



**muswellbrook
shire council**

Muswellbrook Shire Council
ORDINARY COUNCIL MEETING

BUSINESS PAPER
10 OCTOBER 2017



ORDINARY COUNCIL MEETING, 10 OCTOBER 2017

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
5 October, 2017

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **10 October, 2017** commencing at 6:00PM.

Steve McDonald
GENERAL MANAGER

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**MUSWELLBROOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING**

**AGENDA
TUESDAY 10 OCTOBER 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 **12 September 2017**, and the Extra Ordinary Meeting held on **20 September 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 70/2017 - BOARDING HOUSE, 14 HAYDON STREET, MUSWELLBROOK

| | |
|---------------------------------|--|
| Responsible Officer: | Fiona Plesman - Director - Planning, Community & Corporate Services |
| Author: | Donna Watson - Development Planner |
| Community Plan Issue: | <i>Continue to improve the affordability, livability and amenity of the Shire's communities</i> |
| Community Plan Goal: | <i>Facilitate the provision of affordable housing opportunities through development application process as encouraged through the Affordable Rental Housing SEPP 2009.</i> |
| Community Plan Strategy: | <i>Facilitate the provision of affordable housing opportunities through development application process as encouraged through the Affordable Rental Housing SEPP 2009.</i> |
| Attachments: | A. Recommended conditions B. Plans C. NSW Police response D. Submission |

Documents referred to in assessment not attached:

- ☐ Environmental Planning and Assessment Act 1979
- ☐ Environmental Planning and Assessment Regulations 2000
- ☐ Building Code of Australia
- ☐ Boarding House Act 2012
- ☐ Boarding House Regulation 2013
- ☐ Protection of the Environment Operations Act 1997
- ☐ State Environmental Planning Policy (Affordable Rental Housing)
- ☐ Local Environmental Plan 2009
- ☐ Development Control Plan 2009
- ☐ Interim Construction Noise Guidelines
- ☐ Hunter River Flood Study 2014
- ☐ 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
- ☐ Floodplain Development Manual

APPLICATION DETAILS

| | |
|------------------------|--|
| Applicant: | Haydon Street Development Pty Ltd |
| Owner: | Haydon Street Development Pty Ltd |
| Proposal: | Boarding house (3 storey – 18 rooms) |
| Location: | 14 Haydon Street, Muswellbrook |
| Permissibility: | The proposed development is permissible as <i>Boarding House</i> within the B2 Local Centre Zone |
| Recommendation: | Approval |

RECOMMENDATION

Development Application No. 70/2017 proposing a three storey, 18 room Boarding House at Lots 1 and 2 DP 551973, 14 Haydon Street, Muswellbrook 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

PURPOSE OF REPORT

The application is being reported to Council due to one submission being received.

REPORT**1.0 BACKGROUND**

The site is current vacant and a search of Council's registers have not found any applications for development.

2.0 SITE AND LOCALITY DESCRIPTION

The site fronts Haydon Street and is in close proximity to Wilkinson Avenue intersection. The subject land has a combined area of 607m². The site is surrounded by residential dwellings and has a B2 Local Centre Zoning.

A site inspection revealed the land is predominately flat and contains minimal vegetation.

3.0 DESCRIPTION OF PROPOSAL

The proposed development will involve the construction of a three storey, 18 room boarding house. The boarding rooms will be approximately 28m² and the disability access rooms will be approximately 33m². The rooms will be similar in design and include sufficient area to accommodate a single bed, lounge / dining area, kitchenette and bathroom. The overall gross floor area of the proposed development is 785.37m².

The building will comprise of a ground level, undercover carpark, with two storeys above and will be approximately 10m in height with a skillion roof. The supporting documentation states there will be a 1.8m timber paling fence proposed along the side and rear boundaries.

The proposed ground floor will contain three boarding rooms and secure carparking area which includes four spaces including one disabled, four motorbike spaces and a bicycle rack. The carparking area will also include an enclosed bin storage area.

The proposed first floor will contain seven boarding rooms, including one disable access room. Access to this level is via the lift, internal stairwell and directly from an external stair well. This level also includes a common room area.

The proposed second level contains eight boarding rooms, including one disable access room. . Access to this level is via the lift and two internal stairwell

A copy of the 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, 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 External Referrals

5.1.1 NSW Police

The application was referred to the NSW Police for consideration and comment. The Police have raised no objection to the proposed development and provided standard conditions to be included in the determination, if approved. The response from the NSW Police is attached as **Appendix C**.

6.0 ASSESSMENT

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 best defined as *Boarding House*, 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

| <i>Part 2 Permitted or prohibited development</i> | |
|---|---|
| <i>2.1 Land use zones</i> | The subject site is zoned B2 Local Centre under MLEP 2009 and 'boarding house' is permitted with consent in the subject Zone. |
| <i>2.3 Zone objectives and Land Use Table</i> | See above |
| <i>Part 4 Principal development standards</i> | |
| <i>4.1 Minimum subdivision lot size</i> | MLEP 2009 does not specify a minimum lot size for the land. The application is not for a subdivision, therefore this clause is not applicable. |
| <i>4.3 Height of buildings</i> | MLEP 2009 specifies a maximum building height of 13m in relation to the land. The proposal does not involve building works over 10m. The proposed development complies with Clause 4.3(2) . However, the proposed building will result in substantial overshadowing of the adjoining property during the winter months, this being 12 Haydon Street. Council's GIS system shows the existing structure on 12 Haydon |

| | |
|-----------------------|--|
| | <p>street being parallel to the proposed boarding house. In this regard, the overshadowing will predominately be over the existing dwelling. The occupier of 12 Haydon Street will still achieve a minimum 4 hours of solar access to the private open space area at the rear of the dwelling.</p> <p>Further, the rear of the proposed building contains 9 large windows which could allow the tenants to look into adjoining properties. From Council's GIS the adjoining properties to the rear of the site are approximately 20m from the proposed external wall of the boarding house. This distance provides suitable separation distance between the proposed boarding house and the existing dwellings.</p> <p>In addition to the rear windows, the northern façade of the proposed building contains 6 large windows. Again, Council's GIS system indicates the distance from the northern wall to the adjoining dwelling is approximately 8 metres. The dwelling located at 16 Haydon Street is constructed quite close to the boundary and with the applicant proposing a 1.8m high timber fence, the privacy to the adjoining resident will be improved.</p> |
| 4.4 Floor space ratio | MLEP 2009 specifies a floor space ratio of 2:1 in relation to the land. The proposal does not involve building works that would result in floor space greater than 0.8:1. |

2. **State Environmental Planning Policy (Affordable Rental Housing) 2009**

The subject development is for a boarding house and Division 3 of the SEPP applies to the development. The assessment standards for boarding houses are outlined in Clause 30 of the SEPP. The table below details the applicable criteria.

| Criteria | Comments |
|---|---|
| 30(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following: | |
| a) If a boarding house has 5 or more boarding rooms, at least one communal living room will be provided, | The development is for an 18 room boarding house. The plans submitted with the application show the communal living area will be provided on the first floor. |
| b) No boarding room will have a gross floor area (excluding any area used for the purpose of private kitchen or bathroom facilities) of more than 25 square metres, | A review of the floor plans found the average room is 20m ² once the bathroom and kitchen area was excluded. The development complies with this requirement. |
| c) No boarding room will be occupied by more than 2 adult lodgers, | The applicant is proposing to have one single bed in each room. In this regard, the intended occupancy is one person per room. |

| Criteria | Comments |
|--|---|
| d) <i>Adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</i> | Each of the rooms have a bathroom and kitchenette facilities. |
| e) <i>If the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,</i> | Not applicable as the proposal is for 18 boarding rooms. |
| f) <i>repealed</i> | |
| g) <i>if the boarding house is on land zoned primarily for commercial purposed, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use</i> | The subject land is zoned B2 Local Centre under the Muswellbrook LEP 2009. The three proposed units for the ground floor are located towards the rear of the property and the front area of the site is designated for carparking. |
| h) <i>at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every five boarding rooms.</i> | The plans indicate there will be four bicycle and four motorbike spaces provided. |

Muswellbrook Development Control Plan 2009

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 2 August 2017 to 16 August 2017. 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 9 – Local Centre Development

| 9. LOCAL CENTRE DEVELOPMENT | |
|-----------------------------|---|
| 9.1 Built Form | |
| <i>Building Design</i> | The site is located within the B2 Local Centre Zone, however, the adjoining properties are residential in nature. Future the surrounding buildings are single storey. In this regard, the proposed building is not sympathetic to the existing character of the street. |
| <i>Building Height</i> | The proposed building will be no higher than 10m. Under the Muswellbrook LEP 2009, the maximum height of buildings within the B2 Local Centre Zone is 13m. |

| 9. LOCAL CENTRE DEVELOPMENT | |
|-----------------------------|--|
| | <p>However, the proposed building will result in substantial overshadowing of the adjoining property during the winter months, this being 12 Haydon Street. Council's GIS system shows the existing structure on 12 Haydon street being parallel to the proposed boarding house. In this regard, the overshadowing will predominately be over the existing dwelling. The occupier of 12 Haydon Street will still achieve a minimum 4 hours of solar access to the private open space area at the rear of the dwelling.</p> |
| <i>Setbacks</i> | <p>There is no minimum front setback specified for the B2 Local Centre Zone.</p> <p>However, this section of the DCP recommends that the front of buildings should be aligned to provide a continuous street frontage.</p> <p>The plans indicate the front setback for the proposed building will be consistent with adjoining properties.</p> |
| <i>Accessibility</i> | <p>The development is proposing a lift to provide access to all the floors / levels. There are two accessible rooms provided. One on level 1 and the other is on level 2.</p> |
| 9.2 Urban Landscape | |
| <i>Landscaping</i> | <p>The applicant has provided a landscaping plan with the lodgement of the application. This plan does not indicate the height the plants when planted. The plan does indicate the overall mature height of the plants.</p> <p>Should the application be approved, a condition will be imposed on the applicant requiring them to submit a full landscaping plan indicating species, height at maturity and confirm the height when planted.</p> |
| <i>Car Parking</i> | <p>The applicant has provided carparking, bicycle and motorbike spaces for the development.</p> <p>Access to the site is via a secured roller door. In this regard, the carparking should not be visible from the street.</p> |

Section 13 – Flood Prone Land

Under the Hunter River Flood Study 2014 and the Muswellbrook Development Control Plan 2009, the site is subject to flooding. The study identifies the site as being low hazard flood storage. A review of the GIS information has found the flood level for the site ranges from 145.45 AHD to 145.49AHD. Further, the GIS also states the height of the flood water would be approximately 50cm in depth.

The plans submitted have adopted a flood level of 145.52AHD and the finished floor level for the building will be 146.02AHD. From the submitted plans, it is presumed that the building will be a minimum of 500mm above the known flood level.

Should the application be approved, conditions will be imposed requiring the following:

- ☐ Prior to the release of the Construction Certificate, the applicant shall to provide an engineer's report to confirm the building can withstand flood forces;
- ☐ Prior to the release of the Construction Certificate, the applicant shall provide evidence on the construction plans that the design of the building has considered the flood proofing code within Section 13 of the Muswellbrook DCP 2009; and
- ☐ Prior to the issue of any Occupation Certificate, the applicant shall provide a survey report confirming the finish floor level of the building is a minimum of 146.02AHD.

Section 16 – Car Parking and Access

This section of the DCP applies to the site as a new building is being proposed. Upon review of the carparking schedule it was found that the proposed development is not clearly defined within this table. In this regard, the closest / most similar landuse to a boarding house was that of a hostel. The carparking requirements for a hostel are as follows:

| | | |
|--------|---|---|
| Hostel | 1 space per 3 beds plus 1 per 5 beds visitor space OR 1 per room plus 1 per 5 rooms visitor space (whichever is the greater) bedroom, PLUS 1 space per 3 employees | Spaces per bedroom may be reduced if in close proximity to public transport interchange or targeted market. The visitor parking area should be appropriately located and sign posted. |
|--------|---|---|

By using the above table to calculate the required carparking for the proposed boarding house, the amount of carparking required would be:

1 space per room = 18 spaces and 4 visitors spaces (18 boarding rooms / 5 = 3.6 spaces – rounded up to 4). Hence, the development would require 22 spaces.

Muswellbrook DCP provides staff with a benchmark for developments to be assessed against. However, should a State Environmental Planning Policy (SEPP) be applicable to the proposed development, in this case there is, the SEPP prevails over the DCP.

Consequently, Clause 29(2)e) of the State Environmental Planning Policy (Affordable Rental Housing) outlines the carparking rate for boarding houses. In this regard, the requirement is:

- (i). *in the case of development in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and*
- (ii). *in the case of development not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and*
- (iii). *in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,*

The development is in an accessible area as it meets the definition of Clause 4(1)(a) of the SEPP, which states:

800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates

In this regard, the amount of carparking required by the development is as follows:

18 boarding rooms proposed x 0.2 spaces = 3.6 spaces (rounded up to 4 spaces)

The submitted plans indicate there will be four spaces, including one disabled, provided for the development. Hence, the development complies with the requirements of the SEPP. In addition to the carparking spaces, the applicant is proposing to provide 4 motorbike and 4 bicycle spaces for the development.

Section 20 – Erosion and Sediment Control

The applicant has submitted a sediment and erosion control plan with the application. This plan indicates what type of measures will be in place for different areas of the development. Should the application be approved, a condition will be imposed on the applicant that sediment and erosion measures are in place throughout the construction of the boarding house.

Section 24 – Waste Management

The applicant has identified two areas for bins to be located. In each section, it is proposed to have five bins. The bin areas will be located within the carparking area. Should the application be approved, conditions will be imposed regard garbage collection.

With regard to construction waste, as the site is vacant there will be no demolition waste generated. However, there will be construction waste during this phase. Again, conditions will be imposed regarding construction waste.

Section 25 – Stormwater Management

The applicant has submitted a concept stormwater plan which indicates how stormwater will be managed on site. These plans state there will be a 5000l rainwater tank place on the southern side of the building to capture roof runoff. The overflow of this tank will be connected to the proposed internal system which connects to Council's stormwater system in Haydon Street. There are no issues with drainage for the site.

Section 94A Contributions Plan 2009

Council's Section 94A Contributions Plan 2010 applies to the land. However, under Clause 25J(3)(l) of the Environmental Planning And Assessment Regulation 2000, no Section 94A contributions can be implied. Clause 25J(3) states:

- (3) *The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*
- (a) *the cost of the land on which the development is to be carried out,*
 - (b) *the costs of any repairs to any building or works on the land that are to be retained in connection with the development,*
 - (c) *the costs associated with marketing or financing the development (including interest on any loans),*
 - (d) *the costs associated with legal work carried out or to be carried out in connection with the development,*
 - (e) *project management costs associated with the development,*
 - (f) *the cost of building insurance in respect of the development,*
 - (g) *the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),*
 - (h) *the costs of commercial stock inventory,*
 - (i) *any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law,*
 - (j) *the costs of enabling access by disabled persons in respect of the development,*
 - (k) *the costs of energy and water efficiency measures associated with the development,*
 - (l) *the cost of any development that is provided as affordable housing,*

(m) the costs of any development that is the adaptive reuse of a heritage item.

This is due to the application being lodged under State Environmental Planning Policy (Affordable Rental Housing) 2009.

Likely impacts of that development

Context and Setting

The character and nature of Haydon Street is residential and contains a number of single storey residential dwellings. The proposed building is not consistent with the existing character and streetscape of Haydon Street, however, in the locality of the area are other large scale buildings.

The street has two zones under the Muswellbrook Local Environmental Plan 2009, these being B2 Local Centre and R1 General Residential.



Under Section 9 of the MDCP 2009, there is no minimum setback stipulated. However, it is recommended the setback be considerate of the adjoining buildings. In this regard, the proposed development will be setback a minimum of 4.5m at the closest point. The building is proposed to be approximately 1.5m from both side boundaries and 3m from the rear boundary.

Built Form

The development is proposed to be three storeys and will have a maximum height of 10m with a skillion roof. The proposed height of the building complies with the MLEP 2009 requirement of 13m. However, as mentioned above, the character of Haydon Street is predominately single storey residential dwellings and the bulk and scale of this development would not be in keeping with the streetscape.

The Statement of Environmental Effects states the building will have a metal roof, brick façade features and cement rendered walls. The windows in the living and common spaces are proposed to be single glazed aluminium. The side and rear boundaries are proposed to have a 1.8m timber paling fence.

Potential Impact on Adjoining Properties

The proposed development is likely to have an impact on adjoining properties with regard to potential loss of privacy and overshadowing. As stated earlier in the report, the adjoining properties have a suitable separation distance from the proposed building to not raise any further concern.

The application included the submission of shadow diagrams which depicts the 9am, 12noon and 3pm on 21 March and 21 June. The shadow diagrams show the property on the southern side,

being 12 Haydon Street, will be heavily impacted upon during the winter months. As discussed earlier, the proposed development does not appear to meet the objective of Clause 4.3(1)(d), which states:

to maintain solar access to new and existing dwellings and public recreation areas and to promote solar access to new buildings,

Safety, Security and Crime Prevention

The Statement of Environmental Effects stated the carparking area would be secured. This will provide the tenants with added security. The application was referred to the NSW Police for their consideration and comment. Refer to the earlier discussion regarding the Police's response.

Should the application be approved, it is recommended that conditions be imposed on the development regarding crime prevention and security of the site.

Social Impact on Locality

The applicant has not indicated the type of potential tenants for this development. However, the application is being lodged under State Environmental Planning Policy (Affordable Rental Housing) 2009, Clause 6 of the SEPP defines "affordable housing" as:

affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

(1) In this Policy, a household is taken to be a very low income household, low income household or moderate income household if the household:

- (a) has a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or*
- (b) is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that which would be charged if the household were to occupy rental accommodation under that scheme.*

(2) In this Policy, residential development is taken to be for the purposes of affordable housing if the development is on land owned by the Land and Housing Corporation.

In this regard, the NSW Police have raised concerns about potential anti-social behaviour and increase in crime and have provided conditions to be included in the determination, if approved.

Construction

Should the application be approved, the applicant will be required to obtain a Construction Certificate. All works proposed with the development will need to comply with the Building Code of Australia and the applicable Australian Standards.

Submissions

One submission was received during the notification period and is attached as **Appendix C**.

| Name | Address | Town |
|-------------|------------------|-----------------------|
| Mr B French | 12 Haydon Street | MUSWELLBROOK NSW 2333 |

The concerns raised in the submissions are summarised below.

1. *Increase in noise due to increase population*

Comment: The proposed development does not include any balconies associated with each boarding room. Under the SEPP, boarding houses are required to provide communal living areas. The submitted plans indicate one communal living space on the first floor, which is fully enclosed.

From the review of the submitted documentation it is unlikely that there will be a substantial increase in noise.

2. *Overshadowing of adjoining dwelling*

Comment: The applicant has provided shadow diagrams, which shows that 12 Haydon Street will be heavily impacted by overshadowing during the winter months. However, on closer examination, the overshadowing from the development will be predominately over the existing dwelling. In this regard, 12 Haydon Street would still be able to achieve a minimum 4 hours of solar access to the rear of the property.

3. *Increase in traffic*

Comment: The application is being considered under State Environmental Planning Policy (Affordable Rental Housing) 2009. As mentioned earlier in the report, this SEPP provides different housing options for very low income households. In this regard, the development only proposes to provide four carparking spaces, 4 bicycle and 4 motorbike spaces.

4. *Lack of off street carparking*

Comment: The application is being considered under State Environmental Planning Policy (Affordable Rental Housing) 2009. This policy outlines a number of different criteria the applicant needs to address with the application for a boarding house. As discussed earlier, the development complies with the requirement under the SEPP.

5. *Potential lack of security and safety for adjoining residences*

Comment: From the plans submitted with the application, the rear of the proposed building contains 9 large windows which could allow the tenants to look into adjoining properties. From Council's GIS the adjoining properties to the rear of the site are approximately 20m from the proposed external wall of the boarding house. This distance provides suitable separation distance between the proposed boarding house and the existing dwellings.

In addition to the rear windows, the northern façade of the proposed building contains 6 large windows. Again, Council's GIS system indicates the distance from the northern wall to the adjoining dwelling is approximately 8 metres. The dwelling located at 16 Haydon Street is constructed quite close to the boundary and with the applicant proposing a 1.8m high timber fence, the possibility of loss of privacy is reduced.

Should the application be approved, conditions will be imposed regarding crime prevention and security of the site.

Public Interest

It is considered that the proposal is not contrary to the public interest due to one submission being provided and the development will provide a low income housing option to the community of Muswellbrook.

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. | Drawn by | Drawing Date |
|--|--------------------------|--------------|
| D.001 – Site plan, Site Analysis Plan and Landscape plan | White Dickson Architects | April 2017 |
| D.101 – Floor Plans | White Dickson Architects | April 2017 |
| D.102 – Floor Plans | White Dickson Architects | April 2017 |
| D.201 – Sections | White Dickson Architects | April 2017 |
| D.301 – Elevations | White Dickson Architects | April 2017 |
| D.401 – Shadow diagrams | White Dickson Architects | April 2017 |
| D.402 – Shadow diagrams | White Dickson Architects | April 2017 |
| Statement of Environmental Effects | White Dickson Architects | April 2017 |

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 Principal Certifying Authority 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 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.

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| OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION |
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4. Building Code of Australia

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

5. Boarding House legislation

The proposed boarding house must operate in accordance with the Boarding House Act 2012 and Boarding House Regulation 2013, or it's amended equivalent.

6. Affordable Rental Housing SEPP

The proposed development must comply with the requirements of the State Environmental Planning Policy (Affordable Rental Housing) 2009 or it's amended equivalent.

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| ANCILLARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE |
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7. 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 the Subdivision or Occupation Certificate.

8. 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.

9. Colours (External)

External colours shall be similar to traditional colour schemes appropriate to the type and architectural style of the building, and be complimentary to similar buildings in the immediate vicinity. Details of the proposed colour scheme are to be submitted to the Certifying Authority for approval with the Construction Certificate.

10. Bicycle and Motorbike Storage and Parking

Storage areas shall be provided for bicycles and motorbikes within the site to accommodate a minimum of four bicycles and 4 motorbikes. Such storage areas shall be designed in accordance with AS 2890.1. Details demonstrating compliance are to be submitted to the Certifying Authority for approval with the Construction Certificate.

11. Parking for People with Disabilities

A total of one car-parking spaces 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.

12. Off Street Car Parking

A total of four off-street car-parking spaces, together with access driveways, shall be constructed, paved and line marked 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.

13. Garbage and Recycling Facilities

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

- a) include provision for the separation and storage in appropriate categories of material suitable for recycling;
- b) the storage area shall be adequately screened from the street and located behind the building line;
- c) garbage enclosures serving residential units are to be located within areas designated for non-residential uses; and
- d) all waste is to be removed weekly from the site by a contractor and disposed of at a site approved for such purposes

Details of the storage area are to be provided to, and approved by the Certifying Authority prior to issuing of the Construction Certificate.

14. 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.

15. Access for People with Disabilities

Ramps and access for people with disabilities are to be provided to and within the entire 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.

16. Floor Levels for Flooding

Habitable floor levels adjacent to overland flow paths and flood affected land are to be minimum 500mm above the 1 in 100 year flood level. Plans and certification prepared by an appropriately qualified person demonstrating compliance with this requirement are to be submitted to the Certifying Authority for approval with the Construction Certificate.

17. Potential Flood Damage to Buildings

An assessment, report and certification by a qualified practising Consulting Engineer stating that the structure has been designed to withstand the flood pressures, including debris and buoyancy forces, imposed in the event of a 1% AEP flood and that the structure will not sustain unacceptable damage from the impact of floodwater and debris is to be submitted to the Certifying Authority for approval with the Construction Certificate.

18. Water Management Act 2000

Prior to the release of the Construction Certificate, the applicant is consult with, DPI Water to determine if a Controlled Activity Approval is required under the Water Management Act.

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| CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT |
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19. 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.

20. 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 is being carried out, but must be removed when the work has been completed.

21. 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.

22. 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.

23. Site Facilities

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

24. Water Meter

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

25. 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.

26. 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.

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| CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK |
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27. 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) 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.

28. 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.

29. Second Hand Materials

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

30. No Removal of Trees on Public Property

No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

31. Progress Survey – Major Development

In order to ensure compliance with approved plans, a Survey Certificate, to Australian Height Datum, shall be prepared by a Registered Surveyor as follows:-

- (a) at the initial footing/slab reinforcement inspection of the ground floor level indicating the level of that floor and the relationship of the building to the boundaries;
- (b) at the completed height of the building;
- (c) at completion, the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to points (a) through (c) shall be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed works.

32. 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.

33. 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.

34. 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 50°C

35. 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.

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| CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE |
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36. 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.

37. Fences – boundary

Prior to the issuing of any Occupation Certificate, the applicant shall install a 1.8m high timber paling fence for the north, south and western boundaries of the site.

38. Fences – gates

Access gates must be hung so that they do not encroach on a footpath or roadway.

39. 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.

40. 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

41. Operational Plan

The applicant shall submit to Council for approval prior to the issue of any Occupation Certificate an Operational Plan which is to include, but not limited to, the following:

- ☐ Compliance with the State Environmental Planning Policy (Affordable Rental Housing) 2009 or it's amended equivalent.
- ☐ Compliance with the Boarding House Act and Regulations.

42. Identification of Non Potable Water

Prior to the issuing of any Occupation Certificate, 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.

43. 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.

44. Allocation of Parking Areas

All required parking areas, driveways and turning areas shall be fully constructed, sealed and sign posted in accordance with the consent prior to the release of the Occupation Certificate.

45. Installation of Driveways

Prior to the issue of any Occupation Certificate the applicant shall provide a sealed vehicular access way, in compliance with the following:

- (a) the sealed vehicular access way shall comply with Muswellbrook Shire Council footpath, kerb and guttering policy to ensure that an 85th percentile vehicle (as defined as AS2890.1) will not scrape/strike the surface of the carriageway, layback, vehicular crossing or garage floor;
- (b) the width of the vehicular layback shall be a maximum of 6 metres (including the wings);
- (c) the crossing (between the layback and the property boundary) shall be placed on a single straight grade of between 2 & 5%, falling to the back of the layback;

46. Public Infrastructure Inspection

Prior to the issue of any 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.

47. Final Compliance Certificate for Water Supply and Sewerage Works

The final compliance certificate for water supply and sewerage works is to be obtained from Muswellbrook Shire Council Water & Waste Department and a copy must be submitted to the Principal Certifying Authority prior to release of any Occupation Certificate.

48. Evidence of mandatory inspections

Prior to the issue of any 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

49. Consolidation of lots

Prior to the issue of any Occupation Certificate, the applicant shall provide evidence to the Certifying Authority, which confirms Lots 1 and 2 DP 551973 have been consolidated into one title.

50. NSW Police – Maintenance Plan

Prior to the issue of any Occupation Certificate, the applicant shall provide to the Certifying Authority, a Site Maintenance Plan which as a minimum is to address repairs, rapid graffiti removal and general upkeep of the development.

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| CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES |
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51. Stormwater Disposal

All stormwater from the development including all hardstandings and overflows from rainwater tanks is to be collected and disposed of in accordance with the stormwater drainage plan.

52. 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.

53. Waste Collection

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

54. Noise from Rainwater Tank Pump

Pumps used in association with rainwater water supplies are not to exceed the ambient noise level by more than 5dB(A) when measured at the boundary.

55. Landscaping

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

56. Flood Evacuation Plan

A Flood Evacuation Plan for users of the development is to be prepared by the applicant and submitted to Council within six months of the occupation Certificate being issued. This Plan is to be maintained throughout the life of the development.

57. Traffic movements

All vehicles are to enter and leave the site in a forward direction at all times.

58. NSW Police – Lighting (external – general)

The applicant shall ensure, at all times, the external lighting complies with the applicable Australian Standard and is projected away from the building towards pathways and gates but not towards windows or doors.

Note: The use of sensor lighting can save on electricity as well as being a deterrent for uninvited persons.

59. NSW Police – Lighting (Carpark)

The applicant shall ensure, at all times, the lighting of the carparking area should be of a standard to allow clear vision after dark and illuminate the internal stairs. The interior paint colour should be white to help reflect the light.

60. NSW Police – Lights

The applicant shall ensure, at all times, the external lights in public areas are vandal resistant.

61. NSW Police – Access Control

- a) The external doors for the development shall be provided with an entry control system, like a keypad.
- b) Each entry door to the individual rooms shall be provided with a door viewer / peep holes at varying heights to accommodate disabled persons.
- c) The security gate to the carparking area shall remain closed before and after guests leave the site. At no time should the security gate remain open for convenience.

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.

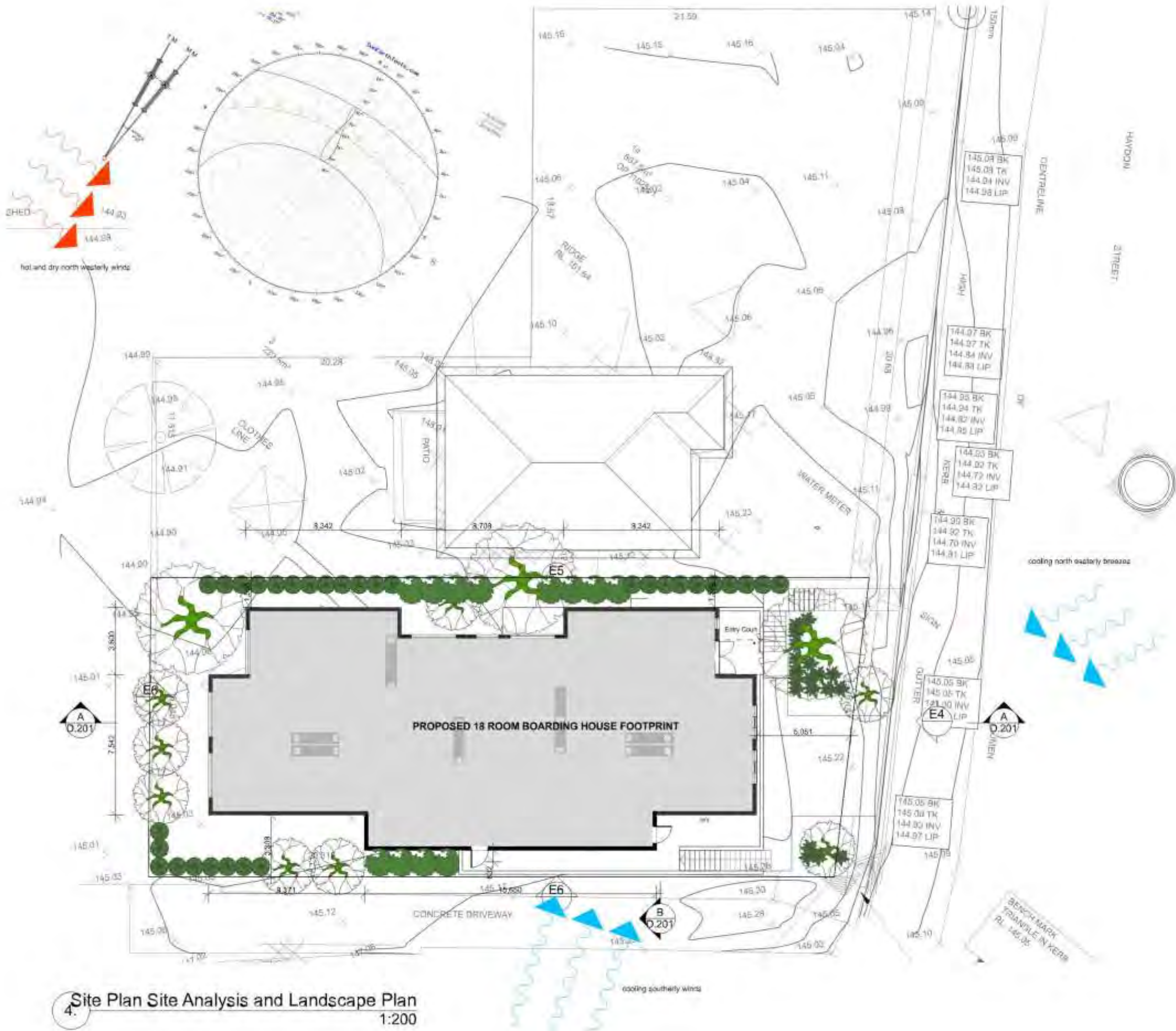
ADVICE:

(1) 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) Location of Mailbox

The mailbox erected to service the property shall not encroach on Council's footpath or kerb area.



is this drawing and the design related to the site or project, it is not a drawing.

This drawing is a site plan and landscape plan and must be used for reference only. It is not a drawing and must be used for reference only. It is not a drawing and must be used for reference only.

| Rev | Description | Date |
|------|-------------------------------|------------|
| DA_A | Development Application Issue | 06/04/2017 |

Landscape Planting Schedule

- Trees**
12-15m H 8m D: Brash Box (Lophoceros confertus)
2-3m H 2m D: Blueberry Ash (Elaeagnus reticulata)
- Shrubs**
1.5-2m H 1m D: Dwarf Lily Pilly (Syzygium Little)
1-2m H 1m D: Gynura Lily (Gynura conolopis)
- Groundcovers**
1-1.5m H 1m D: Suggan Buggan (Pilea subcordata)
0.5-1m H 1m D: Bonania (Bonania benedicti)



Nominated Architect
Andrew Dickson
Registration No. 7667 RAA

Haydon St Boarding House

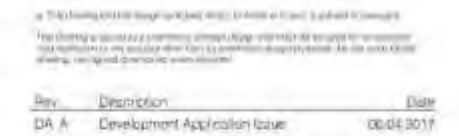
for Haydon Street Development Unit Trust

14 Haydon St, Muswellbrook NSW

Lots 1 and 2, DP 551973

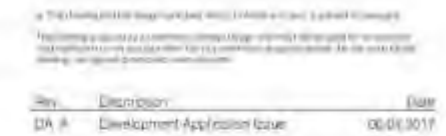
Site Plan, Site Analysis Plan, Landscape Plan

| | | |
|---------------------|------------|-------------|
| Scale @ A3 1:200 | April 2017 | Issue: DA_A |
| | | D.001 |



4. First Level Floor Plan
1:200





| | | |
|----------------------|------------|-------------|
| Scale 6: AS 1:200 | April 2017 | Issue: DA_A |
| | | D.102 |

This drawing is the property of White + Dickson Architects and is not to be used for any other purpose without the written consent of White + Dickson Architects. The drawing is issued as a preliminary design and is not to be used for construction. All dimensions are approximate and subject to change. The drawing is not to be used for any other purpose without the written consent of White + Dickson Architects.

| Rev | Description | Date |
|------|-------------------------------|------------|
| DA_A | Development Application Issue | 06/04/2017 |



A Section A-A
1:200



B Section B-B
1:200



Nominated Architect
Andrew Dickson
Registration No. 7057 RAA

Haydon St Boarding House

for Haydon Street Development Unit Trust

14 Haydon St, Muswellbrook NSW

Lots 1 and 2, DP 551973

Sections

| Scale @ A3 | April 2017 | Issue: DA_A |
|------------|------------|-------------|
| 1:200 | | D/201 |

1. This drawing and the drawings related to it are the property of White + Dickson Architects.
2. The drawing is issued as a preliminary design and should not be used for construction.
3. All dimensions are in millimetres unless otherwise stated. All dimensions are to the face of the work unless otherwise stated.
4. All dimensions are to the face of the work unless otherwise stated.

| Rev | Description | Date |
|------|-------------------------------|------------|
| DA_A | Development Application Issue | 06/04/2017 |

- Finishes Schedule:
- ce: white roof
 - de: powdercoat
 - di: cement render
 - gl: glazing with anodised aluminium framing
 - gr: fine mesh glass blocks
 - ic: false ceiling (suspended)
 - is: brickwork with matching mortar, sand brick hatched pattern
 - tr: timber floors
 - vd: powdercoat ventilation grilles and garage door



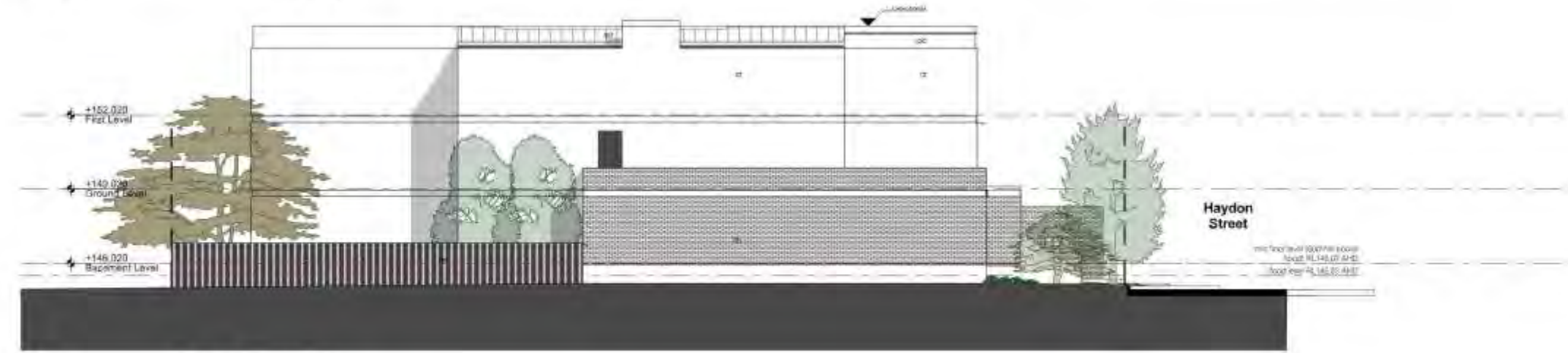
East Elevation (fronting Haydon St)
1:200



West Elevation
1:200



North Elevation
1:200



South Elevation
1:200



Nominated Architect
Andrew Dickson
Registration No. 7057 RAA

Haydon St Boarding House

for Haydon Street Development Unit Trust

14 Haydon St, Muswellbrook NSW

Lots 1 and 2, DP 551973

Elevations

| | | |
|---------------------|------------|-------------|
| Scale @ A3 1:200 | April 2017 | Issue: DA_A |
| | | D.301 |

This drawing and the design depicted herein is/are the property of the architect.
This drawing is issued as a preliminary design and must not be used for construction.
All dimensions are to be double checked by the client before construction.
Shading, scale and dimensions are approximate.

| Rev. | Description | Date |
|------|-------------------------------|------------|
| DA_A | Development Application Issue | 06/04/2017 |



Shadows March 21 9am



Shadows March 21 3pm



Shadows March 21 12pm



Nominated Architect
Andrew Dickson
Registration No. 7667 RAA

Haydon St Boarding House

for Haydon Street Development Unit Trust

14 Haydon St, Muswellbrook NSW

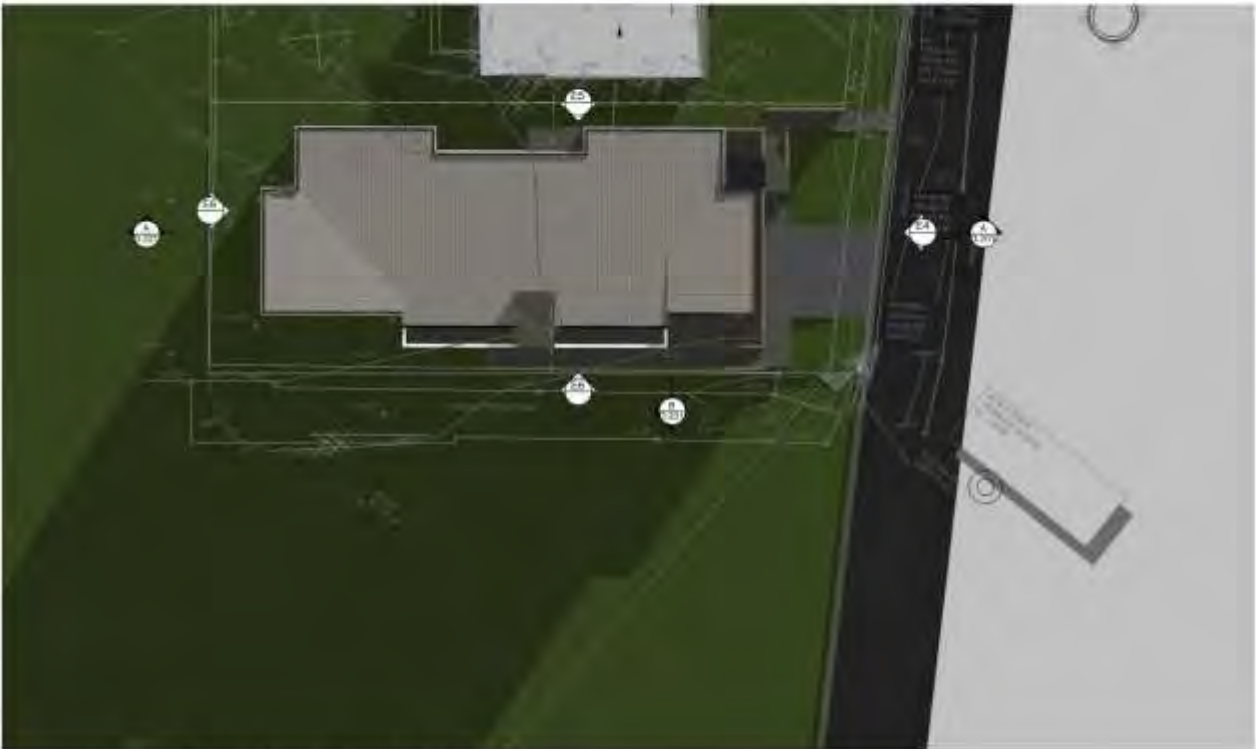
Lots 1 and 2, DP 551973

Shadow Diagrams

| | | |
|---|------------|--------------------------|
| Scale @ A3 1:250.04, 1:400, 1:323.06 | April 2017 | Issue: DA_A D.401 |
|---|------------|--------------------------|

This drawing and the design depicted herein is/are in part, a jointed development.
This drawing is issued as a preliminary design and must not be used for construction
without approval from the relevant authority. It is not to be used for
anything other than the purposes stated herein.

| Rev. | Description | Date |
|------|-------------------------------|------------|
| DA_A | Development Application Issue | 06/04/2017 |



Shadows June 21 9am



Shadows June 21 3pm



Shadows June 21 12pm



Nominated Architect
Andrew Dickson
Registration No. 7667 RAA

Haydon St Boarding House

for Haydon Street Development Unit Trust

14 Haydon St, Muswellbrook NSW

Lots 1 and 2, DP 551973

Shadow Diagrams

| | | |
|---|------------|--------------------------|
| Scale @ A3 1:250.04, 1:400, 1:322.83 | April 2017 | Issue: DA_A D.402 |
|---|------------|--------------------------|

**NSW Police Force**

Muswellbrook Shire Council
PO Box 122
Muswellbrook, NSW 2333

25 September 2017

Attention: Donna Watson
Development Planner

**RE: Development Application No. 70/2017 – Boarding House
Property: Lot 1 DP: 551973 – 14 Hayden Street Muswellbrook.**

Dear Donna,

A copy of the D. A. plans and a statement of environmental effects were forwarded to Hunter Valley Police for comment on the proposed development.

In April, 2001 the NSW Minister for Planning introduced Crime Prevention Guidelines to Section 79C of the Environment Planning and Assessment Act, 1979. These guidelines require consent authorities to ensure that development provides safety and security to users and the community. 'If a development presents a crime risk, the guidelines can be used to justify modification of the development to minimise crime risk, or, refusal of the development on the grounds that crime risk cannot be appropriately minimised.'

Crime Prevention Through Environmental Design (CPTED)

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space. Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

HUNTER VALLEY LOCAL AREA COMMAND

26 William Street Muswellbrook NSW 2333
T 02 6542 6999 EN 61999 F 02 6542 6911 EN 61911 W www.police.nsw.gov.au
TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

For non emergencies

CRIME STOPPERS (1800 333 000)

Report crime anonymously

- Maximize risk to offenders (increasing the likelihood of detection, challenge and apprehension).
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime)
- Minimise the actual and perceived benefits of crime (removing, minimizing or concealing crime attractors and rewards) and
- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalization of inappropriate behaviour)

The proposed development application is for the construction of 3 storey, 18 room boarding house with onsite parking. Currently the proposed location is a vacant block of land with residential houses on either side and nearby. Access to the development is from Haydon Street which is a local road used to access Wilkinson Ave for sporting facilities and other residence accessing their homes. Haydon Street is also used as a "rat run" for people trying to avoid the traffic control lights at Maitland and Sydney Street.

I have perused the plans and documents supplied by Muswellbrook Shire Council. The plans and documents supplied have a CPTED assessment included. I have assessed these document and have the following comments:-

There is no Crime Prevention through Environmental Design assessment attached to the plans. Therefore the following comments are made:-

Lighting:

Lighting should meet minimum Australian and New Zealand Standards. Lighting in the car park should be of a standard to allow clear vision after dark and illuminate the internal stairs. There should be an even distribution of effective lighting. The interior paint colour should be white to help reflect light.

External lights should be projected away from the building towards path ways and gates but not towards windows or doors. The use of sensor lights can save on electricity as well as being a deterrent for uninvited persons.

Lights in public areas should be vandal resistant. A **site maintenance plan** should be part of any approval addressing repairs, rapid graffiti removal and general up keep of the development.

Territorial Reinforcement:

The guardianship of the property will be mainly provided by the occupants. It is proposed that the development will have 1.8m high paling fence on both sides and rear. This will reduce any natural surveillance from nearby properties and poses as a target for graffiti. **Consideration** should be given to the construction of a steel security fence. This will allow natural surveillance into the property as well as reduce the opportunity for the fence being damaged due to graffiti.

Access control:

The development has a number of different access points both internally and externally. All windows and doors should be fitted with locks to the Australian and New Zealand standard. Most break ins occur at the side and rear of buildings.

Recommendation: That the external doors are fitted with entry control systems like a keypad as well as the door from the garage into the ground level lobby. Entry into the complex should be controlled by those living in the building.

Recommendation: That each entry door to the boarding rooms should be fitted with a door viewer/peep hole and perhaps two, at varying heights for the disabled access rooms. This allows identification of who is outside the door before opening it.

Recommendation: Appropriate signage to be displayed around the building to deter uninvited persons.

Car park: The plans state that the basement car park will have a roller door at the front. To reduce unauthorised entry into the building this roller door will need to be closed after use and not left open for convenience. All vehicle movement into and out of the car park should be in a forward movement as outlined in the plans.

The basement car park has made provisions for 4 car spaces, with 1 being designated for disabled parking. This may meet the requirements for the application but Police are concerned that with 18 rooms, there will be more residents with vehicles than car park spaces. Parking on the footpath or the street outside the development will present a danger to both pedestrians and vehicular traffic.

Further considerations:

The plans display 2 disabled access rooms. 1 room is on the first floor and 1 on the second floor. The building is serviced by a lift and stairs. There is no mention in the attached documents if there is a backup generator that will be used in the event of a power blackout or maintenance plan for other service difficulty with the lift. Police hold concerns that in the event that the lift is unserviceable or there is a fire, those disabled residents that rely on the lift and are unable to use the stairs, may be trapped.

Perhaps **consideration** should be given to the disabled rooms being placed on the ground floor level.

Conclusion

The New South Wales Police have a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this evaluation, any person who does so acknowledges that:

1. It is not possible to make areas evaluated by the NSW Police absolutely safe for members of the community or their property

2. It is based upon the information provided to the NSWP at the time the evaluation was made,
3. The evaluation is a confidential document and is for use by the consent authority or organizations referred to on page 1 only,
4. The contents of this evaluation are not to be copied or circulated otherwise than for the purposes of the consent authority or organization referred to on page 1.

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

We would like to thank you for the opportunity of inspecting the plans for this development and should you require further information on the subjects mentioned within this report feel free to contact Senior Constable Sheree Gray, Crime Prevention Officer, Hunter Valley LAC, Phone 6542-6999.

Yours sincerely



T. Seymour
Detective Chief Inspector
Crime Manager
Hunter Valley Local Area Command.

Barry Charles French
12 Haydon Street
MUSWELLBROOK NSW 2333
Phone: 0401 460 322

22 August 2017

Attention: The General Manager
Muswellbrook Shire Council
157 Maitland Street,
MUSWELLBROOK NSW 2333

Dear the General Manager,

I Barry Charles French of 12 Haydon Street, Muswellbrook am writing to express my concerns with the proposed Boarding House Development at 14 Haydon Street, Muswellbrook (DA 70/2017).

My concerns with this development are:

- Increase in noise due to the increased population
- Over shadowing of my house and yard due to the large scale of the development
- Increased traffic on the road and not enough car spaces for the proposed 18 rooms
- Increased pedestrian traffic of people coming and going from the proposed boarding house
- Perception of security and safety issued with an increased population
- Disruption to the neighborhood and the closely connect community

I can be contacted on 0401 460 322 or via post.

Kind regards,

Barry Charles French

Barry C. French
J.P. No 147213

10.2 DEVELOPMENT APPLICATION NO 33/2017 - CONVERSION OF GARAGE INTO GRANNY FLAT, 93 QUEEN STREET, MUSWELLBROOK

| | |
|---------------------------------|--|
| Responsible Officer: | Fiona Plesman - Director - Planning, Community & Corporate Services |
| Author: | Donna Watson - Development Planner |
| Community Plan Issue: | <i>Continue to improve the affordability, livability and amenity of the Shire's communities</i> |
| Community Plan Goal: | <i>Facilitate the provision of affordable housing opportunities through development application process as encouraged through the Affordable Rental Housing SEPP 2009.</i> |
| Community Plan Strategy: | <i>Facilitate the provision of affordable housing opportunities through development application process as encouraged through the Affordable Rental Housing SEPP 2009.</i> |
| Attachments: | A. Conditions B. Submission C. Plans |

Documents reference to in the assessment but 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
- Interim Construction Noise Guidelines
- 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

| | |
|------------------------|---|
| Applicant: | Mrs S Pearce |
| Owner: | Mr and Mrs Pearce |
| Proposal: | Conversion of garage to a Granny Flat |
| Location: | Lot 489 DP 791056 93 Queen Street, Muswellbrook |
| Permissibility: | The proposed development is permissible as a secondary dwelling within the R1 General Residential Zone |
| Recommendation: | Approval |

RECOMMENDATION

Development Application No. 33/2017 proposing a secondary dwelling at Lot 489 DP 791056, 93 Queen Street, Muswellbrook 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**PURPOSE OF REPORT**

The application is being reported to Council due to one submission being received.

REPORT**1.0 BACKGROUND**

A review of Council's Application register, the following applications were found:

- Development application 320/1997 – inground swimming pool
- Building Application 47/1994 being for a retaining wall
- Building Application 118/1992 being for construction of new dwelling.

2.0 SITE AND LOCALITY DESCRIPTION

The site is located in the residential area known as North Muswellbrook. The surrounding land contains dwellings and associated structures, like garages and swimming pools.

The site slopes towards the rear of the lot and has the Council sewer main running through the middle of the lot parallel to Queen Street.

3.0 DESCRIPTION OF PROPOSAL

The applicant is seeking permission to convert the existing garage into a secondary dwelling. The floor area of the secondary dwelling is approximately 93m². The secondary dwelling is proposing to contain two bedrooms, living room, kitchen / dining and a combined bathroom and laundry.

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

5.1 External Referrals

No external referrals were required.

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.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The proposed development is for the conversion of the existing garage to accommodate a secondary dwelling. In this regard, the SEPP applies to this development and Schedule 1 outlines development standards which need to be complied with.

| Clause | comments |
|--|--|
| <i>Part 2 Site requirements</i> | |
| <i>2 Lot requirements</i> | The lot contains a principal dwelling and both dwellings will utilise the existing driveway. |
| <i>3 Maximum site coverage of all development</i> | The lot has an area of 8829.5m ² . Complies with the 30% requirement |
| <i>4 Maximum floor area for principal and secondary dwelling</i> | The proposed development complies with Clause 5.4 of the Standard LEP Instrument by having a floor area of no more than 33% of the principal dwelling. |

| <i>Clause</i> | <i>comments</i> |
|--|---|
| <i>5 Setback and maximum floor area for balconies, decks, patios, terraces and verandahs</i> | The applicant is not proposing any decks, balconies, patios, terraces or verandahs. |
| <i>Part 3 Building Heights and setbacks</i> | |
| <i>6 Building Height</i> | The structure is existing and will be converted, if approved. The approximate height of the garage is 5m. The MLEP specifies a maximum height of 8.5m |
| <i>7 Setback from roads, other than classified roads</i> | The structure is located towards the rear of the property and exceeds the minimum requirement of 10m. |
| <i>8 Setback from classified roads</i> | Not applicable |
| <i>9 Setbacks from side boundaries</i> | The existing structure is located 4.2m from the closest side boundary. The requirement under the SEPP is 2.5m, therefore complies. |
| <i>10 Setbacks from rear boundaries</i> | The existing structure is located approximately 30m from the rear boundary. The requirement under the SEPP is 10m and therefore complies. |
| <i>11 Exceptions to setbacks</i> | Not applicable |
| <i>12 Calculating setbacks</i> | Noted |
| <i>13 Building articulation</i> | Noted |
| <i>14 Building elements within the articulation zone to a primary road</i> | Not applicable |
| <i>15 Privacy</i> | The applicant is proposing landscaping on the western boundary to provide additional screening from the adjoining property. |
| <i>Part 4 Landscaping</i> | |
| <i>16 Landscaped area</i> | The lot has an area of 8829.5m ² and has existing landscaping. In addition to this existing landscaping, the applicant is proposing further planting along the western boundary to increase screening of the adjoining property. |
| <i>17 Principal private open space</i> | The development is proposing to have 100m ² of private open space. Therefore, complies. |
| <i>Part 5 Earthworks and Drainage</i> | |
| <i>18 Earthworks, retaining walls and structural support</i> | Not applicable |
| <i>19</i> | Repealed |
| <i>20</i> | Repealed |
| <i>21 Drainage</i> | The drainage of the existing structure will not be changed. Complies. |
| <i>22 Setbacks of secondary dwellings and ancillary development from a protected tree</i> | Not applicable |

Muswellbrook Local Environmental Plan 2009 (MLEP 2009)

Land Use Zone and Permitted Land Use

The development site is zoned R1 General Residential pursuant to MLEP 2009 and the proposal is best defined as a secondary dwelling, which is permitted with consent in the subject Zone.

Objectives of the R1 General Residential Zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To enable sensitive infill development of other housing types.*
- *To allow people to carry out a reasonable range of activities from their homes, where such activities do not adversely affect the living environment of neighbours.*
- *To promote the principles of ecological sustainable development including energy and water efficient subdivision and housing design.*
- *To minimise the impact of non-residential uses and ensure these are in character and compatible with surrounding development.*
- *To ensure that development is carried out in a way that is compatible with the flood risk of the area.*

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 4 Principal development standards</i> | |
|--|---|
| <i>4.1 Minimum subdivision lot size</i> | MLEP 2009 specifies a minimum lot size of 600m ² in relation to the land. The proposal does not seek to subdivide the land, and therefore complies with this development standard. |
| <i>4.3 Height of buildings</i> | MLEP 2009 specifies a maximum building height of 8.5m in relation to the land. The proposal is utilizing the existing building and the existing height is no more than 5m. |
| <i>4.4 Floor space ratio</i> | MLEP 2009 specifies a floor space ratio of 0.5:1 in relation to the land. The proposal does not involve building works that would result in floor space greater than 0.5:1 of the site. |
| <i>Part 5 Miscellaneous provisions</i> | |
| <i>5.4 Controls relating to miscellaneous permissible uses</i> | <p>The proposed development is defined as a <i>Secondary Dwelling</i>. In this regard, the criteria which the application is to meet is:</p> <p><i>If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:</i></p> <p>(a) 60 square metres, (b) 33% of the total floor area of the principal dwelling.</p> <p>In this regard, the principal dwelling has an approximate floor area of 325m². The floor area of the proposed secondary dwelling is 93m². For the proposed development to meet the above criteria, the secondary dwelling needs to have a maximum floor area of 107m².</p> <p>From the plans provided with the application, the proposal does comply with the criteria for secondary dwellings.</p> |

Muswellbrook 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 19 April 2017 to 3 May 2017. 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 6 – Residential Development

| | Comments |
|---|--|
| 6.1 Built Form | |
| 6.1.1 Context | The building is existing. The proposal involves some external modifications to the façade of the shed. However, the footprint of the building will remain unchanged. |
| 6.1.2 Front Setbacks | The front setback requirement is 4.5m. the structure is located towards the rear of the property and complies with the setback. |
| 6.1.3 Side and Rear Setbacks | The side setback is a minimum of 4m and the rear setback is 30m. |
| 6.1.4 Building Height and Scale | The building is existing and was approved prior to any height requirement. However, the structure is no more than 5m in height and therefore complies with the MLEP requirement of 8.5m. |
| 6.2 Urban Landscape | |
| 6.2.1 Usable Open Space | The applicant has provided 100m ² of open space dedicated to development in accordance with the requirements of BASIX. |
| 6.2.2 Carparking | The structure has an attached double carport which will be used for vehicles. |
| 6.2.3 Landscaped Area | The submitted plans include additional landscaping on the western boundary to create additional screening to the adjoining dwelling. |
| 6.2.4 Landscaping | The proposed landscaping is sufficient. |
| 6.2.5 Dual Occupancy Housing, Multi Dwelling Housing and Secondary Dwellings | <p>Occupancy Rates</p> <p>Secondary dwelling = 2 bedrooms = 1.79 persons Existing dwelling = maximum 5 bedrooms = 3.02 persons</p> <p>This equates to a proposed density of 4.81 persons.</p> <p><u>Maximum Density</u> The maximum density is calculated on 60 persons per hectare as stated by the Australian Bureau of Statistics. In this regard, this equates to 1 person</p> |

| | |
|--|--|
| | Comments |
| | for every 166.67m ² . |
| | 8829.5 /166.67m ² = 53 persons |
| | The maximum permissible density is 53 persons, therefore, the proposal <u>does</u> comply with the requirements. |

Section 16 – Car Parking and Access

The DCP does not have a requirement for carparking for secondary dwellings. However, the applicant has advised in the supporting documentation, that there is an attached carport to the existing building. This area will be used for parking.

Section 23 – On-site Sewage Management Systems

The proposed development will not be able to connect directly into Council's sewer system. In this regard, the applicant will need to install an on site waste water system (septic) and this will be pumped out to Council's system.

The applicant has discussed this proposal with Council's Water and Waste Section of Council and they have confirmed this proposal is suitable.

Section 94A Contributions Plan 2009

Council's Section 94A Contributions Plan 2010 applies to the land. However, under Clause 25J(3)(l) of the Environmental Planning And Assessment Regulation 2000, no Section 94A contributions can be implied. Clause 25J(3) states:

- (3) *The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*
- (a) *the cost of the land on which the development is to be carried out,*
 - (b) *the costs of any repairs to any building or works on the land that are to be retained in connection with the development,*
 - (c) *the costs associated with marketing or financing the development (including interest on any loans),*
 - (d) *the costs associated with legal work carried out or to be carried out in connection with the development,*
 - (e) *project management costs associated with the development,*
 - (f) *the cost of building insurance in respect of the development,*
 - (g) *the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),*
 - (h) *the costs of commercial stock inventory,*
 - (i) *any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law,*
 - (j) *the costs of enabling access by disabled persons in respect of the development,*
 - (k) *the costs of energy and water efficiency measures associated with the development,*
 - (l) *the cost of any development that is provided as affordable housing,*
 - (m) *the costs of any development that is the adaptive reuse of a heritage item.*

This is due to the application being lodged under State Environmental Planning Policy (Affordable Rental Housing) 2009.

Submissions

One submission was received during the notification period and is attached as **Appendix B**.

| Name | Address | Town |
|-------------------|-----------------|--------------|
| Mr and Mrs Galvin | 95 Queen Street | Muswellbrook |

The concerns raised in the submissions are summarised below.

1. *Inadequate plans*

Comment: Council requested revised plans from the applicant to fully depict the development. These revised plans were received and met Council's requirements. Further, the revised plans were sent to the objectors for their information.

2. *Floor size of the proposed development appears too large for a Secondary Dwelling.*

Comment: Clause 5.4 of the Muswellbrook Local Environmental Plan 2009 specifies the criteria that secondary dwellings must meet. In this regard, the applicant has advised the principal dwelling has a floor area of 325m².

Under Clause 5.4, the secondary dwelling is to be 60m² or 33% of the principal dwelling whichever is the greater. In this instance, the secondary dwelling has a minimum floor area of 96m², which means the development has used the second component to Clause 5.4. By using the 33% provision, the secondary dwelling could have been constructed to a maximum floor area of 107m².

3. *Increased traffic, noise and dust*

Comment: Access to the secondary dwelling will be via the existing driveway, which is located on the eastern side of the property (adjoining the reserve and 89 Queen Street). With the secondary dwelling utilising the existing driveway, the potential impact for increase in noise and dust is minimal. The consideration of a secondary dwelling will not dramatically increase traffic along Queen Street.

7.0 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 submissions 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. | Drawn by | Drawing Date |
|---------------|----------------------------|--------------|
| Sheet 1 and 2 | P B Eveleigh Plan Services | 27 June 2017 |
| | | |

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.

4. Home Building Act

- (1) Building work that means residential building works (under the meaning and exemptions of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development which the work relates:
 - (a) In the case of work being carried out by a licensed builder :
 - (i) Has been informed in writing of the licensee's name and license number, and;
 - (ii) Has received Home Owners Warranty Insurance for works where the contract price of the works exceeds \$20,000.
 - (b) In the case of an Owner Builder:
 - (i) Has been informed in writing of the person's name and Owner Builder permit number where the cost of works is greater than \$10,000, or;
 - (ii) Has been given declaration signed by the owner of the land that states that the reasonable market cost of the labour and materials is less than \$10,000.
- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date,

further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

- Note: (1) The amounts referred to in point 1 may be subject to change as regulations are amended.
- (2) An owner that engages multiple licensees/contracts or contracts for part of the work and completes work themselves is considered an Owner Builder under the *Home Building Act 1989*.

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

5. 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 the Subdivision or Occupation Certificate.

6. BASIX Commitments

Under clause 97A(3) of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. Details and plans demonstrating compliance with these requirements are to be submitted to the Certifying Authority for approval with the Construction Certificate.

In this condition:

- (a) relevant BASIX Certificate means:
- i. a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - ii. if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- (b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.

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|--|
| CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT |
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7. 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.

8. 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.

9. 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.

10. Site Facilities

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hoarding) before work commences.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians.
- (c) Any such hoarding or fence is to be removed when the work has been completed.
- (d) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (e) Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.
- (f) Each toilet provided must:
 - be a standard flushing toilet, connected to a public sewer, or
 - if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or

- an approved temporary chemical closet.
- (g) The provision of toilet facilities must be completed before any other work is commenced.
- (h) A person having the benefit of this certificate who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land must at their own expense and where necessary:
 - protect and support the building from damage, and
 - If necessary, underpin and support the building in accordance with the details prepared by a professional engineer.
- (i) A person having the benefit of this certificate who causes the excavation must, at least 7 days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and provide particulars of the proposed work.
- (j) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site.

| |
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| CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK |
|--|

11. 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.

12. Demolition

- (a) All demolition work must be executed safely and in accordance with appropriate professional standards.
- (b) All demolition work 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.

13. 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 50°C.

14. 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

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.

| |
|--|
| CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE |
|--|

15. 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.

16. Domestic Works as Executed Plans

Prior to the issue of an 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.

17. 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

| |
|---|
| CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES |
|---|

18. Stormwater Disposal

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

19. 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, dust and waste.

20. Development within boundaries

The applicant shall ensure that the development, including driveways and landscaping, is wholly within the property boundaries at all times.

21. Single Shared Access point

The proposed development is to utilise the existing driveway access point to the site at all times. No consideration has been given for a second driveway access.

22. Driveway – Maintenance

The driveway to the secondary dwelling is to be maintained at all times to reduce potential dust impacts to adjoining property owners.

| |
|---|
| 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: |
|----------------|

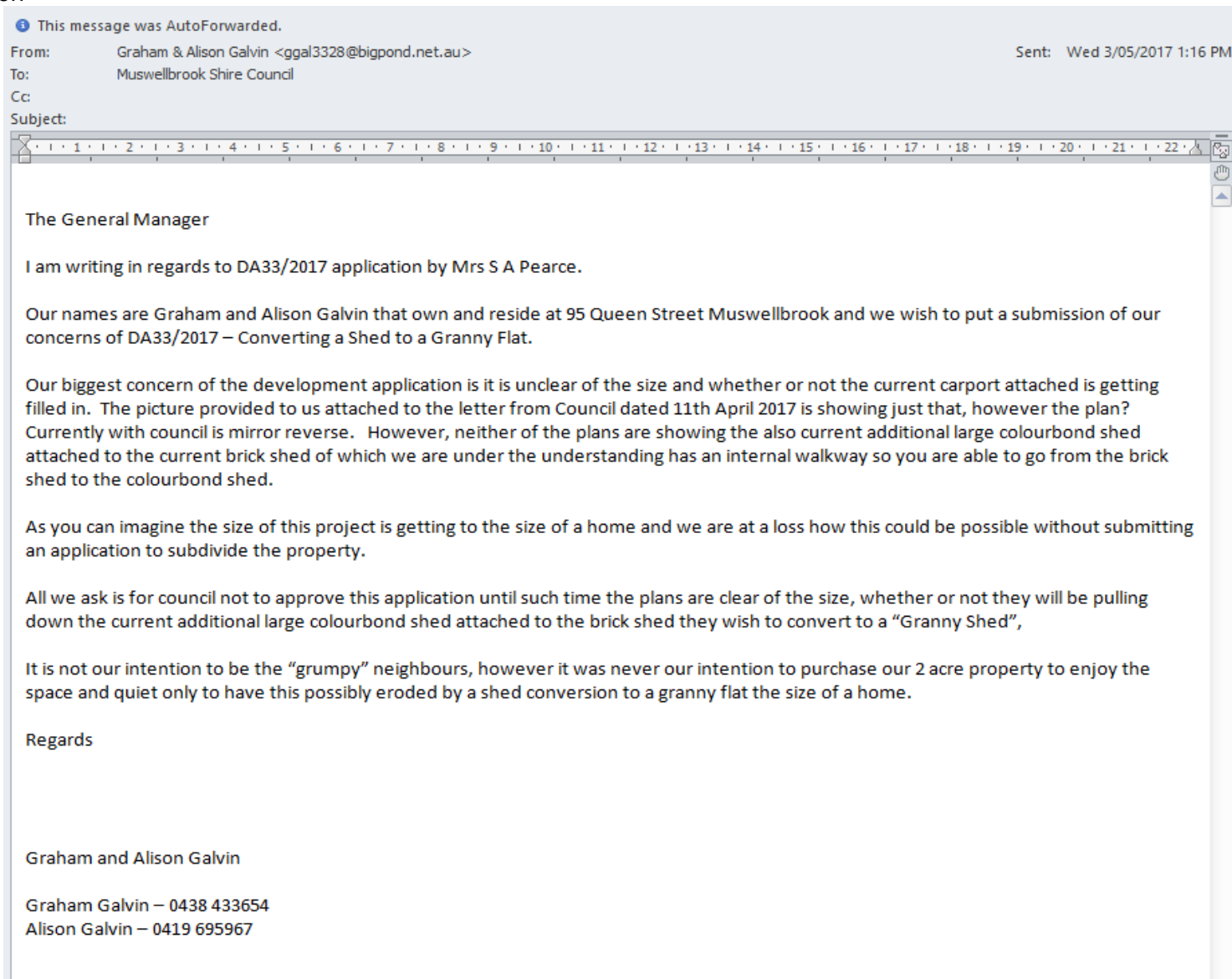
(1) Location of Services

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) Wet Areas

The wet areas in the building are to be impervious to water as required by P2.4.1 of the Building Code of Australia (Housing Provisions). On completion of waterproofing a certificate shall be furnished to the Principal Certifying Authority verifying that the waterproofing has been completed in accordance with the manufacturer's specifications and AS 3740-1994.

First submission



Further submission

③ You replied to this message on 25/09/2017 8:56 AM.

From: Graham & Alison Galvin <ggal3328@bigpond.net.au> Sent: Mon 25/09/2017 6:52 AM
To: Donna Watson
Cc:
Subject: Fwd: Da 2017-033 conversion of garage to granny flat

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

The General Manager

We are writing in regards to the amended DA33/2017 application by Mrs SApearce.

As mentioned in our previous submission dated 3 May 2017 the conversion of garage and attached coloured bond shed to "granny flat" is getting to a size of a house.

After speaking with Pathun on Friday afternoon he explained the zoning of our properties changed to Zone R1 Residential in 2009 which I believe provides the opportunity to have a granny flat after approval from council.

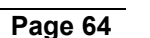
It is our belief this application is not compliant to State Environmental Planning Policy (Affordable Rental Housing) 2009. Part 2/4/1 - states The floor area of a secondary dwelling (excluding any ancillary development) must not be more than 60 square meters. We were informed by Pathun the application is 96 square meters of floor area.

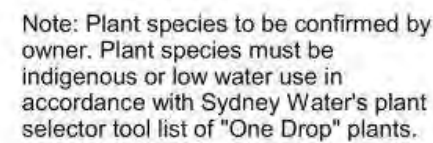
Apart from the oversized floor area it is also our concern of the increased traffic, the access to the "Granny Flat", the plan does not show this. The noise the additional traffic may provide. Due to the length of the driveway will the access road be sealed to reduce the potential dust, especially in these dry conditions as well as reduce the excess noise due to increased traffic.

We ask Council not to approve this application taking into consideration the floor area and access to the secondary dwelling.

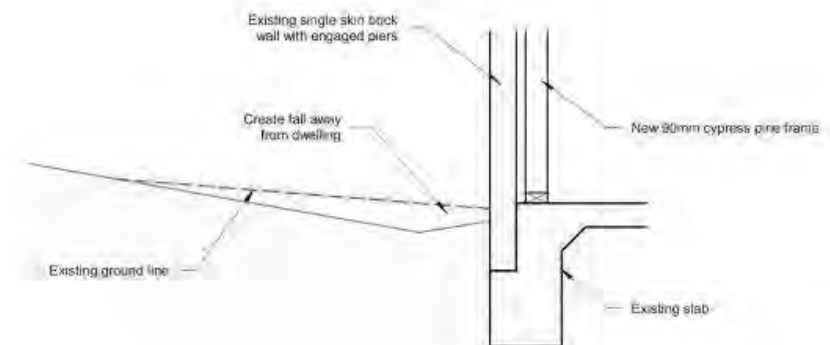
Regards
Graham and Alison Galvin

Graham Galvin - 0438 433654
Alison Galvin - 0419 695967





Ensure adequate falls away from the slab/footing for all subsequently constructed paved areas.

[illegible]

11 COMMUNITY INFRASTRUCTURE

Nil

12 CORPORATE AND COMMUNITY SERVICES

12.1 CULTURAL HARVEST FESTIVAL

| | |
|---------------------------------|--|
| Attachments: | A. Regional Cultural Fund Application |
| Responsible Officer: | Fiona Plesman - Director - Planning, Community & Corporate Services |
| Author: | Brad Franks - Acting Manager, Cultural and Community Services |
| Community Plan Issue: | <i>Facilitate cultural activities and events which engage the community and visitors, and which create a 'sense of place' and identity</i> |
| Community Plan Goal: | <i>Continue the provision of arts appreciated through the Muswellbrook Regional Arts Centre</i> |
| Community Plan Strategy: | <i>Investigate opportunities to improve regional support and recognition of the Muswellbrook Regional Arts Centre.</i> |

PURPOSE

To advise Muswellbrook Shire Council on the proposal for Cultural Harvest: The Muswellbrook Autumn Art Festival, its funding model and its significance in the bringing the Muswellbrook Art Prize to the wider community and its potential to attract visitors to the Muswellbrook Shire.

OFFICER'S RECOMMENDATION

Council endorse the proposed inaugural Cultural Harvest: The Muswellbrook Autumn Art Festival.

Moved: _____ **Seconded:** _____

BACKGROUND

Following the recent success in securing increased external sponsorship for a re-annualised Muswellbrook Art Prize the opportunity has been identified to combine a number of cultural activities with the weekend of the 2018 Muswellbrook Art Prize Opening night and major Prize Announcements to create an art festival, thus building on the high level of participation in both the Prize itself and the Opening Night.

CONSULTATION

Director Planning, Community and Corporate Services

Manager Community Services

Arts Centre Manager

Public Programs Officer

Executive Services Co-ordinator

Executive Manager, Economic Development & Innovation

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor Jason Foy, Cultural Spokesperson

REPORT

The Muswellbrook Art Prize began in 1958 as a feature of the Muswellbrook Festival of Valley. Over the past 59 years various community cultural festivals and fairs have flourished and, as is natural, withered in Muswellbrook. Most recently in the cultural sphere, the Muswellbrook Creative Arts Fair was abandoned after the 2015 event.

However, currently the premier cultural event in the Upper Hunter Region and one of the richest art prizes in rural Australasia, the Muswellbrook Art Prize attracts both a large number of entries from across the country to the three sections of the Prize: painting, works on paper & ceramics and a large number of visitors to Muswellbrook, especially for the opening night, held on the Saturday evening, when the guest adjudicator makes their announcement of the Prize winners to the assembled crowd and the media.



Cr Martin Rush Mayor of Muswellbrook, adjudicator Prof. Ian Howard and Bengalla Mining Company Pty Limited representative Cam Halfpenny at the 2017 Muswellbrook Art Prize Opening Night with the winning painting, Geoff Harvey's My Grandfather's Shed.

With this in mind Muswellbrook Shire Council has applied for grant funding of \$28,000.00 to conduct "Culture Harvest: The Muswellbrook Autumn Art Festival" from the Regional Cultural Fund 2017.

Culture Harvest aims to build on the success of the Muswellbrook Art Prize by bringing together a number of cultural events to occur under the Cultural Harvest banner over the weekend of the Art Prize opening thus allowing both locals and visitors to the Upper Hunter Region to attend a number of culturally orientated events and further establish both the Art Prize and Muswellbrook as major cultural destinations while providing the local community with a festival built on the cultural tradition of Muswellbrook and the Upper Hunter Region.

The proposed programme for Culture Harvest is as follows:

Friday 9 March 2018: 'Yield' emerging Newcastle artist Ben Kenning launches the Festival on the Friday evening by creating a spontaneous improvised mural at the rear of the Campbell's Corner building by reacting to live music performed by the Upper Hunter Conservatorium of Music Ensemble accompanied by further improve by Newcastle based dance troupe Catapult Dance.



Artist Ben Kenning with one of his artworks

Saturday 10 March, 2018: 'Beastman' the Festival continues during the day with the launch of the community mural project for the eastern wall of the Indoor Sports Centre & Skate Park with Bradley 'Beastman' Eastman, internationally recognised mural artist.



An insitu creations by mural artist Beastman



Examples of what could be placed on the wall of the Indoor Sports Centre

'Muswellbrook Art Prize' the Opening Night and official announcement of the winners of the 2018 Prize, accompanied by an exhibition of art works recently acquired for the Max Watters Collection. Entertainment at the Opening Night will be provided by the Upper Hunter Conservatorium of Music Ensemble and Catapult Dance.



Poster for the recent Catapult production featuring Muswellbrook High School students ON-SITE at the Muswellbrook Regional Arts Centre in August this year

Saturday & Sunday 10 & 11 March 2018: The Festival continues all weekend with Arts Upper Hunter Incorporated providing the Upper Hunter Arts Trail allowing visitors to explore the galleries and other cultural sites of the Upper Hunter Region, including a selection of local artists' studios.

The programme is designed to encourage locals to attend and visitors to stay for the weekend.

For further details of the programming please refer to attachment A.

BUDGET

Council has applied for funding for the following under the NSW Government Regional Cultural Fund.

* YIELD Event (Friday evening) Budget

| | |
|----------------------------|----------------|
| Artist Fees Ben Kenning | \$1500 |
| Artist Fees Catapult Dance | \$1500 |
| Ensemble Fee | \$1000 |
| Lights and filming | \$1600 |
| Total | \$6,600 |

** Beastman Mural Indoor Sports Centre Budget

| | |
|-------------------------------|--------------------|
| Artist Fee | \$19,800 |
| Fitout Ply and install | \$5,000 |
| Elevated equipment and lights | \$3,000 |
| Total | \$27,800.00 |

NB: The 2018 Muswellbrook Art Prize is already funded and the Upper Hunter Arts Trail is supported by Arts Upper Hunter Incorporated.

CONCLUSION

The benefits of the establishment of a cultural festival built around the success of the Muswellbrook Art Prize are of such significance to the wellbeing (sociologically, educationally and financially) of the communities of Muswellbrook and the Upper Hunter Region.

SOCIAL IMPLICATIONS

Culture Harvest: The Muswellbrook Autumn Art Festival will provide both local communities and visitors to the Region with art experiences of the highest standard across a broad range of interdisciplinary arts practice.

This in turn will assist in the re-vitalisation of the Region as a centre of excellence for the arts, education and culture. This re-vitalisation along with the current and ongoing diversification of the Region's economic base will assist in the creation of a sense of place, and a sense of pride throughout the community.



Part of the wall of the proposed community mural project which would be launched as part of the Culture Harvest Festival

FINANCIAL IMPLICATIONS

Culture Harvest: The Muswellbrook Autumn Art Festival will provide financial stimulus to the arts of the Region by attracting increasing numbers of cultural visitors. This will have a flow on to other tourism related businesses such as accommodation, food & beverage and retail.

Culture Harvest is subject to a grant application to the Regional Cultural Fund 2017.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

Muswellbrook Shire Council Community Strategic Plan 2017-2027 Objective 4, Cultural Vitality, Delivery Program Goal 18: Facilitate cultural activities and events which engage the community and visitors, and which create a 'sense of place' and identity.

Upper Hunter Regional Cultural Development Strategy 2017-2021: Performance and Fine Arts Strategy
10. Support infrastructure spending on cultural infrastructure that facilitates significant growth in the cultural economy and cultural tourism.

RISK MANAGEMENT IMPLICATIONS

A risk review will be conducted by the Culture Harvest Festival Working Group.

For further details please refer to attachment A.

Regional Cultural Fund 2017 (Round 1) OPERATIONAL RCF Operational Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

Overview and Eligibility

* Indicates a required field

Overview

Grants are available to provide support to arts and cultural organisations to deliver projects in their community that promote access to quality experiences.

Funding Amount

There is no minimum or maximum amount for this grant category.

Refer to the [Regional Cultural Fund Guidelines](#) for details. It is critical you read the guidelines before progressing with your application to ensure you and your project meets the eligibility requirements.

Please confirm you have read and understood the Regional Cultural Fund Guidelines. *

☒ Yes

What is an operational grant?

Operational grants support the delivery of arts, cultural, screen projects in a community. These projects must be attached to an existing piece of cultural infrastructure like a museum or gallery.

What types of projects are eligible?

- Digitisation of a cultural collection which would then be available to the public.
- Employment of someone to support the creation of cultural infrastructure.
- Projects that support community access and engagement in arts, screen and heritage.

What types of projects are ineligible?

- Projects that relate primarily to ongoing operational expenditure such as regular maintenance or utility bills.
- Employment of permanent staff.
- Marketing or advertising.

Eligibility

Purpose

Applicants must clearly demonstrate that their project will be used primarily for arts, cultural or historical purposes, and/or to improve the usability of arts and cultural facilities. The project cannot be for exclusive private benefit.

Is your project primarily for arts, cultural or historical purposes and

☒ Yes ☐ No (You're not eligible)

Regional Cultural Fund 2017 (Round 1) OPERATIONAL RCF Operational Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

not for exclusive private benefit? *

Location

To be eligible to apply for the Regional Cultural Fund your organisation must be located in a regional local government area, that is the 92 local councils outside of Sydney, Newcastle and Wollongong.

Which is your LGA? *

Muswellbrook Shire Council

If your LGA is not listed you are not eligible

Timing

Your project must commence within 12 months and ideally be completed within two years from when funding is approved.

Confirm your project can commence within 12 months of funding being awarded. *

☒ Yes ☐ No (Consider applying for a later funding round)

Co-investment

You must demonstrate that you have maximised other co-investment opportunities including your organisation, Local Government, the Commonwealth or other industry contributions.

Have you confirmed co-funding for this project? *

☒ Yes (Please detail in the Budget section) ☐ No

If NO, to the above, please detail any attempts you have made to attract additional funding.

Maximum 150 words

Do you meet all eligibility requirements? *

☒ Yes ☐ No (you are not eligible to apply)

Don't meet all the criteria?

If your project does not meet the applicant eligibility conditions and you feel it should, please contact the Regional Cultural Fund team to discuss. If you submit an application that is not eligible, you will be notified after the grant round has closed. This will give you time to address ineligible matters and reapply in the next round.

For more information on eligibility including examples of eligible and ineligible projects refer to page 4 of the Regional Cultural Fund Guidelines.

If you require further information please call 8289 6575 or email regional@arts.nsw.gov.au

Regional Cultural Fund 2017 (Round 1) OPERATIONAL

RCF Operational

Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

Completing the application

- Remember to **save the form on a regular basis.**
- Applications **MUST** be **submitted prior to midnight of the closing date (Monday 4 September 2017).**

Applicant Details

* Indicates a required field

If an individual Business Unit of a LGA (e.g. gallery/theatre) does not have its own ABN, an application must be submitted by the LGA on behalf of the Business Unit. In this case, provide the LGA details here and complete the Business Unit details on the next page.

Are you a LGA applying on behalf of a Business Unit? *

☒ Yes ☐ No

Organisation Legal Name *

Muswellbrook Shire Council

Organisation Trading Name (if applicable)

What is your organisation's legal status? *

- ☐ Not for profit incorporated body
☐ Co-operative or trust
☒ Local government authority
☐ For-profit incorporated body

For-profit organisations should refer to the section on eligibility in part three of the ACDP Guidelines on the Create NSW website.

The applicant organisation: *

- ☒ Owns the land & premises or facility
☐ Is the trustee, having care, control and management of the land & premises or facility
☐ Possesses an instrument of tenure (e.g. lease or user agreement) for the premises or facility and has the approval of the owner to undertake construction, extension or improvement of premises

Contact Details

Street Address *

157 Maitland Road
MUSWELLBROOK NSW 2333

Postal Address *

PO Box 122
MUSWELLBROOK NSW 2333

Phone *

Email *

Website

Regional Cultural Fund 2017 (Round 1) OPERATIONAL RCF Operational Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

(02) 6549 3700

grants@muswellbrook.nsw.gov.auwww.muswellbrook.nsw.gov.au**ABN ***

86 864 180 944

Information from the Australian Business Register

| | |
|----------------------------|---|
| ABN | 86 864 180 944 |
| Entity name | Muswellbrook Shire Council |
| ABN status | Active |
| Entity type | Local Government Entity |
| Goods & Services Tax (GST) | Yes |
| DGR Endorsed | Yes |
| ATO Charity Type | Not endorsed More information |
| ACNC Registration | No |
| Tax Concessions | No tax concessions |
| Main business location | 2333 NSW |

Information current as at 12:00am today

Head of Organisation

Must be the Chairperson or President (Arts Organisations) or General Manager (Local Council)

Name *

Mr Steve McDonald

Position *

General Manager

Phone *

(02) 6549 3700

Email *steve.mcdonald@muswellbrook.nsw.gov.au**Contact Person****Name ***

Mr Joshua Brown

Position *

Executive Services Co-ordinator

Phone *

0402 030 756

Email *joshua.brown@muswellbrook.nsw.gov.au**Local Government Authority Business Unit**

* indicates a required field

Regional Cultural Fund 2017 (Round 1) OPERATIONAL RCF Operational Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

Complete these details for the LGA Business Unit, only if it does not have its own ABN - fill in the LGA details on the previous page.

Trading Name of Business Unit *

Muswellbrook Regional Art Centre

Street Address *

New England Highway
MUSWELLBROOK NSW 2333

Postal Address *

PO Box 122
MUSWELLBROOK NSW 2333

Phone *

(02) 6549 3800

Email *

arts_centre@muswellbrook.nsw.gov.au

Website

<http://www.muswellbrook.nsw.gov.au/index.php/mrac-home>

Contact Person

If different to the contact person entered on the previous page

Name

Position

Phone

Email

Grant Administrator Details - Optional

* Indicates a required field

If nominating a third party (e.g. manager, agent or producing organisation) to administer the funds on your behalf provide details below.

Will you be engaging another entity to administer the grant on your behalf? *

☐ Yes ☒ No

Project Summary

* Indicates a required field

Regional Cultural Fund 2017 (Round 1) OPERATIONAL

RCF Operational

Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

Project Details

Project Title *

Culture Harvest: Muswellbrook Autumn Art Festival

Must be less than 10 words

Describe your project *

Anchored by the Muswellbrook Art Prize and presented by Muswellbrook Regional Art Centre, Culture Harvest is an Autumn Celebration with a three day program of visual art, contemporary dance, music and performance. This project aims to broaden the awareness of the Art Prize, engage new audiences for the Muswellbrook Regional Art Centre and promote the cultural vibrancy of the Upper Hunter. The program opens with a live art music performance and is followed by two community public art events and then finalised by the opening and announcement of the Muswellbrook Art Prize. The Festival is a partnership between Muswellbrook Regional Art Centre, Muswellbrook Council, Arts Upper Hunter, the Upper Hunter Conservatorium of Music and Catapult Dance.

Maximum 200 words

Example: Our museum has a large collection of artefacts that tell the unique history of our town and the broader region. We would like to digitise our collection and display it through an interactive website. We have developed partnerships with the surrounding schools in the area who will use the information. The schools have provided 40 percent of the funds needed for the project and a computer for the museum.

What type of project? *

- ☐ Entirely new build
- ☐ Upgrade to existing building (increasing footprint)
- ☐ Refurbishment of existing building (within existing footprint)
- ☐ Purchase and/or installation of fixed equipment
- ☐ Digitisation
- ☐ Repair and conservation of collections
- ☐ Other: Program of events

At least 3 choices must be selected

Start date *

10/01/2018

End date *

11/03/2018

What is the primary artform of the venue where the capital works will take place? *

- ☐ Aboriginal Arts and Culture
- ☐ Collections and Cultural Heritage

Where will the capital works take place? *

- ☐ Central West
- ☐ Far West
- ☐ Murray
- ☐ Northern
- ☐ Richmond-Murrumbidgee
- ☐ Tweed

Regional Cultural Fund 2017 (Round 1) OPERATIONAL

RCF Operational

Application RCF17R1O00048 From Muswellbrook Shire Council - DRAFT

- ☒ Dance
- ☐ Design
- ☐ Digital Arts
- ☐ History
- ☐ Literature
- ☐ Multi artform
- ☐ Music (including Opera and Musical Theatre)
- ☐ Screen
- ☐ Theatre (including Circus and Physical Theatre)
- ☒ Visual Arts (including Craft and Design)

- ☒ Hunter
- ☐ Mid North Coast
- ☐ North Western
- ☐ South Eastern

Is your project involving Aboriginal communities and heritage? *

☐ Yes ☒ No

Amount requested from the Regional Cultural Fund *
\$28,000.00

Total estimated cost of activities *
\$110,000.00

Criteria 1: Artistic and Cultural Merit (Quality)

* Indicates a required field

Why does your community need this project? *

The Muswellbrook Art Prize has grown in participation over the past two years. From 2018, the Prize will go from a biennial event to an annual prize. In 2018, the prize will be boosted in contribution from our industry partners and from Muswellbrook Shire Council. While the Prize is well recognised within the community and involvement is strong in the Upper Hunter, there is opportunity to broaden participation for the Prize from outside the region and attract and promote the cultural activity of the Upper Hunter to a larger audience. A weekend cultural festival will help to promote the Prize and its generous offering to cultural practitioners and audiences across Australia. The Prize has three categories with a total of \$70,000 in acquisitive prizes. Establishing an annual arts Festival programed as part of the Muswellbrook Arts Prize is aligned to the strategic objectives of Council and identified specifically within the Community Strategic Plan 2017-2027 as Objective 4: Cultural Vitality. The Festival is also aligned to Council's Upper Hunter Regional Cultural Development Strategy 2017-2021, a joint initiative with Upper Hunter Shire Council. It is also aligned to the strategic objectives of Council to grow the visitor economy and attract increasing numbers of overnight and

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weekend visitors. Currently, 60% of visitation to the Upper Hunter is business related (particularly mining and heavy industries). Increasing the cultural and festival offering is a key platform of the economic diversification objectives of Council. It is also aligned closely with the objectives of the NSW Government's Hunter Regional Plan 2036 with particular reference to 5.1 Prepare for the diversification and innovation of the economy in response to long term industry restructuring in coal and power generation and the growth in new high-technology primary industry, associated specialist knowledge-based industries and rural tourism.

*Must be no more than 100 words.
Maximum 300 words.*

HINT:

- *Make the 'case for change' here.*
- *Tell us why this project is a priority for your community.*
- *Explain the condition and/or constraints with the current facilities and how your project will overcome them.*
- *Include if the project fits in with your local government's strategy for the region and reference the relevant documents.*

Describe how the project will improve access to arts and culture in your local community. *

This project is designed to increase access and engagement with culture across the community and with the broader Upper Hunter. Connecting a major cultural asset in the community, the Muswellbrook Regional Arts Centre, in an outreach program that takes the Centre's workshops and exhibition activity out into several key sites within the Shire will provide an invaluable link back to the Centre. It will increase audience and engage in a meaningful way with the community through the integration of an intensive and dynamic cultural program. The proposed Cultural Festival will be an immersive, interactive and dynamic program providing access and community involvement. This is a unique opportunity to leverage the existing activity of the Muswellbrook Arts Prize outward and into the community across several different cultural practices including visual art, environmental art, music and contemporary dance.

Maximum 300 words.

HINT:

- *Who will be positively impacted by your project?*
- *Explain how this project will improve the usage of arts and cultural facilities in your community.*
- *Include the percentage of time the facility will be used for arts and cultural purposes.*

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How will this project improve the quality of art and culture experienced by the community. *

While the Muswellbrook Art Prize attracts a high level of cultural participation, this project will heighten the public participation of the Prize and promote and raise awareness for critical role culture plays in the sustainability and liveability of regional NSW. This will be achieved through the attraction of experienced and widely regarded artists and cultural practitioners to this program. The program has been designed to ensure a high quality cultural experience that will be promoted actively to ensure large scale audience participation. The program will be of significant benefit to the community of the Upper Hunter and to visitors and audiences throughout the broader region. The artists involved in this program have been selected for their specific expertise in performance and community arts projects and this project will boost the exposure of these projects and add value to the individual programs of the Upper Hunter Conservatorium of Music and the emerging and growing audience participation of Catapult dance.

Maximum 500 words

HINT:

- Explain how the facility will be used for arts and cultural purposes after the completion of the project.
- Describe how this project will make it easier to deliver arts and cultural activities in your community.

Criteria 2: Engagement and Participation (Reach)

* indicates a required field

Describe the steps you have taken to engage the community and gain support for your project. *

This program has been designed with strong partnerships between Muswellbrook Shire Council, Muswellbrook Regional Arts Centre, the Upper Hunter Conservatorium of Music and Arts Upper Hunter. It also strengthens the growing connection to Catapult Dance who recently completed a successful contemporary dance project engaging young people and schools in the region. This Festival program presents an opportunity to bring all of these cultural institutions together into a dynamic and collaborative weekend program of events. There will be a working group established with representatives from each group to plan, refine and implement the program. Council recently embarked on a significant consultation process as part of the development of the Community Strategic Plan 2017-2021 and through the Upper Hunter Cultural Development Strategy 2017-2021. Both of these plans were informed by strong community sentiment to increase the level of cultural activity in the Shire, support

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existing creative industries and develop opportunities for new participants that can deliver a stronger cultural economy. The Upper Hunter holds growth potential for increased participation in cultural and creative industries. The community has indicated in the development of this strategy that increased cultural activity will contribute to the renewal and diversification of the economy. The Upper Hunter is home to vibrant and creative communities, people and places, which continue to attract and retain talented people who in turn contribute skills, ideas and resources that broadly benefit the entire region. The communities across the Upper Hunter Region are outward looking, have strong social capital as well as a progressive and resourceful knowledge of what works in their region. This is reflected in the Upper Hunter Regional Cultural Development Strategy where both Muswellbrook Shire and Upper Hunter Councils recognise the importance of growing our cultural tourism opportunities and encouraging the growth and diversification of our region, our festivals and events.

Must be no more than 300 words.

HINT:

- What community partners are in place?
- Tell us how this facility will meet the artistic and cultural needs of your community.
- Attach evidence of community engagement at the relevant section of this application.

Criteria 3: Viability (Health)

* Indicates a required field

Tell us what steps have been taken to ensure the project has a realistic and accurate budget and timeline. *

This project is a low cost high impact offering. As this is a program rather than an infrastructure project within the operational round of the RCF, it is a low-risk and cost effective mechanism to deliver a high quality cultural product alongside significant investment associated with the Muswellbrook Art Prize. The budget has been developed in consultation with cultural practitioners, our regional cultural partners and Muswellbrook Shire Council. All program processes including risk and coordination are delivered through the dedicated resources within Council including the tourism and events team, the experienced team at Muswellbrook regional Art Centre, the Upper Hunter Conservatorium of Music and Arts Upper Hunter. All costings are aligned to industry standard for artist's fees and services. Marketing and promotional material

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is based on the existing procurement of like services for recent cultural events in the Shire.

Muswellbrook Shire Council regularly contracts for the purchase of a wide range of goods and services in fulfilling its role as a local government authority. This project will be overseen and governed in its development by a working group comprising of council staff members and representatives from cultural partners. The chair of the working group will be the nominal Project Manager and tasked with all formal stakeholder, service provider and project worker liaison in addition to the co-ordination of timelines, budget and contractual standards. Regular reports will be compiled by the Project Manager and submitted to the project working group. They will, in turn, provide reports to Council with recommendations for any necessary external action.

Maximum 300 words.

EXAMPLE:

I have three quotes from separate reputable companies and employed a contractor to verify my costings and timelines.

How will your project remain viable once complete? *

This project is the first Cultural Festival program aligned to the Muswellbrook Art Prize. The Muswellbrook Regional Art Centre will ensure audience participation and cultural impact is measured. This will then form the basis for ongoing investment in the initiative from industry partners and Muswellbrook Shire Council. Considerable attention will be dedicated and resources allocated to document the Festival in film and images. This will be used to attract future partnership investment into the Festival.

HINT:

- *What forms of revenue do you have to fund future operations and maintenance?*
- *This could include (but is not limited to) ticket sales, on-site hospitality revenue or previously committed local or state government funding.*

Describe your history, experience and expertise and how it relates to the project *

Muswellbrook Regional Art Centre (MRAC) is the premier art gallery of the Upper Hunter Region. It provides exhibitions for locals, visitors and neighbouring local government areas (LGA). The Centre conducts the annual Muswellbrook Art Prize which is the richest annual art prize, outside a metropolitan area, in Australia. There is significant expertise in the working group represented by our collaborative cultural partners and in the artists and participants involved. The following project team demonstrates the significant individual and collective experience of the project team.

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Brad Franks, Director Muswellbrook Arts Centre has led the cultural programming and oversight of the Centre for the past 14 years with a key role as advisor to Council on strategic cultural development and public art initiatives.

Carolyn O'Brien is the Manager Community and Cultural Services Muswellbrook Shire Council and is board member on Arts Upper Hunter. She has led various large scale events and cultural community initiatives in the Shire over the past seven years.

Gerry Bobsien is Manager Economic Development and Innovation at MSC and has extensive experience in the cultural sector as public art curator Newcastle Art Gallery, Director of the Lock-Up Cultural Centre and development of the 2011 Honeysuckle Public Art and Placemaking Framework.

Cadi McCarthy is the Founder & Director of Catapult Dance. She has been actively engaged in dance as a professional dancer, choreographer, educator and director. Cadi holds a Masters in Education, Diploma of Education (Secondary) and (Further Education & Training), and a BA Dance. Since founding Catapult, the organisation has received support from artsNSW (2014 – 2017), Australia Council for the Arts (2015), the City of Newcastle (2015-2017). Catapult is an Associate Organisation of Ausdance NSW.

Bradley Eastman (Beastman) is a multidisciplinary artist whose paintings, illustrations, commercial projects and public murals explore a unique visual language, depicting future environments of abstracted landscapes. Beastman has exhibited his distinctive artworks extensively around the world, has curated and organised numerous international art exhibitions and projects, and has been commissioned to create artworks for Element Skateboards, Facebook, Vivid Sydney, Mini, Westfield, Red Bull, Stockland, Hyundai, Smirnoff and more. His artwork was recently acquired by the National Gallery of Australia, and his large solo and collaborative mural works can be found all over Australia and around the world.

Dr Wendy Brooks is the Director of the Upper Hunter Conservatorium of Music. Wendy has been a passionate music educator since the mid-1980s. Between 2011 and 2017, Wendy worked as a lecturer in music education and primary education at Sydney Conservatorium of Music and Western Sydney University respectively. She maintains a keen interest in teacher education, and continues to mentor trainee teachers undertaking practicum placements.

Ben Kenning is a painter and mixed media artist from Newcastle whose work focuses on drawing, painting, and mixed media works on canvas and paper. Kenning has exhibited his work regularly with Solo Exhibitions in Newcastle, Sydney and Melbourne. The artist's work has also been selected regularly in regional art prizes.

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(Must be no more than 500 words)

HINT:

- This could include other people associated with the project that has relevant experience.
- Attach your CV, or that of others involved in the project, outlining their previous experience.

Project Timeline

Brief timeline of the proposed project, including all key activities

| Activities | Dates/Timeframe | Confirmed (Yes/No) |
|---|---------------------------|--------------------|
| Cultural program for event finalised and promoted * | Tuesday 2 January 2018 * | Yes * |
| Artists commissioned and agreements in place | Wednesday 10 January 2018 | Yes |
| Yield Live art event and festival launch artist Ben Kenning, Catapult Dance and Upper Hunter Conservatorium of Music ensemble. | Friday 9 March 2018 | Yes |
| Beastman community art event and live mural project | Saturday 10 March | Yes |
| Muswellbrook Art Prize announcement, exhibition opening and Catapult performance | Saturday 10 March | Yes |
| Upper Hunter Arts Trail Visitors encouraged to explore the Upper Hunter Arts trail to the North and South of Muswellbrook to conclude the program | Sunday 11 March | Yes |
| | | |

Detail how the project will be delivered. *

This project will be delivered over a weekend of interactive art, music and performance. The project will be coordinated by the Muswellbrook Arts Centre and Muswellbrook Shire Council with a working group made up of representatives from Catapult, the Upper Hunter Conservatorium of Music and Arts Upper Hunter. The external public events will be managed according to

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Council's event procedures to manage risk. The Culture Harvest program will include:

YIELD

Friday 9 March 6pm - 8pm

A live performance event featuring the brass and string ensemble of the Upper Hunter Conservatorium of Music in collaboration with Catapult Dance and painter Ben Kenning.

Artist Ben Kenning and Catapult Dancers will perform in response to music. Ben will be working large-scale on the side wall of a building in the town centre. All artists will be using a combination of choreographed and improvised material. Catapult's Flipside Upper Hunter Film project will also be filmed during the weekend.

BEASTMAN

Saturday 10 March 8am - 6pm

Melbourne artist Beastman will bring a large-scale mural to life at Muswellbrook skate park. Workshops with young artists and skaters will also coincide with his production.

The Beastman project is an initiative aligned to Muswellbrook Shire Council's Sustainability Unit who recently implemented a number of measures to improve the sustainability of the Muswellbrook Indoor Sports Centre in an effort to make it the council's first carbon neutral building. The Muswellbrook Indoor Sports Centre is a highly visible building with a visually dominant façade considered a suitable place for public art. The proximity to the skateboard park and the youth that use it lends itself to featuring a street artist such as Brad Eastman. Alongside the painting of this mural, Beastman will lead a skateboard deck painting workshop and involving local kids in painting some designs on the skate ramps.

MUSWELLBROOK ART PRIZE

Saturday 10 March 6.30pm - 9pm

Exhibition opening at the Muswellbrook regional art gallery and announcement of prize winners. Catapult to perform small piece linking YIELD to the event. (this sound ok Cadi?)

UPPER HUNTER ARTS TRAIL

Sunday 11 March

Visitors will be encouraged to head north home via the Hunter Art Trail towards Aberdeen Scone and Murrumbidgee or South via Denman, Singleton, Maitland, Dungog Paterson.

The project will be documented by video to capture the program and attract new investment in the following years. All risks will be considered and addressed as part of Council's risk management plan.

Maximum 500 words.

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You should consider including the following points, if relevant:

- *Outline your procurement strategy including how you will use local suppliers where possible*
- *Evidence of stakeholder consultation and consideration of issues arising as a result*
- *Analysis of all options demonstrating the reason for the preferred approach*
- *Planning approvals considered/in place*
- *Identification of risks and strategies in place to address them*
- *Consideration of and plans for, future maintenance and operations of the facility.*

NOTE: There is an opportunity to attach documents in a later section. Feel free to reference them here.

Does your organisation have a current Risk Management Plan? *

☐ Yes ☒ No

If YES, please attach to your application.

If No, describe how you plan to manage potential risks to your project. *

A structured risk review will be completed for the Festival by the working group in consultation with key stakeholders. All Council events and projects are subject to a Risk Management Plan.

Risk Assessment

Identified risks will be scored for likelihood and consequence. An overall risk score will be used to rank individual risks based on the assessed likelihood and consequence of a particular event. High-ranked (unacceptable) risks are generally selected in accordance with the Pareto Principle i.e. the top 20% (or thereabouts) of risks constitute the top 80% of risk impacts. Special consideration must also be given to risks that are not in the top 20% but have been identified as having extreme consequences.

For this project, and with reference to the risk matrix, high ranked risks are considered as those with a risk ranking of 8 or higher.

All remaining risk events will be assessed as tolerable or acceptable and will be subject to management within normal project processes and ongoing monitoring by the project team, comprising internal and external stakeholders.

Risk Treatments

Two types of treatments for high-ranked risks are possible:

- specific actions to reduce the impacts of the identified risks (for example, by reducing the likelihood of the risk event occurring or reducing the consequences if it does occur)

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- The "watch list" to monitor the preconditions to a risk event occurring so that timely interventions or contingency readiness can be undertaken.

Maximum 300 words.

HINT:

- This could include running over budget, time delays, workplace safety or community concerns.

Criteria 4: Budget

* Indicates a required field

Instructions

Complete the budget tables below, insert \$0 (zero) to any fields that are not applicable. You are required to submit a breakeven budget (income equals expenditure). Include the **entire budget** for the project, not just how Regional Cultural Fund money will be spent.

- If the applicant **is** GST registered - exclude GST
- If the applicant **is not** GST registered - include GST

Remember to add the amount you are requesting in this grant at the line item 'Regional Cultural Fund (this grant)'. This amount must match the amount at 'Page 5: 'Activity Summary'.

Applicants will need to demonstrate that they maximise other co-investment opportunities including local government, the Australian Government or other industry contributions.

Refer to the [Regional Cultural Fund Guidelines](#) for further information.

For this project, do you have a live application for any other NSW Government grants? *

☐ Yes (detail below) ☐ No
At least 1 choice must be selected

If YES, which NSW Government grant(s) have you applied for?

Income

NOTE: Provide explanatory notes, particularly for complex items or to breakdown in-kind or cash income.

| Income | Amount | Explanation | Confirmed (Yes/No) |
|-------------------------------------|---------------|---|--------------------|
| Regional Cultural Fund (this grant) | \$28,000.00 * | Artist fees, mural production and documentation production (video/drone/production) | Yes * |

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| | | | |
|----------------------------|---|---|-------|
| | | n and edit) also includes art supplies - paint * | |
| NSW Government (other) | \$0.00 * | NA * | N/A * |
| Own Contribution (cash) | \$36,000.00 * | Muswellbrook Art Prize (cash) * | Yes * |
| Own Contribution (in-kind) | \$11,000.00 * | In-kind site preparation, coordination, marketing and promotion, elevated equipment /lighting * | Yes * |
| Sponsorship/Private Sector | \$35,000.00 * | Bengalla Mining Muswellbrook Art Prize (cash) * | Yes * |
| Other In-Kind Income | \$0.00 * | NA * | N/A * |
| Australia Council | \$0.00 * | NA * | N/A * |
| Local Government | \$0.00 * | NA * | N/A * |
| Other Government | \$0.00 * | NA * | N/A * |
| Other Grants | \$0.00 * | NA * | N/A * |
| | Must be a dollar amount Must be a whole dollar amount (no cents) | | |

Total Income Amount

\$110,000.00

This number/amount is calculated.

Expenditure

| Expenditure | Amount | Explanation |
|------------------------|---------------|---|
| Salaries, Wages & Fees | \$19,000.00 * | note this is not wages - artist fees for commissioned work only * |
| Allowances/On Costs | \$0.00 * | na * |
| Administration | \$4,000.00 * | project coordination * |
| Internal Construction | \$0.00 * | NA * |
| External Construction | \$0.00 * | NA * |
| Fit-out costs | \$5,000.00 * | plywood and mounting large scale mural * |
| Equipment | \$3,000.00 * | scissor lift/platform/lights * |

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| | | |
|-----------------------------|---|--|
| Planning/Project Management | \$0.00 * | NA * |
| Other Expenditure | \$79,000.00 * | Muswellbrook Art Prize (70k) marketing and promotion including filming and production (8k) * |
| | Must be a dollar amount Must be a whole dollar amount (no cents) | |

Total Expenditure Amount

\$110,000.00

This number/amount is calculated.

Budget Summary

This number should be zero for a break even budget *

\$0.00

This number/amount is calculated.

Provide other explanatory notes about your budget.

Please note this funding is for the commissioning of new work to attract increased community access and engagement for the Muswellbrook Regional Arts Centre and the Muswellbrook Art Prize. The funding ask by the regional cultural fund is to primarily provide three things: the artist fees for inclusion in the festival, the infrastructure and supplies required for the public art component of the Festival and the video production of the event to assist in future investment of Culture Harvest.

Maximum 200 words.

Attachments and Support Material

* Indicates a required field

Provide support material that best reflects your practice, experience and your proposed program of activity.

All support material must be provided at the time your application is submitted.

Restrictions on Attachments

Files must not exceed 25MB.

Please provide support material documents in .pdf format where possible.

Zip files cannot be accepted.

Recommended Support Material

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It is **strongly recommended** you supply as much supporting information as possible. The more information provided about your project will give it a higher chance of being successful.

The level of detail provided should reflect the amount of funding requested for your project.

1. Confirmation letters or letters of support from owners (if not the applicant), partners, contractors or other funding agencies.

Attach confirmation letters or letters of support here.

| | |
|-----------|---|
| Filename | EOI supporting letter.docx |
| File size | 241.7 kB |
| Filename | letter_bradeastman.pdf |
| File size | 48.8 kB |
| Filename | Muswellbrook Shire Council - support letter for Muswellbrook Art Prize Festival Weekend.pdf |
| File size | 123.8 kB |
| Filename | Support letter - Muswellbrook Council.docx |
| File size | 1.0 MB |

A maximum of 5 files may be attached.

2. For activities involving the development or renovation of infrastructure, you are encouraged to provide:

Note: some documents are marked as mandatory.

Proof of ownership or long-term access

No files have been uploaded
A maximum of 5 files may be attached.

Certified cost estimate or quotes

No files have been uploaded
A maximum of 5 files may be attached.

Formal confirmation of other funding contributions

| | |
|-----------|---|
| Filename | Bengalla confirmation of support.pdf |
| File size | 224.2 kB |
| Filename | Culutral Harvest - Funding support - MSC - 20170904.pdf |
| File size | 650.0 kB |

A maximum of 5 files may be attached.

Detailed plans drafted by an architect/qualified draftsman

No files have been uploaded
A maximum of 5 files may be attached.

Photos of the site or project area *

| | |
|-----------|--------------|
| Filename | BMAN.jpg |
| File size | 687.6 kB |
| Filename | download.jpg |
| File size | 11.7 kB |
| Filename | images.jpg |
| File size | 4.9 kB |

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Filename LIBRARY.jpg

File size 70.7 kB

A minimum of 1 file and a maximum of 5 files may be attached

Provide links and passwords to any externally hosted work samples

| Link / URL | Password | Description |
|---|----------|-------------|
| http://www.cadimccarthy.com.au/#catapult-menu | | |
| http://www.uhcm.com.au/home.aspx | | |
| https://beastman.com.au/ | | |
| | | |

Additional Support Material

We encourage you to provide optional support material to strengthen your application such as reviews, articles, media, letters/emails of support.

Attach optional support material here

Filename Beastman_ArtistCV.PDF

File size 73.3 kB

Filename docman-meetings.pdf

File size 2.3 MB

Filename Muswellbrook Art Prize 2017 _ Newcastle Herald_20170310.pdf

File size 713.4 kB

Filename Upper-Hunter-Regional-Cultural-Development-Strategy.pdf

File size 2.6 MB

A maximum of 5 files may be attached

Declaration

* Indicates a required field

I have read the [Regional Cultural Fund Guidelines](#).

I certify that, to the best of my knowledge:

- all eligibility requirements have been met
- the information provided in this form and its attachments are correct
- this application has been approved by the governing body or equivalent (if applicable)
- I have the delegated authority to sign this application

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I acknowledge that Regional Cultural Fund administrators have the right to withdraw any offer of funding or demand the return of funds already paid, if it is discovered that any statement made by me in this application is incorrect, incomplete or misleading, in a way that may have affected the decision to provide me with funding.

NOTE: Once you submit your application you will be unable to edit it. Please check you have included all relevant information before submitting.

Please type your name and details below to certify the information. Typing your name will be taken to be as binding as a signature.

I declare the above to be true * ☒ Yes

Full Name * Steve McDonald

Position * General Manager

Date * 04/09/2017
Must be a date

12.2 SUSTAINABILITY POLICY AND ACTION PLAN

| | |
|---------------------------------|---|
| Attachments: | A. Sustainability Policy (2017) V4 - public consultation version B. Sustainability Action Plan 2017 V5 |
| Responsible Officer: | Fiona Plesman - Director - Planning, Community & Corporate Services |
| Author: | Mark Scandrett - Sustainability Co-Ordinator |
| Community Plan Issue: | <i>Support initiatives which reduce the community's impact on the environment</i> |
| Community Plan Goal: | <i>Carry out actions under the Sustainability Action Plan as it relates to air quality, waste reuse and minimisation, electricity minimisation, Council's Renewable Energy Target and food waste minimisation.</i> |
| Community Plan Strategy: | <i>Develop 12 month waste minimisation targets for Council waste.</i> |

PURPOSE

The purpose of this report is to endorse the DRAFT sustainability policy and associated sustainability action plan

OFFICER'S RECOMMENDATION

Council endorse the sustainability policy and associated sustainability action plan.

Moved: _____ **Seconded:** _____

BACKGROUND

To provide strategic guidance to council a Draft Sustainability Policy was submitted as item 7 to general council meeting dated 14 March 2017. The resolution from this meeting was to place the sustainability policy on public exhibition. No responses were received from the community during this period. A subordinate Draft Sustainability Action plan has also been prepared in consultation with other departments of council.

CONSULTATION

All Managers at Council
Sustainability Unit Staff
Council Directors
General Manager

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Cr Rod Scholes has been consulted in relation to both documents.

REPORT

The purpose of this report is to endorse both the Draft sustainability policy that has been on public exhibition and the Draft sustainability action plan.

Please refer to Attached;

1. Draft Sustainability Policy S32/1(completed public exhibition with no comment)

2. Draft Sustainability Action Plan (Updated with comments with council managers and directors)

OPTIONS

The following options could be considered

1. Endorse both documents
2. Not endorse the documents which may create delay in delivering actions that align with the current delivery program.

CONCLUSION

It is recommended that council endorse both Draft documents as suitable consultation has been given in there preparation.

SOCIAL IMPLICATIONS

These documents are aimed to aid Muswellbrook Shire Councils commitment to applying the principles of environmental sustainability and lead by example to be an inspiration to the community and the region.

FINANCIAL IMPLICATIONS

There are no financial implications of the sustainability policy. The sustainability action plan mainly outlines actions that fit with the current operational plan and delivery program. A number of items will be considered independently by council with associated council reports as there are prepared.

POLICY IMPLICATIONS

Not Applicable

STATUTORY IMPLICATIONS

Muswellbrook Shire Council is committed to environmental sustainability and adherence to sections 7 and 8 of the Local Government Act that states:

- s.7(e)** "require council's, Councilors and council employees to have regard to the principles of ecologically sustainable development in carrying out their responsibilities";
- s.8(1)** to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.

LEGAL IMPLICATIONS

Muswellbrook Shire Council supports the Principles of Environmentally Sustainable Development as defined in the Protection of the Environment Administration Act 1991 (NSW):

- **The precautionary principle** - decisions should be guided by careful evaluation to avoid serious or irreversible damage to the environment.
- **Inter-generational equity** - we ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,
- **Conservation of biological diversity and ecological integrity** - biological diversity and ecological integrity should be a fundamental consideration in environmental planning and decision-making.
- **Improved valuation, pricing and incentive mechanisms** - environmental factors should be included in the valuation of assets and services.

OPERATIONAL PLAN IMPLICATIONS

This plan aligns with the Delivery Program and annual Operational Plans and Implementation of the action plan will be monitored via Council's regular monitoring and reporting program which includes half

yearly reports against the Delivery Program and Operational Plan, as well as annual reporting, including reporting against relevant indicators and targets.

RISK MANAGEMENT IMPLICATIONS

None Identified.



muswellbrook shire council

ENVIRONMENTAL SUSTAINABILITY POLICY

S32/1

Authorisation Details:

| | |
|-------------------|--|
| Authorised by: | |
| Minute No: | |
| Date: | |
| Review timeframe: | 2019 |
| Department: | Planning, Community and Corporate Services |
| Document Owner: | Sustainability Coordinator |

Details History:

| Version No. | Date changed | Modified by | Amendments made |
|-------------|--------------|----------------|-----------------|
| 1 | Feb 2017 | Mark Scandrett | New Policy |
| | | | |
| | | | |

ENVIRONMENTAL SUSTAINABILITY POLICY

S32/1

POLICY OBJECTIVES

This policy will:

1. Act as a foundation document to embed environmental sustainability in all of council's operations;
2. Provide a set of principles to support further implementation of strategies and actions by council.

POLICY STATEMENT

Muswellbrook Shire Council is committed to applying the principles of environmental sustainability in all decisions and will strive to lead by example to be an inspiration to the community and the region.

LEGISLATION

Muswellbrook Shire Council is committed to environmental sustainability and adherence to sections 7 and 8 of the Local Government Act that states:

s.7(e) “require council’s, Councilors and council employees to have regard to the principles of ecologically sustainable development in carrying out their responsibilities”;

s.8(1) to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.

Muswellbrook Shire Council supports the Principles of Environmentally Sustainable Development as defined in the Protection of the Environment Administration Act 1991 (NSW):

- **The precautionary principle** - decisions should be guided by careful evaluation to avoid serious or irreversible damage to the environment.
- **Inter-generational equity** - we ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,
- **Conservation of biological diversity and ecological integrity** - biological diversity and ecological integrity should be a fundamental consideration in environmental planning and decision-making.
- **Improved valuation, pricing and incentive mechanisms** - environmental factors should be included in the valuation of assets and services.

This policy is also supported by the following legislation;

- Environment Protection and Biodiversity Conservation Act 1999
- Environmental Planning and Assessment Act and Regulations
- Protection of the Environment Operations Act 1997 and Regulations
- National Parks and Wildlife Act 1974
- NSW Ecologically Sustainable Development information guide for councils 2002
- Water Management Act 2000
- Noxious Weeds Act 1993
- Native Vegetation Act 2003 and Regulations
- Relevant State Environmental Planning Policies
- Threatened Species Conservation Act 1995 and Regulations.

PROCEDURE

Key Sustainability Principles

This Environmental Sustainability Policy will be pursued by Muswellbrook Shire Council through the following principles;

1. Operations that demonstrate sustainable environmental management.
2. Provide leadership and actions for achieving environmental sustainability
3. Pursue ecologically sustainable land use and development.
4. Collaborate with the community and other stakeholder groups to protect and preserve the natural environment.
5. Support and regulate activities of others within its control to protect the environment.

Tools for implementation

Council has developed and will continue to prepare a range of tools to action the principles of this Policy, including;

- Muswellbrook Local Environment Plan (2009)
- Muswellbrook Development Control Plan (2009)
- Operational Plan (2017-2018)
- Delivery Plan (2017-2021)
- Community Strategic Plan (2017-2027)
- Muswellbrook Town Centre Strategy (2017)
- Hunter River Flood Study (2014)
- Waste Management Strategy (Draft)
- Sustainability Action Plan (2017 Draft)
- Integrated Water Cycle Management Strategy (Draft)
- Muswellbrook Urban Riparian Landcare Master Plan (Draft)
- Local Strategic Planning Statement (Proposed)
- Environmental Management Strategy (Proposed)
- Mine Rehabilitation Strategy (Proposed)

- Muswellbrook Bushfire Management Strategy (Proposed)
- Contaminated Lands Strategy (Proposed)
- Climate Change Adaptation Strategy and Plan (Proposed)
- Muswellbrook Weed Management Strategy (Proposed)



muswellbrook shire council

Sustainability Action Plan

REFERENCE NUMBER

Authorisation Details:

| | |
|--------------------------|---|
| Authorised by: | M. Scandrett (Sustainability Coordinator) |
| Minute No: | |
| Date: | |
| Review timeframe: | Yearly |
| Department: | Sustainability Unit |
| Document Owner: | Sustainability Coordinator |

Details History;

| Version No. | Date changed | Modified by | Amendments made |
|-------------|--------------|-------------|--|
| 4 | June 2017 | M.Scandrett | Formatting and additions based on feedback from staff |
| 5 | 22/08/2017 | M.Scandrett | Formatting and additions based on feedback from staff. Version submitted to general council meeting |

INTRODUCTION

Muswellbrook Shire Council is committed to applying the principles of environmental sustainability in all decisions and will strive to lead by example to be an inspiration to the community and the region.

The Environment Sustainability Policy (see Appendix) sets out the framework for councils approach to sustainability. This Action Plan details the agreed measures that council will take to achieve its sustainability goals.

The format of the action plan follows the five key principles specified in the sustainability policy. These principles are;

Principle 1: Operations that demonstrate sustainable environmental management.

Principle 2: Provide leadership and actions for achieving environmental sustainability

Principle 3: Pursue ecologically sustainable land use and development.

Principle 4: Collaborate with the community and other stakeholder groups to protect and preserve the natural environment.

Principle 5: Support and regulate activities of others within its control to protect the environment.

To correspond with this commitment council has established a new Sustainability Team to focus on supporting that actions outlined in this plan.

This plan aligns with the Delivery Program and annual Operational Plans and Implementation of the action plan will be monitored via Council's regular monitoring and reporting program which includes half yearly reports against the Delivery Program and Operational Plan, as well as annual reporting, including reporting against relevant indicators and targets.

The Sustainability Unit is to provide general oversight actions assigned in this plan and will delegate and request support for other departments with council as required.

ACTIONS

Principle 1: Operations that demonstrate sustainable environmental management.

| | |
|-----------------|--|
| Target 1 | To achieve a 40% renewable energy target by 2020 based on 2015/16 baseline year data. |
| Target 2 | Reduce Council's potable water consumption by 20% by 2010 based on 2015/16 baseline year levels. |
| Target 3 | Divert council produced waste from landfill by 25% by 2021-22 based on 2011-12 levels. |

| Focus | Action | Priority | Timing |
|--|---|-----------------|---------------|
| Reduce greenhouse gas emissions | 1.0 Continue to investigate opportunities with renewable energy innovators and power suppliers to seek opportunities for joint ventures. Options paper reported to Council as opportunities present. | Med | Ongoing |
| | 2.0 Undertake carbon neutral building pilot project at Rutherford Rd Indoor Sports Centre. | Med | 17/18 FY |
| | 3.0 Consider green building or NABERS certification for administration building and/or library. | Low | 18/19 FY |
| | 4.0 Investigate offsetting options for residual carbon emissions, bio banking and joint ventures. | Med | 18/19 FY |
| Water, Energy & Waste | 5.0 Establish energy data management project that ensures integrity and efficiency, potentially a centralised web based combining all utility data and allowing for accurate publishing on Council's website. | Med | 18/19 FY |
| | 6.0 Provide managers or asset owners with energy, water and waste data for review or action where appropriate. | Low | Yearly |
| | 7.0 Continue energy audit program. Conduct level three Energy Audits on two council buildings. | Med | 18/19 FY |
| | 8.0 Undertake water efficiency projects on top 5 Council water users. | Med | 18/19 FY |
| | 9.0 Investigate residential water consumption and implement an appropriate water usage reduction program in accordance with Integrated Water Cycle Management Strategy. | Low | ongoing |

| Focus | Action | Priority | Timing |
|------------------------------------|---|----------|----------|
| | 10.0 Integrate and consolidate the Sustainability Action Plan with Integrated Water Cycle Management Strategy and Demand Management Strategy. | Med | Ongoing |
| | 11.0 Investigate options to replace lighting, including street lighting that is council owned with low energy alternatives. Also work with street lighting providers (Not Council owned) to install low energy alternative to reduce councils energy bills. | Med | Ongoing |
| | 12.0 Investigate and identify long term targets and actions for wastewater use in consultation with Integrated Water Cycle Management Strategy. | Med | Ongoing |
| | 13.0 Undertake and support energy reduction projects to meet renewable energy target. | Low | 19/20 FY |
| | 14.0 Implement the Muswellbrook Urban Riparian Master Plan (MURLMP) and a Four (4) year program of works if the plan and associated budget requirements is adopted by council. | High | 19/20 FY |
| Land Conservation Management | 15.0 Formulate Catchment Management Plan for the shire. | High | 18/19 FY |
| | 16.0 Continue New Tree Plots program (reduction of mown lands). | Low | Ongoing |
| | 17.0 Investigate stormwater quality improvement opportunities and implement as appropriate. | Med | 18/19 FY |
| | 18.0 Increase areas of roadside vegetation. | Med | Ongoing |
| | 19.0 Undertake study of Council vehicle use. | Low | 18/19 FY |
| Efficient use of fuel and vehicles | 20.0 Consideration of green vehicle guide and setting maximum fuel consumption (L/100 km) when purchasing vehicles. Investigate biofuel or green fleet project to reduce emissions from Council vehicles. | Med | 17/18 FY |
| | 21.0 Include responsible purchasing requirements as parts of tenders and specifications where possible. | Low | 18/19 FY |
| Green | 22.0 Update procurement policy and procedures to better recognise | Med | 18/19 FY |

| Focus | Action | Priority | Timing |
|--|---|----------|----------|
| Procurement | environmental issues and encourage improved environmental outcomes. Such as a preferred green suppliers list, product lifecycle, etc. | | |
| | 23.0 Collaborate with our supply chain to support achievement of Council's environmental sustainability goals, ensuring suppliers provide information about the environmental impact of their goods and services. | Low | Ongoing |
| | 24.0 Encourage more use of recycled alternative materials such as; road construction, pavements etc. Analyse data to identify opportunities for waste diversion. | Med | Ongoing |
| | 25.0 Provide safe pedestrian and cycle access across the shire. Investigate connectivity of these with aim to reduce car usage across the shire. Investigate electric vehicle use. | Med | Ongoing |
| | 26.0 Engage all sections within council to undertake a review and audit of their current waste management activities (within their own operations and within the area of the community they are responsible for) then work with them to implement actions that will reduce waste. | Med | 19/20 FY |
| | 27.0 Develop and implement a sustainable events policy for Council and the community or update existing documentation. | Med | 18/19 FY |
| Reduce Pollution | 28.0 Use processed organics in council activities (e.g. parks and gardens, road side mulch). | Med | Ongoing |
| Implement best practice waste management across council | 29.0 Develop a Council policy requiring waste generators to segregate recyclables and non-recyclables. | Med | 18/19 FY |
| | 30.0 Potentially include the provision of waste drop off facilities in Council offices and libraries. | Low | 18/19 FY |
| | 31.0 Monitor compliance with the procedure for responding to illegal dumping activities. | Med | 18/19 FY |
| Capture and analyse appropriate | 32.0 Develop a plan for the capture of waste management data from all sources. This plan needs to ensure Council | Med | 18/19 FY |

| Focus | Action | Priority | Timing |
|-------|--|----------|---------|
| data | departments do not duplicate the work of others. | | |
| | 33.0 Develop 12 month waste minimisation targets for Council waste. Report on implementation and achievement of set targets. | Med | Ongoing |
| | 34.0 Make data available for use in communication strategies. | Low | Ongoing |

Principle 2: Provide leadership and actions for achieving environmental sustainability.

| | |
|-----------------|---|
| Target 1 | Achieve a landfill diversion rate of 40% by 2021-22, based on 2011-12 levels. |
| Target 2 | Implement Muswellbrook Urban Riparian Master Plan |
| Target 3 | Improve and maintain native areas within the Shire |

| Focus | Action | Priority | Timing |
|-------------------------|--|----------|----------|
| Decision Making. | 1.0 Investigate liveability frameworks and its application to Council and work collaboratively to facilitate regional planning outcomes that will contribute to a liveable town. | Low | 18/19 FY |
| | 2.0 Carry out a sustainability assessment when preparing a proposal for any works, upgrades, new building or purchasing of infrastructure which includes quality of manufacture, maintenance costs, life expectancy, energy/water consumption, waste generation and environmental impacts. Note: Significant improvements to operational efficiency can be achieved through the upgrade and renewal of existing assets as older, less efficient equipment is replaced with new energy efficient models and this should continue to be a key consideration in the selection of plant and equipment. Where new facilities or assets are being designed and constructed it is important that energy and water efficiency and sources are considered as part of the process. This will help to ensure that opportunities to maximise water and energy efficiency and sustainability are incorporated at an early stage, with minimum additional cost to the project. | High | Ongoing |
| | 3.0 Include renewable energy, waste water efficiency as a requirement for any key council development. | High | Ongoing |
| | 4.0 Within Reason as not to add administrative burden, consider sustainability implications for council reports. | Low | Ongoing |

| Focus | Action | Priority | Timing |
|------------------------------|--|----------|----------------|
| | 5.0 Implementing sustainability reporting requirements for approval for new major facilities or project proposals. | Med | Ongoing |
| Land Conservation Management | 6.0 Implement targeted Landcare program in cooperation with Regional Landcare Network. Five new Landcare groups established sustainably within the Shire. | Med | 18/19 FY |
| | 7.0 Conduct community engagement and education program that encourages native vegetation connectivity across the Upper Hunter. Community engagement program complete. | Low | Ongoing |
| | 8.0 Undertake native area restoration works along Muscle Creek and Karoola Wetlands to improve native vegetation and vegetation connectivity across the Upper Hunter. Demonstrated improvement of native vegetation along Muscle Creek and Karoola Wetland, measured by area weeded, number of native trees planted, bank stabilisation, soil improvement, pathways constructed. For example: Muscle Creek Club to Club Project, Muscle Creek Stage 2 and Stage 2B rehabilitation works, River Red Gum Restoration Project. (Incorporate local provenance <i>Eucalyptus camaldulensis</i> seedlings in all riparian rehabilitation projects) | Med | Ongoing |
| | 9.0 Upon endorsement by council and approved funding, maintain existing areas that have undergone rehabilitation activities to avoid degradation. Demonstrated weed removal and infill planting activities to existing natural areas project areas along Muscle Creek, Karoola Wetlands and national tree day sites. | Med | Start 17/18 FY |
| | 10.0 Coordinate Upper Hunter Local Landcare Coordinator Steering Group | Low | Ongoing |
| | 11.0 Investigate the need for a Koala Plan of Management which takes into account primary and secondary feed tree species and areas of koala habitat in the Upper Hunter. Meetings held and actions plans developed. | Low | 18/19 FY |

| Focus | Action | Priority | Timing |
|-------------------|--|----------|----------|
| Sustainable Staff | 12.0 Work with Hunter Councils in the development of a Muswellbrook Shire Flying Fox Camp Management Plan and implement strategies as outlined in the plan. | Med | 17/18 FY |
| | 13.0 Update the species selection for plantings in MSC's Tree Management Plan and Public Domain Manual. | Med | 17/18 FY |
| | 14.0 Source funding and grant opportunities for Landcare and other natural resource management projects. | Low | Ongoing |
| | 15.0 Encourage walking, cycling and car-pooling to work by providing safe pedestrian and cycle access to council buildings. Provide relevant facilities such as bike racks, showers and lockers to help facilitate this. | Low | Ongoing |
| | 16.0 Encourage staff to contribute ideas about improving our environmental and social performance. Establish an effective feedback mechanism. Consider adding a sustainability component to future staff feedback surveys. | Low | Ongoing |
| | 17.0 Report sustainability data and achievements to staff and maintain a regular communique within Council. | Med | Ongoing |
| | 18.0 Establish internal sustainability working group to coordinate and advise upon Council's environmental initiatives and drive sustainability in council. | Low | Ongoing |
| | 19.0 Where appropriate raise awareness about sustainability through formal training processes such as staff inductions and e-learning. | Low | Ongoing |
| | 20.0 Maintain current family friendly policies and investigate alternative and flexible leave options for staff. | Low | Ongoing |
| Reduce Pollution | 21.0 Provide Council representation on the Upper Hunter Air Quality Monitoring Network. Investigate joint venture with Singleton Shire Council to fund part time position for air quality issues. | Low | Ongoing |
| | 22.0 Establish air, water, and litter pollution reduction policies, targets and strategies. | High | 18/19 FY |

| Focus | Action | Priority | Timing |
|----------------------------------|--|----------|----------|
| Water, Energy & Waste | 23.0 Source funding and grant opportunities for energy, waste and water sustainability projects as applicable. | Med | Ongoing |
| | 24.0 Develop programs, projects and community engagement strategies/resources to reduce wider environmental impacts associated with water use. | Med | Ongoing |
| | 25.0 Investigate developing regional partnerships involving organics collection, purchasing equipment, markets for recovered resources, education programs, illegal dumping. | Med | Ongoing |
| | 26.0 Monitor and collate Council's paper usage and pursue the use of sustainably sourced/recycled paper. | Low | 18/19 FY |

Principle 3: Pursue ecologically sustainable land use and development.

| | |
|-----------------|--|
| Target 1 | Enhanced native vegetation connectivity across the Upper Hunter. |
| Target 2 | Development application process includes review of potential environmental impacts and mitigation requirements included in conditions. |
| Target 3 | Higher quality final landforms with shallower voids and more emphasis on progressive rehabilitation with local workforce participation |

| Focus | Action | Priority | Timing |
|-------------------------------------|--|-----------------|---------------|
| Decision making | 1.0 Examine opportunities for agricultural development in shire. | Low | Ongoing |
| | 2.0 Promote use of renewable energy in new developments. (Review LEP and DCP to address requirements for development). | Low | Ongoing |
| | 3.0 Explore opportunities to develop a Sustainability Demonstration Centre in partnership with Corporate Sector and State and Federal Government. | Low | Ongoing |
| | 4.0 Conserve heritage items within the Shire by identifying items of heritage significance for protection. | Med | Ongoing |
| | 5.0 'Review of Environmental Factors' Process and facilitate ongoing dialogue to ensure sustainability options are suitably considered. | High | Ongoing |
| Land Conservation Management | 6.0 Participate in the Upper Hunter Corridors and Connectivity Strategy and the Hunter Central Coast Regional Environmental Strategy (HCCREMS) to identify key rehabilitation areas to improve connectivity. | Low | 18/19 FY |
| | 7.0 Develop Environmental Sustainability Guidelines and checklist for development applications. | High | Ongoing |
| | 8.0 Ensure sustainability principles are considered in Local Environmental Plan and Development Control Plan amendments. | High | Ongoing |
| | 9.0 Require development proposals to avoid and mitigate against potential environmental impacts and facilitate improved environmental outcomes where possible. | High | Ongoing |
| | 10.0 Continue surveillance and regulation of illegal dumping on an ongoing basis. | Med | Ongoing |

| Focus | Action | Priority | Timing |
|----------------------------------|--|----------|---------|
| | 11.0 Work in partnership with industry and other levels of government to achieve improved rehabilitation outcomes for buffer and post mining land. | High | Ongoing |
| Water, Energy & Waste | 12.0 Undertake regular inspections of building sites subject to development consent and construction certificates to monitor waste management in accordance with consent conditions. | High | Ongoing |

Principle 4: Collaborate with the community and other stakeholder groups to protect and preserve the natural environment.

| | |
|-----------------|---|
| Target 1 | Work towards a recycling rate of 70% by 2021-22 |
| Target 2 | Healthier waterways and natural areas with greater recreational use by the community. |
| Target 3 | The community to meet Renewable Energy Target commensurate with the NSW Government Renewable Energy Target. |

| Focus | Action | Priority | Timing |
|-------------------------------------|--|----------|----------|
| Land Conservation Management | 1.0 Develop a Garden Weed Replacement Scheme and identify target areas and species. | Low | 18/19 FY |
| | 2.0 Support existing Landcare groups to help long term survival of group for sustainability outcomes. | Med | Ongoing |
| | 3.0 Liaise with Wanaruah Local Aboriginal Land Council to develop a Muswellbrook Common EEC Restoration – Flying Fox Habitat Project. | Med | 18/19 FY |
| | 4.0 Participate in the state-wide Landcare Coordinator Program in cooperation with the Hunter Region Landcare Network. | Med | Ongoing |
| | 5.0 Liaise with the Conservation Volunteers Australia and provide direction for the use of the arranged volunteer hours and manage individual CVA group projects. | Low | 18/19 FY |
| | 6.0 Identify opportunities for future community projects/activities. | Low | Ongoing |
| | 7.0 Continue National Tree Day planting sites. (Use media, promotion, Conservation Volunteers Australia and community contacts to enlist volunteers.) Needs to be coordinated within council to ensure that sites are selected that will assist with ongoing sustainability improvement. | High | Ongoing |
| Sustainable decision making | 8.0 Gather meaningful sustainability feedback from community consultation or web based surveys or other to guide sustainable decision making. | Low | Ongoing |
| | 9.0 Support businesses and engage with the community in regard to energy, water and waste minimisation and re-use. Report on support provided. | Med | 18/19 FY |
| | 10.0 Participate in co-ordinated catchment management relationships. Such as Upper Hunter Water Alliance and | Med | Ongoing |

| Focus | Action | Priority | Timing |
|-----------------------|--|----------|----------|
| | integrated water cycle management. | | |
| Water, Energy & Waste | 11.0 Conduct community engagement to encourage community to adopt NSW Government Renewable Energy Target. | Med | Ongoing |
| | 12.0 Add Council's sustainability actions/achievements to community newsletter, website, events and forums. | Med | Ongoing |
| | 13.0 Develop community energy, water and waste saving education program. | Low | 18/19 FY |
| | 14.0 Develop electronic signage or other communication technology to demonstrate sustainability achievements to the community such as real time solar generation. | Low | 18/19 FY |
| | 15.0 Develop and implement an awareness, communications and education program covering all aspects of sustainability considering regional partnerships and best practice. Use a variety of methods including attending community events, supporting local projects, utilising a range of media formats, tours, school/scouts/guides activities, etc. | Low | ongoing |

Principle 5: Support and regulate activities of others within council's control to protect the environment.

| | |
|-----------------|--|
| Target 1 | Reduce waste by 5% per capita by 2021-22 from 2011-12 baseline (KPI: kg/capita/year) |
| Target 2 | Support initiatives which reduce the community's impact on the environment |

| Focus | Action | Priority | Timing |
|------------------------------------|---|----------|----------|
| Sustainable Decision Making | 1.0 Develop a Standard Operating Procedure for the receiving of woodchip mulch from contractors. | Med | 17/18 FY |
| Reduce Pollution | 2.0 Continuation of the Wood Smoke Reduction Rebate Program. | Med | Ongoing |
| | 3.0 Communicate outcomes of latest research on air pollution sources to Shire and air pollutant reduction programs. | Med | Ongoing |
| | 4.0 Establish an aspects and impacts register to identify current and possible pollution threats in the Shire. This also meets requirements of planned EMS development and Protection of the Environment Operations Act 1997. | Med | 18/19 FY |
| Land Rehabilitation | 5.0 Support and advise coal mines within the Shire with their land rehabilitation plans and works. | Med | Ongoing |
| Waste | 6.0 Develop service involving kerbside food waste collection and processing and market the final product. | Med | 19/20 FY |
| | 7.0 Assist sales opportunities for composted garden and food product. | Med | Ongoing |
| | 8.0 Promote and support the Community Recycling Centre (CRC). | Med | Ongoing |

POLICY REFERENCE

Environmental Sustainability Policy
Policy Number: S32/1

12.3 CHRISTMAS SPECTACULAR

| | |
|---------------------------------|---|
| Attachments: | Nil |
| Responsible Officer: | Fiona Plesman - Director - Planning, Community & Corporate Services |
| Author: | Joshua Brown - Co-Ordinator Executive Services |
| Community Plan Issue: | <i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i> |
| Community Plan Goal: | <i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i> |
| Community Plan Strategy: | <i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i> |

PURPOSE

To report to Council a request for funds to support the Muswellbrook Christmas Spectacular for 2017.

OFFICER'S RECOMMENDATION**Council:**

1. Support the Christmas Spectacular for 2017 as a sponsor; and
2. Delegate authority to the General Manager to negotiate with Muswellbrook Race Club the specific components of the event to be supported by Council's sponsorship of \$6,250.

Moved: _____ **Seconded:** _____

BACKGROUND

Council has previously provided financial support towards the Muswellbrook Christmas Spectacular and a request has been received from the Muswellbrook Race Club, which hosts the event for a funding contribution for this year's event.

CONSULTATION

General Manager

REPORT

Muswellbrook Race Club has sought a funding contribution of \$6,250 towards the 2017 Christmas Spectacular, which will be held at the Race Club and coincide with this year's Muswellbrook Cup Day Festival. Council has supported the event in previous years however has been disappointed in the acknowledgement it has received for its sponsorship.

It is recommended that Council sponsor the event in the amount of \$6,250 but decline the request for direct funding and instead offer the allocated funds to pay for a component or element of the event. Should Council accept the recommendation, Council will contact the Race Club and negotiate the payment of its sponsorship for a specific element of the Spectacular.

OPTIONS

1. It is recommended that Council sponsor the event and that the General Manager negotiate directly with the Muswellbrook Race Club on particular components of the event that Council will fund; or

2. Councillors may grant \$6,250 directly to the Club as per its request; or
3. Councillors may elect not to sponsor the event or to grant an alternative amount.

CONCLUSION

It is recommended that Council's support for the Christmas Spectacular be confined to a specific element of the event.

SOCIAL IMPLICATIONS

The Christmas Spectacular provides the community with an exciting and entertaining experience for all ages as part of the festive season. It contributes to social cohesion and inclusion.

FINANCIAL IMPLICATIONS

The amount requested is allocated within the 2017/18 budget.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

The Local Government Act permits donations and sponsorships of this type.

LEGAL IMPLICATIONS

No known legal implications.

OPERATIONAL PLAN IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

No known risk management implications.

12.4 SPECIAL RATE VARIATION APPLICATION PREPARATION

| | |
|---------------------------------|---|
| Attachments: | Nil |
| Responsible Officer: | Fiona Plesman - Director - Planning, Community & Corporate Services |
| Author: | Melissa Cleary - Co-Ordinator - Integrated Planning |
| Community Plan Issue: | <i>Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community</i> |
| Community Plan Goal: | <i>Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.</i> |
| Community Plan Strategy: | <i>Implement and maintain a diverse range of communication channels between Council and community stakeholders..</i> |

PURPOSE

The purpose of this report is to request that Council allocate funds to conduct a Community Engagement Program, Capital Expenditure Reviews to support Council's application to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Rate Variation (SRV).

OFFICER'S RECOMMENDATION

Council allocates a budget from the Administration Reserve of up to \$95,000 for the community engagement program, capital expenditure reviews and other associated costs regarding the proposed application to IPART for a Special Rate Variation.

Moved: _____ **Seconded:** _____

BACKGROUND

At the Extra-Ordinary Council Meeting held on 20 September 2017, Council resolved on the motion of Crs Rush and Bailey that:

Council delegate the preparation of an application for a Special Rate Variation with the Independent Pricing and Regulatory Tribunal (IPART) to the General Manager.

IPART requires Councils to actively engage residents in discussions about any proposed increase to charges above the rate peg.

CONSULTATION

Director Planning, Community and Corporate Services

Coordinator Executive Services

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Cr Reynolds

REPORT

The community engagement program includes:

- A letter to all ratepayers in regard to the SRV and related proposed projects proposed for distribution in the week of 23rd October.
- Phone survey of 400 residents in the first week of November.
- A series of 3 one day workshops with the community panel from last week of October to December.

| | |
|--|--------------------|
| 1. Letter to ratepayers (est 8,000): | |
| i. Printing (letters and envelopes) | \$2,850.32 |
| ii. A4 double-sided colour printed flyer | \$4,500.00 |
| iii. Postage | \$5,924.05 |
| | \$13,274.37 |
| 2. Phone survey of residents (est 400) | \$10,367.50 |
| 3. Community Panel (forums 4 & 18 November, 2 December 2017) | |
| i. Honorarium (40 panel members x \$200 x 3 forums) | \$24,000.00 |
| ii. Venue Hire (\$320 x 3 forums) | \$960.00 |
| iii. Catering (M/T and lunch \$950 x 3 forums) | \$2,850.00 |
| | \$27,810.00 |
| 4. Additional staffing allocation | |
| i. Admin support (\$48.47 x 14 hours x 9 weeks) | \$6,107.22 |
| TOTAL (ex GST) | \$57,559.09 |

It is anticipated that two Capital Expenditure Reviews will be required as part of the application process. A budget provision of \$20,000 is requested for this process. In addition, there may be associated costs required to complete the application and an allocation of a further \$17,440.

OPTIONS

As community engagement is a mandatory component of Council's application for a Special Rate Variation to the Independent Pricing and Regulatory Tribunal, the options for Council are that:

1. Council allocate funds to conduct an SRV Community Engagement Program as outlined in this report including the capital expenditure reviews and other associated costs;
2. Council allocate funds to an amended SRV Community Engagement Program, selecting from the list of proposed actions outlined in this report including the capital expenditure reviews and other associated costs;
3. Council recommends alternate methods for an SRV Community Engagement Program which would need to include the capital expenditure reviews and other associated costs.

CONCLUSION

It is recommended that Council allocates \$95,000 to conduct a Community Engagement Program and capital expenditure reviews to support Council's application to IPART for an SRV.

SOCIAL IMPLICATIONS

Community consultation has positive social implications.

FINANCIAL IMPLICATIONS

A budget request of \$95,000 will be required to conduct a Community Engagement Program, Capital Expenditure Reviews and provides a provision for any other associated costs as outlined in this report, to support Council's application to IPART for a SRV.

POLICY IMPLICATIONS

The proposed community consultation is in line with Councils Community Engagement Strategy.

STATUTORY IMPLICATIONS

The proposed community consultation is in line with the Integrated Planning and Reporting Framework.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

This Community Engagement Program links directly with Council's 2017/ 2018 Operational Plan:

- 22.1.1 Implement and maintain a diverse range of communication channels between Council and community stakeholders;
- 23.1.1 Undertake a comprehensive community consultation program as per the Community Engagement Strategy;
- 23.2.1 Establish a community panel engagement process.

RISK MANAGEMENT IMPLICATIONS

The community engagement program is in line with Councils risk management.

12.5 DIRECTOR'S REPORT - PLANNING, COMMUNITY & CORPORATE SERVICES

Attachments: Nil

Responsible Officer: Fiona Plesman - Director - Planning, Community & Corporate Services

Author: Chloe Wuiske - Administration Officer
 Jade Richardson - Co-Ordinator, Customer Service & Administration
 Carolyn O'Brien - Manager, Community Services
 Pathum Gunasekara - Acting Manager, Planning & Regulatory Services

Community Plan Issue: *Progressive leadership*
Community Plan Goal: *That Muswellbrook Shire is well led and managed*
Community Plan Strategy: *Operational efficiency*

PURPOSE

Monthly report to Council.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ Seconded: _____

REPORT

PLANNING & REGULATORY SERVICES

1. 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 (26 August 2017 to 21 September 2017)

| DA No. | DESCRIPTION | PROPERTY | VALUE (\$) |
|------------|--|---|------------|
| 2017/14/2 | S96(1a) Modification: Remove Step and Increase Height of Retaining Wall to Maximum of 1.2m | 42 Stockyard Parade Muswellbrook | - |
| 2011/253/3 | S96(1a) Modification - Removal of Condition 34 of Consent | 25 Sowerby Street Muswellbrook | - |
| 2017/74 | Upgrade of Existing Dairy | 895 New England Highway Muswellbrook | 258,257 |
| 2017/72 | Demolition of House | 640 Wybong Road Muswellbrook | 40,000 |

| DA No. | DESCRIPTION | PROPERTY | VALUE (\$) |
|---------|--|--|------------|
| 2017/71 | Storage Shed | 10 Enterprise Crescent Muswellbrook | 80,000 |
| 2017/61 | Additions to existing Industrial Building | 24 Strathmore Road Muswellbrook | 326,230 |
| 2017/58 | Change of Use - Continue using as a Dwelling | Jerdan Street Denman | - |
| 2017/21 | Demolition | Brook Street Muswellbrook | 100,000 |

Schedule 2: Development Applications Currently Being Assessed

| DA No. | DESCRIPTION | PROPERTY | RECEIVED | VALUE (\$) |
|------------|---|---------------------------------------|------------|------------|
| 2004/408/3 | S96(1a) Modification - Convert Storeroom into Retail Tenancy Shop 20A | 19-29 Rutherford Road Muswellbrook | 20/09/2017 | - |
| 2017/81 | Change of Use - Function Facility - Bed & Breakfast - Tea Room | 310 Denman Road Muswellbrook | 19/09/2017 | 6,000 |
| 2017/80 | Deck at Rear of House | 54 Cook Street Muswellbrook | 11/09/2017 | 11,165 |
| 2017/79 | Swimming Pool & Associated Safety Barriers | 612 Rosemount Road Denman | 07/09/2017 | 74,000 |
| 2017/78 | Farm Shed | Bureen Road Denman | 05/09/2017 | 67,000 |
| 2017/77 | New Dwelling | 50 Ogilvie Street Denman | 25/08/2017 | 198,000 |
| 2017/76 | Renovations and Additions to Racing and Function Centre | 16 Sheppard Avenue Muswellbrook | 24/08/2017 | 4,000,000 |
| 2017/75 | Steel Storage Shed | 71 Humphries Street Muswellbrook | 07/08/2017 | 18,100 |
| 2017/73 | Caravan Park - Continuation of Use | 1618 Merriwa Road Sandy Hollow | 28/07/2017 | - |
| 2017/70 | Boarding House | 14 Haydon Street Muswellbrook | 26/07/2017 | 1,150,000 |
| 2017/69 | New Rural Fire Station next to Existing Fire Station | Virginia Street Denman | 24/07/2017 | 468,000 |
| 2017/67 | Demolition of Existing Service Station & Construction of New Service Station | 12-20 Sydney Street Muswellbrook | 10/07/2017 | 1,998,653 |
| 2017/66 | Refurbishment and Extension of Existing RSL Building | 2-4 Isobel Street Denman | 10/07/2017 | 3,666,099 |
| 2017/60 | Change of Use - Building Materials Recycling Depot | 7 Glen Munro Road Muswellbrook | 23/06/2017 | - |
| 2017/59 | Deconstruction and Rebuilding of Heritage Belfry | 20 Brook Street Muswellbrook | 20/06/2017 | 75,000 |
| 2017/57 | Construction of Ford and Isuzu Showroom, Vehicle Display and Signage | 113 Maitland Street Muswellbrook | 14/06/2017 | 445,459 |
| 2017/53 | Extension to Existing Commercial Building | 6 Wilkins Street Muswellbrook | 31/05/2017 | 76,000 |
| 2000/212/6 | S96(1a) Modification - Extension of timeframe of Operations & Extraction Area, Site Plan, Removal of Conditions | 2449 Denman Road Muswellbrook | 29/05/2017 | - |

| DA No. | DESCRIPTION | PROPERTY | RECEIVED | VALUE (\$) |
|------------------|---|---------------------------------------|------------|------------|
| 2003/72/2 | S96(1a) Modification - Amend Condition 1.11 - Alter Hours of Operation | 83-89 Maitland Street Muswellbrook | 21/04/2017 | - |
| 2017/38 | Garage, Awning & Driveway | 45 Sowerby Street Muswellbrook | 19/04/2017 | 30,000 |
| 2017/33 | Converting a Shed to a Granny Flat | 93 Queen Street Muswellbrook | 07/04/2017 | 30,000 |
| 2017/25 | Mobile Crushing Plant | 11 Glen Munro Road Muswellbrook | 21/03/2017 | 40,000 |
| 2016/111/2 | S96(1a) Modification -Extend Existing Retaining Wall by Six (6) Metres | 33 Shaw Crescent Muswellbrook | 10/03/2017 | - |
| 1995/1009 8/3 | S96(2) Modification - Additional Small Irrigation Area & Amend Conditions | Savoy Parish County Durham | 30/01/2017 | - |
| 2016/32 | Placement of Fill | 110 Merriwa Road Denman | 12/04/2016 | 5,000 |

4.07.01.1 - On-site sewage management systems meet regulatory standards. Ensure all on site sewage management systems have necessary approvals and inspections are to be carried out

On-site Wastewater Statistics - 13 Month Analysis (2016/2017)

| | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Applications Received (new installation) | 0 | 1 | 1 | 2 | 3 | 0 | 1 | 0 | 1 | 1 | 0 | 0 | 1 |
| Applications Approved (new installation) | 2 | 2 | 0 | 3 | 3 | 0 | 4 | 0 | 1 | 0 | 1 | 1 | 2 |
| Inspections (new system) | 5 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Inspections (existing system) | 8 | 33 | 51 | 61 | 83 | 4 | 31 | 8 | 6 | 31 | 14 | 26 | 1 |

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 (2016/2017)

| | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total Sites Inspected | 3 | 3 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total non-compliant and educated | 1 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total compliance after education | 2 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Penalty Notices Issued | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

4.06.01.1 - Increase surveillance and regulation of illegal dumping***Illegal Dumping Statistics – 13 Month Analysis (2016/2017)***

| | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total Investigations | 18 | 1 | 4 | 3 | 5 | 1 | 3 | 2 | 3 | 5 | 2 | 5 | 4 |
| Total Clean up by Council - insufficient evidence | 8 | 1 | 3 | 2 | 3 | 1 | 2 | 2 | 3 | 3 | 2 | 1 | 2 |
| Total Clean Up by individual | 3 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 2 |
| Total Penalty Notices Issued | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Court Attendance Notice Issued | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Still under investigation | 7 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 |

4.04.04.4 - Enhance public safety and wellbeing of the community by undertaking an inspection program for swimming pools within the Local Government Area***Swimming Pool Compliance Statistics – 13 Month Analysis (2016/2017)***

| | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug |
|------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Applications for Compliance Certs. | 0 | 2 | 0 | 2 | 1 | 3 | 2 | 3 | 2 | 1 | 0 | 1 | 2 |

| | | | | | | | | | | | | | |
|--|----|----|----|----|----|----|----|----|----|----|---|----|----|
| Total compliance inspections (not inc. Final Insp. for Occ. Certs) | 15 | 23 | 18 | 25 | 17 | 20 | 19 | 42 | 25 | 19 | 8 | 19 | 29 |
| Initial Inspections | 13 | 21 | 14 | 19 | 17 | 15 | 16 | 27 | 19 | 1 | 4 | 17 | 23 |
| Re-inspections | 2 | 2 | 4 | 6 | 0 | 5 | 3 | 15 | 6 | 18 | 4 | 2 | 6 |

| | | | | | | | | | | | | | |
|--------------------------------------|----|----|----|----|---|---|----|----|----|----|---|----|----|
| Compliance Certs / Occ. Certs issued | 13 | 11 | 12 | 16 | 8 | 9 | 22 | 26 | 18 | 27 | 7 | 15 | 21 |
|--------------------------------------|----|----|----|----|---|---|----|----|----|----|---|----|----|

Total Pools in Council's Swimming Pool Register = 858**Compliance as at 30 June 2017 = 63.7%****Current Compliance = 68.6%**

(i.e. 589 out of 858 pools have a valid Compliance Certificate or Occupation Certificate.

Note: Certificate is valid for 3 years)

Percentage of pools inspected during Financial Year 2017/2018 = 4.6%

(i.e. 40 out of 858 pools have had at least one inspection carried out during FY 2017/2018. Council's program outlines that we will inspect 10% of pools per year).

COMMUNITY SERVICES**5.3.3 Identify a new location for Upper Hunter Youth Services and provide support to the organisation regarding their relocation**

A internal meeting was held between the Community Service Department and the Building Services Section to discuss the information provided in the Upper Hunter Youth Services Accommodation Needs Discussion Paper. The meeting resolved to progress the proposal to explore possible sites for relocation.

6.1.1 Deliver the Stronger Families Stronger Communities strategy with regard to people in social housing in partnership with other providers over the two financial years

A considerable amount of working is happening in the Collaborative Impact Facilitator Project, this projects objective is to improve the wellbeing of people living in Muswellbrook. The project is working closely with Premier & Cabinet Hunter to develop baseline data that will assist in determining risk factors for the vulnerable sections of our community including individuals and families residing in social housing.

7.1.1 Develop a discussion paper that describes the current social indicators across Muswellbrook Shire following the release of the 2016 ABS Census

Preliminary work has commenced around identifying social indicators for the community of Muswellbrook this project is closely linked to the development of baseline data as mentioned above.

8.1.2 Support Denman Children's Centre Extension project

Denman Child Care Centre presented their plans to develop the Childcare Centre on their existing site to the Corporate Policy & Planning Meeting last month. Preliminary discussions have commenced with Building Services Section regarding the boundary issues that were raised at this meeting.

10.1.3 Over the next two years deliver the local Oral History Project to provide Elders and others with an opportunity to share their stories

The Aboriginal Reconciliation Committee met this month and resolved that the Aboriginal Oral History Reference Group be established to develop a terms of Reference for adoption.

10.1.4 Monitor the conservation of the Aboriginal Mural and Aboriginal Artefacts Projects to ensure that conservation occurs when required

The Aboriginal Reconciliation Committee also recommended that the Widden Creek Aboriginal Artefact Project be progresses to omelette the interpretive design that will accompany the display cabinet.

10.2.1 Work with the Aboriginal Community to improve access to cultural and educational activities

Funding application was submitted this month to the Regional Cultural Fund 2017 for the Aboriginal Education & Culture Centre. Wanaruah Local Aboriginal Land Council were partners in this application. Further work will carried out with the other identified Aboriginal Groups in the community to develop the concept of the repurposing of the Muswellbrook Railway Building as the Aboriginal Education & Culture Centre.

ARTS CENTRE**Exhibition Program**

The following suite of exhibitions closed on 27th August 2017:

- Contemporising the Modern: the Robert Mills Photographic Collection (School of Arts Gallery)
- Travis De Vries: Lost Tales – Walking with Gods (Centre Court & Wollemi Galleries)
- Creature: Selections from the Max Watters Collection (Max Watters Gallery)
- Vale Sydney Ball (Ramp Gallery)

Lost Tales – Walking with Gods was the Arts Centres NAIDOC week exhibition. The artist, Travis De Vries is a Kamilaroi man born in Muswellbrook though now based in Sydney.

The following suite of exhibitions opened at 6.00pm on Saturday 1st September 2017 to a crowd of 100 guests and will close on Sunday 22nd October 2017:

- Dorothy Wishney: the Art of Contemplation (School of Arts Gallery)
- Michele Heibel: for the Love of The Hunter (Centre Court Gallery)
- Urban Outlook: selections from the Max Watters Collection (Max Watters Gallery)
- Our Community: works from Goodstart Early Learning children, Muswellbrook (Wollemi Gallery)
- 8 x 10 : Photography works from Muswellbrook High School (Ramp Gallery)

The next suite of exhibitions to open at the Arts Centre will be at 6.00pm on Saturday 28th October 2017. They will close on 22nd December 2017:

- Muswellbrook Local Art Awards 2017 (School of Arts & Centre Court Galleries)
- Graham (Polly) Farmer Foundation Muswellbrook High School Enrichment Centre – Muswellbrook High School Aboriginal Student Works (Ramp Gallery)
- Urban Outlook will continue in the Max Watters Gallery

An additional bi-annual exhibition will open at the Arts Centre on Tuesday 28th November 2017. The exhibition will close on 15th December 2017:

- Red Cross Christmas Trees & Wreaths (Wollemi Gallery)

Entries for the 2017 Muswellbrook Local Art Awards close on Friday 6th October 2017 and delivery of works is to be made by Friday 20th October.

Visitation

| | |
|---------------|------------------------------|
| June 2017: | Visitation: 393 |
| | Days open: 26 |
| | Average visitors per day: 15 |
| July 2017 | Visitation: 291 |
| | Days open: 23 |
| | Average visitors per day: 13 |
| August 2017: | Visitation: 322 |
| | Days open: 24 |
| | Average visitors per day: 13 |
| 2017 to date: | Visitation: 2,916 |
| | Days open: 181 |
| | Average Visitors per day: 16 |

Please note that visitations during the weekend have dramatically decreased for the Arts Centre due to Artiste Café being closed on weekends.

Education Program

- Travis De Vries held a workshop at the Arts Centre on Saturday 5th August 2017, coinciding with his exhibition Lost Tales: Walking with Gods. 4 people attended the workshop.
- Experimental Charcoal workshop by Dorothy Wishney was held at the Arts Centre on Saturday 2nd September 2017 with 8 people in attendance.
- Cadi McCarthy from Catapult Dance Company held a dance/film project with students from Muswellbrook High School on Friday 18th August 2017 from 6pm. 42 people attended this event.
- Arts Centre Assistant Jade Goodwin held the fifth session of Manga cartooning workshops called Club Manga at the Arts Centre with 6 people in attendance. On the 13th August 2017 4 people attended. 13th August was the last Club Manga workshop as the group is being re-named 'Sunday Sketchers' changing to a youth workshop series with a wider subject matter of drawing, techniques and materials.
- The Arts Centre hosted a visit on Thursday 1st June 2017 from the Terrigal Haven Probus Club with 35 people in attendance.
- A Resin Art Workshop was conducted by Naomi Norris on Saturday 10th June 2017 with 11 people in attendance.
- A Tiny Thread Treasures Workshop was conducted by Untethered Fibre Artist Barbara Schey on Saturday 17th June 2017 with 5 people in attendance.
- The Arts Centre hosted a visit on Wednesday 23rd August 2017 from the Muswellbrook High School Enrichment Centre with 11 people in attendance.

Collection ManagementManagers Office Refurbishment:

Work began in the Arts Centre Managers office in July. The office has been painted along with new flooring and bookshelves that have been installed. Incomplete work is currently still in the process of being completed. The bookshelves are to home the Research Library Collection of the Arts Centre.

Acquisitions:

The Arts Centre acquired a sculptural work through the Cultural Gifts Program by Paul Selwood. The work is 'Psyche' 2001, steel, hot zinc coated and painted, 70 x 46 x 24 cm. This work was donated to the Muswellbrook Shire Art Collection.

The Arts Centre received a donation from exhibiting Hunter artist, Dorothy Wishney. The work is titled Watagan Cliff Face – Watagan Mountains, New South Wales. It was created in 2014 and is a charcoal on paper work to be accessioned into the Muswellbrook Shire Art Collection. The work is currently exhibiting in the School of Arts Gallery as part of Dorothy's current exhibition, Art of Contemplation.

The Arts Centre received a donated work by Shirley Kidd (nee Moore). Shirley is a Muswellbrook born porcelain painter who is related to the Gill Family and was a close friend of acclaimed Muswellbrook born artist James Clifford. The work c.1994, is an acrylic on board framed work titled "Roses on a Fence" that depicts a still life of flowers in muted, earthy tones.

Other Activities:

The newly created Instagram account for the Arts Centre has currently made 51 posts and has 313 followers. Arts Centre staff have found this to be a positive tool for engaging with visitors near and far to promote the Arts Centre.

The seasonal newsletters from the Arts Centre are being discontinued as we welcome a new publication, Art upClose implemented by Public Programs Officer, Elissa Emerson. Art upClose will continue the traditions established by the Arts Centre newsletter and also showcase the art world of the Upper Hunter Region and beyond. The first issue is out now and issue no. 2 is to come out during the last exhibition cycle for 2017.

Staff Training:

Public Programs Officer and Arts Centre Assistant have both obtained a Working with Children's check that will be valid until July 2022

LIBRARY**5.5.2 Continue the delivery of passive recreation and cultural activities in libraries**

September update:

Events held – Brain training, Wayne Ellis “Kissing the black dog” book launch, Visit from State Records “Frank Gardiner- Ben Hall gang”, weekly Storytime and rhyme time events, crochet and craft classes, book clubs and family history instruction. The first book club and local studies sessions were held at Denman library with participation and interest in both growing steadily.

Participants – Story time sessions August/ September

- Muswellbrook - 208 kids/mums
- Denman events table.

| Date | Event | Numbers (adults/children) |
|-------------|-------------------------|----------------------------------|
| 22/08/17 | Book Week Session | 1 adult / 13 children |
| 25/08/17 | Book Week Session | 3 adults / 17 children |
| 26/08/17 | Storytime Saturday | 1 adult / 4 children |
| 01/09/17 | Wayne Ellis Author Talk | 4 adults / 3 children |

Costs – all costs have been absorbed by staffing levels (no cost to public).

Staff time – staff are allocated time to manage sessions.

Number library members - Muswellbrook 4370
- Denman 476

Number of visitors to the libraries –

- Muswellbrook 4321
- Denman 412

New members for month August/September

- Muswellbrook 97
- Denman 15

Staff training – Staff are undergoing training for the new Aurora Library Management System and the libraries will be closed on the 23rd October for a combined Upper Hunter Regional Library training before the rollout on the 27th of October.

Stock take has just been completed at the Muswellbrook and Denman libraries, the Upper Hunter's is ongoing and on completion the relevant reports will be run and reported to the respective departments.

The library has secured a grant for the 2017 NSW Grandparents Day with functions to be held at Denman and Muswellbrook libraries over the 28th and Sunday 29th of October. A number of activities will include games for all ages so that the generations can share both physical, board and online gaming skills and stories.

Customer feedback – Customer feedback is steadily coming through our social media and handouts during events.

13 REPORTS FROM COMMITTEES

13.1 REPORT OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY, 19 SEPTEMBER 2017

| | |
|---------------------------------|---|
| Attachments: | Nil |
| Responsible Officer: | Peter Higgins - Acting Director - Community Infrastructure |
| Author: | Imelda Williams - Traffic & Roads Status Officer |
| Community Plan Issue: | <i>Our community's infrastructure is planned well, is safe and reliable and provides required levels of service</i> |
| Community Plan Goal: | <i>Facilitate investment in high quality community infrastructure necessary to a regional centre.</i> |
| Community Plan Strategy: | <i>Investigate and recommend appropriate management treatments for road safety and traffic management.</i> |

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Local Traffic Committee held on 19 September 2017.

OFFICER'S RECOMMENDATION

The Minutes of the Local Traffic Committee Meeting held on Tuesday 19 September 2017 be received and the recommendations contained therein **ADOPTED**.

Moved: _____ Seconded: _____

REPORT

The Local Traffic Committee met on Tuesday 19 September 2017.

The Minutes of the meeting are attached for the information of the Councillors.

PRESENT: Cr S. Reynolds (Chair), Mr G. de Boer (Representing Mr Michael Johnsen), Mr P. Higgins (Manager Technical Services), Snr,. Constable C. Dengate (NSW Police).

IN ATTENDANCE: Mrs I. Williams (MSC) Mr A Mettam (Ranger).

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED that the apologies for inability to attend the meeting submitted by Mr T. Chapman (RMS Newcastle) be ACCEPTED. (Vote submitted electronically)

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED that the Minutes of the Local Traffic Committee held on 15 August 2017, 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

5 BUSINESS

5.1 RUTHERFORD ROAD ACACIA DRIVE INTERSECTION

RECOMMENDED that Council take no action in this matter.

VOTE: Unanimous support

5.2 BUS STOPS BROOK STREET

RECOMMENDED that Council:

- take no action in relocating the designated bus stop in Brook Street at the front of the Brook Street Medical Centre and that at the end of the construction phase the bus stops be returned to this location
- make further consultation and investigations into the feasibility for the bus stop to be located between the Catholic Church driveway and the access to the Brook Street car park on the southern side of Brook Street.

VOTE: Unanimous Support

5.3 INFORMAL REPORT RACECOURSE ROAD SAFETY OF TRACK WORK RIDERS

RECOMMENDED that Council take no action to install flashing lights and warning signs on Racecourse Road and Sheppard Avenue to indicate the presence of horses and riders and advise the applicant that if the race club wish to pursue the installation themselves the following matters would need to be addressed:

- The lights would need to meet the appropriate Australian Standards
- Consultation undertaken and agreement of affected home occupier/landowners and Council for the location of the lights
- The installation would require a s.138 (Roads Act 1993) permit
- The installation would be at the full cost to the race club
- Ongoing maintenance would be the responsibility of and at full cost to the race club
- The lights are only to be displayed between the hours of 4am to 8am on training days

VOTE: Unanimous Support

5.4 LATE ITEM: MARKET STREET ROAD CLOSURE FOR THE BOTTOMS UP BEER FESTIVAL

RECOMMENDED that

Council use its delegated authority to approve the temporary road closure of Market Street Muswellbrook from William Street to the bus interchange/railway carpark on Saturday 21 October 2017 from approximately 9:00am to midnight subject to the approval of the RMS and with the following provisions to be implemented by the organisers of the event:

1. The closure must be advertised in the local paper prior to the event;
2. To advise the business operators within the affected site of the road closure 21 days prior to the event;
3. Traffic control and the traffic control plan must be provided by RMS qualified traffic controllers;
4. All emergency services be advised of the road closure 21 days prior to the event and provision be made to allow access through the site should it be required;
5. Variable message boards to be placed on the highway to advise motorists of the proposed closure a minimum of 1 week prior to the event;
6. Approval be obtained from the RMS to close and detour the high vehicle by-pass.
7. The NHVR be advised of the detour of the high vehicle by pass
8. Closure to be undertaken with consultation of the NSW Police

VOTE: Unanimous Support

5.5 LATE ITEM DEVELOPMENT APPLICATION 18/2017 ALTERATIONS TO MUSWELLBROOK WORKERS CLUB SYDNEY STREET (REPORTED TO 20 JUNE 2017 LTC MEETING)

(Further to the recommendation of the June 2017 LTC meeting the applicant provided an amended car parking plan which was tabled for discussion).

RECOMMENDED that the plan be amended to reflect the following changes:

- the disabled parking spaces be moved to carpark spaces numbered 27-31 on the plan; with accessibility provision made through the abutting median/and or removal of the median;
- The disabled parking space signage be visible from the point of entry or allow direct access from the one way entry point by removing the median;
- Remove and relocate car park numbered 58 to the adjoining shared space;
- The primary entry to the site be clearly marked as such;
- The two way traffic lanes to be marked with separated arrows in accordance with the Australian Standards;
- The stop line on the plan is not the correct delineation and should reflect Australian Standards;
- The stop sign should be relocated to the location of the stop line and
- The “turning circle bay” indicated on the Endeavour Building site along with car parks numbered 87-89 +2 “historical” appear to be located in the constructed rear courtyard of the building.

VOTE: Unanimous Support

6 ITEMS WITHOUT NOTICE

6.1 INFORMAL ITEM FOR ADVICE:

DEVELOPMENT APPLICATION 2017-0067 PROPOSED DEMOLITION AND RECONSTRUCTION OF SERVICE STATION 12-26 SYDNEY STREET MUSWELLBROOK

The plan showing the layout of the development and the proposed access points was tabled at the meeting for advice. The committee considered that the 2 way access onto Buddens Lane is unnecessary for the circulation within the site and would create a “rat run” from Maitland Street through the Prince of Wales carpark due to the requirements of the RMS for “Left in” “Left Out” only access from Sydney Street.

6.21 INFORMAL ITEM FOR ADVICE:

DEVELOPMENT APPLICATION 2017-0076 RENOVATIONS AND ADDITIONS TO RACING AND FUNCTION CENTRE LOT 150 DP 708030 16 SHEPPARD AVENUE MUSWELLBROOK

The plan showing the layout of the development and the proposed access points was tabled at the meeting for advice. The committee considered that the 2 way access road

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON TUESDAY 19 SEPTEMBER, 2017 COMMENCING AT 2.30PM.

from Sheppard Avenue to the Race Club would require widening and sealing. The carpark is currently not delineated to show patrons and guest where to park. Intersection design at Denman Road should be referred to RMS for comment.

7 DATE OF NEXT MEETING

17 October 2017

8 CLOSURE

The meeting was declared closed at 3.36pm.

.....
Cr S. Reynolds

Chairperson

13.2 REPORT OF THE INFRASTRUCTURE COMMITTEE MEETING HELD ON WEDNESDAY, 27 SEPTEMBER 2017

| | |
|---------------------------------|--|
| Attachments: | Nil |
| Responsible Officer: | Steve McDonald - General Manager |
| Author: | Michelle Sandell-Hay - PA to the General Manager |
| Community Plan Issue: | <i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i> |
| Community Plan Goal: | <i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i> |
| Community Plan Strategy: | <i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i> |

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Infrastructure Committee held on 27 September 2017.

OFFICER'S RECOMMENDATION

The Minutes of the Infrastructure Committee Meeting held on Wednesday 27 September 2017 be received and the recommendations contained therein **ADOPTED**.

Moved: _____ **Seconded:** _____

REPORT

The Infrastructure Committee met on Wednesday 27 September 2017.

The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

| Item Ref | Description | \$ | GL No. |
|-----------------|--------------------|-----------|---------------|
| | | | |

MINUTES OF THE INFRASTRUCTURE COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON WEDNESDAY 27 SEPTEMBER, 2017 COMMENCING AT 4:42PM .

PRESENT: Cr B.N. Woodruff (Chair), Cr M. Rush, Cr M. Bowditch, Cr J.F. Eades, Cr J. Foy, Cr R. Scholes and Cr S. Ward.

IN ATTENDANCE: Mr S.J. McDonald (General Manager), Mr P. Higgins (Acting Director, Community Infrastructure), Mr P. Redan (Executive Manager, Water and Waste), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Mr E. Ediriwickrama (Manager, Roads & Drainage), Mrs M. Sandell-Hay (PA to General Manager).

1 APOLOGIES

RECOMMENDED on the motion of Crs Rush and Scholes that:

The apologies for inability to attend the meeting submitted by Cr S. Bailey, Cr M. Green, Cr J. Ledlin, Cr G. McNeill, Cr S. Reynolds be ACCEPTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Bowditch and Scholes that:

The Minutes of the Infrastructure Committee held on 30 August 2017, 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 TO AMEND ROAD STATUS AND ROAD CLASSIFICATION - ROUCHEL GAP ROAD

RECOMMENDED on the motion of Crs Rush and Eades that:

1. Council not change the status of the section of Rouchel Gap Road from 2.85km to 4.00km.
2. Council write to the Paterson's and note that Council may conduct a further review in the next few years when Council's financial position is more improved.

5.2 CBD STAGE 6 - CONSTRUCTION UPDATE

RECOMMENDED on the motion of Crs Rush and Bowditch that:

The information contained in this report be noted.

5.3 JAN - JUN 2017 INFRASTRUCTURE REPORT FOR WATER AND WASTEWATER SERVICES

RECOMMENDED on the motion of Crs Scholes and Rush that:

Council note the content of this report.

5.4 SEPTEMBER QUARTERLY REPORT - PROGRESS ON THE RECYCLE WATER TREATMENT WORKS PROJECT

RECOMMENDED on the motion of Crs Scholes and Rush that:

Council note the quarterly progress report on the provision of the new recycle water treatment works up to the end of August 2017.

6 DATE OF NEXT MEETING

25 October 2017

7 CLOSURE

The meeting was declared closed at 4.56 pm.

.....
Mr S. McDonald
General Manager

.....
Cr B. Woodruff
Chairperson

**13.3 REPORT OF THE CORPORATE POLICY AND PLANNING COMMITTEE
MEETING HELD ON WEDNESDAY, 27 SEPTEMBER 2017**

| | |
|---------------------------------|--|
| Attachments: | Nil |
| Responsible Officer: | Steve McDonald - General Manager |
| Author: | Michelle Sandell-Hay - PA to the General Manager |
| Community Plan Issue: | <i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i> |
| Community Plan Goal: | <i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i> |
| Community Plan Strategy: | <i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i> |

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Corporate Policy And Planning Committee held on 27 September 2017.

OFFICER'S RECOMMENDATION

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 27 September 2017 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Corporate Policy And Planning Committee met on Wednesday 27 September 2017.

The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

| Item Ref | Description | \$ | GL No. |
|-----------------|--------------------|-----------|---------------|
| | | | |

PRESENT: Cr B.N. Woodruff (Chair), Cr M. Rush, Cr M. Bowditch, Cr J.F. Eades, Cr J. Foy, Cr R. Scholes and Cr S. Ward.

IN ATTENDANCE: Mr S.J. McDonald (General Manager), Mr P. Higgins (Acting Director, Community Infrastructure), Mr P. Redan (Executive Manager, Water and Waste), Ms G. Bobsien (Executive Manager – Economic Development & Innovation) and Mrs M. Sandell-Hay (PA to General Manager).

1 APOLOGIES

RECOMMENDED on the motion of Crs Rush and Eades that:

The apologies for inability to attend the meeting submitted by Cr S. Bailey, Cr. M. Green Cr J. Ledlin, Cr G. McNeill, Cr S. Reynolds, be ACCEPTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Bowditch and Ward that:

The Minutes of the Corporate Policy & Planning Committee held on 30 August 2017, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 REPORT ON INVESTMENTS HELD AS AT 31 AUGUST 2017

RECOMMENDED on the motion of Crs Ward and Rush that:

The information showing Council's investments as at 31 August 2017 be noted and the exceeded individual trading limits on four issuers be accepted.

5.2 REGISTER OF PECUNIARY INTERESTS

RECOMMENDED on the motion of Crs Rush and Foy that:

The tabling of the Register of Pecuniary Interests for the period 1/7/2016 to 30/6/2017 be NOTED.

5.3 REVISED PUBLIC ART POLICY

RECOMMENDED on the motion of Crs Foy and Rush that:

The revised Public Art Policy be placed on public exhibition for 28 days.

6 DATE OF NEXT MEETING

25 October 2017

7 CLOSURE

The meeting was declared closed at 5.00 pm.

.....
Mr S. McDonald
General Manager

.....
Cr B. Woodruff
Chairperson

14 NOTICES OF MOTION / RESCISSION

Nil

15 QUESTIONS WITH NOTICE

Nil

16 COUNCILLORS REPORTS**17 QUESTIONS FOR NEXT MEETING****18 ADJOURNMENT INTO CLOSED COUNCIL**

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, business of a kind referred to in Section 10A(2) of the Act should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

19 CLOSED COUNCIL**RECOMMENDATION**

That Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

19.1 AWARD OF TENDER FOR REFURBISHMENT OF MUSWELLBROOK SEWER PUMP STATION NO 5 WET WELL - CONTRACT 2017-2018-0268

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.

Moved: _____ **Seconded:** _____

20 RESUMPTION OF OPEN COUNCIL

21 CLOSURE

DATE OF NEXT MEETING: TUESDAY 14 NOVEMBER 2017