



**muswellbrook  
shire council**

**Muswellbrook Shire Council**  
**INFRASTRUCTURE COMMITTEE**  
**MEETING**

**BUSINESS PAPER**  
**19 DECEMBER 2018**



**INFRASTRUCTURE COMMITTEE MEETING, 19 DECEMBER 2018**

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122

MUSWELLBROOK

13 December, 2018

Councillors,

You are hereby requested to attend the Infrastructure Committee Meeting to be held in the COUNCILLORS ROOM, Administration Centre, Muswellbrook on **19 December, 2018** commencing at 4.30pm.

Derek Finnigan

**DIRECTOR - COMMUNITY INFRASTRUCTURE**

# Order of Business

ITEM	SUBJECT	PAGE NO
1	APOLOGIES AND LEAVE OF ABSENCE	4
2	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
3	DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST	7
4	BUSINESS ARISING	7
5	BUSINESS	8
	5.1 WASTE COMPLIANCE REPORT	8
6	DATE OF NEXT MEETING	16
	30 January 2019	
7	CLOSURE	16



**MUSWELLBROOK SHIRE COUNCIL  
INFRASTRUCTURE COMMITTEE MEETING**

# **AGENDA**

**WEDNESDAY 19 DECEMBER 2018**

**1 APOLOGIES AND LEAVE OF ABSENCE**

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

**2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**RECOMMENDATION**

That the Minutes of the Infrastructure Committee held on **28 November 2018**, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

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

**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**

### **3 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.

### **4 BUSINESS ARISING**

## 5 BUSINESS

### 5.1 WASTE COMPLIANCE REPORT

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Director - Community Infrastructure</b>
<b>Author:</b>	<b>Joann Polsen - Senior Technical Officer Waste</b>
<b>Community Plan Issue:</b>	<b><i>A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health</i></b>
<b>Community Plan Goal:</b>	<b><i>Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Monitor the current waste collection contractor's Key Performance Indicators (KPIs) and regulatory requirements.</i></b>

#### PURPOSE

- To inform Council of contractor J. R. Richards' performance within the Kerbside Waste Services Contract No. 2017-2018-0303.
- To inform Council of Waste Management's continued compliance with monthly NSW Waste and Environment Levy reports and payments under S88 of the Protection of the Environment Operations Act 1997.

#### OFFICER'S RECOMMENDATION

The information contained in this report be noted.

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

#### REPORT

J. R. Richards & Sons, as service provider of the Kerbside Waste Services Contract No. 2017-2018-0303, are required to comply with Performance Benchmarks regarding bin repairs, bin replacements, removal of services, provision of new services and missed services. Additionally, transfer bins from the transfer station areas at Denman and Muswellbrook are picked up and taken to the Muswellbrook landfill within 4 hours of the request by Council staff at these facilities.

J. R. Richards provide a monthly performance report to Council's Waste & Environment Operations Manager.

Table 1 details the relevant contract KPI's, the level of compliance for each month reported, as well as details on the number of new services, bin replacements and missed collections for the reporting period.



Table 1: Contract 4/2005 Key Performance Indicators, numbers of new services, bin replacements and missed collections.

Key Performance Indicator	Compliant? Y/N (Number of services or bins)		
	July 18	Aug 18	Sept 18
<b>New Services:</b> Within 72 hours of notification of new services, the Contractor must provide the new service with the required set of MGB's.	Y (5)	Y (2)	Y (1)
<b>Bin Replacements:</b> Within 72 hours of notification. Due to damage, theft or vandalism.	Y (20)	Y (36)	Y (47)
<b>Removed services:</b> Within 72 hours of notification	(0)	(0)	(0)
Collection Service is only rendered inside the approved collection times and days (weekdays, 6am to 6pm)	Y	Y	Y
<b>Missed Services:</b> A collection service is provided to all missed services within 24 hours of notification from Council.	Y (14)	Y (9)	Y (12)
The Wheel-out, Wheel-back policy is implemented on the first collection service immediately following notification from Council of eligible premises.	N/A	N/A	N/A
A contract meeting is held once per month between Council's representatives and J.R. Richards representatives.	Y	Y	Y
NEW – calls to Waste Hotline 1800 312 933	8	36	14

The monthly J. R. Richard's reports to Council indicate that there have been zero workplace safety incidents this financial year (Table 2).

Table 2: J. R. Richard's Health, Safety and Environmental reporting.

Issues Reported	July 18	Aug 18	Sept 18
Workplace Health & Safety	0	0	0
Environmental	0	0	0
Site meeting	Y	Y	Y

### NSW Waste and Environment Levy compliance

The Protection of the Environment Operations Act (1997) requires certain licensed waste facilities in NSW to pay a contribution for each tonne of waste received at the facility. Occupiers who pay the waste levy under section 88 of the POEO Act are required to submit a *Waste Contribution Monthly Report* (WCMR) to the EPA every month.

WCMR's and the subsequent waste levy payments are prepared and submitted by Council staff to comply with NSW EPA deadlines. Table 3 shows the total incoming waste received, the outgoing recoverable waste from the Muswellbrook Waste & Recycling Facility, and the amount of NSW Waste & Environment levy paid each month.

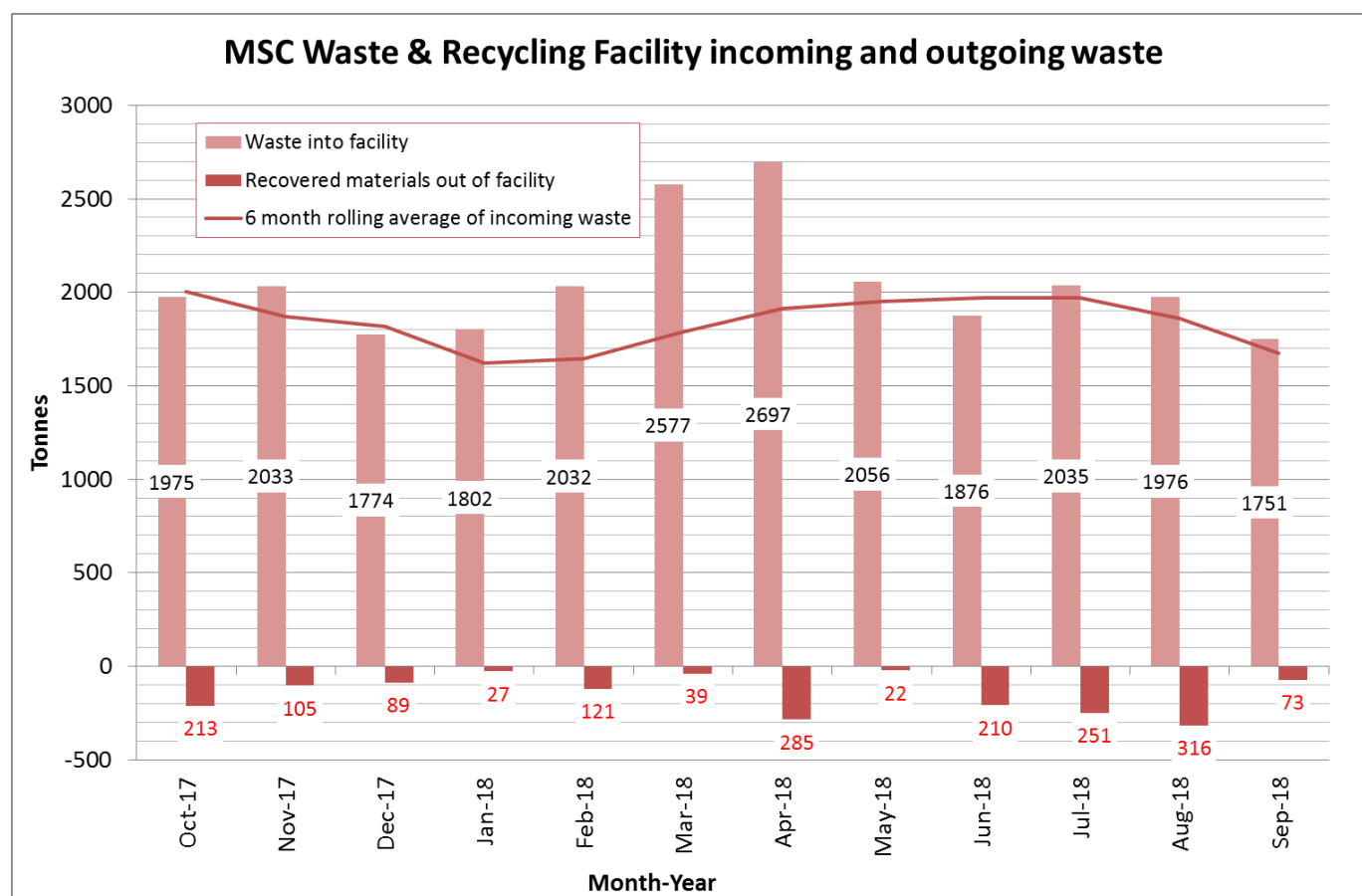
Table 3: Tonnage of materials over the weighbridge at Muswellbrook Waste &amp; Recycling Facility.

	July 18	Aug 18	Sept 18
<b>Incoming waste tonnes:</b>			
Total received	1952	1891	1671
<b>Outgoing (recovered) tonnes:</b>			
Total removed	251	316	73
<b>NSW Waste &amp; Environment Levy:</b>			
Monthly Levy payment (\$)	138 268	128 043	124 789

Muswellbrook Shire was included in the Regional Regulated Area in 2009/10, becoming liable to collect and pay a levy rate of \$10 per tonne of waste received at its licenced waste facility. After 2009/10, the waste levy increased at a rate of \$10 + CPI each year until it reached \$76.70 per tonne in 2015/16. From 2016/17 onward the levy increases annually in line with CPI. Currently the 2018/19 levy is \$81.30.

Figure 1 displays the tonnage of waste moving into or out of the Muswellbrook Waste & Recycle Facility by month, supplemented with a rolling 6-month average of incoming waste to indicate the overall waste disposal trend.

Figure 1: Muswellbrook Waste &amp; Recycle Facility incoming and outgoing waste per month.



As per regulation, all incoming wastes received at the Muswellbrook Facility are coded into three broad categories:

- Municipal;

- Commercial & Industrial; or
- Construction & Demolition.

For the purposes of statutory reporting and levy calculation, wastes generated by Council's business operations are categorised as Municipal waste. The Municipal category also includes the domestic kerbside bin collections as well as self-haul waste from residents. For purposes of EPA reporting, incoming waste from Upper Hunter Shire Council domestic kerbside collections are classified as Municipal but are broken out in this graph for interest.

Figure 2 illustrates the past 12 months of waste received at Muswellbrook categorised by source. Spikes in the Municipal category in March, April 2018 reflect the delivery of aggregate recovered from Council's road maintenance and construction activities and stockpiled at the waste facility for future reuse.

**Figure 2: Waste tonnage delivered to Muswellbrook Waste & Recycle Facility categorised by source.**

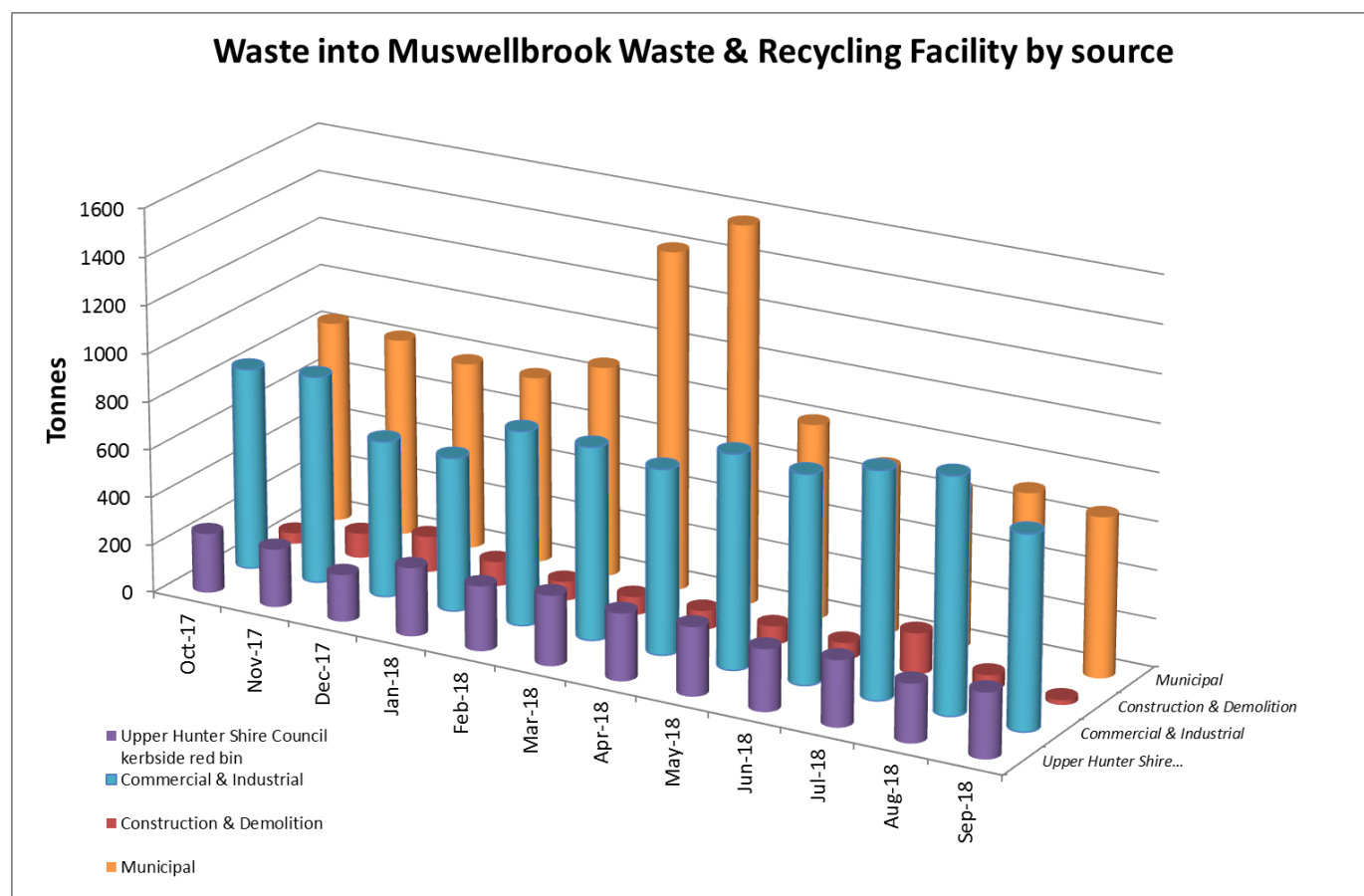


Figure 3 highlights the detail of waste self-hauled to the facility. Tonnages for Construction & Demolition as well as General Public categories remain fairly consistent throughout the year, whereas Commercial & Industrial tonnages have gradually declined. Council departmental waste is highly variable given that most day-to-day waste generated is small in volume. However, aggregate is periodically stockpiled at the Waste & Recycling Facility which results in large spikes in the waste data (e.g. April 2018).

Figure 3: Self haul waste from all sources in detail.

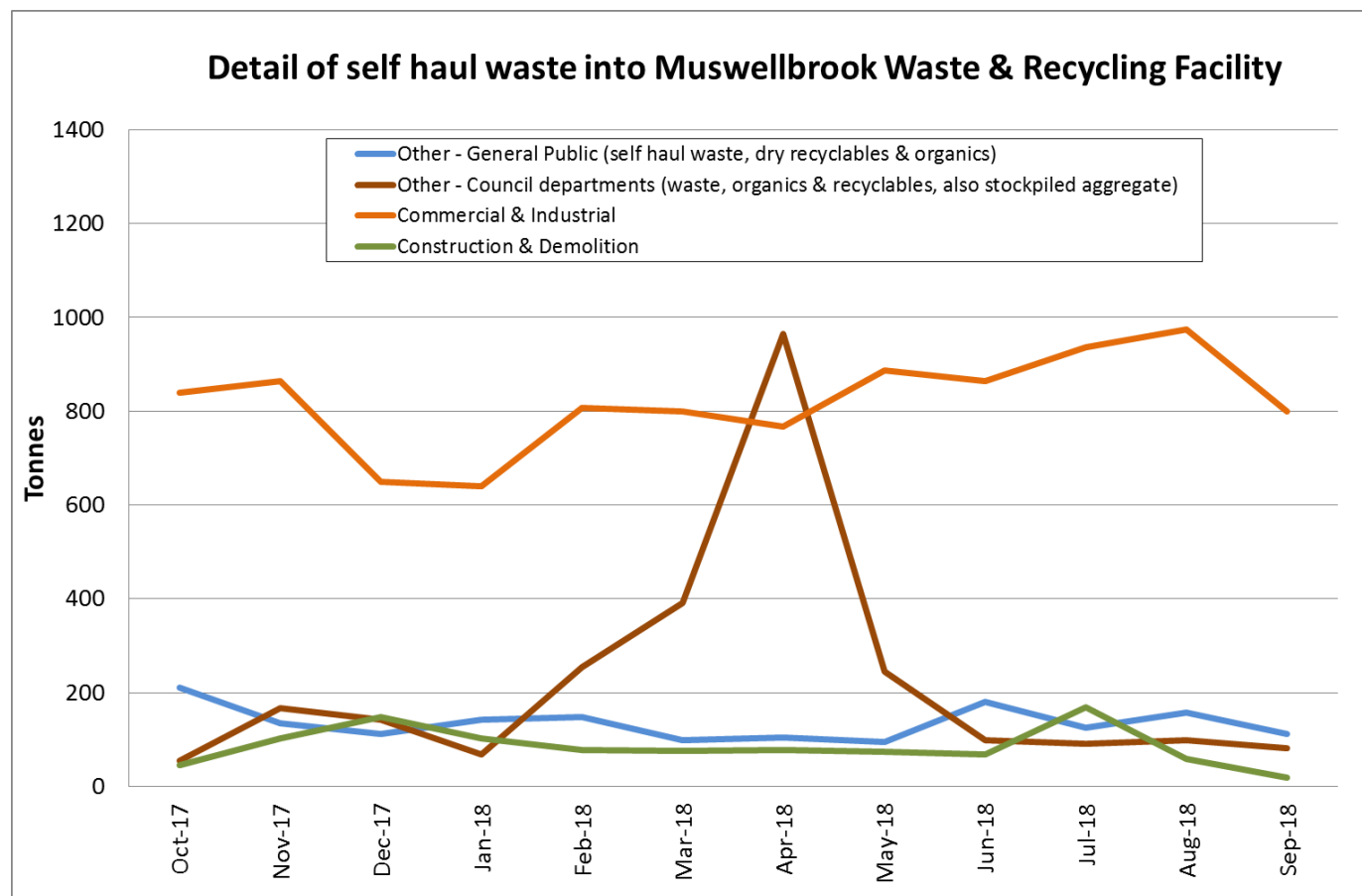


Figure 4: Overview of kerbside 3-bin system performance.

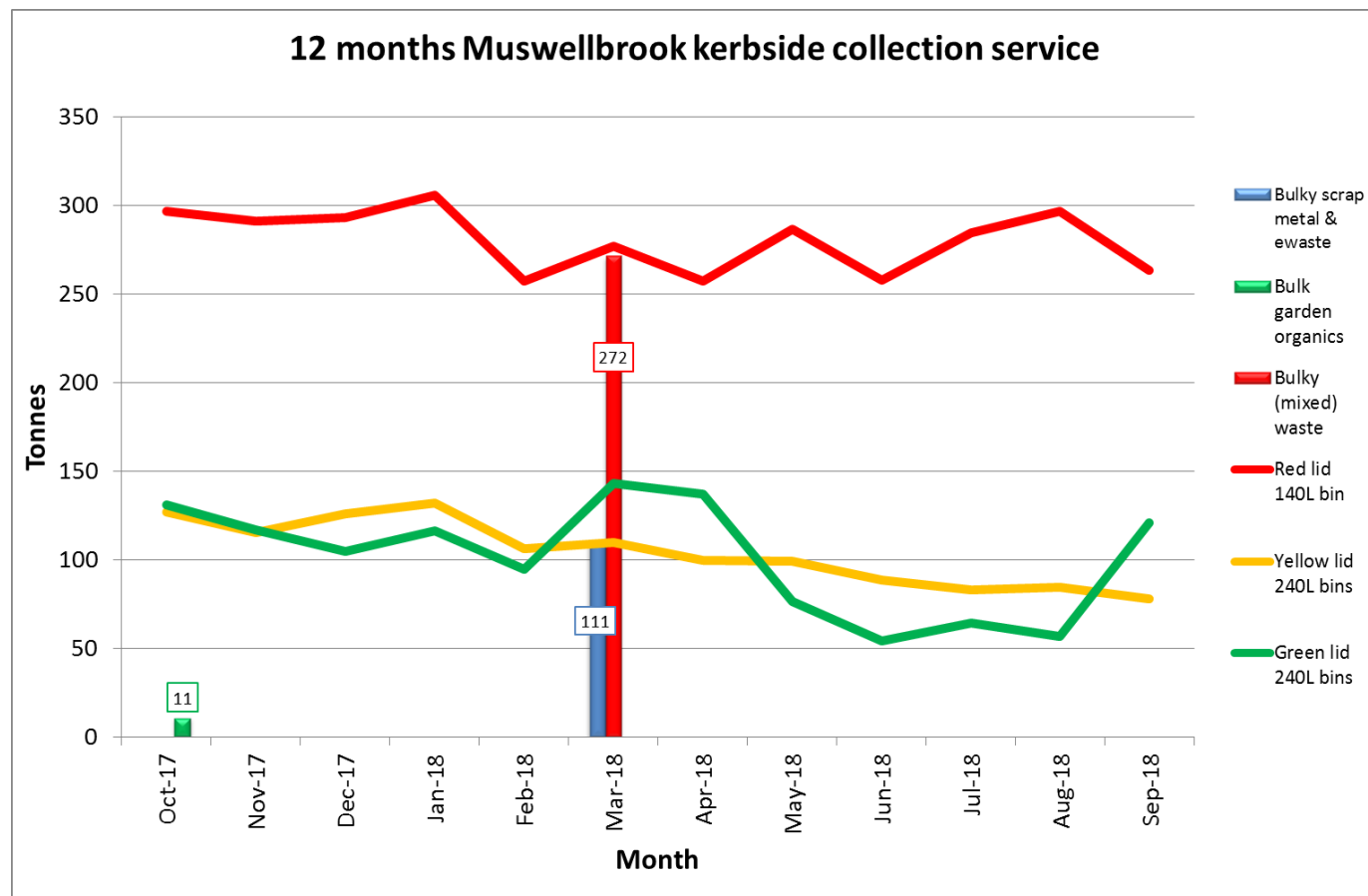


Figure 4 displays the kerbside bin collection performance as well as the bulky kerbside collections of garden organics, mixed wastes and metals. Red lid bin collection volumes are relatively consistent across the year whereas the volume of garden organics collected spikes in spring and autumn reflecting strong seasonal influences.

Yellow lid bin tonnages in Figure 4 are now sourced from contractor reports of material sent to Gateshead for stockpiling then onto the Polytrade MRF at Somersby, as this material is no longer brought into the Muswellbrook Waste & Recycling Facility. The gradual decline in recyclables weights may possibly reflect the introduction of NSW's Container Deposit Scheme.

Figures 5 and 6 show the variation over time of C&D and C&I wastes respectively. The volume of Construction and Demolition waste peaked in 2011/12 at 14,100 tonnes and has declined significantly to approximately 1,000 tonnes per year.

The Commercial and Industrial category (which provides the majority of Council's waste income) has been progressively declining after peaking in 2013/14 at approximately 14,200 tonnes. In 2017/18 the annual total dropped below 10,000 tonnes for the first time since 2009/2010 (Figure 6).

Please note that Contract 4/2005 as extended, concluded on 3 July 2018. A new contract for waste collection services was tendered earlier this year, and Contract No. 2017-2018-0303 is now in place with J R Richards & Sons the successful tenderer. Future reports will reflect the updated performance benchmarks and continue to provide the graphical information over time as included in this report.

Figure 5: Annual tonnages Construction &amp; Demolition wastes.

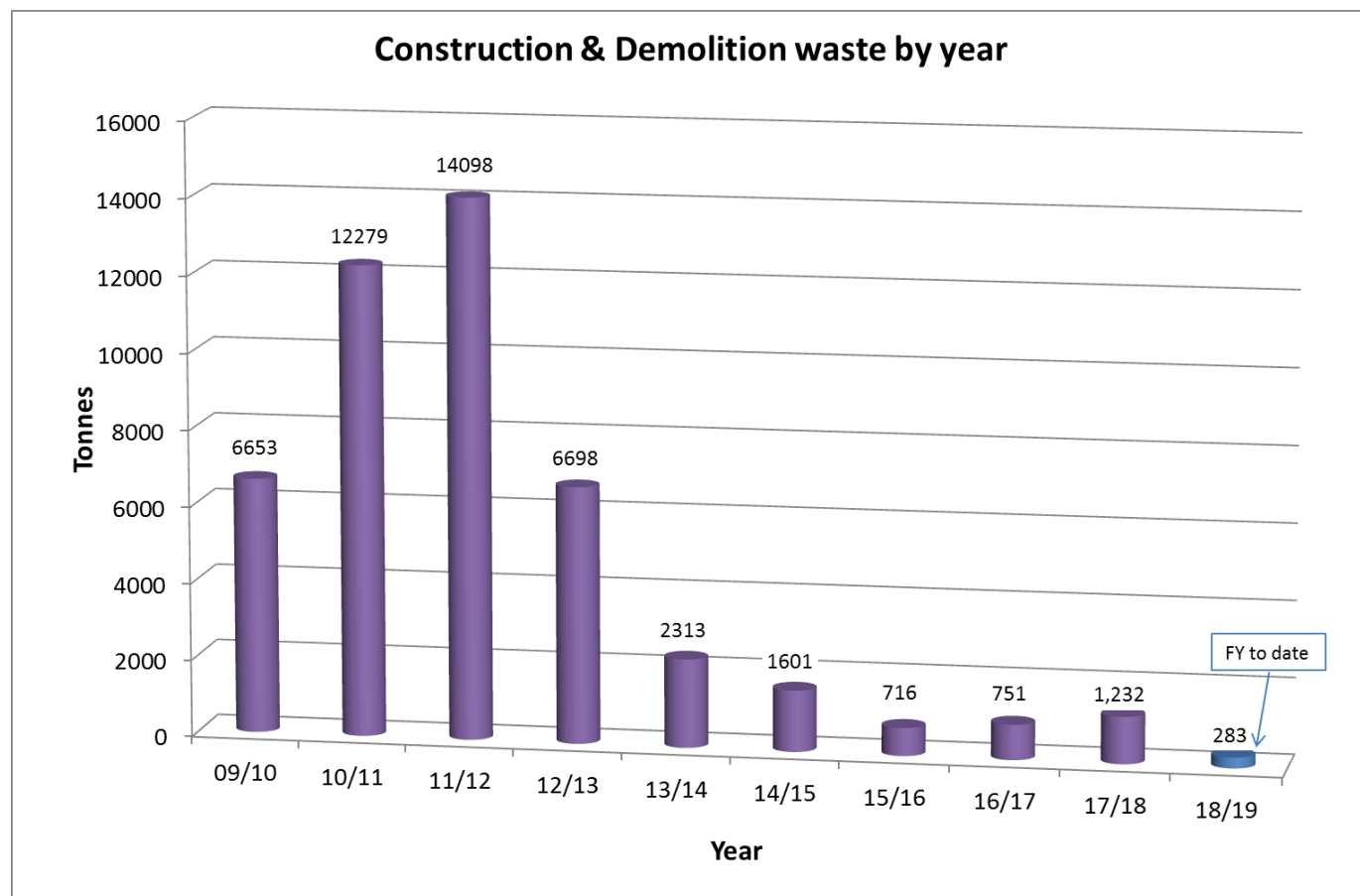
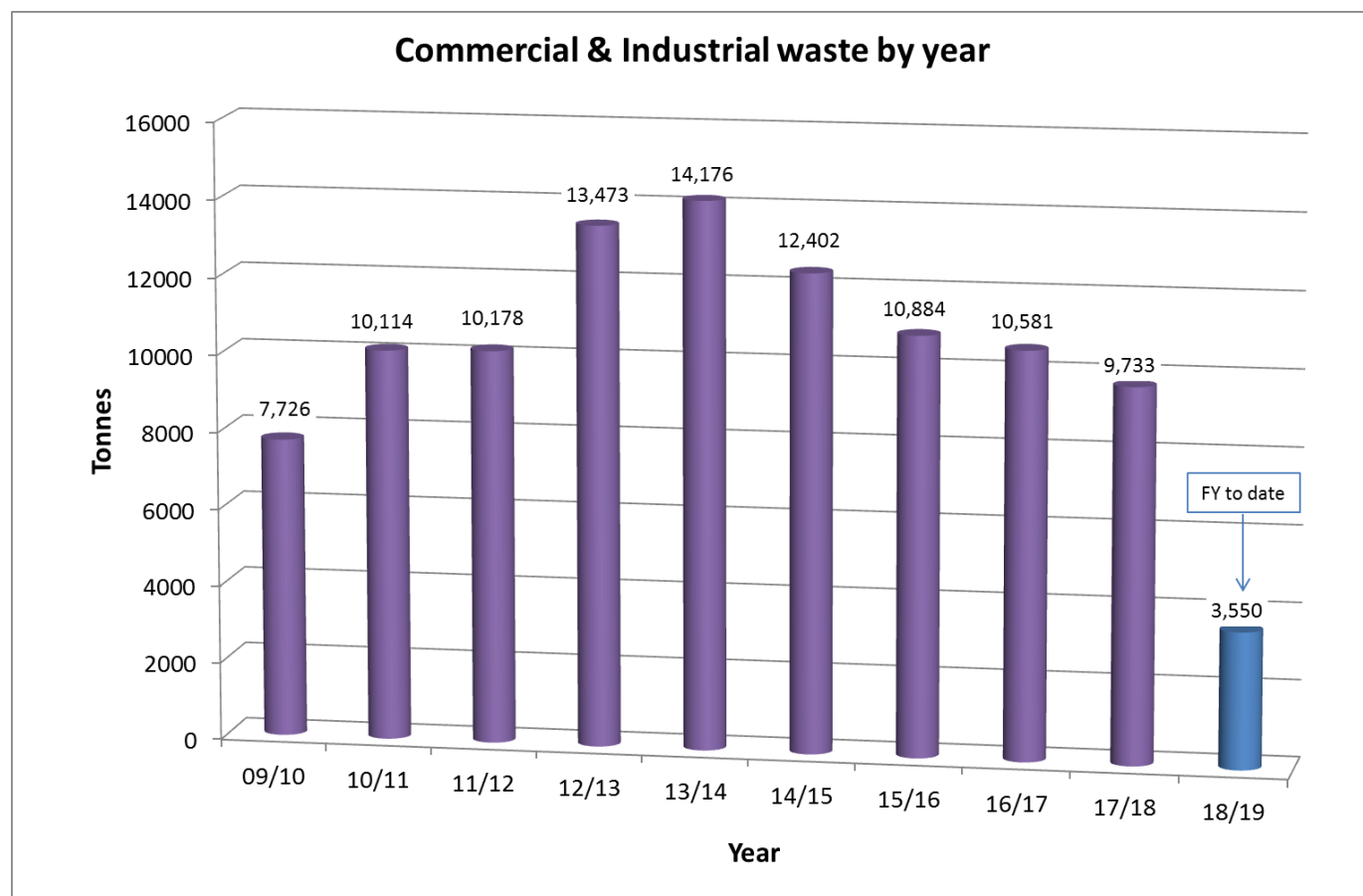


Figure 6: Annual tonnages Commercial &amp; Industrial wastes.



**6 DATE OF NEXT MEETING**

30 January 2019

**7 CLOSURE**