	(35,462)	(95,000)	(80,000)	(80,000)
Denman Aqua Aerobics		0	0	0	(766)	0	(1,000)	(1,000)
Denman Entry Fees		(18,000)	0	(18,000)	(9,523)	(18,000)	(18,000)	(18,000)
Denman Kiosk		(12,500)	0	(12,500)	(5,488)	(12,500)	(12,500)	(12,500)
Denman Learn to Swim		(4,500)	0	(4,500)	(598)	(4,500)	(4,500)	(4,500)
Denman Other Income		0	0	0	0	0	0	0
Denman Season Passes		(8,000)	0	(8,000)	(7,737)	(8,000)	(8,000)	(8,000)
Mbk Aqua Aerobics		(9,000)	0	(9,000)	(4,262)	(9,000)	(9,000)	(9,000)
Mbk Concession Tickets		(10,000)	0	(10,000)	(4,672)	(10,000)	(10,000)	(10,000)
Mbk Entry Fees		(110,000)	0	(110,000)	(49,652)	(110,000)	(110,000)	(110,000)
Mbk Kiosk		(70,000)	0	(70,000)	(29,377)	(70,000)	(70,000)	(70,000)
Mbk Miscellaneous Income		(1,000)	0	(1,000)	(446)	(1,000)	(1,000)	(1,000)
Mbk Pool and Equipment Hire		(7,500)	0	(7,500)	(3,553)	(7,500)	(7,500)	(7,500)
Mbk Programmes		(265,000)	0	(265,000)	(144,105)	(265,000)	(265,000)	(265,000)
Mbk Season Passes		(13,750)	0	(13,750)	(13,860)	(13,750)	(15,250)	(15,250)
Mbk Yearly Passes		(12,500)	0	(12,500)	(4,970)	(12,500)	(10,500)	(10,500)
School Aqua Zumba/Aerobics		(1,000)	0	(1,000)	(1,353)	(1,000)	(2,000)	(2,000)
Vehicle Contribution		(3,300)	0	(3,300)	(1,773)	(3,300)	(3,300)	(3,300)
<b>Total User Charges and Fees</b>		<b>(641,050)</b>	<b>0</b>	<b>(641,050)</b>	<b>(317,597)</b>	<b>(641,050)</b>	<b>(627,550)</b>	<b>(627,550)</b>
<b>Operating Grants and Contributions</b>								
Grant - Active Over 50's		0	0	0	(8,000)	0	(8,000)	(8,000)
Indigenous Kids Learn to Swim Grant		0	0	0	0	0	0	0
<b>Total Operating Grants and Contributions</b>		<b>(10,000)</b>	<b>0</b>	<b>(10,000)</b>	<b>(8,000)</b>	<b>(10,000)</b>	<b>(18,000)</b>	<b>(18,000)</b>
<b>Principal Activity:</b>								
<b>Business Unit</b>								
<b>Aquatic Centres</b>								
<b>Operating Expenditure</b>								
Aquatic Centre Gym		45,000	0	45,000	17,555	45,000	43,000	43,000
Denman Administration		6,000	0	6,000	4,289	6,000	6,000	6,000
Denman Building and Grounds		8,000	0	8,000	4,887	8,000	8,000	8,000
Denman Kiosk		6,500	0	6,500	5,221	6,500	6,500	6,500
Denman Pool Operations		80,000	0	80,000	17,693	80,000	80,000	80,000
Denman Supervision and Life Guarding		82,197	0	82,197	39,245	82,197	82,197	82,197
Depreciation		171,678	0	171,678	67,399	171,678	171,678	171,678
Grant - Active Over 50's		0	0	0	2,244	0	8,000	8,000
Mbk Activities		151,500	0	151,500	66,919	151,500	151,500	151,500
Mbk Kiosk		50,000	0	50,000	21,279	50,000	41,500	41,500
Mbk Pool Administration Costs		42,200	0	42,200	31,223	42,200	40,700	40,700
Mbk Pool and Plant Maintenance		65,000	0	65,000	34,575	65,000	68,500	68,500
Mbk Pool Grounds		4,500	0	4,500	1,555	4,500	2,500	2,500
Mbk Pool Operations		80,000	0	80,000	27,472	80,000	115,000	115,000
Mbk Supervision and Life Guarding		473,000	0	473,000	230,352	473,000	485,000	485,000
<b>Total Operating Expenditure</b>		<b>1,265,575</b>	<b>0</b>	<b>1,265,575</b>	<b>573,908</b>	<b>1,265,575</b>	<b>1,310,075</b>	<b>1,310,075</b>

Muswellbrook Shire Council Budget Review 2016/17

<b>Fund:</b>		<b>1 General Fund</b>						
<b>Principal Activity:</b>		<b>Business Unit</b>						
<b>Business Unit:</b>		<b>Economic Development and Community Services</b>						
		<b>2016/17 Budget</b>	<b>2016/17 Carry Overs</b>	<b>2016/17 Total Budget</b>	<b>YTD Actuals</b>	<b>September Review</b>	<b>December Review</b>	<b>March Review</b>
<b>Revenues</b>								
User Charges and Fees		(16,000)	0	(16,000)	(3,073)	(16,000)	(16,000)	(16,000)
Operating Grants and Contributions		(244,000)	0	(244,000)	(72,498)	(244,000)	(294,455)	(294,455)
<b>Total Operating Revenues</b>		<b>(260,000)</b>	<b>0</b>	<b>(260,000)</b>	<b>(75,571)</b>	<b>(260,000)</b>	<b>(310,455)</b>	<b>(310,455)</b>
<b>Expenses</b>								
Wages and Salaries		464,254	8,000	472,254	199,417	457,254	431,414	431,414
Materials and Contracts		264,488	62,717	327,205	131,838	313,818	430,067	430,067
Other Costs		2,800	0	2,800	1,420	2,800	2,800	2,800
Depreciation		20,862	0	20,862	10,061	20,862	20,862	20,862
<b>Total Operating Expenses</b>		<b>752,404</b>	<b>70,717</b>	<b>823,121</b>	<b>342,736</b>	<b>794,734</b>	<b>885,143</b>	<b>885,143</b>
<b>Total Operating Result Before Capital</b>		<b>492,404</b>	<b>70,717</b>	<b>563,121</b>	<b>267,165</b>	<b>534,734</b>	<b>574,688</b>	<b>574,688</b>



Muswellbrook Shire Council Budget Review 2016/17

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Economic Development and Community Services						
Operating Revenue							
User Charges and Fees							
Vehicle Contribution							
Total User Charges and Fees							
Operating Grants and Contributions							
Aboriginal Oral History Project							
Collaborative Community Developr							
Community Worker Subsidy							
Craft Beer & Music Festival							
Economic Development							
Scar Tree							
Screen Audience Development							
Youth Week							
Total Operating Grants and Contributions							

Fund:	1 General Fund						
Principal Activity:	Business Unit						
Business Unit:	Economic Development and Community Services						
	2016/17 Budget	2016/17 Carry	2016/17 Total	YTD Actuals	September Review	December Review	March Review
Operating Expenditure							
Aboriginal Oral History Project	0	0	0	0	0	55,000	55,000
Collaborative Community Development - Mt Arthur Coal	154,500	65,140	219,640	46,172	210,879	210,879	210,879
Community Grants Officer	2,000	0	2,000	0	2,000	2,000	2,000
Community Workers	303,640	0	303,640	116,303	288,640	262,800	262,800
Craft Beer & Music Festival	40,000	0	40,000	49,315	50,000	50,000	50,000
Depreciation	20,862	0	20,862	10,061	20,862	20,862	20,862
Economic Development	35,300	0	35,300	16,460	35,300	35,300	35,300
Hunter Crops, Country Week	7,000	0	7,000	418	7,000	7,000	7,000
Mens Shed	0	5,577	5,577	785	951	951	951
Scar Tree	0	0	0	0	0	10,000	10,000
Screen Audience Development	22,000	0	22,000	15,206	22,000	17,455	17,455
Tourism	165,602	0	165,602	81,159	155,602	155,602	155,602
Upper Hunter Workforce Plan	0	0	0	0	0	50,294	50,294
Visitors Centre	1,500	0	1,500	6,857	1,500	7,000	7,000
Total Operating Expenditure	752,404	70,717	823,121	342,736	794,734	885,143	885,143

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Human Resources and Safety

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Other Revenues	(42,000)	0	(42,000)	(68,819)	(42,000)	(86,481)	(86,481)
<b>Total Operating Revenues</b>	<b>(42,000)</b>	<b>0</b>	<b>(42,000)</b>	<b>(68,819)</b>	<b>(42,000)</b>	<b>(86,481)</b>	<b>(86,481)</b>
<b>Expenses</b>							
Wages and Salaries	477,064	0	477,064	188,453	462,064	406,064	406,064
Materials and Contracts	125,000	61,779	186,779	33,437	131,394	131,394	131,394
Other Costs	107,500	0	107,500	56,512	107,500	148,500	148,500
Depreciation	0	0	0	0	0	0	0
<b>Total Operating Expenses</b>	<b>709,564</b>	<b>61,779</b>	<b>771,343</b>	<b>278,402</b>	<b>700,958</b>	<b>685,958</b>	<b>685,958</b>
<b>Total Operating Result Before Capital</b>	<b>667,564</b>	<b>61,779</b>	<b>729,343</b>	<b>209,583</b>	<b>658,958</b>	<b>599,477</b>	<b>599,477</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Human Resources and Safety

Operating Revenue  
Other Revenues

OH&S Incentive StateMutual

Total Other Revenues

2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
(42,000)	0	(42,000)	(68,819)	(42,000)	(86,481)	(86,481)
(42,000)	0	(42,000)	(68,819)	(42,000)	(86,481)	(86,481)

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Human Resources and Safety

Operating Expenditure

Depreciation  
Human Services  
New Programmes  
Safety

Total Operating Expenditure

2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
0	0	0	0	0	0	0
666,564	7,236	673,800	269,967	658,800	643,800	643,800
0	0	0	0	0	0	0
43,000	54,543	97,543	8,435	42,158	42,158	42,158
709,564	61,779	771,343	278,402	700,958	685,958	685,958

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Property and Building Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(144,100)	0	(144,100)	(62,596)	(144,100)	(144,450)	(144,450)
Other Revenues	(122,110)	0	(122,110)	(65,953)	(102,350)	(112,350)	(112,350)
Operating Grants and Contributions	(6,000)	0	(6,000)	(5,690)	(6,000)	(6,000)	(6,000)
<b>Total Operating Revenues</b>	<b>(272,210)</b>	<b>0</b>	<b>(272,210)</b>	<b>(134,239)</b>	<b>(252,450)</b>	<b>(262,800)</b>	<b>(262,800)</b>
	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	306,791	0	306,791	117,274	306,791	306,791	306,791
Materials and Contracts	749,450	20,000	769,450	381,233	761,050	766,050	766,050
Other Costs	343,650	0	343,650	291,557	339,150	344,500	344,500
Depreciation	588,211	0	588,211	298,628	588,211	588,211	588,211
<b>Total Operating Expenses</b>	<b>1,988,102</b>	<b>20,000</b>	<b>2,008,102</b>	<b>1,088,692</b>	<b>1,995,202</b>	<b>2,005,552</b>	<b>2,005,552</b>
<b>Total Operating Result Before Capital</b>	<b>1,715,892</b>	<b>20,000</b>	<b>1,735,892</b>	<b>954,453</b>	<b>1,742,752</b>	<b>1,742,752</b>	<b>1,742,752</b>

## Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity: Business Unit								
Business Unit: Property and Building Services								
<b>Operating Revenue</b>								
<b>User Charges and Fees</b>								
	Denman Cemetery	(18,000)	0	(18,000)	(6,611)	(18,000)	(18,000)	(18,000)
	Denman Golf Course	0	0	0	0	0	0	0
	Denman Indoor Sports Centres	(10,500)	0	(10,500)	(7,311)	(10,500)	(10,500)	(10,500)
	Mbk Cemetery	(46,000)	0	(46,000)	(18,672)	(46,000)	(46,000)	(46,000)
	Mbk Indoor Sports Centre	(27,000)	0	(27,000)	(12,223)	(27,000)	(27,000)	(27,000)
	Other Sporting Facilities	(1,600)	0	(1,600)	(1,894)	(1,600)	(1,950)	(1,950)
	Parks User Fees	(21,000)	0	(21,000)	(15,885)	(21,000)	(21,000)	(21,000)
	Vehicle Contribution	(20,000)	0	(20,000)	0	(20,000)	(20,000)	(20,000)
	<b>Total User Charges and Fees</b>	<b>(144,100)</b>	<b>0</b>	<b>(144,100)</b>	<b>(62,596)</b>	<b>(144,100)</b>	<b>(144,450)</b>	<b>(144,450)</b>
<b>Other Revenues</b>								
	Building Rentals	(66,200)	0	(66,200)	(52,288)	(66,200)	(66,200)	(66,200)
	Child Care Centre	(9,400)	0	(9,400)	(9,269)	(9,400)	(9,400)	(9,400)
	Insurance Recovery Claim	0	0	0	0	0	0	0
	Leases	(5,750)	0	(5,750)	(2,633)	(5,750)	(5,750)	(5,750)
	Olympic Park Stadium	(17,500)	0	(17,500)	0	(17,500)	(17,500)	(17,500)
	Stan Thiess Centre	(3,500)	0	(3,500)	(1,763)	(3,500)	(3,500)	(3,500)
	<b>Total Other Revenues</b>	<b>(122,110)</b>	<b>0</b>	<b>(122,110)</b>	<b>(65,953)</b>	<b>(102,350)</b>	<b>(112,350)</b>	<b>(112,350)</b>
<b>Operating Grants and Contributions</b>								
	Senior Citizens	(6,000)	0	(6,000)	(5,690)	(6,000)	(6,000)	(6,000)
	<b>Total Operating Grants and Contributions</b>	<b>(6,000)</b>	<b>0</b>	<b>(6,000)</b>	<b>(5,690)</b>	<b>(6,000)</b>	<b>(6,000)</b>	<b>(6,000)</b>



## Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund		2016/17 Budget		2016/17 Carry Overs		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
Principal Activity:	Business Unit	2016/17 Budget		2016/17 Carry Overs		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
Business Unit:	Property and Building Services	2016/17 Budget		2016/17 Carry Overs		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
<b>Operating Expenditure</b>															
98 Bridge Street		6,000	0	0	0	6,000	0	150,883	0	6,000	235,951	0	235,951	0	235,951
Administration Centre		239,951	0	0	0	239,951	0	150,883	0	235,951	235,951	0	235,951	0	235,951
Animal Shelter		11,500	0	0	0	11,500	0	2,128	0	11,500	11,500	0	11,500	0	11,500
Art Centre Building		42,971	0	0	0	42,971	0	25,007	0	42,971	42,971	0	42,971	0	42,971
Christmas Eve Storm Damage		0	0	0	0	0	0	0	0	0	10,000	0	10,000	0	10,000
Community Buildings		87,192	0	0	0	87,192	0	47,620	0	87,192	87,192	0	87,192	0	87,192
Cultural Buildings		4,000	0	0	0	4,000	0	3,645	0	4,000	4,000	0	4,000	0	4,000
Denman Aquatic Centre		10,000	0	0	0	10,000	0	854	0	7,000	7,000	0	7,000	0	7,000
Denman Cemetery		2,500	0	0	0	2,500	0	572	0	2,500	2,500	0	2,500	0	2,500
Denman Golf Course		55,000	0	0	0	55,000	0	16,730	0	55,000	55,000	0	55,000	0	55,000
Denman Indoor Sports Centres		17,497	0	0	0	17,497	0	14,667	0	20,497	20,497	0	20,497	0	20,497
Denman Parks and Playgrounds		17,500	0	0	0	17,500	0	19,222	0	22,500	27,192	0	27,192	0	27,192
Denman Passive Areas		2,000	0	0	0	2,000	0	1,885	0	2,000	2,000	0	2,000	0	2,000
Denman Sporting Fields		29,700	0	0	0	29,700	0	18,292	0	29,700	37,700	0	37,700	0	37,700
Denman Urban Areas		500	0	0	0	500	0	0	0	500	500	0	500	0	500
Denman/Sandy Hollow Public Conveniences		24,575	0	0	0	24,575	0	21,041	0	24,575	24,575	0	24,575	0	24,575
Depot Operating Costs		85,746	0	0	0	85,746	0	49,325	0	85,746	85,746	0	85,746	0	85,746
Depreciation		588,211	0	0	0	588,211	0	298,628	0	588,211	588,211	0	588,211	0	588,211
Library Building		93,691	0	0	0	93,691	0	53,509	0	93,691	93,691	0	93,691	0	93,691
Mbk Cemetery		8,100	0	0	0	8,100	0	4,268	0	8,100	8,100	0	8,100	0	8,100
Mbk Indoor Sports Centre		33,850	0	0	0	33,850	0	21,964	0	33,850	33,850	0	33,850	0	33,850
Mbk Passive Rec Areas		3,000	0	0	0	3,000	0	309	0	3,000	3,000	0	3,000	0	3,000
Mbk Public Conveniences		37,864	0	0	0	37,864	0	22,731	0	37,864	37,864	0	37,864	0	37,864
Mbk Sporting Fields		65,000	0	0	0	65,000	0	24,023	0	60,000	55,000	0	55,000	0	55,000
Muswellbrook Aquatic Centre		72,000	0	0	0	72,000	0	7,396	0	72,000	68,400	0	68,400	0	68,400
Other Land and Buildings		19,156	0	0	0	19,156	0	19,473	0	19,156	19,506	0	19,506	0	19,506
Parks Maintenance (Includes all water, insurance and rates charges f		124,200	0	0	0	124,200	0	98,310	0	124,200	122,508	0	122,508	0	122,508
Property and Building		262,398	0	0	0	262,398	0	130,224	0	262,398	261,898	0	261,898	0	261,898
Property and Building Valuations		0	0	20,000	0	20,000	0	18,682	0	14,600	18,700	0	18,700	0	18,700
QE11		29,000	0	0	0	29,000	0	17,304	0	25,500	25,500	0	25,500	0	25,500
Trees and Bird Control		15,000	0	0	0	15,000	0	0	0	15,000	15,000	0	15,000	0	15,000
<b>Total Operating Expenditure</b>		<b>1,988,102</b>	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>	<b>2,008,102</b>	<b>20,000</b>	<b>1,088,692</b>	<b>1,995,202</b>	<b>2,005,552</b>	<b>2,005,552</b>	<b>2,005,552</b>	<b>2,005,552</b>	<b>2,005,552</b>	<b>2,005,552</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Financial Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Rates and Charges	(12,145,664)	0	(12,145,664)	(10,851,288)	(12,145,664)	(12,145,664)	(12,145,664)
User Charges and Fees	(141,616)	0	(141,616)	(74,924)	(141,616)	(141,616)	(141,616)
Interest and Investments Revenues	(921,500)	0	(921,500)	(532,341)	(935,000)	(935,000)	(935,000)
Other Revenues	(100,000)	(225,637)	(325,637)	0	(223,876)	(284,376)	(284,376)
Operating Grants and Contributions	(2,507,457)	0	(2,507,457)	(1,253,303)	(2,528,666)	(2,528,666)	(2,528,666)
Internal Revenue	(3,415,000)	(1,334,550)	(4,749,550)	(2,254,940)	(4,642,123)	(4,795,000)	(4,795,000)
<b>Total Operating Revenues</b>	<b>(19,231,237)</b>	<b>(1,560,187)</b>	<b>(20,791,424)</b>	<b>(14,966,796)</b>	<b>(20,616,945)</b>	<b>(20,830,322)</b>	<b>(20,830,322)</b>

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	704,497	0	704,497	356,912	725,706	725,706	725,706
Materials and Contracts	419,000	51,801	470,801	115,606	460,257	475,257	475,257
Other Costs	47,500	0	47,500	35,073	47,500	47,500	47,500
Depreciation	27,765	0	27,765	3,485	27,765	27,765	27,765
<b>Total Operating Expenses</b>	<b>1,198,762</b>	<b>51,801</b>	<b>1,250,563</b>	<b>511,076</b>	<b>1,261,228</b>	<b>1,276,228</b>	<b>1,276,228</b>
<b>Total Operating Result Before Capital</b>	<b>(18,032,475)</b>	<b>(1,508,386)</b>	<b>(19,540,861)</b>	<b>(14,455,720)</b>	<b>(19,355,717)</b>	<b>(19,554,094)</b>	<b>(19,554,094)</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Financial Services	2016/17 Budget		2016/17 Carry Overs		2016/17 Total Budget		YTD Actuals	September Review		December Review		March Review	
Operating Revenue														
Rates and Charges	General Fund Rates													
Total Rates and Charges		(12,145,664)	0			(12,145,664)		(10,851,288)	(12,145,664)		(12,145,664)		(12,145,664)	
		(12,145,664)	0			(12,145,664)		(10,851,288)	(12,145,664)		(12,145,664)		(12,145,664)	
User Charges and Fees														
Credit Card Recovery		(4,000)	0			(4,000)		(2,412)	(4,000)		(4,000)		(4,000)	
Other Charges		(73,366)	0			(73,366)		(38,366)	(73,366)		(73,366)		(73,366)	
Section 603 Certificates		(21,000)	0			(21,000)		(11,175)	(21,000)		(21,000)		(21,000)	
Sundry Income		(27,250)	0			(27,250)		(21,520)	(27,250)		(27,250)		(27,250)	
Vehicle Contribution		(16,000)	0			(16,000)		(1,451)	(16,000)		(16,000)		(16,000)	
Total User Charges and Fees		(141,616)	0			(141,616)		(74,924)	(141,616)		(141,616)		(141,616)	
Interest and Investments Revenues														
Interest on Investments		(800,000)	0			(800,000)		(484,921)	(800,000)		(800,000)		(800,000)	
Interest on Overdue Rates		(46,500)	0			(46,500)		(31,711)	(60,000)		(60,000)		(60,000)	
Interest Subsidies		(75,000)	0			(75,000)		(35,709)	(75,000)		(75,000)		(75,000)	
Total Interest and Investments Revenues		(921,500)	0			(921,500)		(532,341)	(935,000)		(935,000)		(935,000)	
Other Revenues														
Transfer from Unrestricted Cash Reserve		(100,000)	(225,637)			(325,637)	0		(223,876)		(284,376)		(284,376)	
Total Other Revenues		(100,000)	(225,637)			(325,637)	0		(223,876)		(284,376)		(284,376)	
Operating Grants and Contributions														
Emergency Services Grant		0	0			0	(21,209)	(21,209)	(21,209)		(21,209)		(21,209)	
Financial Assistance Grant		(2,430,457)	0			(2,430,457)	(1,154,900)	(1,154,900)	(2,430,457)		(2,430,457)		(2,430,457)	
Pension Rebate Subsidy		(77,000)	0			(77,000)	(77,194)	(77,194)	(77,000)		(77,000)		(77,000)	
Total Operating Grants and Contributions		(2,507,457)	0			(2,507,457)	(1,253,303)	(1,253,303)	(2,528,666)		(2,528,666)		(2,528,666)	
Internal Revenue														
Dividend and Lease from WMC		(420,000)	0			(420,000)	(420,000)	(420,000)	(420,000)		(420,000)		(420,000)	
Dividend from Commercial Buildings		(1,000,000)	0			(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)		(1,000,000)		(1,000,000)	
Dividend from Sewer Fund		(173,000)	0			(173,000)	(172,940)	(172,940)	(173,000)		(173,000)		(173,000)	
Dividend from Water Fund		(160,000)	0			(160,000)	0	0	(160,000)		(160,000)		(160,000)	
Overhead Charges to Domestic Waste		(305,000)	0			(305,000)	(305,000)	(305,000)	(305,000)		(305,000)		(305,000)	
Overhead Charges to Sewer		(538,952)	0			(538,952)	(539,000)	(539,000)	(538,952)		(538,952)		(538,952)	
Overhead Charges to Water		(818,048)	0			(818,048)	(818,000)	(818,000)	(818,048)		(818,048)		(818,048)	
Transfer from Asset Renewable Reserve		0	0			0	0	0	0		0		0	
Transfer from Environmental Reserve		0	(10,000)			(10,000)	0	0	(3,900)		(3,900)		(3,900)	
Transfer from Land Development Reserve		0	0			0	0	0	0		0		0	
Transfer from Mangoola WULMS Reserve		0	(37,321)			(37,321)	0	0	(37,321)		(37,321)		(37,321)	
Transfer from Operating Carryover Reserve		0	(590,299)			(590,299)	0	0	(446,517)		(446,517)		(446,517)	
Transfer from Operating Unexpended Grants		0	(563,772)			(563,772)	0	0	(509,402)		(509,402)		(509,402)	
Transfer from Recreation Reserve		0	0			0	0	0	0		0		0	
Transfer from RTA Contingency Reserve		0	0			0	0	0	0		0		0	
Transfer from S94 Reserves		0	0			0	0	0	0		0		0	
Transfer from Strategic Town Planning Reser		0	(59,123)			(59,123)	0	0	(80,871)		(80,871)		(80,871)	
Transfer from Unexpended Contributions		0	(74,035)			(74,035)	0	0	(92,812)		(92,812)		(92,812)	
Transfer from Waste Management Reserve		0	0			0	0	0	(56,300)		(56,300)		(56,300)	
Total Internal Revenue		(3,415,000)	(1,334,550)			(4,749,550)	(2,254,940)	(2,254,940)	(4,642,123)		(4,795,000)		(4,795,000)	

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Financial Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Operating Expenditure</b>							
Administration Costs	704,497	0	704,497	356,912	725,706	725,706	725,706
Audit, bank Fees, Valuations and Debt Recovery	58,500	0	58,500	43,233	58,500	58,500	58,500
Depreciation	27,765	0	27,765	3,485	27,765	27,765	27,765
Operating Projects and Contingency	180,000	51,801	231,801	35,678	221,257	221,257	221,257
Other Costs	208,000	0	208,000	62,827	208,000	223,000	223,000
Staff Training	20,000	0	20,000	8,941	20,000	20,000	20,000
<b>Total Operating Expenditure</b>	<b>1,198,762</b>	<b>51,801</b>	<b>1,250,563</b>	<b>511,076</b>	<b>1,261,228</b>	<b>1,276,228</b>	<b>1,276,228</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Cultural

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Other Revenues	(39,500)	0	(39,500)	(12,312)	(39,500)	(39,500)	(39,500)
<b>Total Operating Revenues</b>	<b>(39,500)</b>	<b>0</b>	<b>(39,500)</b>	<b>(12,312)</b>	<b>(39,500)</b>	<b>(39,500)</b>	<b>(39,500)</b>
<b>Expenses</b>							
Wages and Salaries	177,313	0	177,313	72,835	172,313	161,623	161,623
Materials and Contracts	84,850	8,000	92,850	51,332	99,050	99,050	99,050
Other Costs	43,500	0	43,500	21,571	42,300	42,300	42,300
Depreciation	5,490	0	5,490	2,314	5,490	5,490	5,490
<b>Total Operating Expenses</b>	<b>311,153</b>	<b>8,000</b>	<b>319,153</b>	<b>148,052</b>	<b>319,153</b>	<b>308,463</b>	<b>308,463</b>
<b>Total Operating Result Before Capital</b>	<b>271,653</b>	<b>8,000</b>	<b>279,653</b>	<b>135,740</b>	<b>279,653</b>	<b>268,963</b>	<b>268,963</b>



Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund Principal Activity: Business Unit Business Unit: Cultural		2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue Other Revenues							
Art Prize Entry Fees		0	(13,000)	(3,610)	(13,000)	(13,000)	(13,000)
Art Sales/Commissions		0	(17,000)	(5,291)	(17,000)	(17,000)	(17,000)
Donations/Fundraising		0	(5,000)	(2,322)	(5,000)	(5,000)	(5,000)
Gallery Hire		0	(4,500)	(1,089)	(4,500)	(4,500)	(4,500)
UHL Rental		0	0	0	0	0	0
<b>Total Other Revenues</b>		<b>0</b>	<b>(39,500)</b>	<b>(12,312)</b>	<b>(39,500)</b>	<b>(39,500)</b>	<b>(39,500)</b>

Fund: 1 General Fund Principal Activity: Business Unit Business Unit: Cultural		2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure							
Art Centre Building		0	30,000	12,026	30,000	30,000	30,000
Arts Programme		8,000	239,163	101,923	232,963	222,273	222,273
Depreciation		0	5,490	2,314	5,490	5,490	5,490
Exhibitions and Prizes		0	44,500	31,789	50,700	50,700	50,700
<b>Total Operating Expenditure</b>		<b>8,000</b>	<b>319,153</b>	<b>148,052</b>	<b>319,153</b>	<b>308,463</b>	<b>308,463</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Libraries

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(3,600)	0	(3,600)	(1,493)	(3,600)	(3,600)	(3,600)
Other Revenues	(27,500)	0	(27,500)	(14,941)	(27,500)	(31,500)	(31,500)
Operating Grants and Contributions	(159,000)	0	(159,000)	0	(159,000)	(159,000)	(159,000)
<b>Total Operating Revenues</b>	<b>(190,100)</b>	<b>0</b>	<b>(190,100)</b>	<b>(16,434)</b>	<b>(190,100)</b>	<b>(194,100)</b>	<b>(194,100)</b>
<b>Expenses</b>							
Wages and Salaries	487,119	0	487,119	258,423	487,119	487,119	487,119
Materials and Contracts	143,800	1,800	145,600	78,293	145,600	149,600	149,600
Other Costs	10,900	0	10,900	4,517	10,900	10,900	10,900
Depreciation	149,843	0	149,843	86,049	149,843	149,843	149,843
<b>Total Operating Expenses</b>	<b>791,662</b>	<b>1,800</b>	<b>793,462</b>	<b>427,282</b>	<b>793,462</b>	<b>797,462</b>	<b>797,462</b>
<b>Total Operating Result Before Capital</b>	<b>601,562</b>	<b>1,800</b>	<b>603,362</b>	<b>410,848</b>	<b>603,362</b>	<b>603,362</b>	<b>603,362</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Libraries	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue								
User Charges and Fees		(3,600)	0	(3,600)	(1,493)	(3,600)	(3,600)	(3,600)
Total User Charges and Fees		(3,600)	0	(3,600)	(1,493)	(3,600)	(3,600)	(3,600)
Other Revenues		(15,500)	0	(15,500)	(8,214)	(15,500)	(17,500)	(17,500)
Libraries		(12,000)	0	(12,000)	(6,727)	(12,000)	(14,000)	(14,000)
Library Building		(27,500)	0	(27,500)	(14,941)	(27,500)	(31,500)	(31,500)
Total Other Revenues		(27,500)	0	(27,500)	(14,941)	(27,500)	(31,500)	(31,500)
Operating Grants and Contributions		(101,000)	0	(101,000)	0	(101,000)	(101,000)	(101,000)
Contribution from Upper Hunter		(58,000)	0	(58,000)	0	(58,000)	(58,000)	(58,000)
Library Subsidy								
Fund:	1 General Fund							
Principal Activity:	Business Unit							
Business Unit:	Libraries							
Operating Expenditure								
Libraries		745,362	1,800	747,162	410,313	747,162	751,162	751,162
Library Building		46,300	0	46,300	16,969	46,300	46,300	46,300
Total Operating Expenditure		791,662	1,800	793,462	427,282	793,462	797,462	797,462

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Information Services

Revenues	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Revenues	0	0	0	0	0	0	0
<b>Expenses</b>	<b>2016/17 Budget</b>	<b>2016/17 Carry Overs</b>	<b>2016/17 Total Budget</b>	<b>YTD Actuals</b>	<b>September Review</b>	<b>December Review</b>	<b>March Review</b>
Wages and Salaries	333,974	0	333,974	186,603	333,974	333,974	333,974
Materials and Contracts	295,750	0	295,750	203,683	330,750	330,750	330,750
Other Costs	45,000	0	45,000	14,081	45,000	45,000	45,000
Depreciation	6,982	0	6,982	0	6,982	0	0
Total Operating Expenses	681,706	0	681,706	404,367	716,706	709,724	709,724
Total Operating Result Before Capital	681,706	0	681,706	404,367	716,706	709,724	709,724

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Information Services

## Operating Revenue

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Revenues	0	0	0	0	0	0	0

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Information Services

## Operating Expenditure

Depreciation  
Information Services Operations  
Office Equip, Computer Maint. And Operations

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Depreciation	6,982	0	6,982	0	6,982	0	0
Information Services Operations	388,974	0	388,974	210,683	388,974	388,974	388,974
Office Equip, Computer Maint. And Operations	285,750	0	285,750	193,684	320,750	320,750	320,750
Total Operating Expenditure	681,706	0	681,706	404,367	716,706	709,724	709,724



Muswellbrook Shire Council Budget Review 2016/17

Fund:  
Principal Activity:  
Business Unit:

1 General Fund  
Business Unit  
Customer Service and Administration

Revenues	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Revenues	0	0	0	0	0	0	0
<b>Expenses</b>	<b>2016/17 Budget</b>	<b>2016/17 Carry Overs</b>	<b>2016/17 Total Budget</b>	<b>YTD Actuals</b>	<b>September Review</b>	<b>December Review</b>	<b>March Review</b>
Wages and Salaries	603,753	0	603,753	261,769	603,753	588,753	588,753
Materials and Contracts	54,150	0	54,150	16,165	54,150	69,150	69,150
Other Costs	25,500	0	25,500	9,693	25,500	25,500	25,500
Total Operating Expenses	683,403	0	683,403	287,627	683,403	683,403	683,403
Total Operating Result Before Capital	683,403	0	683,403	287,627	683,403	683,403	683,403



Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Corporate Services Management

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(700)	0	(700)	(150)	(700)	(700)	(700)
<b>Total Operating Revenues</b>	<b>(700)</b>	<b>0</b>	<b>(700)</b>	<b>(150)</b>	<b>(700)</b>	<b>(700)</b>	<b>(700)</b>

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	651,791	0	651,791	331,767	646,791	626,791	626,791
Materials and Contracts	79,500	6,000	85,500	46,657	103,500	164,000	164,000
Other Costs	96,500	0	96,500	69,627	96,500	96,500	96,500
Depreciation	211,311	0	211,311	109,056	211,311	211,311	211,311
<b>Total Operating Expenses</b>	<b>1,039,102</b>	<b>6,000</b>	<b>1,045,102</b>	<b>557,107</b>	<b>1,058,102</b>	<b>1,098,602</b>	<b>1,098,602</b>
<b>Total Operating Result Before Capital</b>	<b>1,038,402</b>	<b>6,000</b>	<b>1,044,402</b>	<b>556,957</b>	<b>1,057,402</b>	<b>1,097,902</b>	<b>1,097,902</b>

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Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Integrated Planning

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(5,000)	0	(5,000)	(1,536)	(5,000)	(5,000)	(5,000)
Other Revenues	(10,000)	0	(10,000)	0	(10,000)	(10,000)	(10,000)
<b>Total Operating Revenues</b>	<b>(15,000)</b>	<b>0</b>	<b>(15,000)</b>	<b>(1,536)</b>	<b>(15,000)</b>	<b>(15,000)</b>	<b>(15,000)</b>

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	466,228	0	466,228	219,988	466,228	400,228	400,228
Materials and Contracts	39,000	0	39,000	27,631	70,000	109,359	109,359
Other Costs	147,500	0	147,500	145,008	147,500	147,500	147,500
Depreciation	5,970	0	5,970	3,756	5,970	7,512	7,512
<b>Total Operating Expenses</b>	<b>658,698</b>	<b>0</b>	<b>658,698</b>	<b>396,383</b>	<b>689,698</b>	<b>664,599</b>	<b>664,599</b>
<b>Total Operating Result Before Capital</b>	<b>643,698</b>	<b>0</b>	<b>643,698</b>	<b>394,847</b>	<b>674,698</b>	<b>649,599</b>	<b>649,599</b>



Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Integrated Planning

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue							
User Charges and Fees							
Vehicle Contribution	(5,000)	0	(5,000)	(1,536)	(5,000)	(5,000)	(5,000)
Total User Charges and Fees	(5,000)	0	(5,000)	(1,536)	(5,000)	(5,000)	(5,000)
Other Revenues							
Risk Management Incentive (Statewide Mutual)	(10,000)	0	(10,000)	0	(10,000)	(10,000)	(10,000)
Total Other Revenues	(10,000)	0	(10,000)	0	(10,000)	(10,000)	(10,000)

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Integrated Planning

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure							
Depreciation	5,970	0	5,970	3,756	5,970	7,512	7,512
Enterprise Risk Management	174,000	0	174,000	158,138	174,000	199,000	199,000
Integrated Planning	474,728	0	474,728	221,470	474,728	420,728	420,728
Integrated Planning and Reporting	4,000	0	4,000	13,019	35,000	37,359	37,359
Total Operating Expenditure	658,698	0	658,698	396,383	689,698	664,599	664,599

Muswellbrook Shire Council Budget Review 2016/17

Fund:  
Principal Activity:  
Business Unit:  
1 General Fund  
Business Unit  
Executive Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Operating Grants and Contributions	(40,000)	0	(40,000)	0	(40,000)	(40,000)	(40,000)
<b>Total Operating Revenues</b>	<b>(40,000)</b>	<b>0</b>	<b>(40,000)</b>	<b>0</b>	<b>(40,000)</b>	<b>(40,000)</b>	<b>(40,000)</b>
<b>Expenses</b>							
Wages and Salaries	382,755	0	382,755	236,412	487,755	487,755	487,755
Materials and Contracts	478,000	0	478,000	150,851	368,000	368,000	368,000
Other Costs	75,800	0	75,800	47,661	75,800	75,800	75,800
<b>Total Operating Expenses</b>	<b>936,555</b>	<b>0</b>	<b>936,555</b>	<b>434,924</b>	<b>931,555</b>	<b>931,555</b>	<b>931,555</b>
<b>Total Operating Result Before Capital</b>	<b>896,555</b>	<b>0</b>	<b>896,555</b>	<b>434,924</b>	<b>891,555</b>	<b>891,555</b>	<b>891,555</b>

## Muswellbrook Shire Council Budget Review 2016/17

Fund:		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity:								
Business Unit:								
1 General Fund								
Business Unit								
Executive Services								
Operating Revenue								
Operating Grants and Contributions								
Community Grants Officer		(40,000)	0	(40,000)	0	(40,000)	(40,000)	(40,000)
Mangoola Coal Community \								
Total Operating Grants and Contributions		(40,000)	0	(40,000)	0	(40,000)	(40,000)	(40,000)
Fund:								
Principal Activity:								
Business Unit:								
1 General Fund								
Business Unit								
Executive Services								
Operating Expenditure								
Administration Costs		52,500	0	52,500	18,926	52,500	52,500	52,500
Anzac Day		11,000	0	11,000	0	11,000	11,000	11,000
Australia Day		18,500	0	18,500	11,182	18,500	18,500	18,500
Civic Functions and Donations		84,800	0	84,800	53,042	84,800	84,800	84,800
Economic Research Programme		180,000	0	180,000	0	50,000	39,000	39,000
Elections		100,000	0	100,000	3,485	100,000	100,000	100,000
Executive Services		374,655	0	374,655	236,110	479,655	479,655	479,655
Noxious Weeds		80,000	0	80,000	79,220	80,000	80,000	80,000
Reply to Response to Submissions - Bylong Coal Project		0	0	0	0	20,000	20,000	20,000
Tom Farrell Institute Mining Rehabilitation Conference		0	0	0	11,000	0	11,000	11,000
Town Band and Eisteddford		8,500	0	8,500	0	8,500	8,500	8,500
Vietnam Remembrance Day		1,600	0	1,600	302	1,600	1,600	1,600
Web and Publications		14,000	0	14,000	10,870	14,000	14,000	14,000
Total Operating Expenditure		936,555	0	936,555	434,924	931,555	931,555	931,555

Muswellbrook Shire Council Budget Review 2016/17Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Sustainability

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Operating Grants and Contributions	(225,000)	0	(225,000)	(77,308)	(251,091)	(136,091)	(136,091)
Internal Revenue	(418,546)	0	(418,546)	(418,546)	(418,546)	(418,546)	(418,546)
<b>Total Operating Revenues</b>	<b>(643,546)</b>	<b>0</b>	<b>(643,546)</b>	<b>(495,854)</b>	<b>(669,637)</b>	<b>(554,637)</b>	<b>(554,637)</b>
<b>Expenses</b>							
Wages and Salaries	591,068	0	591,068	130,100	606,068	516,068	516,068
Materials and Contracts	122,278	132,008	254,286	117,509	241,803	284,386	284,386
Depreciation	0	0	0	2,155	0	11,292	11,292
<b>Total Operating Expenses</b>	<b>713,346</b>	<b>132,008</b>	<b>845,354</b>	<b>249,764</b>	<b>847,871</b>	<b>811,746</b>	<b>811,746</b>
<b>Total Operating Result Before Capital</b>	<b>69,800</b>	<b>132,008</b>	<b>201,808</b>	<b>(246,090)</b>	<b>178,234</b>	<b>257,109</b>	<b>257,109</b>

Fund:	1 General Fund								
Principal Activity:	Business Unit								
Business Unit:	Sustainability								
	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review		
Operating Expenditure									
Club to Club Project	0	0	0	0	20,000	20,000	20,000	20,000	
Community Engagement	4,800	10,652	15,452	10,761	15,452	15,452	15,452	15,452	
Depreciation	0	0	0	2,155	0	0	11,292	11,292	
Energy Minimisation	20,000	0	20,000	117	20,000	20,000	20,000	20,000	
Environment	5,500	0	5,500	1,196	5,500	5,500	5,500	5,500	
Environmental Monitoring	13,500	0	13,500	164	13,500	13,500	13,500	13,500	
Fulcrum 3D Sodar Lease	0	30,000	30,000	0	3,900	3,900	3,900	3,900	
Green Army Project	0	0	0	558	2,260	2,260	2,260	2,260	
Land Care	21,739	0	21,739	1,678	21,739	21,739	21,739	21,739	
Paddle and Plant Project	0	0	0	3,187	4,092	4,092	4,092	4,092	
Stepping Stones	106,739	37,321	144,060	73,068	144,060	96,643	96,643	96,643	
Sustainability Unit	501,068	0	501,068	122,269	501,068	501,068	501,068	501,068	
Waste Minimisation	20,000	0	20,000	0	20,000	20,000	20,000	20,000	
Water Minimisation	20,000	0	20,000	625	20,000	20,000	20,000	20,000	
Wood Smoke - Mt Arthur	0	54,035	54,035	33,986	56,300	56,300	56,300	56,300	
Total Operating Expenditure	713,346	132,008	845,354	249,764	847,871	811,746	811,746	811,746	

**Environmental Services**

**December 2016**

**Budget Review Operating Budget**



Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Emergency Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Operating Grants and Contributions	(234,000)	0	(234,000)	(216,360)	(192,038)	(216,360)	(216,360)
<b>Total Operating Revenues</b>	<b>(234,000)</b>	<b>0</b>	<b>(234,000)</b>	<b>(216,360)</b>	<b>(192,038)</b>	<b>(216,360)</b>	<b>(216,360)</b>
	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Materials and Contracts	140,050	0	140,050	51,802	193,550	191,863	191,863
Other Costs	415,500	0	415,500	212,276	425,318	427,005	427,005
Depreciation	234,093	0	234,093	93,667	254,093	254,093	254,093
<b>Total Operating Expenses</b>	<b>809,643</b>	<b>0</b>	<b>809,643</b>	<b>357,745</b>	<b>872,961</b>	<b>872,961</b>	<b>872,961</b>
<b>Total Operating Result Before Capital</b>	<b>575,643</b>	<b>0</b>	<b>575,643</b>	<b>141,385</b>	<b>680,923</b>	<b>656,601</b>	<b>656,601</b>

Muswellbrook Shire Council Budget Review 2016/17

<b>Fund:</b>		<b>1 General Fund</b>							
<b>Principal Activity:</b>		<b>Business Unit</b>							
<b>Business Unit:</b>		<b>Emergency Services</b>							
<b>Operating Revenue</b>			<b>2016/17 Budget</b>	<b>2016/17 Carry Overs</b>	<b>2016/17 Total Budget</b>	<b>YTD Actuals</b>	<b>September Review</b>	<b>December Review</b>	<b>March Review</b>
<b>Operating Grants and Contributions</b>			(234,000)	0	(234,000)	(216,360)	(192,038)	(216,360)	(216,360)
<b>Total Operating Grants and Contributions</b>			<b>(234,000)</b>	<b>0</b>	<b>(234,000)</b>	<b>(216,360)</b>	<b>(192,038)</b>	<b>(216,360)</b>	<b>(216,360)</b>
<b>Fund:</b>		<b>1 General Fund</b>							
<b>Principal Activity:</b>		<b>Business Unit</b>							
<b>Business Unit:</b>		<b>Emergency Services</b>							
<b>Operating Expenditure</b>			<b>2016/17 Budget</b>	<b>2016/17 Carry Overs</b>	<b>2016/17 Total Budget</b>	<b>YTD Actuals</b>	<b>September Review</b>	<b>December Review</b>	<b>March Review</b>
Claimable Items			133,050	0	133,050	55,973	192,088	192,038	192,038
Depreciation			254,093	0	254,093	93,667	254,093	254,093	254,093
Non Claimable Items			2,500	0	2,500	1,936	2,500	2,500	2,500
RFS Contributions			365,000	0	365,000	184,018	368,036	368,036	368,036
State Emergency Services			55,000	0	55,000	22,151	56,244	56,294	56,294
<b>Total Operating Expenditure</b>			<b>809,643</b>	<b>0</b>	<b>809,643</b>	<b>357,745</b>	<b>872,961</b>	<b>872,961</b>	<b>872,961</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Environmental Planning

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(420,250)	0	(420,250)	(281,554)	(426,250)	(428,789)	(428,789)
Other Revenues	0	0	0	(24,369)	(24,123)	(24,369)	(24,369)
Operating Grants and Contributions	(12,500)	0	(12,500)	0	(12,500)	(12,500)	(12,500)
Internal Revenue	(100,000)	0	(100,000)	(520)	(100,000)	(100,000)	(100,000)
<b>Total Operating Revenues</b>	<b>(532,750)</b>	<b>0</b>	<b>(532,750)</b>	<b>(306,443)</b>	<b>(562,873)</b>	<b>(565,658)</b>	<b>(565,658)</b>
<b>Expenses</b>							
Wages and Salaries	525,871	0	525,871	343,850	552,981	623,055	623,055
Materials and Contracts	126,750	192,776	319,526	109,653	283,008	270,421	270,421
Other Costs	38,000	19,895	57,895	12,135	49,374	49,374	49,374
Depreciation	42,022	0	42,022	12,685	42,022	40,480	40,480
<b>Total Operating Expenses</b>	<b>732,643</b>	<b>212,671</b>	<b>945,314</b>	<b>478,323</b>	<b>927,385</b>	<b>983,330</b>	<b>983,330</b>
<b>Total Operating Result Before Capital</b>	<b>199,893</b>	<b>212,671</b>	<b>412,564</b>	<b>171,880</b>	<b>364,512</b>	<b>417,672</b>	<b>417,672</b>

## Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity: Business Unit								
Business Unit: Environmental Planning								
<b>Operating Revenue</b>								
<b>User Charges and Fees</b>								
Advertising Fees		(20,000)	0	(20,000)	(9,367)	(20,000)	(20,000)	(20,000)
Caravan Parks Fees		0	0	0	(612)	0	(612)	(612)
Complying Development Fees		(3,000)	0	(3,000)	(1,006)	(3,000)	(3,000)	(3,000)
Construction Certificate and Inspections		(62,000)	0	(62,000)	(48,577)	(62,000)	(62,000)	(62,000)
Development Applications		(75,000)	0	(75,000)	(28,418)	(75,000)	(65,000)	(65,000)
Entertainment Licences		0	0	0	0	0	0	0
LSL Certificate		0	0	0	0	0	0	0
Occupation Certificate		(2,000)	0	(2,000)	(540)	(2,000)	(2,000)	(2,000)
On-Site Sewerage		(80,000)	0	(80,000)	(77,455)	(80,000)	(80,000)	(80,000)
Other Building Fees		(45,500)	0	(45,500)	(28,878)	(45,500)	(46,000)	(46,000)
Other Town Planning Fees		(7,500)	0	(7,500)	(7,078)	(7,500)	(7,500)	(7,500)
Public Health		(32,000)	0	(32,000)	(39,427)	(38,000)	(39,427)	(39,427)
Section 149 Certificates		(48,250)	0	(48,250)	(21,731)	(48,250)	(48,250)	(48,250)
Trade Waste		(27,000)	0	(27,000)	(10,641)	(27,000)	(27,000)	(27,000)
Vehicle Contribution		(18,000)	0	(18,000)	(7,824)	(18,000)	(18,000)	(18,000)
<b>Total User Charges and Fees</b>		<b>(420,250)</b>	<b>0</b>	<b>(420,250)</b>	<b>(281,554)</b>	<b>(426,250)</b>	<b>(428,789)</b>	<b>(428,789)</b>
<b>Other Revenues</b>								
Reimbursement of Legal Costs		0	0	0	0	0	0	0
Repro TLE Fire		0	0	0	(24,369)	(24,123)	(24,369)	(24,369)
<b>Total Other Revenues</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>(24,369)</b>	<b>(24,123)</b>	<b>(24,369)</b>	<b>(24,369)</b>
<b>Operating Grants and Contributions</b>								
Application Tracking Software		0	0	0	0	0	0	0
Electronic Housing Code		0	0	0	0	0	0	0
Environmental Health		0	0	0	0	0	0	0
Heritage Grants and Contributions		(12,500)	0	(12,500)	0	(12,500)	(12,500)	(12,500)
Solar Contributions		0	0	0	0	0	0	0
<b>Total Operating Grants and Contributions</b>		<b>(12,500)</b>	<b>0</b>	<b>(12,500)</b>	<b>0</b>	<b>(12,500)</b>	<b>(12,500)</b>	<b>(12,500)</b>
<b>Internal Revenue</b>								
Contribution from Domestic Waste-POEO Act Clean Up Notices		(100,000)	0	(100,000)	(520)	(100,000)	(100,000)	(100,000)
<b>Total Internal Revenue</b>		<b>(100,000)</b>	<b>0</b>	<b>(100,000)</b>	<b>(520)</b>	<b>(100,000)</b>	<b>(100,000)</b>	<b>(100,000)</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Environmental Planning

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Operating Expenditure</b>							
Building and Environmental Regulation	191,320	0	191,320	142,773	191,320	191,320	191,320
Depreciation	42,022	0	42,022	12,685	42,022	40,480	40,480
Electronic Housing Code	0	19,895	19,895	222	11,374	11,374	11,374
Environmental Health	5,000	8,689	13,689	0	13,689	13,689	13,689
Illegal Dumping Surveillance	100,000	0	100,000	21,161	100,000	100,000	100,000
Natural Resource Management	1,500	0	1,500	6,608	1,500	7,100	7,100
Reproco TLE Fire	0	0	0	24,369	24,123	24,369	24,369
Strategic Land Use Planning	22,000	184,087	206,087	68,990	166,556	164,197	164,197
Town Planning	291,301	0	291,301	155,420	291,301	338,827	338,827
Town Planning Administration	79,500	0	79,500	46,095	85,500	91,974	91,974
<b>Total Operating Expenditure</b>	<b>732,643</b>	<b>212,671</b>	<b>945,314</b>	<b>478,323</b>	<b>927,385</b>	<b>983,330</b>	<b>983,330</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Regulatory Services

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(135,200)	0	(135,200)	(43,600)	(135,200)	(96,700)	(96,700)
Operating Grants and Contributions	0	0	0	0	0	0	0
<b>Total Operating Revenues</b>	<b>(135,200)</b>	<b>0</b>	<b>(135,200)</b>	<b>(43,600)</b>	<b>(135,200)</b>	<b>(96,700)</b>	<b>(96,700)</b>

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Expenses</b>							
Wages and Salaries	200,968	0	200,968	99,816	200,968	200,968	200,968
Materials and Contracts	48,000	1,406	49,406	18,555	44,406	44,406	44,406
Other Costs	5,000	0	5,000	1,109	2,500	2,500	2,500
Depreciation	10,988	0	10,988	5,283	10,988	10,988	10,988
<b>Total Operating Expenses</b>	<b>264,956</b>	<b>1,406</b>	<b>266,362</b>	<b>124,763</b>	<b>258,862</b>	<b>258,862</b>	<b>258,862</b>
<b>Total Operating Result Before Capital</b>	<b>129,756</b>	<b>1,406</b>	<b>131,162</b>	<b>81,163</b>	<b>123,662</b>	<b>162,162</b>	<b>162,162</b>



Muswellbrook Shire Council Budget Review 2016/17

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Regulatory Services

## Operating Revenue

## User Charges and Fees

Fines and Fees  
Impounding

## Total User Charges and Fees

2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
(96,500)	0	(96,500)	(23,447)	(96,500)	(54,500)	(54,500)
(38,700)	0	(38,700)	(20,153)	(38,700)	(42,200)	(42,200)
(135,200)	0	(135,200)	(43,600)	(135,200)	(96,700)	(96,700)

Fund: 1 General Fund  
Principal Activity: Business Unit  
Business Unit: Regulatory Services

## Operating Expenditure

Depreciation

Impounding

Rangers

Responsible Pet Ownership

Vehicles

## Total Operating Expenditure

2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
10,988	0	10,988	5,283	10,988	10,988	10,988
75,500	0	75,500	40,784	73,500	73,500	73,500
163,468	0	163,468	72,276	162,968	162,968	162,968
0	1,406	1,406	0	1,406	1,406	1,406
15,000	0	15,000	6,420	10,000	10,000	10,000
264,956	1,406	266,362	124,763	258,862	258,862	258,862

**Minor Funds**

**December 2016**

**Budget Review Operating Budget**

Muswellbrook Shire Council Budget Review 2016/17

Fund: 2 Combined Water Fund  
Principal Activity: Business Unit  
Business Unit: Water

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Rates and Charges	(1,580,000)	0	(1,580,000)	(1,463,852)	(1,580,000)	(1,583,958)	(1,593,958)
User Charges and Fees	(3,719,150)	0	(3,719,150)	(900,951)	(3,719,150)	(3,724,150)	(3,724,150)
Interest and Investments Revenues	(868,000)	0	(868,000)	(16,280)	(868,000)	(868,000)	(868,000)
Operating Grants and Contributions	(38,500)	0	(38,500)	(34,542)	(38,500)	(39,542)	(39,542)
<b>Total Operating Revenues</b>	<b>(6,205,650)</b>	<b>0</b>	<b>(6,205,650)</b>	<b>(2,415,625)</b>	<b>(6,205,650)</b>	<b>(6,215,650)</b>	<b>(6,215,650)</b>
<b>Expenses</b>							
Wages and Salaries	977,890	0	977,890	556,658	977,890	1,067,890	1,067,890
Materials and Contracts	1,785,200	0	1,785,200	749,416	1,785,200	1,705,200	1,705,200
Other Costs	348,000	0	348,000	145,536	348,000	348,000	348,000
Borrowing Costs	161,286	0	161,286	80,029	161,286	161,286	161,286
Overheads	1,228,000	0	1,228,000	1,068,000	1,228,000	1,228,000	1,228,000
Depreciation	1,501,272	0	1,501,272	741,018	1,501,272	1,501,272	1,501,272
<b>Total Operating Expenses</b>	<b>6,001,648</b>	<b>0</b>	<b>6,001,648</b>	<b>3,340,657</b>	<b>6,001,648</b>	<b>6,011,648</b>	<b>6,011,648</b>
<b>Total Operating Result Before Capital</b>	<b>(204,002)</b>	<b>0</b>	<b>(204,002)</b>	<b>925,032</b>	<b>(204,002)</b>	<b>(204,002)</b>	<b>(204,002)</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund:	2 Combined Water Fund								
Principal Activity:	Business Unit								
Business Unit:	Water								
		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review	
Operating Revenue									
Rates and Charges									
Water Fund Rates		(1,580,000)	0	(1,580,000)	(1,463,852)	(1,580,000)	(1,583,958)	(1,583,958)	(1,583,958)
Total Rates and Charges		(1,580,000)	0	(1,580,000)	(1,463,852)	(1,580,000)	(1,583,958)	(1,583,958)	(1,583,958)
User Charges and Fees									
Water Fund Sundry Income		(15,150)	0	(15,150)	(7,529)	(15,150)	(15,150)	(15,150)	(15,150)
Water Chemical Testing		0	0	0	0	0	0	0	0
Water Mains Pressure Test		0	0	0	0	0	0	0	0
Water Meter Test Fees		(9,000)	0	(9,000)	(6,040)	(9,000)	(9,000)	(9,000)	(9,000)
Water Service Repairs		0	0	0	0	0	0	0	0
Water Tanker Sales		(35,000)	0	(35,000)	(25,960)	(35,000)	(35,000)	(35,000)	(35,000)
Water Tapping Fees		(10,000)	0	(10,000)	(750)	(10,000)	(5,000)	(5,000)	(5,000)
Water Users Fees and Charges		(3,640,000)	0	(3,640,000)	(844,393)	(3,640,000)	(3,640,000)	(3,640,000)	(3,640,000)
Total User Charges and Fees		(3,719,150)	0	(3,719,150)	(900,951)	(3,719,150)	(3,724,150)	(3,724,150)	(3,724,150)
Interest and Investments Revenues									
Interest on Investments		(838,000)	0	(838,000)	0	(838,000)	(838,000)	(838,000)	(838,000)
Interest on Overdue Rates		(30,000)	0	(30,000)	(16,280)	(30,000)	(30,000)	(30,000)	(30,000)
Total Interest and Investments Revenues		(868,000)	0	(868,000)	(16,280)	(868,000)	(868,000)	(868,000)	(868,000)
Operating Grants and Contributions									
DEEWR Contributions for Education/Training		(5,000)	0	(5,000)	0	(5,000)	(5,000)	(5,000)	(5,000)
Pension Rebate Subsidy		(33,500)	0	(33,500)	(34,542)	(33,500)	(34,542)	(34,542)	(34,542)
Total Operating Grants and Contributions		(38,500)	0	(38,500)	(34,542)	(38,500)	(39,542)	(39,542)	(39,542)

Muswellbrook Shire Council Budget Review 2016/17

Fund: 2 Combined Water Fund  
Principal Activity: Business Unit  
Business Unit: Water

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Operating Expenditure</b>	1,501,272	0	1,501,272	741,018	1,501,272	1,501,272	1,501,272
Depreciation	431,090	0	431,090	221,419	431,090	431,090	431,090
Management/Supervision	100,000	0	100,000	29,345	100,000	100,000	100,000
Water Consultant Activities, Risk Assessments, IWCM other studies and asset Valuation	1,228,000	0	1,228,000	1,068,000	1,228,000	1,228,000	1,228,000
Water Fund Administration and Overheads (Inc Dividend to Gen Fund)	301,286	0	301,286	130,822	301,286	301,286	301,286
Water Fund Other Administration Costs	197,000	0	197,000	171,550	197,000	322,000	322,000
Water Mains	496,000	0	496,000	141,820	496,000	431,000	431,000
Water Meters, Private Works and water purchases	18,000	0	18,000	16,563	18,000	18,000	18,000
Water Miscellaneous Expenses	393,500	0	393,500	186,173	393,500	393,500	393,500
Water Pumping Expenses	19,000	0	19,000	10,032	19,000	19,000	19,000
Water Reservoirs	1,316,500	0	1,316,500	623,915	1,316,500	1,266,500	1,266,500
Water Treatment							
<b>Total Operating Expenditure</b>	<b>6,001,648</b>	<b>0</b>	<b>6,001,648</b>	<b>3,340,657</b>	<b>6,001,648</b>	<b>6,011,648</b>	<b>6,011,648</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 3 Combined Sewer Fund  
Principal Activity: Business Unit  
Business Unit: Sewer

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
Rates and Charges	(4,001,500)	0	(4,001,500)	(3,420,466)	(4,001,500)	(4,004,579)	(4,004,579)
User Charges and Fees	(322,700)	0	(322,700)	(178,418)	(322,700)	(322,700)	(322,700)
Interest and Investments	(455,000)	0	(455,000)	(13,720)	(455,000)	(455,000)	(455,000)
Operating Grants and Contributions	(37,500)	0	(37,500)	(34,421)	(37,500)	(34,421)	(34,421)
<b>Total Operating Revenues</b>	<b>(4,816,700)</b>	<b>0</b>	<b>(4,816,700)</b>	<b>(3,647,025)</b>	<b>(4,816,700)</b>	<b>(4,816,700)</b>	<b>(4,816,700)</b>
<b>Expenses</b>							
Wages and Salaries	804,931	0	804,931	411,919	804,931	804,931	804,931
Materials and Contracts	939,500	0	939,500	469,126	939,500	939,500	939,500
Other Costs	210,950	0	210,950	105,502	210,950	210,950	210,950
Borrowing Costs	54,210	0	54,210	27,900	54,210	54,210	54,210
Overheads	792,000	0	792,000	791,940	792,000	792,000	792,000
Depreciation	1,275,067	0	1,275,067	601,091	1,275,067	1,275,067	1,275,067
<b>Total Operating Expenses</b>	<b>4,076,658</b>	<b>0</b>	<b>4,076,658</b>	<b>2,407,478</b>	<b>4,076,658</b>	<b>4,076,658</b>	<b>4,076,658</b>
<b>Total Operating Result Before Capital</b>	<b>(740,042)</b>	<b>0</b>	<b>(740,042)</b>	<b>(1,239,547)</b>	<b>(740,042)</b>	<b>(740,042)</b>	<b>(740,042)</b>



Muswellbrook Shire Council Budget Review 2016/17

Fund: Principal Activity: Business Unit:		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
3 Combined Sewer Fund Business Unit Sewer								
Operating Revenue Rates and Charges								
Sewer Fund Rates								
Total Rates and Charges		(4,001,500) <b>(4,001,500)</b>	0 0	(4,001,500) <b>(4,001,500)</b>	(3,420,466) <b>(3,420,466)</b>	(4,001,500) <b>(4,001,500)</b>	(4,004,579) <b>(4,004,579)</b>	(4,004,579) <b>(4,004,579)</b>
User Charges and Fees								
Sewer Connections		(200)	0	(200)	0	(200)	(200)	(200)
Sewer Effluent Reuse		(270,000)	0	(270,000)	(160,127)	(270,000)	(270,000)	(270,000)
Sewer Other Revenues		(17,500)	0	(17,500)	(7,090)	(17,500)	(17,500)	(17,500)
Sewer Plan Fees		0	0	0	0	0	0	0
Sewer Trade Waste Fees		(35,000)	0	(35,000)	(11,201)	(35,000)	(35,000)	(35,000)
Total User Charges and Fees		<b>(322,700)</b>	0	<b>(322,700)</b>	<b>(178,418)</b>	<b>(322,700)</b>	<b>(322,700)</b>	<b>(322,700)</b>
Interest and Investments Revenues								
Interest on Investments		(430,000)	0	(430,000)	0	(430,000)	(430,000)	(430,000)
Interest on Overdue Rates		(25,000)	0	(25,000)	(13,720)	(25,000)	(25,000)	(25,000)
Total Interest and Investments Revenues		<b>(455,000)</b>	0	<b>(455,000)</b>	<b>(13,720)</b>	<b>(455,000)</b>	<b>(455,000)</b>	<b>(455,000)</b>
Operating Grants and Contributions								
DEEWR Contributions for Education/Training		(3,500)	0	(3,500)	0	(3,500)	0	0
HLIF Grant Funding - Sewer		0	0	0	0	0	0	0
Pension Rebate Subsidy		(34,000)	0	(34,000)	(34,421)	(34,000)	(34,421)	(34,421)
Total Operating Grants and Contributions		<b>(37,500)</b>	0	<b>(37,500)</b>	<b>(34,421)</b>	<b>(37,500)</b>	<b>(34,421)</b>	<b>(34,421)</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: 3 Combined Sewer Fund  
Principal Activity: Business Unit  
Business Unit: Sewer

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Operating Expenditure</b>							
Depreciation	1,275,067	0	1,275,067	601,091	1,275,067	1,275,067	1,275,067
Engineering/Supervision	461,131	0	461,131	244,038	461,131	461,131	461,131
Sewer Effluent Reuse	122,750	0	122,750	77,525	125,750	153,750	153,750
Sewer Fund Administration and Overheads (Inc Dividend to Gen Fund)	792,000	0	792,000	791,940	792,000	792,000	792,000
Sewer Mains	360,000	0	360,000	132,508	360,000	332,000	332,000
Sewer Major Consultant Activities	100,000	0	100,000	41,803	100,000	100,000	100,000
Sewer Other Costs	5,000	0	5,000	2,691	5,000	5,000	5,000
Sewer Pumping Stations	429,710	0	429,710	170,617	426,710	356,710	356,710
Sewer Treatment	521,000	0	521,000	345,265	521,000	591,000	591,000
Temporary Offices - Rent of Buildings	10,000	0	10,000	0	10,000	10,000	10,000
<b>Total Operating Expenditure</b>	<b>4,076,658</b>	<b>0</b>	<b>4,076,658</b>	<b>2,407,478</b>	<b>4,076,658</b>	<b>4,076,658</b>	<b>4,076,658</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: Future Fund  
Principal Activity: Business Unit  
Business Unit: Commercial Division

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(2,493,308)	0	(2,493,308)	(872,649)	(2,503,308)	(2,503,308)	(2,503,308)
Interest and Investments Revenues	0	0	0	(714)	0	0	0
<b>Total Operating Revenues</b>	<b>(2,493,308)</b>	<b>0</b>	<b>(2,493,308)</b>	<b>(873,363)</b>	<b>(2,503,308)</b>	<b>(2,503,308)</b>	<b>(2,503,308)</b>
<b>Expenses</b>							
Wages and Salaries	40,000	0	40,000	22,056	40,000	40,000	40,000
Materials and Contracts	383,150	0	383,150	99,762	376,800	376,800	376,800
Other Costs	219,343	0	219,343	126,609	235,693	235,693	235,693
Borrowing Costs	757,950	0	757,950	239,542	757,950	757,950	757,950
Overheads	1,000,000	0	1,000,000	0	1,000,000	1,000,000	1,000,000
<b>Total Operating Expenses</b>	<b>2,400,443</b>	<b>0</b>	<b>2,400,443</b>	<b>487,969</b>	<b>2,410,443</b>	<b>2,410,443</b>	<b>2,410,443</b>
<b>Total Operating Result Before Capital</b>	<b>(92,865)</b>	<b>0</b>	<b>(92,865)</b>	<b>(385,394)</b>	<b>(92,865)</b>	<b>(92,865)</b>	<b>(92,865)</b>

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Muswellbrook Shire Council Budget Review 2016/17

Fund: Future Fund  
Principal Activity: Business Unit  
Business Unit: Education Division

	2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget	YTD Actuals	September Review	December Review	March Review
<b>Revenues</b>							
User Charges and Fees	(558,995)	0	(558,995)	(322,967)	(558,995)	(558,995)	(558,995)
<b>Total Operating Revenues</b>	<b>(558,995)</b>	<b>0</b>	<b>(558,995)</b>	<b>(322,967)</b>	<b>(558,995)</b>	<b>(558,995)</b>	<b>(558,995)</b>
<b>Expenses</b>							
Wages and Salaries	40,000	0	40,000	22,056	40,000	40,000	40,000
Materials and Contracts	194,000	0	194,000	94,097	194,000	194,000	194,000
Other Costs	139,700	0	139,700	119,832	139,700	139,700	139,700
Borrowing Costs	150,285	0	150,285	94,474	150,285	150,285	150,285
Depreciation	0	0	0	145,627	0	291,254	291,254
<b>Total Operating Expenses</b>	<b>523,985</b>	<b>0</b>	<b>523,985</b>	<b>476,086</b>	<b>523,985</b>	<b>815,239</b>	<b>815,239</b>
<b>Total Operating Result Before Capital</b>	<b>(35,010)</b>	<b>0</b>	<b>(35,010)</b>	<b>153,119</b>	<b>(35,010)</b>	<b>256,244</b>	<b>256,244</b>

Muswellbrook Shire Council Budget Review 2016/17

Fund: Principal Activity: Business Unit:	Future Fund Business Unit Education Division	2016/17 Budget		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
Operating Revenue													
User Charges and Fees													
	140 Bridge Street	(112,985)	0	(112,985)		(53,897)		(112,985)		(112,985)		(112,985)	
	Art Gallery	(19,760)	0	(19,760)		(8,826)		(19,760)		(19,760)		(19,760)	
	Campbell's Corner	(50,500)	0	(50,500)		(25,000)		(50,500)		(50,500)		(50,500)	
	Loxton House	(75,000)	0	(75,000)		(38,323)		(75,000)		(75,000)		(75,000)	
	Sam Adams College	(150,000)	0	(150,000)		(121,921)		(150,000)		(150,000)		(150,000)	
	Town Education Campus	(150,750)	0	(150,750)		(75,000)		(150,750)		(150,750)		(150,750)	
	<b>Total User Charges and Fees</b>	<b>(558,995)</b>	<b>0</b>	<b>(558,995)</b>		<b>(322,967)</b>		<b>(558,995)</b>		<b>(558,995)</b>		<b>(558,995)</b>	

Fund: Principal Activity: Business Unit:	Future Fund Business Unit Education Division	2016/17 Budget		2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
		2016/17 Budget	2016/17 Carry Overs	2016/17 Total Budget		YTD Actuals		September Review		December Review		March Review	
Operating Expenditure													
	140 Bridge Street	17,000	0	17,000		12,839		17,000		29,500		29,500	
	Art Gallery	30,000	0	30,000		29,746		30,000		50,148		50,148	
	Campbell's Corner	60,785	0	60,785		77,455		60,785		107,573		107,573	
	Education Division	40,000	0	40,000		22,056		40,000		40,000		40,000	
	Fund Contingency	20,000	0	20,000		0		20,000		15,000		15,000	
	Legals/Leases	2,500	0	2,500		0		2,500		2,500		2,500	
	Library	40,700	0	40,700		38,529		40,700		76,486		76,486	
	Loxton House	23,000	0	23,000		22,372		23,000		37,064		37,064	
	Sam Adams College	238,000	0	238,000		197,866		238,000		324,234		324,234	
	<b>Total Operating Expenditure</b>	<b>523,985</b>	<b>0</b>	<b>523,985</b>		<b>476,086</b>		<b>523,985</b>		<b>815,239</b>		<b>815,239</b>	







# **muswellbrook shire council**

## **2016/17 Consolidated Budget December 2016**

### **Capital Budget**

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## Muswellbrook Shire Council Capital Budget 2016/17

Fund: Consolidated General, Water, Sewer and Commercial Buildings Funds  
 Business Unit: Consolidated General, Water, Sewer and Commercial Buildings Funds

## Capital Budget

Funding Sources	Total 2016/17					September Review	December Review	March Review
	2016/17 Budget	Carry Overs	Budget	YTD Actuals				
Operating Result	-\$974,044	\$0	-\$974,044	-\$7,066,774		-\$980,044	-\$2,000,476	-\$2,000,476
Section 94	-\$1,654,007	\$0	-\$1,654,007	-\$784,110		-\$1,654,007	-\$1,699,212	-\$1,699,212
Capital Grants	-\$2,226,000	-\$6,139,988	-\$8,365,988	-\$603,385		-\$6,878,854	-\$6,917,854	-\$6,917,854
Capital Contributions	-\$78,000	-\$29,573	-\$107,573	\$0		-\$162,573	-\$197,573	-\$197,573
Depreciation	-\$11,286,985	\$0	-\$11,286,985	\$0		-\$11,286,985	-\$10,597,291	-\$10,597,291
Transfers from Reserve	-\$7,989,606	-\$8,209,652	-\$16,199,258	\$0		-\$13,878,689	-\$14,245,689	-\$14,245,689
Borrowed Funds	-\$19,756,000	-\$106,817	-\$19,862,817	\$0		-\$19,833,068	-\$20,073,068	-\$20,073,068
Sale of Assets	-\$70,000	\$0	-\$70,000	-\$763,774		-\$70,000	-\$70,000	-\$70,000
<b>Total Capital Funds</b>	<b>-\$44,034,642</b>	<b>-\$14,486,030</b>	<b>-\$58,520,672</b>	<b>-\$9,238,043</b>		<b>-\$54,744,220</b>	<b>-\$55,801,163</b>	<b>-\$55,801,163</b>

Capital Expenditure	Total 2016/17					September Review	December Review	March Review
	2016/17 Budget	Carry Overs	Budget	YTD Actuals				
Capital Works/Purchases	\$40,805,422	\$14,486,030	\$55,291,452	\$9,978,537		\$51,545,000	\$52,261,000	\$52,261,000
Loan Repayments	\$1,248,338	\$0	\$1,248,338	\$448,199		\$1,248,338	\$1,248,338	\$1,248,338
Transfers to Reserves	\$1,950,882	\$0	\$1,950,882	\$0		\$1,950,882	\$2,291,825	\$2,291,825
<b>Total Capital Expenditure</b>	<b>\$44,004,642</b>	<b>\$14,486,030</b>	<b>\$58,490,672</b>	<b>\$10,426,736</b>		<b>\$54,744,220</b>	<b>\$55,801,163</b>	<b>\$55,801,163</b>
<b>Budgeted Result</b>	<b>-\$30,000</b>	<b>\$0</b>	<b>-\$30,000</b>	<b>\$1,188,693</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Muswellbrook Shire Council  
General Fund  
December 2016  
Capital Budget 2016/17**

## Muswellbrook Shire Council Capital Budget 2016/17

Fund:  
Business Unit:

General Fund  
Consolidated General Fund

## Capital Budget

		Total 2016/17					
Funding Sources	2016/17 Budget	Carry Overs	Budget	YTD Actuals	September Review	December Review	March Review
Operating Result	\$97,875	\$0	\$97,875	-\$6,539,984	\$91,875	-\$1,219,811	-\$1,219,811
Section 94	-\$1,554,007	\$0	-\$1,554,007	-\$764,232	-\$1,554,007	-\$1,599,212	-\$1,599,212
Capital Grants	-\$1,266,000	-\$6,139,988	-\$7,405,988	-\$603,395	-\$5,918,854	-\$5,872,854	-\$5,872,854
Capital Contributions	-\$78,000	-\$29,573	-\$107,573	\$0	-\$162,573	-\$197,573	-\$197,573
Depreciation	-\$8,510,646	\$0	-\$8,510,646	\$0	-\$8,510,646	-\$7,529,698	-\$7,529,698
Transfers from Reserve	-\$2,262,938	-\$5,061,528	-\$7,324,466	\$0	-\$5,916,555	-\$6,333,555	-\$6,333,555
Borrowed Funds	\$0	-\$106,817	-\$106,817	\$0	-\$77,068	-\$317,068	-\$317,068
Sale of Assets	-\$70,000	\$0	-\$70,000	-\$747,146	-\$70,000	-\$70,000	-\$70,000
Total Capital Funds	-\$13,643,716	-\$11,337,906	-\$24,981,622	-\$8,654,747	-\$22,117,828	-\$23,139,771	-\$23,139,771

	Total 2016/17						
	2016/17 Budget	Carry Overs	Budget	YTD Actuals	September Review	December Review	March Review
Capital Expenditure							
Capital Works/Purchases	\$11,320,422	\$11,337,906	\$22,658,328	\$6,130,216	\$19,824,534	\$20,470,534	\$20,470,534
Loan Repayments	\$570,287	\$0	\$570,287	\$291,352	\$570,287	\$570,287	\$570,287
Transfers to Reserves	\$1,723,007	\$0	\$1,723,007	\$0	\$1,723,007	\$2,098,950	\$2,098,950
Total Capital Expenditure	\$13,613,716	\$11,337,906	\$24,951,622	\$6,421,568	\$22,117,828	\$23,139,771	\$23,139,771
Budgeted Result	-\$30,000	\$0	-\$30,000	-\$2,233,179	\$0	\$0	\$0



**Muswellbrook Shire Council  
Community Infrastructure  
Roads and Drainage and Other Community Infrastructure Business Unit  
2016/17 Capital Budget**

Account Group	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Revenue</b>							
Section 94							
Capital Grants	-\$156,000	\$0	-\$156,000	\$0	-\$156,000	-\$156,000	-\$156,000
Capital Contributions	-\$1,005,000	-\$5,436,628	-\$6,441,628	-\$603,385	-\$5,489,160	-\$5,439,160	-\$5,439,160
Depreciation	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfers from Reserve	-\$6,993,403	\$0	-\$6,993,403	\$0	-\$6,993,403	-\$6,008,144	-\$6,008,144
Sale of Assets	-\$1,496,438	-\$3,182,063	-\$4,678,501	\$0	-\$3,271,681	-\$3,296,681	-\$3,296,681
Borrowed Funds	\$0	\$0	\$0	-\$16,628	\$0	\$0	\$0
<b>Total Capital Revenue</b>	<b>-\$9,650,841</b>	<b>-\$8,618,691</b>	<b>-\$18,269,532</b>	<b>-\$620,013</b>	<b>-\$15,910,244</b>	<b>-\$15,139,985</b>	<b>-\$15,139,985</b>

Account Group	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Expenses</b>							
Roads Capital Works	\$5,819,793	\$8,013,587	\$13,833,380	\$4,362,378	\$11,234,757	\$11,209,757	\$11,209,757
Plant Capital Works	\$558,080	\$605,104	\$1,163,184	\$77,425	\$1,342,519	\$1,342,519	\$1,342,519
Stormwater Capital Works	\$0	\$0	\$0	\$0	\$0	\$240,000	\$240,000
Miscellaneous Capital Works	\$274,000	\$0	\$274,000	\$106,065	\$274,000	\$274,000	\$274,000
Loan Repayments	\$570,287	\$0	\$570,287	\$291,352	\$570,287	\$570,287	\$570,287
Transfer to Reserves	\$298,000	\$0	\$298,000	\$0	\$298,000	\$628,738	\$628,738
<b>Total Capital Expenses</b>	<b>\$7,520,160</b>	<b>\$8,618,691</b>	<b>\$16,138,851</b>	<b>\$4,837,220</b>	<b>\$13,719,563</b>	<b>\$14,265,301</b>	<b>\$14,265,301</b>

Fund: General Fund  
Business Unit: Roads and Drainage and Other Community Infrastructure

Capital Revenues

	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Section 94 Contributions</b>							
Contributions - Muswellbrook	-\$156,000	\$0	-\$156,000	\$0	-\$156,000	-\$156,000	-\$156,000
Contributions - Denman	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Stormwater	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Contributions</b>	<b>-\$156,000</b>	<b>\$0</b>	<b>-\$156,000</b>	<b>\$0</b>	<b>-\$156,000</b>	<b>-\$156,000</b>	<b>-\$156,000</b>
<b>Capital Grants</b>							
RMS	\$0	-\$1,206,416	-\$1,206,416	\$0	-\$606,012	-\$606,012	-\$606,012
Active Transport	\$0	\$0	\$0	\$0	-\$174,000	-\$174,000	-\$174,000
Resources for Regions - Mine	\$0	-\$1,295,377	-\$1,295,377	\$0	-\$1,118,065	-\$1,118,065	-\$1,118,065
Resources for Regions - Mine	\$0	-\$2,934,835	-\$2,934,835	\$0	-\$2,398,683	-\$2,398,683	-\$2,398,683
Footpath Works - Social Housing	-\$50,000	\$0	-\$50,000	-\$50,000	-\$50,000	-\$50,000	-\$50,000
Social Housing Community Infrast.	\$0	\$0	\$0	-\$50,000	\$0	\$0	\$0
RTA Block Grant	-\$70,000	\$0	-\$70,000	-\$113,500	-\$207,400	-\$207,400	-\$207,400
Roads to Recovery	-\$885,000	\$0	-\$885,000	-\$389,885	-\$885,000	-\$885,000	-\$885,000
<b>Total Grants</b>	<b>-\$1,005,000</b>	<b>-\$5,436,628</b>	<b>-\$6,441,628</b>	<b>-\$603,385</b>	<b>-\$5,489,160</b>	<b>-\$5,439,160</b>	<b>-\$5,439,160</b>
<b>Capital Contributions</b>							
Waste Management	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Closures - Mangoola	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Contributions</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Depreciation</b>							
Roads	-\$6,207,761	\$0	-\$6,207,761	\$0	-\$6,207,761	-\$5,030,764	-\$5,030,764
Works Fleet	-\$558,080	\$0	-\$558,080	\$0	-\$558,080	-\$888,818	-\$888,818
Waste Management Centre	-\$227,562	\$0	-\$227,562	\$0	-\$227,562	-\$88,562	-\$88,562
<b>Total Depreciation</b>	<b>-\$6,993,403</b>	<b>\$0</b>	<b>-\$6,993,403</b>	<b>\$0</b>	<b>-\$6,993,403</b>	<b>-\$6,008,144</b>	<b>-\$6,008,144</b>
<b>Transfer from Reserve</b>							
Carryover Works 15/16	\$0	-\$1,050,913	-\$1,050,913	\$0	-\$783,504	-\$783,504	-\$783,504
Asset Renewal Reserve	\$0	-\$210,000	-\$210,000	\$0	-\$207,300	-\$232,300	-\$232,300
Unexpended Grants	\$0	-\$1,316,046	-\$1,316,046	\$0	\$0	\$0	\$0
Unrestricted Cash	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Stormwater Reserve	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Plant and Vehicle Reserve	\$0	-\$605,104	-\$605,104	\$0	-\$784,439	-\$784,439	-\$784,439
Road Closure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
VPA Funds - CBD Project	-\$750,000	\$0	-\$750,000	\$0	-\$750,000	-\$750,000	-\$750,000
VPA Funds - Denman Masterplan	-\$700,000	\$0	-\$700,000	\$0	-\$700,000	-\$700,000	-\$700,000
Waste Reserve	-\$46,438	\$0	-\$46,438	\$0	-\$46,438	-\$46,438	-\$46,438
<b>Total Transfers from Reserve</b>	<b>-\$1,496,438</b>	<b>-\$3,182,063</b>	<b>-\$4,678,501</b>	<b>\$0</b>	<b>-\$3,271,681</b>	<b>-\$3,296,681</b>	<b>-\$3,296,681</b>
<b>Borrowings</b>							
West Denman Stormwater	\$0	\$0	\$0	\$0	\$0	-\$240,000	-\$240,000
Street Beautification	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Borrowings</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$240,000</b>	<b>-\$240,000</b>
<b>Sale of Assets</b>							
Works Fleet	\$0	\$0	\$0	-\$16,628	\$0	\$0	\$0
<b>Sale of Assets</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$16,628</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>



Muswellbrook Shire Council  
Roads and Drainage and Other Community Infrastructure Business Unit  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Capital Grants	Capital Contributions	Borrowed Funds	Unrestricted Cash	Restricted Reserves	Total Funding
Mine Affected Road Renewal Programme	\$398,000	\$0	\$398,000	\$0	\$398,000	\$398,000	\$398,000	\$0	\$0	\$0	\$0	\$0	\$398,000
Thomas Mitchell Drive Reconstruction Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reseal Backlog	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Regional Road Renewal Programme	\$70,000	\$0	\$70,000	\$209,198	\$207,400	\$207,400	\$0	\$207,400	\$0	\$0	\$0	\$0	\$207,400
Road Reseal Programme	\$1,090,000	\$71,826	\$1,161,826	\$809,585	\$1,163,765	\$1,163,765	\$1,090,000	\$0	\$0	\$0	\$0	\$73,765	\$1,163,765
Urban Road Renewal Programme	\$685,000	\$690,019	\$1,575,019	\$393,744	\$1,342,940	\$1,342,940	\$0	\$985,000	\$0	\$0	\$0	\$457,940	\$1,342,940
Rural Road Reseal Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rural Road Pavement and Rehabilitation Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rural Road Regravelling Programme	\$320,000	\$0	\$320,000	\$31,145	\$320,000	\$320,000	\$320,000	\$0	\$0	\$0	\$0	\$0	\$320,000
Road Heavy Patching Programme	\$480,500	\$0	\$480,500	\$111,817	\$480,500	\$480,500	\$480,500	\$0	\$0	\$0	\$0	\$0	\$480,500
Carpark Renewal Programme	\$100,000	\$0	\$100,000	\$0	\$100,000	\$100,000	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
Bridges Renewal Programme	\$100,000	\$0	\$100,000	\$0	\$100,000	\$100,000	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
Kerb and Gutter Replacement Programme	\$120,000	\$0	\$120,000	\$8,804	\$120,000	\$120,000	\$120,000	\$0	\$0	\$0	\$0	\$0	\$120,000
Developer Coordinated Works Programme	\$25,000	\$0	\$25,000	\$0	\$25,000	\$25,000	\$25,000	\$0	\$0	\$0	\$0	\$0	\$25,000
Footpath and Cycleway Renewal Programme	\$100,000	\$0	\$100,000	\$0	\$100,000	\$100,000	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
New Footpath and Cycleway Programme	\$150,000	\$0	\$150,000	\$184,937	\$324,000	\$324,000	\$100,000	\$224,000	\$0	\$0	\$0	\$0	\$324,000
Carpark Renewal Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Safety Device Renewal Programme	\$81,293	\$0	\$81,293	\$0	\$131,293	\$81,293	\$81,293	\$0	\$0	\$0	\$0	\$0	\$81,293
Drainage Devices Programme	\$160,000	\$0	\$160,000	\$0	\$160,000	\$160,000	\$160,000	\$0	\$0	\$0	\$0	\$0	\$160,000
Edderton Road Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Resources for Regions Road Programme	\$0	\$1,295,377	\$1,295,377	\$165,049	\$1,118,065	\$1,118,065	\$0	\$1,118,065	\$0	\$0	\$0	\$0	\$1,118,065
Denman/Golden Highway Intersection	\$0	\$2,522,462	\$2,522,462	\$455,731	\$606,012	\$606,012	\$0	\$606,012	\$0	\$0	\$0	\$0	\$606,012
Resources for Regions - Mine Affected Roads Programme	\$0	\$2,934,835	\$2,934,835	\$1,264,144	\$2,387,683	\$2,398,683	\$0	\$2,398,683	\$0	\$0	\$0	\$0	\$2,398,683
Sandy Hollow Village Centre	\$40,000	\$39,068	\$79,068	\$41,399	\$51,399	\$51,399	\$40,000	\$0	\$0	\$0	\$0	\$11,399	\$51,399
Bell/Market Streets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Denman Levee - Flood Gates	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Industrial Area Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Design & Consultation - Hill Street	\$0	\$35,000	\$35,000	\$7,090	\$32,300	\$32,300	\$0	\$0	\$0	\$0	\$0	\$32,300	\$32,300
Investigation & Design Development (Design Williams Bridge)	\$0	\$145,000	\$145,000	\$37,098	\$145,000	\$145,000	\$0	\$0	\$0	\$0	\$0	\$145,000	\$145,000
CBD Stage 6 - Investigation & Design	\$0	\$85,000	\$85,000	\$49,041	\$75,400	\$75,400	\$0	\$0	\$0	\$0	\$0	\$75,400	\$75,400
Muswellbrook Town Centre	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Precinct 1 - Deve. Plan													
Railway underpass Reinstatement of Signage Panels													
Purchase of Land - Bureen Road (part)	\$0	\$100,000	\$100,000	\$124,698	\$100,000	\$125,000	\$0	\$0	\$0	\$0	\$0	\$125,000	\$125,000
Cycleway Design-Industrial Estate to MbK Township	\$0	\$35,000	\$35,000	\$0	\$35,000	\$35,000	\$0	\$0	\$0	\$0	\$0	\$35,000	\$35,000
Acquisition of Land - Wybong Road	\$0	\$60,000	\$60,000	\$0	\$60,000	\$60,000	\$0	\$0	\$0	\$0	\$0	\$60,000	\$60,000
Denman Gateway	\$0	\$0	\$0	\$0	\$11,000	\$0	\$0	\$0				\$0	\$0
Business District Renewal Programme	\$700,000	\$0	\$700,000	\$468,898	\$700,000	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000	\$700,000
Total Capital Expenses	\$5,819,793	\$8,013,587	\$13,833,380	\$4,362,378	\$11,234,757	\$11,209,757	\$3,304,793	\$5,439,160	\$0	\$0	\$0	\$2,465,804	\$11,209,757

Muswellbrook Shire Council  
Community Infrastructure  
Plant Items Capital Works  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Plant	Restricted Reserves	Total Funding
<b>Capital Expenses</b>										
Large Plant Items	\$458,080	\$535,993	\$994,073	\$43,328	\$1,190,000	\$1,190,000	\$458,080	\$731,920	\$731,920	\$1,190,000
Survey Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transport Vehicles	\$100,000	\$69,111	\$169,111	\$34,097	\$162,519	\$152,519	\$100,000	\$52,519	\$52,519	\$152,519
Total Capital Expenses	\$558,080	\$605,104	\$1,163,184	\$77,425	\$1,342,519	\$1,342,519	\$558,080	\$784,439	\$784,439	\$1,342,519
							\$0			

Muswellbrook Shire Council  
Community Infrastructure  
Stormwater Capital Works  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Plant	Borrowed Funds	Restricted Reserves	Total Funding
<b>Capital Expenses</b>											
West Denman Stormwater Infrastructure Provision	\$0	\$0	\$0	\$0	\$0	\$240,000			\$240,000	\$0	\$240,000
Muswellbrook Industrial Stormwat	\$0	\$0	\$0	\$0	\$0	\$0				\$0	\$0
Total Capital Expenses	\$0	\$0	\$0	\$0	\$0	\$240,000	\$0	\$0	\$240,000	\$0	\$240,000

Muswellbrook Shire Council  
Community Infrastructure  
Miscellaneous Capital Works  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Plant	Restricted Reserves	Total Funding
<b>Capital Expenses</b>										
CBD Project Stage 11	\$0	\$0	\$0	\$0	\$0	\$0			\$0	\$0
Replace Failed Fence	\$45,000	\$0	\$45,000	\$33,200	\$45,000	\$45,000	\$45,000		\$0	\$45,000
Leachate Monitoring Bores	\$50,000	\$0	\$50,000	\$10,450	\$50,000	\$50,000	\$50,000		\$0	\$50,000
Weightbridge Software Upgrade	\$40,000	\$0	\$40,000	\$0	\$40,000	\$40,000	\$40,000		\$0	\$40,000
Plant and Equipment Replacement	\$9,000	\$0	\$9,000	\$8,129	\$9,000	\$9,000	\$9,000		\$0	\$9,000
Surveillance Cameras	\$25,000	\$0	\$25,000	\$0	\$25,000	\$25,000	\$25,000		\$0	\$25,000
Investigation and Concept Design										
- Weightbridge and Office	\$45,000	\$0	\$45,000	\$22,934	\$45,000	\$45,000	\$45,000		\$0	\$45,000
Landfill Closure Plan	\$60,000	\$0	\$60,000	\$31,352	\$60,000	\$60,000	\$13,562		\$46,438	\$60,000
Waste Management Facility	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0	\$0
Waste - 4WD Twin Cab	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	\$274,000	\$0	\$274,000	\$106,065	\$274,000	\$274,000	\$227,562	\$0	\$46,438	\$274,000

**Muswellbrook Shire Council  
Planning, Community and Corporate Services Capital Expenditure Business Unit  
2016/17 Capital Budget**

Account Group	Total 2016/17					YTD Actuals	September Review			December Review	March Review
	2016/17 Budget	Carry Overs	Budget				September Review	December Review	March Review		
<b>Capital Revenue</b>											
Section 94											
Capital Grants	-\$1,398,007	\$0	-\$1,398,007			-\$764,232	-\$1,398,007	-\$1,443,212	-\$1,443,212		-\$1,443,212
Capital Contributions	-\$261,000	-\$703,360	-\$964,360			\$0	-\$429,694	-\$433,694	-\$433,694		-\$433,694
Depreciation	-\$78,000	-\$29,573	-\$107,573			\$0	-\$162,573	-\$197,573	-\$197,573		-\$197,573
Transfers from Reserve	-\$1,517,243	\$0	-\$1,517,243			\$0	-\$1,517,243	-\$1,521,554	-\$1,521,554		-\$1,521,554
Borrowed Funds	-\$766,500	-\$1,879,465	-\$2,645,965			\$0	-\$2,644,874	-\$3,036,874	-\$3,036,874		-\$3,036,874
Sale of Assets	\$0	-\$106,817	-\$106,817			\$0	-\$77,068	-\$77,068	-\$77,068		-\$77,068
<b>Total Capital Revenue</b>	<b>-\$4,090,750</b>	<b>-\$2,719,215</b>	<b>-\$6,809,965</b>			<b>-\$1,511,378</b>	<b>-\$6,299,459</b>	<b>-\$6,779,975</b>	<b>-\$6,779,975</b>		<b>-\$6,779,975</b>
<b>Total 2016/17</b>											
<b>Capital Expenses</b>											
Capital Works and Purchases	\$4,668,549	\$2,719,215	\$7,387,764			\$1,584,348	\$6,973,258	\$7,404,258	\$7,404,258		\$7,404,258
Loan Repayments	\$0	\$0	\$0			\$0	\$0	\$0	\$0		\$0
Transfer to Reserve	\$1,425,007	\$0	\$1,425,007			\$0	\$1,425,007	\$1,470,212	\$1,470,212		\$1,470,212
<b>Total Capital Expenses</b>	<b>\$6,093,556</b>	<b>\$2,719,215</b>	<b>\$8,812,771</b>			<b>\$1,584,348</b>	<b>\$8,398,265</b>	<b>\$8,874,470</b>	<b>\$8,874,470</b>		<b>\$8,874,470</b>



## Capital Revenues

Fund:  
General Fund  
Business Unit:  
Planning, Community and Corporate Services

	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Section 94 Contributions</b>							
Social Infrastructure	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Voluntary Planning Agreement	-\$1,398,007	\$0	-\$1,398,007	-\$19,027	-\$1,398,007	-\$1,398,007	-\$1,398,007
Recreation	\$0	\$0	\$0	\$0	\$0	\$0	\$0
S94 A Contributions	\$0	\$0	\$0	-\$45,205	\$0	-\$45,205	-\$45,205
<b>Total Contributions</b>	<b>-\$1,398,007</b>	<b>\$0</b>	<b>-\$1,398,007</b>	<b>-\$64,232</b>	<b>-\$1,398,007</b>	<b>-\$1,443,212</b>	<b>-\$1,443,212</b>
<b>Capital Grants</b>							
Town Higher Education Centre	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Local Priority - Library	-\$11,000	-\$904	-\$11,904	\$0	-\$11,904	-\$15,904	-\$15,904
Environment & Heritage	\$0	-\$13,000	-\$13,000	\$0	-\$13,000	-\$13,000	-\$13,000
Campbell's Corner	\$0	-\$608,510	-\$608,510	\$0	-\$73,844	-\$73,844	-\$73,844
Bushfire Equipment from RFS	-\$250,000	-\$80,946	-\$330,946	\$0	-\$330,946	-\$330,946	-\$330,946
<b>Total Grants</b>	<b>-\$261,000</b>	<b>-\$703,360</b>	<b>-\$964,360</b>	<b>\$0</b>	<b>-\$428,694</b>	<b>-\$433,694</b>	<b>-\$433,694</b>
<b>Capital Contributions</b>							
Upper Huner Shire Council	-\$53,000	\$0	-\$53,000	\$0	-\$53,000	-\$53,000	-\$53,000
Mok Urban Riparian Master Plan	\$0	\$0	\$0	\$0	-\$50,000	-\$50,000	-\$50,000
Mangoola Recreation Cont - DMN	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Education Division Contribution	\$0	\$0	\$0	\$0	\$0	-\$35,000	-\$35,000
Local Land Services	\$0	\$0	\$0	\$0	-\$25,000	-\$25,000	-\$25,000
Denman Hall Insurance Claim	\$0	-\$4,573	-\$4,573	\$0	-\$4,573	-\$4,573	-\$4,573
Town Higher Education Centre	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bangalla Art Contributions	-\$25,000	\$0	-\$25,000	\$0	-\$30,000	-\$30,000	-\$30,000
<b>Total Contributions</b>	<b>-\$78,000</b>	<b>-\$29,573</b>	<b>-\$107,573</b>	<b>\$0</b>	<b>-\$162,573</b>	<b>-\$197,573</b>	<b>-\$197,573</b>
<b>Depreciation</b>							
Technical Service Vehicles	-\$22,032	\$0	-\$22,032	\$0	-\$22,032	-\$22,032	-\$22,032
Community Service Vehicle	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Integrated Planning Unit	-\$5,970	\$0	-\$5,970	\$0	-\$5,970	-\$5,970	-\$5,970
Administration, IT and HR, Sustainability	-\$6,981	\$0	-\$6,981	\$0	-\$6,981	-\$11,292	-\$11,292
Economic Development and Tourism	-\$20,862	\$0	-\$20,862	\$0	-\$20,862	-\$20,862	-\$20,862
Corporate Services Management Vehicles	-\$211,311	\$0	-\$211,311	\$0	-\$211,311	-\$211,311	-\$211,311
Finance Vehicle	-\$28,080	\$0	-\$28,080	\$0	-\$28,080	-\$28,080	-\$28,080
Cultural Assets	-\$5,490	\$0	-\$5,490	\$0	-\$5,490	-\$5,490	-\$5,490
Bushfire Assets	-\$254,093	\$0	-\$254,093	\$0	-\$254,093	-\$254,093	-\$254,093
Libraries	-\$149,843	\$0	-\$149,843	\$0	-\$149,843	-\$149,843	-\$149,843
Recreation Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Aquatic Centres	-\$171,678	\$0	-\$171,678	\$0	-\$171,678	-\$171,678	-\$171,678
Buildings	-\$587,893	\$0	-\$587,893	\$0	-\$587,893	-\$587,893	-\$587,893
Environmental Services Assets	-\$53,010	\$0	-\$53,010	\$0	-\$53,010	-\$53,010	-\$53,010
<b>Total Depreciation</b>	<b>-\$1,517,243</b>	<b>\$0</b>	<b>-\$1,517,243</b>	<b>\$0</b>	<b>-\$1,517,243</b>	<b>-\$1,521,554</b>	<b>-\$1,521,554</b>
<b>Transfer From Reserves</b>							
S94 Social Infrastructure	\$0	-\$61,705	-\$61,705	\$0	-\$51,058	-\$51,058	-\$51,058
S94 Tourism	-\$15,500	\$0	-\$15,500	\$0	-\$51,500	-\$51,500	-\$51,500
VPA Funds - Olympic Park Carpark	-\$950,000	\$0	-\$950,000	\$0	-\$950,000	-\$710,000	-\$710,000
Plant & Vehicles	\$0	-\$44,850	-\$44,850	\$0	-\$49,296	-\$49,296	-\$49,296
Unexpended Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Environmental Reserve	\$0	-\$150,227	-\$150,227	\$0	-\$128,793	-\$128,793	-\$128,793
Administration Reserve	\$0	-\$30,000	-\$30,000	\$0	-\$30,000	-\$30,000	-\$30,000
Aquatic Centres Improvement	\$0	-\$173,060	-\$173,060	\$0	-\$165,334	-\$165,334	-\$165,334
S94 Open Space	\$0	-\$40,000	-\$40,000	\$0	-\$162,000	-\$162,000	-\$162,000
Canyover Reserve 14/15	\$0	-\$246,392	-\$246,392	\$0	-\$215,165	-\$215,165	-\$215,165
Canyover Reserve 15/16	\$0	-\$584,634	-\$584,634	\$0	-\$439,297	-\$439,297	-\$439,297
Carpark Reserve	\$0	-\$48,960	-\$48,960	\$0	-\$34,794	-\$34,794	-\$34,794
Drainage Stormwater Reserve	\$0	-\$15,000	-\$15,000	\$0	-\$15,000	-\$15,000	-\$15,000
Building Reserve	\$0	-\$11,126	-\$11,126	\$0	-\$11,126	-\$11,126	-\$11,126
Recreation	\$0	-\$138,511	-\$138,511	\$0	-\$238,511	-\$448,511	-\$448,511
Infrastructure	\$0	-\$300,000	-\$300,000	\$0	-\$520,000	-\$520,000	-\$520,000
<b>Total Transfers</b>	<b>-\$765,500</b>	<b>-\$1,879,465</b>	<b>-\$2,644,965</b>	<b>\$0</b>	<b>-\$2,644,874</b>	<b>-\$3,036,874</b>	<b>-\$3,036,874</b>
<b>Borrowed Funds</b>							
Town Higher Education Campus	\$0	-\$106,817	-\$106,817	\$0	-\$77,068	-\$77,068	-\$77,068
Campbell's Corner Stage 1	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Borrowed Funds</b>	<b>\$0</b>	<b>-\$106,817</b>	<b>-\$106,817</b>	<b>\$0</b>	<b>-\$77,068</b>	<b>-\$77,068</b>	<b>-\$77,068</b>
<b>Sale of Assets</b>							
Vehicles	-\$70,000	\$0	-\$70,000	-\$56,794	-\$70,000	-\$70,000	-\$70,000
Sale of Land	\$0	\$0	\$0	-\$690,352	\$0	\$0	\$0
<b>Total Sales</b>	<b>-\$70,000</b>	<b>\$0</b>	<b>-\$70,000</b>	<b>-\$747,146</b>	<b>-\$70,000</b>	<b>-\$70,000</b>	<b>-\$70,000</b>

Muswellbrook Shire Council  
Planning, Community and Corporate Services  
Capital Works  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Capital Grants	Capital Contributions	Borrowed Funds	Restricted Reserves	Sale of Assets	Total Funding
<b>Capital Expenses</b>													
Bushfire Assets	\$250,000	\$80,946	\$330,946	\$0	\$330,946	\$330,946	\$0	\$330,946	\$0	\$0	\$0		\$330,946
Library Books	\$106,000	\$13,010	\$119,010	\$87,676	\$106,000	\$106,000	\$53,000		\$53,000	\$0	\$0		\$106,000
Art Gallery Acquisitive Programme	\$40,000	\$30,000	\$70,000	\$0	\$70,000	\$70,000	\$15,000		\$30,000	\$0	\$25,000		\$70,000
Olympic Park Carpark and Masterplan	\$650,000		\$650,000	\$0	\$650,000	\$710,000			\$0	\$0	\$710,000		\$710,000
Upper Hunter Rail Trail Investigation and Design	\$16,500		\$16,500	\$16,500	\$16,500	\$16,500			\$0	\$0	\$16,500		\$16,500
Environmental, Community and Corporate Services General	\$230,000	\$15,000	\$245,000	\$100,885	\$281,000	\$281,000	\$266,000	\$0	\$0	\$0	\$15,000		\$281,000
Capital Works Contingency	\$200,000	\$19,847	\$219,847	\$9,236	\$88,015	\$88,015	\$88,015	\$0	\$0	\$0	\$0		\$88,015
SES Building		\$10,000	\$10,000		\$10,000	\$10,000			\$0	\$0	\$10,000		\$10,000
Town Higher Education Campus		\$106,817	\$106,817	\$38,257	\$77,068	\$77,068			\$0	\$77,068	\$0		\$77,068
Tourist Signs			\$0	\$0	\$0	\$0			\$0	\$0	\$0		\$0
Replace Blue Heeler Statue		\$75,485	\$75,485	\$86,512	\$116,243	\$116,243	\$71,985		\$0	\$0	\$44,258		\$116,243
WWI Centenary Statue	\$30,000	\$71,713	\$101,713	\$0	\$141,713	\$141,713	\$70,000	\$0	\$0	\$0	\$71,713		\$141,713
Public Art Sculpture	\$25,000	\$25,000	\$50,000	\$0	\$30,920	\$30,920	\$25,000	\$0	\$0	\$0	\$5,920		\$30,920
Purchase of Vehicles	\$250,049	\$44,850	\$294,899	\$170,410	\$299,345	\$299,345	\$180,049	\$0	\$0	\$0	\$49,296	\$70,000	\$299,345
Library- Local Priority Grant	\$11,000	\$904	\$11,904	\$118	\$11,904	\$15,904	\$0	\$15,904	\$0	\$0	\$0		\$15,904
Muscle Creek Geo Tech	\$0	\$34,226	\$34,226	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Muscle Creek Stage 2	\$0	\$134,000	\$134,000	\$58,011	\$151,199	\$151,199	\$0	\$0	\$25,000	\$0	\$126,199		\$151,199
Muswellbrook Urban Riparian Master Plan	\$0	\$0	\$0	\$35,210	\$50,000	\$50,000	\$0	\$0	\$50,000	\$0	\$0		\$50,000
Investment Property Upgrade/Acquisition	\$1,000,000	\$0	\$1,000,000	\$85,739	\$1,000,000	\$1,000,000	\$1,000,000	\$0	\$0	\$0	\$0		\$1,000,000
Work Health and Safety Corporate	\$10,000	\$50,000	\$60,000	\$0	\$60,000	\$60,000	\$10,000	\$0	\$0	\$0	\$50,000		\$60,000
Muswellbrook Mens Shed	\$0	\$11,705	\$11,705	\$0	\$1,058	\$1,058	\$0	\$0	\$0	\$0	\$1,058		\$1,058
Renewable Energy Target Works	\$200,000	\$0	\$200,000	\$0	\$200,000	\$200,000	\$200,000	\$0	\$0	\$0	\$0		\$200,000
Upgrade of Weidmann Cottage	\$0	\$26,000	\$26,000	\$40,238	\$26,000	\$61,000	\$35,000	\$13,000	\$0	\$0	\$13,000		\$61,000
Customer Request Management System	\$0	\$30,000	\$30,000	\$0	\$30,000	\$30,000	\$0	\$0	\$0	\$0	\$30,000		\$30,000
Aquatic Centres Programme	\$60,000	\$173,060	\$233,060	\$137,940	\$225,334	\$225,334	\$60,000	\$0	\$0	\$0	\$165,334		\$225,334
Investigation & Design Development	\$0	\$401,227	\$401,227	\$33,712	\$387,594	\$387,594	\$0	\$0	\$0	\$0	\$387,594		\$387,594
Carpark Lighting - TEC Library Precinct	\$0	\$48,960	\$48,960	\$33,054	\$34,794	\$34,794	\$0	\$0	\$0	\$0	\$34,794		\$34,794
Muswellbrook Town Centre Precinct	\$0	\$30,836	\$30,836	\$19,921	\$29,720	\$29,720	\$0	\$0	\$0	\$0	\$29,720		\$29,720
Karoola Wetland and Park Design	\$0	\$40,000	\$40,000	\$0	\$40,000	\$40,000	\$0	\$0	\$0	\$0	\$40,000		\$40,000
Muswellbrook RSL Memorial Grove	\$0	\$15,000	\$15,000	\$13,480	\$15,000	\$15,000	\$0	\$0	\$0	\$0	\$15,000		\$15,000
Denman Little Athletics Club	\$0	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$0	\$0	\$0	\$0	\$7,000		\$7,000
Job Creation and VPA Seed Funding	\$500,000	\$0	\$500,000	\$2,310	\$365,000	\$280,000	\$280,000	\$0	\$0	\$0	\$0		\$280,000
Future Fund Contribution	\$0	\$0	\$0	\$0	\$0	\$85,000	\$85,000						\$85,000
Conservation Volunteers Australia in Muswellbrook Shire	\$0	\$0	\$0	\$67,500	\$135,000	\$135,000	\$135,000	\$0	\$0	\$0	\$0		\$135,000
Strategic Land Use Planning	\$150,000	\$0	\$150,000	\$67,927	\$150,000	\$150,000	\$150,000	\$0	\$0	\$0	\$0		\$150,000
Heritage Items Programme	\$100,000	\$0	\$100,000	\$12,842	\$100,000	\$100,000	\$100,000	\$0	\$0	\$0	\$0		\$100,000
Campbell's Corner Stage 1	\$0	\$640,994	\$640,994	\$28,407	\$106,328	\$106,328	\$0	\$73,844	\$0	\$0	\$32,484		\$106,328
General Recreation Programme	\$250,000	\$189,214	\$439,214	\$79,956	\$428,046	\$410,046	\$132,000	\$0	\$0	\$0	\$278,046		\$410,046
Upgrade Muswellbrook Aquatic Centre - Invest. & Design	\$0	\$0	\$0	\$0	\$0	\$60,000					\$60,000		\$60,000
Upper Hunter Performance Venue - Design	\$0	\$0	\$0	\$0	\$0	\$150,000					\$150,000		\$150,000
Volunteer Park Irrigation	\$0	\$0	\$0	\$0	\$0	\$40,000					\$40,000		\$40,000
Victoria Park Improvements	\$0	\$0	\$0	\$0	\$0	\$100,000	\$18,000	\$0	\$0	\$0	\$82,000		\$100,000
Cemetery General Programme	\$90,000	\$70,802	\$160,802	\$11,997	\$146,185	\$146,185	\$90,000	\$0	\$0	\$0	\$56,185		\$146,185
High Risk Tree Management Programme	\$75,000	\$14,400	\$89,400	\$22,191	\$75,000	\$75,000	\$75,000	\$0	\$0	\$0	\$0		\$75,000
Major Landcare Projects	\$250,000	\$0	\$250,000	\$0	\$250,000	\$250,000	\$250,000	\$0	\$0	\$0	\$0		\$250,000
Sport & Recreation Small Capital Grants Programme	\$25,000	\$20,000	\$45,000	\$19,912	\$45,000	\$45,000	\$25,000	\$0	\$0	\$0	\$20,000		\$45,000
Palace Street Denman - Property Purchase	\$0	\$0	\$0	\$217,704	\$220,000	\$220,000	\$0	\$0	\$0	\$0	\$220,000		\$220,000
Queen Elizabeth 11 Square Landscape Improvements	\$0	\$0	\$0	\$0	\$60,000	\$60,000	\$60,000	\$0	\$0	\$0	\$0		\$60,000
Denman Hall Insurance Recovery Claim	\$0	\$4,573	\$4,573	\$497	\$4,573	\$4,573	\$0	\$0	\$4,573	\$0	\$0		\$4,573
General Building Renewal Programme	\$150,000	\$283,646	\$433,646	\$79,206	\$400,773	\$400,773	\$150,000	\$0	\$0	\$0	\$250,773		\$400,773
<b>Total Capital Expenses</b>	<b>\$4,668,549</b>	<b>\$2,719,215</b>	<b>\$7,387,764</b>	<b>\$1,584,348</b>	<b>\$6,973,258</b>	<b>\$7,404,258</b>	<b>\$3,624,049</b>	<b>\$433,694</b>	<b>\$162,573</b>	<b>\$77,068</b>	<b>\$3,036,874</b>	<b>\$70,000</b>	<b>\$7,404,258</b>



**Muswellbrook Shire Council  
Water Fund  
December 2016  
Capital Budget 2016/17**

**Muswellbrook Shire Council  
Water Fund  
Capital Works and Purchases Budget 2016/17**

Account Group	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Revenue</b>							
Operating Result	-\$204,002	\$0	-\$204,002	\$925,032	-\$204,002	-\$204,002	-\$204,002
Section 94	-\$50,000	\$0	-\$50,000	-\$19,878	-\$50,000	-\$50,000	-\$50,000
Capital Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation	-\$1,501,272	\$0	-\$1,501,272	\$0	-\$1,501,272	-\$1,501,272	-\$1,501,272
Borrowed Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfers from Reserve	-\$1,856,777	-\$1,028,785	-\$2,885,562	\$0	-\$2,611,303	-\$2,611,303	-\$2,611,303
Sale of Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Capital Revenue</b>	<b>-\$3,612,051</b>	<b>-\$1,028,785</b>	<b>-\$4,640,836</b>	<b>\$905,154</b>	<b>-\$4,366,577</b>	<b>-\$4,366,577</b>	<b>-\$4,366,577</b>
<b>Capital Expenses</b>							
Capital Works and Purchases	\$3,305,000	\$1,028,785	\$4,333,785	\$1,225,983	\$4,059,526	\$4,059,526	\$4,059,526
Loan Repayments	\$257,051	\$0	\$257,051	\$126,176	\$257,051	\$257,051	\$257,051
Transfers to Reserve	\$50,000	\$0	\$50,000	\$0	\$50,000	\$50,000	\$50,000
<b>Total Capital Expenses</b>	<b>\$3,612,051</b>	<b>\$1,028,785</b>	<b>\$4,640,836</b>	<b>\$1,352,159</b>	<b>\$4,366,577</b>	<b>\$4,366,577</b>	<b>\$4,366,577</b>

**Muswellbrook Shire Council  
Water Fund  
Capital Works and Purchases Budget 2016/17**

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Revenue</b>							
Section 64 Muswellbrook	-\$50,000	\$0	-\$50,000	\$0	-\$50,000	-\$50,000	-\$50,000
Section 64 Denman	\$0	\$0	\$0	-\$19,878	\$0	\$0	\$0
Capital Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Capital Revenue</b>	<b>-\$50,000</b>	<b>\$0</b>	<b>-\$50,000</b>	<b>-\$19,878</b>	<b>-\$50,000</b>	<b>-\$50,000</b>	<b>-\$50,000</b>



**Muswellbrook Shire Council  
Water Fund  
Capital Works and Purchases Budget 2016/17**

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Capital Grants	Capital Contributions	Borrowed Funds	Restricted Reserves	Total Funding
<b>Capital Expenses</b>												
Muswellbrook Mains Replacement	\$1,060,000		\$1,060,000	\$477,418	\$1,060,000	\$1,060,000	\$1,060,000				\$0	\$1,060,000
Denman/Sandy Hollow Mains Replacement	\$0		\$0	\$0	\$0	\$0	\$0				\$0	\$0
Unaccounted for Water and Investigations	\$80,000		\$80,000	\$0	\$80,000	\$80,000	\$80,000				\$0	\$80,000
Sh Muswellbrook Reservoir (Investigation and Design)	\$130,000	\$114,588	\$244,588	\$39,452	\$184,183	\$184,183	\$130,000				\$54,183	\$184,183
Feasibility Investigation Glenbawn Dam Pipeline	\$50,000	\$63,188	\$113,188	\$44,288	\$103,999	\$103,999	\$50,000	\$0			\$53,999	\$103,999
Staff amenities at Treatment Works	\$0		\$0	\$0	\$0	\$0	\$0				\$0	\$0
Water Leakage Investigation and Repair	\$0	\$159,628	\$159,628	\$120,645	\$159,628	\$159,628	\$0				\$159,628	\$159,628
Fluoridation of Denman Water	\$0		\$0	\$0	\$0	\$0	\$0				\$0	\$0
Upgrade of Denman Water Treatment Works	\$290,000	\$40,000	\$330,000	\$28,141	\$315,620	\$315,620	\$128,223				\$187,397	\$315,620
Water Booster Pump Station Upgrade - Mbk Industrial A	\$0		\$0	\$0	\$0	\$0	\$0				\$0	\$0
Water Management Database	\$0		\$0	\$0	\$0	\$0	\$0				\$0	\$0
Telemetry and Associated Equipment	\$25,000	\$47,370	\$72,370	\$29,866	\$70,698	\$70,698	\$0				\$70,698	\$70,698
Ensure Security of Power Supply to WTP	\$40,000		\$40,000	\$18,011	\$40,000	\$40,000	\$0				\$40,000	\$40,000
Excavator with trailer	\$0	\$315,000	\$315,000	\$1,204	\$315,000	\$315,000	\$0				\$315,000	\$315,000
Reservoir Renewal and Replacements	\$50,000	\$149,961	\$199,961	\$137,049	\$137,300	\$137,300	\$0				\$137,300	\$137,300
Muswellbrook Water Treatment Plant Renewals and Replacements	\$750,000		\$750,000	\$149,185	\$750,000	\$750,000	\$0				\$750,000	\$750,000
Integrated Water Cycle Management Planning	\$60,000	\$60,000	\$120,000	\$26,104	\$73,098	\$73,098	\$0				\$73,098	\$73,098
Renewable Energy Target Works	\$80,000	\$79,060	\$159,060	\$76,368	\$80,000	\$80,000	\$0				\$80,000	\$80,000
Water Fund Environmental Grants	\$100,000		\$100,000	\$0	\$100,000	\$100,000	\$0				\$100,000	\$100,000
Emergency Generator	\$35,000		\$35,000	\$0	\$35,000	\$35,000	\$0				\$35,000	\$35,000
Safe Loading and Safety Vacuum Device Trailers	\$70,000		\$70,000	\$0	\$70,000	\$70,000	\$0				\$70,000	\$70,000
Asset Management System Development	\$60,000		\$60,000	\$35,910	\$60,000	\$60,000	\$0				\$60,000	\$60,000
Settling Pond Desludging	\$140,000		\$140,000	\$0	\$140,000	\$140,000	\$0				\$140,000	\$140,000
Office Accommodation Planning	\$25,000		\$25,000	\$0	\$25,000	\$25,000	\$0				\$25,000	\$25,000
Safe Storage Facility - Denman WTP	\$30,000		\$30,000	\$0	\$30,000	\$30,000	\$0				\$30,000	\$30,000
Laboratory Equipment	\$15,000		\$15,000	\$11,278	\$15,000	\$15,000	\$0				\$15,000	\$15,000
Vehicle Replacement	\$215,000		\$215,000	\$31,074	\$215,000	\$215,000	\$0				\$215,000	\$215,000
<b>Total Capital Expenses</b>	<b>\$ 3,305,000</b>	<b>\$ 1,028,785</b>	<b>\$ 4,333,785</b>	<b>\$ 1,225,983</b>	<b>\$ 4,059,526</b>	<b>\$ 4,059,526</b>	<b>\$ 1,448,223</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,611,303</b>	<b>\$ 4,059,526</b>

**Muswellbrook Shire Council  
Sewer Fund  
December 2016  
Capital Budget 2016/17**

**Muswellbrook Shire Council  
Sewer Fund  
Capital Works and Purchases Budget 2016/17**

Account Group	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Revenue</b>							
Operating Budget	-\$740,042	\$0	-\$740,042	-\$1,239,547	-\$740,042	-\$740,042	-\$740,042
Section 94	-\$50,000	\$0	-\$50,000	\$0	-\$50,000	-\$50,000	-\$50,000
Capital Grants	-\$960,000	\$0	-\$960,000	\$0	-\$960,000	-\$960,000	-\$960,000
Depreciation	-\$1,275,067	\$0	-\$1,275,067	\$0	-\$1,275,067	-\$1,275,067	-\$1,275,067
Borrowed Funds	-\$9,756,000	\$0	-\$9,756,000	\$0	-\$9,756,000	-\$9,756,000	-\$9,756,000
Transfer from Reserve	-\$3,869,891	-\$1,919,834	-\$5,789,725	\$0	-\$5,126,565	-\$5,076,565	-\$5,076,565
Sale of Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Capital Revenue</b>	<b>-\$16,651,000</b>	<b>-\$1,919,834</b>	<b>-\$18,570,834</b>	<b>-\$1,239,547</b>	<b>-\$17,907,674</b>	<b>-\$17,857,674</b>	<b>-\$17,857,674</b>
<b>Capital Expenses</b>							
Capital Works and Purchases	\$16,180,000	\$1,919,834	\$18,099,834	\$2,571,475	\$17,436,674	\$17,386,674	\$17,386,674
Loan Repayments	\$421,000	\$0	\$421,000	\$30,671	\$421,000	\$421,000	\$421,000
Transfer to Reserve	\$50,000	\$0	\$50,000	\$0	\$50,000	\$50,000	\$50,000
<b>Total Capital Expenses</b>	<b>\$16,651,000</b>	<b>\$1,919,834</b>	<b>\$18,570,834</b>	<b>\$2,602,146</b>	<b>\$17,907,674</b>	<b>\$17,857,674</b>	<b>\$17,857,674</b>

Muswellbrook Shire Council Sewer Fund Capital Works and Purchases Budget 2016/17									
Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review		
<b>Capital Revenue</b>									
Section 64 Muswellbrook	-\$50,000	\$0	-\$50,000	\$0	-\$50,000	-\$50,000	-\$50,000		-\$50,000
Section 64 Denman	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Grant - Sewer Treatment Works	-\$960,000	\$0	-\$960,000	\$0	-\$960,000	-\$960,000	-\$960,000		-\$960,000
Capital Contribution	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Sewer of Industrial Area	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
<b>Total Capital Revenue</b>	<b>-\$1,010,000</b>	<b>\$0</b>	<b>-\$1,010,000</b>	<b>\$0</b>	<b>-\$1,010,000</b>	<b>-\$1,010,000</b>	<b>-\$1,010,000</b>		<b>-\$1,010,000</b>

Muswellbrook Shire Council  
Sewer Fund  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Capital Grants	Contributions	Borrowed Funds	Unrestricted Cash	Restricted Reserves	Total Funding
<b>Grand Total</b>													
<b>Capital Expenses</b>													
Interim Upgrade SPS5	\$120,000		\$120,000	\$14,545	\$120,000	\$120,000	\$120,000						\$120,000
CCTV Inspection on of Mains	\$350,000		\$350,000	\$57,713	\$350,000	\$300,000	\$300,000					\$0	\$300,000
Sewer Reliculation Rehabilitation	\$950,000		\$950,000	\$801,806	\$950,000	\$950,000	\$464,109					\$485,891	\$950,000
Access and Security Improvement RWTW	\$120,000		\$120,000	\$33,114	\$120,000	\$120,000	\$120,000					\$0	\$120,000
Investigation and Design - RWTW	\$820,000	\$328,854	\$1,148,854	\$126,991	\$820,000	\$820,000	\$820,000					\$820,000	\$820,000
Land D New Treatment Plant	\$755,000		\$755,000	\$154,626	\$755,000	\$755,000						\$755,000	\$755,000
Construction RWTW	\$12,525,000		\$12,525,000	\$641,689	\$12,525,000	\$12,525,000		\$960,000		\$9,756,000		\$1,809,000	\$12,525,000
Domman Treatment Plan Upgrade	\$200,000		\$200,000	\$42,106	\$200,000	\$200,000	\$200,000					\$0	\$200,000
Muswellbrook Effluent Re-use	\$0	\$150,000	\$150,000	\$67,578	\$150,000	\$150,000	\$50,000					\$100,000	\$150,000
Asset Management Planning	\$60,000		\$60,000	\$57,298	\$60,000	\$60,000	\$60,000					\$0	\$60,000
Works Fleet Items	\$200,000		\$200,000	\$77,140	\$200,000	\$200,000	\$200,000					\$0	\$200,000
Renewal Energy Target Actions	\$80,000	\$66,875	\$146,875	\$57,061	\$133,496	\$133,496	\$80,000					\$53,496	\$133,496
Emptying & Part Infilling of the Pond 1	\$0	\$1,360,832	\$1,360,832	\$402,714	\$1,042,188	\$1,042,188						\$1,042,188	\$1,042,188
Laboratory Equipment	\$0	\$13,273	\$13,273	\$6,494	\$10,990	\$10,990	\$0					\$10,990	\$10,990
<b>Total Capital Expenses</b>	<b>\$ 16,180,000</b>	<b>\$ 1,919,834</b>	<b>\$ 18,099,834</b>	<b>\$ 2,571,475</b>	<b>\$ 17,436,674</b>	<b>\$ 17,386,674</b>	<b>\$ 1,594,109</b>	<b>\$ 960,000</b>	<b>\$ -</b>	<b>\$ 9,756,000</b>	<b>\$ -</b>	<b>\$ 5,076,565</b>	<b>\$ 17,386,674</b>

**Muswellbrook Shire Council  
Future Fund  
December 2016  
Capital Budget 2016/17**



**Muswellbrook Shire Council  
Future Fund  
Capital Works and Purchases Budget 2016/17**

Account Group	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Revenue</b>							
Operating Result	-\$127,875	\$0	-\$127,875	-\$232,275	-\$127,875	\$163,379	\$163,379
Capital Grants	\$0	\$0	\$0	\$0	\$0	-\$85,000	-\$85,000
Capital Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation	\$0	\$0	\$0	\$0	\$0	-\$291,254	-\$291,254
Borrowed Funds	-\$10,000,000	\$0	-\$10,000,000	\$0	-\$10,000,000	-\$10,000,000	-\$10,000,000
Transfer from reserve	\$0	-\$199,505	-\$199,505	\$0	-\$224,266	-\$224,266	-\$224,266
Sale of Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Capital Revenue</b>	<b>-\$10,127,875</b>	<b>-\$199,505</b>	<b>-\$10,327,380</b>	<b>-\$232,275</b>	<b>-\$10,352,141</b>	<b>-\$10,437,141</b>	<b>-\$10,437,141</b>
<b>Capital Expenses</b>							
Capital Works and Purchases	\$10,000,000	\$199,505	\$10,199,505	\$50,863	\$10,224,266	\$10,344,266	\$10,344,266
Loan Repayments	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer to reserves	\$127,875	\$0	\$127,875	\$0	\$127,875	\$92,875	\$92,875
<b>Total Capital Expenses</b>	<b>\$10,127,875</b>	<b>\$199,505</b>	<b>\$10,327,380</b>	<b>\$50,863</b>	<b>\$10,352,141</b>	<b>\$10,437,141</b>	<b>\$10,437,141</b>

**Muswellbrook Shire Council  
Future Fund  
Capital Works and Purchases Budget 2016/17**

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	March Review
<b>Capital Revenue</b>							
<b>Sales of Assets</b>							
Glen Munro	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Sales</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Depreciation</b>							
Depreciation	\$0	\$0	\$0	\$0	\$0	-\$291,254	-\$291,254
<b>Total Depreciation</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$291,254</b>	<b>-\$291,254</b>
<b>Capital Grants</b>							
General Fund	\$0	\$0	\$0	\$0	\$0	-\$85,000	-\$85,000
Environment & Heritage	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Grants</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$85,000</b>	<b>-\$85,000</b>
<b>Capital Contributions</b>							
Transferred from General Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Student Accommodation	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Contributions</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Borrowed Funds</b>							
Muswellbrook Affordable Student Accom.	\$0	\$0	\$0		\$0	\$0	\$0
Purchase of 140 and 88 Bridge Street	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Purchase of Seven Hills	\$0	\$0	\$0	\$0	\$0	\$0	\$0
New Commercial Acquisition	-\$10,000,000	\$0	-\$10,000,000	\$0	-\$10,000,000	-\$10,000,000	-\$10,000,000
<b>Total Borrowed Funds</b>	<b>-\$10,000,000</b>	<b>\$0</b>	<b>-\$10,000,000</b>	<b>\$0</b>	<b>-\$10,000,000</b>	<b>-\$10,000,000</b>	<b>-\$10,000,000</b>

Muswellbrook Shire Council  
Future Fund  
Capital Works and Purchases Budget 2016/17

Program	2016/17 Budget	Carry Overs	Total 2016/17 Budget	YTD Actuals	September Review	December Review	Revenue	Capital Grants	Capital Contributions	Borrowed Funds	Restricted Reserves	Total Funding
<b>Grand Total</b>												
<b>Capital Expenses</b>												
New Commercial Acquisition	\$10,000,000	\$0	\$10,000,000	\$0	\$10,000,000	\$10,000,000	\$0	\$0	\$30,000	\$10,000,000	\$0	\$10,000,000
Design - Innovation Hub	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Renewal of Existing Assets/New Acquisitions	\$0	\$20,275	\$20,275	\$36,628	\$46,536	\$46,536	\$0	\$0	\$0	\$0	\$46,536	\$46,536
Contribution to Weidman Cottage (General Fund)							\$35,000					\$35,000
Upgrade of Loxton House	\$0	\$179,230	\$179,230	\$14,235	\$177,730	\$232,730	\$0	\$0	\$55,000		\$177,730	\$232,730
<b>Total Capital Expenses</b>	<b>\$10,000,000</b>	<b>\$199,505</b>	<b>\$10,199,505</b>	<b>\$50,863</b>	<b>\$10,224,266</b>	<b>\$10,344,266</b>	<b>\$35,000</b>	<b>\$0</b>	<b>\$85,000</b>	<b>\$10,000,000</b>	<b>\$224,266</b>	<b>\$10,344,266</b>

Grand Totals	50,654	2,938	7,988	45,604
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## Reserve Commentary

## Comment

1	Funding the Following projects	
		0
1a	Funding the Following Operational projects	
	Bylong Coal Project Reply to Response to Submissions	20
	Hunter River Flood	11
	Development of the Showground Site	38
	Safety - OH & S Development	54
	Special Rate Variation Expression	61
		184
2	Unexpended Loans	
3	Transfer of Section 94 Funds Received to Date	
4	Funding the Following Projects	
	Upper Hunter Rail Trail Investigation & Design	16
	Investigation & Design Development	85
	Karoola Wetlands	40
	Muswellbrook Men's Shed	1
		142
4a	Funding the Following Projects	
	West Denman Implementation	81
		81
5	Receipt of VPA funds	
6	Funding Denman Rec Area	0
		0
7	Funding the Following projects	
	Denman Masterplan Works	700
	Business District Renewal Programme	750
	Volunteer Park Irrigation	40
	Victoria Park Improvements	82
	Olympic Park Carpark	710
		2282
8	Section 64 Contributions in Water Fund	
8a	Section 64 Contributions in Sewer Fund	
8b	Section 64 - Transfer of Sewer Reserves	
	Recycle Water Treatment Works	0
9	Funding the Following Projects	
10	Funds Water Capital Works Programme	
10a	Transfer of Water Reserves	
11	Funds Sewer Capital Works Programme	
11a	Transfer of Sewer Reserves	
12	Transfer of Depreciation (\$888K) and Asset Sales (\$70K) to Reserve	



13	Funds Plant and Vehicle Purchase programme	
	Large Plant Items	732
	Purchase of Vehicles	49
	Transport Vehicles	53
		<hr/> 834
14	Infrastructure Replacement	
	Design & Consultation - Hill Street	32
	Investigation & Design Development	60
	Railway Underpass Reinstatement of Signage Panels	125
	Palace Street Denman - Property Purchase	220
	Investigation & Design Development	300
	Purchase of Land - Bureen Road (part)	15
		<hr/> 752
14a	Sale of Land - Highbrook Estate	
15	Funding the Following Projects	
17	Funding the following services	
18	Funding the following works	
	Renewal of Existing Assets	47
	Loxton House	178
		<hr/> 225
18a	Sale of Land - Glen Munro	
19	Funds the following works	
	Customer Request Management System	30
		<hr/> 30
19a	Funds the following works	
20	Allocates the following amounts	
	Depreciation	298
		<hr/> 298
21	Funding the following projects	
	Landfill Closure Plan	46
		<hr/> 46
22	Funding the Following Works	
	Muswellbrook RSL Memorial Grove	15
		<hr/> 15
25	Transfer of Funds - Recreation Renewal Reserve	0
25a	Funding the Following Projects	
	Upper Hunter Performance Venue - Design	150
	Upgrade Muswellbrook Aquatic Centre	60
	General Recreation Programme	239
		<hr/> 449
25b	Funding the Following Projects	
	Oversow Programme	35
27	Funding the Following Projects	0
28	Operational Carryovers (14/15) funded including	
	Hunter River Flood Risk	84

28a	Operational Carryovers (15/16) funded including	
	Consultants, Mechanical Condition Data	43
	Investigation and Design	58
	Denman Village Centre Concept Master	8
	Concept Master Plan - MbK Town	10
	Leadership Programme	7
	Mine Affected Roads Strategy	168
	General Manager - Performance Review	6
	Property and Building Valuations	15
	Denman Men's Shed	1
	Operating Projects	41
	Valuation of Artworks	5
		<hr/>
		362
29	Funding the Following Projects	
30	Operational item funded from Environmental Reserve	
	Fulcrum 3D Sodar Lease	4
		<hr/>
		4
31	Dividend from Commercial Buildings	
31a	Funding the Following Projects	
	Strategic Town Planning	93
		<hr/>
		93
32	Funding the Following Projects	
33	Funding the Following Projects	
34	Transfer of Funds	
35	Transfer of Funds -	
35a	Funding the Following Projects	
	Replacement of Works Depot Roof	11
36	Transfer of Funds - Environmental	
	Muscle Creek Stage 2	126
	Investigation & Design Development	3
		<hr/>
		129
37	Transfer of Funds - Asset Renewal Reserve	
38	Transfer of Funds - Carpark Reserve	
	Carpark Lighting - TEC Library Precinct	35
38a	Funding the Following Projects	
39	Transfer of Unspent Loan	0

40	Transfer of Unexpended Grants - Operational	
	Hunter River Flood Risk	18
	Sustainability Street Project	11
	Roads to Recovery	101
	Better Waste & Recycling	135
	CRC Problem Wastes	10
	Waste Less Recycle More	152
	Electronic Housing	11
	Library Tech Savvy Seniors	2
	Onsite Sewage Management Improvement	9
	Responsible Pet Ownership	1
	CASP Grant	3
	Collaborative Community Development	56
		<u>509</u>
41	Transfer of Funds - Mangoola WULMS	
	Tree Management (Operating Carry over)	37
		<u>37</u>
42	Funding the Following Projects	
43	Funding the Following Projects	
	Aquatic Centres Programme	165
		<u>165</u>
44	Funding the Following Projects	
45	Funding the Following Projects	95
		<u>95</u>
47	Funding the Following Projects 2014/15 Capital Carryovers	
	Corporate Services General - Aboriginal Heritage Items	15
	Replace Blue Heeler Statue	44
	WW1 Centenary Statue	72
	Work Health & Safety Corporate	50
	Recreational Needs Study	19
	Olympic Park Fields	14
		<u>214</u>
47a	Funding the Following Projects 2015/16 Capital Carryovers	
	Road Reseal Programme	74
	Urban Road Renewal Programme	458
	Sandy Hollow Village Centre	11
	Investigation & Design	85
	CBD Stage 6 - Investigation & Design	75
	Purchase of Land - Bureen Road (part)	20
	Cycleway Design - Industrial Estate to MBK	60
	Art Gallery Acquisitive Programme	20
	SES Building	10
	Public Art Sculpture	6
	Upgrade of Weidmann Cottage	13
	Muswellbrook Town Centre Precinct	30
	Denman Little Athletics Club	7
	Campbell's Corner Stage 1	32
	General Recreation Programme	7
	Cemetery General Programme	56
	Sport & Recreation Small Capital Grants Programme	20
	General Building Renewal Programme	240
		<u>1224</u>
48	Funding the Following Projects	
	Art Acquisitions	5
		<u>5</u>

## Details of Current Council Loan Balances, Purpose and Repayment Date

Loan Number	Original Amount	Purpose	Balance at 30/06/2016	2016/17 Repayments	Year of Final Payment
21	\$1,100,000	Water - South Muswellbrook Reservoir	\$538,477	\$63,920	2022/23
22	\$300,000	Water - Sandy Hollow Augmentation	\$147,559	\$17,416	2022/23
23	\$3,200,000	Water - South Muswellbrook Reservoir	\$1,784,261	\$175,715	2023/24
24	\$1,300,000	Sewer - Mains and Pump Stations	\$851,468	\$62,930	2025/26
26	\$460,000	Kirk/Peberdy Bridges	\$57,115	\$57,115	2016/17
27	\$1,560,000	Local Infrastructure Fund	\$468,000	\$156,000	2018/19
Internal	\$1,750,000	Widden Bridge	\$1,541,769	\$44,067	2034/35
28	\$1,680,000	Smiths Bridge	\$1,519,177	\$49,615	2035/36
29	\$3,000,000	Roads Infrastructure Backlog Town Campus, Student Accommodation, Campbell's Corner and Brook Street Mall	\$2,285,581	\$262,490	2023/24
New Building Loans	\$6,000,000	Acquisitions	\$16,000,000	\$0	
New Sewer Loan	\$9,756,000	Raw Water Treatment Works	\$0	\$358,070	
		TOTAL	\$25,193,407	\$1,247,338	





# **muswellbrook shire council**

## **2016/17 Consolidated Budget December 2016 Budget Review**

### **Attachments**



## December 2016 Budget Review Attachments - 2016/17

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## MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2016

## INCOME AND EXPENSES BY TYPE

INCOME	Original Budget	Carry Over	2016/17 Total Budget	Sept Review Changes	December Review Changes	Revised Budget	Actual YTD
Rates and Annual Charges	-20,031,815	0	-20,031,815	0	-7,037	-20,038,852	-17,980,107
User Charges and Fees	-13,528,819	0	-13,528,819	-20,000	27,893	-13,520,926	-5,220,152
Interest and Investment Revenue	-2,254,500	0	-2,254,500	-13,500	0	-2,268,000	-570,007
Other Revenues	-2,424,537	-225,637	-2,650,174	97,398	-449,968	-3,002,744	-1,215,777
Grants and Contributions	-6,250,744	0	-6,250,744	-122,384	31,224	-6,341,904	-2,644,354
Internal Revenue	-4,783,353	-1,334,550	-6,117,903	107,427	-152,877	-6,163,353	-3,523,813
Total Income from Continuing Operations	-49,273,768	-1,560,187	-50,833,955	48,941	-550,765	-51,335,779	-31,154,210
EXPENSES	Original Budget	Carry Over	2016/17 Total Budget	Sept Review Changes	December Review Changes	Revised Budget	Actual YTD
Employee Costs	13,094,137	20,028	13,114,165	176,319	-110,956	13,179,528	6,804,553
Materials and Contracts	14,214,548	1,520,264	15,734,812	-270,707	271,634	15,735,739	6,084,991
Other Expenses	3,204,843	19,895	3,224,738	39,447	57,037	3,321,222	1,871,861
Borrowing Costs	1,715,858	0	1,715,858	0	0	1,715,858	595,354
Overheads	4,783,353	0	4,783,353	0	2,309	4,785,662	3,525,302
Depreciation	11,286,985	0	11,286,985	0	-689,691	10,597,294	5,185,375
Total Expenses from Continuing Operations	48,299,724	1,560,187	49,859,911	-54,941	-489,667	49,335,303	24,067,436
Net Operating Result from Continuing Operations	-974,044	0	-974,044	-6,000	-1,020,432	-2,000,476	-7,086,774

## MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2016

## INCOME AND EXPENSES BY BUSINESS UNIT

INCOME	Original Budget	Carry Over	2016/17 Total Budget	Sept Review Changes	December Review Changes	Revised Budget	Actual YTD
Fleet Operations	-2,048,427	0	-2,048,427	0	-330,741	-2,379,168	-997,701
Recreation	-20,000	0	-20,000	0	0	-20,000	0
Roads and Drainage - Works	-3,595,787	0	-3,595,787	-4,000	-12,000	-3,611,787	-918,432
Technical Services	0	0	0	-37,730	-727	-38,457	-37,724
Domestic Waste	-2,355,651	0	-2,355,651	0	-2,309	-2,357,960	-2,291,193
Waste Management	-4,891,957	0	-4,891,957	-79,316	-4,218	-4,975,491	-2,986,489
Aquatic Centres	-651,050	0	-651,050	0	5,500	-645,550	-325,597
Economic Development and Community Service	-260,000	0	-260,000	0	-50,455	-310,455	-75,571
Human Resources and Safety	-42,000	0	-42,000	0	-44,481	-86,481	-68,819
Property and Building Services	-272,210	0	-272,210	19,760	-10,350	-262,800	-134,239
Finances Services	-19,231,237	-1,560,187	-20,791,424	174,479	-213,377	-20,830,322	-14,966,796
Cultural	-39,500	0	-39,500	0	0	-39,500	-12,312
Libraries	-190,100	0	-190,100	0	-4,000	-194,100	-16,434
Information Services	0	0	0	0	0	0	0
Customer Service and Administration	0	0	0	0	0	0	0
Corporate Services Management	-700	0	-700	0	0	-700	-150
Integrated Planning	-15,000	0	-15,000	0	0	-15,000	-1,536
Sustainability	-643,546	0	-643,546	-26,091	115,000	-554,637	-495,854
Executive Services	-40,000	0	-40,000	0	0	-40,000	0
Emergency Services	-234,000	0	-234,000	41,962	-24,322	-216,360	-216,360
Environmental Planning	-532,750	0	-532,750	-30,123	-2,785	-565,658	-306,443
Regulatory Services	-135,200	0	-135,200	0	38,500	-96,700	-43,600
Water	-6,205,650	0	-6,205,650	0	-10,000	-6,215,650	-2,415,625
Sewer	-4,816,700	0	-4,816,700	0	0	-4,816,700	-3,647,025
Education Division	-588,995	0	-588,995	0	0	-588,995	-322,967
Commercial Division	-2,493,308	0	-2,493,308	-10,000	0	-2,503,308	-873,363
Total Income from Continuing Operations	-49,273,768	-1,560,187	-50,833,955	48,941	-550,765	-51,335,779	-31,154,210

## MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2016

## INCOME AND EXPENSES BY BUSINESS UNIT

EXPENSES	Original Budget	Carry Over	2016/17 Total Budget	Sept Review Changes	December Review Changes	Revised Budget	Actual YTD
Fleet Operations	2,048,427		2,048,427	0	330,741	2,379,168	1,094,545
Recreation	1,424,527		1,424,527	0	35,000	1,459,527	667,438
Roads and Drainage - Works	10,866,668	327,323	11,193,991	-53,898	-1,170,996	9,969,097	4,864,753
Technical Services	767,406	348,969	1,116,375	-83,208	0	1,033,167	555,071
Domestic Waste	2,355,651		2,355,651	0	2,309	2,357,960	1,698,079
Waste Management	4,297,037	317,713	4,614,750	58,766	-134,782	4,538,734	1,814,209
Aquatic Centres	1,265,575		1,265,575	0	44,500	1,310,075	573,908
Economic Development and Community Service	752,404	70,717	823,121	-28,387	90,409	885,143	342,736
Human Resources and Safety	709,564	61,779	771,343	-70,385	-15,000	685,958	278,402
Property and Building Services	1,988,102	20,000	2,008,102	-12,900	10,350	2,005,552	1,088,692
Finances Services	1,198,762	51,801	1,250,563	10,665	15,000	1,276,228	511,076
Cultural	311,153	8,000	319,153	0	-10,690	308,463	148,052
Libraries	791,662	1,800	793,462	0	4,000	797,462	427,282
Information Services	681,706		681,706	35,000	-6,982	709,724	404,367
Customer Service and Administration	683,403		683,403	0	0	683,403	287,627
Corporate Services Management	1,039,102	6,000	1,045,102	13,000	40,500	1,098,602	557,107
Integrated Planning	658,698	0	658,698	31,000	-25,099	664,599	396,383
Sustainability	713,346	132,008	845,354	2,517	-36,125	811,746	249,764
Executive Services	936,555		936,555	-5,000	0	931,555	434,924
Emergency Services	809,643		809,643	63,318	0	872,961	357,745
Environmental Planning	732,643	212,671	945,314	-17,929	55,945	983,330	478,323
Regulatory Services	264,956	1,406	266,362	-7,500	0	258,862	124,763
Water	6,001,648		6,001,648	0	10,000	6,011,647	3,340,657
Sewer	4,076,658		4,076,658	0	0	4,076,658	2,407,478
Education Division	523,985		523,985	0	291,254	815,239	476,086
Commercial Division	2,400,443		2,400,443	10,000	0	2,410,443	487,969
Total Expenses from Continuing Operations	48,299,724	1,560,187	49,859,911	-54,941	-469,666	49,335,303	24,067,436
Net Operating Result from Continuing Operations	-974,044	0	-974,044	-6,000	-1,020,431	-2,000,476	-7,086,774

## Budget review for the Quarter Ended 31 December 2016

## CAPITAL BUDGET

CAPITAL FUNDING	Original Budget	Carry Overs	2016/17 Budget	Sept Review Changes	December Review Changes	Revised Budget	Actual YTD
Revenues	-13,915,036		-13,915,036	-6,000	-375,943	-14,296,979	-7,870,884
Capital Grants and Contributions	-2,304,000	-6,169,561	-8,473,561	1,432,134	-74,000	-7,115,427	-603,385
External Restrictions	-7,843,606	-4,201,652	-12,045,258	2,064,569	-132,000	-10,112,689	0
Internal Restrictions	-146,000	-4,008,000	-4,154,000	256,000	-235,000	-4,133,000	0
Loans	-19,756,000	-106,817	-19,862,817	29,749	-240,000	-20,073,068	0
Asset Sales	-70,000		-70,000	0	0	-70,000	-763,774
Total Capital Funding	-44,034,642	-14,486,030	-58,520,672	3,776,452	-1,056,943	-55,801,163	-9,238,043
CAPITAL EXPENDITURE	Original Budget	Carry Overs	2016/17 Budget	Sept Review Changes	December Review Changes	Revised Budget	Actual YTD
New Assets							
- Plant	695,000	358,914	1,053,914	-481,020	-11,904	560,990	88,598
- Infrastructure	21,668,500	4,878,435	26,546,935	690,754	-3,211,704	24,025,985	5,461,491
- Land and Buildings	11,000,000	843,476	11,843,476	-388,449	309,427	11,764,454	370,107
Renewals							
- Plant	1,687,129	791,543	2,478,672	168,836	-104,096	2,543,412	416,426
- Infrastructure	5,754,793	7,613,662	13,368,455	-3,736,573	3,734,277	13,366,159	3,641,915
Loan Repayments	1,248,338	0	1,248,338	0	0	1,248,338	448,199
Transfer to Reserves	1,950,862	0	1,950,862	0	340,943	2,291,825	0
Total Capital Expenditure	44,004,642	14,486,030	58,490,672	-3,746,452	1,056,943	55,801,163	10,426,736
Capital Result	-30,000	0	-30,000	30,000	0	0	1,188,693

## MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2016

## CASH AND INVESTMENTS BUDGET REVIEW STATEMENT

	Opening Balance	December Review		Closing Balance
		Transfer to	Transfer From	
<b>Unrestricted</b>	194		184	10
<b><u>Externally Restricted</u></b>				
Unexpended Loans	0			0
Section 94	2,120	45	223	1,942
Section 64 (Water)	6,161	50		6,211
Section 64 (Sewer)	9,669	50	3,499	6,220
VPA's	3,499	1,398	2,319	2,578
Unexpended Grants (G)	834		509	325
Unexpended Grants (W)	30			30
Unexpended Grants (S)	960			960
Water	12,806		2,612	10,194
Sewer	1,626		1,576	50
Domestic Waste	356			356
<b>Total</b>	<b>38,255</b>	<b>1,543</b>	<b>10,922</b>	<b>28,876</b>
<b><u>Internally Restricted</u></b>				
Plant and Vehicle	411	958	833	536
Infrastructure Replacement	1,170		752	418
Employee Leave Entitlement	868			868
Deposits Retentions and Bonds	611			611
Carpark Replacement	45		35	10
Road Works Contingency	486			486
Land Bank Development	3	299	225	77
Building Replacement	378		11	367
Future Fund	0	95		95
Art Gallery	33		5	28
Parks and Facilities	0			0
Administrative	152	25	30	147
Environmental	230		133	97
Waste Management Centre	4,667	298	46	4,919
Financial Assistance Grant	0			0
Stormwater	297		15	282
Aquatic Centres Improvement	115	60	165	10
Carryover Works 14/15 Operational	84		84	0
Carryover Works 14/15 Capital	214		214	0
Carryover Works 15/16 Operational	362		362	0
Carryover Works 15/16 Capital	1,224		1,224	0
Campbell's Corner Reserve	0			0
Recreation	771		484	287
Strategic Town Planning	93		93	0
Heritage Reserve	18			18
Legal Matters	42			42
Infrastructure Works - Muswellbrook	125			125
<b>Total</b>	<b>12,399</b>	<b>1,735</b>	<b>4,711</b>	<b>9,423</b>
<b>Grand Totals</b>	<b>50,654</b>	<b>3,278</b>	<b>15,633</b>	<b>38,299</b>

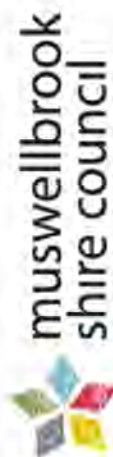
I hereby state that all restricted funds have been invested in accordance with Council's investment policies and in accordance with Division of Local Government guidelines.

\_\_\_\_\_  
Grant O'Leary  
Responsible Accounting Officer



## PART A – CONTRACT LISTING

## Contract Listing




Budget review for the quarter ended – 31 December 2016

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
Liquitex Pty Ltd	540649608366	Improving performance of the water treatment plant	\$ 285,505	28 Weeks	24 Nov 2016	14 June 2017	Yes	Variations are allowed through negotiation. - Clause 9 of MW 21 Conditions of Contract.	Competitive tendering via Tender link and newspaper adverts.	GHD – (Technical support to Council)
Fenech Group	85 092 821 262	To inspect sewer mains	\$200,603	6 months	4 Jan 2017	4 July 2017	Yes	Variations are allowed through section 28 of the Hunter Councils General Conditions of Contract	Competitive tendering via Tender link and newspaper adverts.	nil
Gleeson Civil Engineering Pty Ltd	82 107 630 919	Design and Construction of Dividing Wall in Existing Pond # 2	\$165,000	8 weeks	23 November 2016	27 January 2017	Yes	Variations are allowed for under clause 9 of MW21 Conditions of contract	Public tender process through NSW public works e-tendering	Coats Hire, Hebbden Quarries (SCE), NSW Public Works Advisory
HCB Solar	70 142 866 260	2016-2017- 0264 Install solar panels – Denman STP	\$68,000	3 months	Nov 2016	Feb 2017	Yes	AS4905-2002	Request for Quotation Details of Selection Criteria available upon request	Nil

HCB Solar	70 142 866 260	2016-2017-0264 Install solar panels – Sandy Hollow WTP	\$56,000	3 months	Nov 2016	Feb 2017	Yes	AS4905-2002	Request for Quotation Details of Selection Criteria available upon request	Nil
Hunter Sheds & Garages	43 092 072 216	2014-2015-0220 Design/Construct Community Recycling Centre at Muswellbrook Waste Facility	\$128,000	5 months	Dec 2016	April 2017	Yes	AS4905-2002	Request for Quotation Details of Selection Criteria available upon request	Nil

## PART B – CONSULTANCY AND LEGAL EXPENSES

		<b>muswellbrook shire council</b>	
<b>Consultancy and Legal Expenses</b> Budget Review for the quarter ended – 31 December 2016			
	Expenditure YTD	Budgeted for (Y/N)	
Consultancy	\$203,436	Yes	
Legal Expenses	\$27,566	Yes	

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Business Unit	Activity	September Budget Review	Proposed December Review	Change	Business Unit	Activity	September Budget Review	Proposed December Review	Change
Revenue					Expenditure				
Cultural					Cultural				
						Art Programme Wages & Salaries	172,313	161,623	-10,690 Wages & Salaries to reflect actuals.
	Minor changes under \$10,000	0		0		Minor changes under \$10,000			0
									-10,690
Libraries					Libraries				
	Minor changes under \$10,000			-4,000		Minor changes under \$10,000			4,000
				-4,000					4,000
Information Services					Information Services				
	Minor changes under \$10,000			0		Depreciation	6,982	0	-6,982 Re-allocation of depreciation to the Sustainability Unit.
				0		Minor changes under \$10,000			0
				0					-6,982
Customer Service and Administration					Customer Service and Administration				
						Wages	603,753	588,753	-15,000 Re-allocate to Consultants due to temporary staff vacancies
	Minor changes under \$10,000			0		Consultants	0	15,000	15,000 Allocated from wages due to temporary staff vacancies.
				0		Minor changes under \$10,000			0
				0					0
Corporate Services Management					Corporate Services Management				
						Special Rate Variation Expression of Intention	0	60,500	60,500 Approved by Council 13 December 2016. (See Finance Services Business Unit for funding.)
	Minor changes under \$10,000			0		Corporate Services Management Wages & Salaries	490,168	470,168	-20,000 Wages & Salaries savings due to staff vacancies.
				0		Minor changes under \$10,000			0
				0					40,500
Integrated Planning					Integrated Planning				
						Internal Audits	26,500	51,500	25,000 Additional budget is needed to enable the completion of the scheduled internal audit reviews per the Adopted Internal Audit Plan.
						Integrated Planning Wages & Salaries	466,228	454,228	-12,000 Re-allocate to Consultants due to temporary staff vacancies
						Integrated Planning Consultants	0	12,000	12,000 Allocated from wages due to temporary staff vacancies.
						Integrated Planning Wages & Salaries	454,228	400,228	-54,000 Re-allocation of staff to the Environmental Planning Business Unit.
	Minor changes under \$10,000	0		0		Minor changes under \$10,000			3,901
		0		0					-25,099
Executive Services					Executive Services				
						Economic Research Programme	50,000	39,000	-11,000 Re-allocation of funds as approved by Council 8 November 2016.
						Mining Rehabilitation Conference	0	11,000	11,000 Re-allocation of funds as approved by Council 8 November 2016.
	Minor changes under \$10,000			0		Minor changes under \$10,000			0
				0					0
Sustainability					Sustainability				
	Stepping Stones Grant	-115,000	0	115,000		Stepping Stones Programme - Wages & Salaries	90,000	0	-90,000 Grant finalised.
						Stepping Stones Programme - Materials & Contracts	16,739	59,322	42,583 Grant finalised see Finance Business Unit for funding from Unexpended Grants.
	Minor changes under \$10,000			0		Depreciation	0	11,292	11,292 No budget in the original estimate budget.
				115,000		Minor changes under \$10,000			0
									-36,125
Emergency Services					Emergency Services				
	Rural Fire Service Grant	0	-24,322	-24,322					Transition Grant from the NSW Rural Fire Service paid to councils that has had an increased statutory contribution. (One-off payment.)
	Minor changes under \$10,000			0		Minor changes under \$10,000			0
				-24,322					0
Environmental Planning					Environmental Planning				
						Strategic Land Use - Wages & Salaries	22,916	45,464	22,548 Re-allocation from materials & contracts to Strategic Land Use.
						Strategic Land Use - Materials & Contracts	69,886	47,348	-22,538 Re-allocation to wages & salaries to Strategic Land Use.
						Town Planning Wages & Salaries	286,301	313,827	27,526 Re-allocation of staff from Integrated Planning Business Unit and to consultants.
	Minor changes under \$10,000			-2,765		Minor changes under \$10,000			8,419
				-2,765					55,945
Regulatory Services					Regulatory Services				
	Vehicle Infringements	-25,500	-8,500	17,000					Decrease in revenue received to reflect the actuals to date.
	Animal Infringements	-19,000	-15,000	4,000					Decrease in revenue received to reflect the actuals to date.
	Planning Infringements	-27,000	-16,000	11,000					Decrease in revenue received to reflect the actuals to date.
	Minor changes under \$10,000			-3,500		Minor changes under \$10,000			0
				38,500					0
General Fund Operating Budget Result									
September Budget General Fund Operating Result Before Capital Amounts				91,875					
Net Changes in Revenue			-540,765						
Net Changes in Expenditure			-770,921						
Net Result			-1,311,686						
December Budget Review Operating Result Before Capital Amounts				-1,219,811					

Business Unit	Activity	September Budget Review	Proposed December Review	Change	Business Unit	Activity	September Budget Review	Proposed December Review	Change
<u>Water Fund</u>					<u>Water Fund</u>				
<u>Operating Budget Revenue</u>					<u>Operating Budget Expenditure</u>				
	Private Works	-10,000	-20,000	-10,000					
						Water Mains Wages & Salaries	95,000	185,000	90,000
						Water Mains Material & Contracts	102,000	137,000	35,000
						Water Meters, Private Works Wages & Salaries	100,000	80,000	-20,000
						Water Treatment Wages & Salaries	301,000	321,000	20,000
						Water Meters, Private Works Materials & Contracts	396,000	351,000	-45,000
						Water Treatment Material & Contracts	971,000	901,000	-70,000
	Minor changes under \$10,000			0		Minor changes under \$10,000			0
Water Fund Operating Budget Result				-10,000					10,000
September Budget Review Water Fund Operating Result Before Capital Amounts				-204,002					
December Budget Review Operating Result Before Capital Amounts				-204,002					
Net Result				0					
<u>Sewer Fund Operating Budget Revenue</u>					<u>Sewer Fund Operating Budget Expenditure</u>				
						Sewer Effluent Reuse Materials & Contracts	60,000	80,000	20,000
						Sewer Mains Materials & Contracts	200,000	180,000	-20,000
						Sewer Pumping Stations	252,500	182,500	-70,000
	Minor changes under \$10,000			0		Sewer Treatment Materials & Contracts	247,500	317,500	70,000
				0		Minor changes under \$10,000			0
Sewer Fund Operating Budget Result									
September Budget Review Sewer Fund Operating Result Before Capital Amounts				-740,042					
December Budget Review Operating Result Before Capital Amounts				-740,042					
Net Result				0					
<u>Commercial Division Operating Budget Revenue</u>					<u>Commercial Division Operating Budget Expenditure</u>				
						Minor changes under \$10,000			0
	Minor changes under \$10,000			0					0
Commercial Buildings Fund Operating Budget Result									
September Budget Review Commercial Buildings Operating Result Before Capital Amounts				-92,865					
December Budget Review Operating Result Before Capital Amounts				-92,865					
Net Result				0					
<u>Education Division Operating Budget Revenue</u>					<u>Education Division Operating Budget Expenditure</u>				
						Depreciation	0	291,254	291,254
	Minor changes under \$10,000			0		Minor changes under \$10,000			0
Commercial Buildings Fund Operating Budget Result									
September Budget Review Commercial Buildings Operating Result Before Capital Amounts				-35,010					
December Budget Review Operating Result Before Capital Amounts				255,244					
Net Result				-291,254					
<u>Consolidated Operating Budget Result</u>									
September Budget Review All Funds Operating Result Before Capital Amounts				-980,044					
Proposed December Budget Review Changes				-1,020,432					
December Budget Review All Funds Operating Result Before Capital Amounts				-2,000,476					



Business Unit	Activity	September Budget Review	Proposed December Review	Change	Business Unit	Activity	September Budget Review	Proposed December Review	Change
<b>General Fund</b>					<b>General Fund</b>				
<b>Capital Budget</b>					<b>Capital Budget</b>				
<b>Revenue</b>					<b>Expenditure</b>				
Opening Capital Budget Result				0					
Change in Operating Result		91,875	-1,219,811	-1,311,686					
				-1,311,686					
<b>Roads &amp; Drainage and Other Community Infrastructure</b>					<b>Roads &amp; Drainage and Other Community Infrastructure</b>				
Capital Grants	Social Housing Community Infrastructure Grant	-50,000	0	50,000	Roads & Drainage and Other CI	Safety Device Renewal Programme	131,293	81,293	-50,000
Depreciation	Works Fleet	-558,080	-888,818	-330,738	Roads & Drainage and Other CI				
	Waste Management Centre	-227,562	-88,562	139,000	Roads & Drainage and Other CI	Adjustment of depreciation for works fleet (see the operating budget).			
	Roads	-6,207,760	-5,030,764	1,176,996	Roads & Drainage and Other CI	Adjustment of depreciation for waste management (see the operating budget).			
	Total Depreciation	-6,993,403	-6,008,144	985,259	Roads & Drainage and Other CI	Adjustment of depreciation for roads (see the operating budget).			
	Asset Renewal Reserve								
Transfers from Reserves				-25,000	Roads & Drainage and Other CI	Railway Underpass - Reinstatement of Signage Panels	100,000	125,000	25,000
					Roads & Drainage and Other CI	Mine Affected Roads Programme	2,387,683	2,398,683	11,000
					Roads & Drainage and Other CI	Acquisition of Land - Wybong Road	11,000	0	-11,000
	Total from Reserves	-3,271,681	-3,296,681	-25,000	Roads & Drainage and Other CI				25,000
					Roads & Drainage and Other CI	General Recreation Program - Olympic Park Irrigation	14,173	0	-14,173
					Roads & Drainage and Other CI	General Recreation Program - Olympic Park Drainage	0	14,173	14,173
Borrowed Funds	West Denman Stormwater Infrastructure Provision	0	-240,000	-240,000	Roads & Drainage and Other CI	West Denman Stormwater Infrastructure Provision	0	240,000	240,000
					Roads & Drainage and Other CI	Transfer to Reserves	298,000	628,738	330,738
	Minor changes under \$10,000			0	Roads & Drainage and Other CI	Minor changes under \$10,000			
				770,259					545,738
<b>Business Unit</b>	<b>Activity</b>	<b>September Budget Review</b>	<b>Proposed December Review</b>	<b>Change</b>	<b>Business Unit</b>	<b>Activity</b>	<b>September Budget Review</b>	<b>Proposed December Review</b>	<b>Change</b>
<b>Planning, Community and Corporate Services</b>					<b>Planning, Community and Corporate Services</b>				
Section 94									
Capital Contributions	Section 94A	0	-45,205	-45,205	Planning, Community & Corporate	Upgrade Wiedmann Cottage	28,000	61,000	35,000
	Education Division	0	-35,000	-35,000	Planning, Community & Corporate	Job Creation & VPA Seed Funding	365,000	280,000	-85,000
					Planning, Community & Corporate	Contribution to the Future Fund	0	85,000	85,000
					Planning, Community & Corporate	General Recreation Programme	250,000	232,000	-18,000
Depreciation	Administration, IT, HR & Sustainability	-6,981	-11,292	-4,311	Planning, Community & Corporate				
Transfers from Reserves					Planning, Community & Corporate	Adjustment of depreciation of sustainability (see the operating budget).			
	Section 94 Open Space			-40,000	Planning, Community & Corporate	Approved by Council 13 December 2016.	0	40,000	40,000
	Section 94 Open Space			-82,000	Planning, Community & Corporate	Victoria Park Improvements	0	100,000	100,000
	VPA Reserves			-60,000	Planning, Community & Corporate	Olympic Park Car Park and Master Plan	650,000	710,000	60,000
	Recreation Reserve			-60,000	Planning, Community & Corporate	Upgrade Muswellbrook Aquatic Centre- Invest. & Design	0	60,000	60,000
	Recreation Reserve			-150,000	Planning, Community & Corporate	Upper Hunter Performance Venue - Design	0	150,000	150,000
	Total from Reserves	-2,644,874	-3,036,874	-392,000	Planning, Community & Corporate	Transfer to Reserves	1,425,007	1,470,212	45,205
	Minor changes under \$10,000			-4,000		Minor changes under \$10,000			4,000
				-480,516					476,205
<b>General Fund Capital Budget Result</b>									
<b>General Fund Proposed Changes</b>				0					
<b>December Budget Review Result After Capital Amounts</b>				0					

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**12.6 SOCIAL IMPACTS OF MINING - CALL FOR SUBMISSIONS**

**Attachments:** Nil

**Responsible Officer:** Steve McDonald - General Manager

**Author:** Joshua Brown - Co-Ordinator Executive Services

**Community Plan Issue:** *Plan liveable and sustainable urban areas*

**Community Plan Goal:** *All residents enjoy living in clean, safe and vibrant communities*

**Community Plan Strategy:** *Plan for development that balances the needs of the community and allows for managed growth*

**PURPOSE**

To provide Council with information concerning the Department of Planning and Environment's draft social impact assessment guidelines for State significant resource projects, which are currently on public exhibition.

**OFFICER'S RECOMMENDATION**

Council delegate to the General Manager the making of a submission on behalf of Council to the Department of Planning and Environment with respect to the draft social impact assessment guidelines for State significant resource projects.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**BACKGROUND**

The Department of Planning and Environment has released draft guidelines on the assessment of social impacts associated with State significant projects, including mining, petroleum production and extractive industry development. The Department is currently consulting on the draft guidelines and Council has the opportunity to provide a submission.

**CONSULTATION**

Contractor, Mining Liaison

**REPORT**

The Department is seeking community feedback on its draft guidelines for the assessment of the social impacts of State significant projects. Council has previously taken an active interest in the social impacts of the coal mining industry on the communities of the Shire. The release of the draft guidelines provides Council with the opportunity to make a formal submission on the matter.

A copy of the document *Social impact assessment – Draft guidelines for State Significant mining, petroleum production and extractive industry development draft guidelines* can be accessed at:

<http://www.planning.nsw.gov.au/Policy-and-Legislation/~media/8B6753256417468F80E11708762DA11D.ashx>

Further information is available on the DPE website at:

<http://www.planning.nsw.gov.au/Policy-and-Legislation/Social-Impact-Assessment>

Submissions close on 3 March 2017.

It is recommended that Council delegate to the General Manager the making of a submission on the draft guidelines. A copy of the proposed draft submission will be circulated to Councillors for input prior to submission.

**OPTIONS**

Councillors may determine to not make a submission on this occasion.

**CONCLUSION**

It is recommended that Council make a submission to the Department on the draft guidelines.

**SOCIAL IMPLICATIONS**

The making of a submission will provide Council with the opportunity to address a range of social impacts associated with the mining industry.

**FINANCIAL IMPLICATIONS**

No known financial implications.

**POLICY IMPLICATIONS**

No known policy implications.

**STATUTORY IMPLICATIONS**

No known statutory implications.

**LEGAL IMPLICATIONS**

No known legal implications.

**OPERATIONAL PLAN IMPLICATIONS**

Consistent with 12.1.1 Manage issues associated with the coal mining industry in order to maximise the economic benefits of that mining whilst minimising its adverse impacts and preserving sustainable industry diversity into the future.

**RISK MANAGEMENT IMPLICATIONS**

No known risk management implications.

## 12.7 2016 - 2017 PROPOSED GENERAL BUILDING PROGRAM

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Fiona Plesman - Acting Director - Planning, Community & Corporate Services
<b>Author:</b>	Matthew Lysaught - Manager, Property and Building Services
<b>Community Plan Issue:</b>	<i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i>
<b>Community Plan Goal:</b>	<i>That our community infrastructure is appropriate, sustainable and well maintained</i>
<b>Community Plan Strategy:</b>	<i>Develop and maintain the Shire's infrastructure</i>

### PURPOSE

To provide Council with a list of proposed building programs and projects for allocation of funding.

### OFFICER'S RECOMMENDATION

Council approve the proposed General Building Program as outlined in the report.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

### BACKGROUND

Each year the Asset Manager for Council's building assets presents to Council a list of proposed capital works for the General Building Program. This report provides proposed programs and projects for allocation by Council for 2016/17.

The reporting of this allocation late this financial year is due to the necessary work being undertaken in reviewing asset management plans. This work of asset condition assessments and forward works programs is informing the development of Council's Strategic Asset Management Plan (SAMP). This is one of three plans covering each major resource type (money, people and assets) considered under Council's Resourcing Strategy. While this work is not complete it is significantly advanced in understanding priorities to progress the capital allocations for 2016/17.

### CONSULTATION

Technical Officer – Property and Building Services

Stakeholders and User Groups

### CONSULTATION WITH COUNCILLOR SPOKESPERSON

Not applicable

### REPORT

#### 2016/17 General Building Program

The proposed list of works for the General Recreation Program includes:

**Asset data collection (hardware and software)** \$18,000

An allocation for the purchase of mobile hardware to collect asset data and conditions and report maintenance in the field.



<b>Council Centralised Asset Management Software</b>	\$31,000
Property and Building Services contribution towards Council's centralised asset management software.	
<b>Disability Action Inclusion List – Building Works</b>	\$40,000
Under the NSW Disability Inclusion Act (2014) each council in NSW must have a Disability Inclusion Action Plan (DIAP) by 1 July, 2017. The guidelines recommend that Council prepare and Action List and this will include necessary building works. Staff will prepare this in consultation with users and disability service providers informed by previous access audits and prioritise projects.	
<b>Administration Centre – Collaborative Meeting Room</b>	\$5,000
Complete works to Interview rooms to allow for meeting rooms to have the correct technology for interactive meetings and video conferencing.	
<b>Administration Centre – Staff Kitchen</b>	\$15,000
Upgrade staff kitchen facilities; designed to allow for better flow when the kitchen is in use and provide improved amenity for staff including an outdoor break out area. This funding will match funding allocated under the Corporate General Program to a total of \$30,000.	
<b>Animal Shelter – Security and Closed Circuit TV (CCTV)</b>	\$8,000
To provide additional space in the Administration Centre the Rangers offices are being relocated to a demountable office at the Animal Shelter. However this increases the existing need for additional security measures including fencing and replacement of obsolete CCTV.	
<b>Muswellbrook Out of School Hours - Air-conditioning</b>	\$15,000
MOOSH have two air-conditioning units which are approximately 20 years old and require replacement. Each summer the units fail and subsequent repairs are made which is not sustainable. Further the units very loud which makes it difficult for MOOSH to deliver their service.	
<b>Muswellbrook Childcare Centre – External Fabric</b>	\$8,000
Internally the building is well presented however externally the building is overdue for attention. Works would include repairs and painting of roof and existing painted surfaces.	
<b>Muswellbrook Library – Gardens and Passive Areas</b>	\$10,000
Library gardens are in need of renewal particularly the lower ground western entry gardens. Works would include removing invasive date palm and replaced with native shade tree and furniture and finishes for increased passive areas.	
<b>Stan Thesis Community (reallocation)</b>	(\$6,000)
There remains \$6000 from the replacement of doors 2015/16 which staff recommend is directed towards internal improvements including new furniture.	
<b>Total</b>	<b>\$156,000</b>

## OPTIONS

Council could choose to support or amend the proposed programs and projects.

## CONCLUSION

The 2016/17 General Building Program proposed programs and projects are provided for Council's approval.

## SOCIAL IMPLICATIONS

Provision of suitable buildings infrastructure encourages access and participation by the community.

## FINANCIAL IMPLICATIONS

General Building Program budget allocation \$150,000

**POLICY IMPLICATIONS**

Not Applicable

**STATUTORY IMPLICATIONS**

Not Applicable

**LEGAL IMPLICATIONS**

Not Applicable

**OPERATIONAL PLAN IMPLICATIONS**

*Operational Plan 2016/2017, '4.1.1 Maintain and continually improve Asset Management Planning.'*

**RISK MANAGEMENT IMPLICATIONS**

There are a number of competing priorities for expenditure on Council buildings. The proposed programs and projects include works to reduce risks and improve asset management.

**12.8 NSW ASIAN CUP 2015 LEGACY FUND**

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Fiona Plesman - Acting Director - Planning, Community & Corporate Services
<b>Author:</b>	Matthew Lysaught - Manager, Property and Building Services
<b>Community Plan Issue:</b>	<i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i>
<b>Community Plan Goal:</b>	<i>That our community infrastructure is appropriate, sustainable and well maintained</i>
<b>Community Plan Strategy:</b>	<i>Plan, provide and manage a selected range of recreation facilities to an appropriate standard in a safe and efficient manner</i>

**PURPOSE**

To report to Council a grant opportunity in partnership with Muswellbrook Football Club.

**OFFICER'S RECOMMENDATION**

**Council support Muswellbrook Football Club's grant funding application to the NSW Asian Cup 2015 Legacy Fund as outlined in the report.**

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**BACKGROUND**

At the 13 December Ordinary Council meeting the General Recreation Program was allocated for 2016/17. This program included an additional allocation of \$100,000 for Victoria Park Improvements. Consultation with Muswellbrook Football Club about the capital improvements identified an opportunity to apply for matched funding for Victoria Park improvements through the NSW Asian Cup 2015 Legacy Fund. The NSW Asian Cup 2015 Legacy Fund is...

*...an initiative of the NSW Government, Football NSW (FNSW) and Northern NSW Football (NNSWF), which has been established with the NSW Government's surplus from the 2015 AFC Asian Cup to provide funding assistance to community football clubs (Clubs) to partner with local stakeholders to improve the quality, availability and standard of their facilities. (NSW Office of Sport)*

Applicants must contribute 50% or more of the funding required for their project and the Muswellbrook Football Club is seeking Council's support to use the \$100,000 allocated for Victoria Park as the source for their matched funding for the grant application. Applications close on Friday 24 February 2017.

**CONSULTATION**

Muswellbrook Football Club

Communications and Grants Officer

Technical Officer – Recreation and Property

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Cr Graeme McNeil, Spokesperson for Sport

**REPORT**

If Council's allocation for capital improvements at Victoria Park is successfully matched with grant funding from the NSW Asian Cup 2015 Legacy Fund then total \$200,000 would be allocated towards the following works:

**Field 1**

1. Rebuild of cricket playing square (currently low and uneven);
2. Scalp field, top soil and level deviations maximise available surface for junior soccer games;
3. Investigate and repair any inconsistencies in water application;
4. Re-grass with having only one grass species maintained (a species of couch);
5. Intensive fertiliser and herbicide application; and
6. Suitable tree plantings.

**Field 2**

1. Level playing surface, top soil and re-grass;
2. Sprinkler head upgrade of irrigation;
3. Replacement of fence around field;
4. Intensive fertiliser and herbicide application; and
5. Suitable tree plantings.

**Amenities**

1. Concrete paths and areas around amenities currently paved;
2. Turn unused storage area into referee/umpire change room; and
3. Reconfigure existing storage.

Quotes are currently being sourced for the works to support the grant funding application and inform council's planning.

**OPTIONS**

Council could choose not to support the NSW Asian Cup 2015 Legacy Fund and proceed with works and budget allocation as planned.

**CONCLUSION**

This grant funding application is an opportunity for Council to partner with a local sports club to improve facilities for user groups and the community.

**SOCIAL IMPLICATIONS**

The provision of sport and recreation encourages active and passive recreation for all age groups and provides public amenity.

**FINANCIAL IMPLICATIONS**

Council has an existing allocation of \$100,000 for capital improvements at Victoria Park.

**POLICY IMPLICATIONS**

Not applicable

**STATUTORY IMPLICATIONS**

Not applicable

**LEGAL IMPLICATIONS**

Not applicable

**OPERATIONAL PLAN IMPLICATIONS**

Operational Plan 2016/2017, '11.3 Develop new recreational and sporting assets'.

**RISK MANAGEMENT IMPLICATIONS**

There are a number of competing priorities for sport and recreation funding. The proposed programs and projects include works to reduce risks for people participating in active and passive recreation.

## 13 REPORTS FROM COMMITTEES

### 13.1 REPORT OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY, 20 DECEMBER 2016

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Neil Pope - Director, Community Infrastructure
<b>Author:</b>	Imelda Williams - Traffic & Roads Status Officer
<b>Community Plan Issue:</b>	<i>Provide community infrastructure and services that supports and improves community connectivity, access and wellbeing</i>
<b>Community Plan Goal:</b>	<i>Residents, visitors and workers are travelling on safe and appropriate road and street networks within Muswellbrook Shire.</i>
<b>Community Plan Strategy:</b>	<i>Ensure a safe and efficient road network with acceptable ride quality</i>

#### PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Local Traffic Committee held on 20 December 2016.

#### OFFICER'S RECOMMENDATION

The Minutes of the Local Traffic Committee Meeting held on Tuesday 20 December 2016 be received and the recommendations contained therein **ADOPTED**.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

#### REPORT

The Local Traffic Committee met on Tuesday 20 December 2016.

The Minutes of the meeting are attached for the information of the Councillors.

#### DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

#### COMMENT

The proposal to install a pedestrian crossing did not meet warrants.



**PRESENT:** Cr S. Reynolds (Chair), Mr K. Branson (RMS Newcastle), Snr. Constable C. Dengate (NSW Police), Mr G. de Boer (Representing Mr Michael Johnsen), Mr P. Higgins (Manager Technical Services).

**IN ATTENDANCE:** Mrs I. Williams (MSC).

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED that:

The Minutes of the Local Traffic Committee held on 15 November 2016, 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 REQUEST FOR PEDESTRIAN CROSSING WILLIAM STREET**

RECOMMENDED that:

1. Council take no action to install a zebra pedestrian crossing.
2. Council consider amongst its other priorities for future funding investigation and consultation into the feasibility of installing a central pedestrian refuge at this location.

**VOTE:** Unanimous Support

## **6 DATE OF NEXT MEETING**

21 February 2017

## **7 CLOSURE**

The meeting was declared closed.

.....

Cr S. Reynolds

**Chairperson**

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ELECTRONICALLY ON TUESDAY 20 DECEMBER, 2016 COMMENCING AT 1:30PM.**

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**13.2 REPORT OF THE INFRASTRUCTURE COMMITTEE MEETING HELD ON WEDNESDAY, 21 DECEMBER 2016**

**Attachments:** Nil

**Responsible Officer:** Steve McDonald - General Manager

**Author:** Michelle Sandell-Hay - PA to the General Manager

**Community Plan Issue:** *Progressive leadership*

**Community Plan Goal:** *That Muswellbrook Shire is well led and managed*

**Community Plan Strategy:** *Effective governance of Muswellbrook Shire*

**PURPOSE**

To facilitate Council's adoption of the recommendations of the meeting of the Infrastructure Committee held on 21 December 2016.

**OFFICER'S RECOMMENDATION**

The Minutes of the Infrastructure Committee Meeting held on Wednesday 21 December 2016 be received and the recommendations contained therein **ADOPTED**.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**REPORT**

The Infrastructure Committee met on Wednesday 21 December 2016.

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, Cr J. Foy, Cr M. Green, Cr J. Ledlin, Cr G. McNeill, Cr J.F. Eades, Cr R. Scholes, Cr S. Reynolds and Cr S. Ward.

**IN ATTENDANCE:** Mr S.J. McDonald (General Manager), Mr N.W. Pope (Director, Community Infrastructure), Mr P. Redan (Executive Manager, Water and Waste), Mrs C. O'Brien (Manager, Community Services), Mr G. Gardner (Manager, Strategic Planning) and Mrs M. Sandell-Hay (PA to General Manager).

## **1 APOLOGIES AND LEAVE OF ABSENCE**

RECOMMENDED on the motion of Crs Green and Scholes that:

The apologies for inability to attend the meeting submitted by Cr. S. Bailey, Cr M. Bowditch, Cr B. Woodruff be ACCEPTED.

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Crs Scholes and Reynolds that:

The Minutes of the Infrastructure Committee held on 30 November 2016, 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 QUARTERLY INFRASTRUCTURE REPORT FOR WATER AND WASTE SERVICES FOR PERIOD 1 JULY - 30 SEPTEMBER 2016**

RECOMMENDED on the motion of Crs Scholes and Reynolds that:

Council note the contents of this report.

Cr Eades arrived at 4.34pm

### **5.2 GRAFFITI MANAGEMENT ACTIVITY FOR FIRST TWO QUARTERS OF 2016-2017**

RECOMMENDED on the motion of Crs Rush and Reynolds that:

The information contained in this report be noted.

## **7 DATE OF NEXT MEETING**

25 January 2017

## **8 CLOSURE**

The meeting was declared closed at 4.35 pm.

**MINUTES OF THE INFRASTRUCTURE COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON WEDNESDAY 21 DECEMBER, 2016 COMMENCING AT 4:30 PM.**

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.....  
Mr S. McDonald  
**General Manager**

.....  
Cr M. Rush  
**Chairperson**

**13.3 REPORT OF THE CORPORATE POLICY AND PLANNING COMMITTEE  
MEETING HELD ON WEDNESDAY, 21 DECEMBER 2016**

**Attachments:** Nil  
**Responsible Officer:** Steve McDonald - General Manager  
**Author:** Michelle Sandell-Hay - PA to the General Manager  
**Community Plan Issue:** *Progressive leadership*  
**Community Plan Goal:** *That Muswellbrook Shire is well led and managed*  
**Community Plan Strategy:** *Effective governance of Muswellbrook Shire*

**PURPOSE**

To facilitate Council's adoption of the recommendations of the meeting of the Corporate Policy And Planning Committee held on 21 December 2016.

**OFFICER'S RECOMMENDATION**

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 21 December 2016 be received and the recommendations contained therein **ADOPTED**.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**REPORT**

The Corporate Policy And Planning Committee met on Wednesday 21 December 2016.

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, Cr J. Foy, Cr M. Green, Cr J. Ledlin, Cr G. McNeill, Cr J.F. Eades, Cr R. Scholes, Cr S. Reynolds and Cr S. Ward.

**IN ATTENDANCE:** Mr S.J. McDonald (General Manager), Mr N.W. Pope (Director, Community Infrastructure), Ms F. Plesman (Acting Director, Planning, Community & Corporate Services), Mr P. Redan (Executive Manager, Water and Waste), Mr G. Gardner (Manager, Strategic Planning), Mr E. Ediriwickrama (Manager, Roads & Drainage), Ms O. Harris (Manager, Planning & Environmental Services), Mrs C. O'Brien (Manager, Community Services), Mrs. D. Watson (Town Planner) and Mrs M. Sandell-Hay (PA to General Manager).

## **1 APOLOGIES AND LEAVE OF ABSENCE**

RECOMMENDED on the motion of Crs Scholes and Reynolds that:

The apologies for inability to attend the meeting submitted by Cr. S. Bailey, Cr M. Bowditch and Cr B. Woodruff be ACCEPTED and the necessary Leave of Absence be GRANTED.

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Crs Reynolds and Foy that:

The Minutes of the Corporate Policy & Planning Committee held on 30 November 2016, 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 J. Foy** – declared an insignificant non-pecuniary interest in Item 7.1. Cr Foy advised that he is a personal friend of one of the nominees and that a number of nominees are his students.

**Cr J. Ledlin** – declared an insignificant non-pecuniary interest in Item 7.1. Cr Ledlin advised that she is a member of the Denman PC.

**Cr M. McNeill** – declared an insignificant non-pecuniary interest in Item 7.1. Cr McNeill advised that one of the nominees is a family friend.

**Cr S. Reynolds** – declared an insignificant non-pecuniary interest in Item 7.1. Cr Reynolds advised that he is a friend of one of the nominees.

**Cr M. Rush** – declared an insignificant non-pecuniary interest in Item 7.1. Cr Rush advised that one of the nominees is well known to him.

**Cr R. Scholes** – declared an insignificant non-pecuniary interest in Item 7.1. Cr Scholes advised that one of the nominees is well known to him.

## **4 BUSINESS ARISING**

Nil

## **5 BUSINESS**

### **5.1 UPPER HUNTER COUNTRY RAIL TRAIL DEVELOPMENT PLAN**

RECOMMENDED on the motion of Crs Rush and Eades that:

Council;

1. Endorse the final Upper Hunter Country Rail Trail Development Plan and the economic value of a cycle/walking trail from Merriwa to Denman; and,
2. Authorise the General Manager to seek external funding through grants and/or industry partnerships, to progress the trail works.

### **5.2 STORE AND MATERIALS STOCKTAKE - 24 NOVEMBER 2016**

RECOMMENDED on the motion of Crs Scholes and Ward that:

Council notes that the report on the stocktake carried out 24 November 2016 and an amount of \$1422.33 be written off to the inventory register.

## **6 ADJOURNMENT INTO CLOSED COMMITTEE**

RECOMMENDED on the motion of Crs Eades and McNeill 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 2017 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 2017 AWARDS**

RECOMMENDED on the motion of Crs Rush and Reynolds that:

1. Due to the number of disclosure of interests in this item the determination of the Awards where a quorum is not present be delegated to the General Manager in consultation with the Councillors that do not disclose an interest.
2. The meeting determine the winner and finalists.
  - 1.
  - 2.
  - 3.

**1. Young Citizen of the Year**

**Disclosure of Interest**

4. **Cr Rush** – declared an insignificant non-pecuniary interest in this item. Cr Rush advised that one of the nominees is well known to him.

5. **Cr Foy** – declared an insignificant non-pecuniary interest in this item. Cr Foy advised that he is the personal friend of one of the nominees and that a number of the nominees are his students.

6. **Cr McNeill** - declared an insignificant non-pecuniary interest in this item. Cr McNeill advised that one of the nominees is a family friend.

7. **Cr Reynolds** - declared an insignificant non-pecuniary interest in this item. Cr Reynolds advised that he is a friend of one of the nominees.

8. At 04:57 PM Crs Jason Foy, Graeme McNeill, Steven Reynolds and Martin Rush left the Meeting room and therefore took no part in discussion or voting on this item.

9.

10. **Winner**      **Nominee J**

11. **Finalists**      **Nominee B**

12. **Nominee G**

13. **Nominee I**

14.

15. At 05:03 PM Councillor Jason Foy, Graeme McNeill, Steven Reynolds and Martin Rush returned to Meeting Room.

16.

**2. Young Citizen School Achiever**

17. **Winner**      **Nominee K**

18.

**3. Junior Sportsperson of the Year**

19. **Disclosure of Interest**

20. **Winner**      **Nominee T**

21. **Finalist**      **Nominee Q**

22. **Finalist**      **Nominee R**

23.

**4. Services to Sports Award**

24. **Disclosure of interest**

25. **Cr Ledlin** – declared an insignificant non-pecuniary interest in this item. Cr Ledlin advised that she is a member of the Denman Pony Club.

26. **Cr Scholes** - declared an insignificant non-pecuniary interest in this item. Cr Scholes advised that one of the nominees is known to him.

27. At 5.11PM Crs Jacinta Ledlin and Rod Scholes left the Meeting Room and therefore took no part in discussion or voting on this item.

28.

29. **Winner**      **Nominee U**

30. **Finalist**      **Nominee V**

31.

32. At 5.13PM Crs Jacinta Ledlin and Rod Scholes

returned to the Meeting Room.

33.

**5. Cultural Youth**

34.

**Winner**

**Nominee W**

35.

**6. Cultural Contributor**

36.

**Winner**

**Nominee X**

37.

**7. Northoak**

38.

**Winner**

**Nominee Z**

39.

**8. Environment**

40.

**Winner**

**Nominee AA**

41.

**9. Education**

42.

**Winner**

**Nominee AB**

43.

**10. Social Inclusion**

**Disclosure of Interest**

**Cr Rush** – declared an insignificant non-pecuniary interest in this item. Cr Rush advised that one of the applicants is well known to him. At 05:16 PM Cr Martin Rush left the Meeting Room and therefore took no part in discussion or voting on this item.

44.

**Joint Winner**

**Nominee AC, AD and AE**

At 05:20 PM Cr Martin Rush returned to Council Chambers.

**11. Citizen of the Year**

45.

**Winner**

**Nominee P**

46.

**Finalists**

**Nominee N**

47.

**Finalist**

**Nominee O**

RECOMMENDED on the motion of Crs Rush and Eades that:

The Committee endorse the winners and finalists as listed above.

## **8 RESUMPTION OF OPEN COMMITTEE**

RECOMMENDED on the motion of Crs McNeill and Reynolds that:

The meeting return to Open Committee.

## **9 DATE OF NEXT MEETING**

25 January 2017

## **10 CLOSURE**

The meeting was declared closed at 5.24 pm.

**MINUTES OF THE CORPORATE POLICY & PLANNING COMMITTEE MEETING OF THE  
MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION  
CENTRE, MUSWELLBROOK ON WEDNESDAY 21 DECEMBER, 2016 COMMENCING AT 4.35PM**

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.....  
Mr S. McDonald  
**General Manager**

.....  
Cr M. Rush  
**Chairperson**

**14 NOTICES OF MOTION / RESCISSION****14.1 EXPRESSION OF INTEREST - WEIDMANN COTTAGE****Attachments:** Nil**Responsible Officer:** Steve McDonald - General Manager

Councillor Martin Rush has indicated his intention to move the following motion at the February Ordinary meeting, as follows:

**MOTION****That:**

- 1. Following completion of the heritage and associated works to the building, the General Manager seek expressions of interest from the public for the operation of a wine bar from the historic Weidmann Cottage;**
- 2. For the purpose of such expression of interest, Council note that it may be prepared to assist an operator with some of the fit out and associated costs;**
- 3. That the results of the expression of interest process be reported to Council.**

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_**RESPONSE BY GENERAL MANAGER**

Council staff advise that there is merit in seeking expressions of interest from the public for the operation of a wine bar out of Weidmann Cottage, which may create a new economic development opportunity for the Muswellbrook town centre. The calling of expressions of interest does not create any obligations on Council's part to proceed and is a useful opportunity to test the market for an identified gap.

The current heritage and associated works taking place at Weidmann Cottage have included the provision of a new deck and space that would be ideal for a wine or coffee bar. As part of the preparation of the scope of the current works, Council staff sought a costing for the provision of a stand-alone kiosk, which is estimated to be in the order of \$25,000.



**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 AWARD OF TENDER FOR THE CONSTRUCTION OF THE NEW RECYCLE WATER TREATMENT WORKS - 2010-2011-0032 C4**

Item 19.1 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.

**19.2 DEVELOPMENT OF WASTE CONTRACT SPECIFICATION - POST JULY 2018 SERVICES**

Item 19.2 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.

**19.3 DENMAN DESTINATION INFRASTRUCTURE - CONCEPT DESIGN FUNDING**

Item 19.3 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 Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**19.4 NEW SOUTH WALES LAND AND HOUSING CORPORATION - VACANT LAND**

Item 19.4 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.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

**20 RESUMPTION OF OPEN COUNCIL**

**21 CLOSURE**

**DATE OF NEXT MEETING: TUESDAY 14 MARCH 2017**