



**muswellbrook
shire council**

Muswellbrook Shire Council
ORDINARY COUNCIL MEETING

BUSINESS PAPER
11 SEPTEMBER 2018



ORDINARY COUNCIL MEETING, 11 SEPTEMBER 2018

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
6 September, 2018

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **11 September, 2018** commencing at 6.00pm.

Fiona Plesman
GENERAL MANAGER

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19.2	REPLACEMENT OF LANDFILL WASTE COMPACTOR <i>Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
19.3	2017-2018-0233 PROVISION OF PROPERTY AND BUILDING TRADES AND SERVICES - SECOND CALL <i>Item 19.3 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
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**MUSWELLBROOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING**

**AGENDA
TUESDAY 11 SEPTEMBER 2018**

- 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 **14 August 2018**, 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

8.1 ELECTION OF MAYOR AND DEPUTY MAYOR

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>Progressive leadership</i>
Community Plan Goal:	<i>That Muswellbrook Shire is well led and managed</i>
Community Plan Strategy:	<i>Effective governance of Muswellbrook Shire</i>

PURPOSE

An election for the office of Mayor and Deputy Mayor is to be conducted at the September 2018 Council Meeting.

OFFICER'S RECOMMENDATION

The method of voting for the office of Mayor and Deputy Mayor be by open voting / ordinary ballot / preferential ballot. (delete as applicable)

Moved: _____ Seconded: _____

BACKGROUND

In September, 2016 Council elected the Mayor and Deputy Mayor for a two year period. The election for the Office of Mayor and Deputy Mayor is to be conducted at the Ordinary Council Meeting scheduled for 11 September, 2018.

CONSULTATION

Not applicable.

REPORT

The Mayoral elections are to be conducted at the September Council meeting for the ensuing 24 month period. Details of the method of election follow:

i) METHOD OF ELECTION

If more than one Councillor is nominated for the Office of Mayor or Deputy Mayor, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

The election is to be held at the Council Meeting at which the Council resolves on the method of voting.

Preferential ballot and ordinary ballot will be by secret ballot. In a preferential ballot, preferences must be shown for ALL candidates for votes to be formal.

ii) ELECTION OF MAYOR AND DEPUTY MAYOR

Procedures for election of Mayor and Deputy Mayor are governed by the Local Government (General) Regulation 2005 (Schedule 7).

The General Manager is the Returning Officer.

A nomination for the Office of Mayor and Deputy Mayor is to be made in writing by two or more Councillors **(one of whom may be the nominee)** and is not valid unless the nominee has indicated consent to the nomination in writing. A Councillor may be nominated without notice.

Forms for this purpose are included with the Business Paper documents.

The nomination is to be delivered or sent to the Returning Officer.

The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

If only one Councillor is nominated, that Councillor is elected.

OPTIONS

Not applicable.

CONCLUSION

That the election for Mayor and Deputy Mayor be conducted at the Ordinary Council Meeting on 11 September, 2018.

SOCIAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

8.2 FIXING DAY AND HOUR OF REGULAR COUNCIL MEETINGS

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>Progressive leadership</i>
Community Plan Goal:	<i>That Muswellbrook Shire is well led and managed</i>
Community Plan Strategy:	<i>Effective governance of Muswellbrook Shire</i>

PURPOSE

To consider scheduling arrangements for Ordinary Council Meetings and Meetings of the Infrastructure and Corporate Policy and Planning Committees for the coming year.

OFFICER'S RECOMMENDATION

1. Ordinary Meetings of the Council be held in the Council Chambers, Muswellbrook, on the second Tuesday of each calendar month commencing at 6.00pm.
2. No Council meeting be held in January, 2019 due to the holiday period.
3. The Council meeting scheduled to be held on 9 April, 2019 be held in the Denman RSL hall.
4. The Infrastructure Committee meetings be held in the Councillors Room, Administration Centre, Muswellbrook on the last Wednesday of each calendar month commencing at 4.30pm.
5. The Corporate Policy and Planning Committee meetings be held in the Councillors Room, Administration Centre, Muswellbrook on the last Wednesday of each calendar month commencing at the conclusion of the Infrastructure Committee.
6. As the December 2018 Infrastructure Committee and Corporate Policy and Planning Committee meetings fall on 26 December, 2018 during which time the Council Administration Centre will be closed, the meetings be held on 19 December, 2018.

Moved: _____ Seconded: _____

BACKGROUND

Council on an annual basis at this time of year considers the scheduling arrangements for Ordinary Council Meetings.

CONSULTATION

Not applicable.

REPORT

Council currently conducts an ordinary meeting on the second Tuesday of each month commencing at 6.00pm. These meetings deal with a full range of Council business, including consideration of reports from Committees. It is proposed to continue these arrangements for the coming year.

The Infrastructure and Corporate Policy and Planning Committees currently meet on the last Wednesday of each month commencing at 4.30pm. It is proposed to also continue these arrangements.

OPTIONS

Council may adopt the proposed schedule of meetings or a variation of the schedule.

CONCLUSION

It is proposed that Council conduct its Ordinary Meetings on the second Tuesday of each month commencing at 6.00pm and that the Infrastructure and Corporate Policy and Planning Committees meet on the last Wednesday of each month commencing at 4.30pm.

SOCIAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Meetings are conducted in accordance with Council's Code of Meeting Practice.

STATUTORY IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

9 BUSINESS ARISING

Nil

10 ENVIRONMENTAL SERVICES

10.1 DA 26/2018 - CONSTRUCT TEMPORARY IGLOO STRUCTURE OVER EXISTING HARD STAND FOR BLASTING AND PAINTING OPERATIONS

Attachments:	A. DA 26/2018 Section 4.15 Assessment B. DA 26/2018 Recommended Conditions of Consent C. DA 26/2018 Proposed Plans D. DA 26/2018 Statement of Environmental Effects E. DA 26/2018 Air Quality Impact Assessment F. DA 26/2018 Plan of Management
Responsible Officer:	Sharon Pope - Acting Director - Planning, Community & Corporate Services
Author:	Hamish McTaggart - Senior Development Planner
Community Plan Issue:	<i>Support initiatives which reduce the community's impact on the environment</i>
Community Plan Goal:	<i>Require all development proposals to avoid and mitigate against potential environmental impacts and facilitate improved environmental outcomes where possible.</i>
Community Plan Strategy:	<i>Require all development proposals to avoid and mitigate against potential environmental impacts and facilitate improved environmental outcomes where possible.</i>

PURPOSE

This report has been prepared to inform Council in determining Development Application (DA) 26/2018. This Development Application has been assessed by Council Officers and a copy the Section 4.15 Assessment Report and recommended conditions of Consent are attached for Council's information.

Delegations issued to the General Manager include a limitation on the General Manager's determining matters under the *Environmental Planning and Assessment Act 1979* as follows:

- (ii) [determine matters] which are for or in any way related;*
- (c) to mines and extractive industries*

The application before Council involves the establishment of spray painting and sand blasting booth at 18 – 22 Carramere Road, Muswellbrook. The proposed booth would primarily service mining vehicles and equipment. The proposed development is therefore been reported to Council for determination.

OFFICER'S RECOMMENDATION

That Council approve DA 26/2018 for the construction of a temporary igloo structure over existing hard stand area to allow sandblasting and painting operations, subject to the recommended conditions of consent contained in Attachment B.

Moved: _____ **Seconded:** _____

DESCRIPTION OF THE PROPOSAL

DA 26/2018 was lodged with Council on the 23 March 2018 and relates to 18-22 Carramere Road, Muswellbrook (Lot 1000 DP 1048805). The subject land is located in an established industrial area referred to as the Thomas Mitchell Drive industrial precinct. The development proposal involves the erection of an igloo enclosure, with the space created to be used for spray painting and abrasive blasting of mining machinery and equipment.

The subject land contains an industrial workshop approved under DA 270/2002, which includes a main workshop equipped with a 10 tonne overhead crane, a warehouse, a concrete hardstand area and offices.

The subject land subject is identified in the image below.



ASSESSMENT SUMMARY

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

Key considerations and findings of the section 4.15 assessment include:

- The proposed development would be in accordance with all relevant provisions of the Muswellbrook Local Environmental Plan (LEP) 2009.
- The proposed development was considered against the provisions of relevant State Environmental Planning Policies (SEPP's) and there are no provisions which would prevent Council from granting development consent to the proposed development.

- The proposed development was considered against the requirements of the Muswellbrook Development Control Plan (DCP) and is in accordance with the requirements of the DCP.
- The assessment considers likely environmental. Particular consideration was given to potential air quality, pollution and noise impacts. To inform Council's consideration of these matters the applicant was required to provide an Air Quality Impact Assessment and a Plan of Management for abrasive blasting and spray painting operations. It is considered that the proposed development is unlikely to have a significant environmental impact provided it is carried out in accordance with these documents and the recommended conditions of consent.
- The proposed development was referred to Council's Environmental Health Officer and Contract Trade Waste Officer. Both Officers provided comments in relation to the proposed development which informed the assessment of the application, the recommendation and conditions of consent.

COMMUNITY CONSULTATION

The development application was notified to adjoining properties in accordance with the requirements of the Muswellbrook DCP, for the period 29 March and the 18 April 2018.

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

OPTIONS

Council is the consent authority for DA 26/2018 and as such is required to determine the development application in accordance with its function under the *Environmental Planning and Assessment Act 1979*. Council Officers have completed an assessment of the proposed development against the relevant provisions of Section 4.15 of the *Environmental Planning and Assessment Act* and recommend that Council approve the proposed development subject to the conditions.

Council may:

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

LEGAL IMPLICATIONS

Under the provisions of the *Environmental Planning and Assessment Act 1979* the applicant has an opportunity to appeal Council's determination of the Development Application in the Land and Environment Court.

CONCLUSION

DA 26/2018 has been reported to Council for determination as it is related to mining.

Council Officers have completed a Section 4.15 Assessment in relation to the proposed development. Staff recommend that Council grant development consent to DA 26/2018 subject to conditions of consent outlined in Attachment B.

DEVELOPMENT ASSESSMENT REPORT

Attached: Site Plan

REPORT TO THE GENERAL MANAGER

ADDRESS:	LOT: 1000 DP: 1048805 18-22 CARRAMERE ROAD MUSWELLBROOK			
APPLICATION No:	26/2018			
PROPOSAL:	Construct Temporary Igloo Structure over Existing Hard Stand Area to Perform Sand Blasting and Painting Operations			
PLANS REF:				
Drawing No.	Revision	Drawn by	Drawing Date	Received
Dome Location Plan	A	Theiss	22/03/2018	26.3.2018
Locality Plan	B	Theiss	12/12/2017	
Shelter CALS2118OM		Allshelter		
B0269 – S1	A	Lynar Consulting	5.8.2010	
B0269 – S2	A			
B0269 – S3	A			
B0269 – S4	A			
OWNER:	Bradken Resources Pty Ltd			
APPLICANT:	Thiess Pty Ltd Attn: Paul Moore - Property Officer 179 Grey Street SOUTH BRISBANE QLD 4101			
AUTHOR:	Libby Cumming			
DATE LODGED:	23/03/2018			
AMENDED:				
ADD. INFO REC'D:	1 August 2018			
DATE OF REPORT:	15 August 2018			

SUMMARY

ISSUES: Nil – the development is compliant.

SUBMISSIONS: 0

RECOMMENDATION: Approval subject to conditions

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
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (UPSS) Regulation 2014
- Protection of the Environment Operations (Noise Control) Regulation 2008
- Food Act 2003
- NSW Environment Protection Authority Noise Policy

1.0 BACKGROUND

The purpose of this application is to seek development approval to conduct abrasive blasting and spray painting activities of mining equipment prior to delivery to the mine site. These activities are related to the existing approved equipment maintenance activities Under DA 270/2002 – 20 December 2002 - Industrial Workshop, and are considered essential by the developer for the delivery of the refurbished mining equipment. The existing approved facilities include: Main workshop equipped with a 10 tonne overhead crane, warehouse, concrete hardstand area and office

The developer has recently secured new mining contracts in the northern end of the Hunter Coalfields. This additional work means a plant mobilisation facility is required in the Muswellbrook area.

2.0 SITE AND LOCALITY DESCRIPTION

The site, 18-22 Carramere Road Muswellbrook, is located in the south eastern corner of the Muswellbrook Industrial Estate and has an area of 1.213 hectares. The area contains a number of existing industrial buildings with an associated hardstand formed predominantly of compacted gravel but with an additional 24m x 18m concrete hardstand area to the rear of the property. The entire area has been disturbed and has been used for a variety of industrial purposes, including mining equipment maintenance and repair and Industrial fabrication, since 2002.

Open cut mining, including rehabilitated overburden emplacements, dominate the surrounding landscape. Muswellbrook township lies to the north of the site with the closest residence being in the Ironbark Ridge rural residential estate approximately 2km to the north-east.

3.0 DESCRIPTION OF PROPOSAL

New activities proposed for the site are:

- Abrasive blasting of mining equipment components in preparation for painting
- Spray painting of mining equipment components prior to mobilisation to site, and
- Erection of a temporary engineered igloo enclosure to contain abrasive blasting and spray painting activities.

Abrasive blasting and painting activities will be conducted in a relocatable engineered igloo structure secured on an existing concrete pad at the eastern end of the lot. The structure

will be supported by 40 foot containers on the long sides, which will be secured using concrete anchor blocks. The east end will have a fixed wall. During blasting and painting the structure will be fully enclosed using a heavy duty Landmark Tear-Stop fabric or similar across the open end.

There will be no services supplied to the structure with abrasive blasting and painting equipment powered by compressed air supplied by a remote generator-powered compressor.

Air flow through the facility is achieved via a 6000cfm extractor fan connected to the enclosed end of the structure. Extracted air passes through a 6m long dust extractor sock prior to discharging to atmosphere.

Abrasive blasting and painting may occur between 8:00am and 5:00pm Monday to Saturday, with the abrasive blasting only occurring between 8.00am to 1.30pm.. On average, it requires approximately one week to surface-treat a piece of equipment. Abrasive blasting requires approximately ½ day, while priming and painting requires approximately 2 days. These activities would be intermittent with the frequency being based on the completion of other maintenance activities and contractual requirements for delivering equipment to the mine sites. It is expected blasting and painting would occur on average 3 weeks per month.

Materials used will be:

- Abrasive blasting- Garnet GMA (Non dangerous/ not hazardous - approximately 2 tonnes per truck, recycled after use
- Thinners - Hydrocarbon based with HazChem Code 3(Y)E PG II
- Primer - Hydrocarbon based with a HazChem Code of 3(Y)E PG II - approximately 80 litres per truck
- Paint - Single pack Alkyd resin based with a HazChem Code of 3(Y)E PG II - approximately 120 litres per truck

Apart from the Garnet GMA, all consumables are stored off-site and delivered by the painting contractor on day of use. Used Garnet GMA is recovered from the floor of the enclosure and sent off site for cleaning by a licenced waste facility and subsequently reused. Spill socks will be placed around the work area to contain any materials to the immediate area. Used thinners are collected and sent to an authorised recycling facility.

The activities will be conducted by a competent and experienced sub-contractor and will be carried out in accordance with the WorkCover NSW *"Spray painting and powder coating code of practice"* (July 2015).

4.0 ADEQUACY OF APPLICANT'S SUBMISSION

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

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

- *Air Quality Assessment – Jacobs – 14 May 2018*
- *Plan of Management – Thiess – 15 June 2018*

5.0 SPECIALIST COMMENTS

5.1 Internal Referrals

The application was referred to Council's Environmental Health and Trade Waste Officers. The proposal was reviewed concluding with a recommendation for approval with conditions.

5.2 External Referrals

Nil

6.0 ASSESSMENT

relevant State and local planning legislation and policy.

Section 4.15 Matters for Consideration

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

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

1. **Muswellbrook Local Environmental Plan 2009 (MLEP 2009)**

Land Use Zone and Permitted Land Use

The development site is zoned IN1 General Industrial pursuant to MLEP 2009. The proposal is best defined as vehicle body repair workshop, which is permitted with consent in the subject Zone. This use is defined as:

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

Objectives of the IN1 General Industrial Zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To recognise existing industries and to encourage the establishment of new industries so as to expand the local employment base, and to minimise any adverse effects of industry on residential communities.
- To accommodate larger industries or those which potentially could create nuisance in locations separated from residential areas but accessible to the workforce.
- To enable development that is associated with, ancillary to, or supportive of industry or industrial employees.

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

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

<i>Part 1 Preliminary</i>	
<i>1.1 Name of Plan</i>	Muswellbrook Local Environmental Plan 2009
<i>1.1AA Commencement</i>	The MLEP 2009 was gazette 17 April 2009.
<i>1.2 Aims of Plan</i>	Noted
<i>1.3 Land to which Plan applies</i>	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
<i>1.4 Definitions</i>	Noted
<i>1.5 Notes</i>	Noted
<i>1.6 Consent authority</i>	The consent authority for this development is Muswellbrook Shire Council.
<i>1.7 Maps</i>	Noted.
<i>1.8 Repeal of planning instruments applying to land</i>	Noted.
<i>1.8A Savings provision relating to pending development applications</i>	Noted
<i>1.9 Application of SEPPs</i>	Noted
<i>1.9A Suspension of covenants, agreements and instruments</i>	Noted
<i>Part 2 Permitted or prohibited development</i>	
<i>2.1 Land use zones</i>	Noted
<i>2.2 Zoning of land to which Plan applies</i>	See above
<i>2.3 Zone objectives and Land Use Table</i>	See above
<i>2.4 Unzoned land</i>	Not applicable
<i>2.5 Additional permitted uses for particular land</i>	Not applicable
<i>2.6 Subdivision—consent requirements</i>	Not applicable
<i>2.7 Demolition requires development consent</i>	Not applicable
<i>2.8 Temporary use of land</i>	Not applicable
<i>Part 3 Exempt and complying development</i>	
<i>3.1 Exempt development</i>	Not applicable
<i>3.2 Complying development</i>	Not applicable
<i>3.3 Environmentally sensitive areas excluded</i>	Not applicable
<i>Part 4 Principal development standards</i>	
<i>4.1 Minimum subdivision lot size</i>	MLEP 2009 specifies a minimum lot size of 1000m ² in relation to the land. The proposal does not seek to subdivide the land, and therefore complies with this development standard.
<i>4.1AA Minimum subdivision lot size for community title schemes</i>	Not applicable
<i>4.2 Rural subdivision</i>	Not applicable
<i>4.3 Height of buildings</i>	MLEP 2009 specifies a maximum building height of 15m in relation to the land. The height of the proposed structure is 8.59m.
<i>4.4 Floor space ratio</i>	MLEP 2009 specifies a floor space ratio of 1 in relation to the land. The proposal complies.
<i>4.5 Calculation of floor space ratio and site area</i>	Not applicable

4.6 Exceptions to development standards	Not applicable
<i>Part 5 Miscellaneous provisions</i>	
5.1 Relevant acquisition authority	Not applicable
5.2 Classification and reclassification of public land	Not applicable
5.3 Development near zone boundaries	Not applicable
5.4 Controls relating to miscellaneous permissible uses	Not applicable
5.5 Development within the coastal zone	Not applicable
5.6 Architectural roof features	Not applicable
5.7 Development below mean high water mark	Not applicable
5.8 Conversion of fire alarms	Not applicable
5.9 Preservation of trees or vegetation	Not applicable
5.9AA Trees or vegetation not prescribed by development control plan	Not applicable
5.10 Heritage conservation	Not applicable
5.11 Bush fire hazard reduction	Not applicable
5.12 Infrastructure development and use of existing buildings of the Crown	Not applicable
5.13 Eco-tourist facilities	Not applicable
<i>Part 6 Urban release areas</i>	
6.1 Arrangements for designated State public infrastructure	Not applicable
6.2 Public utility infrastructure	Not applicable
6.3 Development control plan	Not applicable
6.4 Relationship between Part and remainder of Plan	Not applicable
<i>Part 7 Additional local provisions</i>	
7.1 Terrestrial biodiversity	Not applicable
7.2 Subdivision in Zone RU1 Primary Production and Zone E3 Environmental Management	Not applicable
7.3 Controls relating to rural worker's dwellings	Not applicable
7.4 Subdivision in Zone R1 General Residential and Zone RU5 Village	Not applicable
7.5 Erection of dwelling houses on land in certain rural and environmental protection zones	Not applicable
7.6 Earthworks	Not applicable
7.7 Development at Muswellbrook Showground	Not applicable
7.8 Events permitted on public reserves and public roads without development consent.	Not applicable

2. State Environmental Planning Policy

There are no applicable State Environmental Planning Policies to the proposed development.

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

There are no draft EPIs relevant to the subject Application.

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

Note: Only relevant sections of the DCP will be discussed.

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 29 March 2018 to 18 April 2018.

No submissions were received during the notification period.

Section 10 – Industrial Development

	Comment
10.1 BUILT FORM	
10.1.1 Setbacks	The structure is located at the rear of the site being 3.3 metres from the rear, 40 metres from Carramere Road, 21 Metres from the eastern boundary and 52 metres from the existing workshop building.
10.1.2 Building Design	The building design is not conventional but will be compliant to the National Construction Code. The purpose of the building design is to make it relocatable at a future date when the applicants lease has run its course. There is to be no signage erected on the building.
10.2 ENVIRONMENT	
10.2.1 Drainage and Stormwater	<p>A shallow spoon drain (150-200mm deep) will be formed along the western edge of the slab to intersect and divert runoff away from the slab. The drain will divert the water to the north east corner of the lot, which is the natural discharge point. The drain will have very shallow batters to avoid any safety issues with accessing the igloo.</p> <p>A general purpose absorbent boom be placed between the equipment being painted and the enclosed end of the igloo to catch any spills.</p> <p>This is to minimise the transport of any abrasive blasting material from the enclosure during extreme rainfall events that occur prior to clean-out of the enclosure and to capture any spills within the enclosure. The abrasive blasting material is an inert substance. A spill kit will also be available to clean up spills.</p>
10.2.2 Landscaping	Running along the front of the site is a row of trees that will help to soften the impact of the structure and it is considered this to be

	suitable landscaping. There are few lots in the immediate vicinity with the same amount of vegetative screening.
<i>10.2.3 Visual Amenity with regard to car parking and operational areas</i>	The existing landscaping onsite is sufficient to ensure compliance. The proposed structure is consistent with surrounding structures in the industrial estate and will have minimal to no impact on the view from the residential areas 2 kilometres to the east. The structure will be located at the end of the Lot on a dead-end section of the public road. Due to existing landscaping it will be almost screened from the users in the industrial estate and won't be visible from Thomas Mitchell Drive .
<i>10.2.4 Vehicular Movement</i>	There is sufficient room on site for manoeuvring of vehicles and for parking of the mine equipment and staff vehicles. It is expected there would be no more than 1 mining vehicle onsite waiting to commence the refurbishment process.
10.3 SERVICES	
<i>10.3.1 Water and sewer</i>	All utility services required to service the additional activities are currently available at the facility and no additional connections will be required . The enclosure will not be connected to the local sewage system and a trade waste licence is not required.
<i>10.3.2 Services</i>	Services required are existing.

Section 16 – Car Parking and Access

	Comment
16.1 Introduction	
16.2 Residential Development	
<i>16.3 Non – Residential Development</i>	Meets the objectives and controls.
16.4 Design Guidelines for off-street vehicular parking areas	
<i>16.4.1 Access to the site</i>	Complies
<i>16.4.2 Car Park Design</i>	There is no formal carpark onsite but there is sufficient room for employees and mine vehicles parked onsite, plus there manoeuvring.
<i>16.4.4 Loading/Unloading Facilities</i>	Compliant
<i>16.4.5 Internal roads</i>	Not Applicable
<i>16.4.6 Construction Materials</i>	Compliant
<i>16.4.7 Landscaping</i>	Existing – discussed above

Section 20 – Erosion and Sediment Control

	Comment
20.1 Legal Requirements	
20.2 Erosion and sediment control planning	
<i>ii) Erosion and sediment control plan (ESCP)</i>	Is not required for construction, but the maintenance of the stormwater drain will be essential. It will be conditioned that the drain is maintained.

Section 21 – Contaminated land

21.0 Introduction	
21.1 What is Contamination?	There is no record of the land being contaminated. The land has been used for industrial purposes and the structure is being built on an existing concrete slab that is currently used for storage.
21.2 Duty to Report	There is potential for contamination from the operation of the large spray booth, if not managed well. A plan of management has been prepared which addresses potential water and soil contamination. The plan of management is considered to be adequate and addresses all relevant issues. It states:

4.1. Process Controls–Environmental Impacts

4.1.1. Soil/Water pollution

- » A spill kit equipped with absorbents rated for all chemicals used is available adjacent to the painting enclosure.
- » Used absorbents are collected and disposed of as regulated waste.
- » Liquid containers are stored in a bunded area protected from weather. There is no bulk storage of paints or chemicals on site.
- » Spent Garnet is managed by sweeping / shovelling from the floor of the enclosure. Hose-out of the enclosure is not employed.
- » Stormwater is steered away from the concrete pad by a shallow spoon drain on the western edge to minimise ingress into the structure.
- » General purpose absorbent booms are placed on the downstream edge of the enclosure to minimise the transport of any abrasive blasting material from the enclosure during extreme rainfall events that occur prior to clean-out of the enclosure and to capture any spills within the enclosure. The abrasive blasting material is an inert substance.

4.1.2. Air pollution

- » The Yard is zoned industrial under the Muswellbrook LEP. There is a significant separation distance from sensitive receivers.
- » An enclosed structure is used for blasting and painting. The structure uses an extraction fan in the end of the enclosure with air and pollutants passing through a 6m long discharge sock with filter to minimise particulate emissions.
- » Use of a manual painting process allows for more precise application and reduced overspray while painting the equipment.

- » In addition, lower volatility single pack Alkyd resin based paints are used.
- » Pre-mixing of paints and cleaning of painting equipment is conducted off-site.

4.1.3 Noise

- » Operation is daylight hours only with the further general restriction of abrasive blasting and spray painting between 8:00am to 5:00pm Monday to Saturday.
- » The Yard is zoned Industrial. There is a significant separation distance from the nearest sensitive receivers.

4.1.4 Spill prevention and cleanup

- » Pre-mixing of paints is conducted off-site, and there is no bulk storage of any chemicals associated with the painting and blasting activities. The largest container used on site is approximately 200 litres.
- » A spill kit equipped with absorbents rated for all chemicals used is available adjacent to the painting enclosure.
- » Used absorbents are collected and disposed of as hazardous waste.
- » Any contaminated soil material is collected and disposed of as hazardous waste by a licensed waste contractor.

Section 24 – Waste Management

	Comment
24.1 Site Waste Minimisation and Management	A waste management plan has been prepared for the development. It states that:

4.1.1. Wastemanagement

- » Thiess has a contract with a national waste management company, currently Remondis, to service all Thiess facilities in NSW.
- » A Waste Management Plan has been developed for the Muswellbrook Yard in conjunction with the waste contractor. Waste classification is done in conjunction with the waste contractor.
- » All waste streams are stored in the appropriate weather proof containers. Liquid waste is stored in bunded areas away from pervious surfaces and stormwater paths.
- » The main waste stream from the abrasive blasting and spray painting is used Garnet and the associated old paint fragments. This is restricted to the enclosure with the sock and sausages preventing the spread outside on the enclosure. Upon completion of the painting this material is swept / shoveled into bulka bags for return to the subcontractor for cleaning and recycling.
- » If used Garnet is required to be disposed of from site, the Garnet with paint fragments is classified under the NSW Waste Regulation as General solid waste. Disposal is at the discretion of the subcontractor.
- » Paint waste, including any empty containers, is removed by the subcontractor.

<i>24.3 Assessment Criteria/controls for all development</i>	
<i>24.3.2 Construction of buildings or structure</i>	Due to the nature of construction, there will be minimal building waste.
<i>24.4 Development specific assessment criteria/controls</i>	
<i>24.5 Industrial</i>	The plan of management is considered to be comprehensive enough to cover the matters surrounding potential contamination. It will be conditioned that a record be kept of all potential contamination spills and the mitigation of.

Section 25 – Stormwater Management

<i>25.2 General</i>	
<i>25.2.4 Overflow disposal</i>	A shallow spoon drain (150-200mm deep) will be formed along the western edge of the slab to intersect and divert runoff away from the slab. The drain will divert the water to the north east corner of the lot, which is the natural discharge point. The drain will have very shallow batters to avoid any safety issues with accessing the igloo.
<i>25.2.5 Pollutants</i>	A general purpose absorbent boom be placed between the equipment being painted and the enclosed end of the igloo to catch any spills. This is to minimise the transport of any abrasive blasting material from the enclosure during extreme rainfall events that occur prior to clean-out of the enclosure and to capture any spills within the enclosure. The abrasive blasting material is an inert substance. A spill kit will also be available to clean up spills.

Section 94 Contributions Plan 2001

A developer contribution does not apply to the proposed development as this development will not create employment for more than 20.

Section 94A Contributions Plan 2009

A developer contribution does not apply to the proposed development as it is under \$100K.

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

There are no planning agreements relevant to the subject Application.

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

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

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

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

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

Air Quality

Emissions of dust from the abrasive blasting is controlled by:

- All works being undertaken in a contained structure
- Use of an extraction fan with a 6m dust sock
- Use of low hazard product (The proposed abrasive agent is >97% almandine garnet, which is classified as non-hazardous.)

Controls to minimise odour and fume issues associated with the spray painting activity consist of:

- Use of low volatility single pack paint
- Activity to be conducted in a contained structure
- Activity carried out intermittently and during daylight hours only
- Large separation distance that will result in significant dispersion between the activity and sensitive receivers.

An air quality impact report was undertaken Jaccobs (14 May 2018) which concluded:

8. Conclusions

This report has assessed the potential air quality impacts of a proposed abrasive blasting and spray painting facility to be located on a Thiess site in the Muswellbrook Industrial Estate.

The potential air quality issues were identified as:

- *Particulates as PM10, and*
- *Odour as toluene, xylenes and methyl ethyl ketone.*

The computer-based dispersion model known as AUSPLUME was used to predict the concentrations of these substances in the local area and the model predictions were compared to EPA criteria to determine the potential impacts. The assessment followed the procedures outlined in the EPA's "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW" (EPA 2016).

The modelling showed that the facility is unlikely to cause exceedances of the relevant assessment criteria for airborne particulate matter (as PM10). There is however potential for odour to be detected from time-to-time within a few hundred metres of the facility, in the Muswellbrook Industrial Estate. Given the industrial nature of the surrounding landuse, this outcome was deemed to be acceptable. No private sensitive receptors were predicted to experience adverse impacts, with respect to particulate matter or odour. A conservative approach was adopted which assumed that the highest emissions would occur for every day of the year. This means that the impacts will be over-estimated.

It was therefore concluded that the proposed facility could operate without causing any adverse air quality impacts.

The modelling has been completed to industry standards and there is no reason to differ in opinion from the conclusion in the presented report.

Noise

The additional noise source associated with the proposed development is the self-contained generator/compressor. The unit will be fitted with factory muffling to comply with noise exposure limits for persons working in the immediate vicinity and will not have any measurable effect on the noise amenity of the nearest sensitive receivers.

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

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

Section 4.15(1)(d) any submissions made

No submissions were received during the notification period.

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

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

NSW Legislation

There is a number of applicable legislation that needs to be considered and referred to in the assessment of this application. The applicable legislation has been listed at the start of the report. The assessment has considered these pieces of legislation throughout the report in their relevant sections, however, the following legislation has not been discussed in detail elsewhere in the report.

Council Adopted and Draft Policies

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

D7/1 Development Cost Estimating
C20/1 Contaminated Land Policy

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 no submissions being received.

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

Prepared
by:

Libby Cumming
Contract Strategic Planner
Date: 15 August 2018

Hamish McTaggart
Senior Development Planner

IDENTIFICATION OF APPROVED PLANS

(1) **Development in Accordance with Plans**

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

Drawing No.	Revision	Drawn by	Drawing Date	Received
Dome Location Plan	A	Theiss	22/03/2018	26.3.2018
Locality Plan	B	Theiss	12/12/2017	
Shelter CALS2118OM		Allshelter		

(2) **Development in Accordance with Documentation**

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

Title	Written by	Date
Statement of Environmental Effects	Applicant	Not dated
Plan of Management	Theiss	15.6.2018
Air Quality Impact Assessment of Theiss Muswellbrook Yard	Jaccobs	14.5.2018

Note: Nothing in this consent authorises any site activities or civil works including, but not limited to earthworks, the installation of any utility service, excavation, filling of land, construction of any roads, pathways or retaining walls, undertaking landscaping works or riparian corridor rehabilitation, bushfire hazard management works, clearing of vegetation or the removal of topsoil, before a construction certificate has been issued for the development.

(3) **Washing or Cleaning of Paint Equipment**

No washing or cleaning of paint or painting equipment is to occur on the site without prior approval from Council. Further development such as a wash down bay or commercial trade waste approval may be required should the applicant wish to undertake these activities.

(4) **Operational limitations**

The maximum amount of material processed by the facility shall be generally in accordance with the amount outlined by Thiess in their letter dated 15 June 2018 and signed by their Executive General Manager. At no time shall metal coating exceed a maximum annual total of 10,000 tonnes.

Note: the use of the term 'metal coating' within this condition should be taken as having the same meaning as that expressed for the term by Schedule 1 of the *Protection of the Environment Operations Act 1997*.

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

(5) Building Code of Australia

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

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT
--

(6) 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.

(7) 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.

(8) Sediment and Erosion Control

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

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

(9) Materials

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

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

(10) Waste Management Plan

Prior to the issue of a Construction Certificate a Waste Management Plan for construction works and the sand blasting and painting operation is to be submitted to and approved by Council.

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) 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) Dust Emission and Air Quality

Dust suppression measures as per the Management Plan 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.

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

(13) Occupation

The building is not to be used or the premises occupied for the approved use until a final inspection has been carried out and an occupation certificate has been obtained an Accredited Certifying Authority.

(14) Schedule of Safety Data Sheets

Prior to the issue of any Occupation Certificate a schedule of safety data sheets for dangerous chemicals used on-site is to be prepared and submitted to Council. A copy of the Schedule is to be kept on-site at all times during the sites operation.

Documentary evidence is to be provided to the Principle Certifying Authority demonstrating compliance with this condition prior to the issue of any Occupation Certificate.

(15) Schedule of Contacts

Prior to the issue of any Occupation Certificate a schedule of contacts for the spray painting contractor, the waste material recycler and waste collection contractor is to be provided to Council. This schedule should be updated whenever required to ensure it contains all up to date contacts for the operation.

Documentary evidence is to be provided to the Principle Certifying Authority demonstrating compliance with this condition prior to the issue of any Occupation Certificate.

CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

(16) Plan of Management

At all times site operations are to be generally in accordance with the approved Plan of Management dated 15 June 2018, unless otherwise specified by a condition of this consent.

Where new operational procedures are to be implemented a revised Plan of Management must be prepared detailing the new procedures and submitted to Council for approval in writing. Where a revised Plan of Management is endorsed by Council the site must be operated in accordance with that plan and the requirements of this consent.

(17) Operational Hours

Unless otherwise approved by Council the spray booth shall operate within the hours set out in the Air Quality Impact Assessment and as stated below:

- ☐ Abrasive blasting – 8:00am – 1:30pm.
- ☐ Painting – 1:30pm – 5:00pm.

(18) Open Drain Channels

The swale open drain shall be controlled to prevent scour.

(19) Noise Impact of Plant

All sound producing plant, equipment, machinery or fittings associated with or forming part of the mechanical ventilation system shall be sound insulated and/or isolated so that the noise emitted does not exceed 5 dB(A) above the background level in any octave band from 63.0 HZ centre frequencies inclusive, and not more than 5 dB(A) above the background level (LA90) during the day when measured at the nearest affected residence. For assessment purposes, the above LAeq sound levels are to be adjusted in accordance with EPA guidelines for tonality, frequency weighting, and impulsive characteristics where necessary, at any time the plant is in operation, at the boundary of the site.

(20) Record of Incident

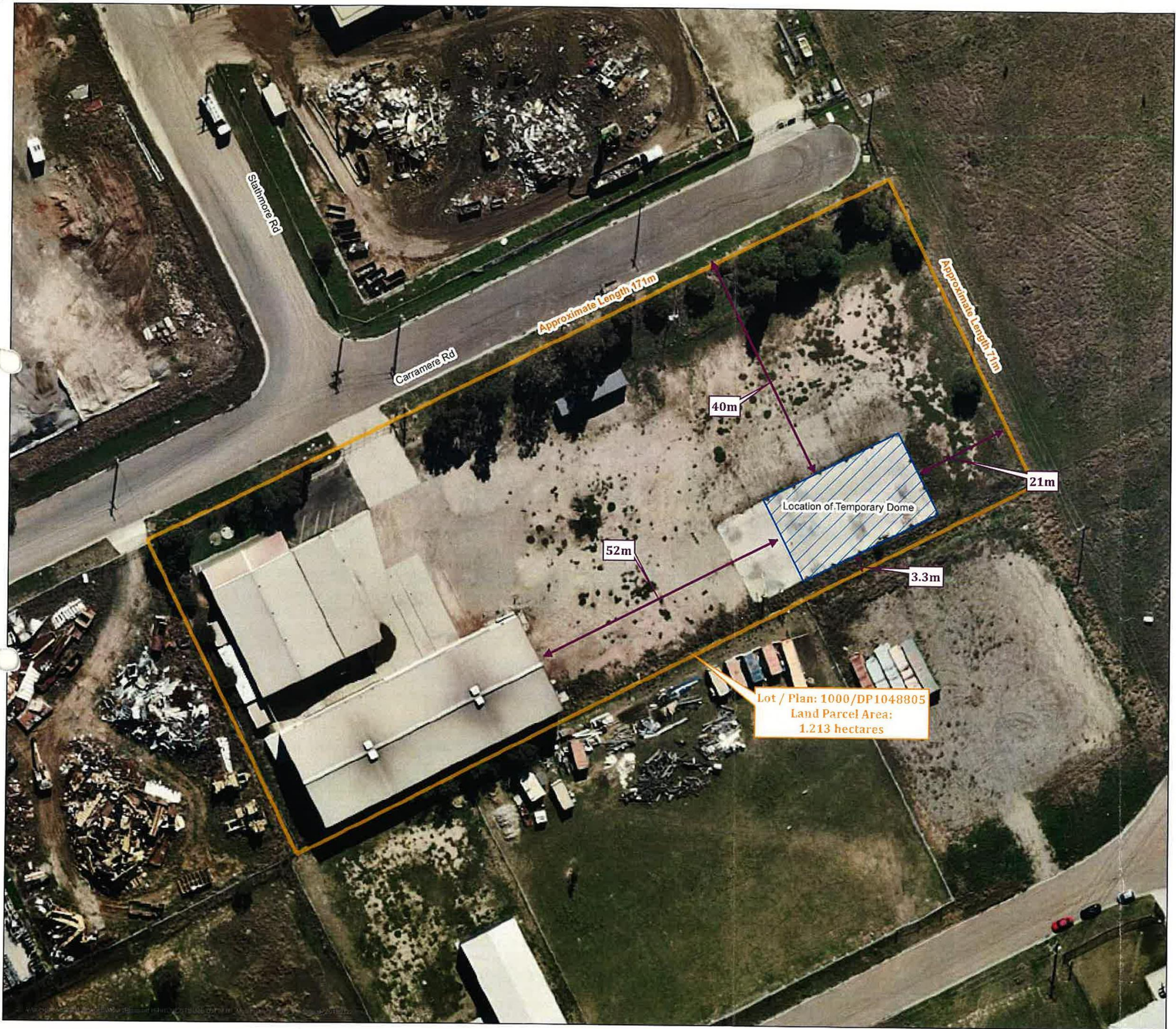
At all times the person operating with this consent is to keep an up-to date record of any noise, stormwater, odour, chemical or paint incidents associated with the operation. The record should detail the nature of the incident, how the incident was managed, details of how any waste or spilt materials were disposed of including receipts from the licensed waste collection contractor or facility used to dispose of the material. This record is to be held on site for perusal by Council and other public authorities on request. A copy of this record is to be submitted to Council on an annual basis.

The first report should be submitted to Council at the conclusion of the financial year (1 July) within which the premises has commenced operation. This record must be re-submitted to Council at the same date on an annual basis.


(21) Stormwater Disposal

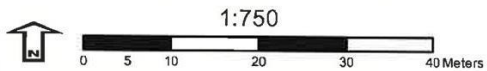
All stormwater overflows from roofed and hardstand areas of the development are to be collected and directed to the Carramere Road kerb and gutter for disposal.

Stormwater from roofed areas are to be piped to the road reserve. A section 68 Approval under the Local Government Act 1993 should be obtained from Council prior to carrying out stormwater works.



LEGEND

 Site of interest, Lot / Plan:
1000/DP1048805



Coordinate System: GDA 1994 MGA Zone 56, Projection: Transverse Mercator

PROJECT NAME
THIESS MOBILISATION FACILITY

TITLE
Dome Location Plan

JOB NO	001	DRAWING NO	001	REV	A
DESIGNED BY	K Lynch		DRAWN BY	K Lynch	DATE
CHECKED BY			APPROVED BY	DATE	

REV	DATE	DESCRIPTION	APP
A	22/03/18	THIESS MOBILISATION FACILITY	KL

SOURCES
Data Source:
Department of Examples and Data Sources
August 2018: Imagery - Mount Pleasant Project (MACH ENERGY AUSTRALIA PTY LTD)

NOTES

THIESS Thieess Head Office
Level 5, 173 Grey Street
South Bank QLD 4101
Tel +61 7 3002 9000
Thieess Pty Ltd ABN 87 010 221 450 ACN 010 221 450



Seasonal day time prevailing wind direction, Muswellbrook area. Source: Mt Pleasant weather Station (Jan 2014-Aug 2016)

LEGEND

Site of interest, Lot / Plan:
1000/DP1048805

1:35,000

0 250 500 1,000 1,500 2,000 Metres

Coordinate System: GDA 1994 MGA Zone 56, Projection: Transverse Mercator

PROJECT NAME
THIESS MOBILISATION FACILITY

TITLE
Locality Plan

Figure 1

JOB NO	001	DRAWING NO	001	REV	B
DESIGNED BY	KBL	DRAWN BY	KBL	DATE	12/12/2017
CHECKED BY		APPROVED BY		DATE	

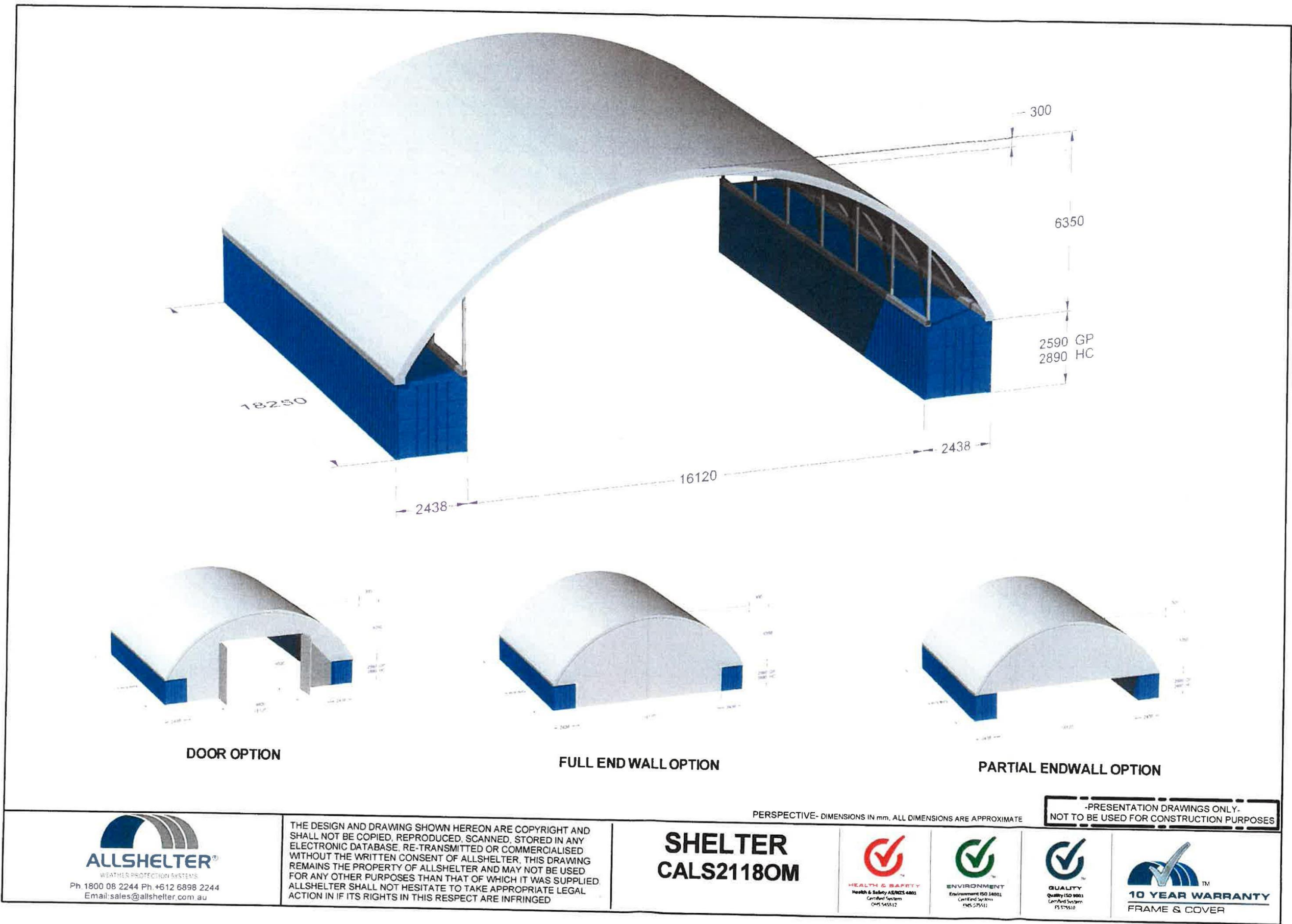
REV	DATE	DESCRIPTION	APP
A	22/11/17	Thiess Mobilisation Facility	KL
B	12/12/17	Thiess Mobilisation Facility	KL

SOURCES

NOTES

THIESS

Thiess Head Office
Level 5, 179 Grey Street
South Bank QLD 4101
Tel: +61 7 3002 5000
Thiess Pty Ltd ABN 47 010 221 455 AON 010 221 455



Statement of Environmental Effects

Thiess Plant Mobilisation Facility (Abrasive blasting and spray painting activities)

Introduction

Thiess has recently secured new mining contracts in the northern end of the Hunter Coalfields. This additional work means a plant mobilisation facility is required in the Muswellbrook area. A suitable facility which has been utilised for similar plant support maintenance activities in the past has been located in the Muswellbrook Industrial Estate off Thomas Mitchell Drive. Thiess has taken out a lease on this property. **The land associated with this development application is described as Lot 1000 of DP1048805 and is located at 18-22 Carramere Road Muswellbrook, in the Muswellbrook Industrial Estate. (Refer Figure 1)**

An existing development approval (DA 270/2002 (20 December 2002)) for an Industrial Workshop (BCA Class 8) is in place. The Note to Condition 1.1 (Planning Matters) requires that "any amendment to the development or to these conditions will require the consent of Council". At the time of making the original application the land was described as Lots 101, 102 & 103 DP261835.

Approval sought

The purpose of this application is to seek development approval to conduct abrasive blasting and spray painting activities of mining equipment prior to delivery to the mine site. These activities are related to the existing approved equipment maintenance activities and are essential for the delivery of the refurbished mining equipment.

The abrasive blasting and spray painting will occur on an intermittent basis at a frequency determined by the contractual delivery schedule for the equipment. The activities will take place in a temporary engineered enclosure erected on an existing concrete slab by a competent experienced local contractor.

Alternative to this amendment

In the event that approval for abrasive blasting and spray painting is not given all equipment will need to be transported in a partially refurbished state to an existing approved facility in the Muswellbrook area. Once painted it will need to be returned to the Thiess facility for completion. This will result in multiple additional oversize vehicle traffic movements on local roads for each piece of equipment. Apart from the additional cost implications, there are also safety considerations on-site relating to additional crane lifts and off-site relating to heavy vehicle traffic movements on public roads.

Description of Site

Lot 1000 at 18-22 Carramere Road Muswellbrook is a brown field site with an area of 1.213 hectares. The area contains a number of existing industrial buildings with an associated hardstand formed predominantly of compacted gravel but with an additional 24mtr x 18mtr concrete hardstand area to the rear of the property. (Refer Fig 2). The entire area has been disturbed and has been used for a variety of industrial purposes, including mining equipment maintenance and repair and Industrial fabrication, since 2002.

The site is located in the south eastern corner of the Muswellbrook Industrial Estate. Open cut mining, including rehabilitated overburden emplacements, dominate the surrounding landscape. Muswellbrook township lies to the north of the site with the closest residence being in the Ironbark Ridge rural residential estate approximately 2km to the north-east.

The immediate area is dominated by general industrial activities and includes outside industrial storage and industrial buildings. Vacant industrial land, zoned IN1, lies to the east and south. The nearest structure to the painting activity and not associated with the Site is an industrial building approximately 125m to the south. The nearest sensitive receiver is a rural dwelling approximately 1km south of the site.

Winds in the Muswellbrook area, as with most of the Hunter Valley, predominantly follow a NNW – SSE axis. They are generally highly seasonal with summer winds from the SSE and winter winds from the NNW. See Figure 1 for prevailing seasonal daytime wind directions. Winds originating from the SW, which could propagate any odours from the spray painting enclosure towards Muswellbrook, occur a very small proportion of the time.

Existing facilities

The existing approved facilities include: Main workshop equipped with a 10 tonne overhead crane, warehouse, concrete hardstand area and office (see Figure 2).

Detailed description of the proposal

New activities proposed for the site are:

- Abrasive blasting of mining equipment components in preparation for painting
- Spray painting of mining equipment components prior to mobilisation to site, and
- Erection of a temporary engineered igloo enclosure to contain abrasive blasting and spray painting activities.

Abrasive blasting and Spray Painting

Abrasive blasting and painting activities will be conducted in a relocatable engineered igloo structure secured on an existing concrete pad at the eastern end of the lot. The structure

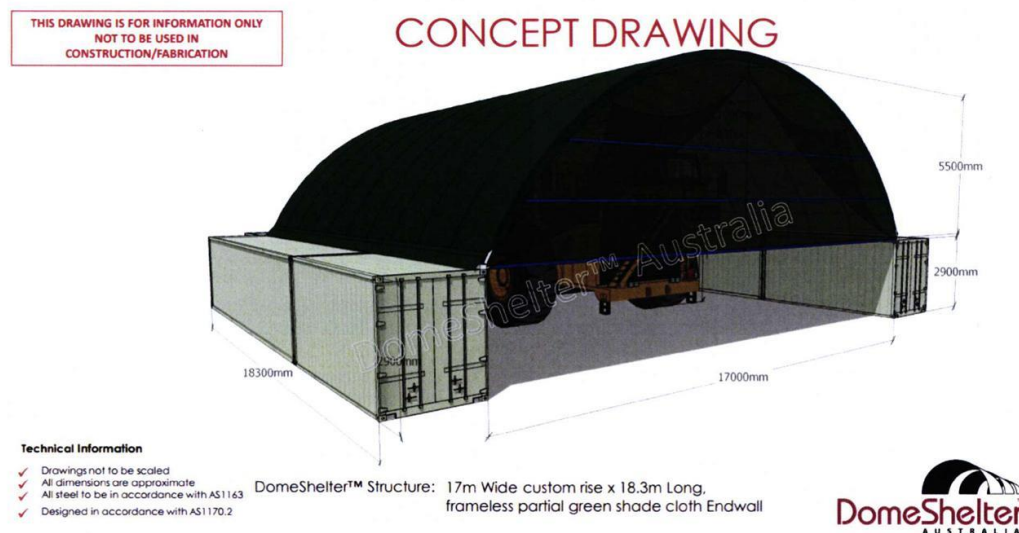
will be supported by 40 foot containers on the long sides, which will be secured using concrete anchor blocks. The east end will have a fixed wall. During blasting and painting the structure will be fully enclosed using a heavy duty Landmark Tear-Stop fabric or similar across the open end. (See Fig 3 for conceptual plan of igloo structure). The proposed temporary structure will be consistent with the current visual landscape of the surrounding industrial area.

There will be no services supplied to the structure with abrasive blasting and painting equipment powered by compressed air supplied by a remote generator-powered compressor.

Air flow through the facility is achieved via a 6000cfm extractor fan connected to the enclosed end of the structure. Extracted air passes through a 6m long dust extractor sock prior to discharging to atmosphere.

Abrasive blasting and painting may occur between 6:00am and 5:00pm Monday to Saturday. On average, it requires approximately one week to surface-treat a piece of equipment. Abrasive blasting requires approximately ½ day, while priming and painting requires approximately 2 days. These activities would be intermittent during the term of the Lease with the frequency being based on the completion of other maintenance activities and contractual requirements for delivering equipment to the mine sites. It is expected blasting and painting would occur on average 3 weeks per month.

FIGURE 3. Concept drawing of temporary igloo structure



Materials used

Abrasive blasting – Garnet GMA (Non dangerous / not hazardous – approximately 2 tonnes per truck, recycled after use)

Thinners – Hydrocarbon based with HazChem Code 3(Y)E PG II

Primer – Hydrocarbon based with a HazChem Code of 3(Y)E PG II – approximately 80 litres per truck

Paint - Single pack Alkyd resin based with a HazChem Code of 3(Y)E PG II – approximately 120 litres per truck

Apart from the Garnet GMA, all consumables are stored off-site and delivered by the painting contractor on day of use.

Used Garnet GMA is recovered from the floor of the enclosure and sent off site for cleaning by a licenced waste facility and subsequently reused. Spill socks will be placed around the work area to contain any materials to the immediate area. Used thinners are collected and sent to an authorised recycling facility.

Workplace Health and Safety

The activities will be conducted by a competent and experienced sub-contractor and will be carried out in accordance with the WorkCover NSW “Spray painting and powder coating code of practice” (July 2015). Personal protective equipment (PPE) consistent with the Safety Data Sheet relevant to the products being used will be worn at all times while conducting the activities with only authorised persons allowed in the work area.

Compliance with planning controls

Lot 1000 is zoned IN1 (General Industrial) under the *Muswellbrook Local Environmental Plan 2009*. See Figure 4.

The Objectives of this Zone are:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To recognise existing industries and to encourage the establishment of new industries so as to expand the local employment base, and to minimise any adverse effects of industry on residential communities.
- To accommodate larger industries or those which potentially could create nuisance in locations separated from residential areas but accessible to the workforce.

- To enable development that is associated with, ancillary to, or supportive of industry or industrial employees.

General Industries, which is defined as a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity (LEP 2009: Dictionary), is permitted with Consent.

An *Industrial Activity* means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

Development Control Plan: Section 10 (Industrial Development) is relevant to this application.

Non-compliance with the planning controls

This application for abrasive blasting and spray painting at Lot Lot 1000 of DP1048805 is permissible with consent in the General Industrial zone. There are no conflicts with any Development Control Plans relating to the site.

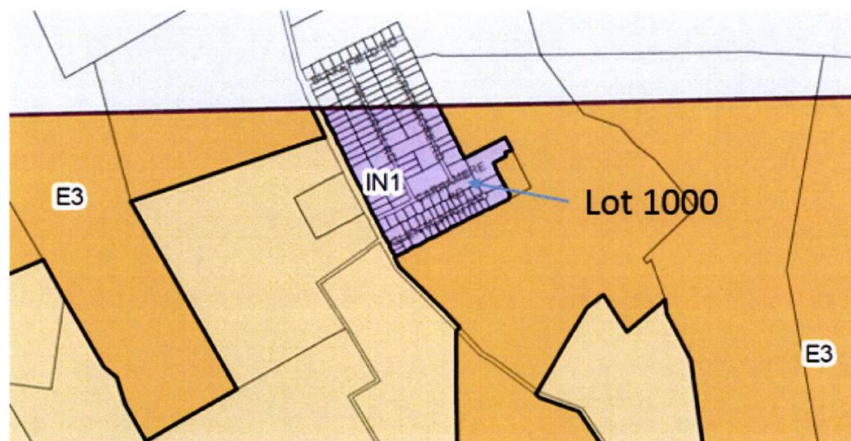


Figure 4. Extract from Land Zoning Map LZN-009 (Muswellbrook Local Environment Plan 2009)

Impact on existing and future amenity of the locality

The additional activities proposed to be conducted are complementary with the existing approved activities on the site and consistent with activities conducted in the general area. Similar approved industrial activities are conducted in the Muswellbrook Industrial estate.

Noise

The only additional noise source associated with these activities is the self-contained generator / compressor. This unit will be fitted with factory muffling to comply with

WorkCover noise exposure limits for persons working in the immediate vicinity and will not have any measurable effect on the noise amenity of the nearest sensitive receivers.

Air quality - Dust

Emissions of dust from the abrasive blasting is controlled by:

- Activity to be conducted in a contained structure

- Use of an extraction fan with a 6m dust sock

- Use of low hazard product (The proposed abrasive agent is >97% almandine garnet, which is classified as non-hazardous.)

Air quality - Odours / Fume

Controls to minimise odour and fume issues associated with the spray painting activity consist of:

- Use of low volatility single pack paint

- Activity to be conducted in a contained structure

- Activity carried out intermittently and during daylight hours only

- Large separation distance that will result in significant dispersion between the activity and sensitive receivers. Prevailing winds mean that wind flow would rarely be toward Muswellbrook.

Lighting

Not applicable as daytime work only.

Visual amenity

The only change to the visual amenity of the area relates to the erection of a removable igloo structure to contain the abrasive blasting and spray painting activities. This temporary igloo structure, while substantial at 18.3m L x 21m W x 8.4m H, is consistent with surrounding structures in the industrial estate and will have minimal to no impact on the view from residential areas 2 kilometres to the east. The structure will be located at the end of the Lot on a dead-end section of the public road. Due to existing landscaping it will be almost invisible from road users in the industrial estate and won't be visible from Thomas Mitchell Drive.

Flora and fauna

No impact as area 100% disturbed.

Historical and archaeology

No impact as area 100% disturbed

Flooding, drainage, land slip, soil erosion, mine subsidence, bushfires and any other risks.

No environmental risks identified.

Traffic

Access is via Thomas Mitchell Drive and Carramere Road.

The inclusion of these activities to those already carried out on the site will result in a minimal increase of approximately 4 to 6 additional light vehicle traffic movements on adjacent roads for each day on which surface treatment activities are conducted. If these activities are not carried out at this site there will be additional heavy vehicle movements in the Muswellbrook area to allow the surface treatment to be applied elsewhere.

Social and economic effects

This application relates to an extension of an approved industrial activity in an industrial zone which has similar existing enterprises. The activities carried out on the site will support the local coal mining industry, the major employer in the local area. The activities will be carried out by an existing Hunter Valley company working as a subcontractor to Thiess and will provide support for this business and intermittent employment to their employees.

Availability of utility services

All utility services required to service the additional activities are currently available at the facility and no additional connections will be required. The enclosure will not be connected to the local sewage system and a trade waste licence will not be required.

Fire safety measures

Additional fire safety measures relating to the temporary enclosure and spray painting activity consist of additional fire suppression units (e.g. Fire extinguishers) and temporary water amplification from existing main shed.

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Thiess Pty Ltd
Locked Bag 2009
South Brisbane QLD 4101
Attention: James Anderson

14 May 2018

Dear James

Air Quality Impact Assessment of Thiess Muswellbrook Yard

Please see below for the Pollution Impact Assessment, as required by Muswellbrook Council (Council).

1. Background

Thiess is proposing the establishment of an abrasive blasting and spray painting facility at a site located at Lot 1000 of DP 1048805, 18-22 Carramere Road Muswellbrook, in the Muswellbrook Industrial Estate (the Estate). This will involve the erection of a temporary engineered igloo enclosure to permit:

- Abrasive blasting of mining equipment components in preparation for painting, and
- Spray painting of mining equipment components prior to mobilisation to site.

An application (DA 26/2018) and Statement of Environmental Effects (SEE) for the facility was submitted to Council. On 22 May 2018 Council requested further information from Thiess in order to determine the application and Item 3 from this communication was as follows:

- 3. Pollution Impact Assessment/Premises Design,** As discussed in previous correspondence and at the meeting referenced above Council requires further information to demonstrate that the proposed facility could comply with the relevant Australian Standard for spray and painting booths AS/NZS 4114:2003. The capacity of the proposed facility to comply with the requirements of this Australian Standard must be demonstrated through the submission of detailed design plans indicating details of exhaust, ventilation and pollution controls. Noting the size of the proposed facility, the scale of vehicles intended to be processed at the premises and that the current design plans suggest that parts of the facility will be un-enclosed a pollution impact assessment should also be prepared by an appropriately qualified environmental consultant and submitted in relation to the proposed development.

This report represents the "Pollution Impact Assessment" to address Item 3 above.

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2. Proposed Site

The proposed site is located in the south-eastern corner of the Muswellbrook Industrial Estate and consists of a number of existing industrial buildings. The area surrounding the Estate is dominated by open cut mining, including rehabilitated overburden emplacement areas. Muswellbrook township is located to the north of the site with the closest private residence in the town located approximately 2 kilometres (km) to the northeast. The closest sensitive receiver is a rural dwelling located approximately 1 km to the south of the site.

Existing facilities on the site include a main workshop equipped with a 10 tonne (t) overhead crane, a warehouse, an office and a concrete hardstand area. **Figure 1** shows the existing site and proposed location for the facility.



Figure 1 Muswellbrook Yard Site Map

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3. Proposed Works

Thiess is proposing to build a temporary engineered igloo enclosure of size 18.3m x 17m x 5.5m (at the apex) in which the following activities will be carried out:

- Abrasive blasting of mining equipment in preparation of painting, and;
- Spray painting of mining equipment prior to mobilisation to site.

The temporary structure is proposed to be supported by 40 foot containers on the long sides, with the east wall of the structure being a fixed wall. The structure will be fully enclosed using a heavy duty Tear-Stop fabric during blasting and painting activities.

The abrasive and painting equipment will be powered by compressed air supplied by a remote generator powered compressor. The air flow through the facility is proposed to be achieved by 10,000 cubic feet per minute (CFM) rated fans, connected to the closed end on the east wall. The air flow through the room will be in the order of 0.25 metres per second (m/s). The extracted air is proposed to pass through a six metre long dust extractor sock, prior to discharging to the atmosphere.

The proposed time for abrasive blasting is between 8:00am to 1:30pm, using Garnet GMA, at a rate of approximately 1.5 t/day. The proposed time for painting is from approximately 1:30pm to 5:00pm using hydrocarbon based primers and paints with a Hazchem code of 3(Y)E PG II. The most common primer used will be Lacnam 210 metal primer and the most common paint will be Lacnam 480 gloss enamel. On a typical day, between 20 to 40 litres of primer and between 30 to 60 litres of paint will be used.

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4. Assessment Methodology

The key air quality issue will be emissions of volatile organic compounds (VOCs) and particulate matter and the potential for these emissions to cause adverse impacts at nearby sensitive receptors. The assessment of this issue has been based around the quantitative prediction of impacts in accordance with the assessment guidelines from the Environment Protection Authority (EPA) namely the "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW" (EPA 2016).

Air dispersion modelling has been used to predict the off-site dust (as PM₁₀) and VOC concentrations due to estimated emissions from the proposed facility. Model predictions have been compared to EPA air quality assessment criteria and the potential for adverse impacts has been assessed based on the level of compliance with the criteria.

AUSPLUME version 6 has been used. Key inputs to this model were as follows:

- One year (2017) of meteorological data from the OEH monitoring station at Muswellbrook
- Rural landuse
- No terrain effects
- 20 m grid resolution for the prediction grid

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5. Air Quality Criteria

Typically, air quality is quantified by the concentrations of pollutants in the ambient air. Air pollution occurs when the concentration (or some other measure of intensity) of substances known to cause health, nuisance and/or environmental effects, exceeds a certain level. With regard to human health and nuisance effects, the air pollutants most relevant to the proposed facility are:

- Toluene
- Xylenes
- Methyl ethyl ketone
- Particulates as PM₁₀

Table 1 shows the air quality assessment criteria set by the EPA. These criteria apply to existing and potential sensitive receptors such as residences, schools and hospitals.

Table 1 EPA air quality assessment criteria

Pollutant	Averaging Period	Concentration	Basis
PM ₁₀	24 hour	50 µg/m ³	Health
	Annual	25 µg/m ³	Health
Toluene	1 hour (99.9 th percentile)	360 µg/m ³	Odour / nuisance
Xylenes	1 hour (99.9 th percentile)	190 µg/m ³	Odour / nuisance
Methyl ethyl ketone	1 hour (99.9 th percentile)	3,200 µg/m ³	Odour / nuisance

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6. Estimated Emissions

Emissions from the abrasive blasting and painting activities were estimated using the methods outlined in the National Pollutant Inventory (NPI) emissions estimation technique manuals. The relevant manuals are:

- "Emission Estimation Technique Manual for Surface Coating" (NPI 1999a), and
- "Emission Estimation Technique Manual for Shipbuilding Repair and Maintenance" (NPI 1999b).

In the case of particulate matter emissions, the NPI manuals indicate that the total abrasive blasting of unspecified metal parts using Garnet and controlled with fabric filter will result in 0.69 kg of PM₁₀ per tonne of Garnet used.

Table 2 shows the calculated mass emission rates that were used for the modelling. These emissions were assumed to occur at the times proposed for both the abrasive blasting and painting activities, for every day of the year. Specific VOC parameters for this assessment were determined from MSDS sheets for the proposed primer and paints.

Table 2 Estimated emissions

Pollutant	Mass Emission Rate (g/s)*
PM ₁₀	0.05 (abrasive blasting)
Toluene	0.71 (primer) 0.135 (enamel)
Xylene	0.043 (primer) 0.196 (enamel)
Methyl ethyl ketone	0.02 (primer)

* The higher of the emissions from primer or enamel paints were used for the modelling. That is, the values in bold font.

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7. Results

This section presents the results of the dispersion modelling, as contour plots showing predicted concentrations for comparison to the relevant assessment criteria.

7.1 Particulate Matter (as PM₁₀)

Figure 2 shows the predicted maximum 24-hour average PM₁₀ concentrations due to emissions from the proposed facility. The relevant assessment criteria is 50 µg/m³ including the contribution from the project and other sources. The highest 24-hour average concentrations are predicted to be in the order of 5 µg/m³. Background levels would need to be in the order of 45 µg/m³ or more before the 50 µg/m³ criterion is exceeded. Based on monitoring data collected by the OEH at Muswellbrook PM₁₀ concentrations do exceed the 50 µg/m³ criterion from time-to-time (typically 0 to 3 days per year) but average levels are in the order of 19 to 23 µg/m³ (2012 to 2017). These results indicate that the facility is unlikely to cause exceedances of the 50 µg/m³ criterion, and would also have a negligible contribution to PM₁₀ concentrations at nearest sensitive receptors.



Figure 2 Predicted maximum 24-hour average PM₁₀ concentrations due to the facility

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Figure 3 shows the predicted annual average PM_{10} concentrations due to emissions from the proposed facility. The relevant assessment criteria is $25 \mu\text{g}/\text{m}^3$ including the contribution from the project and other sources. The highest annual average concentrations are predicted to be in the order of $2 \mu\text{g}/\text{m}^3$, on-site. These results demonstrate that the facility would not cause exceedances of the $25 \mu\text{g}/\text{m}^3$ assessment criterion at all off-site locations, even with background levels of between 19 and $23 \mu\text{g}/\text{m}^3$.



Figure 3 Predicted annual average PM_{10} concentrations due to the facility

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7.2 Toluene

Figure 4 shows the predicted 99.9th percentile toluene concentrations due to emissions from the proposed facility. The relevant assessment criteria is 360 $\mu\text{g}/\text{m}^3$, an odour nuisance based criterion. The results indicate that odour may be detectable from time-to-time, based on the 360 $\mu\text{g}/\text{m}^3$ contour, but only in the Muswellbrook Industrial Estate, and only within a few hundred metres of the facility. No private sensitive receptors are predicted to experience adverse impacts, with respect to odour as toluene.

As noted previously (**Section 6**) the higher of the emissions from the primer or enamel paints was used, and assumed to occur for every day of the year. This means that the frequency and intensity of odorous events will be over-estimated.



Figure 4 Predicted 99.9th percentile toluene concentrations due to the facility

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7.3 Xylene

Figure 5 shows the predicted 99.9th percentile xylene concentrations due to emissions from the proposed facility. The relevant assessment criteria is 190 $\mu\text{g}/\text{m}^3$, an odour nuisance based criterion. The results indicate that odour may be detectable from time-to-time, based on the 190 $\mu\text{g}/\text{m}^3$ contour, but only in the Muswellbrook Industrial Estate, and only within a few hundred metres of the facility. No private sensitive receptors are predicted to experience adverse impacts, with respect to odour as xylenes.

As noted previously (**Section 6**) the higher of the emissions from the primer or enamel paints was used, and assumed to occur for every day of the year. This means that the frequency and intensity of odorous events will be over-estimated.



Figure 5 Predicted 99.9th percentile xylene concentrations due to the facility

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7.4 Methyl ethyl ketone

Figure 6 shows the predicted 99.9th percentile methyl ethyl ketone concentrations due to emissions from the proposed facility. The relevant assessment criteria is 3,200 $\mu\text{g}/\text{m}^3$, an odour nuisance based criterion. The results show that the criterion will not be exceeded at any on-site or off-site location.



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8. Conclusions

This report has assessed the potential air quality impacts of a proposed abrasive blasting and spray painting facility to be located on a Thiess site in the Muswellbrook Industrial Estate.

The potential air quality issues were identified as:

- Particulates as PM₁₀, and
- Odour as toluene, xylenes and methyl ethyl ketone.

The computer-based dispersion model known as AUSPLUME was used to predict the concentrations of these substances in the local area and the model predictions were compared to EPA criteria to determine the potential impacts. The assessment followed the procedures outlined in the EPA's "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW" (EPA 2016).

The modelling showed that the facility is unlikely to cause exceedances of the relevant assessment criteria for airborne particulate matter (as PM₁₀). There is however potential for odour to be detected from time-to-time within a few hundred metres of the facility, in the Muswellbrook Industrial Estate. Given the industrial nature of the surrounding landuse, this outcome was deemed to be acceptable. No private sensitive receptors were predicted to experience adverse impacts, with respect to particulate matter or odour. A conservative approach was adopted which assumed that the highest emissions would occur for every day of the year. This means that the impacts will be over-estimated.

It was therefore concluded that the proposed facility could operate without causing any adverse air quality impacts.

Yours sincerely



Shane Lakmaker

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References

EPA (2016) "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW".

NPI (1999a) "Emission Estimation Technique Manual for Surface Coating", National Pollutant Inventory.

NPI (1999b) "Emission Estimation Technique Manual for Shipbuilding Repair and Maintenance". National Pollutant Inventory.



Plan of Management

Abrasive Blasting and Spray Painting Activities

Thiess Muswellbrook Yard

Title: Plan of Management - Abrasive Blasting and Spray Painting Activities
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Abrasive Blasting and Spray Painting Activities

1. Scope

This Plan of Management is applicable to the activities of abrasive blasting and spray painting at the Thiess Muswellbrook Yard (18-22 Carramere Road Muswellbrook). Use of the painting facility is restricted to refurbishment of mining equipment that is being serviced through the Thiess Muswellbrook Yard Facility.

1.1. Site Description

The land associated with the activities is described as Lot 1000 of DP1048805 and is located at 18-22 Carramere Road Muswellbrook, in the south-east corner of the Muswellbrook Industrial Estate (refer Figure 1). Zoning under the Muswellbrook LEP is IN1 (General Industrial).

The nearest sensitive receiver is a rural dwelling approximately 1km south of the site. A rural residential estate is located 2km to the east.

The existing facilities include: Main workshop equipped with a 10 tonne overhead crane, warehouse, concrete hardstand area and office (refer Figure 2).

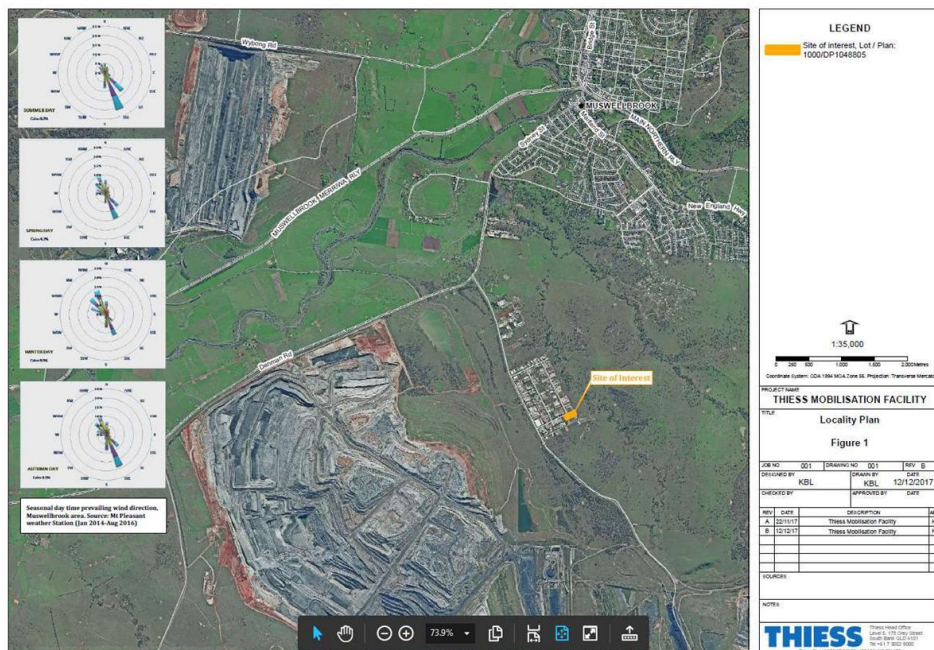


Figure 1: Facility location

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Figure 2: Existing facilities

2. Legal and Other Obligations

Table 1: Legal and other obligations

Requirement	Details - Legislative reference, Information
Development Approval 270/2002 Industrial (Class 8) workshop	This DA relates to the construction requirements for the existing workshop and yard. It does not allow for abrasive blasting or spray painting.
DA abrasive blasting and spray painting	<i>To be included</i>
Protection of the Environment Operations Act 1997 <i>While an Environment Protection Licence is NOT required, the facility must comply with the provisions of the POEO Act. Specifically:</i>	Abrasive blasting and spray painting is a premises based activity for the purpose of the POEO Act. It is not however a Scheduled activity as the capacity of the facility is below the threshold for <i>metal coating</i> . The threshold capacity is 10,000 tonnes per annum while the actual capacity, based on the mass of metal to pass through the facility is approximately 6,000 tonnes per annum.
Part 5.3 Water pollution	Sect 120 Prohibition of pollution of waters
Part 5.4 Air pollution	Sect 124 Operation of plant Sect 125 Maintenance work on plant Sect 126 Dealing with materials
Part 5.5 Noise pollution	Sect 139 Operation of plant Sect 140 Dealing with materials

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Requirement	Details - Legislative reference, Information
Part 5.6 Land pollution and waste	Sect 142A Pollution of land
Part 5.7 Duty to notify pollution incidents	Sect 148 Pollution incidents causing or threatening material harm to be notified
July 2015 WorkCover Code - Spray painting and powder coating code of practice	This Code applies to all workplaces covered by the WHS Act where spray painting or powder coating activities are carried out and to all persons involved in these activities.
Work Health and Safety Act 2011	Division 2 Consultation with workers
Work Health and Safety Regulation 2017	Part 3.1 Managing risks to health and safety

3. Thiess Health, Safety and Environmental Systems

Thiess at Muswellbrook Yard maintain a Health and Safety Management System (HSMS) and Environmental Management System (EMS) in compliance with the following standards:

- » AS/NZS 4804: OHS Management Systems—General guidelines on principles, systems and supporting techniques and AS/NZS 4801: OHS Management Systems—Specification with guidance for use;
- » AS/NZS ISO 9001: Quality management systems – requirements; and
- » ISO14001: Environmental Management Systems.

The Muswellbrook Yard falls under the Thiess ISO certification.

The Muswellbrook Yard has a Baseline Risk Assessment (BRA) that has been completed as per the Thiess Risk Management Procedural requirements. This BRA identifies all of the risks in relation to health, safety and environment and the respective Management Plans are used to control the risks. The risks associated with abrasive blasting and spray painting have been identified in the BRA and this activity has also be reflected in other documents that support the HSE systems e.g. Legal and Other Obligations Register.

The Thiess Health and Safety Management System is aligned to the continuous improvement cycle of Plan, Implement, Monitor and Improve as shown in the diagram below.



Figure 3: Thiess Health and Safety Management System

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3.1. Contractor Management

Thiess have defined procurement processes and a Subcontractor HSE Evaluation and Management Guideline that is followed when entering into a service contract with the subcontractor, including in this instance the responsibility for the removal of waste products.

The abrasive blasting and spray painting is managed and conducted using the sub-contractor's equipment, work methods and procedures. Thiess's process is to review and approve all work methods and procedures to ensure full compliance with Thiess Safety and Environmental Policies and Standards.

While the designated work area is under the supervision of the sub-contractor, the area forms part of the Thiess facility. Except for specific work procedures relating to the activities, the subcontractor is required to comply with Thiess' safety and environment systems as contained in the Thiess Governance System (TGS) and Project Governance System (PGS) documents, including the Safety Management Plan and Environmental Management Plan.

At a minimum, safe work procedures must be developed and approved for all significant regular tasks and if not available a JSEA must be completed and signed off by all persons involved in the activity. The subcontractor must supply any relevant Safety Data Sheets (SDSs) that pertain to their activities and ensures that controls are aligned as per information supplied in the SDS.

Subcontractor activities shall be regularly monitored, primarily by the subcontractor but also by Thiess in accordance with the requirements agreed in the subcontract management documentation package. The verifying of safe work processes shall be carried out in accordance with the Job Observation Procedure.

4. Process Description

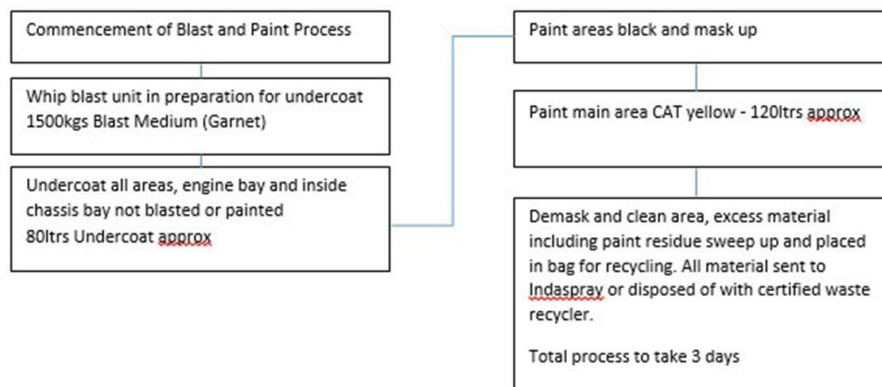


Figure 4: Process diagram

The WorkCover Code "Spray painting and powder coating code of practice" (July 2015) states that "a spray booth should be used when spray painting with a hazardous chemical, except when the shape, size or weight of an article cannot be easily moved or fit into a spray booth. Large mining equipment falls into the category of not easily fit into a commercial spray booth. However a purpose built structure is used to minimise environmental impacts while providing a safe working environment for the operators. The transportable igloo structure used meets the description of an open faced spray booth as contained in the WorkCover Code.

Abrasive blasting and painting activities occur in a relocatable engineered igloo structure secured on an existing concrete pad at the eastern end of the lot. The structure is supported by 40 foot containers on the long sides, which are secured using concrete anchor blocks. The east end has a fixed wall. During blasting and painting the structure is fully enclosed using a heavy duty fabric across the open end. The material is open weave to allow airflow while minimising dust emissions. An extractor fan attached to a filtration sock extracts air from the enclosed end of the structure and provides airflow within the enclosure.

No services, including electrical sources, are supplied to the structure with abrasive blasting and painting equipment powered by compressed air supplied by a remote generator-powered compressor. Both abrasive

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blasting and spray painting are manual processes using compressed air supplied by an on-site compressor and generator. All painting occurs in the designated paint facility.

All equipment arrives on site in a clean condition and there is no pressure washing of plant required on the site. This means that neither trade waste connection to sewer nor a pollution trap is required.

Painting equipment is generally removed from site to be cleaned at the subcontractor's specialised facility. In the event that emergency cleaning is required on site, solvents are only used in a fully contained unit with used solvents removed from site by a licensed regulated waste transporter.

4.1. Process Controls - General

The following controls are employed at the painting facility to ensure environmental impacts are kept to a minimum and the facility is operated in a safe manner.

- » **Paint:** Single pack Alkyd resin based paint is used for painting. Only ready to spray products arrive on site.
- » **Storage of materials:** Consumables, apart from the Garnet GMA used for abrasive blasting, are stored off site and delivered on an as-needed basis. If small quantities of paint need to be stored on site for short periods they are stored in a bunded and covered area.
- » **Safety Data Sheets (SDS):** SDS's for all chemicals used are available in close proximity to the work area but not within the enclosure. Access to the SDS's is also provided in the site office.
- » **Hours of operation:** Abrasive blasting and spray painting activities is restricted to daylight hours between approximately 8:00am and 5:00pm Monday to Saturday.
- » **Signage:** All signage identified in the risk assessment and consistent with the WorkCover Code is maintained in and around the facility. The checking of signage forms part of the pre-start process for both the abrasive blasting and painting.
- » **Exclusion zone:** An exclusion zone consistent with the WorkCover Code is maintained while the painting facility is in use and is clearly demarcated by the appropriate hazard tape and exclusion signs. All ignition sources are excluded from the proximity of the enclosure while in operation.
- » **Training:** Only competent and trained operators conduct the blasting and painting. Training and competency assessment are the responsibility of the subcontractor but the right to work on the site is subject to meeting Thiess requirements. All subcontractors entering the site are required to complete a Thiess site induction and wear the PPE identified for the task.

4.1. Process Controls – Environmental Impacts

4.1.1. Soil / Water pollution

- » A spill kit equipped with absorbents rated for all chemicals used is available adjacent to the painting enclosure.
- » Used absorbents are collected and disposed of as regulated waste.
- » Liquid containers are stored in a bunded area protected from weather. There is no bulk storage of paints or chemicals on site.
- » Spent Garnet is managed by sweeping / shovelling from the floor of the enclosure. Hose-out of the enclosure is not employed.
- » Stormwater is steered away from the concrete pad by a shallow spoon drain on the western edge to minimise ingress into the structure.
- » General purpose absorbent booms are placed on the downstream edge of the enclosure to minimise the transport of any abrasive blasting material from the enclosure during extreme rainfall events that occur prior to clean-out of the enclosure and to capture any spills within the enclosure. The abrasive blasting material is an inert substance.

4.1.2. Air pollution

- » The Yard is zoned industrial under the Muswellbrook LEP. There is a significant separation distance from sensitive receivers.
- » An enclosed structure is used for blasting and painting. The structure uses an extraction fan in the end of the enclosure with air and pollutants passing through a 6m long discharge sock with filter to minimise particulate emissions.

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- » Use of a manual painting process allows for more precise application and reduced overspray while painting the equipment.
- » In addition, lower volatility single pack Alkyd resin based paints are used.
- » Pre-mixing of paints and cleaning of painting equipment is conducted off-site.

4.1.3. Noise

- » Operation is daylight hours only with the further general restriction of abrasive blasting and spray painting between 8:00am to 5:00pm Monday to Saturday.
- » The Yard is zoned Industrial. There is a significant separation distance from the nearest sensitive receivers.

4.1.4. Spill prevention and clean up

- » Pre-mixing of paints is conducted off-site, and there is no bulk storage of any chemicals associated with the painting and blasting activities. The largest container used on site is approximately 200 litres.
- » A spill kit equipped with absorbents rated for all chemicals used is available adjacent to the painting enclosure.
- » Used absorbents are collected and disposed of as hazardous waste.
- » Any contaminated soil material is collected and disposed of as hazardous waste by a licensed waste contractor.

4.1.5. Waste management

- » Thiess has a contract with a national waste management company, currently Remondis, to service all Thiess facilities in NSW.
- » A Waste Management Plan has been developed for the Muswellbrook Yard in conjunction with the waste contractor. Waste classification is done in conjunction with the waste contractor.
- » All waste streams are stored in the appropriate weather proof containers. Liquid waste is stored in bunded areas away from pervious surfaces and stormwater paths.
- » The main waste stream from the abrasive blasting and spray painting is used Garnet and the associated old paint fragments. This is restricted to the enclosure with the sock and sausages preventing the spread outside on the enclosure. Upon completion of the painting this material is swept / shoveled into bulka bags for return to the subcontractor for cleaning and recycling.
- » If used Garnet is required to be disposed of from site, the Garnet with paint fragments is classified under the NSW Waste Regulation as General solid waste. Disposal is at the discretion of the subcontractor.
- » Paint waste, including any empty containers, is removed by the subcontractor.

4.2. Process Controls - Health and Safety

The subcontractor appointed to undertake this work has work procedures to address the safety and environmental aspects of abrasive blasting, including but not limited to:

- » Work permits (if applicable)
- » Special precautions including barricading of the area
- » Blasting enclosure (this instance the igloo configuration)
- » Ventilation requirements
- » The control of static electricity
- » Requirements for carrying out blasting work
- » Personal protective equipment (PPE) and what is to be used in relation to exposures
- » Health and hygiene monitoring requirements
- » Management of abrasive blasting wastes

The subcontractors' procedures apply to the personnel conducting the abrasive blasting operations at the Muswellbrook Facility.

Title: Plan of Management - Abrasive Blasting and Spray Painting Activities
Date Published: 15/06/2018
Thiess Governance System - Uncontrolled Document when Printed

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4.3. Thiess Procedures

The following Thiess procedures are also applicable to the work area:

[Hydrocarbon Management Procedure](#)

[Manage Hazardous Chemicals Procedure](#)

[Hydrocarbon and Chemical Response – How to guide](#)

[Waste Management Plan – Template](#)

[Subcontractor HSE Evaluation and Management Guideline](#)

[Health and Safety Management Plan](#)

[Environmental Management Plan](#)

[Risk Management Procedure](#)

Title: Plan of Management - Abrasive Blasting and Spray Painting Activities

Date Published: 15/06/2018

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Annexure 1. Location of storm water run-on and spill controls

(added 31 July 2018)



Title: Plan of Management - Abrasive Blasting and Spray Painting Activities
Date Published: 15/06/2018
Thiess Governance System - Uncontrolled Document when Printed

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10.2 RIVERS AND DRAINAGE CHANNELS POLICY

Attachments:	Nil
Responsible Officer:	Carolyn O'Brien - Acting Director - Planning, Community & Corporate Services
Author:	Joshua Brown - Acting Manager - Integrated Planning & Governance
Community Plan Issue:	<i>Support Job Growth</i>
Community Plan Goal:	<i>Facilitate the expansion of and establishment of new industries and business.</i>
Community Plan Strategy:	<i>Provide advice in relation to strategic land use planning and development control and assessment to support the work of the Economic Development and Innovation function.</i>

PURPOSE

To seek a Council resolution to delegate authority to the Development Assessment Committee to authorise public exhibition of amendments to Muswellbrook Development Control Plan required to ensure development in urban areas that is near waterways and drainage corridors, does not increase drainage and flooding hazards and makes provision for ongoing maintenance of flow capacity of urban waterways and drainage channels.

OFFICER'S RECOMMENDATION

Council delegate to the Development Assessment Committee the authority to place on public exhibition amendments to the *Muswellbrook Development Control Plan 2009* to incorporate requirements to;

- 1. Ensure development in urban areas that are near waterways and drainage corridors, does not increase drainage and flooding hazards and;**
- 2. Makes provision for ongoing maintenance of flow capacity of urban waterways and drainage channels.**

Moved: _____ **Seconded:** _____

BACKGROUND

Council adopted the *Rivers and Drainage Channels Policy* in 2015 to assist in the management of urban waterways and drainage, and in particular to manage the risk of flooding that might arise from inappropriate development or changes to urban waterways and drainage channels.

The management of waterways and drainage channels is also regulated by the:

Water Management Act 2000

Conveyancing Act 1919

Roads Act 1993

Local Government Act 1993

Protection of the Environment Operations Act 1997.

This creates complexity when development proposals are being considered, and clear guidance in the DCP for new development would assist the community, Council staff and development proponents.

CONSULTATION

General Manager

Assistant Director Environment and Community Services

Development Assessment Committee

REPORT

Council adopted the *Rivers and Drainage Channels Policy* in 2015 to assist in the management of urban waterways and drainage. Following a discussion at the most recent meeting of the Development Assessment Committee, the Committee has requested that amendments be drafted to the Muswellbrook Development Control Plan to ensure the management of urban waterways and drainage is adequately considered when new development is planned and assessed. For the sake of efficiency, it is recommended that the confirmation of those amendments and approval to exhibit be delegated to the Development Assessment Committee.

The *Environmental Planning and Assessment Regulation 2000* require the exhibition of any amendments to the Development Control Plan for a period of 28 days.

There is a suite of tools available to Council to properly manage urban waterways to achieve the objectives of the *Rivers and Drainage Channels Policy*. If Council Staff and the Committee identify that changes are also required to the Muswellbrook LEP 2009, the *Rivers and Drainage Channels Policy*, compliance monitoring and asset inspections, these will be the subject of a separate report to Council.

OPTIONS

Councillors may determine to not delegate the decision to the Development Assessment Committee.

CONCLUSION

Council delegate to the Development Assessment Committee the authority to place on public exhibition amendments to the Muswellbrook Development Control Plan 2009 to incorporate requirements to ensure development in urban areas that is near waterways and drainage corridors, does not increase drainage and flooding hazards, and makes provision for ongoing maintenance of flow capacity of urban waterways and drainage channels.

SOCIAL IMPLICATIONS

Flooding of roads, land and buildings creates safety and wellbeing issues in the community.

FINANCIAL IMPLICATIONS

No known financial implications

POLICY IMPLICATIONS

The recommendation of this report is to identify and exhibit amendments to Muswellbrook DCP 2009. If Council Staff and the Committee identify that changes are also required to the Muswellbrook LEP 2009, the *Rivers and Drainage Channels Policy*, compliance monitoring and asset inspections, these will be the subject of a separate report to Council.

STATUTORY IMPLICATIONS

The delegation to such a committee is consistent with the *Local Government Act 1993*.

LEGAL IMPLICATIONS

There are no known legal implications.

OPERATIONAL PLAN IMPLICATIONS

There are no known Operational Plan implications.

RISK MANAGEMENT IMPLICATIONS

There are no known Risk Management implications.

11 COMMUNITY INFRASTRUCTURE

Nil

12 CORPORATE AND COMMUNITY SERVICES

12.1 2017-2021 DELIVERY PROGRAM REVIEW

Attachments:	A. 20180911 REVISED Delivery Program 2017-2021 - Under Separate Cover
Responsible Officer:	Joshua Brown - Acting Manager - Integrated Planning & Governance
Author:	Melissa Cleary - Co-Ordinator - Integrated Planning
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 seek Council's endorsement for the public exhibition of the revised 2017-2021 Delivery Program, updated to align with Council's 2019 application to the Independent Pricing and Regulatory Tribunal (IPART) for the continuation of the 2018-2019 Special Variation (SV).

OFFICER'S RECOMMENDATION

Council endorse the reviewed Delivery Program for public exhibition from 11 September 2018 to 9 October 2018.

Moved: _____ **Seconded:** _____

BACKGROUND

The NSW Independent Pricing and Regulatory Tribunal (IPART) conditionally approved a Special Variation (SV) to Muswellbrook Shire Council's rating for 2018/19 to fund the following projects:

- improvements in stormwater management;
- upgrades to Muswellbrook's Olympic Park sporting precinct;
- a new Regional Entertainment and Convention Centre for the region;
- additional support for job creation across the Shire; and
- the recovery of rating income lost as a consequence of the conversion of mining biodiversity offsets to voluntary conservation agreements.

The approval has been granted for twelve months with an invitation to apply in 2019 for the increase to become permanent once the 2017-2021 Delivery Program is revised to include the projects and programs articulated in Council's application in 2018. In its determination IPART noted that Council demonstrated community awareness, that the impact on ratepayers was reasonable and that there were demonstrable productivity improvements and cost containment in the Council organisation.

CONSULTATION

General Manager

Director Community Infrastructure

CFO and Manager Corporate Services

Manager Building and Property Services

Policy Officer

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Cr Rush

REPORT

In February 2018, Council submitted an application to IPART for a special variation to increase its general income by 14.73% in 2018-19, and to permanently retain this increase in its general income base. IPART determined not to approve the special variation in full because Council did not exhibit its IP&R documents containing the proposed 2018-19 special variation (and associated projects and programs) and showing the impact on the community before applying to IPART.

The 2017-2021 Delivery Program has been amended to reflect the impact of 2018/19 mining biodiversity offsets. The following update was made:

- page 4, insertion of paragraph 6 – *A similar situation has arisen...*

OPTIONS

Council may determine to endorse the reviewed 2017-2021 Delivery Program for public exhibition or retain the current version.

CONCLUSION

It is recommended that Council endorses for public exhibition, the revised 2017-2021 Delivery Program, updated to align with Council's 2019 application to the Independent Pricing and Regulatory Tribunal (IPART) for the continuation of the 2018-2019 Special Variation (SV).

SOCIAL IMPLICATIONS

As described in the Delivery Program.

FINANCIAL IMPLICATIONS

As described in the annual operational budgets.

POLICY IMPLICATIONS

As described in the Muswellbrook Shire Council policy register.

STATUTORY IMPLICATIONS

Consistent with the NSW Local Government Act, 1993.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

The entire operational plan.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

12.2 WATER USE REDUCTION MEASURES

Attachments:	Nil
Responsible Officer:	Derek Finnigan - Director - Community Infrastructure
Author:	Joshua Brown - Acting Manager - Integrated Planning & Governance Aleksandar Mitreski - Policy Officer Gamini Hemachandra - Project Engineer Graham Chevis - Asset Manager - Water & Waste
Community Plan Issue:	<i>A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health</i>
Community Plan Goal:	<i>Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.</i>
Community Plan Strategy:	<i>Ensure substantial achievement of Best Practice Water Supply and Sewerage Guidelines.</i>

PURPOSE

For Council to consider measures for the reduction in the use of water across the Shire to prepare for the circumstances of prolonged drought conditions and an extended bushfire season.

OFFICER'S RECOMMENDATION

- 1. Council approves voluntary water restriction measures (Level 1) and delegates the General Manager authority to undertake a campaign to promote the voluntary water restrictions.**
- 2. A budget of up to \$1,000 be allocated from the Water Fund for the promotion of the voluntary water restrictions.**

Moved: _____ **Seconded:** _____

BACKGROUND

Rural areas of Muswellbrook LGA are facing potable water shortages due to present drought conditions. Council has made arrangements to those residents by carting water from the Muswellbrook water service area to other locations outside the service area. As a result there is an increasing trend of water demand from the Muswellbrook Water Treatment Plant. Whilst there is sufficient water for the customers who are connected to reticulation systems managed by Council, in order to manage the growing demand, to support rural people who are in need of potable water, and to prepare for expected prolonged drought conditions and an extended bushfire season, Council recommends consideration of measures to restrict water usage.

CONSULTATION

General Manager

Director – Community Infrastructure

NSW Water

Department of Industry

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Mayor

REPORT

Below is a comparison of water use in the months of July and August from 2008 to 2018 indicating a considerable difference in water use above recent years. This may be attributed to higher than usual water use by customers serviced by the reticulated water system as well as extra water carted to rural areas in the Muswellbrook LGA.

	Muswellbrook Service Area- Production in ML										
Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
July	119	122	124	146	112	86	108	98	109	122	143
August	123	151	125	132	121	105	111	118	108	148	150
	Denman Service Area- Production in ML										
July	14	14	12	13	12	13	15	14	12	16	19
August	14	19	12	12	15	18	14	15	13	20	23

In order to provide support for an estimated daily increase of 100KL to water carting operations, it is estimated that water production needs to be increased by 3.2 ML per month through the Muswellbrook Water Treatment Plant. In addition, it would be prudent to conserve water in the Glenbawn storage in anticipation of the likely drought conditions ahead. Based on the annual water use in the water service areas it is suggested that the monthly productions in Muswellbrook and Denman Plants are kept below the values given in the table below:

Muswellbrook- Licence 3250 ML per year

Month	Water Production - ML		
	Average 2008 to 2018	Monthly Max from 2008	Suggested production limit*
January	208.99	346.85	380
February	183.42	259.99	285
March	163.02	213.89	235
April	139.02	174.56	190
May	134.08	176.08	190
June	109.93	133.35	145
July	114.65	145.94	160
August	124.08	151	165
September	141.62	203.43	220
October	168.78	205.19	225
November	173.09	223.62	245
December	186.90	268.33	295
Total	1847.57	2502.23	2735

* Note: process losses equate to approximately 8% so this production limit would equate to a total extraction from the river of 2954ML

Denman- Licence 550 ML/Year

Month	Monthly water Production in KL		
	Average 2008 to 2018	Monthly Max from 2008	Suggested limit
January	32.6	53.9	59
February	27.8	46.8	51
March	22.7	34.3	38
April	19.1	27	30
May	17.2	21.6	24
June	13.5	15.6	17
July	14	19.5	21
August	15.9	23	25
September	20.7	30.2	33
October	26.1	37.1	41
November	26.1	36.4	40
December	28.3	43.7	48
	264	389	427

Both Muswellbrook and Denman Water Treatment Plants receive water from Glenbawn storage under two separate Local Water Utility specific water licences.

During severe water shortages Water NSW adopts drought contingency measures in order to conserve water. When such measures are adopted, highest priority is given to the major water utility (AGL) and Local Water Utilities (Council). Such measures are first applied for General Security Licenses, approximately (128,000 ML) per year followed by High Security Licenses (21700ML per year)

According to Council's Drought Management Plan, the triggers for mandatory water restrictions depend on the water conservation measures applied by Water NSW. Restriction triggers set out in the plan are based on Available Water Determinations (AWD) announced by Department of Industry – Water and enacted by Water NSW under the water sharing plan for the Hunter Regulated Water Source.

A summary of Council's Drought Management Plan is shown below:

Trigger	Restriction level
10% reduction in High Security water allocation	Level 1
25% reduction in High Security water allocation	Level 2
40% reduction in High Security water allocation	Level 3
55% reduction in High Security water allocation	Level 4
70% reduction in High Security water allocation	Level 5
85% reduction in High Security water allocation	Level 5

As there are no such AWD at the present stage Council is not in a position to limit water production by way of mandatory water use restrictions. It is still possible to implement some of the water use reduction measures in Level 1 by way of voluntary water wise rules suggested by various water authorities and

included in the draft of the Integrated Water Cycle Management Strategy for the Muswellbrook Water utility. The recommended rules are provided in the table below. Previous observations suggest a 10% reduction is usual with the introduction of mandatory level 1 water restrictions. It is anticipated that monthly domestic water use could be reduced by approximately 5% if these rules are followed voluntarily.

Purpose of water use	Water wise Rules
Lawns and Gardens	Watering, including with sprinklers and irrigation systems, is only permitted before 10am and after 4pm to avoid heat of the day
Vehicle and boat washing	All road vehicles , boats and trailers may be washed at any time of day with a bucket or a hose provided a trigger nozzle or a pressure cleaner is used
Hard surfaces	No hosing of paths, driveways, concrete or other paved areas, except when cleaning with water is necessary for reasons of safety, health, emergency, construction activity or surface discolouration
People and animal	Allowed at any time for the purpose of cooling people or animals
Private pools	Topping up of pools using a hose from water supply is permitted
Building structures	Washing with the use of a hose fitted with a trigger nozzle or high pressure cleaning equipment is permitted

OPTIONS

1. Council approves voluntary water restriction measures (Level 1) and starts a campaign to spread awareness about the voluntary water restrictions;
2. Council does not impose any water restrictions.

CONCLUSION

Council does not have an imminent water shortage. However, Council is conscious of and sensitive to the ongoing drought conditions, and as a due diligence exercise, the community should be encouraged to use water effectively and sustainably. In addition, neighbouring regions have been in need of potable water and Muswellbrook should continue to play a role in supplying out of service areas when it is needed and prepare for any future risk mitigation strategies.

SOCIAL IMPLICATIONS

The quality of life of all residents will not be affected as these measures are voluntary.

FINANCIAL IMPLICATIONS

Any reduction in water use will impact upon revenues for water consumption.

POLICY IMPLICATIONS

No known policy implications.

STATUTORY IMPLICATIONS

No known statutory implications.

LEGAL IMPLICATIONS

No known legal implications.

OPERATIONAL PLAN IMPLICATIONS

The submission of this report is consistent with the Delivery Program target: "Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements."

RISK MANAGEMENT IMPLICATIONS

Council can mitigate the risk of prolonged drought impacts and extended bushfire season.

12.3 2018/2019 PROPOSED GENERAL BUILDING PROGRAMME

Attachments:	Nil
Responsible Officer:	Derek Finnigan - Director - Community Infrastructure
Author:	Karli Anshaw - Technical Officer - Property & Building Services
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>Improve and maintain civic precincts.</i>
Community Plan Strategy:	<i>Deliver the capital program substantially on time, on budget and in accordance with relevant design and construction standards.</i>

PURPOSE

To provide Council a list of proposed projects for the 2018/19 budget allocation for the General Building Programme for consideration.

OFFICER'S RECOMMENDATION

Council approves the proposed building works allocations.

Moved: _____ Seconded: _____

BACKGROUND

Each year the asset manager for Council's building assets presents to Council a list of proposed capital works for the General Building Programme for approval. This report provides the proposed projects for the 2018/19 budget allocation.

CONSULTATION

Manager Works, Property and Building Services

Stakeholders and User Groups

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Not applicable

REPORT

2018/2019 General Building Programme

The capital budget allocation for 2018/19 is \$207,500. The proposed list of works for the General Building Programme includes:

Contribution Arts Centre Lighting and Air-conditioning upgrade	\$116,000
---	------------------

Council was successful in receiving \$135,300 under the first round of the Regional Cultural fund and Council is required to make a contribution of \$115,715 as part of the funding agreement.

Air-conditioning Upgrade QEII	\$10,000
--------------------------------------	-----------------

Various air-conditioning units are not currently working at the QEII Building which houses Upper Hunter Community Services and they require an upgrade. This contribution will go towards the replacement of multiple units with split system units.

Administration Acoustic, Temperature and Lighting Treatment	\$6,000
Some areas of Administration require works to stabilise temperatures and apply acoustic treatment to the interview rooms and public areas.	
Administration Centre Roof Maintenance	\$9,000
The Administration Centre roof requires works to prevent the roof leaking by installing internal gutter and downpipes to assist in the drainage of the overflow of the current gutter system. This also includes Installation of roof safety system such as harness points and hand rail around access points.	
Denman Community Centre Carpet Replacement	\$16,000
The Denman Community Centre requires carpet replacement throughout the building due to the current carpet being of substantial age and damage beginning to show, which in-turn is creating a safety hazard in a number of areas.	
Muswellbrook Library Building/VIC Minor Works	\$6,000
Works are required for the relocation of the VIC Centre from lower level to upper level, electrical and data works required. Additional Lighting is also required in some areas.	
Minor Works Renewal	\$9,500
Minor works and replacements are required across some of our Community and Council Building profiles to assist in servicing the staff and members of the community as required.	
Senior Citizen Centre Accessibility and Building Upgrades	\$12,000
Staff have identified accessibility works as part of the action list prepared as required under the NSW Disability Inclusion Act (2014) each council in NSW must have a Disability Inclusion Action Plan (DIAP) by 1 July, 2017. Projects were identified in consultation with users and disability service providers informed by previous access audits and prioritise projects. The Senior Citizens Centre has been identified as a priority for this allocation due to how the building is required to perform. This allocation will assist with carpark and external access as well as upgrading internal access and functions where required.	
SES and Community Services Site	\$15,000
This increasingly busy site with the Mens Shed members, SES, RFS, and Joint Community Services requires works for storm water management, car park, and building renewal.	
Stan Thiess Centre Continuation of Upgrades	\$8,000
Minor works required at the Stan Thiess Centre to assist with functionality for multiple community groups which use the facility. This includes some accessibility works to the toilets, window covering, changes to storage etc.	
Total	\$207,500

OPTIONS

Council could identify and prioritise different projects.

CONCLUSION

The 2017/2018 General Building Programme list of projects has been prepared in consideration of assets condition and needs of users.

SOCIAL IMPLICATIONS

Provision of suitable buildings infrastructure is required to meet the needs of users.

FINANCIAL IMPLICATIONS

General Building Programme budget allocation for 2018/2019 is \$207,500.

POLICY IMPLICATIONS

Not applicable

STATUTORY IMPLICATIONS

Not applicable

LEGAL IMPLICATIONS

Not applicable

OPERATIONAL PLAN IMPLICATIONS

'19.2 Maintain and continually improve asset management', *Muswellbrook Shire Council Operational Plan 2018-2019*

RISK MANAGEMENT IMPLICATIONS

There are a number of competing priorities for expenditure on Council buildings. The proposed projects include works to reduce risks and improve assets condition and improve the level of service for the user.

12.4 COUNCIL'S 2018/2019 ESTIMATED FINANCIAL ASSISTANCE GRANTS

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

PURPOSE

To provide information on the Estimated 2018/2019 Financial Assistance Grants to Council.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ **Seconded:** _____

REPORT

Correspondence was received from the Local Government Grants Commission providing a summary of Council's 2018/2019 Financial Assistance Grant entitlements. A copy of the letter dated 23 August, 2018 is attached for the information of Council.



Local Government Grants Commission

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: GC 147
A591375/A591380

Contact: Helen Pearce
02 4428 4131

Ms Fiona Plesman
Acting General Manager
Muswellbrook Shire Council
By email:
fiona.plesman@muswellbrook.nsw.gov.au
Cc: council@muswellbrook.nsw.gov.au

23 August 2018

Dear Ms Plesman

In accordance with the Commission's policy of providing information to councils about the way it calculates financial assistance grants (FAGs), please find attached (**Appendix A**) a summary of Council's 2018-19 estimated FAG entitlement.

The national figure for 2018-19 was made up of \$1.702 billion for the general purpose component and \$755 million for the local roads component.

The general purpose component was distributed across the States on a population basis. NSW received 32% or \$544 million, which represents a 3.7% increase on last year's figure.

The local roads component is based on a historical formula. NSW's share of the total road funding is a fixed 29% share, or \$219 million, which was in-line with the previous year. The total, then, for NSW was \$763 million.

The Council's 2018-19 FAG estimated entitlement compared to 2017-18 final entitlement is as follows:

Muswellbrook Shire Council				
Year	General Purpose	Local Roads	Total	
2017-18	\$2,418,765	\$898,589	\$3,317,354	Change
2018-19	\$2,556,714	\$915,986	\$3,472,700	4.7%

To assist councils with budgeting and bank reconciliations, a breakdown of the 2018-19 quarterly instalments is available on our website at www.olg.nsw.gov.au/commissions-and-tribunals/grants-commission.

As councils will be aware, the Commission is required to adhere to the National Principles which mandate a per capita payment based on population growth/decline. It is also the policy of the NSW Government to explore opportunities to direct grants to communities with the greatest relative need. In allocating the grants the Commission has had regard to these policies.

T 02 4428 4131 F 02 4428 4199 TTY 02 4428 4209
E grants@olg.nsw.gov.au
W <http://www.olg.nsw.gov.au> (follow the "Commissions & Tribunals" links)



A key challenge for the Commission is the application of the minimum per capita grant which has a significant impact on the ability of the Commission to redirect funding. Councils with relative advantage (typically metropolitan councils) generally have increasing populations, whereas councils with relative disadvantage (typically rural and remote councils) are generally depopulating. The map contained in the attached Factsheet (**Appendix B**) identifies the rate of population change in NSW from 2006 to 2016. The Factsheet also provides an update on the model review and transition arrangements councils were initially advised of on 21 June 2018 in GC circular 147.

In addition to these calculations, in its 2018 Budget, the Federal Government decided to retain the practice of forward payments of 50 per cent of the financial assistance grants based on the 2017-18 estimates for payment. Councils, therefore, received half of their estimated 2018-19 FAGs on 21 June 2018. The remainder of the grant entitlements will be paid in quarterly instalments in August 2018, November 2018, February 2019 and May 2019.

SPECIAL SUBMISSIONS RELATING TO 2018-19 GRANTS

As usual, special submissions from councils will be considered by the Commission. The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the Commission to adequately consider all legitimate factors that affect council's capacity to deliver services.

Appendix C, titled ***Guidelines for Special Submissions***, contains guidelines for preparing submissions – please read the guidelines carefully.

Submissions should be e-mailed to the Commission at grants@olg.nsw.gov.au **by 30 November 2018**.

I would ask that this letter please be tabled at the next Council meeting.

If you have any questions concerning these matters please contact me on (02) 4428 4131.

Yours sincerely



Helen Pearce
Executive Officer

APPENDIX A

Schedule of Payments 2018-19

	2018-19	2018-19	2018-19	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2018-19	2018-19
Councils	Recommended General Purpose Entitlement	Recommended Local Roads Entitlement	Recommended Total Entitlement	General Purpose CPI/Pop Adjustment	Local Roads CPI/Pop Adjustment	Total CPI/Pop Adjustment	General Purpose Advance Payment	Local Roads Advance Payment	Total Advance Payment	General Purpose Payments	Local Roads Payments	Total Payments
Albury (C)	4,972,242	1,399,696	6,371,938	1,474	(175)	1,299	2,534,513	696,569	3,231,082	2,439,203	702,952	3,142,155
Armidale Regional	4,179,541	2,435,519	6,615,060	1,195	(305)	890	2,053,815	1,214,528	3,268,343	2,126,921	1,220,686	3,347,607
Ballina (S)	3,080,185	1,395,209	4,475,394	893	(173)	720	1,534,316	686,338	2,220,654	1,546,762	708,698	2,255,460
Balranald (S)	2,659,070	1,320,202	3,979,272	757	(166)	591	1,301,302	661,050	1,962,352	1,358,525	658,986	2,017,511
Bathurst Regional	4,384,987	1,979,000	6,363,987	1,300	(248)	1,052	2,234,302	987,889	3,222,191	2,151,985	990,863	3,142,848
Bayside	3,535,701	1,168,806	4,704,507	989	(144)	845	1,699,655	573,495	2,273,150	1,837,035	595,167	2,432,202
Bega Valley (S)	5,094,243	1,936,878	7,031,121	1,490	(245)	1,245	2,561,466	973,821	3,535,287	2,534,267	962,812	3,497,079
Bellingen (S)	2,776,199	942,498	3,718,697	786	(119)	667	1,351,923	474,856	1,826,779	1,425,062	467,523	1,892,585
Berrigan (S)	3,308,743	1,390,904	4,699,647	942	(174)	768	1,619,631	690,731	2,310,362	1,690,054	699,999	2,390,053
Blacktown (C)	13,503,800	3,390,098	16,893,898	4,007	(421)	3,586	6,887,597	1,673,822	8,561,419	6,620,210	1,715,855	8,336,065
Bland (S)	4,568,631	2,932,030	7,500,661	1,323	(371)	952	2,275,024	1,475,033	3,750,057	2,294,930	1,456,626	3,751,556
Blayney (S)	1,784,332	851,636	2,635,968	505	(106)	399	867,745	422,504	1,290,249	917,092	429,026	1,346,118
Blue Mountains (C)	7,429,580	1,377,680	8,807,260	2,204	(175)	2,029	3,789,324	694,221	4,483,545	3,642,460	683,284	4,325,744
Bogan (S)	2,615,411	1,444,792	4,060,203	740	(183)	557	1,271,855	725,612	1,997,467	1,344,296	718,997	2,063,293
Bourke (S)	3,878,670	1,901,880	5,780,550	1,111	(239)	872	1,909,728	951,593	2,861,321	1,970,053	950,048	2,920,101
Brewarrina (S)	2,606,401	1,300,607	3,907,008	736	(164)	572	1,264,817	652,224	1,917,041	1,342,320	648,219	1,990,539
Broken Hill (C)	4,194,707	492,280	4,686,987	1,178	(64)	1,114	2,024,931	252,550	2,277,481	2,170,954	239,666	2,410,620
Burwood	813,374	268,134	1,081,508	224	(33)	191	385,513	130,533	516,046	428,085	137,568	565,653
Byron (S)	1,964,161	1,157,180	3,121,341	560	(145)	415	962,435	575,379	1,537,814	1,002,286	581,656	1,583,942
Cabonne	2,838,846	2,050,662	4,889,508	804	(259)	545	1,382,755	1,028,363	2,411,118	1,456,895	1,022,040	2,478,935
Camden	2,447,071	1,386,403	3,833,474	737	(166)	571	1,267,261	659,873	1,927,134	1,180,547	726,364	1,906,911
Campbelltown (C)	8,279,001	1,753,562	10,032,563	2,494	(219)	2,275	4,287,436	868,955	5,156,391	3,994,059	884,388	4,878,447
Canada Bay (C)	1,948,883	639,709	2,588,592	556	(80)	476	954,958	317,216	1,272,174	994,481	322,413	1,316,894
Canterbury-Bankstown	8,276,591	2,661,787	10,938,378	2,493	(335)	2,158	4,286,190	1,331,359	5,617,549	3,992,894	1,330,093	5,322,987
Carrathool (S)	3,518,899	2,308,927	5,827,826	1,011	(290)	721	1,738,574	1,151,759	2,890,333	1,781,336	1,156,878	2,938,214
Central Coast	21,286,511	4,393,529	25,680,040	6,314	(555)	5,759	10,857,104	2,207,224	13,064,328	10,435,721	2,185,750	12,621,471
Central Darling (S)	3,828,577	1,587,910	5,416,487	1,096	(200)	896	1,884,729	796,350	2,681,079	1,944,944	791,360	2,736,304
Cessnock (C)	5,506,721	1,688,686	7,195,407	1,632	(211)	1,421	2,805,422	837,960	3,643,382	2,702,931	850,515	3,553,446
Clarence Valley	7,620,974	3,251,476	10,872,450	2,255	(413)	1,842	3,875,925	1,643,301	5,519,226	3,747,304	1,607,762	5,355,066
Cobar (S)	3,999,159	1,720,090	5,719,249	1,154	(217)	937	1,983,554	862,799	2,846,353	2,016,759	857,074	2,873,833
Coffs Harbour (C)	5,269,082	2,190,657	7,459,739	1,562	(272)	1,290	2,685,855	1,081,421	3,767,276	2,584,789	1,108,964	3,693,753
Coolamon (S)	2,379,115	1,224,347	3,603,462	671	(154)	517	1,153,448	612,712	1,766,160	1,226,338	611,481	1,837,819
Coonamble (S)	2,525,622	1,473,788	3,999,410	694	(186)	508	1,193,009	738,427	1,931,436	1,333,307	735,175	2,068,482
Cootamundra-Gundagai Regional	3,592,451	1,562,128	5,154,579	1,023	(197)	826	1,758,646	782,832	2,541,478	1,834,828	779,099	2,613,927
Cowra (S)	3,138,848	1,451,017	4,589,865	886	(182)	704	1,523,543	724,635	2,248,178	1,616,191	726,200	2,342,391
Cumberland	6,441,390	1,647,783	8,089,173	1,771	(205)	1,566	3,044,541	817,052	3,861,593	3,398,620	830,526	4,229,146
Dubbo Regional	8,004,818	3,402,258	11,407,076	2,369	(427)	1,942	4,072,189	1,697,199	5,769,388	3,934,998	1,704,632	5,639,630
Dungog (S)	1,664,559	911,110	2,575,669	472	(115)	357	810,957	456,891	1,267,848	854,074	454,104	1,308,178
Edward River	3,905,524	1,526,651	5,432,175	1,112	(192)	920	1,911,716	763,571	2,675,287	1,994,920	762,888	2,757,808
Eurobodalla (S)	5,307,932	1,647,307	6,955,239	1,565	(207)	1,358	2,689,592	824,254	3,513,846	2,619,905	822,846	3,442,751
Fairfield (C)	7,466,509	1,717,503	9,184,012	2,249	(217)	2,032	3,866,673	864,599	4,731,272	3,602,085	852,687	4,454,772
Federation	4,547,963	2,213,543	6,761,506	1,320	(279)	1,041	2,269,499	1,108,908	3,378,407	2,279,784	1,104,356	3,384,140
Forbes (S)	3,404,161	1,937,802	5,341,963	958	(244)	714	1,646,744	968,927	2,615,671	1,758,375	968,631	2,727,006
Georges River	3,248,346	1,119,099	4,367,445	918	(139)	779	1,578,684	552,588	2,131,272	1,670,580	566,372	2,236,952
Gilgandra (S)	2,451,130	1,392,358	3,843,488	683	(175)	508	1,173,846	697,377	1,871,223	1,277,967	694,806	1,972,773

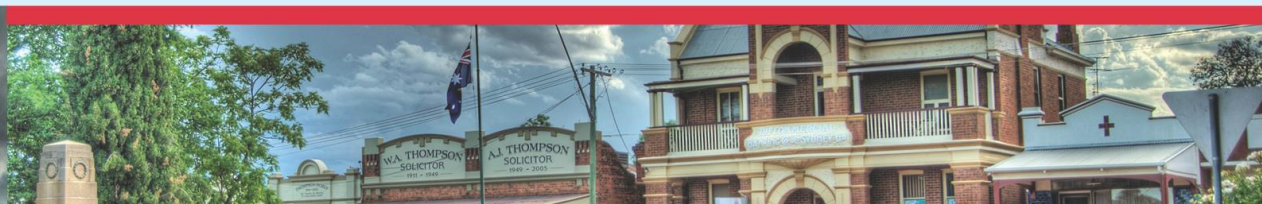
	2018-19	2018-19	2018-19	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2018-19	2018-19
Councils	Recommended General Purpose Entitlement	Recommended Local Roads Entitlement	Recommended Total Entitlement	General Purpose CPI/Pop Adjustment	Local Roads CPI/Pop Adjustme nt	Total CPI/Pop Adjustment	General Purpose Advance Payment	Local Roads Advance Payment	Total Advance Payment	General Purpose Payments	Local Roads Payments	Total Payments
Glen Innes Severn	2,736,080	1,382,824	4,118,904	771	(174)	597	1,324,988	690,694	2,015,682	1,411,863	691,956	2,103,819
Goulburn Mulwaree	3,337,617	1,703,721	5,041,338	959	(215)	744	1,648,308	856,014	2,504,322	1,690,268	847,492	2,537,760
Greater Hume (S)	3,196,176	2,051,326	5,247,502	903	(257)	646	1,552,147	1,022,984	2,575,131	1,644,932	1,028,085	2,673,017
Griffith (C)	3,820,684	1,633,595	5,454,279	1,083	(205)	878	1,861,145	813,157	2,674,302	1,960,622	820,233	2,780,855
Gunnedah (S)	2,902,222	1,596,472	4,498,694	821	(201)	620	1,410,468	800,694	2,211,162	1,492,575	795,577	2,288,152
Gwydir (S)	2,667,645	1,873,857	4,541,502	740	(235)	505	1,272,085	935,245	2,207,330	1,396,300	938,377	2,334,677
Hawkesbury (C)	2,721,662	1,723,923	4,445,585	819	(217)	602	1,408,694	864,485	2,273,179	1,313,787	859,221	2,173,008
Hay (S)	2,048,843	806,282	2,855,125	554	(101)	453	952,414	403,292	1,355,706	1,096,983	402,889	1,499,872
Hills (S)	3,473,844	1,893,676	5,367,520	1,012	(249)	763	1,740,398	991,113	2,731,511	1,734,458	902,314	2,636,772
Hilltops	5,176,346	2,807,034	7,983,380	1,487	(354)	1,133	2,556,258	1,405,672	3,961,930	2,621,575	1,401,008	4,022,583
Hornsby (S)	3,098,951	1,381,426	4,480,377	929	(188)	741	1,597,144	745,938	2,343,082	1,502,736	635,300	2,138,036
Hunters Hill (M)	317,786	147,304	465,090	91	(19)	72	156,750	74,547	231,297	161,127	72,738	233,865
Inner West	4,051,359	1,358,099	5,409,458	1,211	(170)	1,041	2,081,623	676,542	2,758,165	1,970,947	681,387	2,652,334
Inverell (S)	3,859,533	2,052,892	5,912,425	1,093	(259)	834	1,878,782	1,029,229	2,908,011	1,981,844	1,023,404	3,005,248
Junee (S)	1,904,858	931,890	2,836,748	539	(116)	423	926,789	461,689	1,388,478	978,608	470,085	1,448,693
Kempsey (S)	4,164,413	1,838,931	6,003,344	1,191	(232)	959	2,047,906	922,728	2,970,634	2,117,698	915,971	3,033,669
Kiama (M)	1,158,728	512,508	1,671,236	331	(64)	267	568,854	254,688	823,542	590,205	257,756	847,961
Ku-ring-gai	2,593,403	1,120,441	3,713,844	763	(142)	621	1,311,397	564,203	1,875,600	1,282,769	556,096	1,838,865
Kyogle	2,725,922	1,623,319	4,349,241	763	(207)	556	1,312,418	823,625	2,136,043	1,414,267	799,487	2,213,754
Lachlan (S)	5,679,797	3,373,747	9,053,544	1,646	(426)	1,220	2,828,894	1,691,944	4,520,838	2,852,549	1,681,377	4,533,926
Lake Macquarie (C)	13,444,224	2,777,584	16,221,808	3,989	(349)	3,640	6,856,789	1,389,537	8,246,326	6,591,424	1,387,698	7,979,122
Lane Cove (M)	805,276	285,597	1,090,873	227	(35)	192	390,698	140,990	531,688	414,805	144,572	559,377
Leeton (S)	3,226,103	1,040,395	4,266,498	905	(132)	773	1,556,160	522,881	2,079,041	1,670,848	517,382	2,188,230
Lismore (C)	4,351,431	1,946,685	6,298,116	1,289	(247)	1,042	2,215,034	982,126	3,197,160	2,137,686	964,312	3,101,998
Lithgow (C)	3,436,329	1,262,950	4,699,279	981	(159)	822	1,686,565	630,936	2,317,501	1,750,745	631,855	2,382,600
Liverpool (C)	6,557,616	2,267,721	8,825,337	1,976	(282)	1,694	3,395,979	1,119,705	4,515,684	3,163,613	1,147,734	4,311,347
Liverpool Plains (S)	2,353,749	1,373,858	3,727,607	660	(173)	487	1,134,828	686,109	1,820,937	1,219,581	687,576	1,907,157
Lockhart (S)	2,177,088	1,341,823	3,518,911	608	(169)	439	1,045,148	670,218	1,715,366	1,132,548	671,436	1,803,984
Lord Howe Island (Bd)	216,713		216,713	63	-	63	108,445	-	108,445	108,331	-	108,331
Maitland (C)	5,613,758	1,383,342	6,997,100	1,665	(171)	1,494	2,862,794	678,234	3,541,028	2,752,629	704,937	3,457,566
Mid-Coast	12,432,277	5,377,147	17,809,424	3,674	(675)	2,999	6,315,991	2,683,164	8,999,155	6,119,960	2,693,308	8,813,268
Mid-Western Regional	4,003,735	2,418,644	6,422,379	1,137	(303)	834	1,953,789	1,204,586	3,158,375	2,051,083	1,213,755	3,264,838
Moree Plains (S)	4,840,627	2,876,649	7,717,276	1,356	(363)	993	2,331,797	1,442,930	3,774,727	2,510,186	1,433,356	3,943,542
Mosman (M)	656,124	237,535	893,659	188	(30)	158	323,638	121,115	444,753	332,674	116,390	449,064
Murray River	5,300,874	2,951,027	8,251,901	1,527	(371)	1,156	2,625,267	1,473,583	4,098,850	2,677,134	1,477,073	4,154,207
Murrumbidgee (new)	2,762,283	1,597,742	4,360,025	776	(201)	575	1,333,784	800,332	2,134,116	1,429,275	797,209	2,226,484
Muswellbrook (S)	2,556,714	915,986	3,472,700	729	(117)	612	1,252,729	466,231	1,718,960	1,304,714	449,638	1,754,352
Nambucca (S)	2,721,816	1,218,673	3,940,489	776	(153)	623	1,333,627	608,184	1,941,811	1,388,965	610,336	1,999,301
Narrabri (S)	4,835,185	2,338,196	7,173,381	1,383	(295)	1,088	2,377,888	1,172,501	3,550,389	2,458,680	1,165,400	3,624,080
Narrandera (S)	3,166,461	1,580,848	4,747,309	896	(199)	697	1,539,394	790,622	2,330,016	1,627,963	790,027	2,417,990
Narronine (S)	2,884,187	1,441,884	4,326,071	810	(182)	628	1,392,938	723,341	2,116,279	1,492,059	718,361	2,210,420
Newcastle (C)	10,513,647	1,817,192	12,330,839	3,167	(232)	2,935	5,444,309	921,320	6,365,629	5,072,505	895,640	5,968,145
North Sydney	1,517,383	482,816	2,000,199	452	(62)	390	776,348	245,336	1,021,684	741,487	237,418	978,905
Northern Beaches	5,593,412	2,248,098	7,841,510	1,652	(285)	1,367	2,839,189	1,134,797	3,973,986	2,755,875	1,113,016	3,868,891
Oberon	1,742,160	926,473	2,668,633	488	(118)	370	838,159	470,696	1,308,855	904,489	455,659	1,360,148
Orange (C)	3,421,943	1,142,504	4,564,447	997	(145)	852	1,713,427	575,039	2,288,466	1,709,513	567,320	2,276,833

	2018-19	2018-19	2018-19	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2018-19	2018-19
Councils	Recommended General Purpose Entitlement	Recommended Local Roads Entitlement	Recommended Total Entitlement	General Purpose CPI/Pop Adjustment	Local Roads CPI/Pop Adjustment	Total CPI/Pop Adjustment	General Purpose Advance Payment	Local Roads Advance Payment	Total Advance Payment	General Purpose Payments	Local Roads Payments	Total Payments
Parkes (S)	4,137,990	2,120,149	6,258,139	1,179	(262)	917	2,026,435	1,042,340	3,068,775	2,112,734	1,077,547	3,190,281
Parramatta (C) (new)	7,372,496	2,032,563	9,405,059	2,221	(255)	1,966	3,817,988	1,012,849	4,830,837	3,556,729	1,019,459	4,576,188
Penrith (C)	8,564,054	2,412,848	10,976,902	2,580	(304)	2,276	4,435,050	1,206,759	5,641,809	4,131,584	1,205,785	5,337,369
Port Macquarie-Hastings	6,330,112	2,895,234	9,225,346	1,877	(358)	1,519	3,226,589	1,422,735	4,649,324	3,105,400	1,472,141	4,577,541
Port Stephens	5,406,013	1,237,157	6,643,170	1,603	(155)	1,448	2,754,992	617,629	3,372,621	2,652,624	619,373	3,271,997
Queanbeyan-Palerang Regional	3,630,584	2,421,458	6,052,042	1,074	(301)	773	1,846,248	1,197,161	3,043,409	1,785,410	1,223,996	3,009,406
Randwick (C)	3,156,008	977,856	4,133,864	906	(122)	784	1,556,708	486,416	2,043,124	1,600,206	491,318	2,091,524
Richmond Valley	3,441,175	1,588,539	5,029,714	983	(201)	782	1,689,036	797,183	2,486,219	1,753,122	791,155	2,544,277
Ryde (C)	2,591,326	937,898	3,529,224	734	(117)	617	1,262,449	464,140	1,726,589	1,329,611	473,641	1,803,252
Shellharbour (C)	4,276,549	898,866	5,175,415	1,269	(112)	1,157	2,180,958	445,138	2,626,096	2,096,860	453,616	2,550,476
Shoalhaven (C)	8,895,243	3,394,878	12,290,121	2,639	(423)	2,216	4,536,008	1,681,459	6,217,467	4,361,874	1,712,996	6,074,870
Silverton (VC)	33,579	-	33,579	10	-	10	16,803	-	16,803	16,786	-	16,786
Singleton	2,399,215	1,293,355	3,692,570	686	(163)	523	1,178,651	649,222	1,827,873	1,221,250	643,970	1,865,220
Snowy Monaro Regional	6,704,754	2,764,799	9,469,553	1,964	(348)	1,616	3,376,106	1,384,668	4,760,774	3,330,612	1,379,783	4,710,395
Snowy Valleys	4,240,360	1,381,853	5,622,213	1,220	(175)	1,045	2,097,655	694,865	2,792,520	2,143,925	686,813	2,830,738
Strathfield (M)	905,006	294,192	1,199,198	252	(36)	216	432,592	143,864	576,456	472,666	150,292	622,958
Sutherland (S)	4,714,981	2,038,528	6,753,509	1,396	(258)	1,138	2,400,536	1,026,630	3,427,166	2,315,841	1,011,640	3,327,481
Sydney (C)	4,842,556	1,371,929	6,214,485	1,296	(164)	1,132	2,227,544	652,796	2,880,340	2,616,308	718,969	3,335,277
Tamworth Regional	6,228,359	4,204,339	10,432,698	1,840	(529)	1,311	3,162,527	2,105,137	5,267,664	3,067,672	2,098,673	5,166,345
Temora (S)	2,236,501	1,309,171	3,545,672	622	(153)	469	1,068,618	608,310	1,676,928	1,168,505	700,708	1,869,213
Tenterfield (S)	3,084,727	1,655,301	4,740,028	861	(209)	652	1,479,438	831,481	2,310,919	1,606,150	823,611	2,429,761
Tibooburra (VC)	75,404	-	75,404	22	-	22	37,733	-	37,733	37,693	-	37,693
Tweed (S)	7,749,935	2,876,081	10,626,016	2,297	(361)	1,936	3,948,266	1,434,613	5,382,879	3,803,966	1,441,107	5,245,073
Upper Hunter (S)	3,007,862	1,950,272	4,958,134	849	(246)	603	1,459,022	977,453	2,436,475	1,549,689	972,573	2,522,262
Upper Lachlan (S)	2,767,999	1,906,865	4,674,864	776	(240)	536	1,333,939	955,268	2,289,207	1,434,836	951,357	2,386,193
Uralla (S)	1,587,296	944,847	2,532,143	445	(122)	323	764,970	485,888	1,250,858	822,771	458,837	1,281,608
Wagga Wagga (C)	7,015,880	3,250,417	10,266,297	2,079	(409)	1,670	3,574,020	1,625,143	5,199,163	3,443,939	1,624,865	5,068,804
Walcha	1,340,259	938,013	2,278,272	363	(117)	246	624,279	467,078	1,091,357	716,343	470,818	1,187,161
Walgett (S)	4,351,161	1,958,484	6,309,645	1,233	(247)	986	2,118,850	984,039	3,102,889	2,233,544	974,198	3,207,742
Warren (S)	1,769,705	1,038,603	2,808,308	477	(131)	346	820,019	520,698	1,340,717	950,163	517,774	1,467,937
Warrumbungle (S)	4,580,496	2,462,128	7,042,624	1,309	(310)	999	2,250,437	1,234,498	3,484,935	2,331,368	1,227,320	3,558,688
Waverley	1,519,439	440,348	1,959,787	451	(56)	395	774,784	223,626	998,410	745,106	216,666	961,772
Weddin (S)	1,674,770	1,007,024	2,681,794	457	(127)	330	786,319	504,038	1,290,357	888,908	502,859	1,391,767
Wentworth (S)	4,155,293	2,025,993	6,181,286	1,205	(255)	950	2,071,174	1,013,215	3,084,389	2,085,324	1,012,523	3,097,847
Willoughby (C)	1,652,288	595,189	2,247,477	478	(75)	403	821,959	297,599	1,119,558	830,807	297,515	1,128,322
Wingecarribee (S)	3,183,112	1,876,735	5,059,847	940	(234)	706	1,615,874	932,110	2,547,984	1,568,178	944,391	2,512,569
Wollondilly (S)	2,393,016	1,383,524	3,776,540	710	(174)	536	1,220,264	690,057	1,910,321	1,173,462	693,293	1,866,755
Wollongong (C)	16,138,864	2,442,438	18,581,302	4,788	(308)	4,480	8,231,421	1,224,321	9,455,742	7,912,231	1,217,809	9,130,040
Woollahra (M)	1,222,656	435,551	1,658,207	368	(56)	312	632,154	222,245	854,399	590,870	213,250	804,120
Yass Valley	1,666,245	1,358,729	3,024,974	472	(171)	301	810,571	678,511	1,489,082	856,146	680,047	1,536,193
	544,058,912	219,131,911	763,190,823	158,221	(27,549)	130,672	271,983,904	109,533,478	381,517,382	272,233,229	109,570,884	381,804,113

APPENDIX B

Financial Assistance Grants 2018-19

Fact Sheet



Local Government Financial Assistance Grants are paid to local councils to help them deliver services to their communities. The funds are paid annually by the Australian Government. Councils are free to use these funds at their discretion and are accountable to their ratepayers. The allocation is paid in quarterly instalments.

Who decides how much each council will receive?

Grants commissions in each state are responsible for allocating their share of the funds.

The NSW Local Government Grants Commission is responsible for making the grant allocation recommendation to the NSW Minister for Local Government.

Who is on the Grants Commission?

The members of the NSW Local Government Grants Commission are nominated for terms of up to five years.

The Hon. Jenny Gardiner
Chairperson

Former member of the
Legislative Council.

Grant Gleeson
Deputy Chairperson

Director Legal, NSW Office of
Local Government.

Alan McCormack
Commissioner

Former General Manager,
Parkes Shire Council.

Graeme Fleming
Commissioner

Former General Manager,
Cabonne Council.

grant (all in the Sydney metropolitan area) are largely being supported by other councils.

While the Commission has continued to deliver improved grant outcomes to smaller rural communities, the Government is committed to making the process more transparent and equitable.

As a result, the Commission is reviewing the allocation model (further information on Page 2).

In 2018-19 NSW councils will receive:

- \$544 million in general purpose grants.
- \$219 million in the local roads component.

In 2017-18 NSW councils received:

- \$525 million in general purpose grants.
- \$211 million in the local roads component.

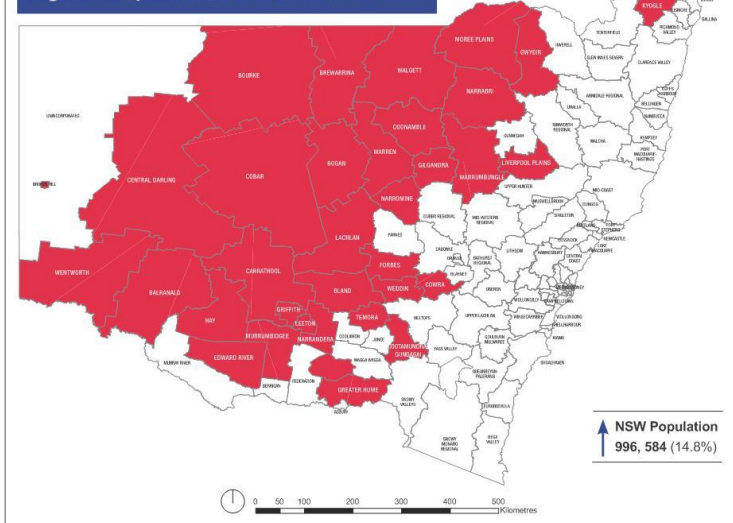
This represents a 3.7 per cent increase due to indexation of state population shares.

How is the grant money allocated?

Funds are allocated on the basis of the National Principles laid out in the Federal legislation - *Local Government (Financial Assistance) Act 1995*. The NSW Government policy is to allocate grants, as far as possible, to the councils with the greatest relative need. Councils with relative advantage (typically metropolitan councils) are generally increasing their populations whereas councils with relative disadvantage (typically rural and remote councils) are generally depopulating (as shown in the map on the right).

Due to the per capita minimum grant allocation being mandated, the 19 councils on that

Negative Population Growth 2006-2016



Councils with the greatest relative need (shaded red) are largely rural and remote with small and declining populations.

Financial Assistance Grants 2018-19

Fact Sheet



Review of the allocation methodology

The Commission has been reviewing the grant methodology in line with NSW policy to direct the general purpose component of the grant to councils with greatest relative need. These are largely rural and remote and with small and declining populations.

In October 2013 the final report of the Local Government Review Panel recommended that the Commission review the allocation methodology for the expenditure allowance of the general purpose component to make it less process driven and more transparent. The challenge confronting the Commission is how to achieve this outcome when 30 per cent of the funding must be allocated based on population.

The aim of the review is to deliver a model that:

- Allocates a higher proportion of grant funding to councils with the greatest relative need.
- Is consistent with the National Principles.
- Is consistent with NSW policy of grant allocation.
- Is transparent and publishable.
- Is robust, statistically verifiable and auditable.
- Uses best practice financial and modelling principles.
- Is modern, simplified and more flexible.

What does this mean for the 2018-19 grant allocations?

It's important to stress that the Commission is not implementing a new model. The Commission has taken advice, tested the competing propositions and decided to implement refinements and improvements to the existing model. The expenditure previously included is still being taken into account after being tested for significance. Over time the model has become very complex, involving multiple factors. There are 20 expenditure categories and more than 47 disability factors spread across 128 councils. The Commission is looking to consolidate the expenditure categories reported in special schedule 1 of council annual financial data returns.

Grounds for the review

The Local Government Review Panel recommendation was supported by a number of other reviews and reports including:

• 2008 Assessing Local Government Revenue Raising Capacity, Productivity Commission Research Report:

"A number of councils, particularly in capital city and urban developed areas, have the means to recover additional revenue from their communities sufficient to cover their expenditures without relying on grants. However, a significant number of councils, particularly in rural (87 per cent) and remote (95 per cent) areas would remain dependent on grants from other spheres of government to meet their current expenditure. Given the differences in the scope to raise additional revenue across different classes of councils, there is a case to review the provision of Australian Government general purpose grants to local governments."

• 2010 Australia's Future Taxation System Report (Henry Review):

"The current requirement that each council receives 30 per cent of its per capita share of untied financial assistance grants may prevent state grants commissions from redistributing to councils that require greater assistance."

• 2013 The NSW Local Government Grants Commission submission to the Commonwealth Grants Commission 2013 Review:

... "we have seen an increase in concerns being raised about:

- *the widening gap in revenue raising capacity for larger metropolitan councils versus smaller rural councils.*
- *increasing infrastructure needs.*
- *declining population."*

• 2014 The NSW Local Government's Response to the Local Government Review Panel:

"The Government supports targeting Financial Assistance Grants to communities with the greatest need. It will ask the NSW Grants Commission to continue to identify opportunities to achieve this over time, within the constraints imposed by the national funding principles. It will also ask the Commission to ensure transitional protection for those councils with lower levels of need, to minimise the impact of any redistribution."

• 2017 Shifting the Dial: 5 year Productivity Commission Review:

"The Commission's study into transitioning regional economies noted that where populations have declined in Local Government areas, related declines in revenue are hampering efforts to maintain infrastructure designed to service (and be funded) by larger populations."

Financial Assistance Grants 2018-19

Fact Sheet



General purpose grants

No council's general purpose component will be less than that allocated in 2017.

This will allow for further testing of the model during the transition period.

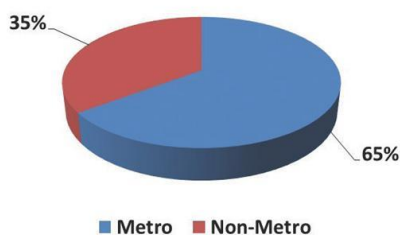
Population increases and decreases must be taken into account as required under the Federal Act.

To compensate councils that have lost funding due to population decline, isolation and length of non-urban roads, the Commission will deliver these councils \$5 million of the \$19 million CPI increase (0.9 per cent of the total component). The remaining \$14 million was spread across all councils on the basis of relative need. The revenue allowance and pensioner allowance are not affected.

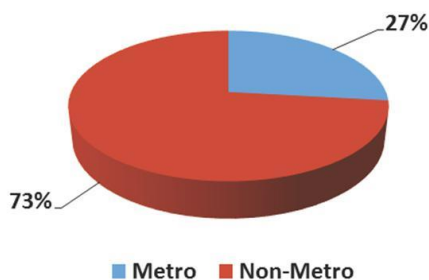
The graphs below illustrate:

1. The breakdown of the NSW population - metropolitan (5,131,456) and non-metropolitan (2,729,090) and;
2. The grant allocation breakdown - Metropolitan (\$202,588,554) and non-metropolitan (\$560,602,268).

Population



Financial Assistant Grants



Local roads component

This component of the grant is assessed on the basis of council area, population and proportions of local roads and bridges. It is calculated based on an historical Roads and Maritime Services formula.

The local roads component will continue to be calculated according to that formula.

The state allocation for the local roads component for 2018-19 is \$291 million. This is split between:

- Urban councils located in the areas of Sydney, Newcastle and Wollongong receiving 27.5 per cent; and
- Rural councils (or all councils outside Sydney, Newcastle and Wollongong) receiving 72.5 per cent.

Funds are then distributed based on the individual council's population, road length and bridge length:

- Urban councils - 95 per cent of the allocation is based on the length of local roads (60 per cent) and population (40 per cent), while 5 per cent is distributed on the basis of bridge length: and
- Rural councils - 93 per cent of the allocation is based on the length of local roads (80 per cent) and population (20 per cent), while 7 per cent is distributed on the basis of bridge length.

Submissions

As always, special submissions from councils will be considered by the Commission.

The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology.

This allows the Commission to adequately consider all legitimate factors that affect council capacity to deliver services.

Or contact the NSW Local Government Grants Commission

5 O'Keeffe Ave, Nowra NSW 2541
 Locked Bag 3015, Nowra 2541
 Telephone 4428 4131
grants@olg.nsw.gov.au

APPENDIX C

APPENDIX C

LOCAL GOVERNMENT GRANTS COMMISSION GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS

1. GENERAL

All submissions **must** be consistent with the principles which have been adopted by the Commission. The principles are attached in **Table 1**.

Information in the submissions must relate to the year ended 30 June 2018, in order to be compatible with the Grants Commission's **Return of General Information** for that year.

Only recurrent costs should be included; capital costs are to be excluded.

Submissions should be based only on inherent disabilities and problems, which are outside Council's control. **Additional costs that result from deliberate policy decisions made by Council to provide a higher than average standard of service are not considered disabilities.**

Information provided on disabilities should be **brief** and the costing estimates of the disabilities should be as accurate as is practicable to determine.

It is expected that submissions will generally relate to expenditure disabilities.

It should be noted that water, sewerage and waste management services are not considered.

If you have further questions, then please contact:

Helen Pearce on (02) 4428 4131 or by email at helen.pearce@olg.nsw.gov.au

Submissions should be e-mailed to the Commission at grants@olg.nsw.gov.au as soon as possible, but no later than **30 November 2018**.

APPENDIX C

LOCAL GOVERNMENT GRANTS COMMISSION GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS

(b) Required Format

Table 2 shows the **REQUIRED FORMAT** for submissions on expenditure disabilities. Submissions should be **brief** and include:

- (1) the function affected;
- (2) a **brief** description of the disability;
- (3) a **brief** account of the action taken, or which would need to be taken, to deal with that disability;
- (4) the **estimated additional cost** impact of that action.

Where a disability factor affects costs across a number of council functions, separate details should be used showing the cost impact in each function area.

(c) Outcome

Where the Commission recognises an additional disability raised in a submission, an adjustment will be made for that function.

Where an additional disability is recognised which has an impact on a number of councils, the methodology will be adjusted and all councils will be affected according to the extent of the relevant disability.

3. REVENUE DISABILITIES

While the approved principles generally bind the Commission's operation in this area, councils may wish to comment on the methodology if it is considered that these unfairly disadvantage them.

It should be noted that non-rateable properties are taken into consideration in the Commission's calculation automatically. The loss of revenue from non-rateable properties does not need to be specified in the submission. However, additional net costs associated with services to non-rateable properties may be raised as an expenditure disability.

APPENDIX C**LOCAL GOVERNMENT GRANTS COMMISSION
GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS**

TABLE 1**APPROVED PRINCIPLES**

1. General purpose grants to local governing bodies will be allocated as far as practicable on a full equalisation basis as defined in the *Local Government (Financial Assistance) Act 1995*; that is a basis which attempts to compensate local governing bodies for differences in expenditure required in the performance of their functions and in their capacity to raise revenue.
2. The assessment of revenue and expenditure allowances of local governing bodies will, as far as is practicable, be independent of the policy or practices of those bodies in raising revenue and the provision of services.
3. Revenue raising capacity will primarily be determined on the basis of property values; positive and negative allowances relative to average standards may be calculated.
4. Revenue allowances may be discounted to achieve equilibrium with expenditure allowances.
5. Generally for each expenditure function an allowance will be determined using recurrent cost; both positive and negative allowances relative to average standards may be calculated.
6. Expenditure allowances will be discounted to take account of specific purpose grants.
7. Additional costs associated with non-resident use of services and facilities will be recognised in determining expenditure allowances.

APPENDIX C**LOCAL GOVERNMENT GRANTS COMMISSION
GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS**

TABLE 2**REQUIRED FORMAT FOR SUBMISSIONS ON****EXPENDITURE DISABILITIES****EXAMPLE:****Function:**

Administration and Governance

Disability:**Description and Response:****Cost Impact:**

The **additional** cost is estimated as:-

450 applications x 3 hours/application x \$45/hour = **\$60,750**

12.5 2018/2019 FY LANDCARE MAJOR PROJECTS BUDGET

Attachments:	Nil
Responsible Officer:	Sharon Pope - Acting Director - Planning, Community & Corporate Services
Author:	Mark Scandrett - Sustainability Co-Ordinator
Community Plan Issue:	<i>Plan liveable and sustainable urban areas</i>
Community Plan Goal:	<i>Sustainable planning, design and regulation support community needs</i>
Community Plan Strategy:	<i>Protect and maintain the environment in a sustainable manner</i>

PURPOSE

The purpose of this report is to inform Council of the projects that are being undertaken under the Landcare Major Projects 2018/2019 Financial Year Capital budget allocation.

OFFICER'S RECOMMENDATION

Council to endorse the program of expenditure as outlined in this report.

Moved: _____ **Seconded:** _____

BACKGROUND

Natural areas in the Muswellbrook LGA are being reinvigorated as a major commitment by Council that commenced in October, 2015.

In the past year many projects have been undertaken, such as:

1. **Club to Club** project. In 2016 Council received a 3 year \$100,000 Grant for the Rehabilitation works on Muscle Creek between the Muswellbrook Golf Club and the Muswellbrook District Workers Club in order to improve habitat and connectivity for threatened and endangered species as well as to engage the community and improve their understanding of the importance of the health of this riparian ecosystem. This project is now in its final year and forms part of the greater Muscle Creek rehabilitation works.
2. **Muscle Creek Nature Trail.** Works are now completed on the Muscle Creek Nature Trail and the surrounding creek rehabilitation. The construction of the trail involved work by multiple contractors including Final Form Regeneration, NSW Soil Conservation Service and Mountain Trails. A stepping stone creek crossing was installed, which allows users to cross the creek without blocking fish passage, and was designed with assistance from the NSW DPI Fisheries' Recreational Fishing Trust's "Habitat Action Grant Program".
3. **Landcare Groups.** A Number of Landcare groups are now operating within the Shire with support from the Sustainability Unit. There are a number of active Landcare groups or affiliates have been established and or supported by MSC such as; Kayuga, Denman, Martindale, Wybong, McCully's Gap, Sandy Holly, Merriwa, Middlebrook, Muscle Creek, Muswellbrook High and St Helliers.
4. **Indoor Sport Centre.** A major Landcare project at the Muswellbrook Indoor Sport Centre was completed and is now in a maintenance phase that involves the community at various level and schools. This project is a show case for sustainability for the Council.

5. **Muswellbrook Urban Riparian Master Plan.** The Muswellbrook Urban Riparian Master Plan has been prepared with input from the community. Finalisation of this Plan is expected in 2018 (please refer to separate council report).

The work program has resulted in the removal of exotic plants and weeds including trees, shrubs, herbs and vines along the entire length of Muscle Creek and the restoration of riparian habitat.

A systematic planting approach has been adopted for all new natural area to further increase long term survival rates of all plantings. This includes thorough site preparation including soil ripping, Soil improvement with compost from waste process, dense mulching and systematic watering regimes. As a result, recorded plant survival rates are above 85%.



Before (Feb 2016)



After (May 2018) Same location

CONSULTATION

Director of Planning, Community and Corporates services

General Manager

Manager Works, Property and Building Services

Landcare Groups

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Cr Rod Scholes, being Spokesperson for Sustainability, was consulted regarding this report.

REPORT

The following table outlines the proposed projects to be undertaken in the 18/19 financial year from the Landcare Major Projects budget allocation or funding by other means. The Landcare Major Projects budget allocation is \$256,250 for the 18/19 financial year and the proposed activities fully expend this allocation.

Landcare Major Project Capital Budget			
Proposed Project	Description	Cost	Funding Source
Nature Trails	A. Pathway on Muscle Creek behind Aquatic Centre B. Denman (Pathway as per Denman redevelopment Plan)	(Cost to be determined) Estimate \$100,000	Landcare Major Projects Allocation.
Small Grant	To support landcare groups with grants of up to \$10,000 (dollar for dollar matched, in-kind contributions considered but not preferred).	\$40,000	Landcare Major Projects Allocation.
Possum Gully Stage 2	Continuation of current works and possible formation of landcare group	\$20,000	Landcare Major Projects Allocation.
Infill Planting	Infill planting of newly established planting sites.	\$40,000	Landcare Major Projects Allocation.
Reserve	\$50,000 remaining to go to the Sustainability Reserve for subsequent years projects	\$50,000	Landcare Major Projects Allocation.
		Total	\$250,000

OPTIONS

The following options are available to council

1. Endorse 18/19 financial year Capital Landcare Major Projects program of works.
2. Amend the proposed Landcare Major Project programs.
3. Reject activity programs; however this will impact on Council's ability to deliver services in this financial year.

CONCLUSION

To ensure the efficient programming of activities it is recommended that council endorse the proposed activities.

SOCIAL IMPLICATIONS

The allocated projects will encourage pride, access and participation in the shire's natural areas by the community.

FINANCIAL IMPLICATIONS

The Sustainability Unit has been allocated a Major Landcare Projects capital budget of \$256,250 for the 18/19 financial year. Please refer to report section for details of proposed expenditure. The proposed projects do not exceed this budget.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

Operational Plan 2017/2018, '8.1.1d Implement targeted Landcare program in cooperation with Regional Landcare Network.'

RISK MANAGEMENT IMPLICATIONS

Risk Assessments have been/will be conducted for all necessary activities.

12.6 2017/18 ANNUAL FINANCIAL STATEMENTS

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Natalia Cowley - Executive Manager, Corporate Services & Chief Financial Officer
Community Plan Issue:	<i>Progressive leadership</i>
Community Plan Goal:	<i>That Muswellbrook Shire is well led and managed</i>
Community Plan Strategy:	<i>A financially sustainable council</i>

PURPOSE

The 2017/18 Financial Reports are nearing completion and require a Council resolution in order to have them presented for audit in accordance with Section 413 of the Local Government Act.

OFFICER'S RECOMMENDATION**Council:**

- 1. Authorise the submission of the 2017/18 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules for Muswellbrook Shire Council to the Auditor; and**
- 2. The Mayor, one other Councillor, General Manager and Responsible Accounting Officer be authorised to sign the reports upon completion of the audit.**

Moved: _____ **Seconded:** _____

BACKGROUND

Section 413 (1) of the Local Government Act states that a council must prepare financial reports for each year and must refer them for audit as soon as practicable after the end of that year.

Section 416 (1) states that a council's financial reports for a year must be audited within the period of four months after the end of that year i.e. by 31 October.

CONSULTATION

Not required.

REPORT

Council's finance staff are finalising the 2017/18 Financial Reports and seek authorisation for them to be submitted to the auditor and then signed once completed, including the receipt of the Auditor's Report.

Council's audit is scheduled for the period 25 September to 28 September 2018 with the aim of ensuring that the completed and audited statements can be submitted to the Office of Local Government by the due date of 31 October 2018. Council will be presented with a final audited set of accounts for adoption at the November 2018 Council meeting.

OPTIONS

This resolution is necessary in order to allow the finalisation of the 2017/18 Annual Financial Statements.

SOCIAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

Section 413 of the Local Government Act provides for the referral of the draft financial statements for audit.

LEGAL IMPLICATIONS

Not applicable

OPERATIONAL PLAN IMPLICATIONS

Section 2.2 – Provide high quality and timely financial reporting.

RISK MANAGEMENT IMPLICATIONS

Not applicable

12.7 COUNCIL POLICIES

Attachments:	A. MSC00E Governance Policy B. MSC01E Procurement Policy C. MSC02E Payment of Expenses and Provision of Facilities to Councillors Policy
Responsible Officer:	Carolyn O'Brien - Acting Director - Planning, Community & Corporate Services
Author:	Aleksandar Mitreski - Policy Officer
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 update Council policies.

OFFICER'S RECOMMENDATION

Council adopt the following updated Council policies:

1. Governance Policy MSC00E
2. Procurement Policy MSC01E
3. Payment of Expenses and Provision of Facilities to Councillors Policy MSC02E.

Moved: _____ **Seconded:** _____

BACKGROUND

Council is required to maintain a set of policies that are current and meet the operational needs of Council. Council must review all policies within the timeframe prescribed in each policy and keep their content up to date.

CONSULTATION

General Manager

Acting Manager Integrated Planning and Governance

Chief Finance Officer

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Cr Martin Rush

REPORT

Policies in this report were reviewed and updated as they were due for review and/or to incorporate changes as per the auditor's recommendations. Each of the modified policies are also adapted to a new document format which standardises the structure and content of all of Council's policies.

The need for these policies is as follows:

1. The **Governance Policy** commits Council to sound governance. This policy mitigates potential risks to implementation of Council's Delivery Program and Operational Plan which may occur due to less than desirable governance.
2. The **Procurement Policy** outlines the principles under which Council makes its procurement decisions and conducts its procurement activities. The policy establishes a framework within which the procurement of goods and services will be managed to a best practice professional standard.
3. The **Payment of Expenses and Provision of Facilities to Councillors Policy** establishes a framework for effective governance, compliance with legislation, and effective use of Council's resources.

OPTIONS

1. Accept the modified policies
2. Amend the modified policies

CONCLUSION

It is recommended that the modified policies be adopted.

SOCIAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The policies regulate Council's procurement process to ensure effective use of Council's budget.

POLICY IMPLICATIONS

Policies are due for ratification by Council.

STATUTORY IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

OPERATIONAL PLAN IMPLICATIONS

This report links to the Operational Plan as follows:

"Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves".

"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".

RISK MANAGEMENT IMPLICATIONS

Proposed policies mitigate potential risks to the implementation of Council's Delivery Program and Operational Plan which may occur due to less than desirable governance.

Governance Policy

MSC00E

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1. Policy Objective

The purpose of this document is to commit Council to sound governance and to document how governance is carried out by the Governing Body of the Council.

This policy, and the principles set out in the Policy, aim to:

- Achieve the highest standards of governance.
- Ensure the compliance of councillors, Council staff and delegates with relevant legislation.

2. Risks being addressed

This policy mitigates potential risks to the implementation of Council's Delivery Program and Operational Plan which may occur due to less than desirable governance.

3. Scope

This policy applies to all staff, councillors, and volunteers engaged directly by the Muswellbrook Shire Council, as well as all agents and contractors either engaged by Council or by an authorised contractor of the Muswellbrook Shire Council.

4. Definitions

Council means Muswellbrook Shire Council

Governing Body means the Governing Body of Council

Council Policies (or External policies) means all policies adopted by Council

Internal Policies means all policies that relate to Staff only

Procedures are a set of instructions that provide administrative control to give effect to Policies.

Guidelines are complementary, supporting information or advice or recommended practices

InfoXpert is Council's current electronic record keeping system.

Integrated Planning and Reporting Documents and Council's current electronic planning documents as required by Chapter 13 of the Local Government Act 1993.

Policy Register is Council's suite of adopted policies and procedures

Fraud by Australian Standards AS8001-2008, is defined as: "Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or other persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for normal business purpose or the improper use of information or position for personal financial benefit." The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered "fraud" for the purpose of this definition.

5. Policy Statement

5.1 Key principles

The following key principles underpin the direction of the Governing Body:

- a) human health and safety;
- b) a diverse and competitive industrial base;
- c) the social benefits of work and the importance of full employment;
- d) the importance of education;
- e) ecologically sustainable development;
- f) financial sustainability;
- g) consultative and transparent processes;
- h) social inclusion and particularly reconciliation with Aboriginal peoples;
- i) social justice principles of equity, access, and participation; and
- j) a Council workforce encouraged to innovate, provided with flexible work arrangements and which is healthy, supported, and team-orientated.

Policies which are developed and decisions which are made should be guided by the above key principles.

5.2 Principal activities

The functions of the Council are to be divided into the principal activities set out in the following table:

	Principal activity	Function
1	Infrastructure	Local roads, bridges, footpaths, cycle ways, storm water drainage devices and related infrastructure.
2	Utilities	Muswellbrook Water and Waste and the Waste Management Centre.
3	Emergency Services	Emergency services, fire and flood prevention, protection and mitigation services and facilities.
4	Finance, Corporate Services & Integrated Planning	Preparation of the budget (including reviews and amendments) for Council adoption; the management of Council's commercial property fund and land and property development. Council policy, corporate services (other than finance), and integrated planning and reporting.
5	Innovation, Land Use Planning Heritage	Fostering innovation and heritage related matters.
6	Community Engagement	The planning and delivery of community services other than artistic or cultural related services or services relating to Aboriginal reconciliation.
7	Development Assessment & Regulation	Strategic environmental planning and the making of submissions in relation to developments of Regional or State significance.

	Principal activity	Function
8	Social Inclusion	Delivery of programs for social inclusion.
9	Aboriginal Reconciliation	The on-going reconciliation between Aboriginal and non-Aboriginal peoples.
10	Recreation & Wellbeing	The delivery of wellbeing programs and recreation services.
11	Sport	The delivery of sport services.
12	Arts	The delivery of community services related to arts and culture.
13	Events	Events organized by Muswellbrook Shire Council.
14	Sustainability	Ecological environment and sustainable development.

5.3 A shared model of responsibility

Council adopts a shared model of responsibility by electing a councillor to be Council's spokesperson in relation to each Principal Activity. Council has resolved on a shared model of responsibility to:

- maximise the effectiveness and efficiency of the Governing Body;
- promote team work among members of the Governing Body;
- draw on the unique experiences, capabilities and interests of members of the Governing Body; and to
- provide effective and efficient leadership between meetings of the Governing Body.

Council may delegate to a councillor who has been elected as Council's spokesperson in relation to a principal activity, responsibilities for consultation arrangements, communications, preparation of policies, and decision-making between meetings of the Council.

5.4 Policy development

Council is developing policies by using a comprehensive policy framework.

New Policy Development and significant changes to existing policy

When a new policy, procedure, or guideline is to be developed or if significant changes to an existing policy are suggested, either by councillors, Council staff, other organisations or members of the community, the following process is to be followed:

Category	Approve new and amendment		Approve consequential and minor amendment	
	Authority	Reporting requirement	Authority	Reporting requirement
Council Policy	Council	N/A	General Manager in consultation with MANEX	Council for information

Category	Approve new and amendment		Approve consequential and minor amendment	
	Authority	Reporting requirement	Authority	Reporting requirement
Internal Policy and Procedure	General Manager in consultation with MANEX	Council for information	Department Head	MANEX for information
Guideline	Department Head	MANEX for information	Department Head	N/A

Policy Register

Council's Policy Register is public and should be as readily available as possible.

The Policy Register must be available and recorded in InfoXpert. All external policies must be made available on Council's website.

5.5 Delegations to Councillors

Any delegation concerning a decision-making function exercisable by a councillor, must include a requirement for consultation with each other councillor prior to the making of a decision, the obtaining and distribution of any advice provided by the General Manager, appropriate record keeping and the reporting of the decision made under delegated authority to the next Ordinary Council Meeting.

If a councillor believes that a decision made under delegated authority is:

- a) not likely to be supported by a majority of councillors; or
- b) likely to be controversial; or
- c) likely to benefit from significant further investigation or advice;

The councillor should refer the matter to the next Ordinary Council Meeting for determination rather than proceed to determine the matter under delegated authority.

A councillor must not make a decision under delegated authority if the councillor holds a pecuniary or significant non-pecuniary interest in relation to the matter.

5.6 Financial resourcing of the organisational structure

In addition to any statutory requirements, the Council requires the organisational structure to be presented to Council to allow Council to understand the resources required to provide for it.

5.7 The discharge of representative responsibilities

Councillors may be requested to attend a number of different events in a civic capacity and care should be taken to consider in what role the councillor is attending.

Representing the community

Where a councillor represents the Council at a ceremonial or commemorative occasion, the Council notes that, generally, the invitation is as a civic representative of the whole community rather than as a representative of the Governing Body. Councillors on these occasions should discharge their duties in a non-political and non-partisan manner.

Representing the Governing Body

Where a councillor represents the Governing Body at an event other than on a ceremonial or commemorative occasion, the councillor should take care to distinguish between a personal position of that councillor and the position of the Governing Body. These events are important opportunities for the Governing Body to inform the wider community of its positions and policies and councillors should, where possible, take the opportunity to engage the community in discussion on those matters.

A personal event

Where a councillor attends a function or event in a personal capacity, care should be taken to distinguish between personal positions of that councillor and the position of the Governing Body.

5.8 Order of flags

Council will observe the protocols adopted by the Commonwealth for the flying of the Australian National Flag, the Aboriginal Flag, the Torres Strait Islander Flag and all other recognised flags.

5.9 Recognition of first peoples

It is Council's policy that the Chairperson of the Local Aboriginal Land Council be recognised as the holder of an honorary civic office. It is Council's policy that at Council events an appropriate acknowledgment of the local Aboriginal peoples as the traditional owners of the land take place and that an appropriate acknowledgement of elders, both past and present, takes place. Council acknowledges the local civic traditions of the Aboriginal people exist side by side with the European civic tradition adopted by Council.

5.10 Opening of Council term

The first Ordinary Council Meeting following a General Election will be marked by a formal opening of term. The Chairperson of the Local Aboriginal Land Council and a representative of the local clergy should be invited, on such occasions, to give a welcome to country and read the civic prayer (or variation) respectively. Representatives from community groups and associations should receive a written invitation to attend.

5.11 The honorary office of Emeritus Mayor

Council may resolve to appoint a person to the honorary office of Emeritus Mayor provided that the person:

- (a) has served as mayor for a minimum of three years;
- (b) has made an outstanding contribution to the Shire;
- (c) is retired from public life; and
- (d) is ready, willing and able to perform ceremonial functions on behalf of the Council.

The role serves as a mechanism for seamless transition between elected councils, the proper acknowledgement of contributions by retired mayors, and an encouragement to retired mayors to contribute to the further advancement of the Shire in retirement.

The creation of an office of Emeritus Mayor also provides a mechanism by which Council can be represented at significant community events where serving councillors are unable to attend. Such events are typically arranged by members of the community. Serving councillors may be reluctant to attend such events because of a desire to bring an impartial mind to the exercise of a responsibility concerning that member of the community (or a sponsor) in the future.

Any expenses incurred by the Emeritus Mayor in the performance of his or her representative function will be funded from the elected Mayor's allowance.

5.12 The use of Council's Coat of Arms

Use of the Council's Coat of Arms

The Shire's Coat of Arms is to be used generally where the whole community is the subject of the representation rather than the Governing Body or the corporate entity of Council. The Coat of Arms should be used on civic documents in which a ceremonial or commemorative function is certified.

No other body or organisation is permitted to use the Council's Coat of Arms without the written approval of the Council.

5.13 The Council's corporate logo

The Council logo

The Council's corporate logo is five lozenges, Green, Blue, Red, Yellow and Grey radiating equidistant and equispaced from the points of an unillustrated pentagon (in a ratio of 1:25) each lozenge containing one of: a stylised mineral, the meeting of mountains and a worked floodplain, the meeting of rivers, an Aboriginal meeting symbol and human hands, respectively, in white. The Corporate logo represents the coming together of a rich diversity of industry and human endeavour within the Shire. Individual segments represent the meeting of minerals and energy production, the Wollemi National Park and the rich alluvial flats, the Goulburn and Hunter Rivers, the traditional custodians of the land and rich human cultural diversity.

A lozenge was selected because the black lozenge is the heraldic representation of coal and is presented on Council's Grant of Arms.

Use of the Council logo

The Council's logo is to be used generally where the Governing Body or the Council as a corporate entity is the subject of the representation rather than the Shire community as a whole. The General Manager may authorise, from time to time, a protocol for the use of the corporate logo by Council officers.

5.14 Certain functions to be exercised independently of the Governing Body

In addition to functions required by law to be exercised for the Council by the General Manager or Public Officer, it is Council's policy that the following additional functions of Council have autonomy from the decision-making of the Governing Body:

- (a) The purchase of art works by or the selection of works for exhibition at, the Upper Hunter Regional Art Gallery;
- (b) The purchase of books or education material by the Upper Hunter Regional Library;
- (c) The investigation, prosecution or sanctioning of any person under any regulatory power other than a power relating to the Council's Code of Conduct or Code of Meeting Practice.

None of the above limits, however, the Governing Body's exercise of a budgetary function to limit or extend the resources applied to the above functions.

5.15 Gifts, Bribes & Benefits

It is the position of Council, where possible and regardless of the value, that gifts and benefits be respectfully declined. In a situation where it would be rude or inappropriate to do so, the gift or benefit must be reported to the General Manager, Public Officer or Mayor as soon as practicable after the event.

Under no circumstances should a gift be accepted over the token value.

For the purposes of this policy, a reference to a gift, bribe or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

Under no circumstances is an offer of cash or cash like alternative (bribe), defined in Council's Code of Conduct, to be accepted.

For the purposes of this policy "token value" is described as goods and/or services with a value of less than \$20, as defined in Council's Code of Conduct.

- i. Token value

Some examples of gifts and benefits having token value are cheap marketing trinkets or corporate mementos and may include the following:

- a) Inexpensive pens and pencils;
- b) Notepads;
- c) Key rings;
- d) Diaries; and
- e) Computer mouse pads.

ii. More than Token value

Some examples of gifts and benefits having more than token value include:

- a) Tickets to sporting events or other entertainment;
 - b) Goods and items donated to Council and employee functions;
 - c) Meals or hospitality over “token” value;
 - d) Discounted products for personal use;
 - e) Use of facilities such as gyms and holiday homes;
 - f) Free or discounted travel;
 - g) Free “training excursions”;
 - h) Obtaining fly-buys, frequent flyer points etc as a consequence of Council transactions; and
 - i) Lucky door prizes or competition prizes.
-
- 1. As a council official, you must not by virtue of your position acquire a personal benefit or advantage which has a monetary value, other than one of a token value.
 - 2. You must not seek or accept any payment, gift or benefit intended or likely to influence you, or that could be reasonably perceived by an impartial observer as intended or likely to influence you to:
 - i. act in a particular way (including making a particular decision);
 - ii. fail to act in a particular circumstance; and
 - iii. otherwise deviate from the proper exercise of your official duties.

You may, however it is not recommended, accept gifts or benefits of token value that does not create a sense of obligation on your part. Council officials must complete a Gifts, Bribes and Benefits declaration form for all gifts that could potentially be of token value.

It is Council’s preferred position that:

- i. gifts and benefits not be offered to council officials;
- ii. gifts and benefits are not to be solicited;
- iii. gifts and benefits should be actively discouraged by council officials; and
- iv. people doing business with Council should understand that they do not need to offer gifts or benefits to council officials to get high quality service (Council policy Business Ethics B45/1 provides further information).

From time-to-time council officials may purchase gifts or provide certain benefits to visiting dignitaries, such as Government Ministers. A common sense approach to gifts or benefits provided in such situations should be exercised. The appropriateness of gifts being purchased should be meaningful and of local significance rather than a lavish gift which can create a sense of obligation on the other party.

- i. All gifts purchased for visiting dignitaries should be approved by the General Manager or Mayor and be within the council officials delegation of authority.
- ii. All gifts purchased for visiting dignitaries will be recorded in Council's Gifts Register in the same manner as a council official would receiving a gift.

The purchasing of gifts for awards or prizes part of a competition or event hosted or in conjunction with Council is not subject to this policy.

5.16 Fraud and Corruption

The Muswellbrook Shire Council is committed to protecting its revenue, expenditure and assets from any attempt by members of the public, contractors, agents, intermediaries, volunteers, Councillors and staff to gain financial or other benefits by deceit, bias or dishonest conduct.

The Council's commitment to fraud control will be managed by ensuring that fraudulent or corrupt activity is discouraged, conflict of interests are avoided, and auditing systems are in place to deter and/or identify corrupt activities.

In accepting its responsibility of good governance, Council will set the example for honesty and integrity in the provision of services to the community and the management of the council.

Roles and Responsibilities

Responsibility for fraud prevention rests with all levels of management, Councillors, staff, volunteers and agency or contractors who represent the Council and who collectively must accept ownership of the controls relative to this policy. All parties must comply with the policy.

Executive Group

The Executive Group has principal responsibility for fraud control to ensure compliance with the Standards and Guidelines and appropriate governance structures are in place.

Directors

Directors have a responsibility to;

- Identify risk exposures to corrupt and fraudulent activities within their department;
- Establish controls and procedures for prevention and detection of such activities;
- Provide guidance and instructions all staff relative to responsibilities and fraud reporting requirements;
- Maintain effective auditing and reporting on key financial systems;
- Undertake a risk assessment on fraud control every two years or when a major change occurs;
- Implement action plans identified in risk assessment to eliminate or reduce the risk of fraud;

Directors will ensure that all contractors working for their department are aware of Council's Fraud Policy and that it is incorporated into the contract. This will ensure that all contractors are made aware of their responsibilities and acceptable behaviour whilst conducting work for Council.

Staff/Contractors/Volunteers

Staff/contractors/volunteers shall assist in the identification of risk exposures to corrupt and fraudulent activities in the workplace and the immediate reporting of the possible activities.

Councillors

Councillors shall be aware of this policy along with what corruption is and the consequences associated when undertaking fraudulent activities.

Training

Councillors and staff members will be informed of Council's Policy and the consequences arising from fraud, and who to speak to if they suspect fraud is occurring. Training on the conduct of risk assessment will also be provided by the Risk management Committee. This policy shall be included in the induction program for new staff members.

Fraud Risk Assessment

The Council's commitment to fraud control will be met by identifying opportunities for fraud, and implementing risk avoidance, prevention, minimization procedures in day to day operations and showing coverage in Council's risk register.

6. Delegations

The Mayor and General Manager are authorised to interpret and implement this policy.

The Deputy Mayor is authorised to interpret and implement this policy together with the General Manager on matters involving the Mayor.

The General Manager is authorised, pursuant to Section 3 of the Local Government Act 1993, to allow a matter that does not conform with a policy to proceed if the General Manager is of the opinion that the variation from the Policy is of minor nature. Variations to a Procedure do not require Council endorsement if it does not significantly affect the policy.

7. Legislation

Local Government Act 1993

Government Information (Public Access) Act 2009

Crimes Act 1900

Australian Standard on Fraud control and Corruption controls (AS8001:2008)

Australian Standard in Risk management (AS 4360:2004)

ICAC Direct Negotiations: Guidelines for Managing Risks 2018

8. Dispute Resolution

A Councillor shall notify the Mayor in writing of any dispute in relation to this policy. A meeting shall be held between the Councillor, Mayor and the General Manager to discuss the dispute. A remedy should be reached within two weeks of the notification. If the matter remains unresolved, independent dispute resolution advice may be sought.

In any situation where a request, dispute or payment involves the Mayor, the Deputy Mayor will be required to authorise the process.

9. Associated Council Documentation

Procedure on Policy Development

Muswellbrook Shire Council Code of Conduct.

Muswellbrook Shire Council Procedures for Administration of the Code of Conduct

10. Authorisation Details

Authorised by:	Council
Minute No:	XXXXXXXXX
Date:	XXXXXXXXX
Review timeframe:	2 Years
Department:	Executive Services
Document Owner:	Policy Officer
Type (Internal/External)	External

Details History

Version No.	Date changed	Modified by	Amendments made



muswellbrook shire council

Procurement Policy

MSC01E

1. Policy objective

This Policy outlines the principles under which Muswellbrook Shire Council ('Council') makes its procurement decisions and conducts its procurement activities.

Council is committed to the competitive provision of services which meet best practice standards as a key organisational value. Council not only wishes to guarantee that its procurement, disposal and contract management practices comply with legislative requirements but wishes to ensure that these practices are conducted in an ethical manner achieving probity, fairness and transparency at every step in the process.

Council's procurement activities will be fair, ethical and transparent, and will achieve best value for money in the expenditure of public funds.

2. Risks being addressed

This Policy establishes a framework within which the procurement of goods and services will be managed to a best practice professional standard that ensures:

- Compliance with legislation;
- Superior financial controls are exercised over procurement;
- Procurement activity is cost effective, efficient, accountable, ethical, appropriately risk sensitive, safe, and sustainable.

3. Scope

This policy applies to staff that have the responsibility and delegation to arrange, approve and manage procurement.

It applies to the procurement of all goods and services, including capital works, major plant and equipment, construction and improvement of infrastructure, Information Technology projects, professional services, leasing arrangements, utilities and contract labour services and external goods and services contracts, including panel contracts for the Council regardless of source of funding.

4. Definitions

Term	Definition
Probity	Complete and confirmed integrity, uprightness and honesty in a particular process. The evidence of ethical behaviour.
Procurement	All activities involved in acquiring goods or services either outright or by lease (including disposal and lease termination). Includes acquiring consumables, capital equipment, real property, infrastructure, and services under consultancies, professional services, facilities management and construction.
Value for money	The benefits, compared to whole-of-life costs.
Local supplier	Local suppliers are defined as suppliers either: <ul style="list-style-type: none"> • Based within the boundaries of the Muswellbrook Shire. This means that the supplier should have an office and/or be registered with the Australian Securities and Investments Commission at an address within the Muswellbrook Shire • Having a virtual presence in the Shire, or • Providing employment within in the Shire.
Local content	Means goods and services procured from a Local Supplier or employees living in the Local area. 'Local' means the Muswellbrook Shire area.

5. Policy Statement

5.1 Methods of Procurement

Council will undertake its procurement processes through the establishment of formalised preferred supplier arrangements through prescribed organisations such as Local Government Procurement or Regional Procurement Initiative (Hunter Councils) that are created through an open tender process with consideration given to such factors as price, value for money, quality, and other specifications attached to the good or service and the supplier's compliance with relevant safety requirements and other legislation.

Where such arrangements are impracticable, Council will procure directly from suitable suppliers after obtaining the requisite number of tenders or quotations and taking into account the principles outlined in the *Procurement principles* section of the Policy.

5.2 Procurement principles

Council bases its procurement decisions on the following principles:

Achieving value for money – this is defined as minimising the total cost of ownership over the lifetime of the procured good or service. This takes into account factors such as quality, reliability, the ability to integrate with existing infrastructure, safety, risk reliability and sustainability and delivery considerations. Price will not be the sole determinant of suitability and value for money.

Sustainability through procurement – Council employees will ensure that without compromising the value for money principle, the environmental performance of goods and services is considered by adopting the following criteria: (noting that these goals should be considered for the entire life cycle of the good or service, i.e. the production, distribution, usage and disposal stages):

- Only purchase when a product or service is necessary.
- Consider products that reduce waste or are recyclable or reusable.
- Eliminate toxic products that are harmful to human health and ecosystems.
- Reduce greenhouse emissions.
- Achieve biodiversity and habitat protection.

Management of Work Health and Safety - In compliance with all relevant Work Health & Safety legislation Council will consider the impact on the health and safety of staff and the community when procuring goods and services.

Local Procurement - Offers must be sufficiently detailed to enable Council to assess Local Supplier status or the level of Local Content included, which should be a minimum of 5% of the offer. In assessing Offers, Council and its officers must be reasonably satisfied as to Local Supplier status or the level of Local Content and in accordance with the guidelines for weighting of tenders. It is the responsibility of bidders to provide relevant documentary evidence to establish the veracity of the claimed Local Supplier status or level of Local Content. Council retains the right within its sole discretion to accept the veracity of stated Local Content.

5.3 Procurement conduct

Council seeks to ensure that corporate procurement, disposal and contract management practices comply with legislative requirements and ethical guidelines in order to achieve probity, fairness and transparency throughout the procurement process.

Ethics, Probity and Confidentiality

- **General** – All procurement shall be performed with integrity and in a manner that will withstand the closest possible scrutiny and procedural compliance.

- **Conduct of Council Staff** – Staff shall conduct business in a manner that is ethical and in accordance with Council's Code of Conduct, Council's Business Ethics Policy, the Procurement Policy and associated procedures and relevant legislation.

Council will discontinue all dealings with suppliers who engage in unethical conduct.. Staff found not to be acting in accordance with the principles, guidelines and procedures set down in this and other related documents will be subject to the applicable disciplinary processes.

Canvassing of Councillors and/or Council Staff (other than Council's nominated contract staff member specified for the tender process) at any stage of the tender process will be deemed an unacceptable practice and will result in the applicant being disqualified.

Governance

- **Responsible Financial Management** – staff will consider factors such as the requirement for the good or service, the value for money achieved, life cycle costs and the budgetary limitations that apply when making procurement decisions. **Staff will only carry out procurement of goods and services for which sufficient funding is available within the properly designated and approved Council budget.**
- **Responsible Record Keeping** – staff shall ensure that a level of record keeping pertinent to the transaction will be maintained. In determining the appropriate level of records to maintain, consideration will be given to matters such as the price and the degree of scrutiny the transaction is likely to attract. Such records may include all substantial communications between Council and the supplier as well as minuted meetings. Records of procurement shall be kept and recorded in Council's Electronic Management System.
- **Management of risk through procurement** – staff shall give preference to purchases that will protect and enhance Council's ability to manage risk.
- **Supporting Competition** – Council recognises the need to allow suppliers to be able to fairly compete for Council's business, and as such, Council has set parameters around the number and the nature of quotes that staff are to obtain at various price levels.

Standards of behaviour

All parties will behave in accordance with the following standards at all times:

<i>Honesty and fairness</i>	Parties will conduct all procurement and business relationships with honesty and fairness.
<i>Accountability and transparency</i>	The process for awarding contracts on government projects.
<i>No conflict of interest</i>	A party with a potential conflict of interest will declare and address that interest as soon as the conflict is known to that party.
<i>Rule of law</i>	Parties shall comply with all legal obligations.
<i>No anti-competitive practices</i>	Parties shall not engage in practices that are anticompetitive.
<i>No improper advantage</i>	Parties shall not engage in practices that aim to give a party an improper advantage over another.
<i>Intention to proceed</i>	Parties shall not seek or submit tenders without a firm intention and capacity to proceed with a contract.

<i>Co-operation</i>	Parties will maintain business relationships in good faith, based on open and effective communication, respect and trust, and adopt a non-adversarial approach to dispute resolution.
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5.4 Quotation Thresholds

Quotations will be called where supply or sale agreements are under the tender / contract threshold of \$150,000 (whether expenditure or receipt). The following quotation thresholds are to be observed:

Estimated value of goods or services inclusive of GST	Minimum requirements
\$0 to \$1,000	Minimum of one (1) verbal or written quotation.
\$1,001 to \$20,000	Minimum of two (2) written quotations.
\$20,001 to \$149,999	Minimum of three (3) written quotations or Expressions of Interest and three (3) written quotations.
\$150,000 and above	Prescribed agency purchase or Tender in accordance with legislation.

6. Application of the policy

This procurement policy is binding on all Council staff, suppliers, contractors and consultants working on behalf Council.

Staff may only authorise procurement within the limit of their Delegation of Authority.

7. Compliance and references

In all of its purchasing decisions, Council will comply with all applicable legislation, guidelines, and Council policies/procedures and related documents including, but not limited to:

- Local Government Act 1993;
- Local Government (General) Regulations 2005;
- Public Interest Disclosure Act 1994
- NSW Government – Code of Practice for Procurement 2005
- Council's Business Ethics Policy;
- Council's Code of Conduct;
- Council's Contract Administration Procedure;
- Council's Delegations Register;
- Council's WHS Policy;
- Council's Procurement Procedure (Guidelines);
- Local Government Amendment (Ecologically Sustainable Development) Act 1997;
- National Competition Guidelines;
- NSW WHS Act 2011;
- NSW WHS Regulations 2011;
- The Trade Practices Act 1974;

- Waste Avoidance and Resource Recovery Act 2001.
- Relevant tendering guidelines adopted by the Chief Executive of the Office of Local Government from time-to-time
- NSW Government's Aboriginal Procurement Policy 2018
- ICAC Direct Negotiations: Guidelines for Managing Risks 2018

8. Dispute resolution

Suppliers, tenderers and contractors should be aware that they may be subject to public scrutiny by such bodies as the Independent Commission Against Corruption (ICAC) and equally be afforded protections under the Public Interest Disclosure Act 1994.

9. Review

Council will review this policy if at any time it is apparent that the circumstances which gave rise to the policy have changed substantially.

Council will consider existing policies on a progressive basis, however, each policy is to be reviewed within four years of the date of adoption.

Authorisation Details

Authorised by:	Council
Minute No:	XXXXXX
Date:	XXXXXX
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1	8 November, 2016	External	Manager of Corporate Services	



muswellbrook shire council

Payment of Expenses and Provision of Facilities to Councillors Policy MSC02E

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Policy Objective

To comply with the provisions of Section 252 of the *Local Government Act* 1993 (the Act), the *Local Government (General) Regulation* 2005 (the regulations) and the Guidelines released by the Office of Local Government (October 2009) concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor and Councillors in relation to discharging the functions of Civic Office.

Note: This policy excludes annual fees paid to the Mayor and Councillors under sections 248-251 inclusive of the Act.

Risks being addressed

This policy establishes a framework for effective governance, compliance with legislation, and effective use of Council's resources.

Scope

This policy applies to all Councillors of the Muswellbrook Shire Council.

Policy Statement

In accordance with Section 252 of the Act and this policy, Council will pay expenses incurred or to be incurred, and provide facilities for, the Mayor, the Deputy Mayor and Councillors to enable the discharge of their functions of Civic Office. This policy is updated annually, in September.

General Provisions

Payment of Expenses

Expenses and costs incurred by Councillors will only be reimbursed in accordance with this policy. Councillors must make a claim for reimbursement of expenses in accordance with this policy within **one** month following the incurrence of the expense.

Where all the expenses of discharging the functions of Civic Office on approved Council business are not paid for in advance by Council, in accordance with this Policy, the Councillor shall:

1. Retain all documentation substantiating the incurring of such expenses.
2. Complete claim forms for all expenses incurred and attach all documentation.
3. Lodge claim forms for payment with the General Manager within one month of the completion of the Council business.

Note: Councillors can only receive reimbursement for expenses when the expense is identified by this policy.

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and Councillor Development programs and courses away from home. Councillors may also request an advance payment for the cost of any other service or facility covered

by this policy. However, Councillors must fully reconcile all expenses against the cost of the advance as soon as possible following the incurrence of the expense.

Requests for payment in advance should be made to the General Manager.

Establishment of Monetary Limits and Standards

Identifying and publishing monetary limits allows members of the public to know the expected cost of providing services to Councillors and to make comment during the public consultation phase of making or amending the policy. It also avoids situations where Councillors incur costs that are unforeseen or considered unreasonable by other Councillors and the public.

This policy sets out monetary limits for the expense provisions at [Table 1.1](#).

The total costs associated with the implementation of this Policy are set out in the Annual Report.

Approval Arrangements

Discretionary travel and attendance at conferences and training, and for other official business, should where possible and required, be approved by a full meeting of the Council prior to the intended travel. If this is not possible then the travel should be approved jointly by the Mayor and the General Manager. If the Mayor requires approval it should be given jointly by the Deputy Mayor and the General Manager.

Spouse and Partner Expenses

Council will, in limited circumstances, reimburse Councillors for expenses incurred by the Councillor for their spouse, partner or accompanying person in the performance of his or her official duties. An accompanying person is considered to be a person who has a close personal relationship with the Councillor and/or provides carer support to the Councillor.

Council will reimburse the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature, are within the local government area, and where there is a reasonable community expectation that the Councillor's spouse, partner or accompanying person will attend. Examples could include Australia Day ceremonies, Citizenship ceremonies, civic receptions and charitable functions for charities formally supported by Council, service club annual changeover functions, awards nights, such as business awards, and debutant balls where generally partners are invited and the Mayor or Councillor attends as representatives of the Council.

Council will also reimburse the reasonable expenses incurred by the spouse, partner or accompanying person of the Mayor, or a Councillor when they are representing the Mayor, when they are called on to attend an official function of Council or carry out an official ceremonial duty while accompanying the Mayor outside of the Council area, but within the State. Examples could include charitable functions to which the Mayor has been invited and award ceremonies and other functions to which the Mayor is invited to represent the Council.

Council will not reimburse any expenses incurred by a Councillor's spouse, partner or accompanying person when they are accompanying a Councillor to a conference, seminar or the like. An exception to this is the Local Government Association's (LGA) annual conference, where Council will reimburse the cost of registration and the official conference dinner incurred by Council's elected delegates' spouse, partner or accompanying person when accompanying a Councillor to this conference. Expenses incurred by a Councillor's spouse, partner or accompanying person, where a Councillor is only attending the LGA annual conference as an observer will not be reimbursed by Council.

The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above is limited specifically to the ticket, meal and/or the direct cost of

attending the function. Council will not reimburse peripheral expenses incurred by spouses, partners or accompanying persons such as transport, special clothing or grooming.

No General Allowance

Council in accordance with Section 252 of the Act and Clause 403 of the regulations will not provide an allowance for general expenses to any Councillors under any circumstance.

No personal Benefit

In carrying out their civic duties Councillors should not obtain any private benefit from the provisions or facilities provided to them. Any such loyalty programs while on Council business should be avoided. It is however, acknowledged that incidental use of Council resources derives a minor personal benefit. This minor benefit is not subject to compensatory payment back to Council.

Giving of Hospitality, Gifts and Benefits

Council's Code of Conduct sets a nominal figure or token value that does not create or imply any sense of obligation on the recipient. Councillors should also recognise that any gift or benefit extended to any individual during their official duties should also be limited to the same token value. This is not to create a sense of commitment on a person; in the same it could create a sense of obligation when receiving gifts.

Specific Expenses for Mayors and Councillors

Conference and Seminar Expenses

Council will be responsible for the expenses of the Councillors attending conferences, seminars, meetings and official engagements and functions, where the Councillor has been duly authorised by the General Manager, or is deputising for the Mayor.

Council will meet the direct costs associated with the conference, seminar, and the like. These costs may include registration fees, travel costs, accommodation, official lunches and dinners, and associated tours where they are relevant to the business and interest of Council.

Council will also be responsible for meals not included in the conference fee for attendance by Councillors at these functions. A maximum of seventy five (\$75) dollars per Councillor, per day will be reimbursed for expenses claimed under this provision.

Upon their return Councillors, or a member of staff accompanying the Councillor/s, should provide a written report to Council on the aspects of the conference relevant to Council business and/or the local community.

Councillor Development (Training) expenses

Council encourages Councillors to attend Councillor Development (training) courses and programs in line with the Office of Local Governments Professional Development Guide for Councillors. Expenses will be paid under the same conditions in clause 2.1 above.

Councillors who attend professional development courses are required to make an application to the General Manager. Applications are to be submitted on the prescribed form (a copy of the form is attached to this policy). Attendance at these functions is subject to annual budget limits and must be jointly approved by the General Manager and Mayor.

Travelling Expenses

General Travel Arrangements

All travel by councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

In the case accommodation is to be provided to Councillor(s) the cost of the accommodation should be reasonable.

Interstate Travel

The General Manager has authority to approve interstate travel.

Where Councillors or staff propose to travel interstate:

- a. Applications must be approved by the General Manager prior to the travel being arranged.

Where the cost of the travel is expected to exceed \$1,500 per person, then the application for travel is to outline:

- a. Who is to take part in the travel
- b. The objectives to be achieved, including any staff professional development, organisational or community benefits
- c. Details of costs
- d. Any contribution proposed by the applicant.

Overseas Travel

Proposals for overseas travel by Councillors and Staff members on Council business including staff professional development must be reported to Council for approval. Proposals should indicate:

1. Who is to take part in the travel
2. The objectives to be achieved, including any staff professional development, organisational or community benefits
3. Details of costs and any contribution proposed by the applicant
4. A report shall be provided to Council after the overseas travel, outlining any outcomes, learnings or benefits achieved.

Sponsored Travel

If the travel is to be sponsored by private enterprise, Independent Commission against Corruption (ICAC) guidelines and reporting structures are to be followed.

A detailed report is to be included in the Annual Report in the year in which the travel was undertaken, outlining how the travel's objectives were met and how the community benefited.

Council Provided Vehicle

Councillors will be entitled to travel to conferences, seminars, meetings and official engagements and functions, where the Councillor has been duly authorised by the Council or is deputising for the Mayor, at the expense of the Council, by Council vehicle, unless specifically authorised otherwise by Council resolution.

When a Council vehicle is allocated to a Councillor for use on Council business, only a Councillor, a staff member or a licensed driver authorised by the Councillor should operate the vehicle.

Where a Council vehicle is provided, Council will meet the cost of fuel, oil, road tolls, parking fees, and other similar vehicle expenses.

Any traffic or parking fines incurred while travelling in a private or Council vehicle on Council business are the responsibility of the person driving at the time of the offence. Council will not reimburse any of these costs.

Provision of Own Motor Vehicle

Where a Councillor is required to utilise his/her own private vehicle in connection with approved Council business, he/she will be paid a rate per kilometre equivalent to the appropriate engine capacity rate of an employee's vehicle as contained in the Local Government (State) Award 2014. This will apply to travel outside the 15 kilometre radius of the Councillor's residence.

Council will generally only reimburse a maximum of fifty (\$50) dollars per month, per Councillor for expenses claimed under this provision. Any expenses claimed in excess of this amount require authorisation from the Mayor and the General Manager. Examples where this may be necessary are for attendance by Councillors at routine meetings, or where a Councillor is unable to access a Council vehicle and is required to utilise their private vehicle to travel long distances for conferences or Councillor Development seminars.

Where a Councillor's private vehicle is utilised Council shall reimburse the Councillor for any parking fees and/or road toll expenses.

Where a Councillor is required to use their own vehicle, they should advise their comprehensive insurance provider that the vehicle will be used on council business.

Meals and Beverage Expenses

Council will provide food and beverage at Council and Council Committee meetings, other official meetings, civic receptions and citizenship ceremonies.

Care and Other Related Expenses

Council will reimburse a Councillor's reasonable carer expenses up to an amount of \$6,000 per year, to cover the engagement of a babysitter or carer where required to allow the Councillor to attend to official obligations and/or professional development. Reimbursement does not apply where the care is provided by a parent or by a spouse of a parent of the child.

In the event, carer expenses exceed the annual limit, reimbursement will be provided subject to the submission of a formal claim for reimbursement to the Mayor and the General Manager who will decide upon the request.

Councillors claiming the carer expense should not be subject to criticism for doing so.

Reasonable Legal Expenses

Council may reimburse reasonable legal expenses in the following circumstances:

- (a) A Councillor defending an action arising from the performance in good faith of a function under the Act (section 731); or
- (b) A Councillor defending an action in defamation provided the statements complained of were in good faith in the course of exercising a function under the Act; or
- (c) A Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding not substantially unfavourable to the Councillor.

Expenses are not covered in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. Council will not meet the costs of a Councillor seeking advice in respect of the Councillor taking possible defamation action, or in seeking a non-litigious remedy for possible defamation. (DLG Circular 05/08). Council will not meet the costs of legal proceedings initiated by a Councillor under any circumstances.

Prior to incurring any legal expenses, Councillors must seek in writing, where possible to do so, approval through Council resolution to claim reasonable legal costs.

Insurance

Council will provide all Councillors with personal accident cover, Councillors' and Officers' Liability Insurance and other appropriate insurance cover required in the discharge of their official duties.

Provision of Facilities

General Provisions

Provision of Facilities Generally

Council will provide facilities to support the Mayor and the Councillors to undertake their functions of Civic Office.

Use of Council Resources

Use of Council resources is subject to provisions of the Code of Conduct and Council's Policies.

Council facilities, equipment and services are not to be used to produce election material or for any other political purpose.

Return of Facilities

At the time a Councillor ceases to hold the office of Councillor, all property of the Council in the Councillor's possession must be returned to the General Manager.

Council may provide Councillors with the opportunity to purchase Council equipment previously allocated to them at the cessation of their duties. If Council makes available such an option, the item for sale should be purchased at an agreed fair market price or written down value.

Private use of Equipment and Facilities

In accordance with the Code of Conduct Councillors must use Council resources ethically, effectively, efficiently and carefully in the course of their public duties, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.

Councillors should not generally obtain private benefit from the provision of equipment and facilities, nor from travel bonus or any other loyalty schemes. This does not apply to activities undertaken for private purposes and paid for by the Councillor (e.g. frequent flyer points or fly-buys obtained as a result of private travel funded by the Councillor).

Council acknowledges that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment.

Provision of Equipment and Facilities for Councillors

Council will provide the following facilities to the Councillors to support them undertake their functions of Civic Office.

Stationery

Council will provide, upon request, the following stationery to Councillors to be used only on Council business:

- (a) Writing Pads

- (b) Envelopes
- (c) Paper
- (d) Business Cards
- (e) Writing Pens
- (f) Diary
- (g) Postage for associated mailing of official correspondence.

Administration Services

Council will provide an administrative service to all Councillors to facilitate the discharge of functions of Civic Office.

Corporate Dress

Council will provide Councillors with a Muswellbrook Shire Council name badge.

Resource Centre

Council will provide an office suite, "Councillors' Room" located in the Administration Centre, available to Councillors.

Information Technologies and Resources

Council may provide resources in accordance with Council Policy – C51/1 Computer and Information Technology Use. The use of such equipment, if provided, is to be in accordance with the Policy.

The resources include iPads, scanners and printers, email, facsimiles, internet, intranet, mobile telephones, pagers, telephones, two way radios and digital cameras.

Council will also provide on request and at Council's expense a multi-function fax/copier/telephone and internet connection. Such resources shall remain the property of the Council.

Provision of Additional Equipment and Facilities for the Mayor

In addition to the facilities, equipment and services provided to Councillors the following additional facilities may be provided to the Mayor.

Mayoral Motor Vehicle

The Mayor may be provided with a fully maintained motor vehicle to discharge the function of Civic Office and the performance of Council business. The vehicle will be of an appropriate standard as agreed by the Mayor and the General Manager.

If provided:

The vehicle shall always remain the property of the Council.

The Mayor will be entitled to use the motor vehicle for purposes other than the discharge of functions of the Civic Office and the performance of Council business. Fees payable to the Mayor will not be reduced for any private benefit gained from the private use of the vehicle.

The Mayor is entitled to authorise any licensed driver to drive the Mayoral vehicle.

Communication facilities will be included with the vehicle for use on Council business and will remain the property of the Council. The Council will pay associated costs/rentals.

Council shall reimburse the Mayor for any incurred fuel, oil, parking fees, or similar vehicle costs.

The vehicle will be fitted with a dedicated electronic toll tag for tollways throughout Australia. Council will be responsible for the associated costs and any accumulated fares accrued by utilising the electronic toll tag.

Resource Centre

Council will provide a furnished office suite, "Mayor's Room" located in the Administration Centre, available to the Mayor.

Information Technologies and Resources

The Mayor will be provided with information technology resources to be used at the Administration Centre, or any location, which the Mayor may decide, with all costs being paid by Council. The Mayor will be given access to all Council data necessary for the discharge of Mayoral duties and be subject to access and usage protocols observed by all users of Council's computer system.

Council will provide the Mayor with appropriate communication facilities (E.g. mobile phone, Blackberry or similar) with a monthly usage limit not exceeding seventy five dollars (\$75). Amounts exceeding this limit should be advised to the General Manager.

The use of such equipment, if provided, is to be in accordance with the guidelines set out in Council Policy – C51/1 Computer & Information Technology Use.

Use of Council Resources

Attention is drawn to Councillors' responsibilities under the Code of Conduct inter alia, requiring the use of council resources ethically, effectively, efficiently and carefully in the course of official duties, and not for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.

Reporting Requirements

Council is required to include in its Annual Report:

- (a) Total amount of money expended during the year on Mayoral Fees and Councillor Fees;
- (b) Council's policy on the provision of facilities for, and the payment of expenses to Councillors;
- (c) Total amount of money expended during the year on providing those facilities and paying those expenses.
- (d) Such other information the Local Government (General) Regulations 2005 may require;
- (e) Reporting requirements regarding Councillor Expenses and facilities as included in the NSW OLG Reporting Guidelines pursuant TO section 406 of the Act.

Councils are required to report on the total cost of all expenses and facilities, and the total cost of each of the following types of expenses and facilities:

- (a) Dedicated office equipment
- (b) Telephone calls
- (c) Attendance at conferences and seminars
- (d) Councillor training
- (e) Interstate visits
- (f) Overseas visits
- (g) Spouse/partner expenses
- (h) Carer expenses.

In addition to the statutory reporting requirements, Council will report other costs where these are significant. For example, Council will report the cost of the provision of facilities and equipment where such provision is above what would normally be required for the day-to-day running of the Council.

Delegations

The Mayor and General Manager are authorised to interpret and implement this policy.

The Deputy Mayor is authorised to interpret and implement this policy together with the General Manager on matters involving the Mayor.

Legislation

Local Government Act 1993 – Sections 23A, 252-254A, 382 and 428

Local Government (General) Regulations 2005 – Sections 217 and 403

Dispute Resolution

A Councillor shall notify the Mayor in writing of any dispute or grievance in relation to the payment of an expense or facilities claim provided to Council. A meeting shall be held between the Councillor, Mayor and the General Manager to discuss the grievance or dispute. A remedy should be reached within two weeks of the notification. If the matter remains unresolved, independent dispute resolution advice may be sought.

In any situation where a request, dispute or payment involves the Mayor, the Deputy Mayor will be required to authorise the process.

Attachments, procedures and guidelines

Table 1.1 Approval and Reimbursement Limits Table

Claim	Process	Reimbursement limit	Approval
Training and Development (clause 2.1)	Complete course details and associated costs form.	\$12,000 per year	Approval required by the General Manager and Mayor.
Conference and Seminar Expenses (clause 2.1)	A written request should be submitted to the Mayor and General Manager.	\$12,000 per year for the Councillors	Approval required from the General Manager and Mayor.
Council Motor Vehicle (clause 2.2)	Arrange via the General Manager the availability of a Council Car.	Costs are accounted for on a log sheet for each car.	Approval by the General Manager and the Mayor.
Own Motor Vehicle (clause 2.2)	All documentation and claim form to be submitted to the General Manager within one month.	\$50 per month per Councillor	Approval required from the General Manager. Excess amounts to be approved by the General Manager and the Mayor.
Interstate and	Written report to	Unspecified below	Approval from Council.

Claim	Process	Reimbursement limit	Approval
Overseas Travel (clause 2.2)	Council.	\$1,500 Specified above \$1,500	
Care and Other Related Expenses (clause 2.4)	All documentation and claim form to be submitted to the General Manager within one month.	\$6,000 per year per Councillor	Approval required from the General Manager. Excess amounts to be approved by the General Manager and the Mayor.
Meals and Beverage expenses (clause 2.3)	All documentation and claim form to be submitted to the General Manager within one month.	\$75 per day per Councillor	Approval required from the General Manager. Excess amounts to be approved by the General Manager and the Mayor.
Reasonable Legal Expenses (clause 2.5)	Written request to Council.	Undefined	Approval from Council.
Communication Expenses for the <u>Mayor ONLY</u> .	Recorded through Council's creditors section.	\$75 monthly usage	Approval from the General Manager.

Please Note; the reimbursement limits referred above are the maximum amount that will apply in any given year. Persons to whom this policy applies will also need to be cognisant of the annual budget allocations for each of these items, and that they may not match the upper limits stated above.

MUSWELLBROOK SHIRE COUNCIL - COUNCILLOR EXPENSES CLAIM**PERSONAL DETAILS**

Date:	
Name:	

DETAILS OF EXPENSES CLAIMED

Type of Expenses e.g. Professional development, child care, travel etc.	
Course (if applicable):	
Provider:	
Cost:	
Location:	
Accommodation details (if applicable):	
Cost of Accommodation (if applicable):	
Meals	
Other expenses	
General Ledger No.	

I hereby certify that the expenses claimed are in relation to a council approved activity and were incurred by me discharging the functions of civic office.

I have attached all receipts and/or diary statement to verify expenses.

Councillor signature

Date

OUTCOME OF EXPENSES CLAIMED	
<input type="checkbox"/> Approved <input type="checkbox"/> Declined	
Date of payment:	
Name:	
Position:	
Signature:	
Date:	

Conference and Seminar Expenses	1060.0010.500
Mobile Telephones	1060.0270.565
Meal (sustenance) expenses	1060.0450.557
Spouse/partner/accompanying person expenses	1060.0450.581
Care and other related expenses	1060.0450.582
Councillor Development	1060.0451.500
Travelling expenses	1060.0820.003

TOTAL

MUSWELLBROOK SHIRE COUNCIL

COUNCILLOR DEVELOPMENT PROGRAM

COUNCILLORS PROFESSIONAL DEVELOPMENT COSTS WILL BE COVERED WHERE THEY RELATE TO THEIR OBLIGATIONS AS AN ELECTED REPRESENTATIVE OF LOCAL GOVERNMENT AS OUTLINED IN THE NSW OFFICE OF LOCAL GOVERNMENT COUNCILLOR HANDBOOK AND COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDE FOR COUNCILS.

PERSONAL DETAILS	
Date:	
Name:	
Councillor Signature:	

COURSE DETAILS & ASSOCIATED COSTS	
Course Name:	
Provider:	
Cost:	
Location:	
Other details about the course:	
Accommodation details (if applicable):	
Cost of Accommodation (if applicable):	
General Ledger No	
Any additional time required to attend the course or travel to the course:	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please indicate the proposed additional time required: _____ _____

DESIRED SKILLS TO BE ACQUIRED THROUGH THIS TRAINING

- **NOTE THE *GUIDE FOR PROFESSIONAL DEVELOPMENT* FOR COUNCILLORS**

OUTCOME OF TRAINING REQUEST☐ Approved☐ Declined

Date of meeting:	
Name:	
Position:	
Signature:	
Date:	

Authorisation Details

Authorised by:	Council
Minute No:	
Date:	
Review timeframe:	2 years

Department:	Executive Services
Document Owner:	Policy Officer

Details History

Version No.	Date changed	Policy type	Modified by	Amendments made

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

Attachments:	Nil
Responsible Officer:	Carolyn O'Brien - Acting Director - Planning, Community & Corporate Services
Author:	Chloe Wuiske - Administration Officer Kim Manwarring - Co-Ordinator, Community Partnerships Sharon Pope - Acting Director - Planning, Community & Corporate Services Jade Richardson - Co-Ordinator, Customer Service & Administration
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To provide an update on activities.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ Seconded: _____

REPORT

PLANNING & REGULATORY SERVICES

1. Statistical Information

Note: Statistics for Section 10.7 Planning Certificates, Development Applications, Construction Certificates and Complying Development Certificates are distributed separately to Councillors with whole of month data prior to the Council meeting. The statistics are also available on Council's website.

Schedule 1: Development Applications Approved (27 July to 29 August 2018)

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2018/63	Ancillary Development - Shed	35 Humphries Street Muswellbrook	28,916
2018/61	Use of a building and land as a depot inclusive of ancillary offices, workshop, wash bay and refuelling area	5-7 Enterprise Crescent Muswellbrook	800,000

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2018/60	Ancillary Development - Shed	6 Scott Street Muswellbrook	15,800
2018/58	Patio	42 Stockyard Parade Muswellbrook	9,000
2018/57	Ancillary Building - Shed	32 Finnegan Crescent Muswellbrook	17,636
2016/81/2	Section 96(1) Modification: Remove Condition 16 of Development Consent	33 Wollombi Road Muswellbrook	-
2018/51	Farm Building - Stable	420 Dalswinton Road Dalswinton	77,100
2018/50	Recreational Facility Infrastructure - Deck	Turner Street Denman	8,000
2018/49	Ancillary Development - Carport	7 Malbec Street Muswellbrook	8,000
2018/37	Facade Refurbishment, New Awning, New Stairs, New Ramp, New Lift and Lift Lobby	160-162 Bridge Street Muswellbrook	495,000
2018/11	Pool Shed	26 Kingfisher Court Muscle Creek	7,135

Schedule 2: Development Applications Currently Being Assessed

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2018/77	Business Premises - Beauty and Nail Room (Shop 3)	17 Bridge Street Muswellbrook	29/08/2018	2,955
2018/75	Ancillary Structure - Carport	33 Riesling Street Muswellbrook	23/08/2018	12,400
2018/74	Office Premises and Car Parking Area Ancillary to Security and Traffic Control at Bayswater Power Station	New England Highway Muswellbrook	20/08/2018	115,700
2018/73	Removal of Existing and Construction of a New Advertising Structure	102-106 Sydney Street Muswellbrook	16/08/2018	26,421
2018/72	Inground Swimming Pool	17 Burgundy Street Muswellbrook	16/08/2018	24,445
2018/76	Installation of New Telecommunications Facility	Hill Street Muswellbrook	14/08/2018	200,000
2018/71	Above Ground Swimming Pool and Safety Pool Fence	18 Turanville Avenue Muswellbrook	13/08/2018	9,500
2018/70	Ancillary Development - Swimming Pool & Verandah Extension	117a Brook Street Muswellbrook	03/08/2018	87,548
2018/69	Ancillary Structure - Shed	2 Jillaroo Way Muswellbrook	03/08/2018	24,565
2018/68	Ancillary Structure - Storage Shed	32 Lexia Street Muswellbrook	02/08/2018	19,890
2018/64	Ancillary Development - Garage	32 Tobruk Avenue Muswellbrook	30/07/2018	8,964

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2018/62	Two (2) Lot Subdivision	Honey Lane Sandy Hollow	23/07/2018	10,000
2018/56	Ancillary Development - Garage	61 Calgaroo Avenue Muswellbrook	04/07/2018	10,270
2018/54	Demolition of a Commercial Building and the Construction of a Two (2) Storey Building for Use as a Tertiary Education Establishment and Food and Drink Premises, Alterations and Additions to the 'Loxton House', Heritage Listed Item, and the Use of Level 1 of this Building as a Tertiary Education Establishment, Alterations and Additions to the Muswellbrook Public Library and Ancillary Works.	140 Bridge Street Muswellbrook	15/06/2018	3,556,300
2018/52	New Dwelling House	14 Lorne Street Muswellbrook	14/06/2018	457,248
2018/48	Change of Building Use to Dwelling House and Alterations and Additions	1820 Merriwa Road Sandy Hollow	01/06/2018	12,936
2018/47	Boarding House	28 Wollombi Road Muswellbrook	31/05/2018	183,700
2003/72/4	S4.55(2) Modification - Alter Hours of Operation of Restaurant Drive-Thru (McDonald's)	83-89 Maitland Street Muswellbrook	31/05/2018	-
2018/39	Alterations and additions to a heritage listed dwelling	300 Baerami Creek Road Baerami	10/05/2018	48,000
2018/26	Construct Temporary Igloo Structure over Existing Hard Stand Area to Perform Sand Blasting and Painting Operations	18-22 Carramere Road Muswellbrook	23/03/2018	80,000
2018/23	Placement of 2 Bedroom Transportable Dwelling	3212 Bylong Valley Way Baerami	15/03/2018	266,000
2018/18	Water Treatment and Recycling Plant ancillary to Existing Winery and Distillery	Hunter Street Muswellbrook	28/02/2018	400,000
2002/342/5	S96(2) Modification - Consolidate Two Consent Documents into One with Modified Conditions Where Applicable	8440 New England Highway Muswellbrook	28/02/2018	-
2017/58/2	S96 (1A) Modification - Modify Condition 8	Jerdan Street Denman	19/02/2018	-
2017/108	Extension to Existing Commercial Building	4 Lorne Street Muswellbrook	14/12/2017	44,000
2017/95	Concrete Block Retaining Wall and Steel Framed Shed	70-72 Ironbark Road Muswellbrook	27/10/2017	145,000
2017/76	Renovations and Additions to Racing and Function Centre	16 Sheppard Avenue Muswellbrook	24/08/2017	4,000,000

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2017/60	Change of Use - Building Materials Recycling Depot	7 Glen Munro Road Muswellbrook	23/06/2017	-
2000/212/6	S96(1a) Modification - Extension of timeframe of Operations & Extraction Area, Site Plan, Removal of Conditions	2449 Denman Road Muswellbrook	29/05/2017	-
2016/111/2	S96(1a) Modification -Extend Existing Retaining Wall by Six (6) Metres	33 Shaw Crescent Muswellbrook	10/03/2017	-
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 (2017/2018)

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Applications Received (new installation)	0	1	2	4	1	0	1	2	2	0	1	1	0
Applications Approved (new installation)	1	2	4	3	1	1	0	0	3	1	1	0	0
Inspections (new system)	0	2	1	2	1	0	0	1	6	1	0	3	0
Inspections (existing system)	26	1	11	2	16	14	13	6	3	1	0	0	0

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 (2017/2018)

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Total Sites Inspected	0	0	2	3	3	0	3	0	0	3	4	3	2
Total non-compliant and educated	0	0	0	3	0	0	3	0	0	0	1	0	0
Total compliance after education	0	0	0	0	0	0	3	0	0	0	1	1	0
Total Penalty Notices Issued	0	0	0	0	0	0	0	0	0	0	0	0	0

4.06.01.1 - Increase surveillance and regulation of illegal dumping.**Illegal Dumping Statistics – 13 Month Analysis (2017/2018)**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Total Investigations	5	4	3	4	4	3	6	10	4	5	7	6	7
Total Clean up by Council - insufficient evidence	1	2	3	2	3	1	3	4	2	2	5	2	4
Total Clean Up by individual	3	2	0	1	1	2	3	6	2	2	0	1	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	0	0	0	0	0	0	0	0	0	0	0	0	0

4.04.04.4 - Enhance public safety and wellbeing of the community by undertaking an inspection program for swimming pools within the Local Government Area**Swimming Pool Compliance Statistics – 13 Month Analysis (2017/2018)**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Applications for Compliance Certs.	1	2	1	2	6	1	0	1	2	6	3	0	1

Total compliance inspections (not inc. Final Insp. for Occ. Certs)	19	29	27	19	23	18	14	7	8	4	5	2	2
Initial Inspections	17	23	21	8	15	14	11	6	7	3	4	2	0
Re-inspections	2	6	6	11	8	4	3	1	1	1	1	0	2

Compliance Certs / Occ. Certs issued	15	21	21	13	20	12	8	6	6	2	2	2	2
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Total Pools in Council's Swimming Pool Register = 865**Compliance as at 30 June 2017 = 63.7%****Compliance as at 30 June 2018 = 65.7%****Current Compliance = 63.9%**


(i.e. 553 out of 865 pools have a valid Compliance Certificate or Occupation Certificate.
Note: Certificate is valid for 3 years)

Percentage of pools inspected during Financial Year 2018/2019 = 0%

(i.e. 0 out of 865 pools have had at least one inspection carried out during FY 2018/2019.
Council's program outlines that we will inspect 10% of pools per year).

COMMUNITY SERVICES**Upper Hunter Regional Library (Muswellbrook and Denman Branches)**

During the last few months, Upper Hunter Regional Library Services delivered the following programs and projects:

Activity	Muswellbrook and Denman events
Computer Bookings totals as of 21 st August 2018	839/user 949/hour Denman 109/users 100/hours
Home Library Service delivered fortnightly and monthly	11 borrowers 163 books & Audiobooks
Mini Library delivered bi-monthly	495 books/DVDs/CDs/Audiobooks/paperbacks
Storytime Pod total as of August 2018	18 users
Storytime/Cuddle & Bounce for babies total as of August 2018 –weekly	170 babies/children/parents/carers
Regular/Special Events:	
Crafty hour total as of August 2018 – fortnightly	15 adults
Thinker Kruncher (Brain Training) – fortnightly	15 adults
LEGO Club @ your Libraries every Thursday, 3:00pm to 8pm	50 attendees
Outreach Thinker Kruncher at Muswellbrook Community Health Centre – Monday, 13 th August @ 10:30am 	12 participants including 3 staff Muswellbrook Library was invited offsite to run a Thinker Kruncher session in partnership with Upper Hunter Community Health. The session took place at Muswellbrook Community Health with people who are Ageing who attend Community Health on Mondays for their regular check-up and social activities. The session was a success and participants enjoyed the variety of challenges the activities presented in particular using their non-dominant hand to colour in. Participants who suffer from dementia and other chronic illness were actively engaged in the programs. Muswellbrook Library looks forward to continued partnerships with Upper Hunter Community Health.
Cupcake day Wednesday, 15 th August 2018	23 attendees
Book Week 2018 Theme: Find your Treasure Wednesday, 22 nd August @ 10:45am Muswellbrook Library	95 attendees Two local early child care centres attended Book Week 2018; Muswellbrook Goodstart Learning Centre and Muswellbrook Preschool. Preliminary work was carried out by Muswellbrook Library to actively engage the early child care centres and to promote Book Week.

On the floor Library News**Library stats:**

Current members: Muswellbrook 7 256 members;
 Denman 640 members;
 Loans for month: Muswellbrook 4 315
 Denman 573

Visits:

Muswellbrook branch (12 July to 27 August) 4128 visit's
 Denman Branch (19 July to 20 August) 488

Local studies

August 2018		Purpose
LS rooms	14	14 people used the rooms for personal research
8.8.2018	1	Request for assistance with religion and churches in post war Muswellbrook and district
10.8.2018	1	Assistance via email re local family research.
15.8.2018	2	Assistance with cemetery indexes and database
21.8.2018	1	Assistance with ancestry and Trove
24.8.2018	1	Request for information on the Chronicle and Trove

Seminar rooms

The Seminar Rooms were used significantly during August. A number for mines and employment groups are using the seminar and meeting rooms on a regular basis. The Department of Education have confirmed that Muswellbrook Library will be used as a HSC examination centre during the examination period of 2018. This follows positive feedback from the staff and the teachers during the trials that were held recently.

@ Your library Denman**Denman will commence Thursday openings from the 6th of September.**

This change follows a period of sound community consultation.

Date	Event	Numbers (children/adults)
27.7.18	Lego Club	7 (5/2)
10.8.13	Lego Club	12 (7/5)
17.8.18	Lego Club	13 (10/3)
13.8.18	Slime Workshop	40 (26/14)
21.8.18	Book Club	4
22.8.18	Book Week 2018	24 (19/5)

The Monday afternoon slime workshop to promote science week was a huge success with 40 attending the event after school.

Home Library

Denman Library now deliver library books to customers at Merton Village, Merton Lodge and a lady in her own home convalescing from an illness.

Staff are also liaising with two separate Family Day Care Mums and a craft group and hope to start providing items to these groups in the next scheduled delivery.

Book Week

Jerry's Plains School Kindy, Yr 1 and Yr 2 caught a bus into Denman for their first ever visit to Denman Library at the second session at 10.45 am. There were two teachers and 14 children the second session ran for close to 2 hours.

Community Partnership Team reports:

- Support had been provided to; Upper Hunter Youth Services Management Committee; Drug & Alcohol Health Services and Muswellbrook Child Care Centre , Start Strong Pathway Outreach Program, participation in the Muswellbrook Crime Prevention Meeting as well as the facilitation of the Upper Hunter Community Service Interagency network meeting;
 - 1.
- A partnership meeting was held this month to explore funding opportunities to host a Silent Disco for young people at the Muswellbrook Aquatic Centre later this year. Partners include Muswellbrook PCYC, Upper Hunter Youth Services, Upper Hunter Youth Development Project, Wanaruah Local Aboriginal Land Council and the Crime Prevention Officer with Muswellbrook Police;
 - 2.
- A significant amount of work has occurred around the Aboriginal Oral History Project, a morning tea will be held with the local Aboriginal Community early in September inviting people to lodge their expression of interest to be a part of the digital recording segment of the project;
 - 3.
- A meeting was facilitated between the Muswellbrook & Upper Hunter Community Drug Action Team (CDAT) Muswellbrook Shire Council Sustainability Team and the Noisy Heeler Music Festival Coordinator to progress the inclusion of water fill station at the event. The water fill station will be a partnership between the CDAT and Sustainability Team, both groups will use this as an opportunity to provide education to the community about their relevant messages ie safe use of alcohol and other drugs and environmentally sustainable practices;
 - 4.
- Support was provided to the Early Years Development Network (EYDN) with facilitation of a transition to school information evening for Muswellbrook and surrounds. The evening was well attended with well over (50) families. The evening was well received and the preschool and primary schools to collaboratively develop to provide information to families about school readiness;
 - 5.
- The Community Partnerships Team have engaged a consultant to carry out a hearing loop audit of Council facilities ie Administration Centre, Aquatic and Fitness Centre, Muswellbrook Arts Centre and Muswellbrook and Denman Libraries, the consultant will provide a report with recommendations of how to improve access for people with hearing impairments to Council facilities and services;
 - 6.
- The Muswellbrook Shire Council Aboriginal Reconciliation Committee met this month and discussed the Aboriginal Oral History Project and the widen Creek Aboriginal Artefacts.

Muswellbrook and Denman Aquatic & Fitness Centre Manager reports:

The Denman Aquatic Centre is closed for the winter season although maintenance work has commenced in preparation for the summer season.

Muswellbrook Aquatic and Fitness Centre are operational and have noted:

- Gym attendance has increased over the past month;
- Learn to swim numbers are consistently good for this term given that it is a winter term;
- Aquatic Centre patronage has increased and the both the Aquatic Centre Fitness Centre are busy;
- Maintenance work has also commenced at the Muswellbrook Aquatic Centre in preparation for the coming swimming season

Muswellbrook Aquatic & Fitness Centre August 2017 & 2018

Month	Learn to Swim	Gym Patronage	General Entry	Aqua Aerobics
August 2017	402 Enrolled Term 3 1289 visits	683	3652	85
August 2018	437 Enrolled Term 3 1318 visits	780	4288	121

Muswellbrook Aquatic Centre - Age breakdown of Entry

Turnstile Entry	6-10 years	11-16 years	17- Adults
December	263	249	696
January	402	425	1236
February	225	251	725
March	110	110	541
April	124	117	464
May	53	60	312
June	30	37	247
July	54	46	258
August	41	54	346

SUSTAINABILITY TEAM UPDATE 2017-18

1. **Club To Club** – In 2016 Council received a 3 year \$100,000 Grant to conduct rehabilitation works on Muscle Creek between the Muswellbrook Golf Club and the Muswellbrook District Workers Club. This work improved habitat and connectivity for threatened and endangered species as well as to engage the community and improve their understanding of the importance of the health of riparian ecosystems. Work started in 16/17 was continued in 17/18.
2. **Muscle Creek** – The two 'Muscle Creek Nature Trails' were constructed by multiple contractors and the NSW Soil Conservation Service. These stepping stone creek crossings, which allow users to cross the creek without blocking fish passage, were assisted by grant funding from the NSW DPI Fisheries' Recreational Fishing Trust's "Habitat Action Grant Program".



Before (Feb 2016)



After (May 2018)

3. **Sustainable Futures Program** – For the period January 2017 to May 2018 more than 1,800 community members participated in 80 interactive events under the banner of the Sustainable Futures Program. These events have all been aimed at empowering the community to make sustainable choices to reduce waste, improve water efficiency, grow local food and increase rates of recycling and renewable energy uptake.
4. **Urban Riparian Landcare Master Plan** – A strategic plan has been prepared to provide a framework for future structural riparian stabilization works and natural area restoration activities. This plan also facilitates public access and enjoyment of urban waterways around the township of Muswellbrook. This plan will be submitted to Council shortly for endorsement following a period of external consultation.
5. **Renewable Energy Target** – Council set a 40% Renewable Energy Target at its December meeting in 2014 to be met by 2020. Several projects have been completed and Council has achieved approx. 20% reduction so far. It has been determined that a further 320 MWH per annum are required to meet the target and several options have been explored. A separate council report is being prepared to consider options to achieve the target. As a summary the following graphs show MSC current solar generation and top energy users;

Solar Generation (kw)	16/17	17/18
Muswellbrook Library	55500	58462
Muswellbrook Arts Centre	56208	59163
Denman Library	5454	7906
Denman Sports Centre	7389	4909
Denman STP	7628	66536
Denman WTP	4270	13656
Sandy Hollow WTP	12081	53015
Muswellbrook Admin	53656	60317
Muswellbrook Aquatic Centre	115090	124993

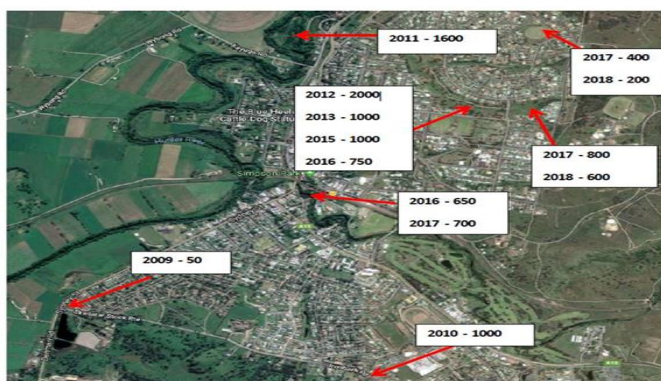
Solar Generation (kw)	16/17	17/18
Muswellbrook Indoor Sports	commissioned 2018	2044 solar and battery system is providing 100% of the facilities needs
Total	317276	451001

6. **Muswellbrook Indoor Sports Centre** - was identified as a pilot project for a carbon neutral building with the possibility of going "off grid". The following projects have been undertaken at the centre to showcase Council's commitment to sustainability:
- A lighting upgrade to reduce electricity consumption by half.
 - Underground water tank has been installed to supply toilets and bathrooms with rain water.
 - A 10 KW Solar System has been installed with three Tesla 3 Powerwall Batteries, providing 100% of the facilities energy needs
 - Most recently with funding assistance from the Federal Government, council has installed ten "Hydropanels" which produce sufficient water from air to supply drinking quality water to the centre for user groups.
 - There has also been extensive tree and shrub planting surrounding the centre to reduce mown areas and offset any remaining carbon.
7. **Administration Centre Lighting** – lighting at the administration centre has been upgraded to energy efficient LED providing a minimum 17% energy saving at this facility.
8. **National Tree Day** – Council supports National Tree Day (NTD) every year (a total of 17,830 trees have been planted since 2009). This year, on the 29th July 2018, more than 100 people volunteered to plant trees in Muswellbrook and Denman. Due to current drought conditions a number of actions aimed at reducing the water use for NTD were introduced:
- A reduction in the number of trees planted.
 - Use of woodchip mulch around the base of the plants.
 - Use of pasteurised mulch from Council's waste facility.
 - Use of water storing crystals in planting holes.

Many community groups and business supported this event including:

- Muswellbrook and Denman Scouts,
- Muswellbrook Junior Cricket Club,
- Planet Ark,
- Glencore and
- Mangoola Mine.

As a separate initiative, the Goodstart Early Learning Centre participated in Schools National Tree Day by planting trees as part of the establishment of a sensory garden being funded by Ability Links. This project will see a talking sign installed near the Karoola Park Dog off leash area.



Muswellbrook – 10,750 trees (since 2009)



Denman – 7,080 trees (since 2010)

9. **Clean Up Australia Day** – Fifty-six volunteers participated in the “clean up” in and around Muswellbrook and Denman with 8.18 tonnes of rubbish being removed from both areas. With the help of Mangoola Coal, JR Richards, AGL Macquarie and Stan Ray Tree Lopping, the volunteers collected 60 bags of rubbish and removed a range of larger items from the environment. JR Richards donated skip bins, AGL staff removed rubbish from the Town Common, Mangoola Coal provided helpers and resources in Denman and Stan Ray donated his time and vehicle. Muswellbrook and Denman scouts provided the lunchtime barbecues.

Other Clean Up Australia Day events took place throughout the week, including Muswellbrook Girl Guides, Muswellbrook High School and Denman Public School who cleaned up around their grounds.

10. **Wood Smoke Reduction Program** – The Sustainability Unit worked closely with the NSW Environment Protection Authority to reduce the pollution caused by wood smoke in our region. Advice is provided to owners of wood heaters on how to use their heaters efficiently. This includes an annual campaign which starts in the lead up to winter and as the weather warms up we offer tips on how to clean and prepare for the next year. A cash incentive of up to \$1500 is offered for home owners to replace their wood heater. Alternatively residents can apply for a \$50 rebate to have the flue of their wood heater professionally cleaned.



Part of the wood smoke reduction program promotion material.

11. **Sustainability Hub** – The first official meeting of at the “Hub” was held in September 2017. In less than a year this space has now grown into a valuable connection point, resource hub and sustainability showcase. The Sustainability Hub is also a place where the community share and learn new ideas. Over 60 events or working bees have now been held at the hub utilising the support of 451 volunteers.



The Sustainability Hub is currently located on Wilkinson Ave.

A key factor of the success of the Sustainability Hub has been the number of community groups actively involved with this space. The Program encourages a collaborative approach and regularly works closely with a number of community and educational groups to achieve a sustainable future. Some of the active groups of the sustainability hub is outlined in the table below.

The table below outlines community group's participation at the Sustainability Hub from September 2017 to July 2018

Group	Participation
Penguin Garden Club	This group meets every 1st and 3rd Sunday of the month and have volunteered over 220 hours with funding and donations from local businesses to support their activities. This group grows local food for local charities and has a composting and worm farm system. The group is featured on the cover of the local 2018 Yellow Pages and received Council's environmental award at the 2018 Australia Day Awards.
Hunter Valley Aboriginal Corporation (HVAC),	This group participates as members of the other groups.
Muswellbrook Girl Guides	This group has volunteered over 130 hours and hold regular events.
Goodstart Learning Centre	This group has volunteered over 50 hours and hold regular events.
Warrior Disability Services	This group has volunteered over 380 hours and conduct weekly activities at the Hub. They work with local businesses and charity groups to run the composting system.
Muscle Creek Landcare	This group has volunteered over 220 hours, which includes establishing a native plant nursery with the propagation of thousands of plants for use by Landcare groups across the Shire, as well as The Penguin Garden Club.
Schools	Muswellbrook Pre School, Brookside Christian School, and Muswellbrook High School. Muswellbrook High School and Brookside Christian School students have successfully completed nursery activities. Muswellbrook High School groups have attended events at the Hub 4 times. There are plans to restart a High School Landcare Group to regular conduct activities at the Hub and along Muscle Creek.

Group	Participation
Muswellbrook Men's Shed.	This group participate in events at the Hub and have constructed a number of items for use in the hub and community groups.
Others and the list is growing:	Denman Childcare Centre, Muswellbrook OSHC, Ability Links, Conservation Volunteers, Denman and Muswellbrook Scouts, Endeavour Group Australia. Plants grown at the Sustainability Hub have been donated to Muswellbrook High School, Goodstart Learning Centre and Denman Children Centre.

12. **Landcare** - Council have continued to support Landcare in the region with the establishment of new Landcare groups and ongoing support of existing groups. The following key outcomes have been achieved;

- a New joint venture with Upper Hunter Shire Council, MSC and Hunter Region Landcare Network for a shared coordinator across both shires working 4 days per week.
- b Radio Interviews, Letter Box Drop, Posters and Flyers conducted to publicise and encourage participation.
- c Landcare groups involved in a wide range of activities conducted throughout the year such as the Martindale Creek Catchment Landcare Group's Green Cestrum Management Program.
- d Full schedule of workshops, networking opportunities and joint venture projects planned for coming year. Such as Saving Our Species grant funded project near Denman and Wybong.
- e A Muscle Creek Landcare Nursery established which is now stocked at near capacity.
- f A number of active Landcare groups or affiliates have been established and or supported by Council such as; (Kayuga, Denman, Martindale, Wybong, McCully's Gap, Sandy Holly, Merriwa, Middlebrook, Murrurundi, Muscle Creek, Muswellbrook High and St Heliers).



Martindale Landcare



Muscle Creek Landcare

13. **Upper Hunter Air Quality Advisory and Air Monitoring** – Council has been represented on the Upper Hunter Advisory committee. Working with the EPA and other agencies to monitor and assess air quality performance and environmental issues for their community. This has included hearing from experts on the health impacts of air pollution, considering community attitudes to wood smoke and reviewing the operation of the air quality monitoring networks.

The Sustainability Unit replaces air cartridges on the air quality monitor located at the water treatment facility each week which is then sent to ANSTO (Australian Nuclear Science Technology Organisation) and forms part of a National Air Quality Database. ANSTO then report back air quality parameters such as Lead, Zinc, Iron and soil. These results are included in any air quality reporting Council is required to do.

14. **Biodiversity Legislative Reform** - The Sustainability Unit has been helping Council staff transition work practices to meet the New Biodiversity Conservation Act and the amendments to the Local Land Services Act that commenced on 25 August 2017.
15. **Sustainable Events Procedure** – The Sustainability Unit has actively pursued the development of a Sustainable Events Procedure to encourage staff who organise Council events to strongly consider sustainability options. This includes reducing waste to landfill, energy and water use. This policy has been accepted by MANEX.
16. **Regional Litter Project** – The Sustainability Unit conducted a waste data analysis as part of the regional litter plan which aligns to the Regional Waste Avoidance & Resource Recovery (WARR) Strategy, and enables a targeted focus on litter avoidance and management activities. This activity provided assistance with the regional collection of baseline waste data.
17. **Water Refill Stations** – The Sustainability Unit have installed three water bottle refill stations in parks in Muswellbrook. It is hoped this will encourage residents to choose Muswellbrook water over purchased, bottled alternatives, as well as reduce single use water bottle waste. These refill stations have a bubbler and a water bottle refill point and unique custom designed panels that promote sustainability messages. The design chosen for the panels involve the Waste Wranglers who engage the user with some activities and fun water facts.



One of three water refill stations installed.

18. **Waste Education Bin Stickers** – The Sustainability Unit has placed 1300 waste education stickers on resident's bins. These stickers allow people to know what waste goes into what bin. A range of stickers for workplaces have also been produced. The Waste Wranglers characters on the stickers are part of a larger education program.
19. **Waste Wranglers Education Program** - This program has been delivered to community members at several community events. Council uses this program to educate younger audiences about reducing waste, increasing recycling rates and reducing littering and illegal dumping.
20. **Procurement Policy** - The Sustainability Unit will continue to make recommendations to Council about ways to improve its sustainability performance.
21. **Community Grants** – The Sustainability Unit has granted \$1000 to six community groups for sustainability projects. The groups involved are Muswellbrook High School, MOOSH, Muswellbrook

Girl Guides, Denman Children Centre, Muswellbrook Preschool and Sandy Hollow Progress Association.

22. **Australian Mini Museum Educational Displays** – The Sustainability Unit hired five “museum in a box” kits from the Australian Museum. These were used to run eight activities at the Muswellbrook Marketplace with over 300 people attending.
23. **Illegal Dumping**– The Sustainability Unit has worked hard to reduce the amount of illegal dumping occurring in the shire. With the assistance of a “Report Illegal Dumping” RID officer on loan from Lake Macquarie a significant number of penalty notices were issued.
24. **Illegal dumping on charities** – The Sustainability Unit has worked with Water and Waste to prepare and implement a grant funded project aimed at reducing illegal dumping at St Vincent De Paul charity locations.
25. **Abandoned Trolleys** – The Sustainability Unit established a system for reporting abandoned trolleys in an effort to reduce the number of trolleys ending up in stormwater drains and our waterways.
26. **Stormwater stencils** - The Sustainability Unit has painted stormwater stencils on gutters around Muswellbrook. This is part of an education campaign to encourage people to think about the consequences of stormwater pollution.



27. **Vegetated islands** – The Sustainability Unit constructed trial vegetated islands on the sewerage treatment ponds in an effort to reduce evaporation.
28. **New Staff Induction** – Sustainability is now included in new staff induction around waste management and other initiatives.
29. **Stormwater management planning** – The Sustainability Unit has conducted a complete audit of stormwater systems impacting Muscle creek and prepared a risk profile for required works.
30. **Monitoring electricity bills** – This has involves highlighting abnormally high power consumption and anomalies. Staffs at identified sites are contacted and can correct any issues that may be causing higher electricity consumption. This monitoring discovered that some sites where power produced were feeding power into the electricity grid without payment, which has now been rectified.
31. **Flying Fox Management** – The Sustainability Unit has completed a Flying Fox Management Plan. An emergency management plan is now in place and in the event of a sudden increase of numbers (over 30,000 in the camp) in the flying fox population the plan will be enacted quickly reducing anxiety and discomfort in residents living near the camp.
32. **Magpie monitoring** - The Sustainability Unit has developed a system for reducing the impacts of magpie attacks by placing warning signs in areas where attacks and swooping occur and advising residents to avoid the area where the attacks are occurring until nesting season is complete.

13 REPORTS FROM COMMITTEES

13.1 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE MEETING HELD ON MONDAY, 20 AUGUST 2018

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Development Assessment Committee held on 20 August 2018.

OFFICER'S RECOMMENDATION

1. The Minutes of the Development Assessment Committee Meeting held on Monday 20 August 2018 be received and the recommendations contained therein ADOPTED.
2. Council delegate to the Development Assessment Committee the determination of any development applications under the *Environmental Planning and Assessment Act 1979* otherwise delegated to the General Manager, which the Development Assessment Committee by resolution elects to determine.

Moved: _____ Seconded: _____

REPORT

The Development Assessment Committee met on Monday 20 August 2018.

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

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr M. Rush (Chair), Cr B. Woodruff and Cr R. Scholes.

IN ATTENDANCE: Ms S. Pope (Executive Manager – Planning, Regulatory & Environmental Services), Mr H. McTaggart (Senior Development Planner) and Mr J. Brown (Acting Manager - Integrated Planning & Governance), Mrs K. Scholes (Acting Manager – Technical Services), Mrs I. Williams (Roads Officer) and Mrs M. Sandell-Hay (PA to the General Manager) .

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Nil

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 DEVELOPMENT ASSESSMENT COMMITTEE FUNCTIONS

A report was submitted to the Committee concerning the functions of the Development Assessment Committee.

RECOMMENDED on the motion of Crs Woodruff and Scholes that:

The Committee note the functions of the Development Assessment Committee.

5.2 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

A report was submitted to the Committee concerning Development Applications that have been received by Council.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

1. The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.
2. The following Development Applications be referred to the Committee for consideration:
 - DA 65/2018 – Dual Occupancy
 - DA 66/2018 – Dual Occupancy
 - DA 67/2018 – Dual Occupancy
 - DA 62/2018 – Two Lot Subdivision
 - DA 47/2018 – Boarding House
 - DA 18/2018 – Water Treatment and Recycling Plant Ancillary to Existing Winery
 - DA108/2017 – Extension to Existing Commercial Building
3. Council consider options to amend the Committee's Delegations to allow the Committee to refer matters in outstanding assessments/determinations to the Committee for

determination.

4. DA 50/2018 – Recreational Facility Infrastructure – Deck be reviewed/discussed with the Manager – Works, Property & Recreation.
5. DA 72/2003 – S4.55(2) Modification – Alter Hours of Operation of Restaurant Drive-Thru be referred to the Economic Development and Community Infrastructure for further input the outcomes to be communicated to the applicant.

Mr McTaggart left the meeting at 4.41pm

5.3 DENMAN PARKING STRATEGY

A report was submitted to the Committee concerning the approved construction of footpath improvements, new parking areas and road upgrades/changes in the Denman Town Centre which will benefit the general community and specific business owners.

RECOMMENDED on the motion of Crs Rush and Scholes that:

Options be prepared for the Committee's consideration at a future meeting on a place based approach to parking rates for new development, the calculation of historic parking deficiencies and the identification of parking credits where landowners participate in the provision of public parking.

6 DATE OF NEXT MEETING

27 August 2018

7 CLOSURE

The meeting was declared closed at 5.09pm.

.....
Cr M. Rush

Chairperson

13.2 REPORT OF THE INFRASTRUCTURE COMMITTEE MEETING HELD ON WEDNESDAY, 29 AUGUST 2018

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Infrastructure Committee held on 29 August 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Infrastructure Committee Meeting held on Wednesday 29 August 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Infrastructure Committee met on Wednesday 29 August 2018.

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

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

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

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director, Community Infrastructure), Ms N. Cowley (Manager, Corporate Services), Ms S. Pope (Executive Manager – Planning, Environment & Regulatory Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Ms N. Cowley (Manager, Corporate Services), Ms S. Pope (Acting Director – Planning, Community and Corporate Services), Mr M. Lysaught (Manager, Property & Building Services), Mr E. Ediriwickrama (Manager, Roads & Drainage), Mr J. Wisniewski (Waste, Reuse, Environment & Operations Manager), Mr A. Mitreski (Policy Officer), Mrs M. Sandell-Hay (PA to General Manager), Miss A. Morris (Acting PA to Mayor)

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Rush and Scholes that:

The apologies for inability to attend the meeting submitted by Cr S. Bailey and Cr J. Ledlin be ACCEPTED and the necessary Leave of Absence be GRANTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Scholes and Ward that:

The Minutes of the Infrastructure Committee held on 25 July 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 WASTE COMPLIANCE REPORT

RECOMMENDED on the motion of Crs Scholes and McNeill that:

The information contained in this report be noted.

5.2 HAZARDOUS AND AMENITY TREE PROGRAMME

RECOMMENDED on the motion of Crs Ward and McNeill that:

Council approve the Amenity Tree Programme.

5.3 APR - JUN 2018 INFRASTRUCTURE REPORT FOR WATER AND WASTEWATER SERVICES

RECOMMENDED on the motion of Crs Scholes and Ward that:

The information contained in the report be noted.

5.4 IMPLEMENTATION OF COMMUNITY INFRASTRUCTURE CONSTRUCTION WASTE MANAGEMENT STRATEGY 2017/18 - 2020/21

RECOMMENDED on the motion of Crs Scholes and McNeill that:

The information contained in this report be noted.

6 ADJOURNMENT INTO CLOSED COMMITTEE

RECOMMENDED on the motion of Crs Green and Scholes that:

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

7.1 Denman Town Centre Upgrade Works

Item 7.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and the Committee considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

7 CLOSED COMMITTEE

Cr Bowditch arrived at 4.41pm

7.1 DENMAN TOWN CENTRE UPGRADE WORKS

RECOMMENDED on the motion of Crs Scholes and Eades that:

Council

1. extend the integrated parking proposal to the landowners from 7 to 35 Ogilvie Street;
2. authorise the General Manager to enter into negotiations with the landowners as outlined in the report;
3. authorise the seal of Council to be affixed in accordance with the regulations to documentation to allow the registration of the easements over the affected land.

8 RESUMPTION OF OPEN COMMITTEE

RECOMMENDED on the motion of Crs Scholes and Bowditch that:

The meeting return to Open Committee.

9 DATE OF NEXT MEETING

26 September 2018

10 CLOSURE

The meeting was declared closed at 4.46 pm.

.....
Fiona Plesman
General Manager

.....
Cr Brett Woodruff
Chairperson

**13.3 REPORT OF THE CORPORATE POLICY AND PLANNING COMMITTEE
MEETING HELD ON WEDNESDAY, 29 AUGUST 2018**

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Corporate Policy And Planning Committee held on 29 August 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 29 August 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Corporate Policy And Planning Committee met on Wednesday 29 August 2018.
The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

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

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director, Community Infrastructure), Ms N. Cowley (Manager, Corporate Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Ms S. Pope (Acting Director – Planning, Community and Corporate Services), Mr M. Lysaught (Manager, Property & Building Services), Mr E. Ediriwickrama (Manager, Roads & Drainage), Mr J. Wisniewski (Waste, Reuse, Environment & Operations Manager), Mr A. Mitreski (Policy Officer), Mrs M. Sandell-Hay (PA to General Manager), Miss A. Morris (Acting PA to Mayor)

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Green and Woodruff that:

The apologies for inability to attend the meeting submitted by Cr S. Bailey and Cr J. Ledlin be ACCEPTED and the necessary Leave of Absence be GRANTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

That the Minutes of the Corporate Policy & Planning Committee held on 25 July 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Cr J. Foy – Declared a non-pecuniary interest in Item 5.2. Cr Foy advised Council that he is participating in the Christmas Spectacular.

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 SPONSORSHIP REQUEST - MUSWELLBROOK AND DISTRICT CAMERA CLUB

RECOMMENDED on the motion of Crs Eades and Rush that:

Council approve the request for a one-off \$1,023 cash contribution, from the sundry donations allocation for the Muswellbrook and District Camera Club.

5.2 SPONSORSHIP REQUEST - CHRISTMAS SPECTACULAR

Disclosure of Interest

Cr Foy declared a non-pecuniary interest in this item. Cr Foy advised that he is participating in the Christmas Spectacular. At 04:48 pm Cr Jason Foy left the meeting room and therefore took no part in discussion or voting on this item.

RECOMMENDED on the motion of Crs Woodruff and Green that:

Council approve sponsorship of \$6,000 for the 2018 Muswellbrook Christmas Spectacular to be allocated from the Sundry Donations budget.

At 04:53 pm Cr Jason Foy returned to the meeting room.

5.3 SPONSORSHIP REQUEST - MUSWELLBROOK RACE CLUB - 2018 MAYOR'S CUP

RECOMMENDED on the motion of Crs Green and Foy that:

Council approve the request from the Muswellbrook Race Club for sponsorship of \$5,000 for the 2018 Mayor's Cup.

That \$5000.00 be set aside in future annual budgets for sponsorship of this event and the Sundry Donations budget correspondingly be reduced by \$5000.00.

5.4 REPORT ON INVESTMENTS HELD AS AT 31 JULY 2018

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

The information showing Council's investments as at 31 July 2018 be noted and the exceeded trading limits on one issuer be accepted.

5.5 2017/2018 OPERATIONAL PLAN 30 JUNE QUARTERLY REVIEW

RECOMMENDED on the motion of Crs Green and McNeill that:

The 2017/2018 Operational Plan Review dated 30 June 2018 be noted.

6 ADJOURNMENT INTO CLOSED COMMITTEE

RECOMMENDED on the motion of Crs Bowditch and Woodruff that:

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

7.1 CIVIC PRECINCT - PURCHASE OF PROPERTY

Item 7.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(ii) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council, and the Committee considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

7 CLOSED COMMITTEE

7.1 CIVIC PRECINCT - PURCHASE OF PROPERTY

RECOMMENDED on the motion of Crs Foy and Bowditch that:

Council proceed with the purchase of the property as identified in the report and recommended funding source.

8 RESUMPTION OF OPEN COMMITTEE

RECOMMENDED on the motion of Crs McNeill and Woodruff that:

The meeting return to Open Committee.

9 DATE OF NEXT MEETING

26 September 2018

10 CLOSURE

The meeting was declared closed at 4.59 pm.

.....

Fiona Plesman

General Manager

.....

Cr R. Scholes

Chairperson

**13.4 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE
MEETING HELD ON MONDAY, 3 SEPTEMBER 2018**

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Development Assessment Committee held on 3 September 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Development Assessment Committee Meeting held on Monday 3 September 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Development Assessment Committee met on Monday 3 September 2018.

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

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr M. Rush (Chair), Cr B. Woodruff and Cr R. Scholes.

IN ATTENDANCE: Mrs C. O'Brien (Director – Planning, Community & Corporate Services), Ms S. Pope (Executive Manager – Planning, Regulatory & Environmental Services), Mr H. McTaggart (Senior Development Planner), Mr J. Brown (Acting Manager – Integrated Planning & Governance), Mrs M. Sandell-Hay (PA to the General Manager) and Miss A. Morris (Acting PA to the Mayor).

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Woodruff and Scholes that:

The Minutes of the Development Assessment Committee held on 20 August 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

General discussion took place on DA 52/2018 following concerns raised by residents with respect to the flow of water through properties in historical rain events.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The meeting be adjourned for five minutes to allow discussions with General Manager to take place.

Meeting resumed at 4:18pm

General discussion took place regarding items noted in the report. Cr Scholes enquired if the description field could possibly contain more information. Mr McTaggart advised that the report generated is standard report from Authority which has a limited number of characters. Hamish is generally aware of all applications received and can elaborate on the description of the proposals at meetings.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

A report be prepared for Council to resolve to prepare amendments to the Muswellbrook Development Control Plan to ensure Council's Rivers and Drainage Channels Policy is called up for consideration in all relevant development matters.

RECOMMENDED on the motion of Crs Rush and Scholes that:

A report concerning DA2018/52 (14 Lorne Street, Muswellbrook) be prepared for the Committee for discussion.

RECOMMENDED on the motion of Crs Rush and Scholes that:

The General Manager arrange for an engineer to be present at the next committee meeting to provide an overview of what Roads and Drainage have planned for drainage structures in the waterway in Lorne Street, Muswellbrook.

6 DATE OF NEXT MEETING

10 September 2018

7 CLOSURE

The meeting was declared closed at 4:36 pm.

.....
Cr Martin Rush

Chair Person

14 NOTICES OF MOTION / RESCISSION

14.1 RENEW OUR LIBRARIES

Attachments: Nil

Responsible Officer: Fiona Plesman - General Manager

Councillor Janelle Eades has indicated her intention to move the following motion at the next Ordinary Meeting of Council, as follows:

MOTION

That Council:

1. endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, Renew Our Libraries.
2. note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.
3. support the ongoing Renew Our Libraries initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
4. support Renew Our Libraries to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
5. authorise the General Manager to make representation to Michael Johnsen MP, State Member for Upper Hunter in relation to the need for ongoing additional funding from the NSW State Government for the provision of public library services.
6. authorise the General Manager to write to the Minister and Shadow Minister for the Arts requesting bipartisan support for the provision of ongoing and indexed increases in state funding for NSW public libraries, supported by a sustainable future funding model.
7. actively participate in leading the campaign locally.
8. endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
9. formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

Moved: _____ **Seconded:** _____

RESPONSE BY GENERAL MANAGER

Whilst Council receives funds from State Government for library service, these have declined over time. In 2015/16, State funding for Public Libraries covered only 7.5% of the total costs of operating the 368 libraries across NSW. The key issues are that:

- NSW public libraries receive the lowest per-capita funding from their State Government compared to all other states in Australia
- NSW councils are currently paying 92.5% of the costs to operate public libraries, up from 77% in 1980

- In 2015-16, NSW Government funding for public libraries was only \$26.5M compared to a contribution of \$341.1M from Local Government. NSW councils are paying 12 times more than the State Government to provide library services to their communities.
- The total funding available through the NSW Public Library Funding Strategy is not indexed to population growth or consumer price index (CPI), thereby contributing to the ongoing attrition of State Government funding.
- The 2018/19 State Budget delivered a 5% cut to current funding and cut access to all infrastructure funding for metropolitan areas
- Physical and virtual visitation, library borrowing and participation in library programs continue to increase year on year.
- Libraries play a major part in supporting the achievement of government literacy targets.
- Libraries provide collections, programs and spaces for marginalised groups including older people, refugee and multicultural communities, and people who are digitally disadvantaged.

In 2011, the NSW State Government committed to comprehensively review the level and allocation of funding for NSW public libraries. The Library Council of NSW worked with the NSW Public Libraries Association and the State Library of NSW to develop an evidence-based submission.

In 2016, then Minister for the Arts Troy Grant undertook to review the matter of State Government funding for NSW libraries at the conclusion of the Fit For the Future program. It is understood that library funding has not been reviewed notwithstanding the commitment.

The NSW Public Libraries Association has partnered with Local Government NSW to establish a library funding advocacy initiative in the lead up to the 2019 NSW State election. The *Renew Our Libraries* strategy is to be rolled out with the aim to restoring and increasing funding and seeks support from NSW councils, their libraries and communities.

The 2017 Local Government NSW Conference endorsed the following motion in relation to libraries:

1. *That Local Government NSW works with the NSW Public Libraries Association (NSWPLA) to develop a strategic partnership to:*
2.
 - a) *increase public awareness of the multiple roles that Local Government Public Libraries play in supporting the educational, social, cultural and economic outcomes in local communities*
 - b) *advocate, in the lead up to the March 2019 State election, for improved State Government funding for Local Government Public Libraries in NSW to enable public libraries to meet the growing needs of our local communities.*

NSW public libraries are governed by the Library Act 1939, a legislative instrument that was initially introduced to ensure the provision and ongoing sustainability of libraries through State Government and Local Government collaboration, and providing up to 50% of the funding required to establish and operate libraries. Since this time local government has increasingly carried the funding burden with the situation deteriorating significantly since the 1980s. As a result, there are examples of attrition in library staffing, opening hours, collections, services and programs in a number of councils across the state.

The 2018-19 NSW State budget abolished the public library grant funding component, which has been a budget inclusion for many years. This component financed a competitive grant project which has part-funded library infrastructure and service projects over many years.

On 24 August 2018 the NSW government announced a \$60 million funding commitment for NSW public libraries. The *Renew Our Libraries* notes this as an important first step in the right direction. Further clarification is needed and further work is required to fix the long-term funding model for NSW public libraries. It is critical that any commitment of extra funding be recurrent, to ensure our public libraries can continue to grow and provide those valued services with certainty well into the future.

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 LAND REQUIRED FOR ROAD PURPOSES THOMPSON STREET NEW ENGLAND HIGHWAY UPGRADE

Item 19.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.2 REPLACEMENT OF LANDFILL WASTE COMPACTOR

Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.3 2017-2018-0233 PROVISION OF PROPERTY AND BUILDING TRADES AND SERVICES - SECOND CALL

Item 19.3 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 9 OCTOBER 2018