



**muswellbrook
shire council**

Muswellbrook Shire Council
ORDINARY COUNCIL MEETING

BUSINESS PAPER
11 DECEMBER 2018



ORDINARY COUNCIL MEETING, 11 DECEMBER 2018

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
7 December, 2018

Councillors,

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

Fiona Plesman
GENERAL MANAGER

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**MUSWELLBROOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING**

AGENDA

TUESDAY 11 DECEMBER 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 **13 November 2018**, and the Extra Ordinary Meeting **held on** 20 November 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

9 BUSINESS ARISING

9.1 QUESTION WITHOUT NOTICE - IMPACTS OF MINING ON LOCAL AREA

Attachments: Nil

Responsible Officer: Fiona Plesman - General Manager

Author: Carolyn O'Brien - Acting Director - Environment & Community Services
Sharon Pope - Assistant Director - Environment & Community Services

PURPOSE

At the Ordinary Council meeting held on 13 November, Cr McNeill referred to a media report regarding the impacts of mining on the local area, where it was implied that ratios of exposed ground were exceeding the consent conditions of some mines. Cr McNeill inquired whether this was true and if so whether there was anything that Council could do to ensure consent conditions are met regarding this matter.

OFFICER'S RECOMMENDATION

Council note the response to the question without notice.

Moved: _____ **Seconded:** _____

Main Section

Each mine submits an annual report which identifies disturbed areas and areas under rehabilitation. For 2017/18 there was approximately 8665 ha of active disturbed area in the Shire.

Each mine approval tends to contain the following condition:

Progressive Rehabilitation

The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.

Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the development.

The Mine Operation Plans (MOPs) identify the areas of Active Disturbance expected on each site. The amount provided in all MOPs is similar to the area of Active Disturbance being reported annually by the mines in their annual reports. Therefore, it is probable that the area of disturbance would be in accordance with 'approvals'. But the research taken to respond to this question without notice has highlighted that the draft MOPs could be more closely scrutinised to ensure that all reasonable steps are being undertaken to minimise exposed and disturbed areas.

The EPA is responsible for ensuring that mine conditions are met.

Council;

- 1) Reviews consent conditions when MOPs are modified.

-
- 2) Council records complaints from local residents regarding visible dust emissions and then forwarding these complaints to the Environment Protection Authority for investigation. This has previously resulted in enforcement by the EPA with associated fines on the relevant mine(s).
- 2) Council's independent dust monitoring station acts as an independent air quality station outside the Air Quality Network of stations. Based on the Australian 24 hour National Environment Protection Measures (NEPM) guideline of 25µg/m³ there were no exceedances recorded at this site in the last twelve months. However, there have been many consistently high recordings. The Aerosol Sampling Program (ASP) conducted on this site determined that the annual average composition of fine suspended particulates with diameters less than PM_{2.5} comprised approximately 21% ammonium sulphate, 17% organics, 12% windblown soil, 13% black carbon and 13% salt. The remainder was made up of nitrates, water vapour and trace elements such as potassium, iron, zinc and lead.
- 3) Muswellbrook Shire Council has representation on the Upper Hunter Air Quality Committee, which was formed in 2010 to assist in the development on the Upper Hunter Air Quality Network which now comprises 14 Air Quality Measurement stations. According to the EPA, for the period 1 June to 31 August the air quality was generally good to fair with the following results *across the 14 stations*;
- Levels of nitrogen dioxide (NO₂) and sulphur dioxide (SO₂) were below benchmark concentrations.
 - During winter the daily average levels of fine particulate matter PM_{2.5} were occasionally above the 25µg/m³ (micrograms per cubic meter of air) and whilst the EPA argue that this is related to wood smoke emissions Council staff are suggesting other causal sources might also result in this reading. This has recently been raised at the Upper Hunter Air Quality Committee meeting.
 - Daily average levels of PM₁₀ were above the 50µg/m³ benchmark on 29 days (July 6,15-20, 22-29, 31 July and 1-2, 4-6, 11,15-19.,23 and 29 August) This represents an increase of 19 days above the benchmark compared to winter 2017. On these days of exceedance the maximum PM₁₀ levels ranged from 50.5 to 94.1µg/m³.
 - There were no exceedances of PM₁₀ at Aberdeen and Jerry's Plains monitoring stations.
 - There were 19 exceedances of PM₁₀ at Camberwell.
 - The Dust Watch report for July 2018 mentions the highest dust on record for July since 2005.
 - The region was impacted by long-range and local dust from 18 to 20 July.
 - On 2 August, elevated dust levels occurred at Muswellbrook in the early morning under light west to southwest winds. There is no clear source for this event.

Further actions completed by Council occur during modification periods for mines, to ensure that best practice air quality management is considered and implemented to improve older consent conditions.

Council could in future, include discussions/requirements from Council or other agencies for the area of Active Disturbance to be reduced from that identified in the draft MOP.

10 ENVIRONMENTAL SERVICES

10.1 DA 76/2018 - KORDIA SOLUTIONS AUSTRALIA - INSTALLATION OF NEW TELECOMMUNICATIONS FACILITY

Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Libby Cumming - Strategic Planner
Community Plan Issue:	<i>Diversify the economy, facilitate the development of intensive agriculture and other growth industries, make the Shire a more attractive place to invest and do business</i>
Community Plan Goal:	<i>Facilitate the diversification of the Shire's economy and support growth of existing industry and business enterprise.</i>
Community Plan Strategy:	<i>Apply strategic planning and development assessment planning advice to support Council's economic diversification goals.</i>
Attachments:	A. Proposed Conditions of Consent B. Assessment Report C. Statement of Environmental Effects D. Submissions E. Applicant Response to Submissions

APPLICATION DETAILS

Applicant:	Kordia Solutions Australia
Owner:	Muswellbrook Shire Council
Proposal:	Installation of New Telecommunications Facility
Location:	Lot 18 DP 1075238, known as Victoria Park, Muswellbrook
Permissibility:	The proposed development is not permissible as telecommunications facility within the RE1 Public Recreation Zone. The proposed development is permissible under State Environmental Planning Policy (Infrastructure) 2007.
Recommendation:	Approval

RECOMMENDATION

Development Application No. 76/2018 proposing telecommunications facility at Lot 18 DP 1075238, Victoria Park, Hill Street, Muswellbrook be approved subject the conditions in Appendix A to the report.

Moved: _____ Seconded: _____

☐ Cr J. Ledlin

☐ Cr S. Bailey

☐ Cr G. McNeill

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

Aerial Photograph Identifying Development Site



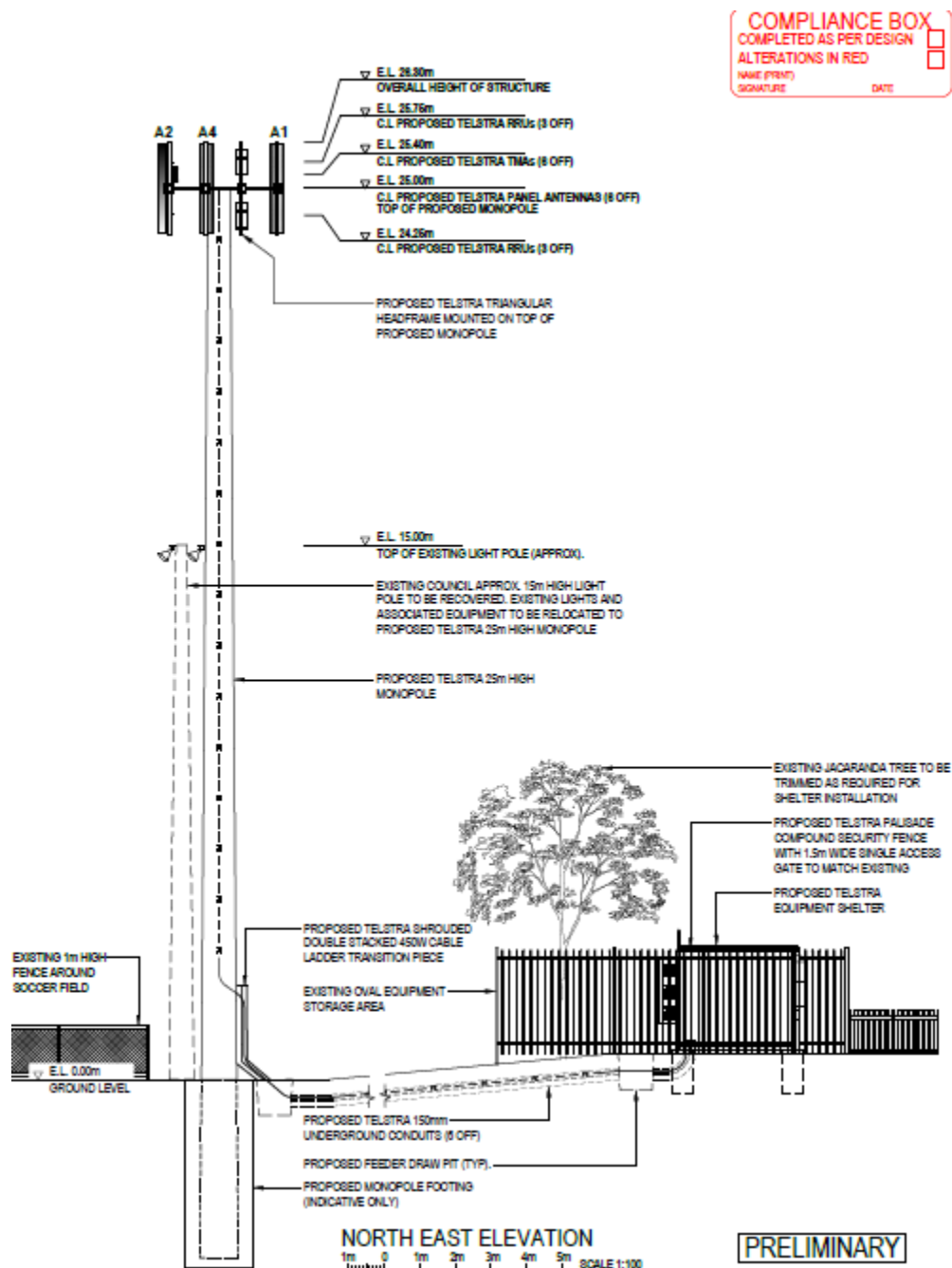
ISSUES SUMMARY

1. Suitability of location of telecommunication facility.
2. Twelve submissions of objections.

REPORT

Background

Kordia Solutions Australia, on behalf of Telstra, are seeking development consent for a new telecommunications facility at the subject site. The proposal will encompass two key components, the installation of a new 25m monopole with a triangular headframe mounted on top and the recovery of the existing 15m light pole with the existing light and associated equipment to be relocated on the new 25m monopole at the 15m centreline. The total height of the proposed telecommunications facility is 26.3m above ground level. An equipment shelter with dimensions of 3.15m (L) x 2.38m (W) will be installed adjacent to the existing sportsground amenities building within a 6.5m (L) x 4m (W) lease area. Six new conduits will be installed underground which will run approximately 20m from the structure location to the equipment shelter.



Site Description

The proposed development relates to Lot 18 DP 1075238, known as Victoria Park, Hill Street Muswellbrook. Victoria Park is a sportsground which is bounded by Hill, Greg, Bowman and Cook Streets. The sportsground contains two sporting fields, and amenity buildings. The site is bounded by a Cemetery to the east and residential development on the remaining sides.

Internal Consultation

Nil

External Consultation

NSW Subsidence Advisory – Approval received 29 November 2018

Assessment Issues

All heads of consideration detailed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979), as amended, have been taken into consideration in the assessment of this Application, and is provided in Attachment B.

Submission

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 3 September 2018 until 20 September 2018. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

Twelve submissions were received during the notification period. The issues raised in the submissions are summarised below.

Issue Raised	Planning Comment
Health – Radiation Emissions - High Frequency Radio Waves – Electromagnetic Energy	All emissions are to Australian Health standards. Further, the Infrastructure SEPP required that a condition be placed any approval stating that prior to construction the certifying authority receive: <ul style="list-style-type: none"> a) a report in the format required by the Australian Radiation Protection and Nuclear Safety Agency that shows the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and b) a report showing compliance with the Mobile Phone Base Station Code.
Visual	The visual impact will be minimal. The tower will replace a lighting structure which will reduce proliferation, and it has been designed to have minimal impact. The colour will blend with the transmitter station being coloured similarly to that of the existing infrastructure within the sporting field complex.
Decrease in Property Value of Surrounding Residential Properties	Property devaluation is not a planning consideration under the Environmental Planning & Assessment Act. This assessment can only consider those factors which relate to this Act.
Suitability of Site	The sporting field is not considered to be a sensitive location. Sensitive locations are schools, hospitals and aged care facilities. The sporting field option will give the best community phone coverage and represents a buffer between the tower and the neighbouring residents with the closest dwelling being approximately 80 metres away.
Flight Path Obstacle	The height of the tower is not considered to be a flight path obstacle.
Fire Risk	The facility is to be constructed in accordance with the Building Code of Australia and is built to a standard which is considered to have minimal fire risk. This also takes into account the nature of the construction materials used. Fire risk is considered to be minimal, and less than a residential dwelling.

The Suitability of the Site for Development

Carriers and mobile phone network operators have an obligation under the Industry Deployment Code (C564:2011) to utilise and upgrade existing infrastructure as opposed to developing new sites. Kordia

Australia have advised this was unachievable due to constraints with 5 alternative sites investigated. None of these site either met the required coverage or were opposed by the landowner. Victoria Park was chosen as it met the coverage upgrade requirements and had minimal environmental impact.

The applicant advises:

- *The proposed site location is appropriately situated amongst high-bearing existing light pole structures and will dissolve within the context ;*
- *The availability of viable connections to the power and transmission networks in the area;*
- *Visual impact – it is believed that the proposed site location will not result in the loss of amenity or the obstruction of viewing corridors to and from the proposed site;*
- *The proposed site entails a substantial amount of natural vegetation screening surrounding the site location;*
- *Town planning considerations (such as zoning, surrounding land uses, environmental significance, compliance with the planning scheme and visual impact);*
- *The proposed pole swap out will result in minimal adverse impacts as a result of construction. Construction will be undertaken during low traffic periods and be coordinated appropriately with council;*
- *Existing driveway access and carpark to site will negate any impacts to traffic flow during the construction phase;*
- *The location will offer a cost effective site solution whilst maximising coverage and mobile phone service provisions within the identified locality; and*
- *Tenure – obtaining an agreement with the land owner of the subject site provides surety in determining the location of a mobile phone base station. An agreement has been determined with the subject land owner and Telstra.*

It is considered that the development is suitable for the site characteristics, subject to consent conditions.

The Public Interest

The proposed development is unlikely to have any adverse environmental impacts. Accordingly, the proposed development is considered to be generally in accordance with the public interest.

Options

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 1979*. This assessment recommends the approval of the development application subject to the conditions contained in Attachment B.

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.

Conclusion:

The application has been assessed in accordance with the relevant legislation, being State Environmental Planning Policy (Infrastructure) 2007. The application has also been placed on public exhibition for a minimum of fourteen days with 12 submissions being received.

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

Disclosure of Political Donations and Gifts:

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

SOCIAL IMPLICATIONS

The provision of improved mobile phone coverage and capacity in the Muswellbrook locality is generally considered desirable by the community.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

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

LEGAL IMPLICATIONS

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

OPERATIONAL PLAN IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

DA 76/2018 – Lot 18 DP 1075238 – Victoria Park, Hill Street, Muswellbrook

DETAILS OF CONDITIONS:

IDENTIFICATION OF APPROVED PLANS

- (1) 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
N110525 SHT S1	NA	Kordia	12.4.2018	27.8.2018
N110525 SHT S3	NA	Kordia	12.4.2018	27.8.2018

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

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

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT

- (4) A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:
- could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - could cause damage to adjoining lands by falling objects, or
 - involve the enclosure of a public place or part of a public place.
- (5) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
- Each toilet must:
- be a standard flushing toilet connected to a public sewer, or
 - have an on-site effluent disposal system approved under *the Local Government Act 1993*, or
 - be a temporary chemical closet approved under the *Local Government Act 1993*.
- (6) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (7) All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.
- (8) The principal certifying authority must be given:
- a report in the format required by the Australian Radiation Protection and Nuclear Safety Agency that shows the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian

- Communications and Media Authority and the Electromagnetic Radiation Standard,
and
- b) a report showing compliance with the Mobile Phone Base Station Code.
- (9) The antennas:
- a) the antenna must not be more than 2.8 metres long, and
- b) must be painted a neutral colour such as grey
- (10) The substation is to be constructed from a grey non reflective material, with the fencing to be the same material, colour and height as the adjoining soccer storage compound.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

- (11) (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 5.00pm
- ii. on a Saturday—8.00am to 1.00pm
- (b) Building construction must not be carried out on a Sunday or a public holidays.
- (c) Demolition works and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.
- (d) The builder and excavator must display, on-site, their 24 hour contact telephone numbers, which are to be clearly visible and legible from any public place adjoining the site.
- (12) The demolition of the existing light pole must be carried out in accordance with Australian Standard AS 2601—2001, The demolition of structures.
- (13) Erosion and sediment controls must be effectively maintained until the site has been stabilised and landscaped.
- (14) Dirt, sand and other materials relating to the construction or other work comprised in the development and loaded on to any vehicles entering or leaving the site must be covered.
- (15) All vehicles, before leaving the site, must be cleaned of dirt, sand or other materials that have adhered during that construction or other work and could be tracked onto public roads.
- (16) Building, or demolition, materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (17) The work site must be left clear of waste and debris at the completion of the works.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO OCCUPATION

- (18) The tower and support is not to be used or occupied until a final inspection has been carried out.

DEVELOPMENT ASSESSMENT REPORT

APPLICATION SUMMARY

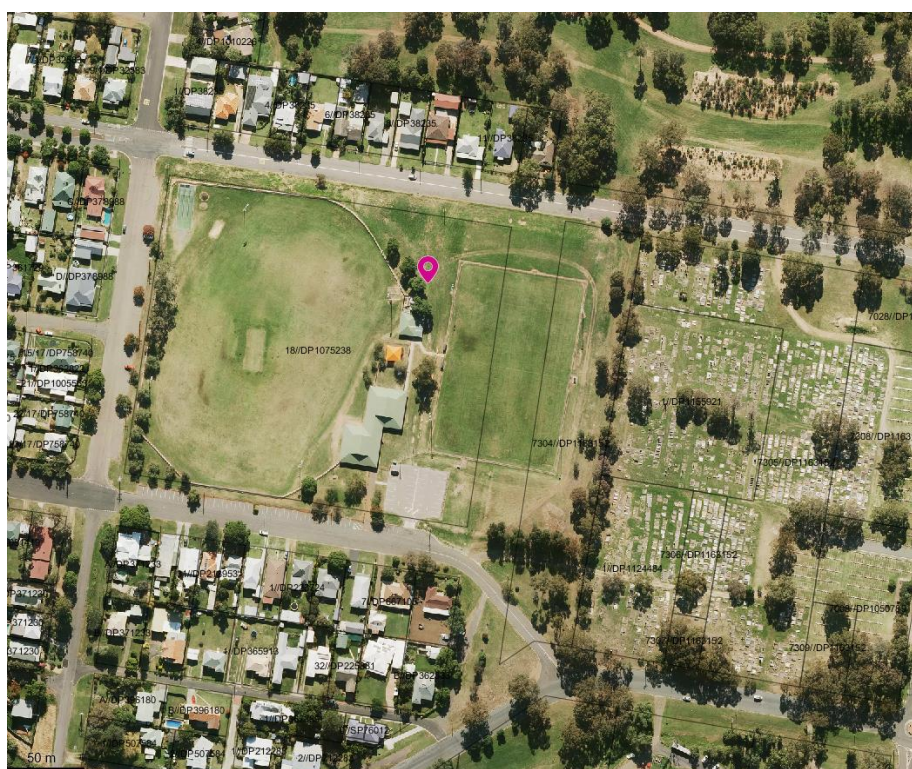
<i>Application Number</i>	<i>Applicant</i>	<i>Owner</i>
DA 76/2018	Kordia Solutions Australia Unit 1D 400 Nudgee Road HENDRA QLD 4011	Muswellbrook Shire Council
<i>Date Lodged</i>		
27.8.2018		
<i>Address:</i>	Victoria Park, Hill Street, Muswellbrook	
<i>Title:</i>	Lot 18 DP 1075238	
<i>Proposal:</i>	Installation of a New Telecommunication Facility	
<i>Political Gift & Donation Disclosure:</i>	No disclosure of a political donation or gift has been made in relation to this application.	
KEY CONSIDERATIONS		
1. Suitability of location of telecommunication facility. 2. Twelve submissions of objections. 3. Response from applicant to submissions.		
RECOMMENDATION		
That the application be approved subject to conditions.		

1. SITE AND LOCALITY DESCRIPTION

The proposed development relates to Lot 18 DP 1075238, known as Victoria Park, Hill Street Muswellbrook. Victoria Park is a sportsground which is bounded by Hill, Greg, Bowman and Cook Streets. The sportsground contains two sporting fields, and amenity buildings. The site is bounded by a Cemetery to the east and residential development on the remaining sides.

The most recent development application on the site was for a canteen (DA10193/1996).

An aerial image of the property has been included.



2. DESCRIPTION OF PROPOSAL

The development will replace an existing 15m light pole situated on the soccer field segment within Victoria Park and is adjoining the Cricket Oval to the west and Muswellbrook Cemetery to the east. The development will consist of the following:

- Excavation of site footings and the provision of fencing;
- The swap-out of the existing 15m light pole structure for a new 25m monopole with a triangular headframe;
- The relocation of the existing lighting and associated equipment on the new 25m monopole at an elevation of 15m;
- The installation of six (6) new panel antennas mounted on the aforementioned triangular headframe at an elevation of 25m;
- The installation of six (6) new Tower Mounted Amplifiers (TMAs) mounted on the aforementioned triangular headframe at an elevation of 25.4m;
- The installation of six (6) new Radio Remote Units (RRUs) mounted on the aforementioned triangular headframe at an elevation of 24.25m and 25.75m;
- The installation of six (6) of 150mm wide conduits to run underground for approx. 20m
- The installation of a 3.15m (L) x 2.38m (W) equipment shelter within the proposed lease area;
- The installation of a palisade compound security fence surrounding the proposed lease area (6.5m x 4m) with 1.5m wide single access gate;
- The installation of associated ancillary equipment including transceivers, amplifiers, antenna mounts, cable trays, feeders, cabling, combiners, diplexers, splitters, couplers, jumpers, filters, electrical equipment, handrails, kick plates, signage, bollards and other associated equipment; and
- Colour-matching the proposed telecommunication equipment to match surrounding background and facade where appropriate or as advised by council, otherwise painted in standard factory colour ('Shale Grey')

3. REFERRALS

The application was referred to:

<i>Internal</i>					
<i>Department</i>	<i>Required</i>		<i>Responded</i>		<i>Comment</i>
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
<i>Building</i>		x			
<i>Environmental Health</i>		x			
<i>Heritage Advisor</i>		x			
<i>Water & Waste</i>		x			
<i>Community Infrastructure</i>		x			
<i>Strategic Planning</i>		x			
<i>Community & Cultural Services</i>		x			
<i>Traffic Committee</i>		x			
<i>Other</i>		x			

External

Agency	Required		Responded		Comment
	Yes	No	Yes	No	
Roads and Maritime Services		x			
NSW Rural Fire Service		x			
Office of Environment & Heritage		x			
Department of Primary Industries - Lands		x			
Department of Primary Industries - Water		x			
NSW Police		x			
Environment Protection Authority		x			
Local Land Services		x			
NSW Heritage Office		x			
Mine Subsidence Board	x		x		Approval received. – 29.11.2018
Department of Planning and Environment		x			
Department of Community Services		x			

4. ASSESSMENT

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

SECTION 4.15 MATTERS FOR CONSIDERATION**Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument (EPI)**

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

1. State Environmental Planning Policies

All State Environmental Planning Policies which apply to the land as per the NSW Planning Portal are considered below.

State Environmental Planning Policy	Applicable		Compliance		Comment
	Yes	No	Yes	No	
SEPP (Affordable Renting Housing) 2009		x			
SEPP (Building Sustainability Index: BASIX) 2004		x			
SEPP (Exempt and Complying Development Codes) 2008		x			
SEPP (Housing for Seniors or People with Disability) 2004		x			

State Environmental Planning Policy	Applicable		Compliance		Comment
	Yes	No	Yes	No	
SEPP (Infrastructure) 2007	x		x		It is considered that the proposed telecommunications facility is consistent with this SEPP, refer to the table below for detailed discussion.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007		x			
SEPP (Miscellaneous Consent Provisions) 2007		x			
SEPP 1 – Development Standards		x			
SEPP 21 - Caravan Parks		x			
SEPP 30 - Intensive Agriculture		x			
SEPP 33 - Hazardous and Offensive Development		x			
SEPP 36 - Manufactured Home Estates		x			
SEPP 44 - Koala Habitat Protection	x		x		There is no koala habitat neither is there potential koala habitat on the land, therefore a Koala Plan of Management is not required.
SEPP 50 – Canal Estate Development		x			
SEPP 55 - Remediation of Land	x		x		A preliminary inspection of the property did not identify any visible contamination and it is considered unlikely that any potential contamination would impact on the sporting fields or the proposed telecommunications facility.
SEPP 62 - Sustainable Aquaculture		x			
SEPP 64 - Advertising and Signage		x			
SEPP 65 - Design Quality of Residential Flat Development		x			
SEPP (Vegetation in Non-Rural Areas) 2017	x		x		Applies to all clearing of native vegetation that exceeds the offset thresholds in urban areas and environmental conservation zones. There is no clearing of native vegetation in this instance

SEPP (Infrastructure) 2007

Clause	Comment
113 Definitions	<p>telecommunications facility means:</p> <p>(a) any part of the infrastructure of a telecommunications network, or</p> <p>(b) any line, cable, optical fibre, fibre access node, interconnect point, equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or</p>

(c) any other thing used in or in connection with a telecommunications network.

The proposal meets this definition

114 Development permitted without consent

Not Applicable

114A Development permitted without consent – submarine cables

Not Applicable

115 Development permitted with consent

Applicable – The development becomes permissible development in any zone subject to Council consent. – Clause 115(1)

In regards to site selection, the applicant indicates that the site meets the selection criteria stipulated within the *NSW Telecommunications Facilities Guideline including Broadband (July 2010)*. Below is a table as supplied by the applicant addressing each principle. – Clause 115(3)

Extract from Statement of Environmental Effects

Principle 1 – A Telecommunications Facility should be sited in order to minimize visual impact:	
Principle, as outlined:	Response:
<i>(a) As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure.</i>	The proposal entails a replacement of an existing light pole with a new, higher structure, to accommodate the telecommunications equipment.
<i>(b) The visual impact of telecommunications facilities should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical dimensions (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.</i>	<p>The proposed structure is positioned amongst existing high bearing light pole structures to ensure minimal visual impact on the surrounding environs. The site is situated in an open space area and it is considered that the proposal will not impact on the overall landscape vista encompassed by the location. It is also believed the proposal will dissolve into the façade of the sportsground land uses, negating any potential visual impacts.</p> <p>It is considered that the proposed facility is appropriately located in the setting considering and will be partially screened by existing vegetation, reducing any adverse visual impacts for surrounding land users</p>
<i>(c) Where telecommunications facilities protrude from a building or structure and are predominantly backgrounded against the sky, the facility and their support mounts should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.</i>	<p>The proposed equipment shelter is situated in amongst a collection of trees and other landscaping vegetation and adjacent to an existing amenities building, which will obscure the ancillary facilities (including fencing) from nearby viewpoints.</p> <p>Additionally, it will be finished with neutral colouring to flush into the background of the surrounding land uses</p>
<i>(e) A telecommunications facility should be located and designed to respond appropriately to its rural landscape setting.</i>	Not applicable. The site is not located in a rural setting.
<i>(f) A telecommunications facility located on, or adjacent to, a State or local heritage item or within a heritage conservation area, should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage item or conservation area.</i>	Not applicable. The site is not located on or adjacent to a heritage item and/or heritage conservation area.

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<i>(g) A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.</i>	<p>The proposal will not obstruct any significant views, vistas, heritage items, landmarks, panoramas or generate any negative impacts on the surrounding streetscape.</p> <p>The site is partially screened by natural vegetation which will repeal any adverse visual impacts from surrounding views.</p> <p>Further information in relation to visual impacts is detailed within Section 5.1 of this report.</p>
<i>(h) The relevant local government authority must be consulted where the pruning, lopping, or removal of any tree or other vegetation would contravene a Tree Preservation Order applying to the land or where a permit or development consent is required.</i>	The proposal requires light trimming of an existing Jacaranda Tree to facilitate the installation of the new equipment shelter. These trimming activities will not contravene any tree preservation orders or have any ramifications to any protected vegetation.
<i>(i) A telecommunications facility that is no longer required is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed.</i>	The existing 15m light pole will be removed and the site will be restored to match its surrounding landscape.
<i>(k) The siting and design of telecommunications facilities should be in accordance with any relevant Industry Design Guides.</i>	The siting and design of the proposed telecommunications facility is entirely compliant with the New South Wales Telecommunications Facility Guideline, as released by the NSW Department of Planning and Infrastructure
Principle 2 – Telecommunications facilities should be co-located wherever possible	
Principle, as outlined:	Response:
<i>(a) Telecommunications lines are to be located, as far as practical, underground or within an existing underground conduit or duct.</i>	All proposed conduit will be installed underground.
<i>(b) Overhead lines, antennas and ancillary telecommunications facilities should, where practical, be collocated or attached to existing structures such as buildings, public utility structures, poles, towers or other radiocommunications equipment to minimise the proliferation of telecommunication facilities and unnecessary clutter.</i>	The subject facility will situated on a swapped out light pole structure in order to reduce unnecessary clutter.
<i>(c) Towers may be extended for the purposes of co-location.</i>	Not applicable. The proposal does not require an extension of an existing structure but rather the replacement.
<i>(d) The extension of an existing tower must be considered as a practical co-location solution prior to building new towers.</i>	Not applicable. The proposal does not require an extension of an existing structure but rather the replacement.
<i>(e) If a facility is proposed not to be co-located the proponent must demonstrate that co-location is not practicable.</i>	There are no viable co-location opportunities within the surrounding locale as demonstrated within Section 1.2 of this report.
<i>(f) If the development is for a co-location purpose, then any new telecommunications facility must be designed, installed and operated so that the resultant cumulative levels of radio frequency emissions of the collocated telecommunications facilities are within the maximum human exposure levels set out in the Radiation Protection Standard.</i>	Not Applicable. The proposed site does not involve a co-location on an existing telecommunications facility
Principle 3 – Health standards for exposure to radio emissions will be met	
Principle, as outlined:	Response:
<i>(a) A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with Radiation Protection Standard.</i>	<p>It is the legal obligation for any carrier to ensure that any telecommunications equipment is operated within the human exposure limits within the Radio Protection Standard.</p> <p>The maximum human exposure levels have been calculated to be 1.046% of the public exposure limit. Refer to Appendix B for the complete EME Environmental Report</p>
<i>(b) An EME Environmental Report shall be produced</i>	An EME Environmental Report has been included within

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<p>by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications. The Report is to be in the format required by the Australian Radiation Protection Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code.</p>	<p>Appendix B of this document. The EME Environmental Report is in accordance with the format prescribed by Australian Radiation Protection Nuclear Safety Agency.</p> <p>Additionally, the EME Environmental Report is a publically accessible document which can be retrieved from: http://www.rfnsa.com.au/2333021</p>
Principle 4 – Minimize disturbance and risk and maximize compliance	
Principle, as outlined:	Response:
<p>(a) The siting and height of any telecommunications facility must comply with any relevant site and height requirements specified by the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.</p>	<p>The proposal is compliant with the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996.</p> <p>The proposal does not penetrate any Obstacle Limitation Surface.</p>
<p>(b) The telecommunications facility is not to cause adverse radio frequency interference with any airport, port or Commonwealth Defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.</p>	<p>The proposed equipment at the subject site is licensed as per ACMA regulations. As a result, there is to be no interference with other civil and military communications facilities.</p>
<p>(c) The telecommunications facility and ancillary facilities are to be carried out in accordance with the applicable specifications (if any) of the manufacturers for the installation of such equipment.</p>	<p>The proposed equipment is to be installed as per the manufacturer's specifications.</p>
<p>(d) The telecommunications facility is not to affect the structural integrity of any building on which it is erected.</p>	<p>Not applicable. Proposal is a standalone structure</p>
<p>(e) The telecommunications facility is to be erected wholly within the boundaries of a property where the landowner has agreed to the facility being located on the land.</p>	<p>The site is to be located within the boundaries of Victoria Park and will not encroach on surrounding property boundaries.</p>
<p>(f) The carrying out of construction of the telecommunications facilities must be in accordance with all relevant regulations of the Blue Book – 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004), or its replacement.</p>	<p>The construction of the proposal will adhere to and comply with the regulations set out within the Blue Book – 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004).</p>
<p>(g) Obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction are to be mitigated.</p>	<p>The site will be fenced during construction.</p>
<p>(h) Where practical, work is to be carried out during times that cause minimum disruption to adjoining properties and public access. Hours of work are to be restricted to between 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.</p>	<p>Construction works will be conducted between 7.00am and 5.00pm, Mondays to Saturdays or as per the recommended hours stipulated by Council. Consultation with council will be undertaken throughout the construction process.</p>

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<i>(i) Traffic control measures are to be taken during construction in accordance with Australian Standard S1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads.</i>	Any required traffic control will be conducted in accordance with the relevant Australian Standard S 1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads
<i>(j) Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.</i>	Open trenching for the installation of underground power and fibre will be executed in compliance with the Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.
<i>(k) Disturbance to flora and fauna should be minimised and the land is to be restored to a condition that is similar to its condition before the work was carried out.</i>	Not applicable. The proposal will not impact any significant flora or fauna.
<i>(l) The likelihood of impacting on threatened species and communities should be identified in consultation with relevant state or local government authorities and disturbance to identified species and communities avoided wherever possible.</i>	An EPBC Act Protected Matters Report was obtained for the subject site and the proposal will not impact on any of the threatened species identified within the report. A copy of this report is attached in Appendix D.
<i>(m) The likelihood of harming an Aboriginal Place and / or Aboriginal object should be identified. Approvals from the Department of Environment, Climate Change and Water (DECCW) must be obtained where impact is likely, or Aboriginal objects are found.</i>	Not Applicable. No items or areas of Aboriginal significance were identified on the proposed allotment. Refer to Appendix E for Aboriginal Heritage Information (AHIMS) report
<i>(n) Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunications carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.</i>	Not applicable. The proposal will not impede on any street furniture, paving or other existing facilities.

116 Exempt development

Not Applicable

116A Complying Development

Not Complying Development

116B Complying Development – additional conditions

Not Applicable

116C Relationship of this Division with Telecommunications Act 1997 of Commonwealth

Compliant

116D Application of amendments made by SEPP (Infrastructure) Amendment (Telecommunications Facilities) 2010Complaint – This assessment does take the *NSW Telecommunications Facilities Guideline including Broadband (July 2010)* as per Clause 115(3).**Comment**

This development is clearly compliant with the provisions of State Environmental Planning Policy (Infrastructure) 2007 which overrides the provisions of the Muswellbrook Local Environmental Plan 2009.

2. Muswellbrook Local Environmental Plan 2009 (MLEP 2009)**Land Use Zone and Permitted Land Use**

The development site is zoned RE1 Public Recreation pursuant to MLEP 2009. The proposal is best defined as a telecommunications facility, which is prohibited in the RE1 Zone. This application is requesting consent under Clauses 113 and 115 of State Environmental Planning Policy (Infrastructure) 2007.

Zone Objectives – RE1 Public Recreation

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To encourage the development of public open spaces in a way that addresses the community's diverse recreation needs.
- To identify land that is suitable for future public recreation use and that can be brought into public ownership as a consequence of development contributions.
- To provide linked open space for ecosystem continuity, local community recreation, off-road transport and waterway protection.
- To provide space for integrated stormwater treatment devices for flow and water quality management, whilst enhancing urban and rural amenity.

It is considered that the development proposal would not hinder use of the site for recreation purposes.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

Part 1 Preliminary					
Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	
1.1 Name of Plan		x			Muswellbrook LEP 2009
1.1AA Commencement		x			17 April 2009
1.2 Aims of Plan	x		x		This development contributes to the intent of the aims based on the community benefit through a improvement of existing infrastructure provision.
1.3 Land to which Plan applies		x			Muswellbrook LGA
1.4 Definitions	x		X		telecommunications facility means: a) any part of the infrastructure of a telecommunications network, or b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or c) (c) any other thing used in or in connection with a telecommunications network.
1.5 Notes		x			
1.6 Consent authority		x			Muswellbrook Shire Council
1.7 Maps		x			
1.8 Repeal of planning instruments applying to land		x			
1.8A Savings provision relating to pending development applications		x			
1.9 Application of SEPPs		x			
1.9A Suspension of covenants, agreements and instruments		x			

Part 2 Permitted or prohibited development

Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	
2.1 Land use zones	x			x	RE1 Public Recreation
2.2 Zoning of land to which Plan applies	x			x	RE1 Public Recreation
2.3 Zone objectives and Land Use Table	x			x	The development does not address or meet the objectives of the zone.
2.4 Unzoned land		x			Not applicable
2.5 Additional permitted uses for particular land		x			
2.6 Subdivision—consent requirements		x			
2.7 Demolition requires development consent		x			
2.8 Temporary use of land		x			

Part 3 Exempt and complying development

Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	
3.1 Exempt development		x			
3.2 Complying development		x			
3.3 Environmentally sensitive areas excluded		x			

Part 4 Principal development standards

Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	
4.1 Minimum subdivision lot size		x			
4.1AA Minimum subdivision lot size for community title schemes		x			
4.2 Rural subdivision		x			
4.3 Height of buildings	x			x	MLEP 2009 sets a maximum building height of 12m in relation to the land. The final height of the tower will be 26.30m, which is 11.3m higher than the existing light which will be replaced by the tower structure. The visual impact of the structure is addressed within reports lodged in support of the development proposal. The site is partially screened by natural vegetation which will lessen the visual impact.
4.4 Floor space ratio	x		x		MLEP 2009 specifies a floor space ratio of 0.5 in

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					relation to the land. The proposal does not involve building works that would result in floor space culmination of all buildings onsite to be greater than 50% of the site.
4.5 Calculation of floor space ratio and site area		x			
4.6 Exceptions to development standards		x			

Part 5 Miscellaneous provisions

Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	
5.1 Relevant acquisition authority		x			
5.2 Classification and reclassification of public land		x			
5.3 Development near zone boundaries		x			
5.4 Controls relating to miscellaneous permissible uses		x			
5.5 Development within the coastal zone	Repealed				
5.6 Architectural roof features		x			
5.7 Development below mean high water mark		x			
5.8 Conversion of fire alarms		x			
5.9 Preservation of trees or vegetation	Repealed				
5.9AA Trees or vegetation not prescribed by development control plan	Repealed				
5.10 Heritage conservation	x		x		AHIMS report provided with no aboriginal heritage found within or within 50 metres of the property boundary. The property is not a listed item nor is it within a conservation area. It is not considered to impact on the heritage nature of any adjoining sites or conservation zones.
5.11 Bush fire hazard reduction		x			
5.12 Infrastructure development and use of existing buildings of the Crown		x			
5.13 Eco-tourist facilities		x			

Part 6 Urban release areas

Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	

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6.1 Arrangements for designated State public infrastructure		X			
6.2 Public utility infrastructure		X			
6.3 Development control plan		X			
6.4 Relationship between Part and remainder of Plan		X			

Part 7 Additional local provisions

Clause	Applicable		Compliance		Comment
	Yes	No	Yes	No	
7.1 Terrestrial biodiversity		x			
7.2 Subdivision in Zone RU1 Primary Production and Zone E3 Environmental Management		x			
7.3 Controls relating to rural worker's dwellings		x			
7.4 Subdivision in Zone R1 General Residential and Zone RU5 Village		x			
7.5 Erection of dwelling houses on land in certain rural and environmental protection zones		x			
7.6 Earthworks		x			
7.7 Development at Muswellbrook Showground		x			
7.8 Events permitted on public reserves and public roads without development consent.		x			

Schedules

1 Additional permitted uses		x			
2 Exempt development		x			
3 Complying Development		x			
4 Classification & reclassification of public land		x			
5 Environmental heritage		x			

SECTION 4.15(1)(a)(ii) THE PROVISIONS OF ANY DRAFT EPI

There are no current Planning Proposals which are applicable to this land.

SECTION 4.15(1)(a)(iii) THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN**Section 3 – Site Analysis**

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

Section 4 – Notification

In accordance with the provisions of Section 4 of the Muswellbrook DCP 2009, the Application was notified for a period of not less than fourteen days from 3 September 2018 until 20 September 2018. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

Twelve submissions were received during the notification period. The issues raised in the submissions are

addressed in this Report.

Section 20 – Erosion and Sediment Control

Earthworks involved with the proposed development would be minimal and associated with establishing the footing location for the proposed building. The carrying out of these earthworks is not anticipated to create any issue in respect of the matters for consideration prescribed by this Clause and a condition would be imposed on any development consent to ensure the works are carried out in accordance with Council's standard requirements.

The management of all sediment and erosion control can be adequately conditioned within the development consent.

Section 24 – Waste Management

A waste minimisation management plan has been prepared in relation to the proposed development. A review of the Plan indicates that it meets the criteria listed within this Section of the DCP.

Section 25 – Stormwater Management

There will be minimal stormwater impact, with any stormwater runoff from the 7.5m² equipment shelter will be directed away from the structure.

Section 94 Contributions Plan 2001

Not Applicable

Section 94A Contributions Plan 2009

The capital investment value of the proposed development would be \$200,000. A Section 94A contribution in accordance with Council's Section 94A Contribution Plan would be applicable given the value of the proposed works would be more than \$100,000 and is a utility installation.

SECTION 4.15(1)(a)(iia) THE PROVISIONS OF ANY PLANNING AGREEMENT

There are no planning agreements relevant to the subject Application.

SECTION 4.15(1)(a)(iv) THE PROVISIONS OF THE REGULATIONS

Division 8A of the *Environmental Planning and Assessment Regulation 2000* applies to the development. There is no special requirement relating to this 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

The following **additional** matters were considered:

Impact	Applicable		Compliance		Comment
	Yes	No	Yes	No	
Context & Setting	x		x		Though not permissible under the MLLEP 2009, the state government has determined through the Infrastructure SEPP that the RE1 zone is a suitable location for the facility with Council consent. By replacing the existing light pole with the tower, it does limit the proliferation of tall structure in the area.
Built Form	x		x		The facility has been designed to be as minimal in impact as possible, and to utilize a small footprint (50m ²). The colours of the construction materials will ensure the facility blends as much as possible with the

				existing infrastructure onsite.
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Potential Impact on Adjacent Properties	x		x	This will be minimal. All Australian health and construction standards will be met, with the closest dwelling being approximately 80 metres. There will be an improved mobile service in the area.
Access, Traffic and Transport	x		x	There will be minimal traffic created by this development. The existing carpark will be utilized for parking during construction, and as the site is unmanned, with a regular service vehicle arriving on a quarterly or on as needed basis.
Existing Infrastructure	x		x	The design has catered for the existing infrastructure onsite with the construction colours blending with those that are existing.
Heritage	x		x	No impact
Flora & Fauna	x		x	No impact
Noise and Vibration	x		x	Minimal – the only noise will be that of a small air-conditioner used to in the equipment shelter. There will be noise during construction, but this will be for a small period of time only.
Natural hazards	x		x	Nil – the land is not affected by flooding or bushfire.
Safety, Security, and Crime Prevention	x		x	The equipment shelter is fenced and the tower is not able to be accessed by the general public.
Social Impact on Locality	x		x	The proposal will improve mobile phone coverage for the immediate and greater Muswellbrook Community. It will not impede on the current activities that are carried out within the sporting field complex.
Economic Impact on the Locality	x		x	Nil

Comment

Overall, it is considered that this development will have minimal environmental impact, and will not be detrimental to the users of the sporting fields nor the adjoin residents.

SECTION 4.15(1)(c) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Carriers and mobile phone network operators have an obligation under the Industry Deployment Code (C564:2011) to utilise and upgrade existing infrastructure as opposed to developing new sites. This was unachievable due to numerous constraints with alternative 5 sites being explored. None of these site either met the required coverage or were opposed by the landowner. Victoria Park was chosen as it met the coverage upgrade requirements and had minimal environmental impact. The applicant termed it as:

- *The proposed site location is appropriately situated amongst high-bearing existing light pole structures and will dissolve within the context ;*
- *The availability of viable connections to the power and transmission networks in the area;*
- *Visual impact – it is believed that the proposed site location will not result in the loss of amenity or the obstruction of viewing corridors to and from the proposed site;*
- *The proposed site entails a substantial amount of natural vegetation screening surrounding the site location;*
- *Town planning considerations (such as zoning, surrounding land uses, environmental significance, compliance with the planning scheme and visual impact);*
- *The proposed pole swap out will result in minimal adverse impacts as a result of construction. Construction will be undertaken during low traffic periods and be coordinated appropriately with council;*
- *Existing driveway access and carpark to site will negate any impacts to traffic flow during the construction phase;*

- *The location will offer a cost effective site solution whilst maximising coverage and mobile phone service provisions within the identified locality; and*
- *Tenure – obtaining an agreement with the land owner of the subject site provides surety in determining the location of a mobile phone base station. An agreement has been determined with the subject land owner and Telstra.*

It is considered that the development is suitable for the site characteristics, subject to consent conditions.

SECTION 4.15(1)(d) ANY SUBMISSIONS MADE

In accordance with the provisions of Section 4 of the Muswellbrook DCP 2009, the Application was notified for the period 3 September 2018 to 20 September 2018.

A total of 12 submissions were received during the notification period. These submissions were provided to the applicant and a response was requested.

Table of Issues Raised within Submissions Received

<i>Issue Raised</i>	<i>Planning Comment</i>
Health – Radiation Emissions - High Frequency Radio Waves – Electromagnetic Energy	All emissions are to Australian Health standards. Further, the Infrastructure SEPP requires that a condition be placed any approval stating that prior to construction the certifying authority receive: <ul style="list-style-type: none">a) a report in the format required by the Australian Radiation Protection and Nuclear Safety Agency that shows the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, andb) a report showing compliance with the Mobile Phone Base Station Code.
Visual	The visual impact will be minimal. The tower will replace an existing lighting structure, and it has been designed to have minimal impact. The colour will blend with the transmitter station being coloured similarly to that of the existing infrastructure within the sporting field complex.
Decrease in Property Value of Surrounding Residential Properties	Property devaluation is not a planning consideration under the Environmental Planning & Assessment Act. This assessment can only consider those factors which relate to this Act.
Suitability of Site	The sporting field is not considered to be a sensitive location. Sensitive locations are schools, hospitals and aged care facilities. The sporting field option provides good phone coverage and a buffer between the tower and the neighbouring residents, with the closest dwelling being approximately 80 metres away.
Flight Path Obstacle	The height of the tower is not considered to be a flight path obstacle.
Fire Risk	The facility is to be constructed in accordance with the Building Code of Australia and is built to a standard which is considered to have minimal fire risk. This also takes into account the nature of the construction materials used. Fire risk is considered to be minimal, and less than a residential dwelling.

SECTION 4.15(1)(e) THE PUBLIC INTEREST

The proposed development would be in accordance with the Muswellbrook LEP 2009, Muswellbrook DCP and is unlikely to have any adverse environmental impacts. Accordingly, the proposed development is considered to be generally in accordance with the public interest.

6. CONCLUSION

The application has been assessed in accordance with the relevant overriding legislation being State Environmental Planning Policy (Infrastructure) 2007. The application has also been placed on public exhibition for a minimum of fourteen days with 12 submissions being received.

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

Signed by:

Reviewed by:

Libby Cumming
Contract Town Planner

Sharon Pope
**Assistant Director Environment &
Community Services**

Date: 28 November 2018



Statement of Environmental Effects (SEE)

Development Application for a new
Telecommunications Facility at Victoria
Park, Cook St, Muswellbrook, NSW
2333– Lot 18/DP1075238

Prepared by Kordia Solutions Australia on behalf of Telstra Corporation Ltd

15th May 2018



MUSWELLBROOK NORTH



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Quality Control

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Executive Summary

Proposed Development	<p>Kordia Pty Ltd on behalf of Telstra seeks to establish a new mobile phone base station at Victoria Park, Cook St, Muswellbrook, NSW 2333— Lot 18/DP1075238. The proposed scope of works is inclusive of the following:</p> <ul style="list-style-type: none"> • Excavation of site footings and the provision of fencing; • The swap-out of the existing 15m light pole structure for a new 25m monopole with a triangular headframe; • The relocation of the existing lighting and associated equipment on the new 25m monopole at an elevation of 15m; • The installation of six (6) new panel antennas mounted on the aforementioned triangular headframe at an elevation of 25m; • The installation of six (6) new Tower Mounted Amplifiers (TMAs) mounted on the aforementioned triangular headframe at an elevation of 25.4m; • The installation of six (6) new Radio Remote Units (RRUs) mounted on the aforementioned triangular headframe at an elevation of 24.25m and 25.75m; • The installation of six (6) of 150mm wide conduits to run underground for approx. 20m • The installation of a 3.15m (L) x 2.38m (W) equipment shelter within the proposed lease area; • The installation of a palisade compound security fence surrounding the proposed lease area (6.5m x 4m) with 1.5m wide single access gate; • The installation of associated ancillary equipment including transceivers, amplifiers, antenna mounts, cable trays, feeders, cabling, combiners, diplexers, splitters, couplers, jumpers, filters, electrical equipment, handrails, kick plates, signage, bollards and other associated equipment; and • Colour-matching the proposed telecommunication equipment to match surrounding background and facade where appropriate or as advised by council, otherwise painted in standard factory colour ('Shale Grey')
Coverage Objectives	It has been identified that there is a requirement to provide improved mobile phone coverage and capacity in the Muswellbrook locality. The proposed facility will help improve customer voice and data services within the area to fulfil the defined stipulations
Property Details	<p>Address: Victoria Park, Cook St, Muswellbrook, NSW 2333</p> <p>Legal Description: Lot 18/DP1075238</p>
Property Owner	Muswellbrook Shire Council

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Relevant LGA, Zoning and Principal Designated Land Use	Local Government Area: Muswellbrook Shire Council Local Environmental Plan: Muswellbrook Local Environmental Plan 2009 Zoning: RE1 - Public Recreation Principal Designated Use: Residential
Overlays	Mine Subsidence District
Applicant:	Telstra Corporation Ltd C/- Kordia Solution Australia Unit 1D, 400 Nudgee Road Hendra, QLD 4011 Contact: Mo Dawood Ph. +61739071416 Email: Mo.Dawood@kordia.com.au Our Ref: Muswellbrook North

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1.0 Introduction

Kordia Solutions Australia have been engaged by Telstra Corporation Ltd (Telstra) to design and construct a new telecommunications facility in the Muswellbrook area.

Mobile phone infrastructure provides an integral part of our everyday lives and helps pave the way for societal and technological progression. With the influx of future growth within the subject area, which is generating increasing consumer demands on voice and data services, it has been identified that a new base station is required to address the current poor mobile coverage and capacity.

In order to enable the provision of these services to customers, Telstra and Kordia have undertaken a comprehensive site identification and selection process based on a number of factors including environmental, planning, community, property, engineering and radiofrequency (RF) coverage objectives which have all been taken into careful consideration throughout the analysis.

As a result of this assessment, it was determined that a new telecommunications facility at the above address would be required in order to provide the necessary coverage and service objectives within the area with minimal adverse impacts on surrounding environments and the community.

Telstra ensures that all of its facilities, including the proposed facility at Muswellbrook, will operate at a level several thousand times below the already strict ARPANSA (Australian Radiation Protection and Nuclear Safety Agency) guidelines, even at maximum capacity. It should be noted that telecommunication facilities are designed to operate at the lowest possible power.

Telstra and Kordia consider the above location to be favourable for the proposed facility as it will have minimal overall environmental impact upon the Muswellbrook community whilst providing the necessary coverage.

Telstra and Kordia seeks the issue of a development consent for a new telecommunications facility at the subject site.

All mobile phone network operators are bound by the operational provisions of the federal *Telecommunications Act 1997* ("The Act") and the *Telecommunications Code of Practice 2018*. This Development Application is bound by the core principles and operator requirements outlined within the *Telecommunications Act 1997*, however consent is required from Muswellbrook Shire Council in order to undertake the prescribed development. Consent is being sought in accordance to Clause 115(1) of the State Environmental Planning Policy (Infrastructure) 2007. Further information regarding the legislative framework pursuant to this proposal is located within Section 4 of this report.

It is deemed that the subject proposal demonstrates sufficient merit to warrant the requested development approval.

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1.1 Why is a New Mobile Phone Base Station Required?

Mobile phones work by sending and receiving low power radio signals, much like a two way radio system. The signals are sent to and received from antennas that are attached to radio transmitters and receivers, commonly referred to as mobile phone base stations. The base stations are linked to the rest of the mobile and fixed phone network and pass the signal/call into those networks.

Each base station can only carry a finite number of calls. In areas of high mobile phone use, such as central business districts and high density areas, more base stations are required to handle the level of call and data traffic.

Operators of telecommunications networks must constantly respond to changes in technology or increased demand on their existing infrastructure assets due to urban growth. Recently, LTE or 4G has become the latest industry standard for mobile phone network operators within the Australian marketplace. With consumer demands reflecting an increase in demand for speed and data bandwidth, Telstra requires a new site at subject location to ensure that this level of service provision can be maintained within the defined coverage improvement objectives.

1.2 Site Selection

Carriers and mobile phone network operators have an obligation under the Industry Deployment Code (C564:2011) to utilise and upgrade existing infrastructure as opposed to developing new sites. However, in this instance this was unachievable due to numerous constraints. It should be noted that extensive searches were conducted within a defined search ring in and around the Muswellbrook locality, the defined search ring and potential candidates are outlined below in **Figure 1**. Alternative sites were explored in greater detail and a summary of the candidate analysis is detailed below in **Table 1**.

The below candidates were identified and assessed against environmental, planning, community, property, engineering and radiofrequency (RF) objectives. The outcomes of the site selection process is outlined in the table below.

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Figure 1 – Candidates that were analysed throughout the site selection process within the Locality

<u>Candidate ID</u>	<u>Address</u>	<u>Selection Outcomes</u>
Candidate A (-32.264599°, 150.910017°)	7 Industrial Close, Muswellbrook, NSW 2333	The subject candidate was not able to meet RF coverage objectives.
Candidate B (-32.263910°, 150.909220°)	17 Industrial Close, Muswellbrook, NSW 2333 – Lot 6/DP618467	The subject candidate was not able to meet RF coverage objectives.
Candidate C (-32.254450°, 150.886569°)	20 Kayuga Road, Muswellbrook, NSW 2333 - Lot B/DP376210	The subject candidate was not able to meet RF coverage objectives.
Candidate D (-32.253417°, 150.886072°)	36 Kayuga Road, Muswellbrook, NSW 2333 - Lot 1/DP653966	The subject candidate was not able to meet RF coverage objectives.
Candidate E (-32.26118°, 150.89869°)	Victoria Park, Cook St, Muswellbrook, NSW 2333 – Lot 18/DP1075238	Candidate E was the selected candidate as it meets all the objectives whilst entailing minimal environmental and visual impacts.
Candidate F (-32.261672°, 150.899627°)	Brecht Street, Muswellbrook, NSW 2333 – Lot 7304/DP1163152	The land owner preferred Candidate E for the location of the new facility.

Table 1 - Candidate Analysis Summary

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The site selection process also incorporates mandatory Deployment Code (C564:2011) activities which are undertaken in order to justify the proposed location of the subject site. This is inclusive of a “traffic light model” system which determines community based sensitivities, within both social and legislative based frameworks.

In order to provide the level of coverage required to service Muswellbrook, none of the existing structures or public utility structures offered a suitable co-location alternative in lieu of a new base station facility. Due diligence is conducted in relation to existing sensitive land uses, costs of upgrading, technical and coverage objectives, lease and land tenure, visual impact and engineering/design criteria.

The proposed site location, displayed below in **Figure 2**, meets Telstra's deployment objectives whilst satisfying construction feasibility, town planning considerations, environmental impacts, visual amenities and engineering factors:



Figure 2: Proposed Telecommunication Facility Site Location – Imagery

1.3 Preferred Site Candidate

The preferred site candidate at Victoria Park, Cook St, Muswellbrook, NSW 2333 was selected as the preferred site candidate for the following reasons:

- The proposed site location is appropriately situated amongst high-bearing existing light pole structures and will dissolve within the context ;
- The availability of viable connections to the power and transmission networks in the area;
- Visual impact – it is believed that the proposed site location will not result in the loss of amenity or the obstruction of viewing corridors to and from the proposed site;

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- The proposed site entails a substantial amount of natural vegetation screening surrounding the site location;
- Town planning considerations (such as zoning, surrounding land uses, environmental significance, compliance with the planning scheme and visual impact);
- The proposed pole swap out will result in minimal adverse impacts as a result of construction. Construction will be undertaken during low traffic periods and be coordinated appropriately with council;
- Existing driveway access and carpark to site will negate any impacts to traffic flow during the construction phase;
- The location will offer a cost effective site solution whilst maximising coverage and mobile phone service provisions within the identified locality; and
- Tenure – obtaining an agreement with the land owner of the subject site provides surety in determining the location of a mobile phone base station. An agreement has been determined with the subject land owner and Telstra.

2.0 Site Context

The subject site is situated within Victoria Park Sportsground which is enclosed by George Street, Hill Street, Bowman Street and Cook Street in Muswellbrook. The site is situated approximately 1km North-East of the Muswellbrook city centre. The legal description of the property is Lot 18/DP1075238. The GPS Coordinates of the proposed location are as follows: -32.26118°, 150.89869°.

The site is a replacement structure of an existing 15m light pole situated on the soccer field segment within Victoria Park and is adjoining the Cricket Oval to the west and Muswellbrook Cemetery to the east. The subject allotment is zoned as RE1 - Public Recreation pursuant to the Muswellbrook Local Environmental Plan 2009. The site is generally encircled by open space which facilitates adequate separation towards nearby residential uses. The closest residential land use is approximately 80m from the site towards the north on Cook Street. There is approximately 150m separation from the site to the residential land uses on Hill Street, 200m separation to the residential land uses on George Street and 300m separation from the residential land uses on Brencht Street. The site location and context are displayed in **Figure 2** above.

3.0 Scope of Works

Mobile networks are similar to roads when traffic increases, upgrades are required to relieve congestion and mitigate network jams. Congestion is relieved by making changes to existing base stations or adding additional base stations in areas where we may already have existing coverage. The proposed schedule of works seeks to alleviate congestion and service issues within the Muswellbrook area.

- Excavation of site footings and the provision of fencing;
- The swap-out of the existing 15m light pole structure for a new 25m monopole with a triangular headframe;
- The relocation of the existing lighting and associated equipment on the new 25m monopole at an elevation of 15m;

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- The installation of six (6) new panel antennas mounted on the aforementioned triangular headframe at an elevation of 25m;
- The installation of six (6) new Tower Mounted Amplifiers (TMAs) mounted on the aforementioned triangular headframe at an elevation of 25.4m;
- The installation of six (6) new Radio Remote Units (RRUs) mounted on the aforementioned triangular headframe at an elevation of 24.25m and 25.75m;
- The installation of six (6) of 150mm wide conduits to run underground for approx. 20m
- The installation of a 3.15m (L) x 2.38m (W) equipment shelter within the proposed lease area;
- The installation of a palisade compound security fence surrounding the proposed lease area (6.5m x 4m) with 1.5m wide single access gate;
- The installation of associated ancillary equipment including transceivers, amplifiers, antenna mounts, cable trays, feeders, cabling, combiners, diplexers, splitters, couplers, jumpers, filters, electrical equipment, handrails, kick plates, signage, bollards and other associated equipment; and
- Colour-matching the proposed telecommunication equipment to match surrounding background and facade where appropriate or as advised by council, otherwise painted in standard factory colour ('Shale Grey')

As previously specified, Telstra has an obligation under the Industry Code to ensure that all suitable alternatives have been explored as part of the justification behind this development application. It is believed that proposed works as outlined above will not result in any adverse visual or environmental impacts to the surrounding environs within the Muswellbrook locality.

3.1 Development Specifics

The proposal will encompass two key components, the installation of a new 25m monopole with a triangular headframe mounted on top and the recovery of the existing 15m light pole with the existing light and associated equipment to be relocated on the new 25m monopole at the 15m centreline. The total height of the proposed telecommunications facility is 26.3m above ground level. Footings for the structure will extend below ground level for which the depth will be determined during detailed design phase. An equipment shelter with dimensions of 3.15m (L) x 2.38m (W) will be installed adjacent to the existing sportsground amenities building within a 6.5m (L) x 4m (W) lease area. Six new conduits will be installed underground which will run approximately 20m from the structure location to the equipment shelter.

A diagram of the proposed telecommunications facility is displayed below in **Figure 3**.

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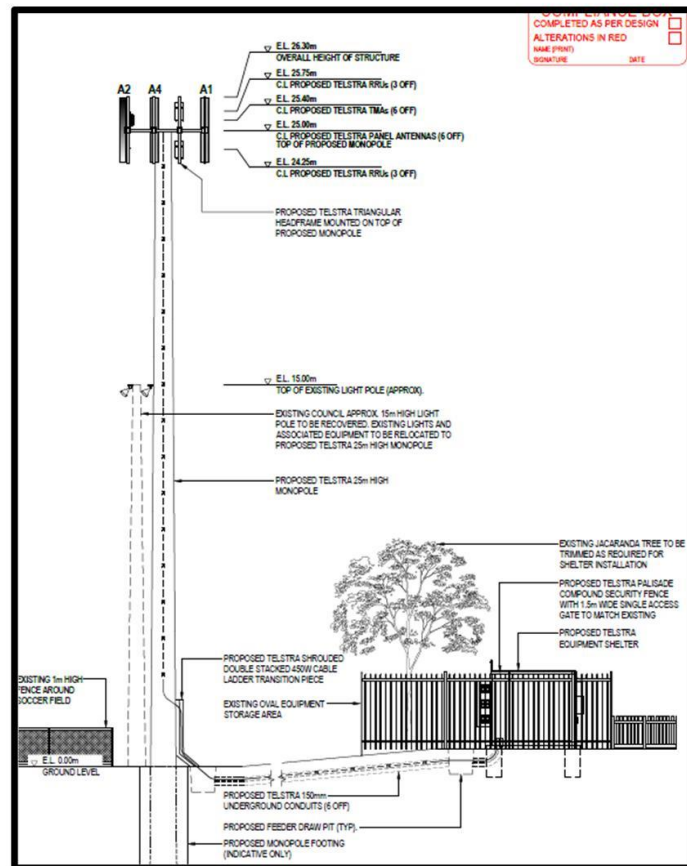


Figure 3: Proposed Telecommunications Facility

3.2 Access to the site

Access to the proposed site will be conducted through an existing access track off Cook Street as indicated below in **Figure 4** and on the proposed plans within **Appendix A** of this report. This route enables direct access off a roadway which will minimise any disruptions to traffic flow for construction vehicles during the build phase and any future required maintenance. The available access is of sufficient size for vehicle manoeuvring. Traffic management will be utilised during construction as necessary.

There is ample existing parking in the carpark off Hill road for vehicle activities during the construction phase. Given the minor amount of traffic generated by the proposal (expected to be 2 – 4 trips per year), it is not believed that any additional formal parking or manoeuvring areas are required.

It should be highlighted that traditionally, mobile phone base stations do not require extensive maintenance. Additionally, this proposal will not be a significant generator of vehicular and/or pedestrian traffic.

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Figure 4: Existing Access Track

3.3 Utilities

The final power design including the capacity of the supply will be confirmed in the detailed design phase, however, a major upgrade is not anticipated. Indicatively, it is proposed that the power connection for the new equipment shelter will be provided from a nearby existing Ausgrid power pole. A standard power application will be submitted to Ausgrid for approval.

The unmanned facility does not require access to water or sewer infrastructure. The proposal will not alter stormwater runoff from the site, given the very minimal hardstand area.

The site does not require any additional permits for the connection of a sewer/roadway.

3.4 Construction Scheduling

Given the fairly unique nature of the proposed development, the development and construction of the mobile phone base station primarily consists of the following processes:

- Pre-construction – ensuring that the land is suitable for construction. This is inclusive of confirming existing structural assessments and the provisioning of cabling;
- Installation of new equipment – reflective of the scope of works outlined within this Development Application; and
- Network Integration – Ensuring that the mobile phone base station can connect with both end users and other sites within the Telstra network.

Throughout the construction phase of the proposed development, any construction works will not disturb existing traffic flows. If a road closure is required for the erection and installation of equipment, the appropriate approvals will be obtained from Council (where applicable).

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4.0 Relevant Legislation and Planning Controls

The following Acts, Environmental Planning Instruments (EPIs) and Development Control Plans are primary legislation that is most relevant to this proposal:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy (Infrastructure) 2007;
- Muswellbrook Local Environmental Plan 2009; and
- Muswellbrook Development Control Plan 2009 (DCP)

4.1 Environmental Planning and Assessment Act 1979

Section 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) outlines specific assessment criteria which must be addressed within the submission of a development application and the likely impacts of the development on the surrounding built and natural environs. This report seeks to demonstrate compliance with relevant legislation which pertains to the subject application and matters of consideration within the planning process to minimise adverse negative impacts of the development.

4.2 State Environmental Planning Policy (Infrastructure) 2007

Given that the development is for a new mobile phone base station the primary legislation relevant to the proposal is *State Environmental Planning Policy (Infrastructure) 2007* – “ISEPP 2007”. Items of compliance relating to the application and assessment of the proposal against the ISEPP have been outlined below.

Certain provisions are afforded within the ISEPP in relation to development of telecommunications infrastructure within New South Wales. *Division 21 Telecommunications and other communications facilities* and *Schedule 3A* of the ISEPP stipulate ways in which telecommunications development can be undertaken in any zone (with consent) and outlines prescriptive controls for works which can be installed as exempt or complying development.

This proposal however cannot be undertaken as exempt or complying development due to the nature and location of the proposal. As such, a development application is being sought with Muswellbrook Shire Council in accordance with clauses 113 and 115 of the *SEPP (Infrastructure)* as outlined below:

Clause 113 of the *SEPP (Infrastructure) 2007* defines a “Telecommunications Facility” as:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point, equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or

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(c) any other thing used in or in connection with a telecommunications network

Clause 115(1) states that:

“Development for the purposes of telecommunications facilities, other than development in clause 114 or development that is exempt development under clause 20 or 116, may be carried out by any person with consent on any land.”

Through the provisions outlined above, telecommunications facilities are permissible in any zone, including the RE1 - Public Recreation zone on the condition that consent is obtained by the relevant determining authority, in this instance being Muswellbrook Shire Council.

Furthermore, Clause 115(3) states:

“Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Director-General for the purposes of this clause and published in the Gazette.”

This proposal is consistent with the guidelines concerning site selection, design and construction as is stipulated within the *NSW Telecommunications Facilities Guideline including Broadband (July 2010)*. Compliance with the requirements specified within this guideline is addressed in **Table 2** below.

Table 2: Compliance with NSW Telecommunications Facilities Guideline

Principle 1 – A Telecommunications Facility should be sited in order to minimize visual impact:	
Principle, as outlined:	Response:
<i>(a) As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure.</i>	The proposal entails a replacement of an existing light pole with a new higher structure to accommodate the telecommunications equipment.
<i>(b) The visual impact of telecommunications facilities should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical dimensions (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.</i>	<p>The proposed structure is positioned amongst existing high bearing light pole structures to ensure minimal visual impact on the surrounding environs.</p> <p>The site is situated in an open space area and it is considered that the proposal will not impact on the overall landscape vista encompassed by the location.</p> <p>It is also believed the proposal will dissolve into the façade of the sportsground land uses, negating any potential visual impacts.</p> <p>Therefore, it is considered that the proposed facility is appropriately located in the setting considering and will</p>

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	be partially screened by existing vegetation, reducing any adverse visual impacts for surrounding land users.
<i>(c) Where telecommunications facilities protrude from a building or structure and are predominantly backgrounded against the sky, the facility and their support mounts should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.</i>	<p>The proposed tower does not protrude from an existing building or structure.</p> <p>The proposal is a standalone structure and will be finished in shale grey or as directed by council in an effort to be neutral in relation to surrounding development and remove focus from the tower.</p>
<i>(d) Ancillary facilities associated with the telecommunications facility should be screened or housed, using the same colour as the prevailing background to reduce its visibility, including the use of existing vegetation where available, or new landscaping where possible and practical.</i>	<p>The proposed equipment shelter is situated amongst a collection of trees and other landscaping vegetation and adjacent to an existing amenities building, which will obscure the ancillary facilities (including fencing) from nearby viewpoints.</p> <p>Additionally, it will be finished with neutral colouring to flush into the background of the surrounding land uses.</p>
<i>(e) A telecommunications facility should be located and designed to respond appropriately to its rural landscape setting.</i>	Not applicable. The site is not located in a rural setting.
<i>(f) A telecommunications facility located on, or adjacent to, a State or local heritage item or within a heritage conservation area, should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage item or conservation area.</i>	Not applicable. The site is not located on or adjacent to a heritage item and/or heritage conservation area.
<i>(g) A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.</i>	<p>The proposal will not obstruct any significant views, vistas, heritage items, landmarks, panoramas or generate any negative impacts on the surrounding streetscape.</p> <p>The site is partially screened by natural vegetation which will repeal any adverse visual impacts from surrounding views.</p> <p>Further information in relation to visual impacts is detailed within Section 5.1 of this report.</p>

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<i>(h) The relevant local government authority must be consulted where the pruning, lopping, or removal of any tree or other vegetation would contravene a Tree Preservation Order applying to the land or where a permit or development consent is required.</i>	The proposal entails light trimming of an existing Jacaranda Tree to facilitate the installation of the new equipment shelter. These trimming activities will not contravene any tree preservation orders or have any ramifications to any protected vegetation.
<i>(i) A telecommunications facility that is no longer required is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed.</i>	The existing 15m light pole will be removed and the site will be restored to match its surrounding landscape.
<i>(k) The siting and design of telecommunications facilities should be in accordance with any relevant Industry Design Guides.</i>	The siting and design of the proposed telecommunications facility is entirely compliant with the New South Wales Telecommunications Facility Guideline, as released by the NSW Department of Planning and Infrastructure.

Principle 2 – Telecommunications facilities should be co-located wherever possible

Principle, as outlined:	Response:
<i>(a) Telecommunications lines are to be located, as far as practical, underground or within an existing underground conduit or duct.</i>	All proposed conduit will be installed underground.
<i>(b) Overhead lines, antennas and ancillary telecommunications facilities should, where practical, be collocated or attached to existing structures such as buildings, public utility structures, poles, towers or other radiocommunications equipment to minimise the proliferation of telecommunication facilities and unnecessary clutter.</i>	The subject facility will be situated on a swapped out light pole structure in order to reduce unnecessary clutter.
<i>(c) Towers may be extended for the purposes of co-location.</i>	Not applicable. The proposal does not entail an extension of an existing structure but rather the replacement.

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<i>(d) The extension of an existing tower must be considered as a practical co-location solution prior to building new towers.</i>	Not applicable. The proposal does not entail an extension of an existing structure but rather the replacement.
<i>(e) If a facility is proposed not to be co-located the proponent must demonstrate that co-location is not practicable.</i>	There are no viable co-location opportunities within the surrounding locale as demonstrated within Section 1.2 of this report.
<i>(f) If the development is for a co-location purpose, then any new telecommunications facility must be designed, installed and operated so that the resultant cumulative levels of radio frequency emissions of the collocated telecommunications facilities are within the maximum human exposure levels set out in the Radiation Protection Standard.</i>	Not Applicable. The proposed site does not involve a co-location on an existing telecommunications facility.

Principle 3 – Health standards for exposure to radio emissions will be met

Principle, as outlined:	Response:
<i>(a) A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with Radiation Protection Standard.</i>	<p>It is the legal obligation for any carrier to ensure that any telecommunications equipment is operated within the human exposure limits within the Radio Protection Standard.</p> <p>The maximum human exposure levels have been calculated to be 1.046% of the public exposure limit. Refer to Appendix B for the complete EME Environmental Report</p>
<i>(b) An EME Environmental Report shall be produced by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications. The Report is to be in the format required by the Australian Radiation Protection Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy surrounding the development comply with the safety limits</i>	<p>An EME Environmental Report has been included within Appendix B of this document. The EME Environmental Report is in accordance with the format prescribed by Australian Radiation Protection Nuclear Safety Agency.</p> <p>Additionally, the EME Environmental Report is a publically accessible document which can be retrieved from: http://www.rfnsa.com.au/2333021</p>

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<p><i>imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code.</i></p>	
<p>Principle 4 – Minimize disturbance and risk and maximize compliance</p>	
<p>Principle, as outlined:</p>	<p>Response:</p>
<p><i>(a) The siting and height of any telecommunications facility must comply with any relevant site and height requirements specified by the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.</i></p>	<p>The proposal is compliant with the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996.</p> <p>The proposal does not penetrate any Obstacle Limitation Surface.</p>
<p><i>(b) The telecommunications facility is not to cause adverse radio frequency interference with any airport, port or Commonwealth Defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.</i></p>	<p>The proposed equipment at the subject site is licensed as per ACMA regulations. As a result, there is to be no interference with other civil and military communications facilities.</p>
<p><i>(c) The telecommunications facility and ancillary facilities are to be carried out in accordance with the applicable specifications (if any) of the manufacturers for the installation of such equipment.</i></p>	<p>The proposed equipment is to be installed as per the manufacturer's specifications.</p>
<p><i>(d) The telecommunications facility is not to affect the structural integrity of any building on which it is erected.</i></p>	<p>Not applicable. Proposal is a standalone structure.</p>

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<i>(e) The telecommunications facility is to be erected wholly within the boundaries of a property where the landowner has agreed to the facility being located on the land.</i>	The site is to be located within the boundaries of Victoria Park and will not encroach on surrounding property boundaries.
<i>(f) The carrying out of construction of the telecommunications facilities must be in accordance with all relevant regulations of the Blue Book – 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004), or its replacement.</i>	The construction of the proposal will adhere to and comply with the regulations set out within the Blue Book – 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004).
<i>(g) Obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction are to be mitigated.</i>	The site is not generally accessible by pedestrians or vehicles, and will be fenced during construction.
<i>(h) Where practical, work is to be carried out during times that cause minimum disruption to adjoining properties and public access. Hours of work are to be restricted to between 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.</i>	Construction works will be conducted between 7.00am and 5.00pm, Mondays to Saturdays or as per the recommended hours stipulated by Council. Consultation with council will be undertaken throughout the construction process.
<i>(i) Traffic control measures are to be taken during construction in accordance with Australian Standard S1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads.</i>	Any required traffic control will be conducted in accordance with the relevant Australian Standard S1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads
<i>(j) Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.</i>	Open trenching for the installation of underground power and fibre will be executed in compliance with the Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps
<i>(k) Disturbance to flora and fauna should be minimised and the land is to be restored to a condition that is similar to its condition before the work was carried out.</i>	Not applicable. The proposal will not impact any significant flora or fauna.
<i>(l) The likelihood of impacting on threatened species and</i>	An EPBC Act Protected Matters Report was obtained for the subject site and the proposal will not impact on

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<i>communities should be identified in consultation with relevant state or local government authorities and disturbance to identified species and communities avoided wherever possible.</i>	any of the threatened species identified within the report. A copy of this report is attached in Appendix D .
<i>(m) The likelihood of harming an Aboriginal Place and / or Aboriginal object should be identified. Approvals from the Department of Environment, Climate Change and Water (DECCW) must be obtained where impact is likely, or Aboriginal objects are found.</i>	Not Applicable. No items or areas of Aboriginal significance were identified on the proposed allotment. Refer to Appendix E for Aboriginal Heritage Information (AHIMS) report
<i>(n) Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunications carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.</i>	Not applicable. The proposal will not impede on any street furniture, paving or other existing facilities.

4.3 Muswellbrook Local Environmental Plan 2009

The Local Environmental Plan (LEP) applicable to the subject site is the *Muswellbrook Local Environmental Plan 2009*. The subject LEP does not contain specific controls for Telecommunications facilities, however will be assessed in accordance to the aims and objectives of the LEP.

4.3.1 Definition

In accordance with the LEP, a telecommunications facility is defined as the following:

Telecommunications facility means:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or
- (c) any other thing used in or in connection with a telecommunications network.

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4.3.2 Zoning

The subject lot is zoned as RE1 - Public Recreation in accordance with the Muswellbrook Local Environmental Plan 2009. A telecommunications facility is a prohibited item within the subject zoning, however consent is being pursued pursuant to clauses 113 and 115 of the *SEPP (Infrastructure)* which permits the installation of a telecommunications facility on any land.



4.3.3 Aims and Objectives

This Development Application will take into account the type of development in respect to the aims and objectives of the *Muswellbrook Local Environmental Plan 2009*. It is believed that the proposal is wholly compliant with the aims of the LEP, based on the community benefit through a betterment of an existing infrastructure provision and improved quality of life. An assessment against the relevant overall aims and objectives of the LEP has been listed within **Table 3** below.

Table 3: Aims and Objectives of the Muswellbrook Local Environmental Plan 2009

Muswellbrook Local Environmental Plan 2009	
Aim/Objective:	Compliance:
(a) to encourage the proper management of the natural and human-made resources of Muswellbrook by protecting, enhancing or conserving:	The proposal will not impede on any agricultural land, natural resources, areas of environmental significance, area of high scenic value and place or building of archaeological or heritage significance.
(i) productive agricultural land, and	The proposal is wholly compliant with protecting, enhancing and conserving the natural and human-made resources of Muswellbrook.
(ii) timber, minerals, soils, water and other natural resources, and	
(iii) areas of significance for nature conservation, and	

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(iv) areas of high scenic or recreational value, and (v) places and buildings of archaeological or heritage significance,	
(b) to manage the urban areas of Muswellbrook by strengthening retail hierarchies and employment opportunities, promoting appropriate tourism development, guiding affordable urban form and providing for the protection of heritage items and precincts	<p>The proposal will contribute to the enhancement of the local economy, employment opportunities and educational needs through the integration of advanced telecommunication infrastructure.</p> <p>The proposal will advance network coverage within the area, and contribute to social and economic progression within Muswellbrook Shire LGA.</p> <p>The proposal will not impact any heritage items or precincts.</p>
(c) to promote ecologically sustainable urban and rural development	The proposal does not entail ecological development
(d) to manage development in flood-prone areas by ensuring any obstruction, re-direction or pollution of flood waters will not have adverse consequences for the environment or increase the risk of endangering life or property	Not applicable. The subject site is not situated within or nearby an identified flood prone area.
(e) to enhance the urban amenity and habitat for flora and fauna	<p>The proposal will enhance urban amenities by providing vital telecommunications infrastructure.</p> <p>The proposal will not impact any natural habitats. All natural flora and fauna will be protected during construction.</p>
<p>(f) to protect and conserve:</p> <p>(i) soil stability by controlling development in accordance with land capability, and</p> <p>(ii) remnant native vegetation, and</p> <p>(iii) water resources, water quality and wetland areas, natural flow patterns and their catchments and buffer areas,</p>	The proposal will not impact soil stability, native vegetation or water resources.

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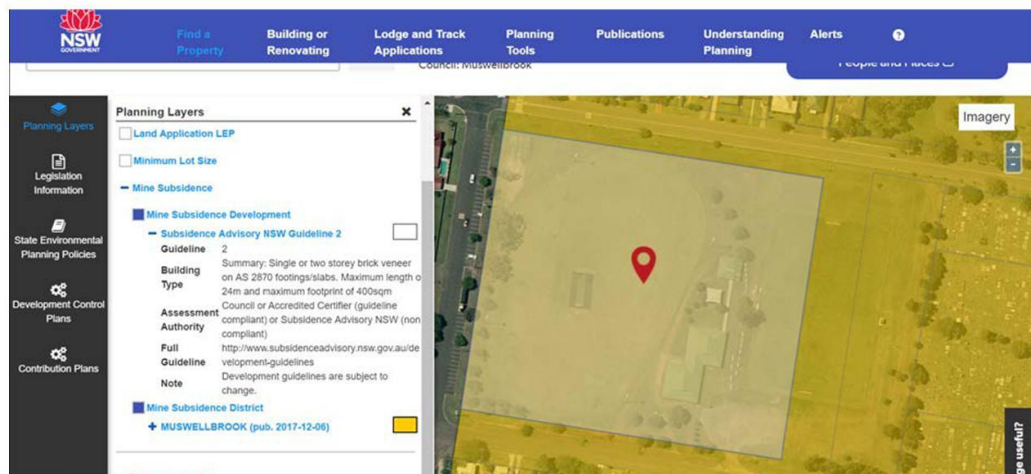
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(g) to provide a secure future for agriculture by expanding Muswellbrook's economic base and minimising the loss or fragmentation of productive agricultural land	The proposal will assist in accelerating Muswellbrook's economy through technological connectivity and advancements. The proposal will not reduce or impact productive agricultural land.
(h) to allow flexibility in the planning framework so as to encourage orderly, economic and equitable development while safeguarding the community's interests and residential amenity, and to achieve the objectives of each zone mentioned in Part 2 of this Plan.	The proposal will help facilitate economic advancement whilst safeguarding residential amenity and the community's interests.

4.3.4 Overlays

The subject lot is situated within a Mining Subsidence District. The development guideline that applies to the lot is the Subsidence Advisory NSW Guideline 2



An application will be sought from the Subsidence Advisory NSW prior to commencing any works on site.

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4.4 Muswellbrook Development Control Plan 2009

The Muswellbrook Development Control Plan 2009 (DCP) aims to complement the Muswellbrook LEP by providing additional planning provisions within the Muswellbrook LGA. The DCP has been taken into consideration throughout the planning process of the proposed telecommunications facility.

Traditionally, Development Control Plans are for residential, commercial and industrial development. As this application is for a telecommunications facility, there is no applicable section of the DCP which directly reflects this type of development. However, some general provisions of the DCP are applicable to the proposal and are assessed below in Table 4.

Table 4: Muswellbrook Development Control Plan 2009 Compliance Table

Muswellbrook Development Control Plan 2009	
Control:	Compliance:
Section 20 - Erosion and Sediment Control	
(i) Areas of disturbance less than 250 m ² which are environmentally sensitive (ie within 100m of a water course), on steep sites (gradient greater than 20 deg) require the completion of an Erosion and Sediment Control Plan	The proposal is not within or nearby an environmentally sensitive area, therefore the proposal does not require an Erosion and Sediment Control Plan.
(ii) Areas of disturbance 250 m ² to 1000m ² must submit an Erosion and Sediment Control Plan and a schedule of works with a development application;	This proposal only entails a minimal footprint area of approx. 60m ² , therefore an Erosion and Sediment Control Plan or schedule of works is not required to be submitted.
(iii) Areas of disturbance 1000 m ² to 2500 m ² must submit an Erosion and Sediment Control Plan and Landscape Plan with a schedule of works with development application;	This proposal only entails a minimal footprint area of approx. 60m ² , therefore an Erosion and Sediment Control Plan or Landscape Plan or schedule of works is not required to be submitted.
iv) Areas of disturbance greater than 2500 m ² must submit Erosion and Sediment Control Plan, a Soil and Water Management Plan and a Landscape Plan with a schedule of works;	This proposal only entails a minimal footprint area of approx. 60m ² , therefore an Erosion and Sediment Control Plan or Landscape Plan or Water Management Plan or schedule of works is not required to be submitted.

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(v) All subdivisions which are proposed as staged developments must provide a staged Erosion and Sediment Control Strategy with an associated schedule of works;	Not applicable. The proposal does not entail a subdivision which is a staged development.
(vi) Completion of the Erosion and Sediment Control Plan must be undertaken by a suitably qualified person in accordance with this section of the DCP and contain all elements detailed by 22.2;	Not applicable. In accordance with the Muswellbrook DCP, an Erosion and Sediment Control Plan is not required.
(vii) A regular maintenance program for all erosion and sediment controls must be submitted with any plan or strategy;	Not applicable. In accordance with the Muswellbrook DCP, an Erosion and Sediment Control Plan or Strategy is not required.
(viii) Existing vegetation must not be cleared in areas not relevant to direct impact from the development	Not Applicable. The proposal will not entail any clearing of existing vegetation.
(ix) Vegetation must not be cleared prior to development approval being granted or before erosion and sediment controls are fully installed;	Not Applicable. The proposal will not entail any clearing of existing vegetation.
(x) All proposed controls must be consistent with this section of the DCP and the Managing Urban Stormwater: Soils and Construction manual prepared by Landcom.	The proposal will wholly comply with the Muswellbrook DCP and with Managing Urban Stormwater – Soils and Construction, Landcom ('The Blue Book')
24.3.1 Demolition of Buildings or Structures	
A completed Site Waste Minimisation and Management Plan (SWMMP) shall accompany the demolition application	A Site Waste Minimisation and Management Plan (SWMMP) for this proposal is provided within Appendix C of this report.
Identify all waste likely to result from the demolition, and opportunities for reuse of materials.	The decommissioning of the existing light pole structure and its footings cannot be reused. The waste will be recycled at an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance.

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	The lighting equipment on the existing structure will be reused and relocated on the new 25m structure.
Facilitate reuse/recycling by using the process of 'deconstruction', where various materials are carefully dismantled and sorted.	Deconstruction will be implemented not demolishing to help facilitate the recycling of the existing light pole structure and its materials.
Reuse or recycle salvaged materials onsite where possible.	Where possible, any material from the existing light pole structure will be reused on the new 25m structure. All material from the decommissioning of the existing structure will be recycled at an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance.
Allocate an area for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation, and access and handling requirements)	Areas onsite will be allocated for the storage of materials for use, recycling and disposal with considerations to the existing land constraints.
Provide separate collection bins or areas for the storage of residual waste.	Not Applicable. The ongoing lifecycle and operation of the subject telecommunications facility will not generate any waste.
Clearly 'signpost' the purpose and content of the bins and storage areas	Signage will be erected to clearly identify and label the various storage areas.
Implement measures to prevent damage by the elements, odour and health risks, and windborne litter.	All storage areas will be barricaded and contained to mitigate any contamination, overflow or windborne litter.
24.3.2. Construction of Buildings or Structures	
A completed Site Waste Minimisation and Management Plan (SWMMP) shall accompany the development application	<p>A Site Waste Minimisation and Management Plan (SWMMP) for this proposal is provided within Appendix C of this report.</p> <p>The proposal entails minimal waste creation during the construction phase, which is predominately derived from excavation activities.</p>

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	The ongoing lifecycle and operation of the subject telecommunications facility is not a generator of waste.
The SWMMP shall identify all waste likely to result from the construction process, and the opportunities for the reuse and recycling of these materials	It is anticipated approximately 11m ³ of excess sediment will be generated from the excavation activities. This sediment will be reused to restore the landscape of the decommissioned light pole structure and any remaining sediment will be recycled at an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance.
Incorporate the use of prefabricated components and recycled materials.	The new 25m structure and equipment shelter are prefabricated components and are installed on site.
Allocate an area for the storage of materials for use, recycling and disposal (considering slope, drainage, location of waterways, stormwater outlets and vegetation). Provide separate collection bins or areas for the storage of residual waste and clearly 'signpost' the purpose and content of the bins and storage areas.	Areas onsite will be allocated for the storage of materials for use, recycling and disposal with considerations to the existing land constraints. Signage will be erected to clearly identify and label the various stockpiles.
Implement measures to prevent damage by the elements, odour and health risks, and windborne litter.	The storage areas will be barricaded and contained to mitigate any contamination, overflow or windborne litter.
Ensure that all waste is transported to a place that can lawfully be used as a waste facility. Retain all records demonstrating lawful disposal of waste and keep them readily accessible for inspection by regulatory authorities such as council, Environment Protection Authority or WorkCover NSW.	All excess sediment and waste will be recycled or lawfully disposed of an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance.

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5.0 Development Impacts

Section 79C of the EP&A Act mandates the likely impacts of the development, inclusive of environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

This section takes into considerations matters of relevance to the proposed development which is inclusive of issues relating to the environmental impacts of the proposal on the built and natural form, as well as the social and economic impacts the telecommunications facility will have on the locality.

As the proposed site is situated within a vacant portion of a land holding, it is believed that the proposed mobile phone base station will not result in environmental impacts towards the built and/or natural environments. The "footprint" of the proposal comprises of 50m² and will not require significant vegetation clearance. The following environmental, social and economic considerations have been made in reference to the proposal:

5.1 Visual Impact Assessment

With over 16,000 base stations in operation around Australia, panel antennas, dishes and other relevant equipment have become part of the urban landscape. Telecommunications facilities aren't only operated by mobile phone networks but also entail critical infrastructure assets employed by the emergency services, rail and other public utility authorities to ensure the active and safe operation of their respective duties.

Freestanding mobile phone base stations are a common feature within urban and rural landscapes. The justification behind the use of a freestanding structure is to provide line of site coverage within flat and undulating topography. Specific design elements have been included within the planning of the proposed facility, inclusive of:

- Limiting the height of the proposal to 26.30m. This will ensure that the best level of coverage can be provided to the locality, without constructing to a height which would offer no additional benefit to the service area.
- Ground based equipment is to be located directly adjacent to the existing amenities building. This is to minimise the bulk and scale of the proposal in context to the surrounding environment.
- The placement of the proposed structure adjoining to other lighting structures to reduce the proliferation of tall structures.
- The siting and location of the proposal has been taken in to consideration during the site selection process in order to ensure that the site does not result in any undue visual intrusion towards surrounding viewing corridors.
- Colour matching the proposed structure to the prevailing background of the existing locality

The base of the subject facility is considered to be partially shrouded by native vegetation. The subject site location was selected due to its existing surrounding natural vegetation which will limit visual exposure to the surrounding land uses. Due to the proposed facility's height it will be marginally visible in the surrounding areas. However, the considerable existing native vegetation will provide visual screening for the site. Additionally, the proposed mobile base station will be "shale grey" or as desired by council, in an effort to neutralise the facility and dissolve within the surrounding setting.

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Surrounding development, land uses and their potential visual impacts is generally summarised below:



Figure 5: Views to the west from opposite side of the field

As can be seen above in **Figure 5**, the proposal is appropriately situated amongst other surrounding high bearing structures and does not adversely impact any distant vistas.

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Figure 6: Views from Cook Street towards the subject proposal

The photomontage in **Figure 6** above provides further affirmation that the proposal is appropriately positioned amongst other high bearing light pole structures and will dissolve in this context.

Figure 6 ratifies that the proposal will not adversely impact any views or vistas from residential properties on Cook Street.

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Figure 7: Views from Bligh Lane towards the east – approx. 350m from the subject proposal

As can be depicted above in **Figure 7**, it is not anticipated that the proposal will distort any viewing corridors from the residential properties situated on the west side of the proposal. The above illustration demonstrates that there is sufficient natural vegetation in the surrounding area to provide screening of the proposal.

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Figure 8: Views from Doyle Lane towards the North – approx. 250m from the subject proposal

As can be depicted above in **Figure 8**, it is not anticipated that the proposal will distort any viewing corridors from the residential properties situated on the south side of the proposal.

The above illustration further demonstrates that the lower topography of the southern residential enclave supplemented by existing natural vegetation assists to negate any potential visual impacts.

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Figure 9: Distant views from Cook Street towards the East – approx. 500m from the subject proposal

As can be depicted above in **Figure 9**, the subject proposal will dissolve in the background amongst the adjoining light pole structures within the oval and playing fields. The proposals neutral colours assists in softening the views towards the facility. Additionally, the existing natural vegetation will facilitate screening for the lower portion of the facility.

As demonstrated above, the subject proposal will not adversely impact any distant views or vistas from the western side of Muswellbrook.

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Figure 10: Distant views from Bowman Street towards the North-West – approx. 600m from the subject proposal

As can be depicted above in **Figure 10**, the subject proposal will be neutralised within the surrounding context. The above further demonstrates that the subject proposal will not adversely impact any distant views or vistas from the western side of Muswellbrook.

5.2 Heritage

No known items of Aboriginal or European heritage significance were identified within close proximity of the site. Refer to **Appendix E** for the AHIMS heritage report.

5.3 Ecology

The proposal does not involve the removal of any significant vegetation, flora, and fauna or constitute any threats to natural species within the locality. Comprehensive preliminary assessment of the nearby natural environment was undertaken within the planning, design and procurement stages of the telecommunications proposal to ensure that there are no disturbances to the natural surrounds and that a marginal amount of ground clearance would be required.

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In summary, minimal ground clearance will be required to accommodate for the installation of the proposed facility. Considering that the proposed compound encompasses a footprint of only 6.5m x 4m, it is believed that any clearance works required to establish the proposal will not result in any adverse environmental impacts to the surrounding locality.

During the construction phase, the subject site area will be rigorously concealed by imposing barriers and fencing to repeal any impacts to the surrounding natural environment. This proposal will employ effective measures to mitigate any impacts to surrounding flora, fauna and natural environment inhabitants. Additionally, once constructed the operation of the telecommunications facility will not result in any negative impacts on the natural environment or the ecology of the locality.

5.4 Noise and Vibration

There will be no noise or vibration impacts associated with the operation of the telecommunications tower. The equipment shelter will emit only minimal noise from the air conditioning units, which will enable the equipment to stay within normal operating temperatures. It is believed that the operation of the air conditioning units will not result in any adverse noise impacts to the nearest sensitive noise receptors given the isolated location of the proposed equipment shelter in the context of the area.

During construction, there will be some minor excavation works which may introduce noise and vibration for a temporary period. Due to the isolated context of the development, it is anticipated that the construction and operation of the facility will not generate any adverse noise impacts on surrounding land uses. Additionally, the vast separation distance from the development site and residential land uses, will negate any potential noise impacts generated during construction.

5.5 Traffic

Mobile phone base stations are not significant generators of pedestrian or vehicular traffic. The site encompasses sufficient parking within the existing access road and its surrounds for construction vehicles and workers. During construction, a crane will be required to be temporarily mounted on the access road. It is not anticipated that there will be any adverse disruptions to Cook Street, Hill Street and George Street carriageways during the construction phase or the ongoing operation of the facility. Throughout the lifecycle of the telecommunications facility, it is only required to be visited on a quarterly basis throughout the year for maintenance purposes.

Therefore, this proposal does not constitute any impacts to existing traffic flows within the locality. If a road closure is required for the erection and installation of equipment, the appropriate approvals will be obtained from both Council and the RMS (where applicable).

5.6 Flooding

The subject site was not identified as being flood prone land.

5.7 Bushfire

The subject site was not identified as being bushfire prone land.

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5.8 Waste Management

A Site Waste Minimisation and Management Plan (SWMMP) is attached in **Appendix C**. Waste will only be generated during the construction phase of the project. It is estimated that during construction, waste would be generated from excavation activities of approximately 11m³ for the supporting foundations of the new structure. Where possible, the extracted sediment will be reused to restore the landscape of the decommissioned light pole structure and compacted surrounding the site. All waste generated during construction will be either be recycled or lawfully disposed of at an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance. The ongoing lifecycle operation of the subject telecommunications facility will not be a generator of waste.

Areas onsite will be allocated for the storage of materials for use, recycling and disposal with considerations to the existing land constraints. Signage will be erected to clearly identify and label the various stockpiles. The storage areas will be barricaded and contained to mitigate any contamination, overflow or windborne litter.

5.9 Erosion and Sediment Control

Erosion and sediment controls will be implemented prior to the commencement of any construction works and will be maintained throughout the construction phase to manage potential run off, water and air quality during construction.

The development will not induce any soil erosion or siltation. The proposal will immediately reinstate all sediment that is temporarily extracted to install the required structural footings. No external soil or sediment will be introduced to the existing vegetation.

Measures that are to be implemented include:

- All construction plant, equipment and vehicles are to be properly maintained and operated so as to alleviate excessive exhaust emissions;
- Waste loads leaving the site are to be covered at all times;
- Ensuring stock piles do not exceed 2.5m in height and wetting down any exposed areas and stockpiles as required;
- All dust generating construction activities are to cease during high wind conditions, unless operations can be controlled by localised watering or other control means; and
- Scaffolding will include mesh and shade cloth to reduce wind velocity and also to trap any wind borne objects

To ensure water quality is maintained, minor elements of storm water attenuation works will be provided including sandbags and hay bales to ensure excess sediment does not run off site. There are no hard standing surfaces and/or drainage points within the immediate proximity of the construction site.

5.10 Social and economic impacts of the proposal

Since 2007, the amount of mobile phone subscriptions has exceeded the overall population of Australia. The wider community has seen a general reliance on mobile phone networks for other uses than that of traditional voice calls.

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Australia has one of the highest penetrations of “smartphone” usage in the world. A sample study by the Digital Industry Association of Australia has estimated the usage of smartphones at rate of 76% of all mobile phone users. This has seen an ongoing impact and influence as how we conduct business “on the move” – inclusive of checking emails, social networking, e-commerce and browsing the internet. Consumers have an increasing expectation that a reliable, fast and cost effective mobile phone network can support these activities.

Furthermore, there is a general expectation in the wider community for a dependable and reliable mobile phone network. Telstra have sought to ensure major improvements to their network through 24hr monitoring of network performance. Further to this, mobile phone networks form a vital “first response” tool to emergency situations – hence the importance of carriers to ensure that their infrastructure can be maintained to the highest standards.

5.11 Health and Safety

Telstra understands that some people have genuine concerns about the levels of electromagnetic fields (EMF) that the proposed facility will emit and is committed to addressing those concerns responsibly. EMF is sometimes known as electromagnetic radiation (EMR) or electromagnetic energy (EME). Often, there is a misconception regarding the perceived health risks surrounding mobile phone base stations and Electromagnetic Energy (EME).

Electromagnetic fields are present everywhere in our environment – the earth, sun and ionosphere are all natural sources of EMF. Telstra and Kordia rely on the expert advice of international and national health authorities including the World Health Organization (WHO) and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for overall assessments of health and safety impacts. The International Commission on Non-Ionizing Radiation Protection (ICNIRP) has issued guidelines on levels of allowable public exposure to Radio Frequency (RF) fields, including guidelines on RF from mobile phones and base stations, which Telstra adheres to. These guidelines have a large safety margin built into them.

EME is non-ionising radiation, meaning that it has insufficient energy to break chemical bonds or remove electrons (ionisation). In contrast, ionising radiation (such as X-rays) can remove electrons from atoms and molecules thus leading to damage in biological tissue (Source: ARPANSA).

In addition, further information is available at: www.telstra.com.au/eme and EMF Explained Series www.emfexplained.info.

It is Telstra’s obligation to comply with the mandated standard (RPS3) for EMF set by ARPANSA, which is based on the safety guidelines recommended by the WHO. The safety standard works by limiting the network signal to a level which will protect all people, in all environments, 24 hours a day.

To demonstrate compliance with the safety standard, an Environmental EME Report is available in **Appendix B** or via the RFNSA website www.rfnsa.com.au (search site number 2333021).

The EME Report predicts the maximum signal strength from the proposed facility at 1.5m above ground level is well within the allowable limit. This is typical of Telstra’s responsible approach to network performance and environmental compliance.

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Furthermore, the ARPANSA Fact sheet "Mobile Base Stations and Health" March 2015 states *"Health authorities around the world, including ARPANSA and the WHO have examined the scientific evidence regarding possible health effects from base stations. Current research indicates that there are no established health effects from the low exposure to the RF EME exposure from mobile phone base station antennas."*

Telstra undertakes further measures when designing the facility, to minimise the EME exposure to the general public, by installing the facility in accordance with the Australian Mobile Telecommunications Association (AMTA) Radio frequency (RF) Safety Compliance Program – Base Station Design Guidelines Engineering for Access Control to minimise EME.

Other preventative measures also include:

- Power Control network feature that automatically adjusts the power of the network transmission based on consumer demand.
- Varying the facility's transmit power to the minimal required level in order to save electricity and lower RF emissions from the facility.

Further information about EMF can be obtained from:

- Commonwealth Department of Health (ARPANSA): www.arpansa.gov.au
- Australian Communications and Media Authority (ACMA): www.acma.gov.au
- World Health Organisation (WHO): www.who.int/en/

6.0 Conclusion

It is proposed to construct a new telecommunications facility at Victoria Park, Cook St, Muswellbrook, NSW 2333 - Lot 18/DP1075238). The facility seeks to provide new coverage to the Muswellbrook area providing much needed voice and data services to the area and will form a vital component of the Muswellbrook's urban infrastructure.

This report has undertaken an assessment of the relevant planning and technical matters, as required by Commonwealth, State and local legislation, environmental, operational, radiofrequency and public safety requirements.

As a result of this process, we consider that the proposed facility is suitable for its location, given the following reasons:

- The proposal has wholly compliant with the State Environmental Planning Policy (Infrastructure) 2007
- The proposal has demonstrated compliance with the NSW Telecommunications Facilities Guideline including Broadband (July 2010).
- The proposal is generally compliant with the relevant planning considerations and the aims of objectives of the Muswellbrook Local Environmental Plan 2009;
- The site has been assessed as a viable option for the effective delivery of Telstra coverage and radiofrequency objectives for the search area, in accordance with the 'Precautionary Principle', and will greatly improve access to mobile telecommunications for residents and businesses in the local area;

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- The proposal will not result in any undue visual impacts
- The proposal is fittingly located within the urban context
- The facility will operate within the regulatory framework of Commonwealth, State and Local Governments;
- The facility will operate within all current and relevant Australian Standards;
- The facility is not anticipated to have an adverse impact on local environmental values for the subject site and surrounding area;
- No vegetation will need to be removed;
- The proposal will not prejudice the existing and future uses of the site;
- The installation will address a number of issues relating to mobile coverage, network capacity and the quality of mobile telephone calls; and
- The proposal will have a number of significant economic and social benefits to the area;

Based upon the above, we respectfully request Muswellbrook Shire Council approve the application and issue a development permit for a telecommunications facility at the site, subject to reasonable and relevant conditions, and in accordance with the plans attached in **Appendix A**.

Should Council have any further queries regarding the subject application, please do not hesitate to contact Mo Dawood on (07) 3907 1416 or at mo.dawood@kordia.com.au.

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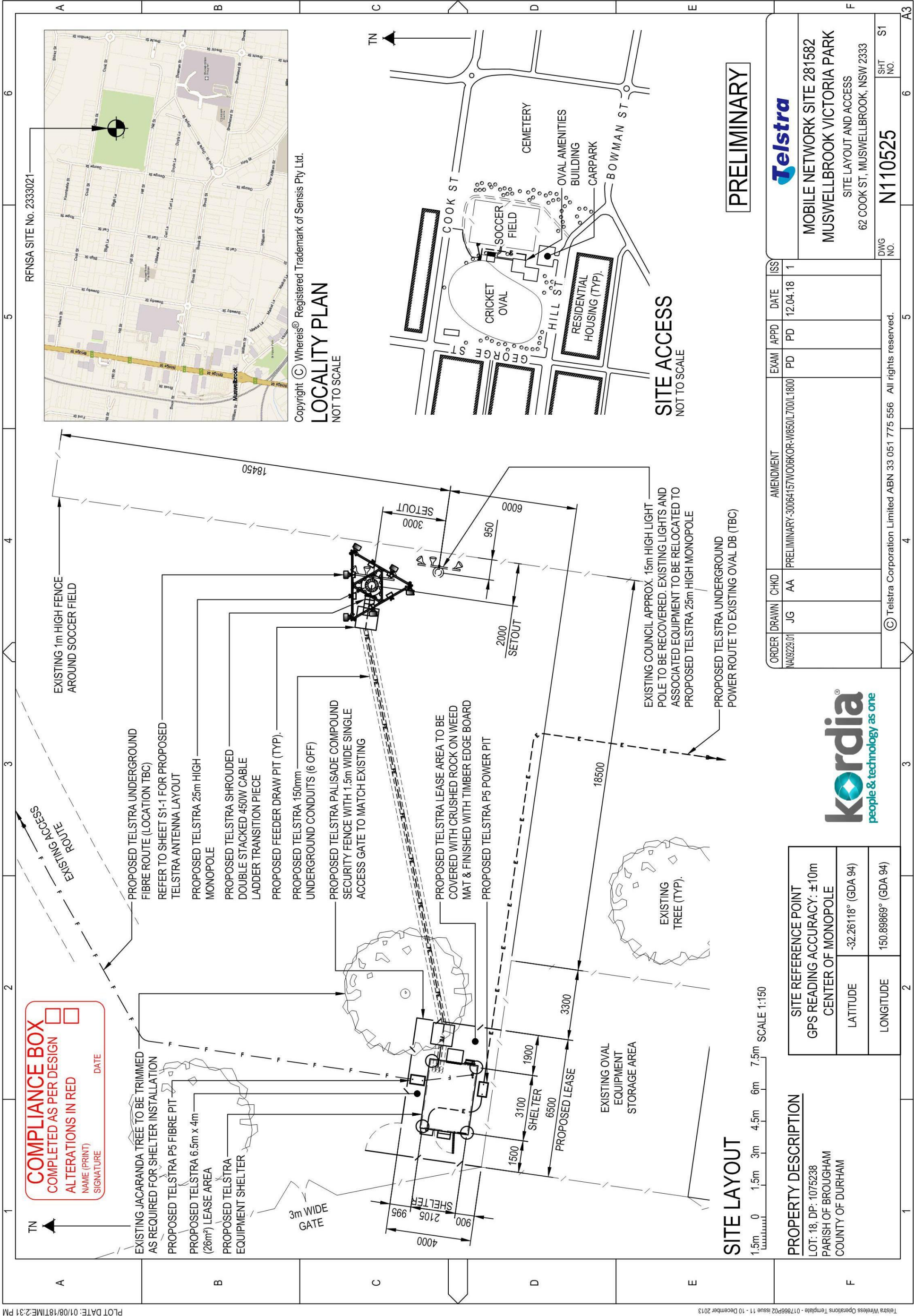


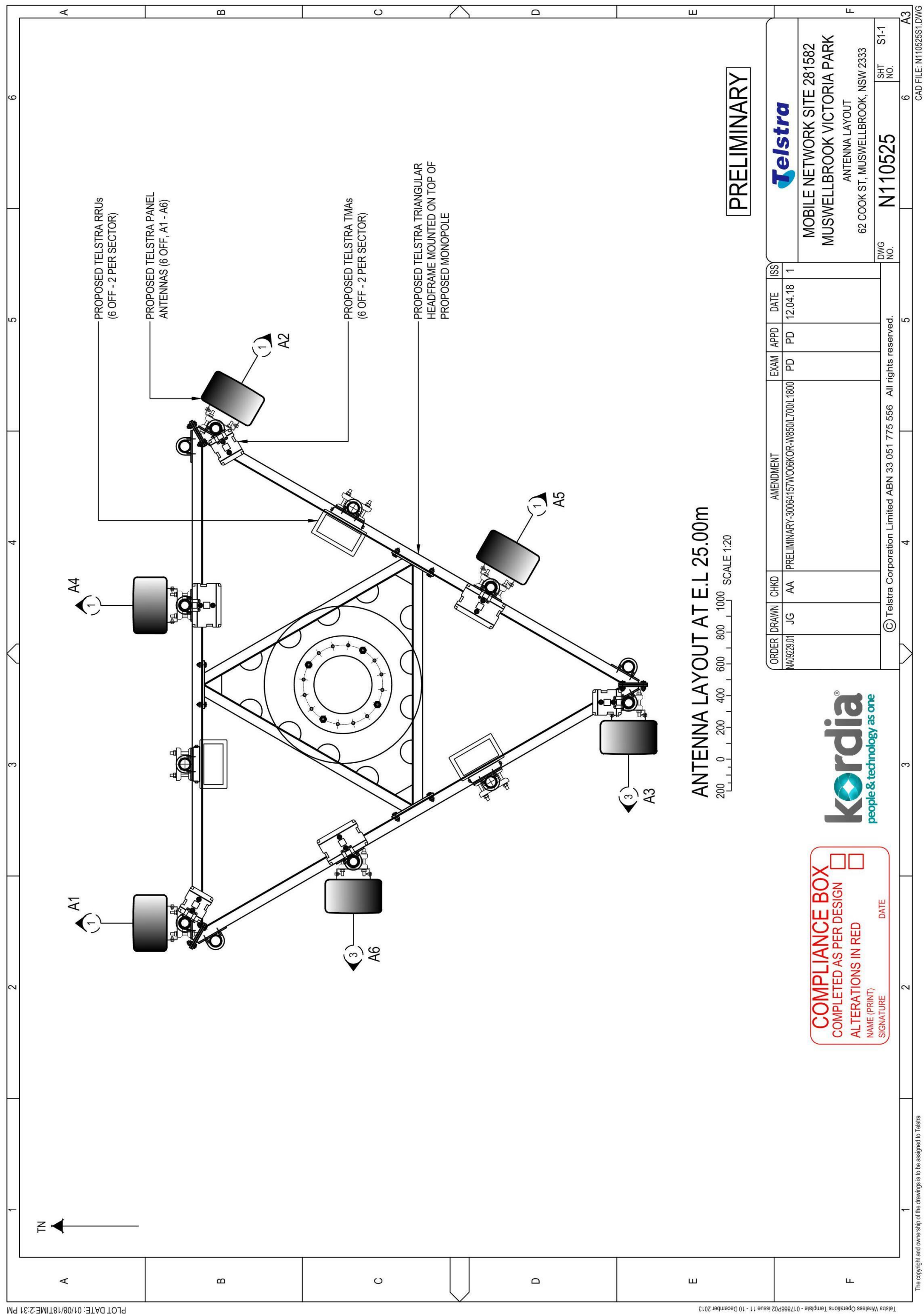
Appendix A – Plans of the proposal

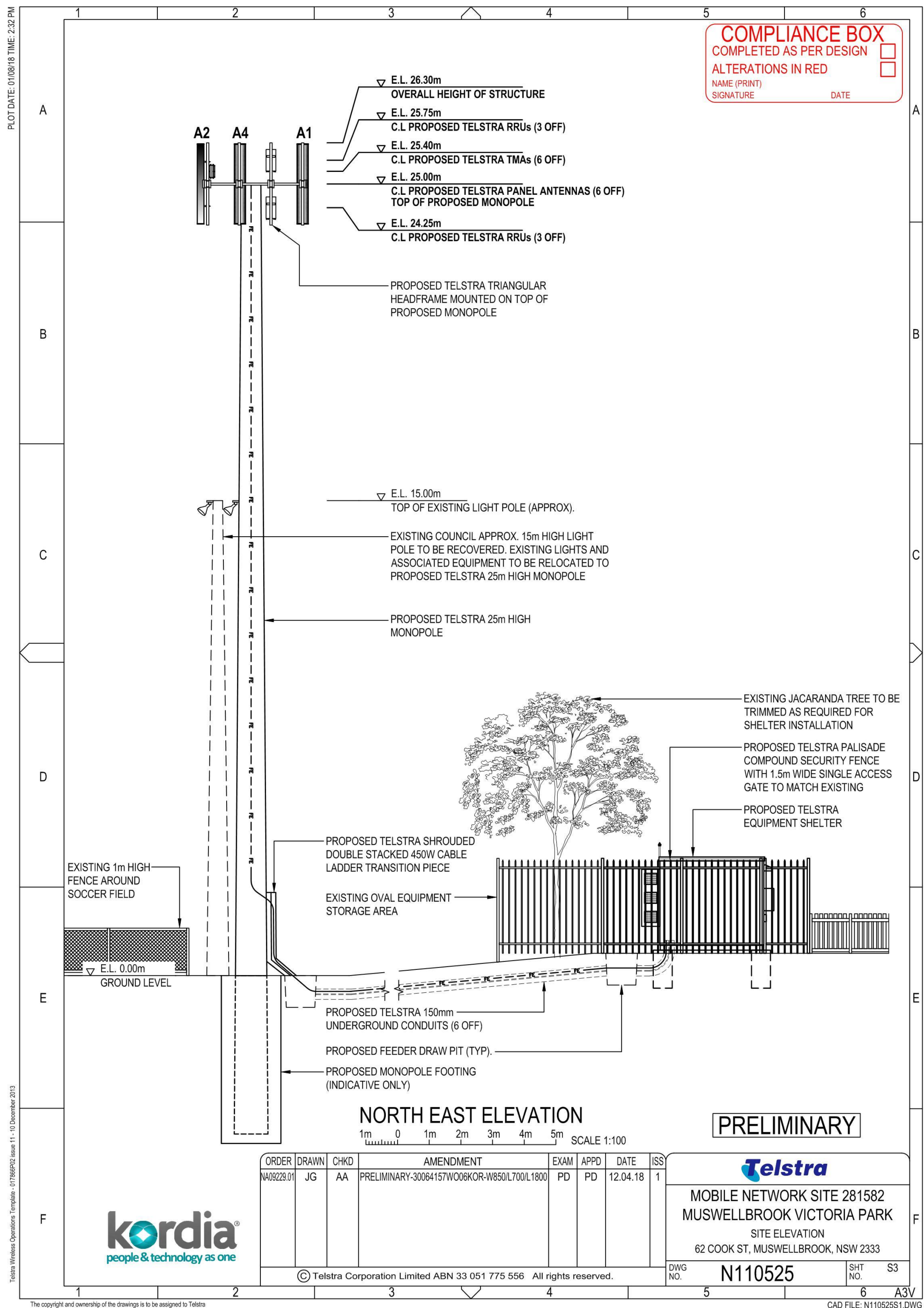
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MUSWELLBROOK NORTH



Appendix B – Environmental EME Report

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Environmental EME Report

Location	Victoria Park Cook Street, MUSWELLBROOK NSW 2333		
Date	13/08/2018	RFNSA No.	2333021

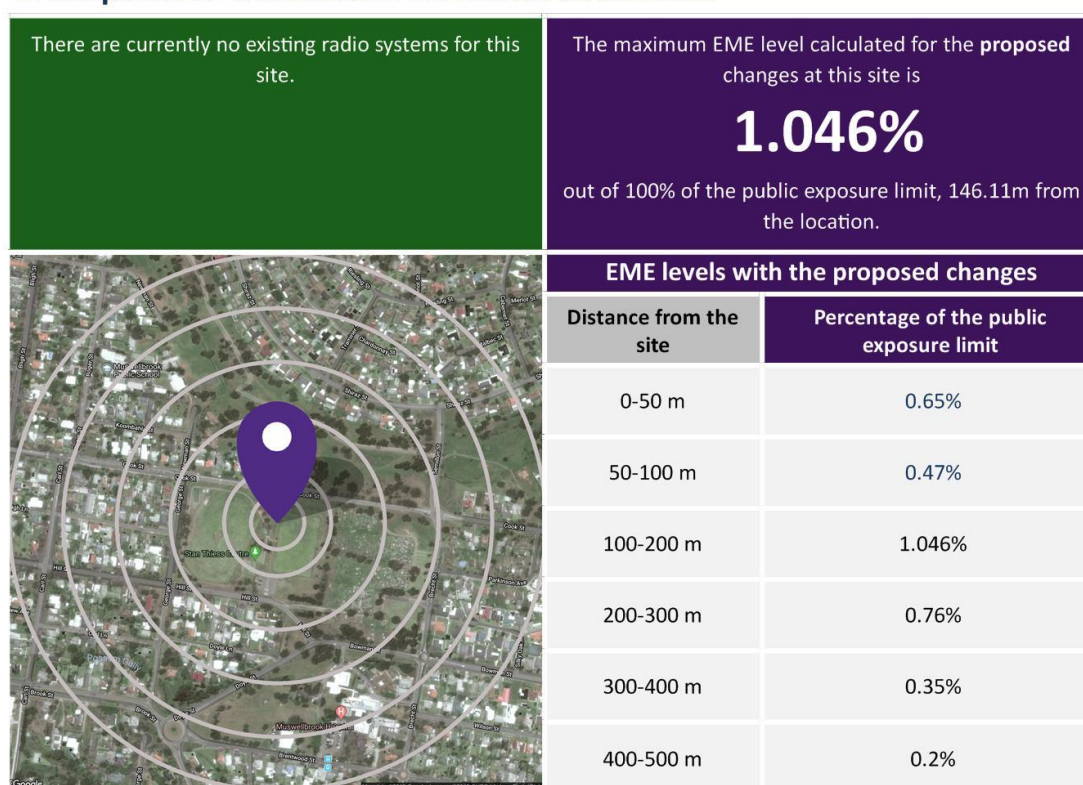
How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at Victoria Park Cook Street, MUSWELLBROOK NSW 2333. These levels have been calculated by Telstra using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

A document describing how to interpret this report is available at ARPANSA's website:

[A Guide to the Environmental Report.](#)

A snapshot of calculated EME levels at this site



For additional information please refer to the EME ARPANSA Report annexure for this site which can be found at <http://www.rfnsa.com.au/2333021>.

Radio systems at the site

This base station currently has equipment for transmitting the services listed under the existing configuration. The proposal would modify the base station to include all the services listed under the proposed configuration.

Carrier	Existing		Proposed	
	Systems	Configuration	Systems	Configuration
Telstra			4G, 4GX	LTE700 (proposed), LTE1800 (proposed)

An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
0-50m				4.61	56.28	0.65%
50-100m				2.83	21.2	0.47%
100-200m				4.8	61.096	1.046%
200-300m				4.18	46.36	0.76%
300-400m				2.83	21.18	0.35%
400-500m				2.12	11.95	0.2%

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2011](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
Residential Property	0-3 m	1.8	8.62	0.21%
Muswellbrook Public School	0-6 m	0.99	2.61	0.049%
Goodstart Early Learning Muswellbrook	0-4 m	0.98	2.56	0.047%

MUSWELLBROOK NORTH



Appendix C – Site Waste Minimisation and Management Plan (SWMMP)

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Muswellbrook Shire Development Control Plan
Section 24
Waste Minimisation and Management

Site Waste Minimisation and Management Plan (SWMMP)

Applicant and Project Details	
Applicant Details	
Application No.	
Name	Kordia Solutions – Mo Dawood
Address	Unit 1D/400 Nudgee Road, Hendra QLD 4011
Phone number(s)	(07) 3907 1416
Email	Mo.Dawood@kordia.com.au
Project Details	
Address of development	Victoria Park, Cook St, Muswellbrook, NSW 2333– Lot 18/DP1075238
Existing buildings and other structures currently on the site	Existing 15m light pole structure.
Description of proposed development	<p>The installation of a new telecommunications facility consisting of:</p> <ul style="list-style-type: none"> • The swap-out of the existing 15m light pole structure for a new 25m monopole with a triangular headframe; • The installation of six (6) new panel antennas mounted on the aforementioned triangular headframe at an elevation of 25m • The installation of a 3.15m (L) x 2.38m (W) equipment shelter within the proposed 6.5m x 4m lease area; • The installation of associated ancillary equipment including transceivers, amplifiers, antenna mounts, cable trays, feeders, cabling, combiners, diplexers, splitters, couplers, jumpers, filters, electrical equipment, handrails, kick plates, signage, bollards and other associated equipment;
<p><i>Declaration:</i> I acknowledge that this development achieves the waste objectives set out in the DCP. The details on this form are the provisions and intentions for minimizing waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, Environment Protection Authority or WorkCover NSW.</p>	
Name	Mo Dawood
Signature	
Date	22 nd May 2018

**Muswellbrook Shire Development Control Plan
Section 24
Waste Minimisation and Management**

DEMOLITION STAGE

Materials on site		Destination		
		REUSE AND RECYCLING		DISPOSAL
Type of Material	Estimated Volume (M ³ or Kg)	ONSITE * specify proposed onsite reuse or recycling methods	OFFSITE * specify proposed offsite reuse or recycling methods	FACILITY * specify contractor and landfill/ disposal site
Bricks	0	N/A	N/A	N/A
Concrete	0.5m ³	0	0	0.5m ³ Kordia will lawfully dispose of all excess concrete from structure footings at an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance.
Excavation material	3m ³	3m ³ The extracted sediment will be reused to restore the ground of the decommissioned light pole structure and compaction surrounding the site	0	0
Fencing	0	N/A	N/A	N/A
Fixtures & Fittings	0	N/A	N/A	N/A
Floor coverings	0	N/A	N/A	N/A
Furniture	0	N/A	N/A	N/A
Glass	0	N/A	N/A	N/A
Green waste	0	N/A	N/A	N/A
Metals	0	N/A	N/A	N/A
Paving/tiles	0	N/A	N/A	N/A
Plasterboard	0	N/A	N/A	N/A
Roadbase/ aggregate	0	N/A	N/A	N/A
Roof Tiles	0	N/A	N/A	N/A
Timber	0	N/A	N/A	N/A
Hazardous/ special waste	0	N/A	N/A	N/A
Other – please specify	0	N/A	N/A	N/A
Other – please specify	0	N/A	N/A	N/A

Muswellbrook Shire Development Control Plan
Section 24
Waste Minimisation and Management

CONSTRUCTION STAGE

Materials on site		Destination		
		REUSE AND RECYCLING		DISPOSAL
Type of Material	Estimated Volume (M ³ or Kg)	ONSITE * specify proposed onsite reuse or recycling methods	OFFSITE * specify proposed offsite reuse or recycling methods	FACILITY * specify contractor and landfill/ disposal site
Bricks	0	N/A	N/A	N/A
Concrete	0	N/A	N/A	N/A
Roof Tiles	0	N/A	N/A	N/A
Timber	0	N/A	N/A	N/A
Plasterboard	0	N/A	N/A	N/A
Metals	0	N/A	N/A	N/A
Glass	0	N/A	N/A	N/A
Excavation Material	11m ³	7m ³ The extracted sediment will be reused to restore the ground after breaking and compaction surrounding the site	N/A	4m ³ Kordia will lawfully dispose of all excess concrete from structure footings at an authorised waste transfer facility. A record will be retained of all waste disposal to demonstrate compliance.
Green waste	0	N/A	N/A	N/A
Fencing	0	N/A	N/A	N/A
Paving/tiles	0	N/A	N/A	N/A
Roadbase/ aggregate	0	N/A	N/A	N/A
Packaging	0	N/A	N/A	N/A
Containers	0	N/A	N/A	N/A
Paper/ cardboards	0	N/A	N/A	N/A
Hazardous/ special waste	0	N/A	N/A	N/A
Other – please specify	0	N/A	N/A	N/A
Other – please specify	0	N/A	N/A	N/A

Muswellbrook Shire Development Control Plan
Section 24
Waste Minimisation and Management

ONGOING OPERATION (Residential, Multi Unit, Commercial, Mixed Use & Industrial)

TYPES OF WASTE LIKELY TO BE GENERATED	ESTIMATED VOLUME PER WEEK (Max)	PROPOSED ONSITE STORAGE AND/ OR PROCESSING	DESTINATION – RECYCLING OR DISPOSAL SITE
<i>Example:</i> Glass, paper, organic, food waste	<i>Example:</i> Weight, m ³ , litres	<i>Example:</i> Waste storage and recycling area, onsite composting, compaction	<i>Example:</i> Recycling, landfill
Not Applicable			
The ongoing lifecycle operation of the subject telecommunications facility will not be a generator of waste.			

MUSWELLBROOK NORTH



Appendix D – EPBC Act Protected Matters Report

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Australian Government

Department of the Environment and Energy

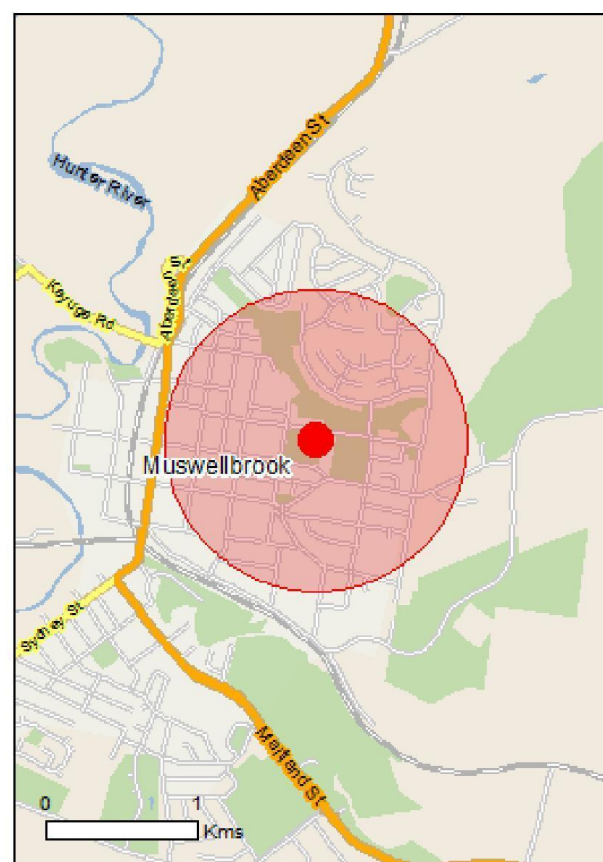
EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

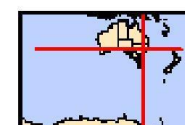
Report created: 22/05/18 09:25:45

[Summary](#)[Details](#)[Matters of NES](#)[Other Matters Protected by the EPBC Act](#)[Extra Information](#)[Caveat](#)[Acknowledgements](#)

This map may contain data which are
©Commonwealth of Australia
(Geoscience Australia), ©PSMA 2010

[Coordinates](#)

Buffer: 1.0Km



Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance:	1
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	3
Listed Threatened Species:	21
Listed Migratory Species:	13

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	3
Commonwealth Heritage Places:	None
Listed Marine Species:	19
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Commonwealth Reserves Marine:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	None
Regional Forest Agreements:	1
Invasive Species:	30
Nationally Important Wetlands:	None
Key Ecological Features (Marine)	None

Details

Matters of National Environmental Significance

Wetlands of International Importance (Ramsar)	[Resource Information]
Name	Proximity
Hunter estuary wetlands	50 - 100km upstream

Listed Threatened Ecological Communities [Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Central Hunter Valley eucalypt forest and woodland	Critically Endangered	Community likely to occur within area
Hunter Valley Weeping Myall (Acacia pendula) Woodland	Critically Endangered	Community may occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically Endangered	Community may occur within area

Listed Threatened Species [Resource Information]

Name	Status	Type of Presence
Birds		
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Species or species habitat likely to occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Erythrorchis radiatus Red Goshawk [942]	Vulnerable	Species or species habitat likely to occur within area
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat likely to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat may occur within area
Frogs		
Litoria booroolongensis Booroolong Frog [1844]	Endangered	Species or species habitat may occur within

Name	Status	Type of Presence area
Mammals		
<u>Chalinolobus dwyeri</u> Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat likely to occur within area
<u>Dasyurus maculatus maculatus (SE mainland population)</u> Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat known to occur within area
<u>Nyctophilus corbeni</u> Corben's Long-eared Bat, South-eastern Long-eared Bat [83395]	Vulnerable	Species or species habitat likely to occur within area
<u>Petauroides volans</u> Greater Glider [254]	Vulnerable	Species or species habitat may occur within area
<u>Petrogale penicillata</u> Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat likely to occur within area
<u>Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</u> Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
<u>Pteropus poliocephalus</u> Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
Plants		
<u>Cynanchum elegans</u> White-flowered Wax Plant [12533]	Endangered	Species or species habitat may occur within area
<u>Euphrasia arguta</u> [4325]	Critically Endangered	Species or species habitat may occur within area
<u>Prasophyllum sp. Wybong (C.Phelps ORG 5269)</u> a leek-orchid [81964]	Critically Endangered	Species or species habitat may occur within area
<u>Thesium australe</u> Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat may occur within area
Reptiles		
<u>Delma impar</u> Striped Legless Lizard [1649]	Vulnerable	Species or species habitat known to occur within area
Listed Migratory Species		[Resource Information]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
Migratory Marine Birds		
<u>Apus pacificus</u> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
<u>Hirundapus caudacutus</u> White-throated Needletail [682]		Species or species habitat likely to occur within area
<u>Monarcha melanopsis</u> Black-faced Monarch [609]		Species or species habitat known to occur within area
<u>Motacilla flava</u> Yellow Wagtail [644]		Species or species

Name	Threatened	Type of Presence
Myiagra cyanoleuca Satin Flycatcher [612]		habitat may occur within area Species or species habitat known to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat likely to occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat may occur within area

Other Matters Protected by the EPBC Act

Commonwealth Land [Resource Information]

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Name
Commonwealth Land - Australian Telecommunications Commission
Commonwealth Land - Commonwealth Bank of Australia
Commonwealth Land - Defence Housing Authority

Listed Marine Species [Resource Information]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardea alba Great Egret, White Egret [59541]		Species or species habitat likely to occur within area

Name	Threatened	Type of Presence
Ardea ibis Cattle Egret [59542]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat likely to occur within area
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat likely to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat may occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat likely to occur within area
Rostratula benghalensis (sensu lato) Painted Snipe [889]	Endangered*	Species or species habitat may occur within area

Extra Information

Regional Forest Agreements

[Resource Information]

Note that all areas with completed RFAs have been included.

Name

State

[North East NSW RFA](#)

New South Wales

Invasive Species

[Resource Information]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.

Name	Status	Type of Presence
Birds		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area
Alauda arvensis Skylark [656]		Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Turdus merula Common Blackbird, Eurasian Blackbird [596]		Species or species habitat likely to occur within area
Frogs		
Rhinella marina Cane Toad [83218]		Species or species habitat likely to occur within area
Mammals		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Feral deer Feral deer species in Australia [85733]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus norvegicus Brown Rat, Norway Rat [83]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
Plants		
Chrysanthemoides monilifera Bitou Bush, Boneseed [18983]		Species or species habitat may occur within area
Genista sp. X Genista monspessulana Broom [67538]		Species or species habitat may occur within area
Lycium ferocissimum African Boxthorn, Boxthorn [19235]		Species or species habitat likely to occur within area
Opuntia spp. Prickly Pears [82753]		Species or species habitat likely to occur within area
Pinus radiata Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780]		Species or species habitat may occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Salvinia molesta Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]		Species or species habitat likely to occur within area
Senecio madagascariensis Fireweed, Madagascar Ragwort, Madagascar Groundsel [2624]		Species or species habitat likely to occur within area
Tamarix aphylla Athel Pine, Athel Tree, Tamarisk, Athel Tamarisk, Athel Tamarix, Desert Tamarisk, Flowering Cypress, Salt Cedar [16018]		Species or species habitat likely to occur within area

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-32.26118 150.89869

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [Office of Environment and Heritage, New South Wales](#)
- [Department of Environment and Primary Industries, Victoria](#)
- [Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [Department of Environment, Water and Natural Resources, South Australia](#)
- [Department of Land and Resource Management, Northern Territory](#)
- [Department of Environmental and Heritage Protection, Queensland](#)
- [Department of Parks and Wildlife, Western Australia](#)
- [Environment and Planning Directorate, ACT](#)
- [Birdlife Australia](#)
- [Australian Bird and Bat Banding Scheme](#)
- [Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [Museum Victoria](#)
- [Australian Museum](#)
- [South Australian Museum](#)
- [Queensland Museum](#)
- [Online Zoological Collections of Australian Museums](#)
- [Queensland Herbarium](#)
- [National Herbarium of NSW](#)
- [Royal Botanic Gardens and National Herbarium of Victoria](#)
- [Tasmanian Herbarium](#)
- [State Herbarium of South Australia](#)
- [Northern Territory Herbarium](#)
- [Western Australian Herbarium](#)
- [Australian National Herbarium, Canberra](#)
- [University of New England](#)
- [Ocean Biogeographic Information System](#)
- [Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [Geoscience Australia](#)
- [CSIRO](#)
- [Australian Tropical Herbarium, Cairns](#)
- [eBird Australia](#)
- [Australian Government – Australian Antarctic Data Centre](#)
- [Museum and Art Gallery of the Northern Territory](#)
- [Australian Government National Environmental Science Program](#)
- [Australian Institute of Marine Science](#)
- [Reef Life Survey Australia](#)
- [American Museum of Natural History](#)
- [Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

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 Department of the Environment
 GPO Box 787
 Canberra ACT 2601 Australia
 +61 2 6274 1111

MUSWELLBROOK NORTH



Appendix E – AHIMS Heritage Report

KORDIA®
CONFIDENTIAL

PAGE 47 OF 47





AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : Muswellbrook

Client Service ID : 346328

Moemin Dawood

Date: 22 May 2018

Unit 3, 370 Nudgee Road

Hendra Queensland 4011

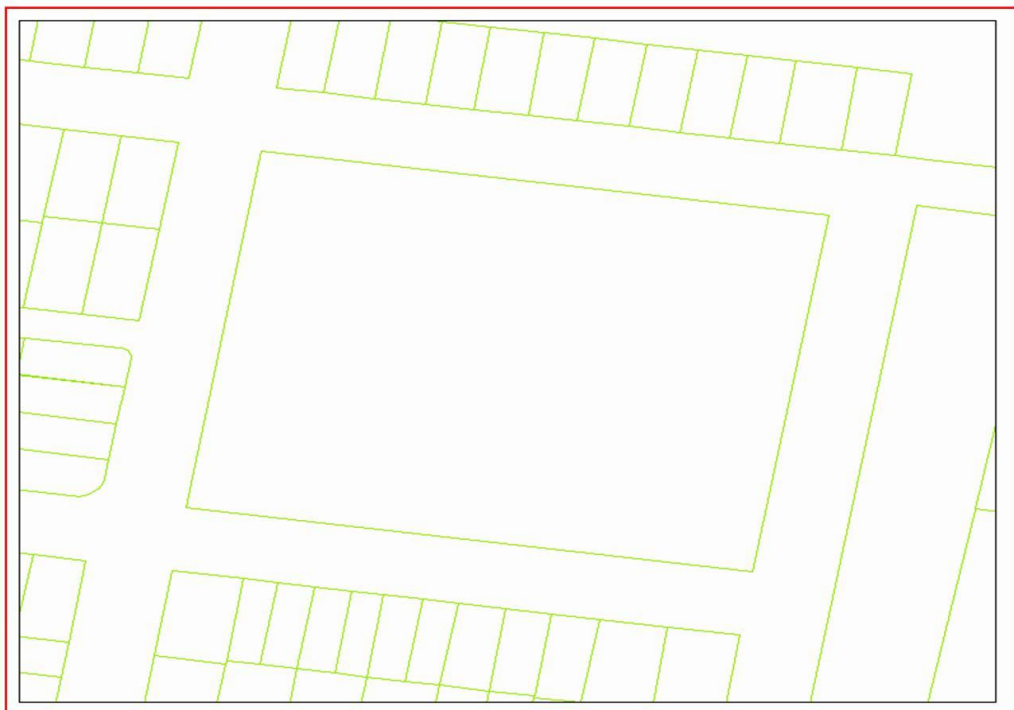
Attention: Moemin Dawood

Email: mo.dawood@kordia.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 18, DP:DP1075238 with a Buffer of 50 meters, conducted by Moemin Dawood on 22 May 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

3 Marist Place, Parramatta NSW 2150
Locked Bag 5020 Parramatta NSW 2220
Tel: (02) 9585 6380 Fax: (02) 9873 8599

ABN 30 841 387 271
Email: ahims@environment.nsw.gov.au
Web: www.environment.nsw.gov.au



Luke Mathew

[REDACTED]
muswellbrook, NSW, 2333

The General Manager
muswellbrook Shire Council
PO Box 122
muswellbrook, NSW, 2333

September 20th, 2018

To Whom It May Concern,
I am writing to you as I highly object to Development
Application No 76/2018.

I bought my house at [REDACTED] in April 2018.
If I had known that a mobile network tower was
going to be installed I would not have purchased the
property as I do not want it to be the first thing
I see when I look outside my door.

I also object on the grounds of the health impact
of my 3 small children.
I believe that property prices will decrease if the
development goes forward.

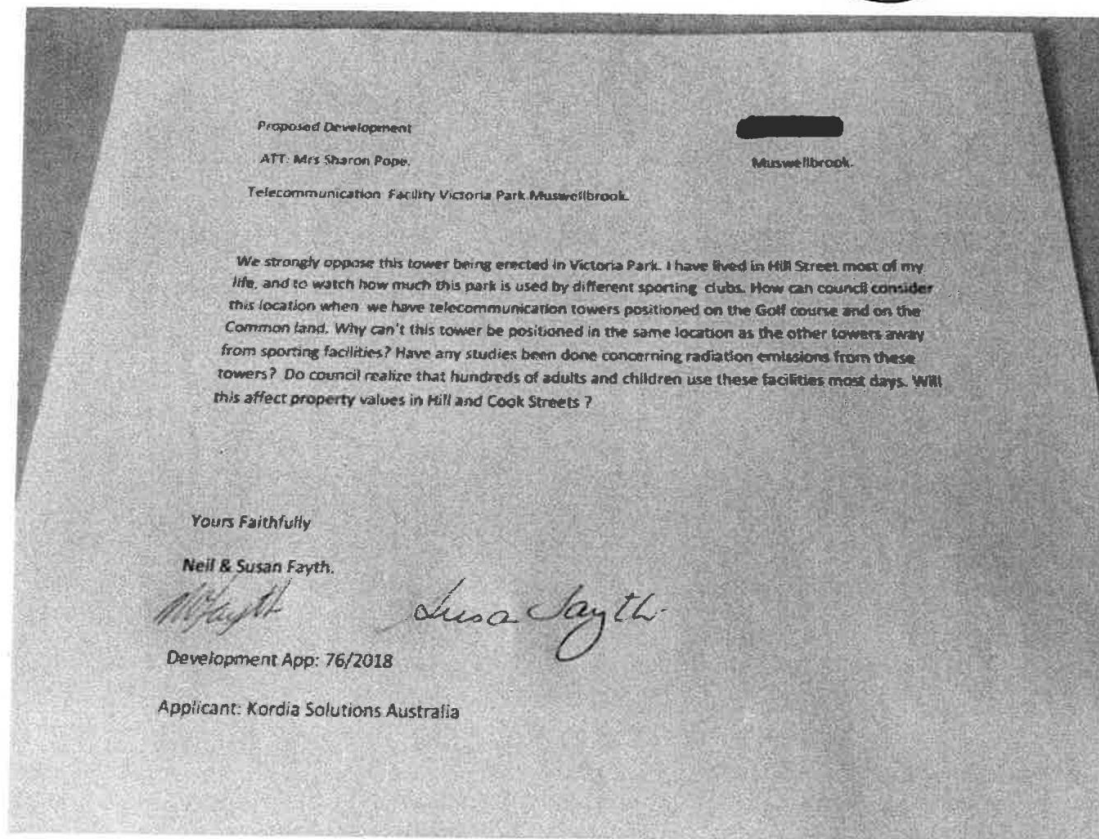
A children's playgroup and sporting field is not an
appropriate place for a telecommunications tower to
be installed. Surely there is a more suitable location
for the phone tower than a neighbourhood with
lots of children and families.

Sincerely,

Luke Mathew

L. W. Mathew

<https://infoxpert.edrms/docs/Development%20Applications/DA%20Applications/DAs...> 9/25/2018 ✓



Saturday, 15 September 2018 2:19 PM

3

The General Manager
Muswellbrook Shire Council
P.O. Box 122
Muswellbrook.NSW.2333.

DJ & BJ Heawood
[REDACTED]
Muswellbrook.NSW.2333
[REDACTED]

Dear Sir,

RE Notice of Proposed Development
Installation of New Telecommunications Facility
Lot 18 DP 1075238
Hill Street Muswellbrook
Development Application No 76/2018....Kordia Solutions Aust.

I wish to make the following submission of my concerns regarding the above proposal.

- (1) This area is a veritable hub of activities for several sports events (eg) Adult soccer' Junior soccer' School sports carnivals' Cricket' Child minding' and many other social events throughout the year. Something of this magnitude could hardly be in a worse place with so much going on.
- (2) Given all the studies that have been done on the effects of these towers resulting in no definite Real answers as to their safety I would be very unhappy to see this in this area. There are simply too many children and adults that could be affected.
- (3) Living where we do, we have the Helicopter Service to the hospital with its flight path directly over this area. This would create another obstacle to avoid safely, certainly not good in emergencies. These occur 3 or 4 times a week.
- (4) It would have been sensible & courteous to at least have some alternatives. Surely in a town of its size there would be somewhere not too far from this site that would be far more suitable and less intrusive.
- (5) We did not receive this letter of notice. A neighbour gave us a copy. I will however deliver this by hand so as to assure it is inside the prescribed time.

I am pleased to have this opportunity,

Yours sincerely,

Bonnie Heawood
Bonnie Heawood.
For DJ & BJ Heawood



4

Re: DA 76/2018

Muswellbrook
NSW 2333

18th September 2018

Dear General Manager,

I wish to object to the proposed location of the Telstra monopole in the above DA.

There is a plethora of scientific evidence that relates to the radiation and effects of high frequency radio waves from these towers that supports the universal held belief of their detriment.

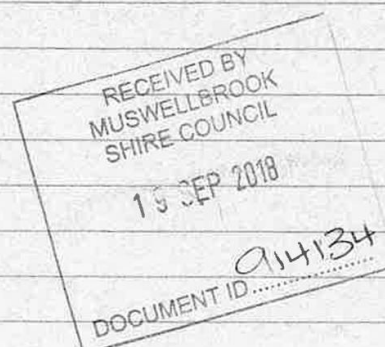
To be positioned so close to a sporting area used by young people and children shows a short-sightedness from the application. possibly with a bit more thought from sage person at kordia solutions, a site could be found closer to the common.

My sole contention and disappointment with this DA are with the location.

Yours faithfully,



James Edwards.





[REDACTED]
Muswellbrook
NSW 2333


18th September 2018

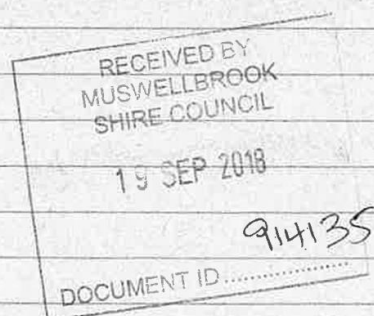
Dear General Manager,

I wish to object to the proposed location of the Telstra monopole in DA 17/2016

I object on the grounds of the detrimental impact a mobile phone tower will have on the health of my small children.

There has to be a better solution for the location of this tower than a popular sporting field.

yours faithfully

Kerner Edwards.



⑥

Lesley Webster

Muswellbrook, NSW, 2333

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

September 18th, 2018

To Whom It May Concern,

I am writing to you as
a concerned resident of Cook Street, Muswellbrook.

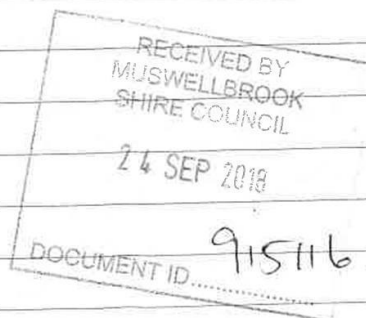
I highly object to Development Application No 76/2018.

I object on the grounds of the detrimental
impact a mobile phone tower will have on
the health of my small children. I also
believe property prices will be lowered if
this development goes forward.

Surely there is a more suitable location
than in a well used sporting field and
near a playground where children play.

Sincerely,

Lesley Webster



⑦

Nita Englebrecht

MUSWELLBROOK

NSW 2333

16th September 2018

Muswellbrook Shire Council
Attention: General Manager
PO Box 122
Muswellbrook NSW 2333



Dear Sir/madam,

I am writing to you to object to development application number 76/2018 for the installation of New Telecommunications Facility to be located at Lot 18 DP1075238, Hill Street, Muswellbrook.

The reasons for my objection are as follows:-

Health Concerns - the Telecommunications Tower planned for Victoria Park emits Electromagnetic Energy (EME), I am concerned about how this will effect my health and the health of other residents and park users. Many groups use the park including schools, playgroups, personal trainers, children train and play on the soccer fields and also participate in athletics. My grand children and great children use the park. The Telecommunication Tower is also within 200-300m of a public school, hospital and daycare facility.

On the ARPANSA (Australian Radiation Protection and Nuclear Safety Agency) website it states the following:- "Wireless Base Stations work by sending out RF (Radio Frequency) and EME in the form of waves carrying information. When the RF EME reaches objects, including people and animals, some of the energy carried by the waves is deposited in the object. This can cause heating of the object and, if levels are too high, can cause harmful effects."

Have council taken into consideration the information above, and would they still be willing to put their ratepayers and user payers at risk of the "harmful effects" by allowing the tower?

✓

ARPANSA also states " industry code requires the mobile phone network companies to take account of community concern about location of particular interest, such as places where children spend a lot of time".

Victoria Park is used by children daily wether it be for school sport, training and playing soccer or athletics.

Have all residents, sporting groups, playgroups and schools who use the facilities been adequately consulted?

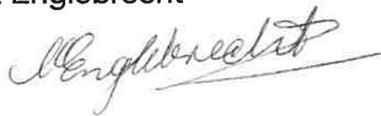
Have council consulted industry and government bodies such as ARPANSA in relation to the suitability of the proposed site?

It is also noted that all other telecommunication towers in Muswellbrook are on the outskirts of the township, what are the benefits of having the proposed telecommunications tower in this location?

Unsightly - the 26 metre high Telecommunications Tower will be located within 60 metres and directly in front of my home. I am wondering why you would consider a tower of such magnitude in the middle of Victoria Park, when so many people enjoy the facilities from walkers, runners and even soccer spectators from other areas. To have this tower overshadowing their outlook, and as a reminder corporate power and money interfering with leisure activities is anything but embarrassing for me and the Muswellbrook Shire.

To conclude, I would like to ask if any of the Councillors would they be happy for a tower of this magnitude to be constructed on their front door step? I think given the area is deemed to be a Recreational area it should remain that way, and another location sort.

Nita Englebrecht



RECEIVED BY
MUSWELLBROOK
SHIRE COUNCIL

19 SEP 2018

914141

Bradley Kane

Re: DA 76/2018



To the General Manager, Muswellbrook Shire Council.

I received a notice of proposed development last week for a Telecommunication Facility on Victoria Park Muswellbrook. As the owner of the property at [REDACTED] I would like to strongly oppose this development.

Since receiving this application I have been doing some research into health effects from telecommunication towers. While most studies done by Communication companies say it's safe, independent studies have proven different.

Evidence from such studies even forced a Senate Inquiry into a Telecom Amendment by Mr Andrew Wilkie MP in 2012. In this inquiry Mr Wilkie asked for an investigation into the current standards as they only protect against the short term, acute, heating effects of radiofrequency radiation and not long term, non heating effects that are relevant for people living or working near telecommunication transmitters. The bill he proposed requires that telecommunication tower facilities cannot be located within 200m of community sensitive sites.

Not only do you have this long term effect on the people of Cook Street, Hill Street, George Street, Brecht Street, Parkinson Avenue, parts of Shiraz Street and Muswellbrook Public School (based on the studies of effects of radiofrequency radiation up to 400m of towers) you also have approximately 600 junior and senior football (soccer) players, junior and senior cricket players and also a local playgroup that utilise Victoria Park, the Stan Theiss centre and adjoining playground that may be affected. But most of all I am seriously worried about the health of my family and my neighbours if this tower goes ahead.

My other argument is that a tower of that size, and in very close proximity to myself and my neighbours properties, would drop the value of these properties considerably. I have seen these towers on the outskirts of town and they are an absolute eyesore. I strongly believe a different location, preferably out of town, would be a more suitable location. There is plenty of land at the Muswellbrook Common or vacant disused mining land at Kayuga that would be perfectly suited for a structure of this size. If it HAD to go at Victoria park, why wouldn't you put it on the other side of the soccer fields between the soccer field and the cemetery. There is a nice wide corridor where the tower could be put and be a safer distance between all homes in Cook St, Hill St and Brecht St. If this tower were to go ahead at the proposed site at Victoria Park, I would expect a substantial amount of compensation for the drop of value of my property.

In the application it also states that there will be a P5 fibre pit and equipment shelter. It doesn't explain what is going in the shelter (power box/transformer). If this area were to catch fire, being in close proximity to the Soccer Club storage, it would surely spread to the canteen building and destroy the building.

Some questions I would like to put forward and receive answers to:

1.

I would like all the councillors to ask themselves, if this massive, ugly, health risk of a tower was proposed within 60m of your home would you object? P.s if any of your council said NO feel free to move the tower to that location.

2.

If you were going to purchase a house and it had this tower within 60m, would it put you off buying

that property?

3.

Why do Kordia Solutions Australia feel this is a suitable site when it is so close to residential houses and school, when there are more suitable sites that are on the outskirts close to town?

4.

Shouldn't the risk of associated health problems, potential future liability payouts, and decreased property value outweigh the placement of the tower?

I have attached some statements of studies done on health risks of these towers. Please take the time to read them.....Remember when the Federal Government told us Asbestos and Cigarettes were safe!!!!

Please consider these issues and deny the DA 76/2018

Kind regards, Bradley Kane

Owner [REDACTED]



I have for forwarded a copy to Michael Johnson MP and Joel Fitzgibbon MP voicing my concerns.

— Cathy Bergman-Veniza, at Vermont Law School Environmental Law Center Conference, 1996

The safety of cell phone towers is the subject of extensive scientific debate. There is a growing body of scientific evidence that the electromagnetic radiation they emit, even at low levels, is dangerous to human health. The cell phone industry is expanding quickly, with over 100,000 cell phone towers now up across the U.S., which is expected to increase ten-fold over the next five years. The industry has set what they say are "safe levels" of radiation exposure, but there are a growing number of doctors, physicists, and health officials who strongly disagree, and foresee a public health crisis. Many towers have been built recently in Siskiyou Colorado, with dozens more planned, as telecommunications companies rush to corner markets in this fast-growing industry. These towers emit radio frequencies (RF), a form of electromagnetic radiation (EMR), for a distance of up to 2-1/2 miles. They are essentially the same frequency radiation as microwaves in a microwave oven. Studies have shown that even at low levels of this radiation, there is evidence of damage to cell tissue and DNA, and it has been linked to brain tumors, cancer, suppressed immune function, depression, miscarriage, Alzheimer's disease, and numerous other serious illnesses. [1] Children are at the greatest risk, due to their thinner skulls, and rapid rate of growth. Also at greater risk are the elderly, the frail, and pregnant women. Doctors from the United Kingdom have issued warnings urging children under 16 not to use cell phones, to reduce their exposure to radio frequency (RF) radiation. [2] Over 100 physicians and scientists at Harvard and Boston University Schools of Public Health have called cellular towers a radiation hazard. And, 33 delegate physicians from 7 countries have declared cell phone towers a "public health emergency". The U.S. Federal Communications Commission (FCC) is in charge of setting the standards of exposure for the public, and claims that, based on scientific studies, the current levels are safe. But it is not a public health agency, and has been criticized as being "an arm of the industry". Many who work for the FCC are either past, present or future employees of the very industries they are supposed to regulate. With an explosively emergent \$40 billion dollar a year industry at stake, critics have stated "you can bet that their studies are going to show whatever they want them to show". Our federal government also once told us that asbestos, cigarettes, thalidomide, and the blood supply were "safe", but which were later found to be harmful. "You can bet that their studies are going to show whatever they want them to show."

A study by Dr. Bruce Hocking in Australia found that children living near three TV and FM broadcast towers (similar to cell towers) in Sydney had more than twice the rate of leukemia than children living more than seven miles away.

• Says Dr. Neil Cherry, a biophysicist at Lincoln University in New Zealand:

• "Public health surveys of people living in the vicinity of cell site base stations should be being carried out now, and continue progressively over the next two decades. This is because prompt effects

such as miscarriage, cardiac disruption, sleep disturbance and chronic fatigue could well be early indicators of the adverse health effects. Symptoms of reduced immune system competence, cardiac problems, especially of the arrhythmic type, and cancers, especially brain tumor and leukemia, are probable."

•Biomedical engineer Mariana Alves-Pereira says exposure to cell phone towers can lead to vibroacoustic disease. "From what I understand, some of the complaints are similar in what is seen in vibroacoustic disease patients, which are people who develop a disease caused by low frequency noise exposure," she said. Symptoms can include mood swings, indigestion, ulcers and joint pain.

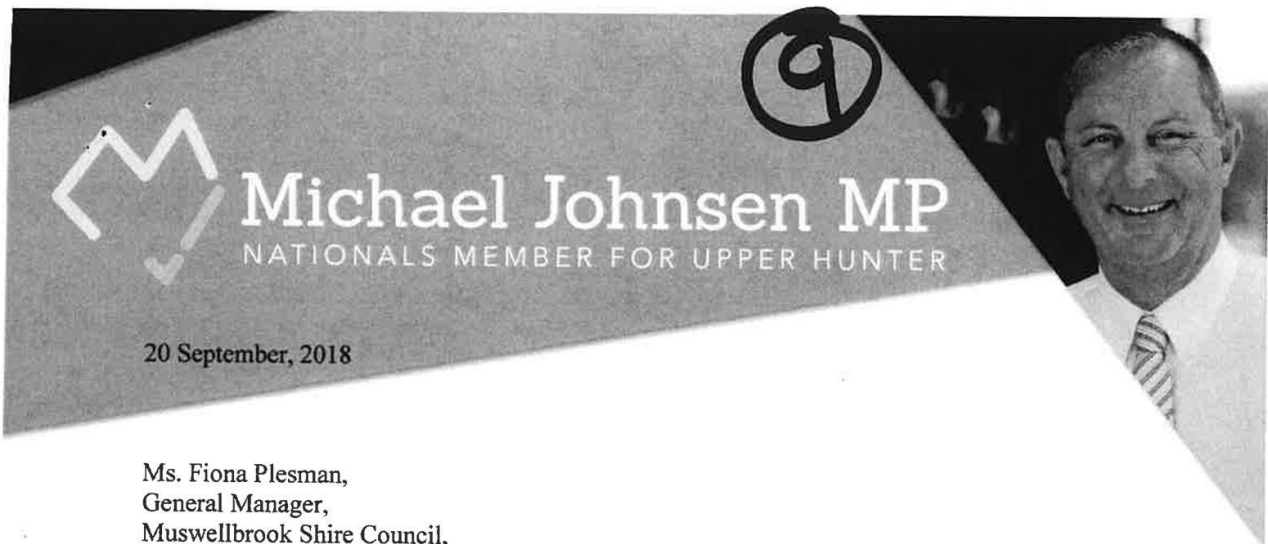
•Dr. Gerard Hyland, a physicist who was nominated twice for the Nobel Prize in medicine, says, "Existing safety guidelines for cell phone towers are completely inadequate ... Quite justifiably, the public remains skeptical of attempts by governments and industry to reassure them that all is well, particularly given the unethical way in which they often operate symbiotically so as to promote their own vested interests."

•According to the Mount Shasta Bioregional Ecology Center, "Studies have shown that even at low levels of this radiation, there is evidence of damage to cell tissue and DNA, and it has been linked to brain tumors, cancer, suppressed immune function, depression, miscarriage, Alzheimer's disease, and numerous other serious illnesses."

•According to Dr. W. Löscher of the Institute of Pharmacology, Toxicology and Pharmacy of the Veterinary School of Hannover in Germany, dairy cows that were kept in close proximity to a TV and cell phone tower for two years had a reduction in milk production along with increased health problems and behavioral abnormalities. In an experiment, one cow with abnormal behavior was taken away from the antenna and the behavior subsided within five days. When the cow was brought back near the antenna, the symptoms returned.

I HAVE NEVER MADE ANY POLITICAL DONATION OR
GIVEN ANY GIFTS.

Brad Kere



Ms. Fiona Plesman,
General Manager,
Muswellbrook Shire Council,
P.O. Box 122,
MUSWELLBROOK. N.S.W. 2333

Dear Ms. Plesman, *Fiona*

I wish to make representations on behalf of Mr. Brad Kane of [REDACTED] 2333, in relation to his opposition to the Development Application 76/2018, Installation of New Telecommunications Facility at Victoria Park, Muswellbrook.

As outlined in the attached correspondence Mr. Kane outlines his objections to the Development Application and it would be appreciated if you would take into consideration the points he has made.

Yours sincerely,

[Signature]
Michael Johnsen MP,
Member for Upper Hunter

Phone 02 6543 1065 | Fax 02 6543 1416

Email upperhunter@parliament.nsw.gov.au | Address 20 Bridge Street, Muswellbrook NSW 2333



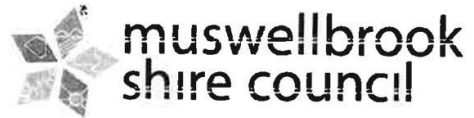
www.michaeljohnsen.com.au



Michael Johnsen MP



JohnsenMP



Enquiries
Please ask for Mrs Sharon Pope
Direct 02 6549 3745
Our ref DA 76/2018
Your ref

3 September 2018

Dear Sir/Madam

NOTICE OF PROPOSED DEVELOPMENT

A Development Application has been lodged with Council for the following:

Proposal: Installation of New Telecommunications Facility

Premises: Lot: 18 DP: 1075238
HILL STREET MUSWELLBROOK

Development Application No: 76/2018

Applicant: Kordia Solutions Australia

if, after examination of the enclosed plans you wish to express your views, by way of a written submission on the proposal these will be taken into consideration when Council determines the application. Please refer to the back of this letter for important information on making a submission and the use of the personal information you provide.

As Council is obliged to deal with applications within a prescribed period your objection must be received by **20 September 2018**. If a submission is not received within the specified time frame, Council will assume that you have no objections in relation to this proposal. All submissions should be addressed to the General Manager, Muswellbrook Shire Council.

For further assistance, please contact Council's Planning and Regulatory Services Department on 02 6549 3745.

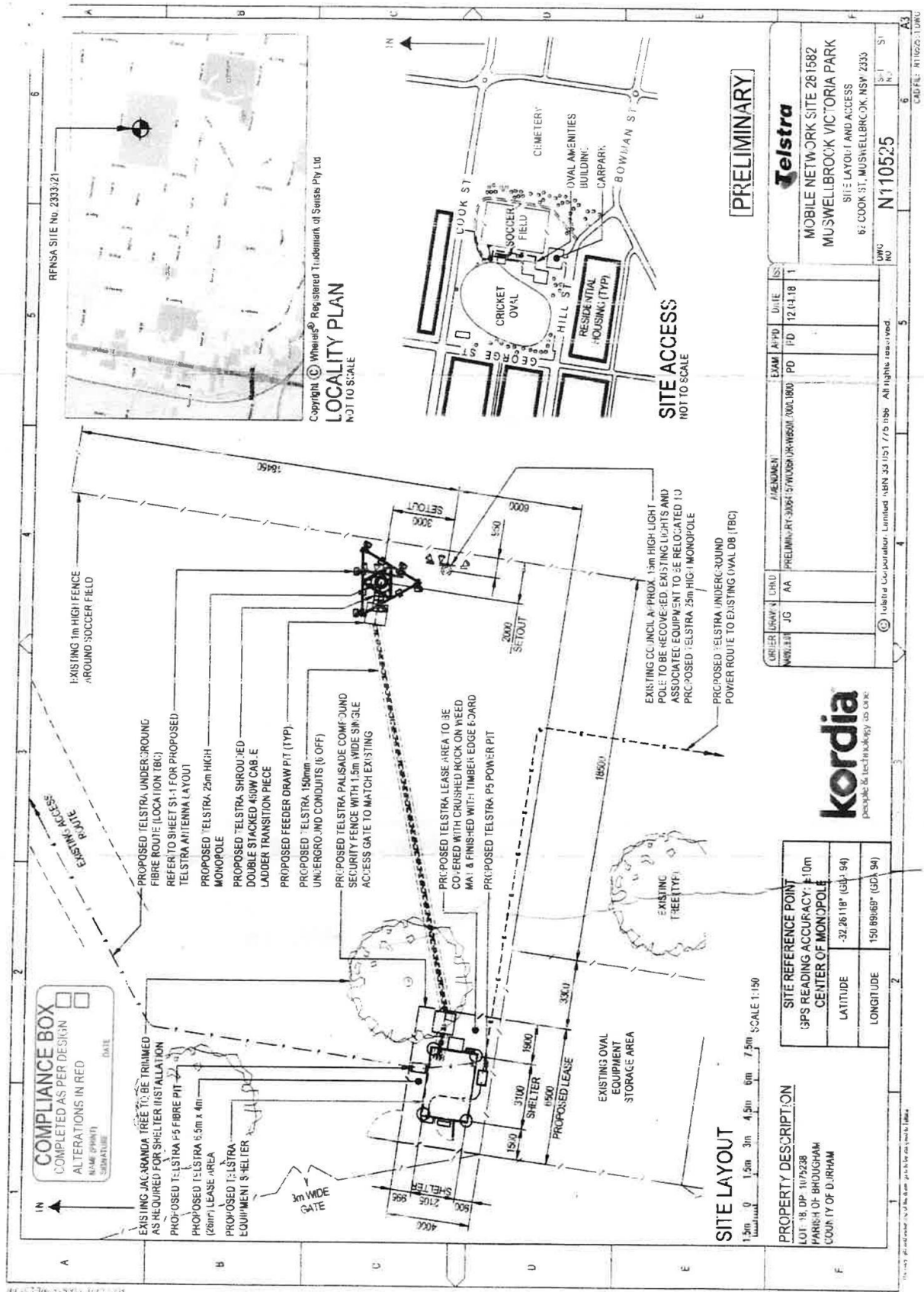
Yours faithfully

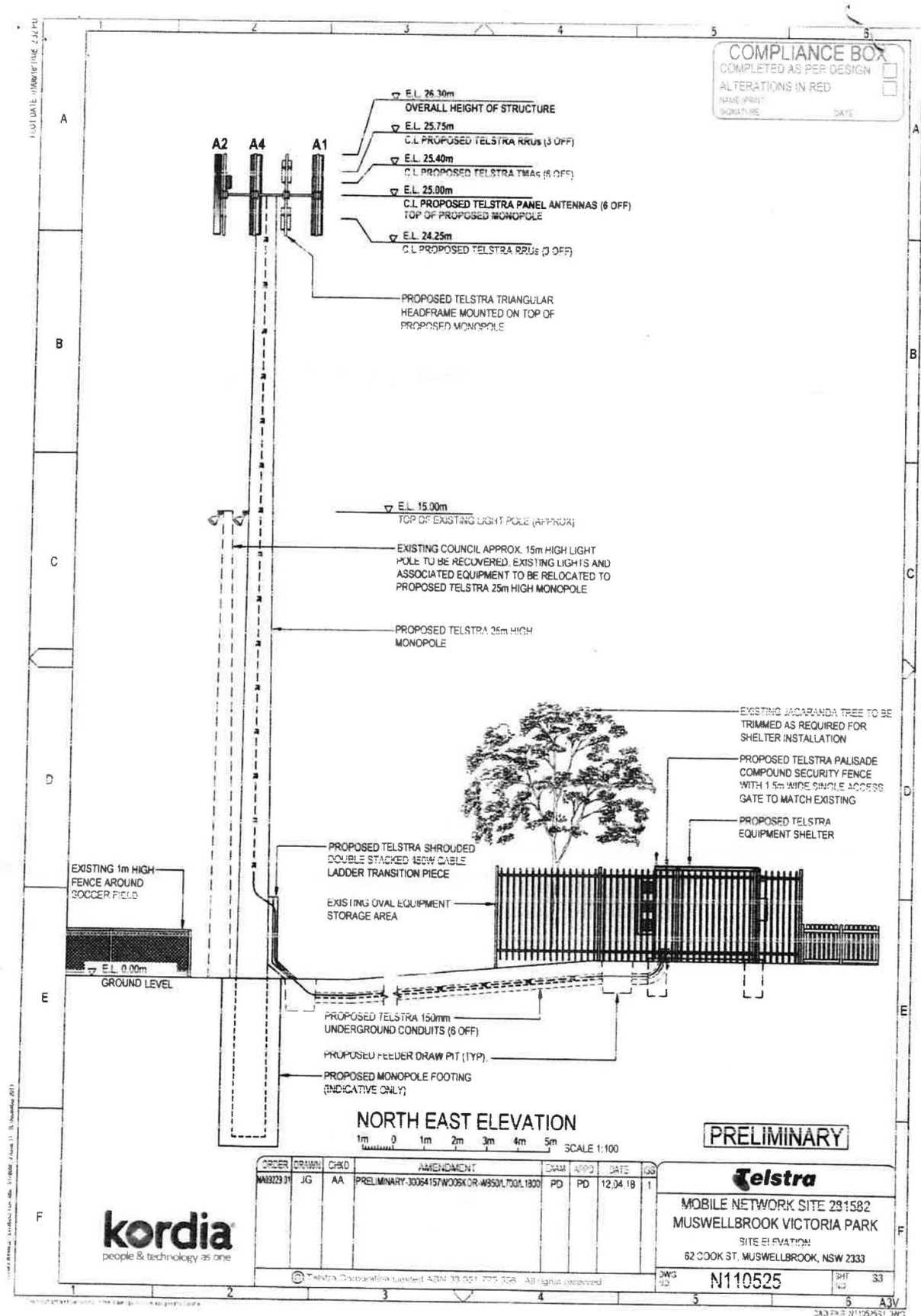
A handwritten signature in dark ink, appearing to be "Kelly Lynch".

Kelly Lynch
Administration Officer

Muswellbrook Shire Council ABN 86 884 180 944
Address all communications to The General Manager · PO Box 122 · Muswellbrook NSW 2333
Phone 02 6549 3700 · Email council@muswellbrook.nsw.gov.au · Web www.muswellbrook.nsw.gov.au

Page 1 of 2





Bradley Kane
[REDACTED]

Re: DA 76/2018

To the General Manager, Muswellbrook Shire Council.

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My other argument is that a tower of that size, and in very close proximity to myself and my neighbours properties, would drop the value of these properties considerably. I have seen these towers on the outskirts of town and they are an absolute eyesore. I strongly believe a different location, preferably out of town, would be a more suitable location. There is plenty of land at the Muswellbrook Common or vacant disused mining land at Kayuga that would be perfectly suited for a structure of this size. If it HAD to go at Victoria park, why wouldn't you put it on the other side of the soccer fields between the soccer field and the cemetery. There is a nice wide corridor where the tower could be put and be a safer distance between all homes in Cook St, Hill St and Brecht St. If this tower were to go ahead at the proposed site at Victoria Park, I would expect a substantial amount of compensation for the drop of value of my property.

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Kind regards, Bradley Kane

Owner [REDACTED]



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A study by Dr. Bruce Hocking in Australia found that children living near three TV and FM broadcast towers (similar to cell towers) in Sydney had more than twice the rate of leukemia than children living more than seven miles away.

• Says Dr. Neil Cherry, a biophysicist at Lincoln University in New Zealand:

• "Public health surveys of people living in the vicinity of cell site base stations should be being carried out now, and continue progressively over the next two decades. This is because prompt effects such as miscarriage, cardiac disruption, sleep disturbance and chronic fatigue could well be early indicators of the adverse health effects. Symptoms of reduced immune system competence, cardiac problems, especially of the arrhythmic type, and cancers, especially brain tumor and leukemia, are probable."

• Biomedical engineer Mariana Alves-Pereira says exposure to cell phone towers can lead to vibroacoustic

disease. "From what I understand, some of the complaints are similar in what is seen in vibroacoustic disease patients, which are people who develop a disease caused by low frequency noise exposure," she said. Symptoms can include mood swings, indigestion, ulcers and joint pain.

•Dr. Gerard Hyland, a physicist who was nominated twice for the Nobel Prize in medicine, says, "Existing safety guidelines for cell phone towers are completely inadequate ... Quite justifiably, the public remains skeptical of attempts by governments and industry to reassure them that all is well, particularly given the unethical way in which they often operate symbiotically so as to promote their own vested interests."

•According to the Mount Shasta Bioregional Ecology Center, "Studies have shown that even at low levels of this radiation, there is evidence of damage to cell tissue and DNA, and it has been linked to brain tumors, cancer, suppressed immune function, depression, miscarriage, Alzheimer's disease, and numerous other serious illnesses."

•According to Dr. W. Löscher of the Institute of Pharmacology, Toxicology and Pharmacy of the Veterinary School of Hannover in Germany, dairy cows that were kept in close proximity to a TV and cell phone tower for two years had a reduction in milk production along with increased health problems and behavioral abnormalities. In an experiment, one cow with abnormal behavior was taken away from the antenna and the behavior subsided within five days. When the cow was brought back near the antenna, the symptoms returned.

The General Manager.
Muswellbrook Shire Council
Monday 17 th September 2018.



10

Colin Southcombe

Muswellbrook.

Dear Sir

I am writing to you in regards to the development application No. 76/2018 installation of a new telecommunications tower in Hill Street which is really Cook Street , I would like to strongly object to a facility of this type that is not of low impact as we are approximately 100 metres from where the tower is going to be placed in Cook Street. This Company will most probably tell us that it will have no effect on people or animals, but this is not the case after researching on the internet there is plenty of information that says that these towers are very dangerous up to 400 metres for long term exposure. When I spoke to Council planers on Monday last they told me that this was one of three sites they had picked out for this tower and this was the best of the three for this tower and it's the only one that is that will most probably effect the most people being right on the edge of one of the towns most used parks where our children play sport and Mums take their toddlers and all our homes. I think that these big company's that come into our town have got a hide to even to want to put a Tower like this in a place where they have picked, and to saddle the towns people with something that gives out dangerous radiation. So I would like to know if this tower gets the go ahead and at a latter date it is proved that we the people that live in and use the facilities that being the parks and homes will be able to claim compensation because Council has agreed to this development because it is Councils responsibility to look after its constituents in the shire and be responsible for their health and safety. I am also worried about the impact of the value on our properties this Tower will have but we are in the process of checking on that Just so we have someone to pursue for compensation. A small question who at Council would like to have one of these Towers within 400 metres of their home and their children playing sport on an oval with one of these Towers overhead. When most websites say how dangerous they are. The danger to people and our pets is going to be to risky please consider this matter carefully. Thank you all regards Colin Southcombe.

Colin Southcombe



Therese Bristow



The General Manager
Muswellbrook Shire Council
DA 76/2018

Dear Madam

I write in strong opposition to DA 76/2018 Installation of New Telecommunications Facility at Victoria Park.

I do not feel that this is necessary to be erected in a sporting complex nor so close to residential housing. There are many reasons for this including:

- a) Effects of emissions from these towers – while there are guidelines about 'safe' levels of radiation, studies have found that people exposed to radio frequency radiation suffer from brain tumours, genetic damage, changes to memory and behaviour, as well as headaches, nausea, fatigue and sleep problems to name just a few. I am a weekly helper at the canteen during soccer season and if the tower was built, I feel that I could not continue volunteering due to the health risks. I would also not enrol my children in soccer due to the effects on their health. I doubt that I am the only parent that feels this way, and when obesity in children is growing at an alarming rate we should be encouraging our children to be out and active, however, I cannot encourage my children to do this as there are just too many health risks to be so close to the tower.
- b) While I am not a resident of the neighbouring area to the proposed telecommunications tower, I feel that residents' properties would be de-valued due to this installation. The tower would visually impact the neighbourhood in a negative way.
- c) There would be many parents who have the same view in relation to their child's health that I do and will not let their child continue to play either soccer or cricket, or even use the playground area or attend playgroups held at the Stan Thiess centre. Without the children attending these activities and their parents volunteering and supporting their chosen activity, these sporting clubs and playgroups will cease to exist. If council approves this DA, they will single-handedly be responsible for the demise of these groups.

It is my firm belief that a telecommunications tower placed in this current location will be detrimental to your residents' health and wellbeing, will be detrimental to the groups who use Victoria Park and the Stan Thiess Centre, and will ultimately be detrimental to all residents of Muswellbrook Shire. I strongly urge you to NOT approve this DA.

Yours sincerely



Therese Bristow
Concerned resident and ratepayer



(12)

[Redacted]
Rouchel Road
Aberdeen NSW 2317

18th Sept 2018

Re DA 76/2018

Dear Sir as a grandparent
I wish to protest against the
proposed location of the Telecommunication
Facility near Hill Street

To be positioned so close to
sporting fields & residential area
when there is a volume of scientific
evidence stating that the emissions
from these towers is harmful
to human health.

My grand children
Hill St.

faithfully

Marianne Edwards

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SHIRE COUNCIL

19 SEP 2018

914137

DOCUMENT ID



10 October 2018

Ms L Cumming
Planning Consultant
Muswellbrook Shire Council
PO Box 122
Muswellbrook NSW 2333

Dear Ms L Cumming,

RE: Development Application No. 76/2018 – Installation of New Telecommunications Facility, Lot 18 DP1075238 REF: Park – Hill Street, Muswellbrook 2333

I am writing in reference to your letter dated the 25 September 2018 regarding the submissions received during the public exhibition period for the above development application. Please see below response to the key issues raised in the submissions to assist council in their assessment of the proposed Telstra telecommunications facility.

Site Selection

A number of factors influence the exact location of a mobile base station, including site acquisition, technical feasibility, Federal, State and Council approvals, whether there is existing local infrastructure that can be utilised and the coverage requirements for the area. Among these factors is the ability to secure land tenure at a location that facilitates the connection to a power supply, underground fibre for connectivity with the greater mobile phone network, and suitable land attributes like elevation that allow the base station to provide coverage to the maximum possible number of homes, businesses and users within the area. The proposed location at the Victoria Park is a practical solution to achieve those objectives.

Telstra recognises the sensitivity associated with proposals such as this one and we try hard to strike a balance between providing services and minimising our impact on the community and the local environment. Telstra does not consider the sporting field to be a sensitive community location. Examples of these locations are typically schools, day care centres and residential areas.

Today's society relies on mobile phones working everywhere including at home, at school and at work. When base stations are located close to users, the transmitter power required by the mobile phone and base station to communicate is relatively low. If base stations were located further away, the power required is generally higher, and this means higher electromagnetic energy ("EME"). Therefore, to provide good reception and minimise EME, base stations need to be located close to users and where we live.

Further details of the alternative locations considered as part of the proposal are provided within the planning report.

Precautionary Approach

The Mobile Phone Base Station Deployment Code (C564:2011) ("Code") does not specifically define community-sensitive locations, but provides examples of sites which have sometimes been

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considered sensitive; for example, child care centres, schools, aged care centres and hospitals. Telstra does not consider a sporting field to be a community sensitive location.

While carriers have to consider the implications of community-sensitive locations, they are still able to place infrastructure there or nearby if they have balanced the location with other, equally important factors. All mobile phone base stations must comply with the mandatory regulations for EME.

The Code does not specify a distance at which infrastructure must be sited from community-sensitive locations.

Please refer to the Australian Communications and Media Authority (ACMA) Fact Sheet – Mobile Phone Base Station Deployment at <https://www.acma.gov.au/theACMA/industry-code-mobile-phone-base-station-deployment>

Base Stations & Buffer Zones

We note the community's comments in relation to the Proposed Facility being located further away. Such well-meaning advice is based on the assumption that the further away a base station is from people the less they would be exposed to radio wave emissions.

As indicated above, once a call is connected both mobile phones and their base stations are designed to operate at the lowest levels to make a quality call and avoid network interference. Base stations are constantly adapting their output levels depending on the number of calls they are handling and how far away the handsets are from them.

Therefore, the further a base station is built from the target coverage area, the more power it needs to keep customers connected, which could actually increase exposures in that area – the very thing such approaches are trying to avoid.

In most circumstances the best location to build a base station in order to minimise emissions is closest to where the service is required, including residential areas.

EME and Health

Telstra places very high importance on EME safety. All of Telstra's mobile base stations are designed to comply with the relevant Australian safety standard known as the Australian Radiation Protection and Nuclear Safety Agency ("ARPANSA") Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz (2002) or ("RPS 3"). The Radio Frequency ("RF") EME emissions from mobile phone base stations and other communications installations are regulated by the Australian Communications and Media Authority ("ACMA"). The ACMA's regulatory arrangements require base stations to comply with the exposure limits in the ARPANSA RF Standard. The ARPANSA Standard is designed to protect people of all ages and health status against all known adverse health effects from exposure to RF EME. The ARPANSA Standard is based on scientific research that shows the levels at which harmful effects occur and it sets limits, based on international guidelines, well below these harmful levels.

We regard ARPANSA and the World Health Organisation ("WHO") as representing the accepted expert opinion on EME both in Australia and internationally. In relation to base stations and health, the conclusion from the WHO is: "Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects." WHO Fact sheet 304.

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ARPANSA's position is: "Based on current research there are no established health effects that can be attributed to the low RF EME exposure from mobile phone base station antennas" Mobile Phone Base Stations and Health" Fact Sheet August 2016.

ARPANSA provides the opportunity for the public and community to talk directly with scientists on issues about radiation exposure and protection in Australia. ARPANSA can be contacted on 1800 022 333 from 11:00 am to 12:30 pm on Tuesdays and Thursdays (Melbourne AEST), except during public holidays. You can also send an enquiry via ARPANSA's online contact form.

All of Telstra's base stations are designed to comply with the RPS 3. Telstra's engineers conduct a thorough EME compliance assessment as part of the base station design. For each base station, an EME Environmental Report is prepared by Telstra and can be accessed by members of the public via the Radio Frequency National Site Archive (RFNSA) at www.rfnsa.com.au. You can search via location or site number 2333021. The Environmental Report estimates the maximum cumulative EME emitted from the base station. Telstra's calculations have the predicted EME level from the Proposed Facility as a maximum of 1.046% of the allowable public exposure limit. This predicted EME level is approximately 95 times below the maximum exposure limit (100%) set by ARPANSA. The calculations do not take into account trees, vegetation or buildings which may alter the EME levels, generally decreasing them.

Once a base station becomes operational or is modified, a Site Compliance Certificate is prepared by a National Association of Testing Authorities (NATA) Assessor to certify that the site has been assessed and complies with the Radio Frequency Human Exposure Limits as specified by the Australian Communications and Media Authority (ACMA) Licence Condition Determination (LCD) and the requirements of RPS 3. A copy of the Site Compliance Certificate for a site can be accessed via the RFNSA.

Visual Amenity

Visual impact is very important to Telstra in any area in which we seek to install a new facility. With over 16,000 base stations in operation around Australia, panel antennas, dishes and other relevant equipment have become part of the urban landscape. Telecommunications facilities aren't only operated by mobile phone networks but also entail critical infrastructure assets employed by the emergency services, rail and other public utility authorities to ensure the active and safe operation of their respective duties.

Freestanding mobile phone base stations are a common feature within urban and rural landscapes. The justification behind the use of a freestanding structure is to provide line of site coverage within flat and undulating topography. Specific design elements have been included within the planning of the proposed Muswellbrook facility, inclusive of:

- Limiting the height of the proposal to 26.30m. This will ensure that the best level of coverage can be provided to the locality, without constructing to a height which would offer no additional benefit to the service area.
- Ground based equipment is to be located directly adjacent to the existing amenities building. This is to minimise the bulk and scale of the proposal in context to the surrounding environment.
- The proposal involves the swap out of an existing lighting structure. The placement of the proposed structure adjoining to other lighting structures to reduce the proliferation of tall structures within the wider area.

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- The siting and location of the proposal has been taken in to consideration during the site selection process in order to ensure that the site does not result in any undue visual intrusion towards surrounding viewing corridors.

Property Values

As you are aware, property valuation is a complex issue, with fluctuations in price being subject to a number of factors. Many of these are subjective, and may be as diverse as aspect, views, condition of the property, local amenity and access to services, including high quality communications. Since the mid-1990s, thousands of telecommunication facilities have been installed throughout Australian metropolitan and regional areas. During this period, property values have continued to increase, showing no clear signs of deterioration as a result of the location of communications facilities. Telstra is not aware of any credible evidence that directly links the siting of telecommunications facility to a decrease in property prices.

Fire

The Proposed Facility does not result in unacceptable risk from fire to persons or property. The telecommunications facility is unmanned and remotely operated so it does not pose a fire risk to human life. Further, the facility is pre-fabricated and designed in accordance with the Building Code of Australia and Australian Standards, and is intended to serve the purpose of providing critical communications to the public and the emergency services during times of natural disasters including bushfires and flooding.

Regards,

Caitlin Spencer
Kordia Solutions Australia
07 3907 1456
Email: caitlin.spencer@kordia.com.au
Postal address: PO Box 3875 Rhodes NSW 2138

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11 COMMUNITY INFRASTRUCTURE

11.1 SPORT AND RECREATION GRANTS PROGRAMME

Attachments:	Nil
Responsible Officer:	Derek Finnigan - Director - Community Infrastructure
Author:	Paul Chandler - Technical Offer - Recreation & Property
Community Plan Issue:	<i>Continue to improve the affordability, livability and amenity of the Shire's communities</i>
Community Plan Goal:	<i>Promote and facilitate increased participation in active and passive recreational activities.</i>
Community Plan Strategy:	<i>Continue small grants dollar for dollar program.</i>

PURPOSE

The fourth round of Council's Sport and Recreation Grants Programme has now closed. A total of ten applications were received from local sporting and community user groups. This report provides the detail of these applications and provides a recommendation for the allocation of funds.

OFFICER'S RECOMMENDATION

Council award funding as identified in the report.

Moved: _____ Seconded: _____

BACKGROUND

The 2018/19 Sport and Recreation Grants Programme has a funding allocation of \$125k which includes \$100k for the Large Capital Grants and \$25k for the Small Capital Grants programs.

CONSULTATION

Manager Works, Property and Building Services

Technical Officer – Recreation and Property

Muswellbrook Shire Sport and Recreational Group

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor Spokesperson for Sport and Councillor Spokesperson for Recreation and Wellbeing

REPORT

The Sport and Recreation Grants Programme has been a successful initiative of Council. It has allowed local user groups to fund respective priorities using matched funding. Council's funding has also assisted user groups to attract funding from other grant programmes from other agencies.

Provided below is a table of the applications received for the two grant programmes:

Large Capital Grants

User group	Purpose of funding	Funding requested	Total project cost
Denman Pony Club	To fit out the new canteen that the club received funding from Ridgeland Community Fund.	\$30,000	\$60,000
Denman Sandy Hollow Junior Rugby League Club	Lighting for the junior fields	\$20,000	\$80,000
Muswellbrook Little Athletics	Install discus cage	\$5,000	\$10,000
Muswellbrook Junior Rugby League Club	International Goal Posts for field 3 installed	\$5,819	\$11,676.50
Muswellbrook Junior Cricket Club	Widening the existing cricket pitch and resurfacing to meet required standards.	\$5,500	\$11,000
Muswellbrook Public School	Refurbishment of existing cricket pitches. 2 pitches and the 2 practice net pitches	\$4,900	9,969.23
TOTAL		\$71,219	\$182,645.73

Small Capital Grants

User Group	Purpose of funding	Funding requested	Total project cost
Denman Sandy Hollow Junior Rugby League	New pie oven and convection oven for the canteen	\$1,800	\$3,600
Muswellbrook Amateur RSL Youth Swimming Club	Purchasing of training equipment	\$1,000	\$2,079
Denman Pony Club	Upgrade ground floodlights to LED to reduce power bill and last longer.	\$2,000	\$4,692
Muswellbrook Little Athletics	Mobile seating to assist in managing junior athletes in	\$650	\$1,300

User Group	Purpose of funding	Funding requested	Total project cost
	marshalling areas.		
TOTAL		\$5,450.00	\$11,671.00

It is recommended the above applications be awarded funding. However, Council should note the following exceptions to the grants' guidelines:

- Denman Sandy Hollow Junior Rugby League were successful in the last round of funding for an allocation of \$20,000 towards the field lighting, however, in detail scoping of the project the costs estimates have escalated.
- Muswellbrook Junior Cricket recently completed the works.

Other concerns raised although within the grants' guidelines included:

- The practicality of the international goal posts for field 3 at Olympic Park applied for by Muswellbrook Junior Rugby League. The field only has the capacity (dimensions) to accommodate junior games and touch football and both do not require international goal posts. However, in discussions, the club has maintained that these goal posts will assist with managing training. Staff have liaised with other users of the field and have raised no objection provided the goal posts are only erected for the rugby league season.
- The application from Muswellbrook Public School is for assets that will not be owned by and at Council facilities. This is not without precedent as Council have previously awarded grants to other local user groups that do not use Council facilities. Similarly, the new assets will be used by locals but access to the general public will be limited.

If all applications are awarded funding there remains \$19,550 from the Small Capital Grants program and \$28,781 from the Large Capital Grants program. It is recommended that the remaining \$48,331 be allocated to additional matched funding for 'Inclusive Playgrounds' \$20k, accessible parking at Highbrook Sportsground for works alongside spectator seating project \$20k, and the remaining \$8,331 for minor capital renewals at Council's sport and recreation facilities.

OPTIONS

Council may choose not to award funding to all the grant applications.

CONCLUSION

It is recommended to Council award funding to the grant applications received.

SOCIAL IMPLICATIONS

Improving the facilities and equipment of local sport and recreation user groups assists in encouraging increased participation in sporting and recreational activities, leading to improved health and social outcomes.

FINANCIAL IMPLICATIONS

If Council funds all received grant applications there remains \$48,331 recommended to be allocated:

Inclusive Playgrounds \$20k

Accessible Parking at Highbrook Park \$20k

Minor Renewals \$8,331

POLICY IMPLICATIONS

F16-1 Financial Assistance Policy

STATUTORY IMPLICATIONS

Not applicable

LEGAL IMPLICATIONS

Funding recipients will be required to sign an agreement that outlines their rights and responsibilities regarding the funded project, reporting of works, administration of funds, and post-project acquittal.

OPERATIONAL PLAN IMPLICATIONS

'5.5.4 Continue small grants dollar for dollar program' and '5.5.5 Continue major grants dollar for dollar program', *Operational Plan 2017 – 2018*

RISK MANAGEMENT IMPLICATIONS

All applicants were required to show proof of capacity to match the requested funding and quotes for proposed items/activities.

Evidence of all regulatory and planning approvals (where relevant) is required from the applicant before funding can be released. Each successful applicant will sign a funding agreement with Council prior to release of funds. The funded project will be the subject of a formal acquittal on completion, applicants that have not completed previous acquittals will be ineligible.

11.2 INCLUSIVE PLAYGROUNDS

Attachments:	A. Highbrook Park Playground - Proposed installation - NEOS 360.pdf B. Simpson Park - Draft Playground Renewal Project.pdf
Responsible Officer:	Derek Finnigan - Director - Community Infrastructure
Author:	Paul Chandler - Technical Offer - Recreation & Property
Community Plan Issue:	<i>Continue to improve the affordability, livability and amenity of the Shire's communities</i>
Community Plan Goal:	<i>Promote and facilitate increased participation in active and passive recreational activities.</i>
Community Plan Strategy:	<i>Maintain the sporting and recreational facilities to standard.</i>

PURPOSE

To advise Council of the potential grant funding opportunities under the Everyone Can Play in NSW Grants Program to improve Council's playgrounds to a higher standard of inclusiveness.

OFFICER'S RECOMMENDATION

Council support the application under the Everyone Can Play in NSW Grants Program as identified in the report.

Moved: _____ **Seconded:** _____

BACKGROUND

The New South Wales Government have developed inclusive guidelines for playgrounds across the state. The guideline 'Everyone Can Play' outlines the key principles of inclusive playspaces and provides the tools to convert ideas into practical improvements to create playspaces in which everyone belongs. There is now the opportunity to apply for grant funding to help make Council's playgrounds more inclusive to everyone. Applications close 3pm, 21 December 2018.

CONSULTATION

Manager Works, Property and Building Services
Project Manager – Property and Building Services
Grant Co-ordination and Community Engagement Officer
Technical Officer – Recreation and Property

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor Spokesperson for Recreation and Wellbeing

REPORT

The Everyone Can Play in NSW Grants Program is an opportunity to apply for matched grant funding up to \$200k for new playgrounds and \$50k for existing playgrounds. In the 2018/19 General Recreation Programme, Council anticipated this opportunity and allocated \$20k towards matched funding for this program, albeit the details of the grant program were not known at the time, under an 'Inclusive

Playgrounds' budget. It is proposed that an additional \$20k from the Sport and Recreation Grants Programme be allocated to the Inclusive Playgrounds budget to provide matched funding of \$40k.

It is proposed to use this \$40k allocation to apply for an \$80k project at Highbrook Playground to install the attached Neos 360 or equivalent. This is an all-inclusive piece of equipment that allows all people to play together. It would be a fitting addition with the completion of the new all accessible amenities, shade over the toddlers equipment and the removal of sand to add rubber allowing all access to the lizard climbing frame.

There is the opportunity to apply for a larger project under the new playground program for Simpson Park (attached) however the matched funding isn't readily available for this project estimated at \$200k. The attached design was conceived earlier this year, redeveloping the public art site, and would provide an all-inclusive playground including the installation of an accessible carousel as well as sensory equipment and gardens redeveloping this public art site.

OPTIONS

The Highbrook Playground addition is an option where the funding can be readily matched. Simpson Park is a larger project which would require identifying additional funding sources.

CONCLUSION

It is recommended Council apply for the Highbrook Playground project providing \$40k in matched funding under the 'existing playgrounds program' and that the Simpson Park project be considered for a future capital programme.

The merit of the proposed installation at Highbrook Playground is the inclusiveness of the piece of equipment allowing everyone to play together.

SOCIAL IMPLICATIONS

Play is for everyone. It is essential for children's development, shaping the way they interact with the world around them. It enables them to learn new skills, make friends and build self-confidence. Play is also important to the health and wellbeing of people of all ages and cultural backgrounds.

FINANCIAL IMPLICATIONS

The grant application would require \$40k in matched funding from the existing 'Inclusive Playground' allocation and \$20k from the Sport and Recreation Grant Programme.

POLICY IMPLICATIONS

Not applicable

STATUTORY IMPLICATIONS

Disability Inclusion Act 2014 - NSW

LEGAL IMPLICATIONS

Not applicable

OPERATIONAL PLAN IMPLICATIONS

'7.2 Facilitate and Implement improved disability access and inclusion across the Shire,' *Muswellbrook Shire Council Operational Plan 2018-2019*

RISK MANAGEMENT IMPLICATIONS

Risk management is considered in the nomination of project and would be included stages of design and construction.

NEOS® 360



360° of head-spinning, body-twisting, heart pounding fun.

- **Visually stimulating** - circular design builds peripheral vision, auditory and spatial awareness skills.
- **Self-contained play station** - includes a user control panel just outside the circle of play with player instructions on the back.
- **Ergonomic** - eight LED light buttons; top buttons were designed so a 7-year-old can reach them without jumping, 5' (1,52m) in height, 6" (0,15m) below the original NEOS.
- **Energy-efficient** - uses less power than a 100-watt light bulb during play. If not in use, it enters Rest Mode, and it will come back to life upon the touch of any button.
- **Compact** - 10' (3,05m) diameter footprint; concrete pad measuring 14½' x 12' (4,42m x 3,66m) is sufficient to provide space for NEOS 360 and players.
- **Customizable** - choose one plastic color, one post color, and one component color.

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NEOS[®] 360 Accessible



Everyone can play.

- **Accessible** - lower top button height of 3' 4" (1m) means players of all ages and abilities will have an easier reach, even the youngest ones.
- **Visually stimulating** - circular design builds peripheral vision, auditory and spatial awareness skills.
- **Self-contained play station** - includes a user control panel just outside the circle of play with player instructions on the back.
- **Ergonomic** - eight LED light buttons; top buttons were designed so a 7-year-old can reach them without jumping, 5' (1,52m) in height, 6" (0,15m) below the original NEOS.
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NEOS® 360 *continued*

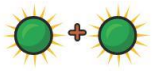
Eight exciting games!



- **Light Grabber** - This classic NEOS game is for everyone; it's high energy and highly competitive! Press as many of your colored lights as possible. Press the blinking lights for bonus points. Each button has its own unique sound when lit. Music increases in intensity the last ten seconds of the game as a warning to players that the game is coming to an end.



- **Zig Zag** - Press the bouncing 'ball' as quickly as possible. The game progressively speeds up as each ball is pressed. However, if no ball is hit for awhile, it slows back down. The starting lights always start on one of the four bottom lights. The zig zag pattern ensures that the bottom lights are always part of the game, so it is great for players who use wheelchairs and younger kids.
 - One-player game begins once you press your first light. Afterwards, it will zig zag and change direction half of the time.
 - Two-player game is like 3D ping pong. Be the first to press your colored light and you have 'served' the ball, changing direction towards your opponent. The light also changes to your opponents color.



- **Double Dots** - The ultimate teamwork game! Press two lights at the same time; lights are opposite of one another and pressing both lights requires teamwork and cooperation. One and two player options should be played with teams of two. Choose the one player option for cooperative play. Choose the two-player game for both cooperative and competitive play.



- **Fire Fighter** - Tap lights repeatedly (approximately 2-4 times) to put out the FIRE! The faster you put out the fire, the better your score. Multiple fires appear at once. Cooperate as a whole team of fire fighters and put out the fire together. The imaginative role playing possibility of Fire Fighter is perfect for younger kids.



- **Surround Sound** - Players can make their own music and play lead guitar with this fun game. Each of the 8 buttons plays a different electric guitar sound. Tap the buttons to make your own music while the speakers completely surround you for a complete roll n' roll experience!



- **Rodeo** - Be the first player to round up yer' 4 lights and make your opponents lights disappear. Many lights appear at once, making it great for team play. The lights turn on in patterns. The more you play, the more you can memorize the patterns and maximize your score! And you'll love the sounds...yeehaw!



- **Marathon** - The most intense game of all NEOS games! Marathon encourages players to run full sprint and get a great workout. How quickly can you hit 40 lights? This game uses a timer, not a score. The faster you hit all your colored lights, the lower your time. Challenge yourself and your friends to see who can get the quickest time.
 - In the one-player game, your first light appears randomly. Once you press it, the next light begins a series of 40 lights. It will continue in the same direction as you hit all your lights, however, on three separate occasions a light will double back one space to make it more challenging. Learn the pattern to get the best time!
 - The two-player game is the same as the one player with an added challenge; if you catch up to your opponent, you continue to move forward while your opponent drops back one light.



- **Ninja** - Play to become the ultimate ninja champion! A sequence of 2 or 3 lights appear. Repeat this pattern exactly to receive higher points. Press the lights faster and receive even more points. Each pattern appears on the opposite side of the previous one.

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Lewisburg, PA

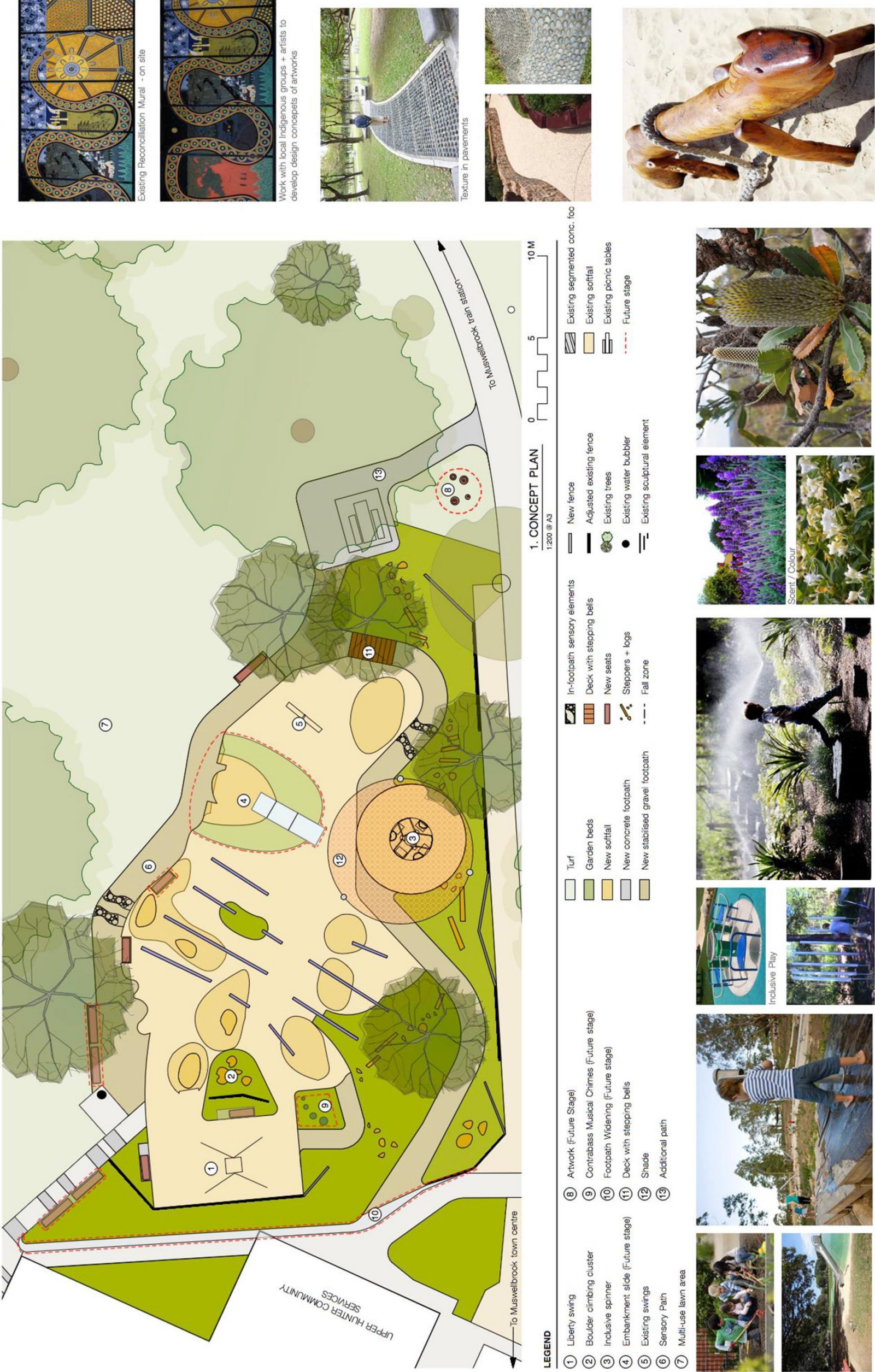
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DRAWING: CONCEPT PLAN	DATE: 14.02.2018	PROJECT No: 1587	SHEET No: LP02	REVISION: B	DRAWN BY: HC CHECKED BY: SM	SCALE: 1:200 @ A3
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Playground Renewal Project



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11.3 REVIEW OF STRATEGIC ASSET MANAGEMENT PLAN

Attachments:	A. Strategic Asset Management Plan V4.docx
Responsible Officer:	Fiona Plesman - General Manager
Author:	Derek Finnigan - Director - Community Infrastructure
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>Maintain and continually improve asset management.</i>
Community Plan Strategy:	<i>Co-ordinate and facilitate implementation of the Asset Management Improvement Strategy.</i>

PURPOSE

To seek Council's endorsement for the public exhibition of the revised Strategic Asset Management Plan to align with Council's 2019 application to the Independent Pricing and Regulatory Tribunal (IPART) for the continuation of the 2018-2019 Special Variation.

OFFICER'S RECOMMENDATION

Council endorses the reviewed Strategic Asset Management Plan for public exhibition from 12 December 2018 to 10 January 2019.

Moved: _____ **Seconded:** _____

BACKGROUND

The NSW Independent Pricing and Regulatory Tribunal (IPART) conditionally approved a Special Variation (SV) to Muswellbrook Shire Council's rating for 2018-2019 to fund the following projects:

- Improvement in stormwater management;
- Improvements in parks and roads 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

Manager Works, Property and Buildings

Manager Integrated Planning, Risk and Governance

Policy Officer

CONSULTATION WITH COUNCILLOR SPOKESPERSON

A copy of the report has been provided to the Mayor, the Deputy Mayor, and the Councillor Spokesperson for Infrastructure for review and feedback.

REPORT

In February 2018, Council submitted an application to the Independent Pricing and Regulatory Tribunal (IPART) for a special variation to increase its general income base. IPART determined not to approve the special variation in full because Council did not exhibit its Integrated Planning and Reporting (IP&R) documents containing the proposed 2018-2019 special variation (and associated projects and programs) and showing the impact on the community before applying to IPART. Following the recent release by the Office of Local Government of the Special Variation Guidelines and Process for 2019-2020 and application spreadsheets and documentation, Council must update the Strategic Asset Management Plan to include the benefit that the Special Variation would provide to Council's roads, parks, and stormwater infrastructure assets.

The reviewed Strategic Asset Management Plan which is attached under separate cover has been reviewed and amended to reflect the additional information required for the Special Variation Application. It is required that the revised Strategic Asset Management Plan should be placed on public exhibition for a period of at least 28 days. Should Council endorse the reviewed Strategic Asset Management Plan for public exhibition, the public exhibition period will take place over the Christmas period. It is therefore recommended that the exhibition period be extended by fourteen days to 10 January 2019.

OPTIONS

Council may determine to endorse the reviewed Strategic Asset Management Plan for public exhibition or to retain the current version of the Strategic Asset Management Plan.

CONCLUSION

It is recommended that Council endorses for public exhibition the revised Strategic Asset Management Plan, 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) and to comply with the requirements of the Special variation Guidelines and Process for 2018-2019.

SOCIAL IMPLICATIONS

The \$100,000 budget increase for roads and parks, and the \$300,000 budget increase for stormwater, sustained on a permanent basis, will enable the carrying out of a suite of works that will facilitate improved road, parks and stormwater and flood mitigation performance. These works will enhance the social amenity of the Shire's residents and business population, and in the case of stormwater and flood mitigation, will reduce the risks associated with localised flooding.

FINANCIAL IMPLICATIONS

The relevant roads and parks budgets will be increased by \$100,000. The relevant stormwater management budget will be increased by \$300,000. These increases will be sustained on a permanent annual basis.

POLICY IMPLICATIONS

The Strategic Asset Management Plan is referenced in Council's Asset Management Policy (Policy no. A40-1).

STATUTORY IMPLICATIONS

Nil known.

LEGAL IMPLICATIONS

Nil known.

OPERATIONAL PLAN IMPLICATIONS

The submission of this report complies with section 19.2.2 of the Operational Plan: 'Implement and update Asset Management Plan and Improvement Strategy as it applies to Roads and Drainage Assets' and section 19.4.6 of the Operational Plan: 'Implement prioritised (but responsive) rolling works program of maintenance'.

RISK MANAGEMENT IMPLICATIONS

The \$100,000 roads and parks budget, and the \$300,000 stormwater budget increase, sustained on a permanent basis, will enable the carrying out of a suite of works that will facilitate improved roads, parks, stormwater and flood mitigation works programmes. These works will reduce the risks associated with stormwater surcharge and flooding.

STRATEGIC ASSET MANAGEMENT PLAN

PART OF COUNCIL'S RESOURCING STRATEGY



INFRASTRUCTURE ASSETS OF MUSWELLBROOK SHIRE

- ROADS
- BRIDGES & CULVERTS
- FOOTPATHS
- PUBLIC SHELTERS
- KERB AND GUTTER
- STORMWATER
- WATER AND SEWERAGE
- RECREATIONAL
- OPEN SPACES
- LANDFILLS
- COUNCIL BUSINESSES
- COMMUNITY BUILDINGS

These assets underpin service delivery and provide economic, public health, recreational and social benefits



Council must account and plan for all the life-cycle costs of the assets under its ownership, and ensure that any new assets proposed can be afforded over the long term.

Councils must report on the condition of their assets in their annual financial statements in line with the Local Government Code of Accounting Practice and Financial Reporting.

The majority of Council's infrastructure assets are well maintained within budgetary constraints.



**muswellbrook
shire council**

Document Control

Authorisation Details:

Authorised by:	Council
Minute No:	
Date:	13 June 2017
Review timeframe:	
Department:	Asset Management
Document Owner:	Manager, Technical Services

Details History:

Version No.	Date changed	Modified by	Amendments made

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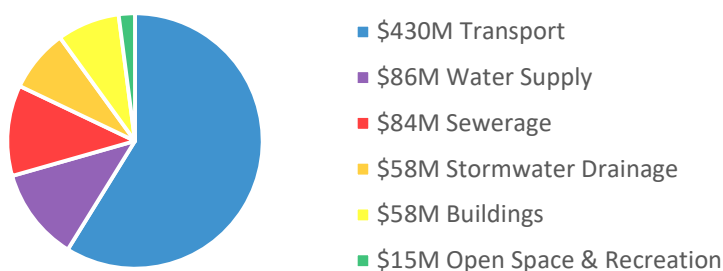
1. Executive Summary

This Strategic Asset Management Plan (SAMP) is one of three plans covering each major resource type (money, people and assets) considered under Council's Resourcing Strategy.

This Plan establishes a framework for Council to achieve the objectives of its Asset Management Policy (Appendix 1): to provide the best possible value from activities related to infrastructure assets and to continually improve its asset management practices.

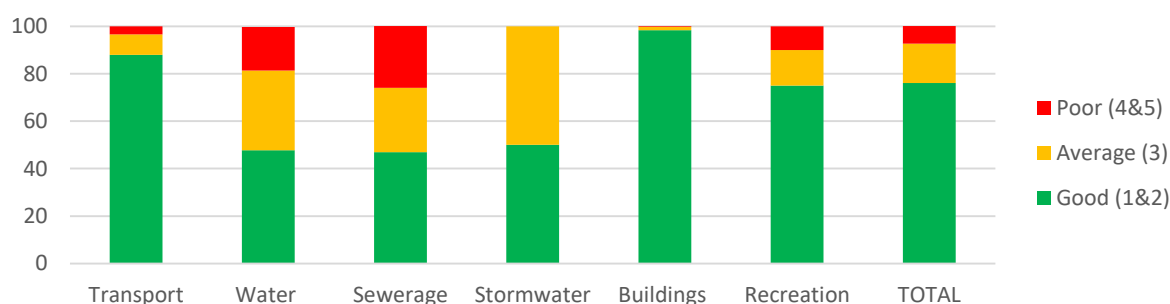
The way these assets are managed is critical to Council's financial sustainability. Many key inputs to *Fit for the Future* ratios (used to benchmark performance) are defined by the asset condition and the expenditure on asset renewal and maintenance.

Council's infrastructure assets have a replacement value of just over \$730M (as reported in 2016). The chart below shows the value (\$M) of each of the six major asset classes.



This does not include investment properties, plant and equipment or land.

The chart below shows the condition of assets in each class. Obviously, while transport and building assets are in generally good condition, a significant proportion of water and sewerage assets are near the end of, or have exceeded, their useful life. Confidence level for most of these items is medium to high, however more investigation is necessary to be more confident with stormwater asset condition.



This highlights the need for continued investment in asset renewal. Investment is also required to operate and maintain existing assets, and to build new assets to meet needs and aspirations of the community.

In fact, around 85% of Council's budgets over the next four years is devoted to operating, maintaining, renewing and building new assets as well as accounting for their depreciation.

The *Service Dashboards* (Appendix 2) for Council's principal activities in the *Delivery Program* are the centrepiece of this SAMP. A big picture view of everything Council does, they highlight concerns about the value Council can provide from its activities (based on objectives in the *Community Strategic Plan*) both now and in 10 years (based on funds in the *Long Term Financial Plan*).

This SAMP defines a systematic approach to managing assets (based on the principles in ISO 55000) that sharpens this focus on value, the alignment of activities with objectives in the *Community Strategic Plan*, that fosters leadership at all levels of the organisation, that provides

assurance that assets are fit for purpose (and facilitates audits to verify this) and that establishes a framework for continual improvement.

- **In 2018, Muswellbrook Shire Council applied for a permanent increase in rates across the Shire to fund a number of projects and programs identified as community priorities. The NSW Independent Pricing and Regulatory Tribunal (IPART) approved Council's application for one year, and IPART has invited Council to apply for the continuation of the Special Rate Variation (SRV) and to include it permanently in the rate base. Muswellbrook Shire Council is progressing with the program of works approved for funding by IPART.**
- **This application includes a \$100,000 permanent increase in the roads and parks budgets in order to carry out enhanced maintenance programs that will contribute to the fulfilment of Council's strategic asset management objectives in relation to roads and parks management.**
- **The application also includes a \$300,000 permanent increase in stormwater funding that is applied to the annual stormwater budgets in order to deliver enhanced maintenance programs that will contribute to the fulfilment of Council's strategic objectives in relation to stormwater management.**
- **In order to see those projects through to completion, Council proposes to apply again to IPART to continue the SRV into the future.**
- **Goal Four of Muswellbrook Shire Council's Delivery Program 2017-21 seeks to develop Muswellbrook as a regional centre. The special variation will support an additional permanent allocation of \$100,000 per year for roads and parks asset maintenance programs and \$300,000 per year for stormwater asset maintenance programs.**

2. How Council Provides the Best Possible Value

Asset Management (AM) planning documents have traditionally been excessively detailed and complex.

Recognising the problem, Council's AM Policy in Appendix 1 outlines a simpler approach based on ISO 55000:2014 (international standard for AM systems) and the NSW Local Government Act, 1993 that is centred on Council *providing the best possible value from activities related to its infrastructure assets* (the approach could apply to *all* activities with every 'thing' of value seen as an asset as per ISO 55000).

The centrepiece of this new approach is a series of *Service Dashboards* (covering each theme in Council's Delivery Program) and a *Dashboard Summary* (collating this information onto a single page). These are included in Appendix 2 of this SAMP, along with an interpretation guide.

The Service Dashboards inform, and are informed by, the Delivery Program. They are intended to support Council's decisions in the Delivery Program and Operational Plan (particularly allocation of resources) by communicating the longer-term implications of decisions and the 'big picture' of priorities and resourcing. Ultimately, though, decisions in the Delivery Program inform the Dashboards.

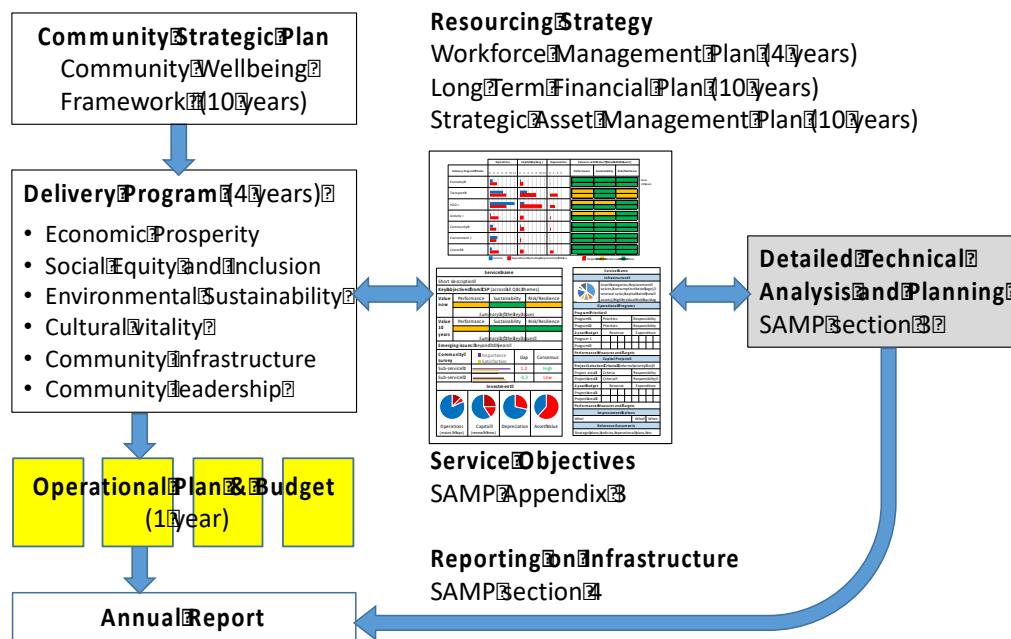
While this high-level summary of everything Council does (including infrastructure-related activities) is intended to simplify Council's approach to AM, it is backed up by detailed technical planning and analysis (discussed in section 3), which then informs reporting on infrastructure (discussed in section 4).

Service objectives are defined in detailed plans as well as Service Dashboards, Delivery Program and Operational Plan. Appendix 3 summarises these across all Council infrastructure assets.

Given that – as set out in the AM Policy – risk is one of three key perspectives on value, it is vital that Council’s risk management system informs the AM system. This is discussed in section 5.

This Strategic Asset Management Plan (SAMP) describes the application of the AM system based on the principles in ISO 55000. The AM Steering Committee (discussed in section 6) is the primary means by which the organisation monitors and reviews the implementation and improvement of the AM system.

The figure below explains how this SAMP relates to other documents in the Integrated Planning and Reporting Framework and summarises references (above) to further information.



3. Technical Analysis, Planning and Management of Infrastructure

As discussed in section 2, there is a need for detailed technical analysis and planning to support the high-level summary information contained in the *Service Dashboards*.

The *AM Information Register* (Appendix 3) identifies key information that underpins the AM system. An expanded version (of an operational nature) is a key reference for the AM Steering Committee who monitors the implementation and improvement of the AM system, as discussed in section 6.

This information constitutes Council’s ‘Asset Management Plans’ as defined in ISO 55000 clause 3.3.3 i.e. they specify the activities, resources and timescales required to achieve Council’s ‘AM’ or functional objectives that are established in the *Service Dashboards* (i.e. the performance objectives and targets) and ultimately the *Delivery Program* and *Operational Plan*.

Categories of Technical Analysis, Planning and Management Documentation

Detailed planning; analysis; processes and systems underpin the information used in the Plan.

Basic categories of technical analysis, planning and management documentation are described below. All must be periodically reviewed, and many are associated with opportunities for improvement.

Asset registers are the building blocks for the AM system, identifying all assets (sometimes in component parts) as well as location, quantities, materials, condition, age and other attributes.

Asset hierarchies are a means of prioritising resources and effort to those assets that are more critical (e.g. differentiating between very busy roads and those serving only a few properties).

Asset condition assessments use a variety of methods from visual inspections of buildings to automated laser/video assessments of roads to assess the condition of assets to determine how far it is through its useful service life.

Needs analysis and strategies identify both the needs of the community and the performance that is required from infrastructure assets to meet these (usually expressed in terms of quality or condition, functionality and capacity). This considers deterioration of assets, growth in demand, changes in community needs and expectations. Many of these may be formally adopted by Council.

Performance modelling predicts the expected deterioration in performance of assets over time.

Asset valuations consider both the 'fair value' of an asset (what it would be worth to sell on the open market – as required by accounting standards) and the expected service life. This information coupled with asset condition information enables Council to determine the current fair value of its assets and annual depreciation (how much of this value is being consumed each year) discussed in section 4.

Capital works programs identify the priorities for future works based on the priorities established by Council in the Service Dashboards and draw on a range of data on the assets including the asset hierarchy (the importance ranking of assets in a category e.g. main roads versus local streets). A short justification for the works is identified. The cost of undertaking works is also estimated.

Operations and Maintenance Management Plans/Systems are the means by which Council ensures complex assets, such as water treatment plants, are performing appropriately, being managed sustainably, and that risks are appropriately managed.

Procedural Documents are the means by which Council controls critical processes in the AM system such as the way projects are planned and executed, the way data is collected and stored in computer systems and methodologies for calculations related to performance of Council's infrastructure.

Section 6 discusses the need for monitoring, review and auditing of documentation, systems and processes to provide assurance as to the continuing suitability of the AM system.

4. Aligning Infrastructure and Financial Planning

Around 85% of Council's budgets over the next four years are devoted to operating, maintaining, renewing and building new assets as well as accounting for their depreciation. This equates to around \$45M, on average, per year over the next four years.

Obviously, the way these assets are managed is critical to Council's financial sustainability. Several key inputs to *Fit for the Future* ratios (used to benchmark performance) are defined via this SAMP.

It is thus critical to ensure strong alignment between infrastructure and financial planning in this SAMP and the Long Term Financial Plan (LTFP) respectively. The assumptions and details behind the numbers must be clear. Two key areas are discussed below.

Asset Valuation and Consumption (Depreciation)

As noted in section 3, the *valuation* of assets is on the basis of 'fair value' (what an asset is worth on the open market). *Asset condition* says how far the asset is through its life (how much value has been consumed). The cost of *asset consumption* (depreciation) is calculated based on the value lost each year as the asset deteriorates (as life is used up), i.e. the asset value divided by its service life.

Assumptions about these factors (fair value, condition and service life) of assets determines a large proportion (around 20% or \$8.3M p.a.) of Council's annual operating expenses. Note 1 of

Council's Annual Financial Statements includes further details on service life and Note 27 includes details of methodologies for Fair Value Measurement.

These assumptions need to be refined over time. Improvement actions to condition and valuation information are identified in the detailed version of the *AM Information Register*.

10 Year Expenditure Projections

Council forecasts its revenues and expenditure over 10 years via the Long Term Financial Plan (LTFP). It is critical that the financial information in this SAMP aligns with the LTFP.

Appendix 5 shows how the LTFP reconciles in summary with financial information in or informed by this SAMP. The first 4 years aligns with figures in *Service Dashboards*. Figures relating to years 5 to 10 are based on continuing the priorities for the programs identified in the *Service Dashboards* over the longer term, as well as drawing on information in technical documents where these are available (e.g. the 30 year financial plan for water and sewerage assets (FINMOD) in the *Integrated Water Cycle Management Plan*).

In the LTFP, projected expenditure on *capital activities* (renewing assets and building/acquiring new ones) is reported as 'purchase of infrastructure, property, plant and equipment' in the *Cash Flow Statement*. The value of purchasing of 'non-infrastructure related' items is identified in Appendix 5 to show what is specifically for infrastructure. The figures split capital expenses on renewal and new/upgraded assets to report on the renewal ratio (a performance measure under *Fit for the Future*), which is also reported over a 4 year period in the *Service Dashboards* for each asset category.

In the LTFP, projected expenditure on *operational activities* (operating and maintaining assets) is reported as its component parts: 'employee benefits and on-costs', 'materials and contracts', etc. in the 'payments' section of the *Cash Flow Statement* as well as the 'operational expenditure' section of the *Income Statement*. Again, this includes expenditure of a 'non-infrastructure related' nature, but this is separately identified in Appendix 5 to show what is specifically devoted to infrastructure.

In the LTFP, projected *depreciation* expenses (also an operational expense) is reported in the *Income Statement* under 'expenses from ongoing activities'. Again, this includes depreciation of 'non-infrastructure related' assets separately identified in Appendix 5.

Asset Maintenance Shortfall and Renewal Backlog

NSW Government's *Local Government Code of Accounting Practice and Financial Reporting* defines the method to calculate infrastructure performance measures that must be reported in Special Schedule 7 (SS7) of Council's annual financial statements. These are important *Fit for the Future* benchmarks.

Auditing of these measures has been flagged for several years. Council has developed a procedure (based on the *Code*) outlining its calculations, which is included on the *AM Information Register*. The key points are discussed below.

Required maintenance, is defined as funding 'sufficient to ensure assets don't fail prematurely and can be kept in a functional state for community use'. *Code* update 25, 2017.

Council's approach has been to base required maintenance estimates either on:

- what is being done now, plus what the staff estimate to be what needs to be done on addition to this to achieve the asset lives EG Roads and drainage, parks and reserves; or
- Benchmark figures where available; eg Buildings; Water and Sewer assets.

As information improves, both at Council and in the industry generally, confidence around these estimates will improve. For now, small funding shortfalls are being reported

In terms of renewal **backlog**, the *Code* update 25 (draft at the time of writing) now requires Council to report on the cost to bring assets:

1. to a “satisfactory” condition (defined as condition 2 out of 5 ‘good’, requiring minor maintenance, unless Council has consulted with the community and they have agreed to an alternative)
2. to an “agreed” or “accepted” level of service (defined as the intervention level set by council, based on condition)

Council needs to ensure an auditable approach to calculating these measures is followed. This will be undertaken by the AM Steering Committee following finalisation of the draft *Code*.

It is worth noting that Council has undertaken considerable community engagement about levels of service from assets already, as noted in Appendix 3.

Another point worthy of note here is that the ‘backlog’ specifically excludes new or upgraded assets, and it may be that the best value is to be delivered by investing in such assets and delaying renewal of existing assets (so long as there aren’t any significant issues of concern with these).

- **In 2018, Muswellbrook Shire Council applied for a permanent increase in rates across the Shire to fund a number of projects and programs identified as community priorities. The NSW Independent Pricing and Regulatory Tribunal (IPART) approved Council’s application for one year, and IPART has invited Council to apply for the continuation of the Special Rate Variation (SRV) and to include it permanently in the rate base. Muswellbrook Shire Council is progressing with the program of works approved for funding by IPART.**

- **This application includes a \$100,000 permanent increase in the roads and parks budgets in order to carry out enhanced maintenance programs that will contribute to the fulfilment of Council’s strategic asset management objectives in relation to roads and parks management.**

- **The application also includes a \$300,000 permanent increase in stormwater funding that is applied to the annual stormwater budgets in order to deliver enhanced maintenance programs that will contribute to the fulfilment of Council’s strategic objectives in relation to stormwater management.**

- **In order to see those projects through to completion, Council proposes to apply again to IPART to continue the SRV into the future.**

- **Goal Four of Muswellbrook Shire Council’s Delivery Program 2017-21 seeks to develop Muswellbrook as a regional centre. The special variation will support an additional permanent allocation of \$100,000 per year for roads and parks asset maintenance programs and \$300,000 per year for stormwater asset maintenance programs.**

5. Risk Management

Relationship between Risk and Asset Management Systems

Council’s AM Policy identifies three perspectives to consider in relation to providing the ‘best possible value’ to the community: performance, sustainability and risk/resilience (these inform the basic structure of page 1 of the Service Dashboards).

The AM Policy identifies that ‘risk’ is as defined in Council’s risk management system (established under Council’s *Enterprise Risk Management Charter*) so it is vital that risk and AM systems are integrated (or put differently, Council’s risk management system perhaps underpins the AM system: risk represents a ‘floor’ of minimum acceptability in terms of value). Integration of risk and AM systems is part of the terms of reference for the AM Steering Committee (Appendix 6).

Risks identified at the corporate level (via the corporate risk register) will sometimes shape the AM system itself, and the implementation of the AM system through operational and capital programs will often be driven by risk management as a priority (as identified in *Service Dashboards*). Detailed technical analysis and planning (section 3) will often be driven by the need to quantify and manage risk.

In many ways the 'front line' of risk management is in the operation and management areas e.g. identifying and repairing defects on the road network and playgrounds or managing the storage, treatment and distribution of drinking water as described in the Drinking Water Quality Management Plan.

Other risks can only be treated adequately by undertaking capital works. Where a project is included in the *Capital Works Program* for reasons related to risk, this will be noted in the justification.

Managing Critical Assets

The *IPR Guidelines* (essential element 2.13) require that the AM Strategy identify assets that are critical to its operations and outline risk management strategies for these assets.

ISO 55000 (clause 3.2.8) defines a critical asset as an asset having potential to significantly impact on the achievement of the organisation's objectives. Assets can be critical due to safety, environment or performance reasons (this can relate to legal, regulatory or statutory requirements) or because they provide services to critical customers.

Council has established hierarchies for most asset categories that prioritise efforts toward those assets with higher usage (e.g. distributor roads, trunk pipelines) and in most cases establish higher standards of performance (e.g. renewal is undertaken when assets are less deteriorated).

Risk management strategies for the primary asset categories are outlined below. Further details are discussed in section 4 and in the reference documents noted in *Service Dashboards*, as well as (where relevant) in Council's corporate risk register.

Critical Asset	Primary Risks	Management Strategies
Water Supply	Supply problems due to drought Supply problems due to flood Failure to meet Australian Drinking Water Guidelines Failure of critical infrastructure (e.g. pumps) or loss of power leads to loss of supply	Drought and Drinking Water Quality Loss of power and use of Treatment Works Management Plans in place; criticality analysis undertaken on all assets and condition assessments underway with opportunities to improve redundancy and resilience identified (e.g. backup pumps, storage in reservoirs)
Sewerage	Release of untreated sewage or effluent to the environment due to a loss of power or failure of infrastructure	Criticality analysis undertaken on all assets and condition assessments underway with opportunities to improve redundancy and resilience identified (e.g. backup pumps and generators, storage time in pump stations), pollution incident response plans in place
Roads, Bridges and other Transport	Safety issues arising from asset failures and/or other issues such as fallen trees, washed out bridges, flooded roads	Inspection systems in place with additional inspections undertaken where necessary (e.g. after a major storm event)
Playgrounds	Safety issues from damaged or broken equipment	Inspection system in place to identify and respond to defects
Sports-grounds	Safety of users	Appropriate maintenance carried out
Aquatic Centres	Drowning, poor water quality leads to health issues	Supervision in place, trained operators, appropriate equipment and maintenance
Buildings	Business continuity in the event of a problem with the building	Business continuity plans in place Appropriate maintenance carried out

6. The Asset Management System

The AM System is the set of interrelated or interacting elements of an organization to establish policies and objectives for AM, and processes to achieve those objectives (ISO 55000 cl. 3.4.2, 3.4.3).

The planning, implementation, review and improvement of the AM system is described below. A key difference from traditional AM practice (which featured very detailed asset management plans to be adopted by Councils at a corporate level) is that much of the detail is managed at the operational level, with policy and planning documents adopted by Council kept simpler to facilitate better engagement.

Asset Management Steering Committee

Council's Asset Management Steering Committee role is to monitor and review implementation and improvement of the AM system to ensure Council's AM objectives are met. The terms of reference are in Appendix 6.

It is important to note the Group provides an important cross-functional forum for planning and coordinating AM activities including raising awareness of and communicating about AM issues (in addition to monitoring and reviewing the AM system).

Roles, Responsibilities and Resourcing

Roles and responsibilities in relation to the AM system are established at several levels in Council:

- generally, in the AM Policy
- specific to particular programs / functions in Service Dashboards (which reflect Council's Delivery Program and Operational Plan, but generally at a higher level)
- specific to particular documents in the *AM Information Register* (refer below)
- specific to positions in Position Descriptions and employee performance objectives

The *Service Dashboards* reinforce the fact that infrastructure assets in some way support the provision of all services across Council, thus highlighting that everyone has a stake in AM and something to contribute to the implementation and improvement of the AM system.

Monitoring clarity of roles and responsibilities as well as the adequacy of resources (including competence) to support the implementation of the AM system is within the terms of reference for the AM Steering Committee, as is raising awareness of and communicating about AM issues.

Information and Documentation Requirements

As discussed in section 3, the detailed technical analysis and planning that sits behind the Service Dashboards are critical if Council is to achieve its AM objectives.

The *AM Information Register* (Appendix 3) includes:

- a more detailed list of the key reference documents relating to each service area that are summarised in the Service Dashboards
- responsibilities for the particular source of information, document or process/system
- criteria for effective implementation and assurance of that element of the AM system (acceptance criteria, measures to demonstrate compliance, monitoring to be undertaken)
- interconnectivities between that element and other elements of the AM system (or things outside the AM system e.g. financial and HR management systems)

- current status (including confidence in data) and specific improvements required

The review of this list is an agenda item on the terms of reference for the AM Steering Committee.

AM System Operation, Control, Monitoring and Audit

Processes within the AM system must be planned, implemented and controlled if Council is to meet its AM objectives. The *AM Information Register* identifies procedural documents (and acceptance criteria, measures to demonstrate compliance as well as monitoring undertaken for them). Many of the plans in the Register also include information on the processes required for their implementation.

Where problems or potential problems with Council's assets, AM or AM system are identified as part of monitoring, Council will take necessary actions to prevent or correct and control them, as well as eliminate the cause to avoid them recurring and will review their effectiveness. The AM Steering Group will be the forum to review and discuss such issues, as noted in the terms of reference.

ISO 55001 (clause 9.2) requires that internal audits be carried out at planned intervals to provide information to assist in the determination on whether the AM system conforms to Council's own requirements and those of ISO 55001, and whether it is effectively implemented and maintained. Terms of reference for the AM Steering Committee includes the development and implementation of an audit program.

NSW Office of Local Government has flagged its intention to introduce auditing of AM information reported by councils since 2013. Requirements defined to date in OLG Circular to Councils 15/29 fit within the comprehensive AM systems framework in ISO 55001, so the approach in this SAMP will help Council to demonstrate compliance with specified requirements and best practice when auditing is introduced.

Review and Improvement

The primary function of the AM Steering Committee (aside from providing a forum for planning and coordinating AM activities) as established by Council's AM Policy is management review of the AM system to ensure its continuing suitability, adequacy and effectiveness.

When appropriate, improvement actions will be identified in the Delivery Program and/or Operational Plan. Business cases for unfunded actions will be considered by the AM Steering Committee.

Appendix 1 – Asset Management Policy

See Policy Document A40/1 Asset Management Policy Doc ID 738381 yet to be exhibited and adopted.

Appendix 2 – Service Dashboards and Dashboard Summary

NOTE: Dashboards to be reviewed upon adoption of budget.

Following are the Service Dashboards and Dashboard Summary discussed in section 2.

An interpretation guide is provided for each below.

These are Council's first version of a new format of planning documentation designed to present a very high level overview of Council's functions, assets and budgets. Relevant information is drawn from more detailed sources (Council's Delivery Program, Operational Plan, Annual Financial Statements and Budgets) and so these other documents should be the final point of reference.

The Service Dashboards prepared so far cover most areas of Council's operations (with a focus on Council's infrastructure assets):

- Transport and Drainage
- Water Supply and Sewerage
- Waste Management
- Open Space, Recreation and Public Toilets
- Community Programs and Facilities

Dashboards have not yet been produced for the following functions:





- Organisational Capability
- Planning, Development and Environment
- RMS Road Maintenance Contracts
- Future Fund

All functions of Council are, however, included in the *Dashboard Summary* that draws together information from all Service Dashboards as well as budget information on these other areas.

It is important to note that these documents are still a work in progress and need further (and ongoing) refinement.

Interpretation Guide for Service Dashboards and Dashboard Summary

Service Dashboards: Page 1

Service Name			
Short description			
Key Objectives from CSP (across all QBL themes)			
Value now	Performance	Sustainability	Risk/Resilience
Summary of the key issues			
Value 12 years	Performance	Sustainability	Risk/Resilience
Summary of the key issues			
Emerging issues: beyond 12 years			
Community survey	Importance	Gap	Consensus
	Satisfaction		
Sub-service 1		1.2	High
Sub-service 2		-0.3	Low
Investment			
			
Operations (maint. & ops)	Capital (renewal & new)	Depreciation	Asset Value

Service description and relevant goals from the Community Strategic Plan


Key issues of concern with the value Council can provide now and in 12 years time with the resources it has available (plus emerging issues beyond this)

Community Satisfaction Survey Results

Investment in the service as a proportion of total investment in all services in terms of:

- ongoing activities/operations: dark red
- maintenance, light red
- new/renewed assets/capital: dark red
- renewal, light red
- new/upgrades
- depreciation/cost of asset consumption
- total asset value

Service Dashboards: Page 2

Service Name						
Infrastructure						
		Asset categories, replacement values, consumption ratio (age), renewal ratio, capital ratio (new assets), high residual risk backlog				
Operational Programs						
Program Priorities						
Program 1		Priorities		Responsibility		
Program 2		Priorities		Responsibility		
4 year Budget		Revenue		Expenditure		
Program 1						
Program 2						
Performance Measures and Targets						
Capital Projects						
Project Selection Criteria (informs priority list)						
Project area 1		Criteria		Responsibility		
Project area 2		Criteria		Responsibility		
4 year Budget		Revenue		Expenditure		
Project area 1						
Project area 2						
Performance Measures and Targets						
Improvement Actions						
What				Who		When
Reference Documents						
Strategic plans, policies, operational plans, etc.						

Infrastructure Supporting the Service

- Asset categories, quantities and cost to renew
- Consumption ratio (100% = assets are new, 0% = at end of life)
- Backlog ratio (proportion of assets in unsatisfactory condition)
- Renewal ratio (renewal spend relative to depreciation: are assets being renewed faster than they are consumed?)
- Capital ratio (spend on renewal/new and upgraded assets compared to depreciation: growth in the asset base?)

Operational Programs (ongoing activities)

- Priorities and responsibilities for limited resources
- Summary 4 year budgets (revenue and expenditure)
- Performance measures and targets

Capital Programs (renewal and new/upgraded assets)

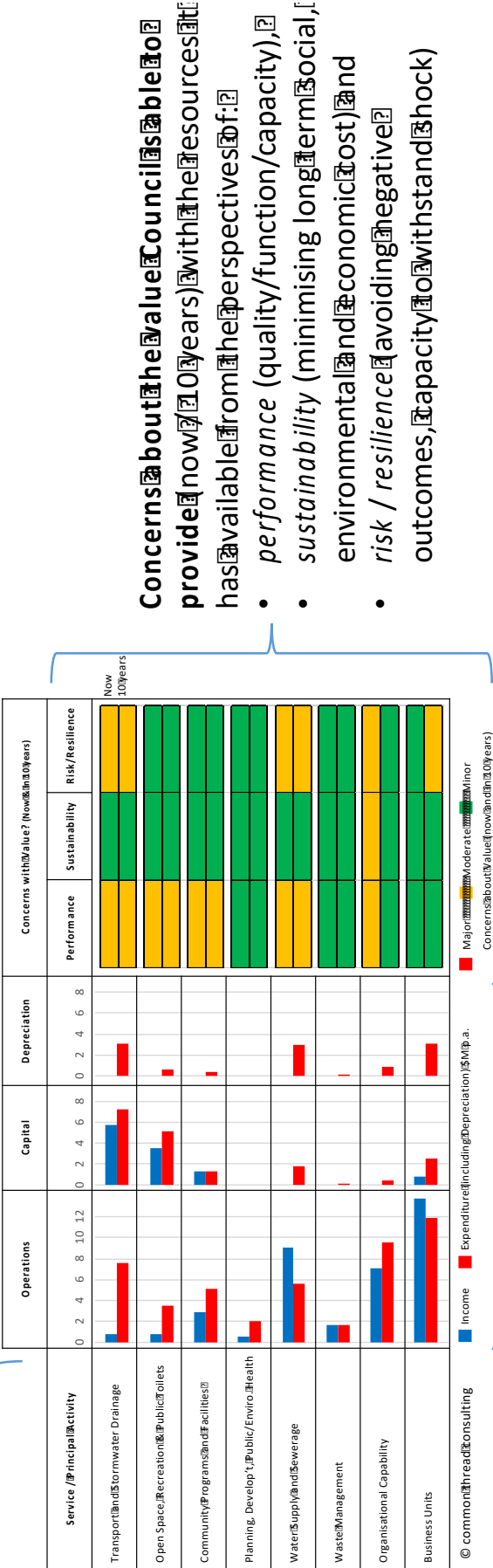
- Priorities and responsibilities for limited resources
- Summary 4 year budgets (revenue and expenditure)
- Performance measures and targets

Improvement Action Plan

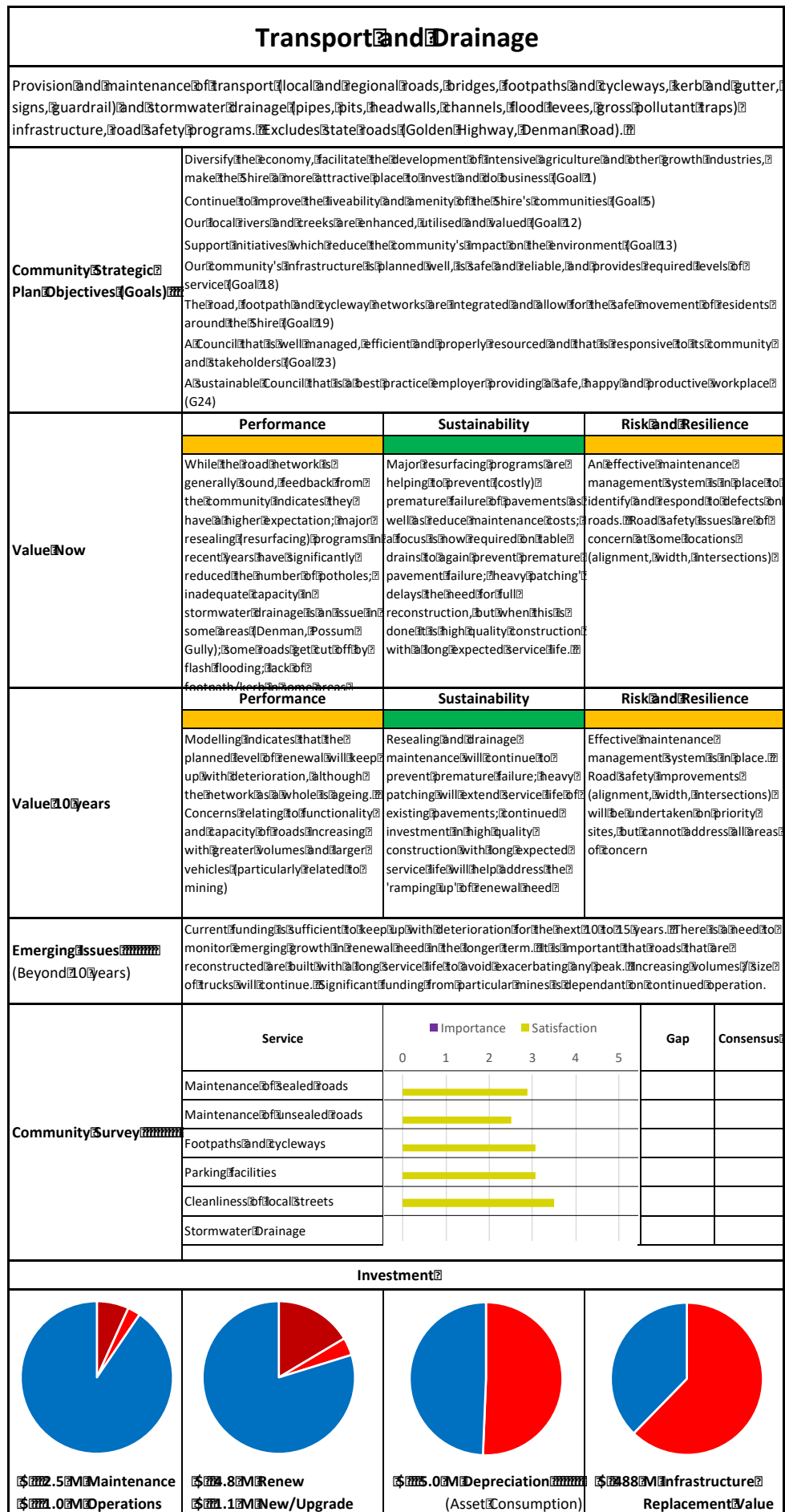
Reference Documents (for further information)

Dashboard Summary

Council's functions: All operations are summarised on this single page (further details are available in the individual Service Dashboards)




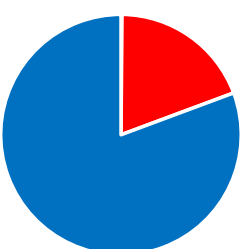
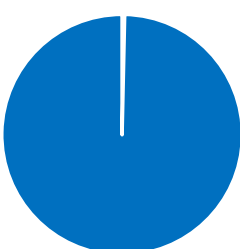
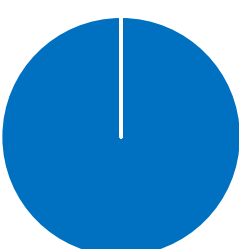
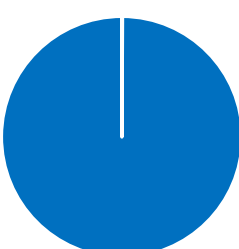
Resources invested in each function: revenue (blue) and expenditure (red) for operations (ongoing activities); capital works (renewal and new/upgraded assets) as well as depreciation (the cost of asset consumption). If revenue (blue) is more than expenditure (red) it generates income, if it is less, it is funded by general rates. Capital expenses (asset renewal) must equal depreciation over the long term to avoid assets being used up.




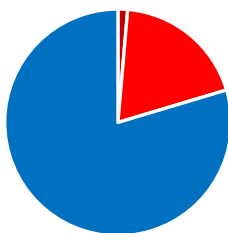
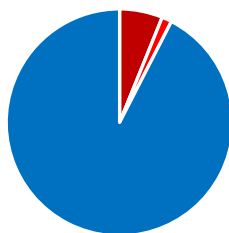
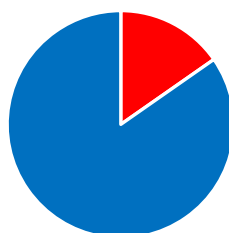
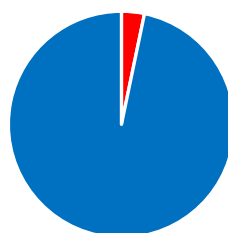
Transport and Drainage							
Infrastructure							
	Asset Category	Value	Consumpt'n	Backlog	Renewal	Capital	
	528km Sealed Pavement	45.0	66%	1.6%	284%	338%	
	528km Sealed Surface	2.9	43%	3.6%	84%	84%	
	169km Kerb and Gutter	2.6	78%	0.1%	38%	43%	
	94km Unsealed Roads	1.9	78%	6.3%	217%	217%	
	21 Bridge (19 Conc. 2 Tmb.)	5.7	73%	0.3%	33%	50%	
	43km Footpaths	3.4	77%	0.5%	213%	267%	
	68 Carparks	3.0	69%	1.2%	127%	127%	
	Other Transport Assets	8.2	80%	0.3%	18%	24%	
	73km Urban Stormwater	3.8	66%	1.2%	11%	105%	
	1278 Culverts / Causeways	4.3	68%	2.0%	32%	0%	
	Bulk Earthworks	0.4	N/A	N/A	N/A	0%	
	TOTAL TRANSPORT	87.6	68%	1%	99%	121%	
	Operational Programs						
Program Area	Priorities						Responsible
Maintenance of Transport and Drainage Infrastructure	Identify defects via inspections and requests from public and prioritise actions to make safe and repair as per risk-based Maintenance Specification and efficient programming of work						Mgr Works
Transport & Drg. Other Ops (Technical & Asset Mgt.)	Planning for network improvements, Traffic Committee, approval of works on roads, regulatory functions, floodplain management, development control						Various
Program Area	Specific Revenue (Other than General Rates)				Expenditure		
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20
Federal Assistance Grant	95,632	18,022	40,973	64,497	1,000	2,025	3,076
Asset, Design & Depot	32,000	35,300	38,683	42,150	88,844	98,565	108,529
Urban Road Maintenance					97,619	20,060	43,061
Rural Sealed Road Maint.					38,250	46,706	55,374
SRV Mine Roads Maint.					43,364	47,019	51,960
Regional Road Maintenance	28,000	28,000	28,000	28,000	33,700	39,543	45,531
Bridge Maintenance					63,488	65,074	66,701
Carpark Maintenance					16,619	19,535	22,523
Footpaths and Cycleways					2,660	4,976	7,350
Drainage Maintenance					19,618	22,608	25,673
Street and Gutter Cleaning					25,500	31,138	36,916
Street Lighting					80,000	89,500	99,238
Loan Repay (LRS Bridges)					70,619	48,670	25,678
TOTAL	255,632	281,322	307,656	334,647	411,281	465,418	521,610
Program Area	Performance Measures and Targets						Target
Maintenance of Transport and Drainage Infrastructure	Target: compliance with intervention standards and response times in maintenance specifications						90%
	Measure: report on maintenance accomplishments by asset type (e.g. number of potholes, area of footpaths repaired, length of unsealed road graded) and number of customer requests (plus public liability incidents) with comparisons to specifications and previous years						Report
Transport & Drg. Other Ops	Report on activities undertaken in accordance with Operational Plan						Report
Capital Projects							
Project Area	Selection Criteria (for Priority Projects List)						Responsible
Resurfacing and Heavy Patching of Sealed Roads	Resealing to maintain waterproof layer and prevent premature pavement failure; includes heavy patching of isolated pavement failures prior to sealing and major maintenance						Mgr Works
Sealed Road and Drainage Renewal/Upgrade Program	Renewal of roads, kerb, drainage, etc. in poor condition based on hierarchy (i.e. amount of use), performance and risk. New/Upgraded infrastructure based on hierarchy and extent of deficiencies (e.g. performance and risk), often informed by road safety audits. Community enhancement programs adopted by Council (Muswellbrook CBD)						Mgr Works
Unsealed Roads	Renewal of poor condition pavement; upgrades (widening, sealing) based on hierarchy, risk, reducing maintenance (grading) and dust impacts on adjacent properties						Mgr Works
Bridges	Replacement of remaining timber bridges (two left) in concrete						Mgr Works
Footpaths and Cycleways	Replacement of poor condition paths based on hierarchy and risk; provision of new paths to address 'missing links' and areas of high usage. Cycleway priorities identified in Walk and Cycle Plan.						Mgr Works
Project Area	Specific Revenue (Other than General Rates)				Expenditure (excl. Depreciation)		
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20
Resurface of Sealed Rds					1,609,000	1,645,000	1,683,000
Road Renewal/Upgrade Program (incl. Traffic Safety)	85,000	09,059	09,059	09,059	912,000	930,000	950,000
Regional Roads	70,000	7,000	70,000	70,000	70,000	70,000	70,000
Mine Affected Roads	03,970	12,049	20,290	28,696	03,970	12,049	20,290
CBD Programme						300,000	300,000
Denman Masterplan (SRV)			500,000			2,500,000	2,500,000
Unsealed Roads Graveling					328,000	328,000	330,000
Kerb and Guttering					125,000	130,000	130,000
Carparks					103,000	110,000	115,000
Traffic Control/safety devices					128,591	117,539	135,124
Bridges					300,000	305,000	305,000
Footpaths and Cycleways					156,000	160,000	165,000
Drainage Upgrades					158,000	158,000	159,000
TOTAL	1,358,970	891,108	3,399,349	907,755	4,293,561	7,165,588	7,262,414
Project Area	Performance Measures and Targets						Target
All Projects	Target: Completion of Projects in Operational Plan (% by value)						90%
	Target: Variation from Budget in Operational Plan						10%
	Target: % of transport assets in condition or ready for replacement value						<2%
	Measure: report on achievements including areas of road sealed with comparisons to previous years and key projects						Report
Improvement Action Plan							
What						Who	When
Refine Pavement Management System to inform maintenance and renewal programs						Mgr. R&D	Dec. 2017
Review of Maintenance Specifications (intervention standards and response times) based on history of compliance, risk, efficiency and benchmarking against similar councils						Mgr. Works	Sept. 2017
Review Asset Condition and Valuation Information as detailed in Appendix 5 of Strategic AMP						As per AMP	As per AMP
Review forward works programs to inform Priority Projects List for 2018						Mgr. R&D	Dec. 2017
Reference Documents							
Asset Hierarchies, Maintenance Specifications, Walk and Cycle Plan, Carparking Needs Analysis, Mine Affected Roads Strategy, Agreements with Mining Companies, V/PAs, Specifications (NATSPEC) for Design, Construction and Maintenance, Section 94 (Developer Contributions) Plans, Floodplain Risk Management Committee							

Water Supply and Sewerage									
Supply of potable (drinking) water at Muswellbrook, Denman and Sandy Hollow; sewerage reticulation and treatment at Muswellbrook and Denman; Several schemes to reuse treated effluent (Muswellbrook Golf Club, Mines).									
Community Strategic Plan Objectives (Goals)	Diversify the economy, facilitate the development of intensive agriculture and other growth industries, make the Shire a more attractive place to invest and do business (G2)								
	Continue to improve the liveability and amenity of the Shire's communities (Goal 5)								
	Our local rivers and creeks are enhanced, utilised and valued (Goal 12)								
	Support initiatives which reduce the community's impact on the environment (Goal 13)								
	Support Federal and State initiatives to reduce the human impact on climate change (G14)								
Value Now	Performance		Sustainability						
	Problems exist with both water mains (water quality, frequency of breaks) and sewerage (frequency of blockages) but are being addressed via increased investment in water main renewal and rehabilitation. Denman water supply has problems with hardness. Muswellbrook Sewerage Treatment Plant doesn't meet latest effluent quality standards, but this is being replaced		Investment targeting water loss (water supply) and infiltration (sewerage) are reducing resource consumption (water, plus energy from pumping/treatment) and environmental impacts; more cost effective renewal techniques are used (e.g. sewer relining); beneficial reuse of sewerage effluent reduces disposal; renewable energy installations reducing power consumption						
	Risk and Resilience		Concerns with water and sewerage infrastructure (redundancy, ease of repair, minimising failures and improving the ability to respond) demands continued focus on reducing risks and improving reliability. None of the water supplies have concerns in terms of drought, although Sandy Hollow does need water to be trucked in times when the Goulburn River is dirty						
	Performance		Sustainability						
	With continued investment in mains rehabilitation and renewal, instances of supply interruption (water) and overflow (sewerage) will continue to decline although the pipe network is ageing. Muswellbrook Sewerage Treatment Plant renewed.		Technologies to reduce energy consumption (e.g. smart controls on pumps and treatment plants) will continue to improve. Effluent quality will improve. Reduction in sewerage failures with release to environment						
Value 10 years		Risk and Resilience		Improvements to risk and resilience are expected to continue with implementation of new technology and continued investment in measures to reduce risk and improve reliability					
Emerging Issues (Beyond 10 years)									
Climate change will continue to place pressure on water supplies, although all areas have suitable drought management plans in place; Upgrade of Muswellbrook WTP will be required, investigation into alternative supply for Muswellbrook from Glenbourne Dam joint project with Upper Hunter Council; Any change to responsibilities for water and sewerage services from NSW government (i.e. for Council to no longer perform this function) would have serious financial implications (loss of economies of scale)									
Community Survey (proposed categories)									
Service		Importance Satisfaction			Gap	Consensus			
Water Supply		0	1	2	3	4	5		
Sewerage									
Investment (Note: Water and Sewerage are operated as distinct businesses i.e. separate to General Fund)									
\$13.8M Maintenance \$12.4M Operations		\$6.5M Renew (4yr avg.) \$8.5M New/Upgrade		\$2.6M Depreciation (Asset Consumption)		\$1.70M Infrastructure Replacement Value			

Water Supply and Sewerage								
Infrastructure								
	Asset Category	Value	Consumpt'n	Backlog	Renewal	Capital		
	196km Water Supply Pipelines	5.4	61%	12%	129%	0%		
	9 Water Reservoirs	9.3	53%	0%	20%	0%		
	3 Water Treatment Plants	7.4	51%	19%	81%	0%		
	8 Water Pump Stations	4.0	57%	0%	0%	0%		
	Plant and Equipment		0%	0%	0%	0%		
	TOTAL WATER SUPPLY	26.0	57%	10%	83%	0%		
	185km Sewer/Reuse Pipes	10.2	71%	14%	231%	0%		
	17 Sewer/Reuse Pump Stns	9.1	58%	19%	20%	0%		
	2 Sewerage Treatment Plants	5.1	24%	853%	750%	2566%		
	Plant and Equipment		0%	0%	0%	0%		
	TOTAL SEWERAGE	24.4	61%	73%	369%	858%		
Operational Programs								
Program Area	Priorities						Responsible	
Water Supply, Sewerage and Raw Water Infrastructure	Undertake operations and maintenance to achieve maintenance specifications (focused on performance and risk) and meet regulatory obligations						Operations Mgr. W&W	
Water and Sewerage network protection and improvement	Liaison with users (backflow prevention, trade waste) of water and sewerage infrastructure as well as developers (new assets); implement Water Efficiency Action Plan, Drinking Water Quality Management Plan						Various	
Program Area	Revenue				Expenditure (excl. Depreciation)			
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
Water Supply - General					790,376	792,414	850,858	895,459
Water Pump & Treatment					710,000	752,648	796,464	841,375
TOTAL WATER SUPPLY	6,260,875	6,386,657	6,606,468	6,833,907	5,000,376	5,545,061	6,647,322	7,36,834
Sewerage - General					850,881	882,577	868,776	908,672
Sewerage Pump & Treatment					950,710	823,911	886,905	846,399
TOTAL SEWERAGE	6,670,500	6,831,170	6,875,548	6,961,956	6,801,591	6,706,488	6,755,681	6,755,071
Program Area	Performance Measures and Targets						Target	
Operation and Maintenance of all Water, Sewerage and Raw Water Infrastructure	Target: proportion of tests complying with Drinking Water Supply Guidelines (treatment & reticulation)						100%	
	Target: proportion of tests complying with EPA Licences for reclaimed water						100%	
	Target: compliance with maintenance specifications and levels of service						90%	
Network Protection and Improvement	Measure: report on operational activities and maintenance accomplishments with reference to specifications, previous years and NSW Water and Sewerage benchmarking report						Report	
	Measure: report on implementation of actions from Water and Sewerage Strategic Business Plans, Drinking Water Quality Management Plan, Water Efficiency Plan; notable actions in relation to network protection e.g. trade waste, backflow protection						Report	
Capital Projects								
Project Area	Selection Criteria (for Priority Projects List)						Responsible	
Water Supply	Renewal: based on risk (assets that are critical due to number, nature of users are higher priority); new and upgraded assets: based on reducing operating costs and Water Strategy to address capacity issues and improve redundancy							
Sewerage	Renewal: based on risk; new and upgraded assets: based on reducing operating costs and Sewerage Strategy to address capacity issues and reduce risk							
Project Area	Revenue				Expenditure			
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
Water Supply Pipelines					1,060,000	675,000	650,000	450,000
Water Reservoirs/Storage					180,000			
Water Treatment Plants					1,040,000	597,471	75,000	75,000
Water Pump Stations								
Plant and Equipment					320,000	60,000	60,000	60,000
Renewable Energy Actions							400,000	390,000
Misc. (needs classifying)					705,000	50,000	130,000	865,000
Loan Repayments					257,051	273,847	291,744	10,113
TOTAL WATER SUPPLY	1,906,777	902,529	50,000	50,000	3,562,051	1,656,318	1,606,744	1,850,113
Sewerage Mains	485,891				1,300,000	1,150,000	1,650,000	1,450,000
Sewerage Pumping Stations					120,000	includes mains to transportation to TPS?		
Sewerage Treatment Plants	14,100,000				14,420,000	26,100,000	540,000	
Plant and Equipment					200,000	70,000	70,000	70,000
Renewable Energy Actions					80,000	1,200,000	1,100,000	1,000,000
Misc.					60,000	20,000	20,000	20,000
Loan Repayments					421,000	1,127,000	1,135,000	1,221,000
TOTAL SEWERAGE	14,635,891	28,195,196	3,188,504	2,423,451	16,601,000	29,667,000	4,515,000	3,761,000
Project Area	Performance Measures and Targets						Target	
All projects	Target: Completion of projects in Operational Plan (% by value)						90%	
	Target: Variation from Budget in Operational Plan						10%	
	Target: SOMETHING AROUND improved LOS AND RISK?						TARGET?	
	Measure: report on achievements and key projects						Report	
Improvement Action Plan								
What						Who	When	
Review asset information as detailed in Appendix 5 of Strategic AMP, (key items below)						As per AMP	As per AMP	
Criticality analysis of condition data for water and sewerage pipelines to inform works program						Asset Mgr.	Mar 2017	
Review of Maintenance Specifications (intervention standards and response times) based on history of compliance, risk, efficiency and benchmarking against similar councils						Asset Mgr.	Apr 2017	
Review asset valuation and usefulness (full evaluation required by 30 June 2017)						Asset Mgr.	Jun 2017	
Review Water and Sewerage Strategic Business Plans						Asset Mgr.	Dec 2017	
Reference Documents								
Integrated Water Cycle Management Plan, Water and Sewerage Strategic Business Plans, Maintenance Specifications, Specifications (NATSPEC) for Design, Construction and Maintenance, Section 54 (Developer Contributions) Plans, Water Quality Management Plan, Water Efficiency Plan, Reclaimed Water Management Plan, Environmental Management Plans for Treatment Plants								


Waste Management					
Provision of 3-bin domestic waste collection (putrescible, recyclable and garden waste organics) and education service; annual bulky goods collection; operation of Muswellbrook landfill and Denman transfer station; waste and recyclables collection for public spaces; working to reduce illegal dumping.					
Community Strategic Plan Objectives (Goals)	Support initiatives which reduce the community's impact on the environment (Goal 13) A Council that is well managed, efficient and properly resourced and that is responsive to its community and stakeholders (Goal 23)				
Value Now	Performance	Sustainability	Risk and Resilience		
	Community feedback on waste collection and drop-off facilities at Muswellbrook landfill and Denman transfer station is good; there is sufficient capacity in Muswellbrook landfill for at least 20 years and plans are in place beyond this CHECK; action is taken on illegal dumping	Council is providing a relatively cost-effective waste management service that meets community needs while minimising its environmental impact (opportunities for regional collaboration are taken to reduce costs and improve environmental outcomes)	Risks are effectively managed in relation to the operation of the waste management service and, in particular, the operation of Muswellbrook landfill which has a specific management plan in place to minimise impacts		
Value 10 years	Performance	Sustainability	Risk and Resilience		
	Current waste collection and processing operations are insufficient to meet the NSW Government targets for diversion from landfill (70% by 2021); Muswellbrook landfill will be OK???	By undertaking appropriate planning and working regionally, Council will continue to provide a relatively cost-effective waste management service that meets community needs while minimising its environmental impact	Risks are effectively managed in relation to the operation of the waste management service and, in particular, the operation of Muswellbrook landfill which has a specific management plan in place to minimise impacts		
Emerging Issues (Beyond 10 years)	Community expectations and regulatory standards will continue to drive the need for improvements in waste management; changing technologies (e.g. in waste processing and disposal) may also shape the way Council delivers this service. COMMENTS ABOUT LANDFILL LIFE... Council is building up a sufficient reserve to undertake the significant works required when the landfill is finally closed.				
Community Survey	Service	Importance Satisfaction		Gap	Consensus
		0 1 2 3 4			
	Household waste and recycling	<div></div>			
Investment (note: Domestic Waste Management is operated as a distinct business i.e. separate to General Fund)					
					
\$10.05M Maintenance \$7.05M Operations	\$10.10M Renew \$7.77M New/Upgrade	\$10.00M Depreciation (Asset Consumption)	\$10.77M Infrastructure Replacement value		

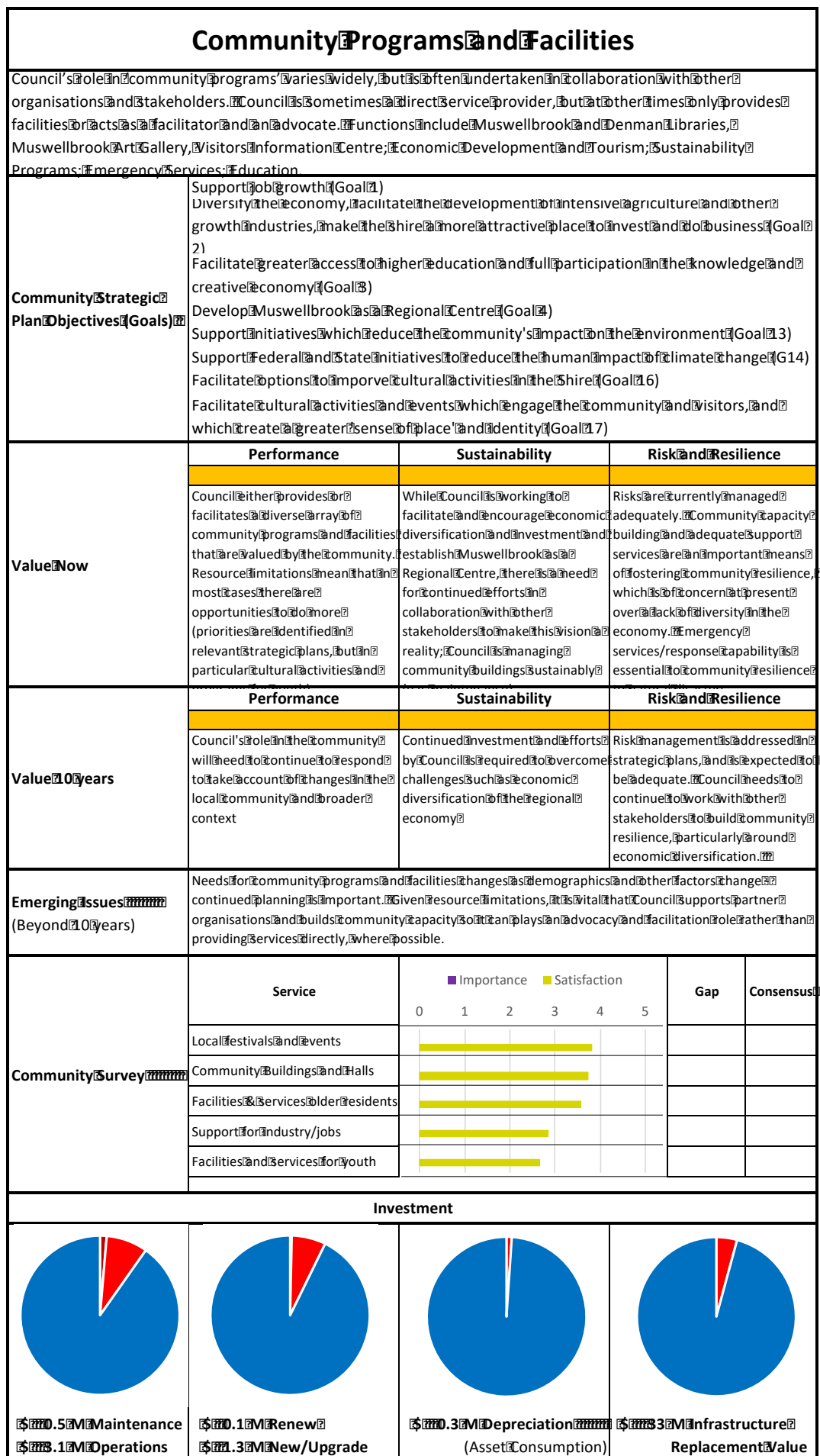
Waste Management								
Infrastructure								
	Asset Category			Value	Consumpt'n	Backlog	Renewal	Capital
	Buildings			10.6	50%	0%	0%	12308%
	Other Structures			0.1	36%	0%	0%	0%
	TOTAL WASTE MANAGEMENT			10.7	48%	0%	0%	10323%
Operational Programs								
Program Area	Priorities							Responsible
Waste Mgmt. Strategy	Implementation of actions from Waste Strategy (once adopted by Council)							Mgr. Waste
Domestic Waste Mgmt.	Manage contracts for waste collection and processing to ensure service standards are achieved							Mgr. Waste
Waste Mgmt. Facilities and Landfill Operations	Manage landfill and waste management facilities (Muswellbrook and Denman) in compliance with regulatory requirements (Landfill License) and Environmental Management Plan							Mgr. Waste
Program Area	Revenue				Expenditure			
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
Rates and Charges	2,431,000	2,625,000	2,722,000	2,830,000				
Recyclable Collect/Process					345,000	354,000	363,000	372,000
Waste Collection					95,000	105,000	115,000	125,000
Green waste Collection					94,000	98,000	103,000	108,000
Education and Clean-ups					93,000	98,000	102,000	107,000
Admin & Management					101,000	11,000	21,000	32,000
Contribution to WMI Facility					909,000	73,000	1,022,000	1,073,000
TOTAL DOMESTIC WASTE	2,431,000	2,625,000	2,722,000	2,830,000	2,437,000	2,539,000	2,626,000	2,717,000
Contribution from Domestic	909,000	73,000	1,022,000	1,073,000				
Upper Hunter Ccl Fees	100,000	12,000	24,000	37,000				
Tipping Fees	3,988,000	4,021,000	4,073,000	4,122,000				
NSW Govt. Landfill Levy					920,000	978,000	1,037,000	1,098,000
Mbk Waste Mgmt. Facility					260,939	336,450	408,900	425,300
Process Green/Food Waste					56,000	10,000	10,000	10,000
Denman WMI Facility					10,000	0,000	10,500	1,000
Lease and Dividend					20,000	20,000	20,000	20,000
TOTAL W. MGMT. FACILITY	5,297,000	5,406,000	5,519,000	5,632,000	5,666,939	5,954,450	6,086,400	6,164,300
Program Area	Performance Measures and Targets							Target
Waste Mgmt. Strategy	Measure: Progress on Implementation of actions from Waste Strategy							Report
Domestic Waste Mgmt.	Target: Compliance with Service Specifications for Waste Collection and Processing							100%
	Target: Compliance with Landfill License conditions and other Regulatory Requirements							100%
Waste Mgmt. Facilities and Landfill Operations	Target: Compliance with Service Specifications for Waste Collection and Processing							100%
	Measure: Report on Waste Management Facility Usage, Diversion Rates (with comparisons to previous years and NSW Government benchmarks)							Report
Capital Projects								
Project Area	Selection Criteria (for Priority Projects List)							Responsible
Waste Management	Actions required to address compliance issues, improvements to waste diversion rates							Waste Mgr.
Project Area	Revenue				Expenditure			
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
Organics Processing Facility					1,600,000			
Landfill Closure Reserve	750,000	750,000	750,000	750,000				
TOTAL WASTE MGMT.	750,000	750,000	750,000	750,000	1,600,000	0	0	0
Project Area	Performance Measures and Targets							Target
All Projects	Target: Completion of Projects in Operational Plan (% by value)							90%
	Target: Variation from Budget in Operational Plan							10%
	Measure: Report on achievements and key projects							Report
Improvement Action Plan								
What							Who	When
Finalise review of Waste Strategy							Mgr. Waste	
Reference Documents								
Waste Strategy, Service Specifications, Landfill Environmental Management Plans and Landfill License								


Organisational Capability							
Provision of internal or support services enabling front-line service provision (finance, human resources, information technology, property management, asset and fleet management, administration and governance); First contact services (customer service centres, telephone enquiries and website/online services); Communications and engagement activities (media, communications, corporate planning and reporting)							
Community Strategic Plan Objectives (Goals)	Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community (Goal 21) Genuine and well-informed community participation in decision making (Goal 22) A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders (Goal 23) A sustainable Council that is a best practice employer providing a safe, happy and productive workplace (Goal 24)						
Value Now	Performance	Sustainability		Risk and Resilience			
	Capability for internal services to support front-line service delivery (e.g. information technology systems, human resources, quality and functionality of customer service front counter, website, ...); community engagement programs and practices; ...	There are opportunities to minimise the financial cost of delivering these internal services via economies of scale, innovation and the use of technology.		Organisational management systems supporting Council's operations are complex. There are opportunities to reduce risks through implementation of better systems and tools to support these, and to improve organisational resilience (e.g. through business continuity planning, succession planning) ...			
Value 10 years	Performance	Sustainability		Risk and Resilience			
	With effective implementation of opportunities to support investment in new technologies, etc. the quality, functionality and capacity of internal services and 'front-line' services as well as the quality of engagement and communications will improve over time	Council will continue to deliver cost-effective services to the community, and to deliver social benefits as a major employer in the community		With effective planning and implementation of change programs, risks will be effectively managed and organisational resilience will improve. A key risk to manage is workforce planning (succession planning given the ageing workforce and attraction/retention of qualified staff)			
Emerging Issues (Beyond 10 years)	Technology is becoming increasingly important in organisational support services as well as facilitating online service delivery and engagement. Workforce planning (succession planning and attraction/retention of qualified staff) will continue to be a challenge						
Community Survey	Service	<div><div></div> Importance <div></div> Satisfaction</div> <div>012345</div>				Gap	Consensus
	Council communication with the community	<div><div></div></div>					
	Customer service (phone/person)	<div><div></div></div>					
	Website and online services	<div><div></div></div>					
Investment (Note: majority of operations expenses are internal charges included in other services (see page 2))							
							
\$200.5M Maintenance \$777.0M Operations		\$77.8M Renew (4yr avg.) \$20.4M New/Upgrade		\$221.5M Depreciation (Asset Consumption)		\$25.4M Infrastructure Replacement Value	

Organisational Capability								
Infrastructure and Equipment								
	Asset Category	Value	Consumpt'n	Backlog	Renewal	Capital		
	Plant and Equipment	3.9	28%	0%	66%	0%		
	Administration Centre	3	90%	0%	0%	0%		
	Works Depot	3	36%	5%	0%	0%		
	IT and Office Equipment	8	32%	0%	0%	0%		
TOTAL ORGANISATIONAL CAPABILITY		5.4	40%	0%	0%	0%		
Operational Programs								
Program Area	Priorities					Responsible		
Human Resource Management and Safety	Coordinating implementation of the Workforce Management Plan including recruitment and selection, training and development, employee performance, workplace health and safety							
Financial Services	Accounting activities for normal business operations (creditors, debtors, payroll), reporting for statutory and management purposes, financial planning							
Information Technology	Provision of tools to facilitate business operations including computer hardware/software, networks, communications, GIS, website; implement IT strategy							
Property (Building and Facilities) Management	Management of buildings/facilities portfolio supporting services (open space, community as well as administration, works depots) including maintenance and renewal planning, relations with users/lessees in accordance with Building and Facilities Lease/Use Policy							
Asset Planning and Reporting	Maintain and update asset register to facilitate planning and reporting; long term planning for infrastructure assets to support informed decision making; implement strategic AM Plan							
Vehicle & Fleet Mgmt.	Maintenance and replacement of Council's vehicle fleet and heavy plant fleet (funded via internal charges to cover operations and replacement)							
Customer Service & Admin.	Support of operations including first contact, administration, records management, media and website; coordinate implementation of Customer Service Strategy							
Integrated Planning	Facilitate integrated planning and reporting process, service reviews, risk management framework; managing insurance and risk management matters							
Corporate Services Mgmt.	Managing corporate services functions of Council (all internal services)							
Executive Services	Functions relating to GM and councillors, civic duties and functions							
Program Area	Revenue		Expenditure (excl. Depreciation)					
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
HR & Safety	42,000	43,000	44,000	45,000	675,000	692,000	711,000	730,000
Financial Services (ex. Rates)					1,198,000	1,227,950	1,258,649	1,290,115
Information Services					904,000	927,000	950,000	971,000
Property and Building								
Customer Service & Admin.					697,000	711,000	725,000	740,000
Fleet Operations	2,165,000	2,215,000	2,267,000	2,319,000	1,565,000	1,615,000	1,667,000	1,719,000
Integrated Planning	34,000	34,000	34,000	34,000	596,000	610,000	623,000	637,000
Corporate Services Mgmt.					1,065,000	1,093,000	1,122,000	1,151,000
Executive Services					836,000	856,000	878,000	900,000
Internal Charges/Dividends (water, sewer, waste, commercial buildings)	3,415,000	3,456,000	3,521,000	3,565,000				
TOTAL DRG. CAPABILITY (incl. internal charges)	5,656,000	5,748,000	5,866,000	5,963,000	7,536,000	7,731,950	7,934,649	8,108,115
Less internal charges	-5,580,000	-5,671,000	-5,788,000	-5,884,000				
TOTAL DRG. CAPABILITY (external rev./exp. only)	76,000	77,000	78,000	79,000				
Program Area	Performance Measures and Targets					Target		
Human Resource Management and Safety	Measure: report on employee measures (turnover, engagement, TIFR, severity rate, ?)					Report		
Financial Services	Measure: report on implementation of actions from Workforce Management Plan, WHS Strategy					Report		
Information Technology	Measure: report on compliance with statutory and operational requirements					Report		
Property (Building and Facilities) Management	Measure: report on investments, creditors/debtors, other activities (e.g. rates, water meters, ?)					Report		
Asset Planning and Reporting	Target: compliance with service standards, ?					90%		
Customer Service	Measure: report on implementation of actions from IT Strategy					Report		
Internal Audit	Target: achieve service standards (e.g. response to maintenance requests, ?)					90%		
Risk Management	Measure: report on utilisation and revenues, maintenance activities, ? as per Lease Policy					Report		
	Target: asset condition inspections, evaluations and additions (new work) for reporting					Complete		
	Measure: report on progress on implementation of improvement action plan, outcomes of audits					Report		
	Target: achieve service standards (e.g. identified in Quality Customer Service Policy (include one about 10% resolution of issues at first point of contact?))					100%		
	Measure: activity report (e.g. website traffic) progress with actions in Customer Service Strategy					Report		
	Measure: report on activities (e.g. internal audits) undertaken, completion of items on action list?					Report		
	Target: score on Statewide Mutual Audit name?					X%		
	Measure: report on progress on implementing actions in Risk Management Strategy					Report		
Capital Projects								
Project Area	Selection Criteria (for Priority Projects List)					Responsible		
Vehicles & Plant Fleet	Optimising replacement costs/operations costs, safety and performance issues							
Administration Offices	Improvements to efficiency and effectiveness (esp. customer service), workplace health & safety							
Works Depot	Addressing performance and safety issues, minimising long term costs of buildings & facilities							
Information Technology	As per IT Strategy							
Project Area	Specific Revenue (other than General Rates)			Expenditure				
	2016/17	2017/18	2018/19	2019/20	2016/17	2017/18	2018/19	2019/20
Works/Vehicles & Plant Fleet					743,000	762,000	781,000	801,000
Corporate Services/Vehicles					250,000	250,000	255,000	260,000
Corporate Services/Program					150,000	150,000	180,000	165,000
Administration Offices					50,000			
Works Depot					275,000	150,000		
Office Equipment/IT					400,000	500,000	500,000	500,000
TOTAL					1,868,000	1,812,000	1,716,000	1,726,000
Project Area	Performance Measures and Targets					Target		
All Projects	Target: Completion of Projects in Operational Plan (% by value)					90%		
	Target: Variation from Budget in Operational Plan					10%		
	Measure: report on achievements					Report		
Improvement Action Plan								
What					Who	When		
Workforce Management Plan								
Workplace Health and Safety Strategy								
Revised Long Term Financial Plan						Annually		
Revised Strategic Asset Management Plan					Mgr. & S	Annually		
Customer Service Policy and Strategy								
Preparation and Review of PR documents								
IT Strategy								
Risk Management Policy and Strategy								
Reference Documents								
Key documents (full list on website under policies): Workforce Management Plan, Workplace Health and Safety Policy and Strategy, IT Strategy, Property Leasing Policy, Asset Management Policy, Quality Customer Service Policy, Financial Policies, Long Term Financial Plan, Quarterly Budget Reviews, Budgets, Operational Plan, Delivery Program								

Open Space, Recreation and Public Toilets									
Provision and maintenance of open space, recreation and public facilities including parks, reserves and sporting fields, public toilets, sports amenities and facilities, playgrounds, aquatic centres, skate parks, BBQ areas, outdoor furniture, boat ramps, fencing, lighting, paths; operation and maintenance of cemeteries and some environmental restoration									
Community Strategic Plan Objectives (Goals)	Diversify the economy, facilitate the development of intensive agriculture and other growth industries, make the Shire a more attractive place to invest and do business (Goal 2)								
	Develop Muswellbrook as a Regional Centre (Goal 4)								
	Continue to improve the liveability and amenity of the Shire's communities (Goal 5)								
	Build social inclusion and improve the delivery of social services (Goal 7)								
	Enhance native vegetation connectivity across the Upper Hunter (Goal 11)								
	Our local rivers and creeks are enhanced, utilised and valued (Goal 12)								
	Our community's infrastructure is planned well, is safe and reliable, and provides required levels of service (Goal 18)								
	A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders (Goal 23)								
Value Now	Performance	Sustainability	Risk and Resilience						
	Facilities are generally in good condition and operated / maintained to meet community performance expectations (although public toilets score quite low). The Recreation Needs Study identifies various projects to improve the functionality of sports facilities, around half of which are funded over the next four years	Significant leak in Muswellbrook Pool. All facilities are planned and delivered the balance between social, environmental and economic cost / benefits. Recurrent costs for sport grounds would be reduced by improved irrigation. Consideration could be given to disposal of low use facilities to reduce cost.	An effective risk maintenance management system is in place to identify and respond to defects, although review of maintenance specifications, intervention levels and response times) and record keeping is required						
Value 10 years	Performance	Sustainability	Risk and Resilience						
	Council should be able to keep pace with the need for infrastructure renewals as well as funding some upgrade works to meet increased expectations. Resourcing for operations and maintenance should continue to be sufficient.	With the replacement of Muswellbrook Pool to address the leak will be complete (even without ISRV), these functions will be balancing social, environmental and economic issues effectively.	Effective risk maintenance management system is in place; strong/active community groups enhances community resilience						
Emerging Issues (Beyond 10 years)	Ongoing planning and review of the provision of adequate and appropriate facilities is essential with changing usage, needs and demographics; volunteer numbers???								
Community Survey	Service	Importance Satisfaction			Gap	Consensus			
		0	1	2	3	4	5		
	Council Swimming Pool & Gym								
	Condition of Sporting Facilities								
	Cleanliness & Appearance of Parks								
	Facilities & Services for Youth								
	Public Toilets								
Investment									
\$1.8M Maintenance \$2.3M Operations		\$1.1M Renewal \$1.2M New/Upgrade		\$0.5M Depreciation (Asset Consumption)		\$23M Infrastructure Replacement Value			

Open Space, Recreation and Public Toilets								
Infrastructure								
	Asset Category	Value		Consumpt'n	Backlog	Renewal	Capital	
	2 Aquatic Centres (buildings, pool, plant)	RM6.5		71%	35%	1176%	2153%	
	2 Indoor Sports Stadiums	RM5.3		86%	0%	179%	179%	
	17 Sports Buildings/Amenities	RM1.3		92%	0%	140%	140%	
	Parks/Sports Structures & Equipment	RM6.7		79%	5%	18%	28%	
	5 Public Toilets	RM0.4		91%	0%	0%	0%	
TOTAL OPEN SPACE/REC./PUBLIC TLTS.		RM22.8		81%	11%	425%	758%	
Operational Programs								
Program Area	Priorities							Responsible
Maintenance and Operation of Aquatic Centres	Maintain and operate infrastructure to meet health standards, operate facilities in accordance with performance standards (opening hours) and regulations/codes of practice							Mgr. Property
Maintenance of Buildings and Facilities	Maintain in accordance with maintenance specification/identify and respond to defects based on risk, efficient programming of work and impacts on use of the facility)							Mgr. Property
Cleaning of Public Toilets	Clean in accordance with cleaning schedule and in response to additional needs							Mgr. Works
Mowing of Parks, Reserves, Sportsfields and Cemeteries	Mowing to achieve maintenance specifications, prioritising those facilities with higher usage/criticality if funds are limited							Mgr. Works
Program Area	Specific Revenue (other than General Rates)				Expenditure			
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
Aquatic Centres	RM531,100	RM530,522	RM706,469	RM758,870	RM1,127,000	RM855,050	RM1,398,151	RM1,510,305
Indoor Sports Centres	RM7,500	RM8,438	RM9,398	RM10,383	RM6,000	RM7,650	RM9,341	RM10,075
Other Sports	RM1,600	RM1,640	RM1,681	RM1,723	RM61,000	RM70,025	RM79,276	RM88,758
Parks & Playgrounds Maint.	RM1,000	RM1,000	RM1,000	RM1,000	RM1,169,000	RM1,198,225	RM1,228,181	RM1,258,885
Cemeteries	RM4,000	RM5,600	RM7,240	RM8,921	RM9,500	RM10,988	RM104,537	RM107,151
Public Toilets					RM3,500	RM5,088	RM6,715	RM8,383
TOTAL	RM75,200	RM77,200	RM85,788	RM910,897	RM2,886,000	RM2,658,025	RM3,246,201	RM3,404,556
Program Area	Performance Measures and Targets							Target
Maintenance of All Open Space, Recreational and Public Facilities	Target: Compliance with maintenance schedule (programmed) and intervention standards and response times (reactive) in maintenance specifications							90%
	Measure: Report on maintenance accomplishments (by asset type) and number of customer requests (plus public liability incidents) with comparisons to previous years							Report
	Measure: Report on usage of open space, recreation and public facilities, with comparisons to previous years							Report
Capital Projects								
Project Area	Selection Criteria (for Priority Projects List)							Responsible
Open Space, Recreational Facilities & Public Toilets	Renewal and Upgrade based on priorities including performance objectives, deficiencies, current expected usage, proximity/availability of alternative facilities, minimising maintenance cost & risk							Mgr. Property
Project Area	Specific Revenue (other than General Rates)				Expenditure			
	2017/18	2018/19	2019/20	2020/21	2017/18	2018/19	2019/20	2020/21
Aquatic Centres					RM60,000	RM500,000	RM500,000	RM60,000
Regional Aquatic Ctr. (SRV)					RM50,000	RM500,000	RM500,000	RM60,000
Recreation Renewals					RM50,000	RM250,000	RM255,000	RM260,000
Sporting Grants					RM25,000	RM25,000	RM25,000	RM25,000
Cemeteries					RM100,000	RM105,000	RM100,000	RM100,000
Tree Management					RM5,000	RM5,000	RM5,000	RM5,000
TOTAL	RM60,000	RM500,000	RM500,000	RM60,000	RM660,000	RM2,455,000	RM2,445,000	RM260,000
Project Area	Performance Measures and Targets							Target
All Projects	Target: Completion of Projects in Operational Plan (%) by value)							90%
	Target: Variation from Budget in Operational Plan							10%
	Measure: Report on achievements							Report
Improvement Action Plan								
What						Who	When	
Review Asset Information (as detailed in Appendix 5 of Strategic AMP)						As per AMP	As per AMP	
Review Classifications in Asset System and Budgets to facilitate planning and reporting (parks/sports, aquatic, cemetery, sports, community)						Mgr. Property	Mar 2017	
Reference Documents								
Recreation Needs and Management Study, Maintenance Specifications, Specifications (NATSPEC) for Design, Construction and Maintenance, Management Plans for Parks/Reserves, Cemetery Management Plans, Council Building Lease Policy, Sporting Field and Facilities Policy, Sports Committee								



Community Programs and Facilities								
Infrastructure								
	Asset Category	Value	Consumpt'n	Backlog	Renewal	Capital		
	Education (TAFE, Town Campus)	33.4	100%	0%	0%	0%		
	Culture (Art Gallery, Campbells Crn/U/S)	16.5	96%	0%	105%	0%		
	Muswellbrook & Denman Libraries	15.5	90%	0%	0%	0%		
	8 Community Buildings	8.5	85%	0%	147%	220%		
	21 Emergency (SES/RFS) Buildings	21.2	91%	0%	0%	0%		
TOTAL COMMUNITY FACILITIES		83.0	95%	0%	41%	31%		
Operational Programs								
Program Area	Priorities						Responsible	
Provision of buildings used by Council and other organisations	Provision of safe and functional facilities in accordance with lease, license and any other relevant requirements (including future fund policy for Education & Cultural facilities and service level agreements for buildings used by Council functions). Incl. maintenance, insurance, etc.						Mgr. Property & Building Services	
Art Gallery	Operation of Muswellbrook Art Gallery, staging of programs and events							
Libraries	Operate 2 libraries and home library service through Upper Hunter Regional Library Network staging events and programs, implementation of actions in the Library Strategic Plan							
Economic & Destination (Tourism) Development	Implementation of actions from Economic Development and Destination Management Plans in conjunction with local stakeholders, planning and management of events							
Community Development	Facilitation of community services, implementation of actions in Social Plan							
Sustainability	Carry out actions identified in Council's Sustainability Plan (note: funded also by internal charges)							
Emergency Services	Provision of support and facilities for Rural Fire Service, State Emergency Services and NSW Fire Brigade in accordance with service level agreements; provision of Emergency Operations Centre, facilitation of local Emergency Management and Rescue Committees							
Program Area	Specific Revenue (other than General Rates)				Expenditure (excl. Depreciation)			
	2016/17	2017/18	2018/19	2019/20	2016/17	2017/18	2018/19	2019/20
Other Community Buildings	558,995	572,970	587,294	601,976	452,000	444,000	39,000	36,000
Art Gallery and Programs	59,260	60,742	62,260	63,817	379,000	388,475	398,187	408,142
Libraries and Programs	190,000	194,750	199,619	204,609	924,000	947,100	970,778	995,047
Economic & Community Dvt.	260,000	108,000	111,000	114,000	752,000	559,402	573,387	587,722
Sustainability Programs	225,000	112,000	115,000	118,000	713,000	621,000	637,000	653,000
Emergency Services	234,000	239,850	245,846	251,992	555,000	568,875	583,097	597,674
TOTAL	1,527,255	1,288,311	1,321,019	1,354,395	3,775,000	3,528,852	3,601,448	3,677,585
Program Area	Performance Measures and Targets						Target	
Provision of buildings	Measure: Compliance with agreed requirements with user groups						Report	
Art Gallery	Measure: Participation trends and implementation of actions from Cultural Plan						Report	
Libraries	Measure: Participation trends and implementation of actions from Library Strategic Plan						Report	
Tourism, Economic & Community Dvt	Measure: Analysis of trends and activity report on outcomes from implementation of Economic Strategy, Destination Management and Social Plans						Report	
Sustainability	Measure: Report on outcomes from implementation of Sustainability Plan						Report	
Emergency Services	Measure: Activity report, implementation of actions in Local Emergency Management Plan						Report	
Capital Projects								
Project Area	Selection Criteria (for Priority Projects List)						Responsible	
Refurbish, Renewal and/or New Buildings/Facilities	Performance deficiencies with existing facilities or demonstrated need for new ones, usage, criticality, availability of alternative facilities, ability to generate revenues from the service to pay for the works and ongoing operations/maintenance costs, positive feedback from community engagement about the proposal. Agency needs to determine emergency services allocations						Mgr. Property & Building Services	
Project Area	Specific Revenue (other than General Rates)				Expenditure			
	2016/17	2017/18	2018/19	2019/20	2016/17	2017/18	2018/19	2019/20
Other Community Buildings					100,000	100,000		
Performance Centre (SRV)	200,000	5,000,000	5,000,000		200,000	5,000,000	5,000,000	
Art Gallery					150,000			
Libraries								
Emergency Services								
Buildings Renewals (unallocated - some may go to other service areas)					100,000	50,000	50,000	50,000
TOTAL	200,000	5,000,000	5,000,000	0	550,000	5,250,000	5,150,000	150,000
Project Area	Performance Measures and Targets						Target	
All projects	Target: Completion of projects in Operational Plan (% by value)						90%	
	Target: Variation from Budget in Operational Plan						10%	
	Measure: Report on achievements						Report	
Improvement Action Plan								
What						Who	When	
Engage with building users to identify priorities for future works in terms of performance						Mgr./Prop.	Dec 2017	
Review and update Social, Cultural, Library, Destination Management, Economic Development, Local Emergency Management Plans for new term of Council						Various	TBA	
Review asset information as detailed in Appendix D of Strategic AMP)						As per SAMP	As per SAMP	
Reference Documents								
Social, Cultural, Library, Destination Management, Economic Development Plans, Festivals and Events Strategy, Upper Hunter Library Network Collection Development Policy, Service Level Agreement with RFS and SES, Local Emergency Management Plan, Muswellbrook Shire Art Collection Policy								

Appendix 3 – Service Objectives

As discussed in section 2, while the Service Dashboards in Appendix 2 are intended to provide a high-level picture of Council's operations as a whole, there is a need to simplify the information regarding what the community can expect from a particular service.

The Service Objective documents listed below are being developed to address this need and to facilitate future community engagement regarding Council services. They cover all aspects of a service (including maintenance, operations, renewal and upgrade of assets).

Details of the funding allocated to the particular program, the quantity and value of assets, etc. presented in the Service Dashboards are not repeated in these documents, but rather are referenced as a source of further information.

Service Objectives document
Sealed Roads (including Kerb and Gutter)
Unsealed Roads
Footpaths and Cycleways
Stormwater Drainage
Playgrounds
Parks, Reserves and Sporting Fields
Public Toilets and Sports Amenities
Water Supply
Sewerage
Waste Management

While the Service Objectives documents are intended to facilitate future community engagement (as well as ongoing customer relations e.g. to clarify the level of service Council provides), it is important to note that Council has undertaken significant consultation across the full range of its functions in the past including:

Service Area	Recent Consultation
Water and Sewerage	Integrated Water Cycle Management Plan
Waste Management	Waste Management Strategy
	Previous Consultation
Footpaths and Cycleways	Walk and Cycle Plan
Open Space Facilities	Recreation Needs and Management Study, plans of management for numerous particular sites and Facilities (REFS?)
Libraries	Library Strategic Plan
Roads	Muswellbrook and Denman Parking Study Developer Contribution Plans

A more complete list of documents is provided in the Dashboards.

Appendix 4 – Asset Management Information Register

The table below provides an overview of key documents and sources of asset information. As discussed in section 3, a detailed version of this list will be kept under review by the Asset Management Steering Committee as a means of driving continuous improvement efforts.

Buildings and Recreation
GIS layer for buildings
GIS layer for other structures and depreciable land improvements
Maintenance Management System for Playgrounds
Finance
Asset Register
Roads
Asset register for sealed and unsealed roads
Automated condition data for sealed roads
Condition rating and future works programs for transport assets
Pavement Management System
Asset register for bridges
Asset register for storm water drainage
Maintenance Management System for roads
Water and Sewerage (separate information exists for each of the following)
FINMOD (financial modelling of future water supply infrastructure needs and operations)
GIS backend database
Service request management system
Plant asset register
Plant condition inspection records
Waste Management
Waste Management Strategy

Appendix 5 – 10 Year Expenditure Projections To be revised on adoption of Budget 2017/18

The 10 year projections for infrastructure operations, depreciation and capital expenditure on asset renewal for the GENERAL FUND are tabled below along with the relevant figures from the LTFP to demonstrate that these figures align. The capital expenditure figures in the Service Dashboards should align with the first 4 years of figures below, although there are at this stage some discrepancies that still need to be addressed.

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
Total Expenses relating to 'Maintenance' Activities										
Total Expenses from Continuing Operations (from <i>Income Statement</i>)	\$35,085,749	\$35,804,842	\$37,184,258	\$39,687,556	\$40,589,608	\$41,514,602	\$42,463,140	\$43,435,839	\$44,433,330	\$45,456,266
DEPRECIATION										
Transport	-\$5,130,000	-\$5,258,250	-\$5,389,706	-\$5,524,445	-\$5,662,556	-\$5,804,120	-\$5,949,223	-\$6,097,954	-\$6,250,402	-\$6,406,662
Buildings	-\$551,500	-\$564,769	-\$578,354	-\$592,274	-\$607,081	-\$622,258	-\$637,814	-\$653,760	-\$670,104	-\$686,856
Waste Management	-\$60,950	-\$62,474	-\$64,036	-\$65,636	-\$67,277	-\$68,959	-\$70,683	-\$72,450	-\$74,262	-\$76,118
Aquatic Centre	-\$123,900	-\$70,000	-\$200,000	-\$200,000	-\$205,000	-\$210,125	-\$215,378	-\$220,763	-\$226,282	-\$231,939
Performance Centre				-\$360,000	-\$369,000	-\$378,225	-\$387,681	-\$397,373	-\$407,307	-\$417,490
Total Infrastructure Depreciation	-\$5,866,350	-\$5,955,493	-\$6,232,096	-\$6,742,355	-\$6,910,914	-\$7,083,687	-\$7,260,779	-\$7,442,299	-\$7,628,356	-\$7,819,065
Total Non Infrastructure Depreciation	-\$1,489,428	-\$1,525,353	-\$1,562,149	-\$1,599,840	-\$1,639,836	-\$1,680,832	-\$1,722,853	-\$1,765,924	-\$1,810,072	-\$1,855,324
Total Depreciation (from <i>Income Statement</i>)	-\$7,355,778	-\$7,480,846	-\$7,794,245	-\$8,342,195	-\$8,550,750	-\$8,764,519	-\$8,983,632	-\$9,208,223	-\$9,438,428	-\$9,674,389
CAPITAL EXPENSES										
Transport - Renewals	\$4,583,326	\$6,029,064	\$6,119,519	\$4,612,667	\$5,401,026	\$5,474,918	\$6,588,976	\$6,816,204	\$7,133,604	\$7,251,183
Transport - New and Upgraded	\$930,235	\$2,336,525	\$2,342,895	\$1,073,098	\$953,457	\$1,333,949	\$1,339,579	\$1,345,350	\$1,351,265	\$1,357,328
Transport - Total Capital	\$5,513,561	\$8,365,588	\$8,462,414	\$5,685,765	\$6,354,482	\$6,808,868	\$7,928,556	\$8,161,554	\$8,484,869	\$8,608,511
Other Infrastructure Assets - Renewals	\$1,110,000	\$4,439,990	\$990,000	\$920,000	\$920,000	\$1,045,000	\$1,045,000	\$1,045,000	\$1,045,000	\$1,045,000
Other Infrastructure Assets - New and Upgraded	\$175,000	\$3,500,000	\$0	\$0	\$0	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000
Other Infrastructure Assets - Total Capital	\$1,285,000	\$7,939,990	\$990,000	\$920,000	\$920,000	\$1,170,000	\$1,170,000	\$1,170,000	\$1,170,000	\$1,170,000
Total Infrastructure Asset Capital	\$6,798,561	\$16,305,578	\$9,452,414	\$6,605,765	\$7,274,482	\$7,978,868	\$9,098,556	\$9,331,554	\$9,654,869	\$9,778,511
Total Non-Infrastructure Capital	\$3,230,251	\$15,265,514	\$15,650,759	\$3,126,768	\$2,703,040	\$3,229,968	\$3,607,569	\$3,635,861	\$3,564,859	\$3,694,583
Total Purchases IPPE (from <i>Cashflow Statement</i>)	\$10,028,812	\$31,571,092	\$25,103,173	\$9,732,533	\$9,965,693	\$12,241,007	\$12,715,156	\$13,057,888	\$13,314,510	\$13,512,290
Total Building and Infrastructure Asset Renewal	\$5,693,326	\$10,469,054	\$7,109,519	\$5,532,667	\$6,321,026	\$6,519,918	\$7,633,976	\$7,861,204	\$8,178,604	\$8,296,183
Building and Infrastructure Asset Renewal Ratio	97%	176%	114%	82%	91%	92%	105%	106%	107%	106%
3 year average BIR Ratio (2016/17 was 116%)	130%	129%	124%	96%	89%	96%	101%	106%	106%	106%

There is further work to finalise this table and similar ones for the Water and Sewer funds, but the intention is that these demonstrate the alignment between the LTFP and figures in the Service Dashboards.

Appendix 6 – Terms of Reference for the AM Steering Committee

To develop, assess and make recommendations to Manex on:

- Asset Management Improvement Strategy;
- Review of Asset Management Plans;
- Integration of AMPs into IP&R, IWCM and Long Term Financial Plan;
- Review and implementation of improved systems and procedures;
- Sharing experience; and
- Collaboration on asset management matters affecting the wider organisation.

Committee Membership

Executive Manager Water and Waste, Manager Roads and Drainage, Manager Property, Corporate Services Manager, Manager Integrated Planning and Reporting
Quorum 3

Committee Chair (Manex Appointment)

Currently Director Community Infrastructure (Neil Pope) Non-voting

It is proposed that the seating be arranged to separate the actual Committee from the support staff and visitors. This will enable the business to be conducted more effectively and efficiently

Staff Support Officers

Asset Management Coordinator plus admin

Attending Staff (as required by agenda items; or from Project working groups established from time to time)

Manager Works, Road Asset Engineer, Asset Manager Water and Waste, Business Systems Accountant, Director Planning Community & Corporate Services, etc

Typical Agenda Matters: Direct Role

(Usually require a report and recommendations, maybe by a working group project manager):

- Review and recommendations to Manex in respect to Policy and Major Systems Improvements;
- Review and recommendations to Manex in resource and budget requirements;
- Other matters at the discretion of the team chairperson. Eg, If one area has developed some best practice or innovation that would have wider application to other asset management areas

Regular Briefings and reports on progress on prioritised actions

(These need to be scheduled so that they do not all fall in the same meetings):

- Asset Management System Project Management Team
- Roads and Drainage AMP Project Management Team
- Property AMP Project Management Team
- Water and Waste AMP Project Management Team
- Communication, consultation, engagement, public relations
- Responsibilities implementation group,
- Corporate Systems

Periodic activities:

- Review the Asset Management Improvement Strategy action list every three months. Note to be updated quarterly before that meeting paper deadline. Note: can stagger away from Op Plan and Budget 'quarterly reviews' to avoid extra workload at that time.
- Include Audit actions into Asset Management Improvement Strategy from time to time as adopted
- Quarterly social activity (dinner or lunch, with a dinner speaker on best practice for example?)

12 CORPORATE AND COMMUNITY SERVICES

12.1 DIRECTOR'S REPORT - ENVIRONMENT & COMMUNITY SERVICES

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

PURPOSE

To provide an update on activities.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ Seconded: _____

REPORT

ENVIRONMENTAL 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 (1 November to 29 November 2018)

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2013/64/2	S4.55 (2) Modification - Enclose Carport	64-66 Ironbark Road Muswellbrook	-
2018/95	Ancillary Development - Shed and Retaining Wall	7 Marlock Place Muswellbrook	32,205

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2018/93	Ancillary Development - Garage and Carport	11 Doyle Lane Muswellbrook	39,350
2018/92	Ancillary Development - Retaining Wall	51a King Street Muswellbrook	9,749
2018/91	Ancillary Development - Retaining Wall	11 Northerly Close Muswellbrook	5,000
2018/90	Ancillary Development - Swimming Pool	23 Birrale Street Muswellbrook	22,710
2018/80	Ancillary Development - Shed	149 Queen Street Muswellbrook	24,000
2018/77	Change of Building Use (Shop 3) to a Business Premises - Beauty and Nail Room	17 Bridge Street Muswellbrook	2,955
2018/64	Ancillary Development - Garage	32 Tobruk Avenue Muswellbrook	8,964
2018/52	New Dwelling House	14 Lorne Street Muswellbrook	457,248
2018/48	Change of Building Use to Dwelling House and Alterations and Additions	1820 Merriwa Road Sandy Hollow	12,936
2018/47	Boarding House	28 Wollombi Road Muswellbrook	183,700
2017/76	Renovations and Additions to Racing and Function Centre	16 Sheppard Avenue Muswellbrook	4,000,000

Schedule 2: Development Applications Currently Being Assessed

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2018/109	New Dwelling	420 Giants Creek Road Sandy Hollow	27/11/2018	90,000
2018/108	Storage Premises (Industrial Plant and Equipment)	9 Enterprise Crescent Muswellbrook	22/11/2018	80,000
2018/107	Storage Premises (Industrial Plant and Equipment)	11 Enterprise Crescent Muswellbrook	22/11/2018	80,000
2018/106	Ancillary Development - Shed	11 Jackaroo Close Muswellbrook	20/11/2018	32,440
2018/105	Ancillary Development - Shed	11 Forbes Street Muswellbrook	15/11/2018	24,464
2018/104	Ancillary Development - Shed	18b Grey Gum Road Denman	15/11/2018	40,109
2018/101	Resource Management Facility - Biorefinery	24 Carramere Road Muswellbrook	13/11/2018	28,617,649
2018/103	Dwelling house	15 Lou Fisher Place Muswellbrook	12/11/2018	255,000

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2018/102	Ancillary Development - Removal of Fencing, Entry Gates and Sign. Construction of New Fencing, Landscaping and Business Identification Sign	9080 New England Hwy Muswellbrook	05/11/2018	217,250
2018/100	Dwelling House	19 Babbler Crescent Muscle Creek	05/11/2018	300,610
2018/99	Demolition of a Shed and the Construction of a Centre-Based Child Care Facility Classroom, Storage Shed, Fencing and Signage	Turner Street Denman	23/10/2018	638,000
2018/98	Ancillary Development - Garage and Deck	93 Sydney Street Muswellbrook	19/10/2018	27,535
2018/97	Signage (Business Identification Sign and Advertisement Structure)	49-51 Maitland Street Muswellbrook	18/10/2018	80,000
2018/96	Ancillary Development - Shed	2 Top Knot Place Muswellbrook	18/10/2018	19,040
2018/94	Ancillary Development - Above Ground Pool and Deck	60 Cousins Street Muswellbrook	12/10/2018	25,000
2018/88	Commercial Alterations and Additions	Bell Street Muswellbrook	26/09/2018	68,162
2018/78	Service Station (Operating Hours - 24 hours, 7 days a week) and Restaurant (Operating Hours - 6:00am to 10:00pm, 7 days a week)	147 Bridge Street Muswellbrook	06/09/2018	2,400,000
2018/74	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
2018/76	Installation of New Telecommunications Facility	Hill Street Muswellbrook	14/08/2018	200,000
2018/62	Two (2) Lot Subdivision	Honey Lane Sandy Hollow	23/07/2018	10,000
2018/54	Demolition of a Commercial Building and the Construction of a Two (2) Storey Building for Use as a Tertiary Education Establishment and Food and Drink Premises, Alterations and Additions to the 'Loxton House', Heritage Listed Item, and the Use of Level 1 of this Building as a Tertiary Education Establishment, Alterations and Additions to the Muswellbrook Public Library and Ancillary Works.	140 Bridge Street Muswellbrook	15/06/2018	3,556,300
2003/72/4	S4.55(2) Modification - Alter Hours of Operation of Restaurant Drive-thru (McDonald's)	83-89 Maitland Street Muswellbrook	31/05/2018	-

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
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
2017/60	Change of Use - Building Materials Recycling Depot	7 Glen Munro Road Muswellbrook	23/06/2017	-
2000/212/6	S96(1a) Modification - Extension of timeframe of Operations & Extraction Area, Site Plan, Removal of Conditions	2449 Denman Road Muswellbrook	29/05/2017	-
2016/32	Placement of Fill	110 Merriwa Road Denman	12/04/2016	5,000

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

On-site Wastewater Statistics - 13 Month Analysis (2017/2018)

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

24.1.5 Registration and inspection of regulated premises (caravan parks, food outlets, skin penetration premises, hairdressers, mortuaries, air handling systems) in accordance with regulatory requirements to ensure public health and safety is protected.

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Applications Received (new businesses)	-	-	-	-	-	-	-	-	-	-	-	0	0
Inspections (new businesses)	-	-	-	-	-	-	-	-	-	-	-	1	0
Inspections (existing businesses)	-	-	-	-	-	-	-	-	-	-	-	0	7
Reinspections	-	-	-	-	-	-	-	-	-	-	-	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)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Total Sites Inspected	3	3	0	3	0	0	3	4	3	2	4	3	7
Total non-compliant and educated	3	0	0	3	0	0	0	1	0	0	2	1	1
Total compliance after education	0	0	0	3	0	0	0	1	1	0	2	1	1
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)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Total Investigations	4	4	3	6	10	4	5	7	6	7	11	3	6
Total Clean up by Council - insufficient evidence	2	3	1	3	4	2	2	5	2	4	6	3	2
Total Clean Up by individual	1	1	2	3	6	2	2	0	1	2	2	0	3
Total Penalty Notices Issued	1	0	0	0	0	0	0	0	0	0	2	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)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Applications for Compliance Certs.	2	6	1	0	1	2	6	3	0	1	5	1	1
Total compliance inspections (not inc. Final Insp. for Occ. Certs)	19	23	18	14	7	8	4	5	2	2	9	5	2
Initial Inspections	8	15	14	11	6	7	3	4	2	0	6	1	1
Re-inspections	11	8	4	3	1	1	1	1	0	2	3	4	1
Compliance Certs / Occ. Certs issued	13	20	12	8	6	6	2	2	2	2	4	7	3

Total Pools in Council's Swimming Pool Register = 874

Compliance as at 30 June 2017 = 63.7%

Compliance as at 30 June 2018 = 65.7%

Current Compliance = 56%

(i.e. 490 out of 874 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 = 0.9%

(i.e. 8 out of 874 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

COMMUNITY PARTNERSHIPS TEAM REPORTS:

- Support had been provided to; Upper Hunter Youth Services Management Committee; Drug & Alcohol Health Services and Muswellbrook Child Care Centre as well as the facilitation of the Early Years Development Network and the Upper Hunter Community Service Interagency Network;
- A partnership meeting was held this month to progress the Silent Disco Event for young people and their families at the Muswellbrook Aquatic Centre in winter 2019 pending the availability of the outdoor pool and meeting Work health 7 safety requirements for the event. 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 and Muswellbrook Shire Council, Aquatic & Fitness Centre and the Community Partnerships Team ;
- A significant amount of work has occurred around the Aboriginal Oral History Project, 2 Rivers Pty Ltd have completed (15) of individual interviews of local Aboriginal people, the remaining interviews will be completed early next year and the Project will be finalised by March 2019;
- Work has commenced on the development of a brochure to inform the community about events and activities that have been planned for the NSW Seniors Festival that is planned for the 13-24 February 2019;
- Preliminary work has commenced with Upper Hunter Youth Services in planning a large event for young people and their families for Youth Week 2019 10-18 April 2019;
- The Hearing Augmentation report for Muswellbrook Shire Council has now been completed the recommendations contained within the report will be made available to the relevant sections for consideration;
- Consultation work has commenced with the Local Drug Action Team to develop their local action plan to develop and deliver activities that help prevent or minimise harm from alcohol and other drugs. Community Partnerships Team are assisting in the distribution of a survey to gauge community, service providers and individual s;
- The Muswellbrook Shire Council Aboriginal Reconciliation Committee met this month and discussed the Aboriginal Oral History Project and the installation of the Widden Creek Aboriginal Artefacts. The Aboriginal Reconciliation Committee is also progressing joint meeting to discuss a combined plan for a cultural hub that provides a space for educational and cultural programs as well as a keeping place facility.

SUSTAINABILITY

Keep Australia Beautiful NSW 2018 Tidy Towns Sustainable Communities Awards



An Environmental Communication award at the Keep Australia Beautiful NSW 2018 Tidy Towns Sustainable Communities Awards recognised Muswellbrook Shire Council's work with the Sustainable Futures Program.

https://www.muswellbrookchronicle.com.au/story/5757309/sustainable-futures-program-a-winner/?cs=983&fbclid=IwAR2DZQUiyRZNgmY3Cs8zcyjG0ov7olWygVQg5ZXX2xnN5_5QhOJxAquM6zPc

Sustainability and Landcare Grants

The Sustainability and Landcare Grants close on 30 November. They will be assessed in early December and agreements signed in January 2019.

High School Sustainability Group

Muswellbrook High School students have continued to hold activities each week at the Sustainability Hub as part of their school sports program. Students have volunteered to learn about Landcare, Litter, waste reduction, composting, worm and gardening.

St Vinnies Illegal Dumping on Charities

The Sustainability Unit has continued to work with Waste Reuse & Environment on the EPA funded Illegal Dumping on Charities Grant.



Club to Club Project Muscle Creek

The Sustainability Unit continues to manage the Club to Club project that works with contractors, Muscle Creek Landcare, The Worker's and Golf Club and Remington Motel to revegetate Muscle Creek.

Electricity Accounts

Council staff have been assisted by the Sustainability Unit with electricity bills and IPART enquiries. The Sustainability Unit liaised with Energy Action about our upcoming energy auction (March 2019).

Assisting Water Department

Council staff have been assisted by the Sustainability Unit with soil testing enquiries. The Sustainability Unit started a campaign to remind residents not to block Council's sewerage system.

Zero Mass Water

Council's Grant's Officer has been assisted by the Sustainability Unit in preparing for a grant for more Zero Mass Water hydropanels.

Wood Smoke Program

The 2018 Wood Smoke Program has been finalised by the Sustainability Unit.

National Recycling Week

As part of National Recycling Week the Sustainability Unit promoted an A to Z list of materials that can go into the recycling bin called "Acceptable Recyclables" and the "Recycling Near You Golden Rules" outline six rules to assist with recycling. The week was also used to promote the importance of purchasing items made from recyclable materials.

<https://www.muswellbrookchronicle.com.au/story/5747739/great-economic-and-environmental-benefits/?cs=1487&fbclid=IwAR2e6jJvEPgtSG8C9BZVdteFPaqVYevfeZ-TxxiO6CiECxOcHSmmxyiU3PY>

Biodiversity reforms workshop

The Sustainability Unit attended a workshop on Biodiversity reforms.

Don't be a Tosser Project Continues

Staff from the EPA visited sites in Muswellbrook to look at the progress of the anti-littering project. They were very impressed with the level of community support for the project.

Community Recycling Stations

A mini Community Recycling Station has been installed at the Muswellbrook and Denman Libraries. This will make it easier for the community to recycle waste that cannot go into the standard red, yellow and green resident's bins. These stations will accept household batteries, smoke detectors, mobile phones and ink cartridges.



Sustainability staff showing a resident how to properly recycle a mobile phone.

Conservation Volunteers Australia

For one week in November a team of five volunteers from Conservation Volunteers Australia completed activities in Muswellbrook. This included work at the Sustainability Hub, Denman Community Garden and National Tree Day sites in Muswellbrook and Denman.

Warrior Disability Services

Warrior Disability Services have continued running the composting system at the Sustainability Hub. They have also started working each fortnight at the Denman Community Garden.

A working bee was held at the Sustainability Hub to help the Warriors establish a new garden. The event was attended by 15 people including members of the Penguin Garden Club, Muswellbrook Men's Shed and Conservation Volunteers Australia.



Community members at an activity at the Sustainability Hub.

Sustainability Australia Day Awards

This year the Environment category in the Australia Day Award has been revamped and changed to the Sustainability Awards. The winner of the Sustainability Award will receive \$150. The Sustainability Unit has been encouraging groups to nominate.

Puppet Show at Waste Facility

The Sustainability Unit assisted the Waste Facility staff with a tour Muswellbrook Pre School went on. The Waste Wranglers Puppet show proved a popular and effective way of reinforcing the messages around waste reduction.

Men's Shed Community Day

The Muswellbrook Men's Shed Community Day was held on 10 November. The Sustainability Unit attended to engage with community members on key Council messages and provide a positive image of Council's work.

Transcare Expo

Over 40 community members were engaged when The Sustainability Unit attended the Transcare Seniors Expo.

Muswellbrook Girl Guides

Sixteen Muswellbrook Girl Guides held activities at the Sustainability Hub. The Guide were able to harvest the healthy food that they had sown the seed for.

Sustainability Hub Activities

The Penguin Garden Club continues to meet at the Sustainability Hub every first and third Sunday of the month. On average four community members attend these activities each time. The Muscle Creek Landcare Group meets at the Sustainability Hub on the first Thursday of each month. On average four community members attend these activities each time.

Possum Gully

The Sustainability Unit is working on a plan to help and encourage residents to look after their section of Possum Gully.

Community Sustainability Grants Round 1

The first round of Sustainability Grant funded projects is continuing to be managed by the Sustainability Unit. Projects are progressing well. Muswellbrook Girl Guides have asked if they can delay the planting of trees until decent weather conditions begin.



Denman Children Centre with their rainwater tank purchased as part of Round 1 of the Sustainability Grants.

Muswellbrook High School has set up a Container Deposit Scheme in their school and has made a school wide focus on reducing litter.

<https://www.muswellbrookchronicle.com.au/story/5742053/students-looking-to-can-littering/?cs=1487&fbclid=IwAR0pTUWA9X4vIWmfV9rowDPxOhyd6vL3nruUBAie-H4EABu5BTHJJSvJ4U>



Round 1 of the Sustainability Grants paid for new materials for the Sandy Hollow Progress Association's community garden.

12.2 LOCAL HERITAGE ASSISTANCE FUND 2018-2019

Attachments:	Nil
Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Sharon Pope - Assistant Director - Environment & Community Services
Community Plan Issue:	<i>Conserve the heritage and history of the Shire</i>
Community Plan Goal:	<i>Support the conservation and restoration of the Shire's heritage items</i>
Community Plan Strategy:	<i>Support the conservation and restoration of the Shire's heritage items and require protection of Heritage items listed in the LEP in accordance with the Office of Environment and Heritage Protection Guidelines.</i>

PURPOSE

Council has made provision in the 2018/19 Operational Plan for a Local Heritage Assistance Fund. The purpose of the Fund is to provide small grants to support the owners of heritage items in undertaking maintenance and repair works to those items. Council has two applications this year for works on buildings at:

- 33 Brentwood Street, Muswellbrook; and
- 5 Midanga Avenue, Muswellbrook.

The purpose of this report is to allocate funds.

OFFICER'S RECOMMENDATION

Council approve the request for a one-off cash contribution, from the Local Heritage Assistance Fund, of:

- 1. \$1400 for bullnose verandah roof repainting works at 33 Brentwood Street, Muswellbrook; and**
- 2. \$2000 for replacement verandah works at 5 Midanga Avenue, Muswellbrook.**

Moved: _____ **Seconded:** _____

BACKGROUND

The Local Heritage Assistance Fund program has run for a number of years as a tool to encourage the owners to keep properties in good maintenance and repair.

The Fund is open to projects which involve heritage listed buildings, buildings within the conservation area assessed as having heritage value by the heritage advisor, and other buildings that are assessed as having heritage value in the Muswellbrook Shire local government area.

Funding will generally not be provided for projects where assistance is reasonably available from another source, where substantial assistance has been previously provided, or where the applicant has yet to complete other assisted projects. Purchasing of a building, site or movable item; a new addition to a heritage building (including new internal fittings such as new kitchens and bathrooms); the relocation of a heritage building or work on relocated building; work on a government or council owned building still used for a government or council purpose are also not eligible.

Council advises potential applicants that the maximum level of funding per project will be limited to \$2,000 based upon a dollar for dollar contribution. Applicants must at least provide matching funding or in-kind contribution.

A summary of the two applications is provided in the following Table:

Project address	Project description	Project cost	Applicant's contribution	Recommended funding
33 Brentwood Street, Muswellbrook	Repainting of bullnose verandah Roof Local Heritage Item	\$2800.00	\$1400.00	\$1400.00
5 Midanga Avenue, Muswellbrook	Reinstatement of verandah to Stable hands Cottage/Shed Local Heritage Item	\$4329.60	\$2329.00	\$2000.00

CONSULTATION

The applications have been reviewed by Council Heritage Advisor, and her comments are:

"I confirm that the bullnose verandah roof repainting works at 33 Brentwood Street, Muswellbrook are considered appropriate for inclusion in the Muswellbrook Council Local Heritage Fund program. It must be noted that the applicant has applied for more than the 50% of the funding amount. It is recommended that 50% to value of work be applied ...

I confirm that the verandah works are considered appropriate for inclusion in the Muswellbrook Council Local Heritage Fund program. The deck is considered to be of like for like construction....The acceptance letter needs to include that all stormwater drainage is to be connected to the existing system and new water tank and that a protective all weather coating is to be applied to the new verandah flooring."

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Not applicable

REPORT

The following assessment criteria and considered by Council's Heritage Advisor when assessing applications. It is not necessary for each project to meet all of these criteria:

- that the proposed works involve maintenance or conservation repairs that do not involve extensive works that would otherwise require development consent;
- the applicant's ability to demonstrate technical and financial responsibility with regard to the project, and demonstrated ability to complete the project prior to the end of March the following year;
- the degree to which the applicant is financially contributing to the project;
- projects which clearly complement broader conservation
- objectives, e.g. projects which implement key findings of heritage studies or projects in designated heritage main street or conservation areas;
- projects which would encourage the conservation of other heritage items or older buildings;
- projects of demonstrated heritage value to the community; commonly the item concerned will appear on many heritage lists: e.g. the restoration of an important local heritage house;
- projects which are highly visible to the public, e.g. the replacement of a verandah to a building in a main street location;
- projects which have high public accessibility or in a prominent location, e.g. a local museum, church or a private home which is open to the public several times a year, or is in a prominent location;
- projects which are in an area which has received little or no funding;
- projects involving aspects of heritage which have received little or no funding e.g. historic gardens

- l. projects subject to conservation controls where the owner is able to show hardship arising from conservation work required to the item; and
- m. urgent projects to avert a threat to a heritage item.

As the new main street improvements works will be completed in Denman in 2019, it is anticipated that the priority for funding from the Local Heritage Assistance Fund will be given to heritage properties in Ogilvie Street, Denman.

OPTIONS

Council's 2018/19 budget includes an allocation for the Local Heritage Assistance Fund. There is \$15,000 in this budget.

Councillors have the following options with respect to this request:

1. Approve a cash contribution to the two applicants as requested;
2. Determine to provide a different amount of a cash contribution; or
3. Not approve a cash contribution to one or both of the applicants.

CONCLUSION

Council has received two applications for donations through the Local Heritage Assistance Fund for 2018/19. Council's Heritage Advisor recommends that they be approved as a grant of \$1400 for bullnose verandah roof repainting works at 33 Brentwood Street, Muswellbrook, and a grant of \$2000 for replacement verandah works at 5 Midanga Avenue, Muswellbrook.

SOCIAL IMPLICATIONS

Maintenance of built heritage items contributes to ongoing understanding of the Shire's past, and contributes to the sense of identity held by the community.

FINANCIAL IMPLICATIONS

A total \$15,000 is available in the Local Heritage Assistance Fund. This includes a matching funding from the NSW Heritage Branch of the Department of Planning and Environment.

The total amount proposed to be made available as grants this year is \$3400.00. The unspent Council funds of \$5800.00 could be returned to general fund at the next quarterly review, or transferred to a Heritage Reserve to be utilised in 2019/20.

CHIEF FINANCIAL OFFICER'S COMMENTS

There is \$15k uncommitted funding in the Heritage Specials GL code, so there is sufficient budget to cover the \$3.4k grants requirement.

POLICY IMPLICATIONS

Not applicable

STATUTORY IMPLICATIONS

Grants through the Local Heritage Assistance Fund are classified as a donation under the Local Government Act 1993.

LEGAL IMPLICATIONS

Not applicable

OPERATIONAL PLAN IMPLICATIONS

Funding is provided to the successful applicants on satisfactory completion of the works. Photos are required to be taken before work commences, and again at the completion of the project. Applicants are required to erect a sign acknowledging that the works have received a contribution from Council and the

NSW Government. A report will be sent to the Department of Planning And Environment in May 2019, along with an invoice for the matching grant funds.

RISK MANAGEMENT IMPLICATIONS

If the projects are not completed to the Heritage Advisors satisfaction the grants are not provided for the projects. As a result there is minimal risk to Council.

12.3 COMMUNITY CONSULTATIVE COMMITTEE COUNCIL NOMINEES

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Joshua Brown - Manager - Integrated Planning & Governance
Community Plan Issue:	<i>Plan liveable and sustainable urban areas</i>
Community Plan Goal:	<i>Each community has a strong sense of ownership and identity</i>
Community Plan Strategy:	<i>Protect and maintain the environment in a sustainable manner</i>

PURPOSE

Most mines within Muswellbrook Shire are required to host a Community Consultative Committee (CCC) that has Council representation. A vacancy currently exists for a representative on the Bengalla and Maxwell CCCs.

OFFICER'S RECOMMENDATION

Council nominate a Councillor as (OR delegate the General Manager to appoint a member of Council staff to attend as) Council representative for each of the Bengalla and Malabar Coal Community Consultative Committees.

Moved: _____ **Seconded:** _____

BACKGROUND

Each of the coal mines within the Muswellbrook Shire are required to form and operate a Community Consultative Committee (CCC). Among others, the Committee is to consist of "a council representative from each of the local government areas concerned".

When CCCs were first established they were chaired by a member of the elected Council within the Muswellbrook Shire. This was then often supported by a Council staff representative. The purpose of the staff representative was to provide technical advice to the Committee and to liaise between the mine and Council, where this did not occur through the Councillor.

As time has gone by, most of the mining operations are now required to use an Independent Chair, thereby removing the need for Council to chair the meetings. Councillors currently represent Council on each of the CCCs within Muswellbrook LGA. Vacancies exist for the Bengalla CCC and the Malabar Coal CCC.

CONSULTATION

General Manager

REPORT

Vacancies exist for Council representatives on each of the Bengalla CCC and Malabar Coal CCC. Councillors are asked to nominate one from among their number to sit as Council representatives on each of the Committees.

OPTIONS

Councillors may determine to delegate the authority to the General Manager to appoint a member of staff to attend the CCC as Council representatives or not to appoint representatives at all.

CONCLUSION

There is a clear benefit in mine/community/Council relations if Council participate in Community Consultative Committees.

SOCIAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Whilst the mine Consents require Councils participation in CCCs it is beyond the control of the individual mine if Council choose not to do so, and so this is not a compliance matter for the mine.

OPERATIONAL PLAN IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

Not applicable.

13 REPORTS FROM COMMITTEES

13.1 REPORT OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY, 20 NOVEMBER 2018

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Local Traffic Committee held on 20 November 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Local Traffic Committee Meeting held on Tuesday 20 November 2018 be received and the recommendations contained therein **ADOPTED**.

Moved: _____ Seconded: _____

REPORT

The Local Traffic Committee met on Tuesday 20 November 2018.

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

PRESENT: Cr S. Reynolds (Chair), Cr M. Rush (Alt Delegate), Mr T. Chapman (RMS Newcastle), Snr. Constable C. Dengate (NSW Police), Mr G. de Boer (Representing Mr Michael Johnsen), Mrs K. Scholes (Manager – Roads, Drainage & Technical Services).

IN ATTENDANCE: Mrs I. Williams (MSC).

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED that:

The Minutes of the Local Traffic Committee held on 16 October 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

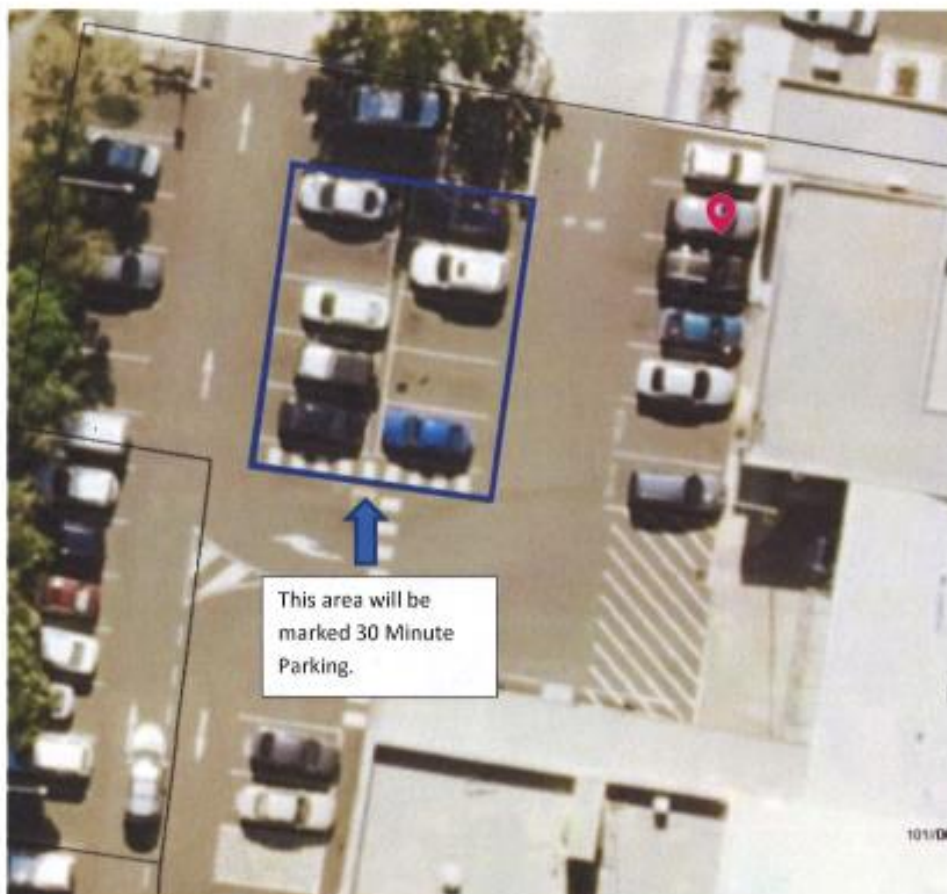
5.1 LINEMARKING AND PARKING AT CAMPBELLS CORNER AND MUSWELLBROOK MARKETPLACE

RECOMMENDED that:

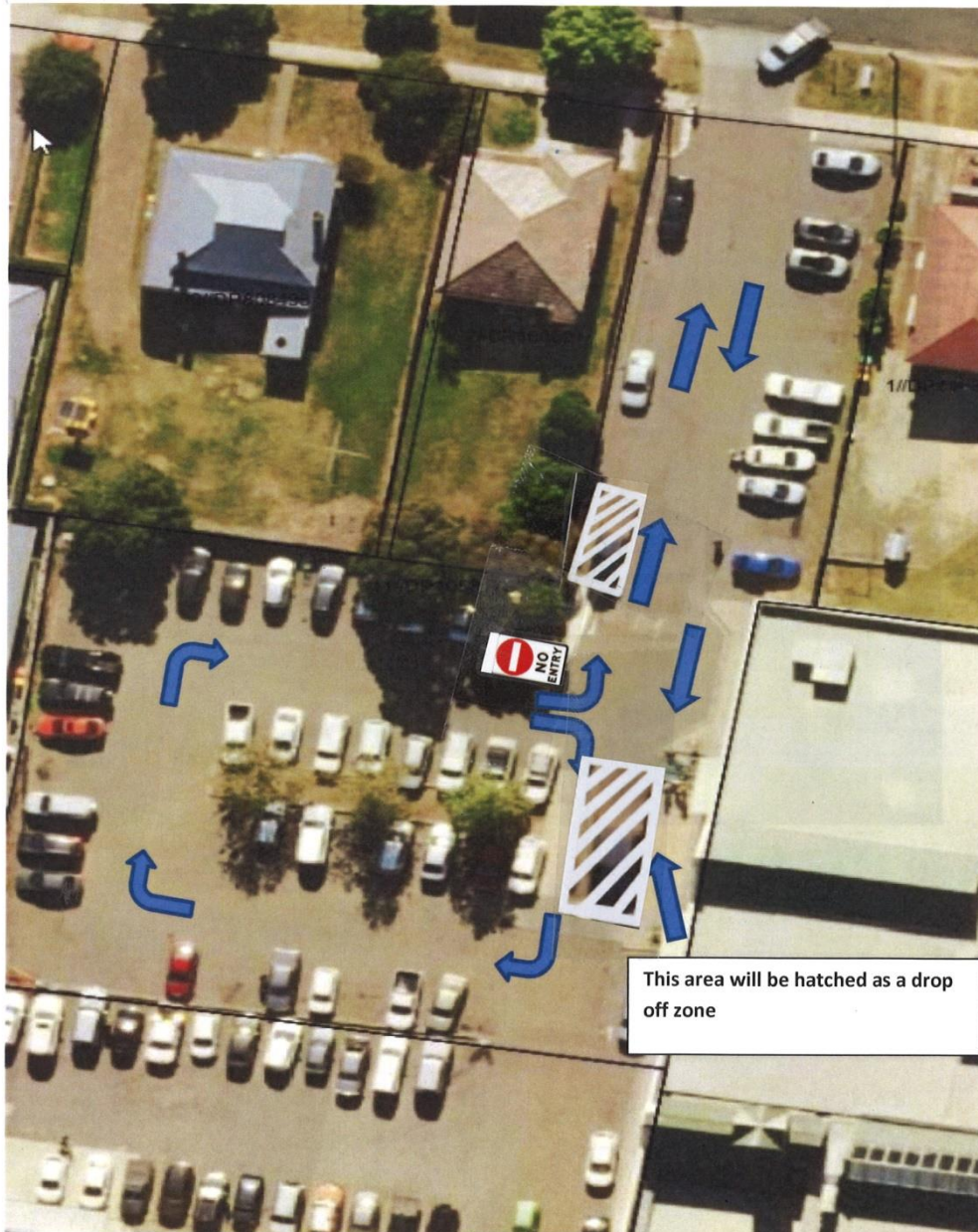
Council use its delegated authority to approve the following in accordance with the attached plans:

1. One way arrow line marking at Muswellbrook Marketplace public car park;
2. Chevroned line marking to delineate no parking at Muswellbrook Marketplace;
2. "No Entry" signs at Muswellbrook Marketplace public car park; and
3. "1/2 P 8:00am to 6:00pm Monday to Friday and 8:30am to 12:30pm Saturday" signs and "30 min" linemarking in the Campbells Corner public car park.

Campbell's Corner Car Park



Muswellbrook Marketplace Car Park



6 DATE OF NEXT MEETING

18 December, 2018

7 CLOSURE

The meeting was declared closed.

.....
Cr S. Reynolds

Chairperson

**13.2 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE
MEETING HELD ON MONDAY, 26 NOVEMBER 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 26 November 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Development Assessment Committee Meeting held on Monday 26 November 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Development Assessment Committee met on Monday 26 November 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 (Acting Director – Environment & Community Services), Ms S. Pope (Assistant Director – Environment & Community Services), Mr H. McTaggart (Co-Ordinator Development), Mrs K. Scholes (Manager – Roads, Drainage & Technical Services), Mrs E. Curnow (Technical Officer – Asset Inspector) and Mrs M. Sandell-Hay.

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Scholes and Woodruff that:

The Minutes of the Development Assessment Committee held on 5 November 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 PUBLIC PARTICIPATION

Mr Amer Hussain – Manager Transition & Government Relations

Mr Nicholas Martin – Senior Manager Property & Security

Ms Arianna Henty – Senior Land & Approvals Manager

5 BUSINESS ARISING

Nil

6 BUSINESS

6.1 DA 74/2018 - OFFICE PREMISES AND CAR PARKING AREA ANCILLARY TO SECURITY AND TRAFFIC CONTROL AT BAYSWATER POWER STATION

RECOMMENDED on the motion of Crs Rush and Woodruff that:

Approval be given for DA 74/2018 for Office Premises and Car Parking Area as part of Security and Traffic Control at Bayswater Power Station, subject to the recommended conditions of consent contained in Attachment B with the following amendments:

Condition 1 – Development in Accordance with Plans to read:

“The development must be carried out in accordance with the development application, the statement of environmental effects and the drawings referenced below, and endorsed with Council’s approval stamp, except where amended by the following conditions.....”

Include the following conditions:

1a The approval be granted for a period of five (5) years from the date of Approval.

1b That where there is an inconsistency between a condition of any existing Approval and this approval, the conditions of this Approval shall prevail to the extent of the inconsistency.

MINUTES OF THE DEVELOPMENT ASSESSMENT COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 26 NOVEMBER, 2018 COMMENCING AT 4.00PM.

Members of the public left the meeting at 4.31pm

6.2 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

RECOMMENDED on the motion of Crs Scholes and Woodruff that:

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

7 DATE OF NEXT MEETING

TBD

8 CLOSURE

The meeting was declared closed at 4.36pm.

.....
Cr M. Rush
Chairperson

13.3 REPORT OF THE INFRASTRUCTURE COMMITTEE MEETING HELD ON WEDNESDAY, 28 NOVEMBER 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 28 November 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Infrastructure Committee Meeting held on Wednesday 28 November 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Infrastructure Committee met on Wednesday 28 November 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.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director - Community Infrastructure), Ms C. O'Brien (Acting Director – Environment & Community Services), Ms N. Cowley (Executive Manager – Office of the Chief Financial Officer), Ms S. Pope (Assistant Director – Environment & Community Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Mr G. Abeywardena (Assistant Director – Community Infrastructure/Chief Engineer), Mr M. Lysaught (Manager – Works, Property & Building Services), Mr J. Brown (Manager- Integrated Planning, Risk & Governance), Mr A. Mitreski (Policy Officer), Mr D. Fernandes (Project Officer – Works, Property & Building) and Mrs M. Sandell-Hay (PA to General Manager),

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Reynolds and Bowditch that:

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

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Scholes and Bowditch that:

The Minutes of the Infrastructure Committee held on 31 October 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

Ms Plesman introduced Gayan Abeywardena, the newly appointed Assistant Director – Community Infrastructure/Chief Engineer.

5 BUSINESS

5.1 WATER AND WASTEWATER LEVELS OF SERVICE REPORT FOR THE PERIOD JUL - SEP 2018

RECOMMENDED on the motion of Crs Scholes and Bowditch that:

Council accept the report as presented.

5.2 IRONBARK ROAD FOOTPATH

RECOMMENDED on the motion of Crs Rush and Scholes that:

1. Council notes the information contained in the report.

2. Council consider the allocation of funds to undertake work in the lead up to the May 19 Budget and that a response be provided to those who provided a submission to Council.

6 DATE OF NEXT MEETING

19 December 2018

7 CLOSURE

The meeting was declared closed at 4.51pm.

.....
Ms F. Plesman
General Manager

.....
Cr B. Woodruff
Chairperson

**13.4 REPORT OF THE CORPORATE POLICY AND PLANNING COMMITTEE
MEETING HELD ON WEDNESDAY, 28 NOVEMBER 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 28 November 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 28 November 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Corporate Policy And Planning Committee met on Wednesday 28 November 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, Cr M. Bowditch, Cr J.F. Eades, Cr J. Foy, Cr M. Green, Cr G. McNeill, Cr S. Reynolds, and Cr B.N. Woodruff.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director - Community Infrastructure), Ms C. O'Brien (Acting Director - Environment & Community Services), Ms N. Cowley (Executive Manager – Office of the Chief Financial Officer), Ms S. Pope (Assistant Director – Environment & Community), Mr G. Abeywardena (Assistant Director – Community Infrastructure/Chief Engineer), Mr A. Mitreski (Policy Officer), Mr M. Lysaught (Manager, Property & Building Services), Mr J. Brown (Manager – Integrated Planning, Risk & Governance), Mr D. Fernandes (Project Officer – Works, Property & Building) and Mrs M. Sandell-Hay (PA to General Manager).

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

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

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs McNeill and Bowditch that:

The Minutes of the Corporate Policy & Planning Committee held on 31 October 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 7.2. Cr Foy advised the Committee that he is a member of the Board of the Richard Gill National Academy of Music.

4 BUSINESS ARISING

4.1 DENMAN DEVILS OLD BOYS - REQUEST FOR REFUND OF DA FEES

Cr Reynolds inquired about the request from the Denman Devils Old Boys to refund DA fees as this was to be considered after the September Budget Review had been considered.

The meeting noted that this would be considered at the December Corporate Policy & Planning Committee Meeting.

5 BUSINESS

5.1 2018-2019 OPERATIONAL PLAN 30 SEPTEMBER QUARTERLY REVIEW

RECOMMENDED on the motion of Crs Reynolds and Woodruff that:

The 2018-2019 Operational Plan Review dated 30 September 2018 be noted.

5.2 STORE & MATERIALS STOCKTAKE - 13 NOVEMBER, 2018

RECOMMENDED on the motion of Crs Rush and Green that:

Council notes that the report on the stocktake carried out 13 November 2018 and an amount of \$5,039.90 be written off to the inventory register.

5.3 REPORT ON INVESTMENTS HELD AS AT 31 OCTOBER 2018

RECOMMENDED on the motion of Crs Eades and Bowditch that:

The information showing Council's investments as at 31 October 2018 be noted and the exceeded trading limits on one issuer be accepted.

5.4 OCTOBER 2018 MONTHLY FINANCIAL REPORT

RECOMMENDED on the motion of Crs Bowditch and Foy that:

The Financial Report for the month ending 31 October 2018 be noted.

5.5 AMENDMENT TO MUSWELLBROOK DCP 2009 - SECTION 25 - STORMWATER MANAGEMENT

RECOMMENDED on the motion of Crs Rush and McNeill that:

Council resolves to prepare and exhibit amendments to *Muswellbrook DCP 2009, Section 25 – Stormwater Management*, as provided in attachment A.

5.6 LOCAL ORDERS POLICY

RECOMMENDED on the motion of Crs Rush and Woodruff that:

1. Council exhibit the draft Local Orders Policy in Attachment A, in accordance with the requirements of the *Local Government Act 1993*.
2. Staff consult the local greyhound breeders regarding order 18.5 during the exhibition period.

5.7 AUSTRALIA DAY 2019

RECOMMENDED on the motion of Crs Reynolds and Eades that:

The 2019 Australia Day Ceremony be held at Muswellbrook Indoor Sports Stadium on Saturday, 26 January 2019 commencing at 9:00am and include a citizenship ceremony and presentation of awards.

6 ADJOURNMENT INTO CLOSED COMMITTEE

RECOMMENDED on the motion of Crs McNeill and Foy 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 FUTURE FUND POLICY REVIEW

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.

7.2 RICHARD GILL NATIONAL ACADEMY OF MUSIC

Item 7.2 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 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 FUTURE FUND POLICY REVIEW

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The reviewed policy not be endorsed for public exhibition and the existing policy be retained

7.2 RICHARD GILL NATIONAL ACADEMY OF MUSIC

Disclosure of Interest

Cr Foy declared a non-pecuniary interest in this Item. Cr Foy advised the Committee that he is a member of the Board. Cr Foy left at 5.32pm and therefore took no part in discussion or voting on this item.

MOTION:

Moved by Cr Reynolds and McNeill that Council authorise the General Manager to progress negotiations for the provision of Council's Administration Centre and surrounds to the Richard Gill National Music Academy as outlined in the report and provide options which Council can consider.

FORESHADOWED MOTION:

Council authorise the General Manager to progress negotiations for the provision of Council's Administration Centre and surrounds to the Richard Gill National Music Academy as outlined in the report

After discussion the Motion was WITHDRAWN.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

Council authorise the General Manager to progress negotiations for the provision of Council's Administration Centre and surrounds to the Richard Gill National Music Academy as outlined in the report.

Cr Foy returned to the meeting room at 5.52pm

8 RESUMPTION OF OPEN COMMITTEE

RECOMMENDED on the motion of Crs Bowditch and Foy that:

The meeting return to Open Committee.

9 DATE OF NEXT MEETING

19 December 2018

10 CLOSURE

The meeting was declared closed at 5.55 pm.

.....
Ms F. Plesman
General Manager

.....
Cr R. Scholes
Chairperson

**13.5 REPORT OF THE ABORIGINAL RECONCILIATION COMMITTEE
MEETING HELD ON TUESDAY, 27 NOVEMBER 2018**

Attachments:	A. 20181127 - Aboriginal Reconciliation Committree - Minutes
Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Kim Manwarring - Co-ordinator - Community Partnerships
Community Plan Issue:	<i>Further process the reconciliation in the Shire</i>
Community Plan Goal:	<i>Collaborate with the local Aboriginal people on projects which enhance an appreciation for, and which develop the vitality of, Aboriginal culture.</i>
Community Plan Strategy:	<i>Facilitate and support the Aboriginal Culture and Heritage working group.</i>

PURPOSE

To inform Council of a meeting of the Aboriginal Reconciliation Committee held on 27 November 2018.

OFFICER'S RECOMMENDATION

The minutes for the Aboriginal Reconciliation Committee meeting held on Tuesday 27 November 2018 be NOTED.

Moved: _____ **Seconded:** _____

REPORT

The Aboriginal Reconciliation Committee met on Tuesday 27 November 2018. The minutes of the meeting are attached for the information of the Councillors.

ACKNOWLEDGMENT OF COUNTRY

The Chair respectfully acknowledged the Local Aboriginal People who are the Traditional Owners and Custodians of the land on which this meeting takes place.

PRESENT: Cr Jacinta Ledlin (Chairperson), Aunty Jean Hands, Ms Amanda Howard, Ms Elizabeth Howard, Mr Zander McGrady, Mrs Kate Wood-Pahuru, Aunty Rhonda Griffiths, Mr Noel Downs and Ms Mel Kelman.

IN ATTENDANCE: Ms Kim Manwarring and Ms Carolyn O'Brien

APOLOGIES: **RESOLVED** to accept the apologies lodged for non-attendance.
Submitted by Ms Robyn Cramp.

DECLARATION OF INTEREST: Nil.

MINUTES OF PREVIOUS MEETING:

RESOLVED to accept the minutes dated 28 August 2018.

Moved: Mrs Kate Wood-Pahuru **Seconded:** Ms Amanda Howard

BUSINESS ARISING:

(a) Noise Abatement Walls

Matt Lysaught (Manager of Works, Property & Building) provided the following update.

Matt thanked members for their feedback on the proposed designs. This information was included in the tender brief, the tender has now been awarded and construction will commence in the New Year.

The final design information was distributed for people information.

Further to the noise abatement walls the Building and Property Services Section are exploring the incorporation of the same design into the Highbrook Park soft fall area.

The Aboriginal Reconciliation Committee Members supported this.

(b) Aboriginal Oral History Project

Update was provided based on the reports received from 2 Rivers Pty Ltd.

The Aboriginal Oral History Reference Group will meet in the New Year.

RESOLVED to share reports as provided by 2 Rivers Pty Ltd for peoples update.

Moved: Aunty Jean Hands **Seconded:** Mrs Kate Wood-Pahuru

(c) Widden Creek Aboriginal Artefacts

There was general discussion about the interpretative sign to accompany the Artefacts.

RESOLVED that suggested designs to be brought back to the next meeting.

Moved: Ms Elizabeth Howard

Seconded: Aunty Jean Hands

(d) Keeping Place Project

There was general discussion about bringing together all the groups that are talking about a Keeping Place for recovered Aboriginal Artefacts.

It was identified that the Aboriginal Reconciliation Committee was an appropriate meeting to progress discussion with stakeholders.

Given that the Project is across Local Government Area's the discussion should include Singleton Aboriginal Advisory Committee.

RESOLVED that a joint meeting to be held between Singleton Council Aboriginal Advisory Committee and Muswellbrook Shire Council Aboriginal Reconciliation Committee to discuss the possibility of developing a Cultural Hub that would incorporate a Cultural and Education Centre, a Keeping Place for Aboriginal Artefacts and an Aboriginal Multi-Purpose Centre.

Moved: Aunty Jean Hands

Seconded: Ms Amanda Howard

This meeting will be held early February 2019 before the Aboriginal Reconciliation Committee meeting.

Stakeholders can be informed of the above motion.

(e) Australia Day 2019 – Cultural Inclusion

There was general discussion around Australia Day Ceremonies.

RESOLVED to support the acknowledgement of 2018 Upper Hunter NAIDOC Week Award Winners at the proposed Awards Ceremony on the 25 January.

Moved: Aunty Jean Hands **Seconded:** Aunty Rhonda Griffiths

Further to this motion, Members recommended a brief overview be provided about the Upper Hunter NAIDOC Week Awards as well as a small profile of the Award winners;

Members of the Aboriginal Reconciliation Committee provided the following feedback for consideration;

- Continued inclusion of 2018 Australia Day recommendations of cultural inclusion
 - Uncle Glen Morris to perform the smoking ceremony at the beginning of the ceremony;
 - Aunty Jean Hands to perform the Acknowledgement of Country after the smoking ceremony;
 - Inclusion of Acknowledgement of Country by all addressees;

- A brief local Aboriginal History is included in the Mayors address;
 - Aboriginal Flags included in the welcome to new citizens package;
-
- In addition to the presentation of the Aboriginal Flags is suggested that the Citizenship Ceremony could include a gift such as a wattle tree or a bush tucker hamper;
 - Citizenship Ceremonies should be included on the 25 January 2019 and further to that all awards should be presented on this day;
 - Australia Day could be considered as the festival day i.e. BBQ, sporting activities, workshops etc.

RESOLVED to send an email to Aboriginal Reconciliation Committee Members regarding Council's outcomes.

Moved: Aunty Jean Hands **Seconded:** Mrs Kate Wood-Pahuru

(f) Claim the date – Aboriginal Flag Raising 2019

Tentative date for the Muswellbrook Shire Council Aboriginal Flag Raising during National Reconciliation Week 2019 is 28 May 2019.

CORRESPONDENCE Nil

GENERAL BUSINESS

a) Agenda Item for next meeting

RESOLVED to write to Northern Region Aboriginal Alliance, Chairperson Mr Mark Davis requesting an update on the actions in Muswellbrook Local Government Area.

AS THERE WAS NO FURTHER BUSINESS THE MEETING WAS CLOSED AT 2:30PM

NEXT MEETING: Tuesday 19 February 2019.

14 NOTICES OF MOTION / RESCISSION**14.1 ROAD CLOSURE RESOLUTION****Attachments:** Nil**Responsible Officer:** Fiona Plesman - General Manager

Councillor Martin Rush has indicated his intention to move the following motion at the next ordinary Council meeting, as follows:

MOTION

Without predetermining any particular application under Division 3 of Part 4 of the Roads Act 1993, Council adopts a general policy that significant alterations to the rural road network should not be resolved until after the adoption of a new Local Environmental Plan – presently anticipated in May 2019.

Moved: _____ **Seconded:** _____

RESPONSE BY THE GENERAL MANAGER

The proposed motion is supported.

Council currently assesses the public interest when deciding on applications for road closures. Without an updated Local Environmental Plan (LEP) Council may not be able to properly consider the long-term public interest in response to applications. This is especially the case for applications for permanent road closures.

Staff also advised that the existing policy Public Road Closure Policy R30/1 is dated and was last reviewed in 2013. Since 2013 the legislation has changed in particular to local council's authority to decide on local road closures (Division 3 of Part 4 of the Roads Act 1993). In the period until the new LEP is adopted, staff will make the necessary changes so that Council has an updated policy compliant with the existing legislation.

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 MAINTENANCE OF WASTE FACILITY LANDFILL LIDS

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 Dog Attack 16th November 2018 Sowerby Street Muswellbrook

Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(g) of the local government act 1993, as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.3 DISASTER RECOVERY FUNDING ARRANGEMENTS 2018

Item 19.3 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.4 Edderton Road Realignment

Item 19.4 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance,

contrary to the public interest.

Moved: _____ **Seconded:** _____

20 RESUMPTION OF OPEN COUNCIL

21 CLOSURE

DATE OF NEXT MEETING:

TUESDAY, 19 FEBRUARY 2019