



**muswellbrook  
shire council**

**Muswellbrook Shire Council**  
**ORDINARY COUNCIL MEETING**

**BUSINESS PAPER**  
**25 FEBRUARY 2020**



**ORDINARY COUNCIL MEETING, 25 FEBRUARY 2020**

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122  
MUSWELLBROOK  
21 February, 2020

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **25 February, 2020** commencing at 6.00pm.

Fiona Plesman  
**GENERAL MANAGER**

# Order of Business

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**MUSWELLBROOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING**

**AGENDA  
TUESDAY 25 FEBRUARY 2020**

- 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 17 December 2019, the Extra Ordinary Meeting held on 23 January 2020, and the Extra Ordinary Meeting held on 11 February 2020, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

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

- 5 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST**

Section 451 of the Local Government Act requires that if a councillor or member of a council or committee has a pecuniary interest in any matter before the council or committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the Local Government Act).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A councillor must disclose the nature of the interest to the meeting as soon as practicable.

Council's Model Code of Conduct now recognises two forms of non-pecuniary conflict of interests:

- Significant
- Less than significant

A Councillor must make an assessment of the circumstances and determine if the conflict is significant.

If a Councillor determines that a non-pecuniary conflict of interests is less than significant and does not require further action, they must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.

If the Councillor has disclosed the existence of a significant non-pecuniary conflict of interests at a meeting they must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

## **6 PUBLIC PARTICIPATION**

## **7 MAYORAL MINUTES**

## **8 GENERAL BUSINESS**

## **9 BUSINESS ARISING**

Nil

## 10 ENVIRONMENTAL SERVICES

### 10.1 RED CEDAR MOTEL - 12 MAITLAND STREET, MUSWELLBROOK - FIRE SAFETY COMPLIANCE

<b>Attachments:</b>	<b>A. Fire and Rescue NSW Fire Safety Report Red Cedar Motel, Muswellbrook</b> <b>B. Fire and Rescue NSW Emergency Order Red Cedar Motel addressed to the Manager</b> <b>C. Fire and Rescue NSW Emergency Order addressed to the Owner</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Hamish McTaggart - Co-Ordinator - Development</b>
<b>Community Plan Issue:</b>	<b><i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Ensure statutory requirements relating to fire safety measures are implemented.</i></b>

#### PURPOSE

This report has been prepared to inform Council of fire safety compliance action taken by Fire and Rescue NSW in relation to the Red Cedar Motel, 12 Maitland Street Muswellbrook. The reporting of this matter to Council is mandated by Schedule 5 Part 8 Section 17(4) of the Environmental Planning and Assessment Act 1979.

The report seeks a resolution from Council on follow up action to be carried out by Council Officers.

#### OFFICERS RECOMMENDATION:

- 1. Council Issue the owner of the Red Cedar Motel, 12 Maitland Street, Muswellbrook (Lot 1 DP 308828, Lot 1 DP 330104 and Lot A DP 340931), a Notice of Intention to Issue an Order under Schedule 5 Part 2(1) of Environmental Planning and Assessment Act 1979 to require a Building Code of Australia Assessment to be carried out by an appropriately qualified person in relation to the premises and be submitted to Council.**
- 2. Council Officers provide a memo to Councillors providing information on the final outcome of this matter once it has been resolved to the satisfaction of the General Manager.**

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

#### BACKGROUND

On the 8 January 2020 Fire and Rescue NSW carried out an inspection of the Red Cedar Motel. Council Officers were in attendance for a part of this inspection and were advised of the inspection outcomes.

Through the course of this inspection, Fire and Rescue NSW identified a number of concerns related to fire and safety measures. The fire safety concerns are outlined in the attached correspondence. As an

outcome of the inspection, Fire and Rescue NSW issued a Fire Safety Order No.1 to the Owner requiring that temporary smoke alarms installed at the premises.

A second inspection of the premises was carried out by Fire and Rescue NSW, with Council Officers, on the 13 January 2020. Fire and Rescue NSW Officers indicated that the premises was compliant with the terms of Fire Safety Order No.1.

The subsequent report submitted to Council, by Fire and Rescue NSW, indicates that the terms of the Order was not an exhaustive list of fire safety non-compliances. Fire and Rescue NSW have returned the matter to Council to consider further fire safety deficiencies identified and undertake additional compliance at its discretion.

### **RELEVANT COUNCIL ACTION**

The report provided to Council from Fire and Rescue NSW includes recommendations on further action to be taken to address remaining fire safety issues at the Red Cedar Motel. It is recommended that Council inspect the premises and appropriately address items No.1 through to No.4 contained in the report from Fire and Rescue NSW.

Following a review of the matter, Council's Building Surveyor has recommended that Council issue a Notice of Intention and potential Order under Schedule 5 Part 8 Section 17(2) of the Environmental Planning and Assessment Act 1979 to require the owner of the land to engage an appropriately qualified person to prepare a Building Code of Australia Assessment in relation to the fire safety measures at the premises and submit the related report to Council. On receipt of this report Council Officers will review its findings and recommendations, determine a reasonable level of fire safety to be provided to the premises and issue further directions to the owner to ensure fire safety measures at the premises are appropriately upgraded.

The Building Code of Australia Assessment would be required to be carried out with particular regard to compliance with Parts C1.5 Two Storey Class 2, 3 or 9c Buildings, C 1.10 Fire Hazard Properties, Part C2 Compartmentation and Separation, Part C3 Protection of Openings, Section D & Section E of the NCC (BCA). The Building Code of Australia Assessment may make recommendations on the suitability or otherwise of the current fire safety measures installed at the premises and the extent to which those measures should be upgraded to comply with current fire safety requirements.

Council does not have a full time Building Surveyor on staff with qualifications or experience in construction or fire safety matters related to tourist or visitor accommodation, and it is more appropriate that the Owner fund the appointment of an appropriate specialist.

**CONSULTATION**

Consultation has been carried out between Council Officers and Fire and Rescue NSW. The recommended course of action has been informed by consultation with Council's Building Surveyor as Council's internal technical expert on fire safety and building construction.

**FINANCIAL IMPLICATIONS**

Council is currently recruiting for a full time Building Surveyor with the qualifications or experience in construction or fire safety matters related to tourist or visitor accommodation. Until this position is filled Council would need to engage a specialist consultant to undertake the Building Code of Australia Assessment which will cost approximately \$8000.00. There is currently no budget to enable this appointment to proceed.

The recommended alternative is to request the Owner to appoint an appropriate specialist to undertake the Building Code of Australia Assessment.

**LEGAL IMPLICATIONS**

The reporting of this matter to Council is mandated by Schedule 5 Part 8 Section 17(4) of the Environmental Planning and Assessment Act 1979.

**OPTIONS**Option 1

That Council endorse the Officer's recommendations.

Option 2

Council may resolve an alternative motion to direct Council Officers in carrying out further investigations and compliance action to address fire safety deficiencies at the Red Cedar Motel identified by Fire and Rescue NSW.

**CONCLUSION**

This report has been prepared for Council as a requirement of Schedule 5 Part 8 Section 17(4) of the Environmental Planning and Assessment Act 1979. The attached correspondence from Fire and Rescue NSW indicates deficiencies with the fire safety measures at the Red Cedar Hotel.

Fire and Rescue have issued an emergency Fire Safety Order in relation to the premises which has been complied with. Noting the terms of the Order and that they have been complied with, Fire and Rescue NSW are satisfied that there is not an imminent risk to the occupants of the building, however there remain unresolved fire safety matters outlined in their report that require consideration and action.

To initiate this action it is recommended that Council endorse the recommendation of Council Officers related to the issue of a Notice of Intention and potential Order in relation to the carrying out of further fire safety investigations at the premises.

Unclassified



File Ref. No: BFS19/3377 (9170)  
TRIM Ref. No: D20/5012  
Contact: Edren Ravino

22 January 2020

General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

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

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT  
'RED CEDAR MOTEL'  
12 MAITLAND STREET, MUSWELLBROOK ('the premises')**

A review of Fire & Rescue NSW (FRNSW) records revealed that the Alarm Signalling Equipment (ASE) provided for the Automatic Smoke Detection and Alarm System and the Automatic Sprinkler System was isolated for 1,123 hrs between July 2019 to September 2019.

Pursuant to the provisions of Section 9.15 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 8 January 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

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Unclassified

**Unclassified**

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

**COMMENTS**

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval or relate to the building's age. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures
  - 1A. Annual Fire Safety Statement (AFSS) – Clause 177(3)(b) of the Environmental Planning and Assessment Regulation 2000 requires that the statement must be prominently displayed in the building, at the time of the inspection the AFSS could not be located. As a result, it was unclear what essential fire safety measures were installed and to what standard.
  - 1B. Protection of Openings In External Walls – Clause C3.2 of the NCC requires openings in external walls that are less than less than 3 m to a fire source feature to be protected in accordance with Clause C3.4 of the NCC. It appears that sprinkler heads have been installed to the openings on the external wall of the two-storey building on the north eastern boundary allotment. Having regard to Clause C3.4 the following items are provided:
    - A. Windows installed with external (or internal) sprinklers are to be automatic closing or permanently fixed in the closed position.
    - B. Observations at the time could not confirm whether the windows are permanently fixed or automatic closing.
    - C. As there was no AFSS displayed it is unclear whether the wall wetting sprinklers were installed to a specific Australian Standard, and maintained to the standard it was first installed.
  - 1C. External Wall Wetting Sprinklers – Having regard to Australian Standard AS2118.2-2010 – “Automatic Fire Sprinkler Systems, Part 2: Drencher Systems” the following items are provided:



## Unclassified

- A. Clause 3.3.1 – requires a drencher system that is not connected to a hydrant system, to be connected by separate tapping that complies with AS/NZS 3500.1. At first glance, it appears that the system is connected directly to the water main.
  - B. Clause 3.4 – requires a fire brigade booster connection remote from the façade (after the main isolating valve) if there are more than 12 drenchers located on one façade. A count of drenchers was not conducted at the time of the inspection. However, it was noted that a brigade booster was not installed. It would be at council's discretion to review its records to confirm whether a booster connection is required.
  - C. Clause 4.2.2 – where drenchers are not connected to a sprinkler system, i.e. connected to the water mains, an isolation valve is to be provided and secured in the open position by a padlock and chain including signage in accordance with Clause 3.3. It is at council's discretion to conduct an inspection, review its records and determine whether an isolation valve has been installed in accordance with the standard.
- 1D. Sprinkler System Generally – Having regard to Australian Standard AS2118.1:2017 – “Automatic Fire Sprinkler Systems - General systems”, the following comments are provided:
- A. Clause 8.3 – requires the installation of a block plan. The plan must display the protected building, including the position of the main stop valve and other specific information. The plan should be placed adjacent to each set or group of installation control assemblies where it can be readily seen by firefighters and others responding to the alarm. At the time of the inspection, a block plan could not be located.
  - B. Clause 6.7 – requires a stock of replacement sprinklers together with the spanners to be located on the premises. There must be an appropriate number of spare sprinklers in accordance with the design for the system for each hazard. At the time of the inspection, a stock of replacement sprinklers could not be located.
- 1E. Floor Area – Clause E1.3 of the NCC requires buildings having a total floor area greater than 500m<sup>2</sup> be installed with a fire hydrant system in accordance with Australian Standard AS2419.1. A review of council's records may be required to determine if the total floor area is greater than 500m<sup>2</sup>.
2. Access and Egress
- 2A. Dimensions (Exits and Paths of Travel to Exits) – Clause D1.6 of the NCC requires specific dimensions for height and width for a required exit or path of travel to an exit. At the time of the inspection:



**Unclassified**

- A. The width along balcony appears to be one (1) metre wide.
  - B. There were chairs on the balcony, and as a result appeared to reduce the 1 metre width at various points along the path (of the balcony) to the stairs at either end of the building.
3. Compartmentation
- 3A. Type of Construction – Clause C1.5 of the NCC provides a concession in relation to the type of construction for Class 3 buildings. In that a building consisting of 2 storeys, can be type C construction provided that at least 2 exits are provided from the sole occupancy units (SOUs) with direct access to road or open space. The following may require further investigation from council:
    - A. It is unclear whether the concession for the building is Type C construction as the rooms on north western elevation does not appear to provide 2 exits for all the SOUs.
    - B. Council may need to confirm whether the doors are solid core doors and are self-closing.
  - 3B. Protection of Openings – The following items relate to the openings to the SOUs on the corner of the north western elevation of the two-storey building (Units 25 and 26). The following may require further investigation from council:
    - A. Window / Door – Clause C3.3 of NCC requires windows that are located less than the 4 metre and 45° - 90° from the doors to be protected. The window appears to require protection.
    - B. Bounding Construction – Clause C3.11 of the NCC indicates that if an occupant of another sole occupancy unit (SOU) passes an external wall containing a window of another SOU (of a class 2 or class 3 which opens onto an open balcony, landing or the like), the window may require protection in accordance with C3.11(g)(v). Council may need to review its records to confirm whether protection has been considered.
4. Generally
- 4A. General Considerations – The proceeding items are considered 'informative', as the investigation disclosed items that may require council make a determination on whether enforcement action is required:
    - A. Emergency Procedures – Discussions with the manager at the time, revealed that there were no Emergency / Evacuation procedures for "the premises".

**Unclassified**

- B. Log Books – Clause 1.16.2 of Australian Standard AS1851-2012 (amendment 1) - “Service of fire protection systems and equipment” requires service logbooks to be left on site. At the time of the inspection, copies of previous services records for the fire indicator panel and sprinkler system were unavailable. As a result, it was difficult to establish whether the essential service measures are regularly maintained.
- 4B. Investigation Outcomes – The following are items provided to council as part of the investigation on Wednesday 8 January 2020:
- A. Fire Indicator Panel (FIP) – At the time of the inspection the FIP included faults and isolations. As a result, it is unclear whether the FIP is regularly maintained.
  - B. Alarm Signalling Equipment (ASE) – Based on the observation of the FIP, there is reasonable grounds to suspect that the ASE was isolated for over one thousand hours to prevent automatic notification to FRNSW as a result of the faults and isolations of the FIP. As a result, an emergency order was issued to address the immediate concerns for the occupants by the installation of temporary smoke alarms.
  - C. Automatic Smoke Detection and Alarm System – Table E2.2a of the NCC requires a Class 3 buildings be provided with smoke detection in accordance with Specification E2.2a. Typically, Class 3 buildings that are less than 2 storeys are required to include a smoke detection and alarm system that complies with Clause 3, Clause 4 or Clause 5. It is at council’s discretion to consider whether:
    - i. The ASE is required to be maintained.
    - ii. The Clause 4 system is maintained.
    - iii. The owners comply with Clause 186A(5) and Clause 186B of the Environmental Planning and Assessment Regulation 2000.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

**FIRE SAFETY ORDER NO. 1**

The inspecting Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW issued an Order No. 1, dated 9 January 2020, in accordance with the provisions of Section 9.34 of the EP&A Act, to have temporary smoke alarms installed.

Unclassified

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information. FRNSW has conducted further inspections of the building to assess compliance with the terms of this Order

## RE-INSPECTION

Pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 189(a) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), an inspection of 'the premises' on Monday 13 January 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

At the time of the inspection, the terms of 'the order' issued on 'the premises' were compliant. Please be advised that 'the order' is not an exhaustive list of non-compliances, it is at Council's discretion to inspect and address any other deficiencies identified on 'the premises'.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 4 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS19/3377 (9170) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

Attachment: [Appendix 1- Emergency Fire Safety Order – 3 pages ]

Unclassified



Unclassified

## Appendix 1 – Emergency Fire Safety Order

Unclassified



## Emergency Fire Safety Order ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*  
Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders  
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.  
Issue an Order in accordance with Section 9.34(1)(b)  
Issue the Order as an Emergency Order Pursuant to Schedule 5, Part 8, Section 16

**Property:**

'RED CEDAR MOTEL'  
LOT A, DP340931, 12 MAITLAND STREET MUSWELLBROOK ('the premises')  
(name/address of premises to which Order is served)

**Emergency Situation / Serious Risk to Safety:**

An inspection of "the premises" on Wednesday 8 January 2020, revealed that the smoke detection and alarm system ('system') was isolated as a result of faults to the "system". Faults to the "system" is likely to affect the safe evacuation of the occupants due to illness or injury.

**Authorised Fire Officer:**

I, **Edren Ravino** Senior Building Surveyor 903766  
(name) (rank) (number)

being an Authorised Fire Officer in accordance with Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose.

**Hereby order:**

**Romarx Pty Limited** Owner  
(name of person whom Order is served) (position i.e. owner, building manager)

**To do, or refrain from doing, the following things:**

1. As an interim precaution – Install smoke alarms that include a non-removable battery (with a minimum life expectancy of 10 years).

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 3 of 5

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Unclassified

2. The smoke alarms are to be installed:

- a. In each sole-occupancy unit to the 2-storey building on the south eastern side of "the premises".
- b. In any storey containing bedrooms.
- c. On or near the ceiling.

The reasons for the issue of this Order are:

- a. The automatic identification and notification that is provided by the "system" is diminished by the faults and isolations. As a result, it is likely that the evacuation routes from "the premises" may be compromised by poor visibility and high levels of toxicity that may endanger human life.
- b. At the time of the inspection on 8 January 2020 the following faults were observed to the "system":
  - i. The Automatic Signalling Equipment (ASE) was isolated.
  - ii. The Fire Indicator Panel displayed the following faults:
    - The LED for "Z3 Level 1" was lit.
    - The LED for "Fault RADIO SYSTEM" was lit.
    - The LED for "Disablement" was lit.
    - The display showed 14 faults, identifying locations and detectors that were in fault.
- c. Isolation of the ASE is likely to delay the timely response of FRNSW to conduct firefighting operations in the event of a fire.
- d. Faults and isolations to the "system" is likely to delay timely evacuation of the occupants from the building in the event of an emergency.
- e. The installation of smoke alarms as an interim precaution safeguards the occupants by providing automatic warning of smoke so that they have time to safely evacuate before the environment in any evacuation route becomes untenable from the effects of fire.

The terms of the Order are to be complied with:

By no later than 11:00 am on Monday 13 January 2020.

Considerations for Emergency Order:

Pursuant to Schedule 5, Part 8, Section (16) of the EP&A Act, this Order has been given as an Emergency Order as there are circumstances which the authorised fire officer believes constitute an emergency or a serious risk to safety.

Unclassified

Unclassified

Unclassified

Unclassified

#### Appeals

Pursuant to Section 8.18(2) of the EP&A Act, a person may not appeal against a fire safety order given by an authorised fire officer (other than an order that prevents a person using or entering the premises).

#### Non-Compliance with the Order

A person that fails to comply with this Order may be guilty of an offence under Section 9.37 of the EP&A Act. A person that fails to comply with this Order by a particular specified time, or within a particular specified period, continues never-the-less to be obliged to comply with the Order and therefore must comply with the Order or they may be guilty of an offence under Section 9.50 of the EP&A Act.

Signed:



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

This Emergency Fire Safety Order No. 1 was sent by mail and e-mail on 9 January 2020.

Unclassified

Unclassified

Unclassified



File Ref. No: BFS19/3377 (9170)  
TRIM Ref. No: D20/1310  
Contact: Edren Ravino

9 January 2020

The Manager  
Red Cedar Motel  
12 Matiland Street  
MUSWELLBROOK NSW 2333

Dear Sir / Madam

**RE: EMERGENCY FIRE SAFETY ORDER  
'RED CEDAR MOTEL'  
LOT A, DP340931, 12 MAITLAND STREET MUSWELLBROOK('the premises')**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 8 January 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

At the time of the inspection there were fire safety matters that were identified as a significant concern to FRNSW, as the activity or deficiencies identified which the Authorised Fire Officer believes constitute an emergency or a serious risk to safety. As a result, an Emergency Fire Safety Order (Order No. 1) is issued in accordance with the provisions of Section 9.34 of the EP&A Act (copy attached).

A report of the inspection and a copy of the Order will also be forwarded to Muswellbrook Shire Council in accordance with the requirements of Sections 9.32, Section 9.35, Schedule 5, Part 6, Section 12 and Schedule 5, Part 8, Section 17 of the EP&A Act. Further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS19/3377 (9170) for any future correspondence in relation to this matter.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7843

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Page 1 of 5

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Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

Unclassified



Unclassified



# Emergency Fire Safety Order

## ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*  
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders  
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.  
 Issue an Order in accordance with Section 9.34(1)(b)  
 Issue the Order as an Emergency Order Pursuant to Schedule 5, Part 8, Section 16

### Property:

**'RED CEDAR MOTEL'**  
**LOT A, DP340931, 12 MAITLAND STREET MUSWELLBROOK ('the premises')**  
(name/address of premises to which Order is served)

### Emergency Situation / Serious Risk to Safety:

An inspection of "the premises" on Wednesday 8 January 2020, revealed that the smoke detection and alarm system ('system') was isolated as a result of faults to the "system". Faults to the "system" is likely to affect the safe evacuation of the occupants due to illness or injury.

### Authorised Fire Officer:

I, **Edren Ravino** **Senior Building Surveyor** **903766**  
(name) (rank) (number)

being an Authorised Fire Officer in accordance with Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose.

### Hereby order:

**Romarx Pty Limited** **Owner**  
(name of person whom Order is served) (position i.e. owner, building manager)

### To do, or refrain from doing, the following things:

1. As an interim precaution – Install smoke alarms that include a non-removable battery (with a minimum life expectancy of 10 years).

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2190	F (02) 9742 7843
<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>		Page 3 of 5

Unclassified

Unclassified

2. The smoke alarms are to be installed:
  - a. In each sole-occupancy unit to the 2-storey building on the south eastern side of "the premises".
  - b. In any storey containing bedrooms.
  - c. On or near the ceiling.

**The reasons for the issue of this Order are:**

- a. The automatic identification and notification that is provided by the "system" is diminished by the faults and isolations. As a result, it is likely that the evacuation routes from "the premises" may be compromised by poor visibility and high levels of toxicity that may endanger human life.
- b. At the time of the inspection on 8 January 2020 the following faults were observed to the "system":
  - i. The Automatic Signalling Equipment (ASE) was isolated.
  - ii. The Fire Indicator Panel displayed the following faults:
    - The LED for "Z3 Level 1" was lit.
    - The LED for "Fault RADIO SYSTEM" was lit.
    - The LED for "Disablement" was lit.
    - The display showed 14 faults, identifying locations and detectors that were in fault.
- c. Isolation of the ASE is likely to delay the timely response of FRNSW to conduct firefighting operations in the event of a fire.
- d. Faults and isolations to the "system" is likely to delay timely evacuation of the occupants from the building in the event of an emergency.
- e. The installation of smoke alarms as an interim precaution safeguards the occupants by providing automatic warning of smoke so that they have time to safely evacuate before the environment in any evacuation route becomes untenable from the effects of fire.

**The terms of the Order are to be complied with:**

By no later than 11:00 am on Monday **13 January 2020**.

**Considerations for Emergency Order:**

Pursuant to Schedule 5, Part 8, Section (16) of the EP&A Act, this Order has been given as an Emergency Order as there are circumstances which the authorised fire officer believes constitute an emergency or a serious risk to safety.

Unclassified

Unclassified

**Appeals**

Pursuant to Section 8.18(2) of the EP&A Act, a person may not appeal against a fire safety order given by an authorised fire officer (other than an order that prevents a person using or entering the premises).

**Non-Compliance with the Order**

A person that fails to comply with this Order may be guilty of an offence under Section 9.37 of the EP&A Act. A person that fails to comply with this Order by a particular specified time, or within a particular specified period, continues never-the-less to be obliged to comply with the Order and therefore must comply with the Order or they may be guilty of an offence under Section 9.50 of the EP&A Act.

**Signed:**

Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

This Emergency Fire Safety Order No. 1 was sent by mail and e-mail on **9 January 2020**.

Unclassified

Unclassified



File Ref. No: BFS19/3377 (9170)  
TRIM Ref. No: D20/1292  
Contact: Edren Ravino

9 January 2020

The Proper Officer  
Romarx Pty Limited  
41 Fitzwilliam Road  
VAUCLUSE NSW 2030

Dear Sir / Madam

**RE: EMERGENCY FIRE SAFETY ORDER  
'RED CEDAR MOTEL'  
LOT A, DP340931, 12 MAITLAND STREET MUSWELLBROOK('the premises')**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 8 January 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

At the time of the inspection there were fire safety matters that were identified as a significant concern to FRNSW, as the activity or deficiencies identified which the Authorised Fire Officer believes constitute an emergency or a serious risk to safety. As a result, an Emergency Fire Safety Order (Order No. 1) is issued in accordance with the provisions of Section 9.34 of the EP&A Act (copy attached).

A report of the inspection and a copy of the Order will also be forwarded to Muswellbrook Shire Council in accordance with the requirements of Sections 9.32, Section 9.35, Schedule 5, Part 6, Section 12 and Schedule 5, Part 8, Section 17 of the EP&A Act. Further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS19/3377 (9170) for any future correspondence in relation to this matter.

Fire and Rescue NSW

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Page 1 of 5

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Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

CC: The Manager  
Red Cedar Motel  
12 Matiland Street  
MUSWELLBROOK NSW 2333

E-Mail: [redcedarmotel@bigpond.com](mailto:redcedarmotel@bigpond.com)

Unclassified



Unclassified



# Emergency Fire Safety Order

## ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*  
*Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders*  
*Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.*  
*Issue an Order in accordance with Section 9.34(1)(b)*  
*Issue the Order as an Emergency Order Pursuant to Schedule 5, Part 8, Section 16*

**Property:**

**'RED CEDAR MOTEL'**  
**LOT A, DP340931, 12 MAITLAND STREET MUSWELLBROOK ('the premises')**  
(name/address of premises to which Order is served)

**Emergency Situation / Serious Risk to Safety:**

An inspection of "the premises" on Wednesday 8 January 2020, revealed that the smoke detection and alarm system ('system') was isolated as a result of faults to the "system". Faults to the "system" is likely to affect the safe evacuation of the occupants due to illness or injury.

**Authorised Fire Officer:**

I, **Edren Ravino** **Senior Building Surveyor** **903766**  
(name) (rank) (number)

being an Authorised Fire Officer in accordance with Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose.

**Hereby order:**

**Romarx Pty Limited** **Owner**  
(name of person whom Order is served) (position i.e. owner, building manager)

**To do, or refrain from doing, the following things:**

1. As an interim precaution – Install smoke alarms that include a non-removable battery (with a minimum life expectancy of 10 years).

<b>Fire and Rescue NSW</b>	<b>ABN 12 593 473 110</b>	<b><a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a></b>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
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Unclassified

Unclassified

2. The smoke alarms are to be installed:
  - a. In each sole-occupancy unit to the 2-storey building on the south eastern side of "the premises".
  - b. In any storey containing bedrooms.
  - c. On or near the ceiling.

**The reasons for the issue of this Order are:**

- a. The automatic identification and notification that is provided by the "system" is diminished by the faults and isolations. As a result, it is likely that the evacuation routes from "the premises" may be compromised by poor visibility and high levels of toxicity that may endanger human life.
- b. At the time of the inspection on 8 January 2020 the following faults were observed to the "system":
  - i. The Automatic Signalling Equipment (ASE) was isolated.
  - ii. The Fire Indicator Panel displayed the following faults:
    - The LED for "Z3 Level 1" was lit.
    - The LED for "Fault RADIO SYSTEM" was lit.
    - The LED for "Disablement" was lit.
    - The display showed 14 faults, identifying locations and detectors that were in fault.
- c. Isolation of the ASE is likely to delay the timely response of FRNSW to conduct firefighting operations in the event of a fire.
- d. Faults and isolations to the "system" is likely to delay timely evacuation of the occupants from the building in the event of an emergency.
- e. The installation of smoke alarms as an interim precaution safeguards the occupants by providing automatic warning of smoke so that they have time to safely evacuate before the environment in any evacuation route becomes untenable from the effects of fire.

**The terms of the Order are to be complied with:**

By no later than 11:00 am on Monday **13 January 2020**.

**Considerations for Emergency Order:**

Pursuant to Schedule 5, Part 8, Section (16) of the EP&A Act, this Order has been given as an Emergency Order as there are circumstances which the authorised fire officer believes constitute an emergency or a serious risk to safety.

Unclassified

Unclassified

### Appeals

Pursuant to Section 8.18(2) of the EP&A Act, a person may not appeal against a fire safety order given by an authorised fire officer (other than an order that prevents a person using or entering the premises).

### Non-Compliance with the Order

A person that fails to comply with this Order may be guilty of an offence under Section 9.37 of the EP&A Act. A person that fails to comply with this Order by a particular specified time, or within a particular specified period, continues never-the-less to be obliged to comply with the Order and therefore must comply with the Order or they may be guilty of an offence under Section 9.50 of the EP&A Act.

Signed:



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

This Emergency Fire Safety Order No. 1 was sent by mail and e-mail on **9 January 2020**.

Unclassified



## 10.2 LOCAL HERITAGE ASSISTANCE FUND 2019-2020

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Sharon Pope - Assistant Director - Environment &amp; Community Services</b>
<b>Community Plan Issue:</b>	<b><i>Conserve the heritage and history of the Shire</i></b>
<b>Community Plan Goal:</b>	<b><i>Support the conservation and restoration of the Shire's heritage items</i></b>
<b>Community Plan Strategy:</b>	<b><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></b>

### PURPOSE

Council has made provision in the 2019/20 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. \$2000 Re-putty and painting of eight (8) upstairs wooden windows at 33 Brentwood Street, Muswellbrook; and**
- 2. \$2000 for Chimney conservation work 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 (not including a government or council owned building still used for a government or council purpose).

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	Re-putty and paint eight (8) upstairs wooden windows <b>Local Heritage Item</b>	\$4620.00	\$2620.00 + project management	\$2000.00
5 Midanga Avenue, Muswellbrook	Chimney conservation work on property. Chimney to be stabilised by re-laying loose bricks and replacing any missing bricks. All joints will be raked out to at least 20mm and repointed using a live based pointing mix matching the colour of the original pointing. All work is to be carried out from a boom-lift to avoid damaging the roofing. <b>Local Heritage Item</b>	\$4400.00	\$2400.00 + project management	\$2000.00

## CONSULTATION

The applications have been reviewed by Council Heritage Advisor, and she supports the works as preventing disrepair of the buildings.

## CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor Martin Rush

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

Both projects meet a number of these criteria. While both buildings have been provided with assistance in the past, the owners have demonstrated an ability to have the projects completed in the timeframe and for the works to be completed to a high standard.

**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 2019/20. Council's Heritage Advisor recommends that they be approved as a grant of \$2000 each.

**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 funding from the NSW Heritage Branch of the Department of Planning and Environment.

**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 2020, 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.

**10.3 DA 109/2019 - CHANGE OF USE - TATTOO SHOP TO MASSAGE PREMISES- 1/26 BRIDGE STREET, MUSWELLBROOK**

<b>Responsible Officer:</b>	<b>Sharon Pope - Assistant Director - Environment &amp; Community Services</b>
<b>Author:</b>	<b>Alisa Evans - Projects Planner</b>
<b>Community Plan Issue:</b>	<b><i>Support Job Growth</i></b>
<b>Community Plan Goal:</b>	<b><i>Facilitate the expansion of and establishment of new industries and business.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Provide advice in relation to strategic land use planning and development control and assessment to support the work of the Economic Development and Innovation function.</i></b>
<b>Attachments:</b>	<b>A. DA 2019-109 Plans for Approval.pdf B. DA 2019-109 Draft Conditions of Consent.docx C. DA109-2019 Development Assessment Report.docx D. DA109-2019 Objection.pdf</b>

Documents referred to in assessment not attached:

- Local Environmental Plan 2009
- Development Control Plan 2009

**APPLICATION DETAILS**

<b>Applicant:</b>	<b>ArkExpress Design Pty Ltd</b>
<b>Owner:</b>	<b>Mr MJ &amp; Mrs AL Lee</b>
<b>Proposal:</b>	<b>Change of Use from Tattoo Shop to Massage Premises</b>
<b>Location:</b>	<b>1/26 Bridge Street Muswellbrook, Lot 7 DP 1124521</b>
<b>Permissibility:</b>	<b>The proposed development is permissible as Business Premise within the B2 Business Centre</b>
<b>Recommendation:</b>	<b>Approval</b>

---

**PURPOSE**

This report has been prepared to inform the Council in determining Development Application (DA) 109/2019. This Development Application has been assessed by Council officers. A copy the Section 4.15 Assessment Report is attached.

The matter is being reported to Council for determination as the development is outside of the function delegated to Council Officers by Council as an objection was received for the proposal.

**RECOMMENDATION**

**That Council approve Development Application No. 109/2019, Change of Use from Tattoo Shop to Massage Premises, at 1/26 Bridge Street, Lot 7 DP 1124521, subject the conditions in Appendix B to the report.**

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

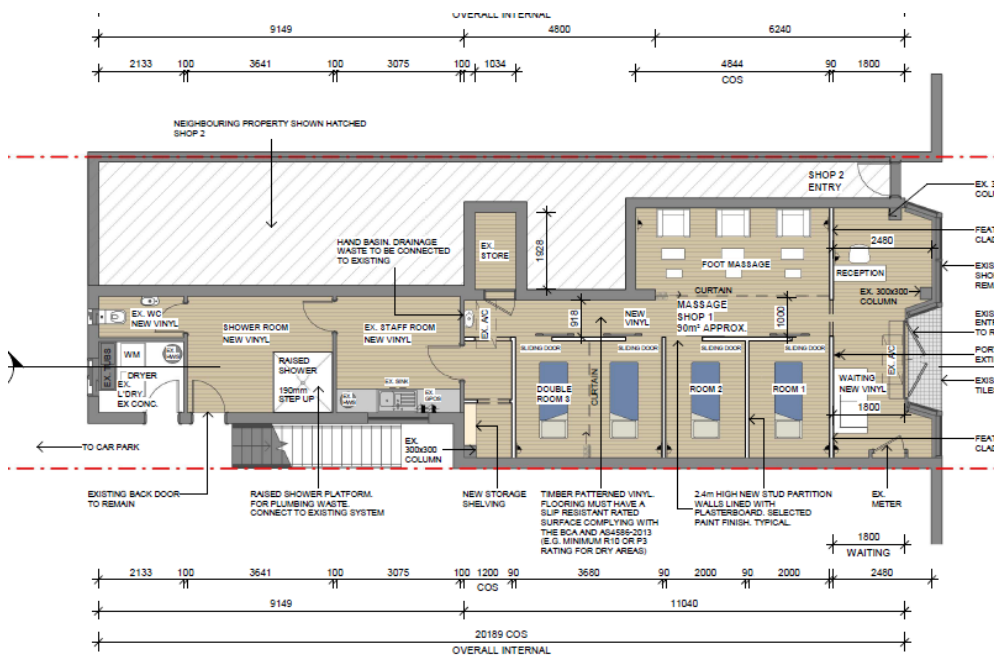
<input type="checkbox"/> Cr J. Ledlin	<input type="checkbox"/> Cr S. Bailey	<input type="checkbox"/> Cr G. McNeill
<input type="checkbox"/> Cr J. Foy	<input type="checkbox"/> Cr M. Green	<input type="checkbox"/> Cr R. Scholes
<input type="checkbox"/> Cr S. Reynolds	<input type="checkbox"/> Cr B.N. Woodruff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

## DESCRIPTION OF THE PROPOSED DEVELOPMENT

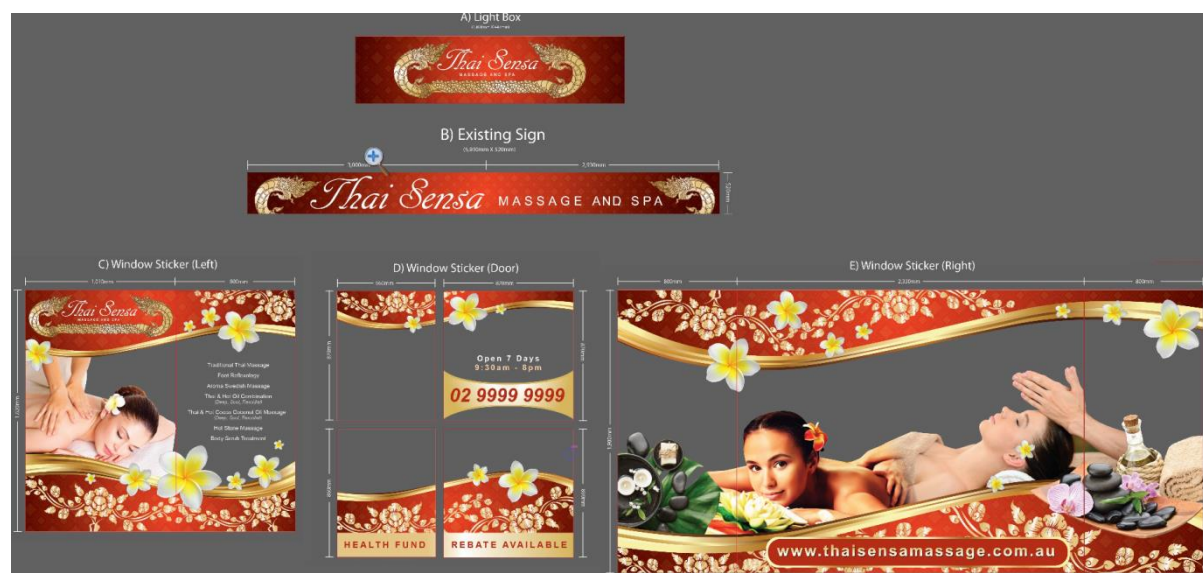
The application is for a change of use from tattoo shop to a massage premises (business premise) with proposed operating hours of 9:00am to 8:00pm, seven (7) days a week. The premises is on land zoned B2 Business Centre and the use is permitted in the zone.

The proposed massage business proposes the following layout comprising:

- 3 Massage Rooms;
- Reception Area;
- Foot Massage Area;
- Store room; and
- Staff amenities.



Signage is also included in the application. The applicant has prepared an assessment in accordance with State Environmental Planning Policy No 64 Advertising and Signage. The images below are proposed signage layout and computer rendered image of proposed signage.



## ASSESSMENT SUMMARY

Council Officers have assessed the development application under the relevant heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. A copy of the Section

4.15 Assessment is provided in Attachment A. The proposed development application would comply with relevant requirements of the *Muswellbrook LEP 2009*.

Key findings of the section 4.15 assessment include:

- The proposed development was considered against provision of *Muswellbrook LEP 2009* and there are no provisions which would prevent Council from granting development consent to the proposed development.
- The proposed development was considered against the provisions of relevant State Environmental Planning Policies (SEPP's) and there are no provisions which would prevent Council from granting development consent to the proposed development.
- The proposed development was considered against the requirements of the *Muswellbrook Development Control Plan 2009* (DCP) and is in accordance with the requirements of the DCP.
- It was considered that the proposed development was unlikely to have any significant adverse impacts that would substantiate a decision to refuse the development application.

## COMMUNITY CONSULTATION

The proposed development was notified and advertised from 18 December 2019 until 6 January 2020. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

One (1) submission was received from the public in relation to the proposed development. The objection was in relation to the suitability to use, car parking and signage. The matters have been considered in the 4.15 assessment attached.

## OPTIONS

The Development Assessment Committee may:

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

## 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.

## CONCLUSION

DA 109/2019 has been reported to the Development Assessment Committee for determination as the recommendation is for the approval for a development proposal that has received an objection.

The application has been assessed by Council Officers in accordance with the relevant provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. This assessment report has been included as Attachment A. Staff recommend that Council grant development consent to the proposed development in accordance with the conditions of consent outlined in Attachment B.





NOMINATED ARCHITECT HY CHHENG ARB NSW 8921  
 a L1 Suite 3, 233 Canley Vale Road, Canley Hts NSW 2166  
 e info@arkexpressdesign.com w arkexpressdesign.com.au

7 February 2020

Ms Alisa Evans  
 Muswellbrook Shire Council  
 Environmental Services  
 PO Box 122  
 MUSWELLBROOK NSW 2333

**RE: DA109/2019 - Shop 1, 26 Bridge Street, Muswellbrook NSW 2333 LOT 7 DP 1124521**

Dear Alisa,

We refer to your email dated 29 January 2020 requesting feedback on the appropriateness of the signage graphic submitted for DA109/2019. The proposed signage to the proposed massage shop at the above address is consistent with SEPP 64 Advertising and Signage and generally consistent with Section 14 Outdoor Signage of Muswellbrook DCP 2009. Please refer to the attached SEPP 64 Assessment Report and Statement of Environmental Report submitted with the development application for more details. In addition to both these reports, we provide the following examples of similar film signage for the same type of use which is also consistent with SEPP 64.



Scone Thai Massage – 197 Kelly Street, Scone NSW 2337

ArkExpress Design Pty Ltd

1

Council Letter

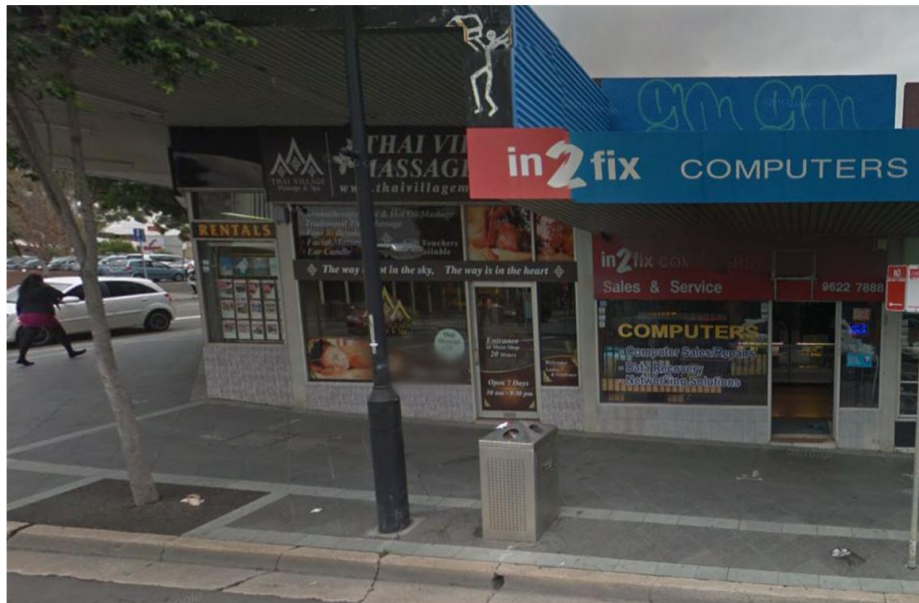




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 a L1 Suite 3, 233 Canley Vale Road, Canley Hts NSW 2166  
 e info@arkexpressdesign.com w arkexpressdesign.com.au



Warunee Thai Massage - Shop 12, 25 Sturgeon St Raymond Terrace, NSW 2324



Thai Village Massage – 14 Alpha Street, Blacktown NSW 2148

ArkExpress Design Pty Ltd



NOMINATED ARCHITECT HY CHHENG ARB NSW 8921  
 a L1 Suite 3, 233 Canley Vale Road, Canley Hts NSW 2166  
 e info@arkexpressdesign.com w arkexpressdesign.com.au



Tim Prom Thai Massage – 1 Campbell St, Blacktown NSW 2148



Tuk Tuk Thai Massage – 1/550 Bunnerong Road, Matraville NSW 2036

ArkExpress Design Pty Ltd



NOMINATED ARCHITECT HY CHHENG ARB NSW 8921  
 a L1 Suite 3, 233 Canley Vale Road, Canley Hts NSW 2166  
 e info@arkexpressdesign.com w arkexpressdesign.com.au



Nine Thai Massage – 8 Railway Street, Liverpool NSW 2170

The above examples highlight that it is very common for most Thai massage shops to display similar types of images as this is widely recognisable to potential customers and the general public.

Also, for a small retail business, especially a massage shop, business signage is important as it acts like a guidepost to guide customers to the business and attract the attention of new customers. The window sign effectively provides an invitation to the passerby. The aim of the window display is to create a feeling of deep relaxation and calm so locals and travellers can stop by the shop to experience the relaxation of a Thai massage. For this type of business, just one new customer a day, can make the difference between profit and squeaking by. The proposed signage will enable the business to appropriately advertise with little or no impact on the visual quality and amenity of the surrounding area. The signage at the front will also add some colour and vibrancy to what has otherwise been a fairly dull place.

Overall, the proposed signage are considered appropriate and Council approval is recommended.

Should you have any questions or require further information please do not hesitate to contact me.

Yours Sincerely

**Hy Chheng**  
 Director & Principal Architect  
 ARB NSW 8921/ ARBV (VIC) 19176/ BOAQ (QLD) 5464  
 ABN 80 621 185 064

ArkExpress Design Pty Ltd

#### IDENTIFICATION OF APPROVED PLANS

##### 1. Development in Accordance with Plans

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

Drawing No.	Revision	Drawn by	Drawing Date	Received
A1101	A	ArkExpress Architects & Planners	06/12/2019	10/12/2019
Signage	-	-	--	10/12/2019

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

##### 2. Building Code of Australia

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

##### 3. Site Sign

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited;
- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

##### 4. Building Information Certificate Requirement

No use shall commence on site until such time as a Building Information Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.



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

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

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

- (a) Subject to this clause, building construction is to be carried out during the following hours:
  - i. between Monday to Friday (inclusive)—7.00am to 6.00pm
  - ii. on a Saturday—8.00am to 1.00pm
- (b) Building construction must not be carried out on a Sunday or a public holidays.
- (c) Demolition works and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.
- (d) The builder and excavator must display, on-site, their 24 hour contact telephone numbers, which are to be clearly visible and legible from any public place adjoining the site.

7. **Demolition or Removal of Buildings**

- (a) Demolition must be carried out in accordance with AS 2601–1991, *Demolition of structures*.
- (b) Demolition materials must not be burnt or buried on the work site.
- (c) A person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials, have their loads covered and do not track soil or waste material onto the road.
- (d) If demolition work obstruct or inconvenience pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to council to enclose the public place with a hoarding or fence.
- (e) The work site must be left free of waste and debris when work has been completed.

<b>CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE</b>
--

8. **Occupation**

The building is not to be used or occupied until a final inspection has been carried out and an occupation certificate has been obtained from the Principal Certifying Authority.

**9. Connection to Sewer**

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

**10. Fit-out to be in accordance with relevant legislation and standards**

The premises, including the premise fit out, installation of all equipment, fixtures and fittings, must comply with the requirements of The Public Health Act, the NSW Health "Beauty treatment - hygiene standards" and the "Guidelines for the construction and Operation of Hairdressing, Beauty and Skin Penetration Premises".

**11. Confirmation on activities undertaken**

Provide Council's Environmental Health Officer of an itemised list of activities being undertaken on the premises.

**12. Registration with Council**

Prior to commencement of trade the business is to be registered with Council.

**13. Final inspection by Council's Environmental Health Officer required**

A satisfactory final inspection is to be undertaken of the premises by Council's Environmental Health Officer. Council's Environmental Health Officer is to be given a minimum seventy-two (72) hours' notice to inspect the premises.

<b>CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES</b>
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**14. Hours of Operation –**

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

**Monday to Sunday 9:00am to 8:00pm**

Upon expiry of the permitted hours, all business operations shall immediately cease, no person shall be permitted entry and all customers on the premises shall be required to leave within the following half hour.

**15. Hygiene**



The premises must be kept in a clean and hygienic condition at all times.

**REASON FOR IMPOSITION OF CONDITIONS:**

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

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

**ADVICE:**

- Where indicated by specific reference in a condition above, approval is also granted for Section 68 of the Local Government Act 1993 to carry out sewer drainage, water supply work and stormwater drainage.
- You are advised that changes to the external configuration of the building, changes to the site layout, density and unit configuration or internal changes to the proposed building or any changes to the proposed operation of a use **MAY** require the submission of a modification under Section 96 of the Environmental Planning & Assessment Act, 1979. Any such changes may need to be the subject of a separate Development Application. Please bear this in mind before preparing documentation in support of a Construction Certificate application. Council staff would be pleased to assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of the Environmental Planning & Assessment Act.

- This document is a development consent only, and does not authorise construction or subdivision works to commence. Prior to commencing any building, subdivision or associated construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the 'Act') are to be complied with:
  - (i) A Construction Certificate is to be obtained in accordance with Section 6.7 of the Act.
  - (ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6(1) of the Act.
  - (iii) Council is to be notified at least two (2) days before the intention to commence building works, in accordance with Section 6.6(2) of the Act.
- The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue necessary documentary evidence or certificate/s.
- Failure to comply with any of the above requirements is an offence under the provisions of the Act, and may result in enforcement action being taken by Council if these requirements are not complied with.

## DEVELOPMENT ASSESSMENT REPORT

**Attached:** Site Plan

### REPORT TO THE GENERAL MANAGER

<b>ADDRESS:</b>	LOT: 7 DP: 1124521 26 Bridge Street MUSWELLBROOK			
<b>APPLICATION No:</b>	109/2019			
<b>PROPOSAL:</b>	Change of use from Tattoo Shop to Massage premises, Internal Fitout and Shop Front Signage			
<b>PLANS REF:</b>	Drawings no.	Drawn by	Date	Received
<b>OWNER:</b>	Mr M J & Mrs A L Lee			
<b>APPLICANT:</b>	Arkexpress Design Pty Ltd Level 1, Suite 3 Canley Heights NSW 2166			
<b>AUTHOR:</b>	Ms A J Evans			
<b>DATE LODGED:</b>	10-12-2019			
<b>AMENDED:</b>	No Amendments			
<b>ADD. INFO REC'D:</b>	NA			
<b>DATE OF REPORT:</b>	5 February 2020			

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### SUMMARY

**ISSUES:** Objection and fit out prior to approval

**SUBMISSIONS:** 1

**RECOMMENDATION:** Approval subject to conditions

---

## 1.0 SITE AND LOCALITY DESCRIPTION

The subject land is zoned B2 Local Centre. The site is occupied by two storey building containing 2 business tenancies and a dwelling unit on the first floor. The site was first occupied by a chemist. The most recent tenancy being a Tattoo Shop. The land located in the Muswellbrook Business Heritage Conservation Area and the building is a Local Heritage - Item 61 Taskers Pharmacy, as described in Schedule 5 Environmental Heritage and of Muswellbrook Local Environmental Plan 2009.

There are a range of business in the locality, including and not limited to:

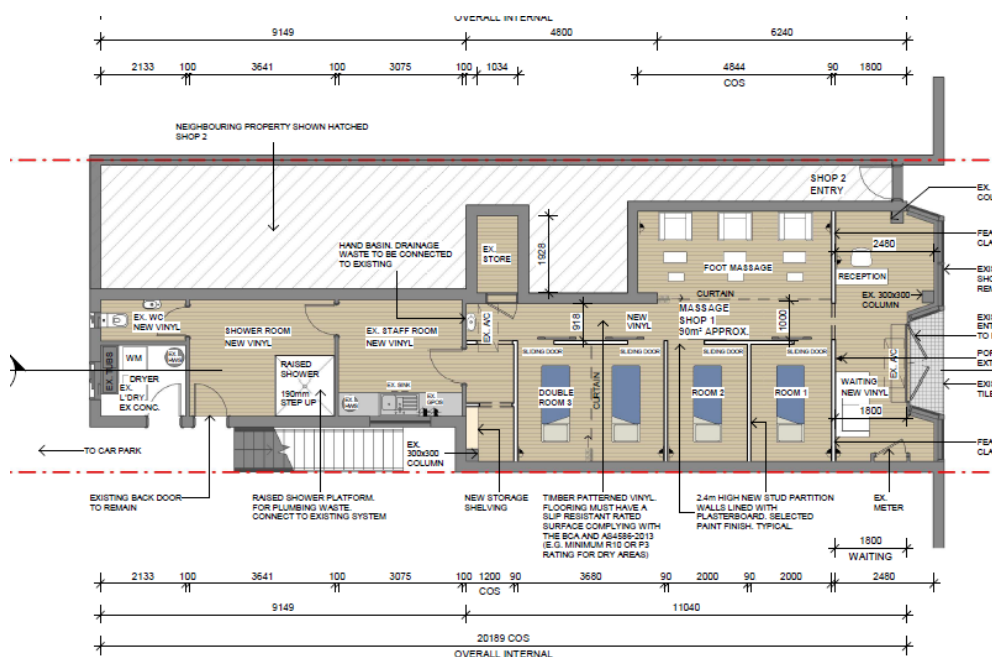
- Real-estate agents
- Food and Drink Premise;
- Post Office;
- Laundry Mat;
- 24 hour Gym;
- Hotel (Royal);
- Retail premise.

## 2.0 DESCRIPTION OF PROPOSAL

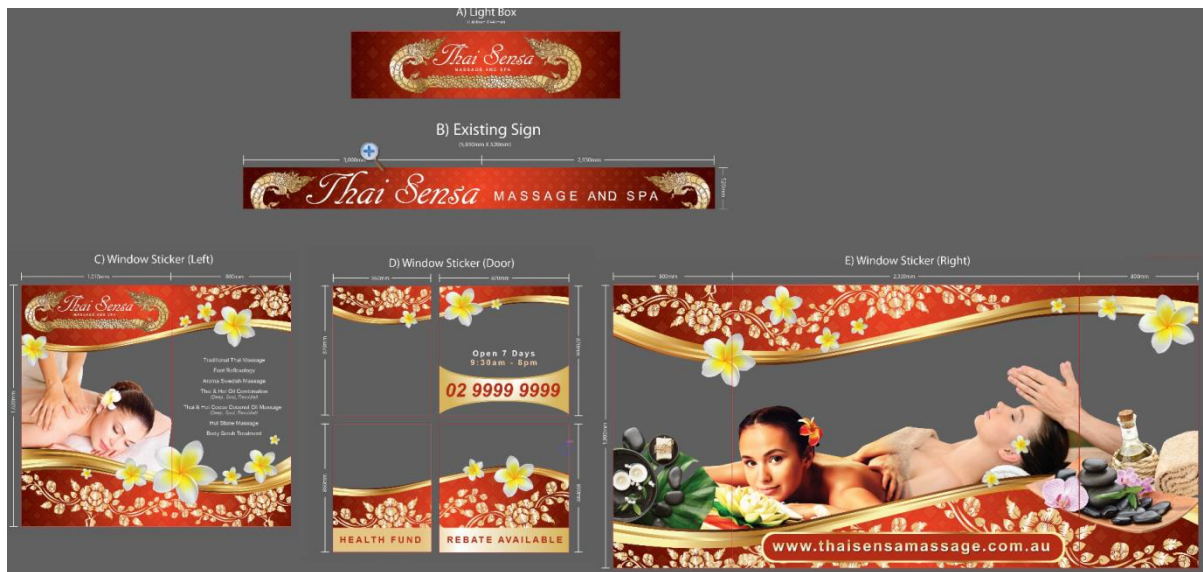
The application is for a change of use from tattoo shop to a Massage premises (a type of business premise) and approval of the fit out and signs. The proposed operating hours are 9:00am to 8:00pm seven (7) days a week.

The proposed massage business proposes the following layout comprising:

- 3 Massage Rooms;
- Reception Area;
- Foot Massage Area;
- Store room; and
- Staff amenities.



Signage is also included in the application. The applicant has prepared an assessment in accordance with State Environmental Planning Policy No 64 Advertising and Signage. The images below are proposed signage layout and computer rendered image of proposed signs.



### **5.1 Internal Referrals**

The application was referred to Council's Building Section, Heritage Advisor and Environmental Health Officer. Each section reviewed the proposal and recommended standard conditions of consent should the application be approved. A summary of comments is as follows:

#### Building Comments:

- Fit out ok, Building Information Certificate (S6.22) required for works.
- Fire Safety Statements required for all 3 premises of 26 Bridge Street.

#### Heritage Advisor Comments:

Heritage matters have been satisfied with the provision of information. No further information is required or conditions.

#### Environmental Health Officer

No objection to the proposed development and recommend the following conditions:

- 1. Fit-out to be in accordance with relevant legislation and standards. The premise, including the premise fit out, installation of all equipment, fixtures and fittings, must comply with the requirements of The Public Health Act, the NSW Health "Beauty treatment - hygiene standards" and the "Guidelines for the construction and Operation of Hairdressing, Beauty and Skin Penetration Premises".*
- 2. Provide Council's Environmental Health Officer with an itemised list of activities being undertaken on the premises.*
- 3. Registration with Council - Prior to commencement of trade the business is to be registered with Council.*
- 4. Final inspection by Council's Environmental Health Officer required - A satisfactory final inspection is to be undertaken of the premises by Council's Environmental Health Officer. Council's Environmental Health Officer is to be given a minimum 72 hours notice to inspect the premises.*
- 5. The premises must be kept in a clean and hygienic condition at all times.*

### **3.0 ASSESSMENT**

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

#### **Section 4.15 Matters for Consideration**

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

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

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

#### Land Use Zone and Permitted Land Use

The development site is zoned B2 Local Centre under MLEP 2009. The proposal is best defined as business premise, which is permitted with consent in the subject Zone.

#### Objectives of the B2 Local Centre Zone

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*



- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To maintain the status and encourage the future growth of the Muswellbrook established business centre as a retail, service, commercial and administrative centre while maintaining the centre's compact form.
- To enable a wide range of land uses that are associated with, ancillary to, or supportive of the retail and service functions of a business centre.
- To maintain the heritage character and value and streetscape of the business centre of Muswellbrook.
- To support business development by way of the provisions of parking and other civic facilities

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

**Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009**

<i>Part 1 Preliminary</i>	
1.1 Name of Plan	Muswellbrook Local Environmental Plan 2009
1.1AA Commencement	The MLEP 2009 was gazette 17 April 2009.
1.2 Aims of Plan	Noted
1.3 Land to which Plan applies	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
1.4 Definitions	Noted
1.5 Notes	Noted
1.6 Consent authority	The consent authority for this development is Muswellbrook Shire Council.
1.7 Maps	Noted.
1.8 Repeal of planning instruments applying to land	Noted.
1.8A Savings provision relating to pending development applications	Noted
1.9 Application of SEPPs	Noted
1.9A Suspension of covenants, agreements and instruments	Noted
<i>Part 2 Permitted or prohibited development</i>	
2.1 Land use zones	Noted
2.2 Zoning of land to which Plan applies	See above
2.3 Zone objectives and Land Use Table	See above
2.4 Unzoned land	Not applicable
2.5 Additional permitted uses for particular land	NA
2.6 Subdivision—consent requirements	NA
2.7 Demolition requires development consent	NA
2.8 Temporary use of land	NA
<i>Part 3 Exempt and complying development</i>	
3.1 Exempt development	NA
3.2 Complying development	NA
3.3 Environmentally sensitive areas excluded	NA
<i>Part 5 Miscellaneous provisions</i>	
5.10 Heritage conservation	<p>The building is located within Muswellbrook Business Heritage Conservation area and is identified as Local Item No.61 Taskers Pharmacy. The change of use application proposes no physical building works to the external walls and features.</p> <p>Signs will be visible in the heritage streetscape. Council Heritage Advisor Reviewed the signage and no objection was raised for the proposal.</p>

	The works do not adversely impact the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views as a variety of corporate signage already exists.
<i>Part 6 Urban release areas</i>	
<i>6.1 Arrangements for designated State public infrastructure</i>	Not applicable
<i>6.2 Public utility infrastructure</i>	Not applicable
<i>6.3 Development control plan</i>	Not applicable
<i>6.4 Relationship between Part and remainder of Plan</i>	Not applicable
<i>Part 7 Additional local provisions</i>	
<i>7.1 Terrestrial biodiversity</i>	NA
<i>7.2 Subdivision in Zone RU1 Primary Production and Zone E3 Environmental Management</i>	NA
<i>7.3 Controls relating to rural worker's dwellings</i>	NA
<i>7.4 Subdivision in Zone R1 General Residential and Zone RU5 Village</i>	NA
<i>7.5 Erection of dwelling houses on land in certain rural and environmental protection zones</i>	NA
<i>7.6 Earthworks</i>	NA
<i>7.7 Development at Muswellbrook Showground</i>	NA
<i>7.8 Events permitted on public reserves and public roads without development consent.</i>	NA

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

The development proposal includes advertising signs and therefore SEPP 64 is applicable.

The applicant submitted an assessment under the SEPP No.64 and has adequately addressed the matters for consideration. The propose signage is acceptable for the locality.

It is considered that the proposed Change of use from Tattoo Shop to Massage premises, Internal fit out and Shop Front Signage is consistent with SEPP 64, specifically Schedule 1, refer to the table below.

<b>SEPP 64: Schedule 1 Assessment Criteria</b>	
<b>Assessment Item</b>	<b>Planning Comment</b>
<i>1. Character of the area</i>	The subject site is within a Heritage Conservation area, but does not interfere or diminish the significance of the locally.
<i>2. Special areas</i>	The subject site is within a main-street Precinct, corporate signage has generally been accepted and specific heritage signage controls are not in place.
<i>3. Views and vistas</i>	The proposed signage is on the shopfront or below the awning and will not obscure or compromise views, or not limit the views of other premise's advertisements.
<i>4. Streetscape, setting or landscape</i>	As above.
<i>5. Site and building</i>	The proposed signage is considered to be compatible with the scale and proportion of the building on which it is located.
<i>6. Associated devices and logos with advertisements and advertising structures</i>	Not applicable to the subject development.
<i>7. Illumination</i>	No illumination.
<i>8. Safety</i>	The proposed signage is not considered a risk to public safety.

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

There are no draft EPIs relevant to the subject Application.

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

#### 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 from 18 December 2019 to 6 January 2020. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

One (1) submission was received. The issues raised in the submission are addressed in the Section 4.15(1)(d) part of this assessment.

#### Section 9 – Local Centre Development

<b>9. LOCAL CENTRE DEVELOPMENT</b>	
<b>9.1 Built Form</b>	
<i>Building Design</i>	NA, Existing
<i>Building Height</i>	NA, Existing
<i>Setbacks</i>	NA, Existing
<b>9.2 Urban Landscape</b>	
<i>Landscaping</i>	NA
<i>Car Parking</i>	NA, Car parking arrangements remain unchanged and no increase in demand will be generated by the change of use.
<i>Outdoor Eating Areas</i>	NA
<i>Signage and Advertising</i>	Address above

#### Section 14 – Outdoor Signage

Signage proposed is involves window stickers and an under awning sign – essentially rebranding as there are signs for the existing use. The locations of the signs are appropriate.

The window graphics depict spa activities and are consistent with similar images used for hairdressers and beauty therapy business premises.

#### Section 15 – Heritage Conservation

Heritage Conservation was considered under Clause 5.10 of the MLEP 2009. The proposed changes to the premise do not impact the heritage significance of the items or adjoining buildings.

#### Section 16 – Car Parking and Access

The development complies with Section 16 of the Muswellbrook Development Control Plan. The locality has an historical deficiency associated with the existing uses of the site and surrounding businesses.

As no increase in floor space is being proposed no additional parking is required.

#### Section 24 – Waste Management

A waste management plan has been supplied with application and is consistent with the requirements of the DCP.

#### Section 94A Contributions Plan 2009

Developer contributions do not apply as proposed works are under \$100,000.

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

There are no planning agreements relevant to the subject Application.

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

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

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

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

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

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

Context & Setting	Waste
Built Form	Energy
Potential Impact on Adjacent Properties	Noise and Vibration
Access, Traffic and Transport	Natural hazards
Public Domain	Technological hazards
Utilities	Safety, Security, and Crime Prevention
Heritage	Social Impact on Locality
Other land resources	Economic Impact on the Locality
Water	Site Design and Internal Design
Soils	Construction
Air & microclimate	Cumulative Impacts
Flora & fauna	

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

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

**Section 4.15(1)(d) any submissions made**

One (1) submission was received during the notification period. The concerns raised in the submissions are summarised below:

**The use will not be a benefit to the town centre and poor signage design**

Response:

A massage premises is a health and well-being related business that provides a service to people in the community. The objector may be confusing a massage premises with a sex services premises. The application is not for a sex services premises.

Having the building tenanted is more likely to result in a better maintained building and assists with activation in the locality. The signage is considered acceptable given the range of corporate signage that already exists in the streetscape.

The heritage assessment undertaken by Councils Heritage advisor concluded:

*'The proposed development includes minor alterations to the interior of the shop. External signage as proposed is considered to be acceptable. Considered to be minor works with*

*some changes in signage colours that do not appear to affect the streetscape.'*

The applicant was also requested to address signage concerns. The applicant provided a response on the 7 Feb 2020 outlining similar premises in similar locality (Scone) with like graphics. The applicant also referred back to their compliance with MDCP 2009 and SEPP 64.

## **Car Parking**

### Response

The proposed use will not increase demand for parking relative to previous uses that have occurred at the premise. The floor area is unchanged, additional parking is not required or can be facilitated onsite.

## **Trading Hours**

### Response

The operating hours of 9:00am to 8:00pm seven (7) days a week is not expected to generate any adverse impact on the locality by its patrons.

The locality has both the gym (24/7 operation) and food and drink premise (Chinese Restaurant) and a laundry mat (8:00am to 9:00pm) that all operate with hours beyond 9:00am to 5:00pm. Having businesses trading outside core office hours suits many people in the community and helps extend the period of activity in the street.

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

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

### NSW Legislation

There is a number of applicable legislation that needs to be considered and referred to in the assessment of this application. The applicable legislation has been listed at the start of the report. The assessment has considered these pieces of legislation.

## **5 CONCLUSION**

The application has been assessed in accordance with the legislation listed at the beginning of the report. The application has also been placed on public exhibition for a minimum of fourteen days with one (1) submissions being received.

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

Signed by:




Alisa Evans  
Project Planner

Date:

12/02/2020





14<sup>th</sup> January 2019

Ms Fiona Plesman

General Manager

Muswellbrook Shire Council

PO Box 122,

Muswellbrook 2333

Dear Ms Plesman,

**NOTICE OF PROPOSED DEVELOPMENT**

**Proposal: Thai Massage Spa**

**Premises: 26 Bridge Street, Muswellbrook 2333**



**Development Application No: 2019/109**

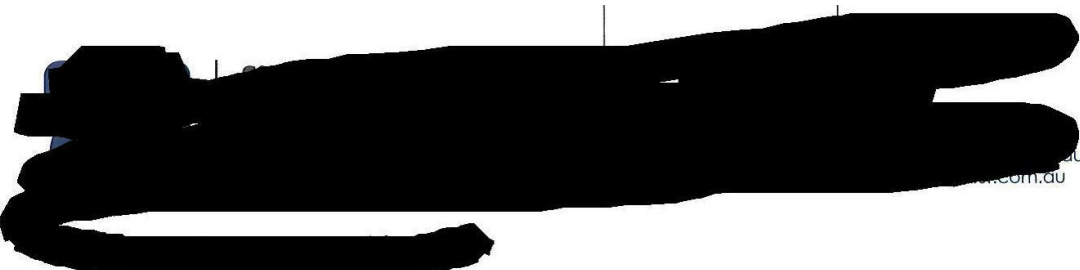
We refer to your Notice of change of use for the suite know as 26 Bridge Street Muswellbrook opposite the Muswellbrook Post Office. The change of use is something we would object to given that this is the central heart of Muswellbrook and we feel that such a use of this building cheapens the whole town of Muswellbrook. Given Muswellbrook Council were so intent on bringing the Main Street alive and spending millions of dollars in revamping the Campbells Corner site, its rather ironic that this type of business would be allowed less than a few hundred metres down the Street from our main streets jewel.

The details we received in the development paper, do not address any specifics like parking, trading hours or even if there will be full time accommodation involved in the "Massage Spa". Your development notice only arrived hear on the "Eve" of Christmas (22<sup>nd</sup> Dec) and while we understand we are late in responding, we were somewhat in holiday mode with Christmas and New Year.

The main reasons for our objections would firstly be the "poor art work" and decal of the shop front. This use of semi-nude woman is somewhat suggestive, and an affront to woman. The whole idea of use a semi naked female to promote your "spa" is somewhat discriminative in 2020, and we would feel that society has moved on from such poor taste and misogynistic depicting of woman. Most people understand what a "Spa" is and I don't feel the need for such confronting art work is needed in attracting people to enjoy a spa. This is a "Heritage" part of town, and we feel the window and shop front decal is not in keeping any form of "Heritage" and would be not compliant. Let's hope it's not too late for our objection to be heard, given the shop was fully decaded mid last week. Has this change of use already been approved.?

Parking on site is tight with only a duel drive at the rear of the suite. Given there were previously a 2 Bedroom Flat, an Office, a Hair Dresser and a Tattoo shop, there were always parking conflicts. People have had to constantly move vehicles to allow cars to move off the site, and this was mainly staff. We presume a Massage spa will be staffed by 4-6 persons, and then with clients, there may be equal to this hourly. What provisions have been made for extra parking and access to the site, these are not shown in the Notice you served us. Have these issues been addressed?





In regards Trading hours, we would expect more information would be of assistance in allowing us to better evaluate this proposal. The majority of the main street is 9am to 5pm, and we feel that evening trade may attract the undesirable elements of society. This may well see more people frequenting the area under the influence of alcohol, and this can not be a good thing for security in the business centre of town. While your paper doesn't supply trading times, it is evident from an online enquiry the business is already advertising and suggest they will be open to 8pm seven days a week.

Overall the approval of this change of use would be not allowed and or at the very least curved on Trading hours, Parking and the hideous "decaling" and shop presentation that will only cheapen the Muswellbrook main Street. I would feel confident, that such depiction and graphics would not be allowed in any major shopping complex's and that the other shop owners in these type of department shops would also object. Given these modern shopping complexes would treat this with distaste, and given that we are located in a "Heritage" precinct, we feel that this is well short of appropriate. It falls well short of beautifying the main street, is offensive and cheapens Main Street Muswellbrook.

Regards



**10.4 REVISED ENVIRONMENTAL SUSTAINABILITY POLICY**

<b>Attachments:</b>	<b>A. Environmental Sustainability Policy S32/1</b>
<b>Responsible Officer:</b>	<b>Sharon Pope - Assistant Director - Environment &amp; Community Services</b>
<b>Author:</b>	<b>Ziggy Andersons - Ecologist and Sustainability Team Leader</b>
<b>Community Plan Issue:</b>	<b><i>Support initiatives which reduce the community's impact on the environment</i></b>
<b>Community Plan Goal:</b>	<b><i>Carry out actions under the Sustainability Action Plan as it relates to air quality, waste reuse and minimisation, electricity minimisation, Council's Renewable Energy Target and food waste minimisation.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Support business and engage with the community in regard to waste minimisation and re-use..</i></b>

**PURPOSE**

The current Environmental Sustainability Policy S32/1 was prepared in 2017. As part of a regular review process, the policy has been updated to reflect current legislation. The purpose of this report is to seek Council's approval of the revised policy.

**OFFICER'S RECOMMENDATION**

**Council adopt the revised Environmental Sustainability Policy provided in Attachment A.**

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

**BACKGROUND**

The policy sets out council, councillors, and staff responsibilities regarding environmental sustainability as details the legislation and tools for implementation relevant to this policy.

This policy applies to all staff members. The implementation of procedures that support implementation of this policy is the shared responsibility of all staff members.

**CONSULTATION**

The Policy has been revised by the Sustainability Team Leader in consultation with the sustainability team and Executive Manager of Environmental and Planning Services.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Due to the minor changes proposed including updating applicable legislation and status of tools for implementation consultation was not considered necessary.

**REPORT**

The Policy had reached its nominated review period (2019), having been prepared in October 2017. The main changes were updating relevant supporting legislation in light of recent biodiversity conservation legislative reforms. The status of council plans, policies and strategies identified as tools for implementation have been updated as well as the inclusion of new plans, policies and strategies relevant to the policy.

**OPTIONS**

Endorse revise policy.

**CONCLUSION**

Council's Policy Officer has confirmed that due to the minor edits proposed that this report will not need to be placed on public exhibition though it will require endorsement by Council.

**SOCIAL IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**OPERATIONAL PLAN IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Nil

# Environmental Sustainability Policy

## S32/1

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## Policy Objective

This policy will:

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

## Policy Statement

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

## Legislation

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

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

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

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

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

This policy is also supported by the following legislation;

- 
- Environment Protection and Biodiversity Conservation Act 1999
- Environmental Planning and Assessment Act 1979 and Regulations
- Protection of the Environment Operations Act 1997 and Regulations
- National Parks and Wildlife Act 1974

- NSW Ecologically Sustainable Development information guide for councils 2002
- Water Management Act 2000
- Biosecurity Act 2015
- Biodiversity Conservation Act 2016 and Regulations
- Energy and Utilities Administration Act 1987
- Relevant State Environmental Planning Policies

## Procedure

### **Key Sustainability Principles**

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

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

### **Tools for implementation**

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

- Muswellbrook Local Environment Plan (2009)
- Muswellbrook Development Control Plan (2009)
- Operational Plan (2020-2021)
- Delivery Plan (2017-2021)
- Community Strategic Plan (2017-2027)
- Muswellbrook Town Centre Strategy (2017)
- Hunter River Flood Study (2014)
- Muswellbrook Urban Riparian Landcare Master Plan (2017)
- Waste Management Strategy (Draft)

- Sustainability Action Plan (Draft)
- Integrated Water Cycle Management Strategy (Draft)
- Local Strategic Planning Statement (under development)
- Contaminated Lands Strategy (under development)
- Climate Change Adaptation Strategy and Plan (under development)
- Muswellbrook Weed Management Strategy (under development)
- Muswellbrook Biodiversity Offset Strategy (Proposed)
- Environmental Management Strategy (Proposed)
- Mine Rehabilitation Strategy (Proposed)
- Muswellbrook Bushfire Management Strategy (Proposed)

## Authorisation Details

<b>Authorised by:</b>	Council
<b>Minute No:</b>	90
<b>Date:</b>	10 October, 2017
<b>Review timeframe:</b>	2019
<b>Department:</b>	Planning, Community and Corporate Services
<b>Document Owner:</b>	Sustainability Coordinator

## Details History

Version No.	Date changed	Policy type	Modified by	Amendments made
1	Feb 2017		Mark Scandrett	New Policy
2	Feb 2020		Ziggy Andersons	Legislation updates

## 11 COMMUNITY INFRASTRUCTURE

### 11.1 2019/20 FLOODPLAIN MANAGEMENT PROGRAM FUNDING OFFER

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Derek Finnigan - Director - Community Infrastructure
<b>Author:</b>	Kellie Scholes - Manager - Roads, Drainage & Technical Services Imelda Williams - Technical Officer - Traffic & Roads
<b>Community Plan Issue:</b>	<i>Our community's infrastructure is planned well, is safe and reliable and provides required levels of service</i>
<b>Community Plan Goal:</b>	<i>Maintain and continually improve community infrastructure across the Shire.</i>
<b>Community Plan Strategy:</b>	<i>Implement prioritised (but responsive) rolling works program of maintenance.</i>

#### PURPOSE

To inform Council of the offer of grant funding for the development of the Muscle Creek Flood Warning System and recommend acceptance of the offer on the basis of the agreement from the NSW Department of Planning, Industry and Environment (DPIE) .

#### OFFICER'S RECOMMENDATION

**Council accept the grant funding offer of \$26,666,66 from NSW Department of Planning, Industry and Environment, and provide the required contribution amount of \$13,333.33 funded from the 2019-20 Design and Investigation budget for the development stage of the Muscle Creek Flood Warning System.**

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

#### BACKGROUND

Council adopted the Muswellbrook Flood Risk Management Study and Plan (MFRMS&P) at the 9 April 2019 meeting of Council. Royal Haskoning DHV undertook the study on behalf of Council and the NSW Office of Environment and Heritage. The MFRMS&P recommended a range of flood mitigation options to mitigate and manage flood risk in the Muswellbrook Local Government Area

#### CONSULTATION

- The following consultation was undertaken during the preparation of the MFRMS&P.
- Floodplain Risk Management Committee -The 'Preliminary Draft Report' for the Floodplain Risk Management Study and Plan (MFRMS&P), including the *Inundation and Flood Damages Assessment* and *The Assessment of Floodplain Management Measures* recommended by the draft, was reported to the Floodplain Risk Management Committee at the meeting 26 July 2018. At this meeting consultants Royal Haskoning RHV made a presentation to the Committee outlining the methodology taken and flood mitigation options considered. This allowed the Committee to ask questions, have any matters clarified, discuss and make comment prior to the finalisation of the draft report to go to Council.
- Muswellbrook Golf Course Management.
- Property Owners -Twelve hundred (1,200) letters were sent out to affected landowners in potentially

flood affected areas and those that were identified as potentially having assets located within flood prone land. The copy of the information sent is attached as Appendix A to the report.

- Office of Environment and Heritage - Lara Davis Senior Natural Resource Officer Water Floodplain and Coast Hunter/Central Coast Department OEH.
- Planning, Environment and Regulatory Services staff.

## **CONSULTATION WITH COUNCILLOR SPOKESPERSON**

In the development stage of the MFRMS&P consultation was undertaken with Council's Mayor, Councillor Rush, the Deputy Mayor, Councillor Scholes, the Councillor Spokesperson for Infrastructure, Councillor Woodruff and the Councillor Spokesperson for Emergency Services, Councillor Bowditch.

## **REPORT**

MFRMS&P recommended that Council consider the development of a flood warning system for Muscle Creek, this measure was identified in the report as a medium to high priority. The recommendation aims to reduce risk to life from potentially hazardous flood conditions that are capable of washing people or vehicles into dangerous situations. A flood warning system would also assist in the management of road and bridge closures to ensure emergency access across Muscle Creek. Both Bell and Bridge Streets are currently overtopped or inundated in a flood event. Advance warning of road and bridge closures would assist in the pre-deployment of emergency services to the southern area of Muswellbrook. Evacuation of properties on Clifford Street could be especially problematic as the street becomes a flow path once water crosses Bell Street.

Council has received the offer of funding under the 2019-20 Floodplain Management Program for the Muscle Creek Flood Warning development phase from the NSW Department Planning Industry & Environment. An amount of \$26,666.66 has been offered on the condition that Council undertakes to meet the balance of funds for the Project on a 2:1 funding ratio basis. Council would be required to contribute \$13,333.33 toward the project. The funding is to be used for the investigation and design of a flood warning system as identified in a MFRMS&P.

## **OPTIONS**

Council can accept the grant funding offer however must provide the balance of \$13,333.33 to the Project.

Council can decide to not accept the Grant funding offer.

## **CONCLUSION**

The FMFRMS&P recommended a range of flood mitigation options to mitigate and manage flood risk in the Muswellbrook Local Government Area. It is recommended that Council accept the Grant funding offer and provide the additional \$13,333 from the source identified to assist with the implementation of the actions recommended from the plan.

## **SOCIAL IMPLICATIONS**

The local community, both those flood prone and otherwise, have a key role to play in the development, implementation and ultimate success of a Floodplain Risk Management Plan. A flood warning system would reduce the risk to life from potentially hazardous flood conditions, provide effective management of road and bridge closures, and to prepare for the safe evacuation of affected residents during a flood event. An early flood warning system may assist residents in flood affected areas to move personal possessions to higher ground to reduce the damage to personal property.

## **FINANCIAL IMPLICATIONS**

Grant funding of \$26,666.66 provided by DPIE with Council providing the balance of \$13,333.33 on a 2:1 ratio as required under conditions of the acceptance of the grant funding. This money can be allocated from the 2019-20 Investigation and Design Budget GL 0010.0540.500.

**POLICY IMPLICATIONS**

Information from the study and plan will inform responses on s10.7 planning certificates under the *EP&A Act*, Council's LEP, DCP and other Policies which pertain to flooding or flood prone land, and assessment of applications for new development. May also assist with the preparation of evacuation plans.

**STATUTORY IMPLICATIONS**

The Flood Study provides a Flood Planning Area Map that is the key map required for a standard instrument LEP. This defines the area within which flood related development controls apply. The flood related development controls are contained in Muswellbrook Development Control Plan 2009 and rely on the data provided from the Flood Study in relation to flood behaviour and hydraulic and hazard characterisations. The implementation of a flood warning system for Muscle Creek may assist with this process.

**LEGAL IMPLICATIONS**

Insurers use the highest quality flood modelling information available. An early flood warning system may assist residents in flood affected areas to evacuate or move goods to higher ground to reduce the damage to personal property

**OPERATIONAL PLAN IMPLICATIONS**

Endorsement of the documents supports Operational Plan item 19.4.2 - Seek grant funding for projects which may arise out of the Floodplain Risk Management Plan and report to Infrastructure Committee, grant funding opportunities, including any requirements for matching Council funding, for projects enabling the staged implementation of projects arising from the Floodplain Risk Management Plan.

**RISK MANAGEMENT IMPLICATIONS**

Council and Consultants have recognised the importance of delivering the project in accordance with the *NSW Floodplain Development Manual (2005)* with respect to both good floodplain management, and ensuring Council exception from future liability.



## 11.2 RESOURCES FOR REGIONS ROUND 5 PROGRAM ALLOCATION

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Derek Finnigan - Director - Community Infrastructure
<b>Author:</b>	Kellie Scholes - Manager - Roads, Drainage & Technical Services
<b>Community Plan Issue:</b>	<i>Our community's infrastructure is planned well, is safe and reliable and provides required levels of service</i>
<b>Community Plan Goal:</b>	<i>Maintain and continually improve community infrastructure across the Shire.</i>
<b>Community Plan Strategy:</b>	<i>Implement prioritised (but responsive) rolling works program of maintenance.</i>

### PURPOSE

To seek Council's endorsement for reallocation of budget amounts under the Resources for Regions Round 5 remaining projects.

### Officer's Recommendation

#### Council endorses:

1. The allocation of the remaining Resources for Regions Round 5 funding of \$2,810,000 to the remaining program projects;
2. The amount of \$1,231,063 from the Edderton Road Reserve to be used as the co-contribution for the Resources for Regions Round 5 project; and
3. To consolidate the current Resources for Regions Round 5 Capital Projects into the one line item in the General Ledger, which is the Resources for Regions Round 5 budget line.

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

### BACKGROUND

In 2018, Council received grant funding from Restart NSW under Resources for Regions Round 5 for the Upper Hunter Mine Affected Roads program of works. The program of works consists of;

- rehabilitation of Bureen Road, Martindale;
- rehabilitation Hebden Road;
- safety upgrade of Edderton Road;
- rehabilitation of Thomas Mitchell Drive;
- signalisation of the intersection of Thompson Street and Maitland Street (New England Highway, Muswellbrook;

- improvements to Wilkinson Avenue/Wilder Street connection and construction of a bridge over Muscle Creek; (Connection and Bridge);
- safety upgrade of Bylong Valley Way;
- rehabilitation of Wybong Road;
- heavy Patching (various locations); and
- Murulla Street, Murrurundi, causeway in Upper Hunter Shire.

The total estimated project cost is \$13,610,000. The funding source details are provided below. The works are to be delivered over two (2) financial years (2018-19 and 2019-20).

<b>Funding Source</b>	<b>Value</b>	<b>Pro rata %</b>
Restart NSW fund	\$7,785,000	57
Muswellbrook Shire Council funding	\$5,725,000	42
Upper Hunter Shire Council funding	\$ 100,000	1
<b>TOTAL</b>	<b>\$13,610,000</b>	<b>100</b>

The report requests the consolidation of all relevant funding accounts into one ledger in order to facilitate ease of reporting and sound financial and project management.

## CONSULTATION

Business System Accountant.

## CONSULTATION WITH COUNCILLOR SPOKESPERSON

A copy of the report has been forwarded to the Mayor, Councillor Rush, the Deputy Mayor, Councillor Scholes, the Councillor Spokesperson for Finance, Councillor Ledlin, and the Councillor Spokesperson for Infrastructure, Councillor Woodruff, for review.

## REPORT

The suite of projects under the Upper Hunter Mine Affected Roads program is being delivered by Council and Upper Hunter Shire Council over two financial years (2018-19 and 2019-20). Approximately 60% of the program has been delivered to date, with the remaining works scheduled for completion in 2019-20. The 2019-20 Capital budget includes the funding amounts for the identified projects, showing in the 2019-20 Capital budget as separate line items:

- |  |             |
|--|-------------|
| 1. Wybong Road                           | \$1,900,000 |
| 2. Bylong Valley Way                     | \$1,400,000 |
| 3. Bylong Repair Program Funded by TfNSW | \$ 205,000  |
| 4. Wilkinson Bridge                      | \$ 180,215  |

The remaining funding from Restart NSW of \$2,810,000 is to be allocated to the Resources for Regions Round 5 projects.

The report requests the consolidation of all relevant funding accounts into one ledger in order to facilitate ease of reporting and sound financial and project management.

## OPTIONS

Council could choose to leave the General Ledger in the current format, however this format makes financial management and reporting of the program to Restart NSW difficult.

## CONCLUSION

Having the projects allowed for under separate General Ledger numbers makes reconciliation of funds and managing and reporting of expenditure difficult. Therefore, it is recommended that the projects be consolidated into the current Resources for Regions Round 5 budget, currently sitting at \$2,067,447, and then listed with individual budgets within this line item for project management purposes.

## SOCIAL IMPLICATIONS

The carrying out of road renewal and other works under the Resources for Regions programme enhances the social amenity of the users of these renewed and improved public assets.

## FINANCIAL IMPLICATIONS

The primary financial implications is a change to the General Ledger format, where it is requested that the four (4) projects nominated in the report, which are currently showing as separate projects, be grouped under the Resources for Regions Round 5 program line. And in addition to this, the projects identified below are put to each project.

The table below denotes the desired consolidation of funding to each of the discrete projects under the Resources for Regions Round 5 General Ledger.

<b>Resources for Regions - Round 5</b>	<b>Project Budget Estimate (\$)</b>
3500.4273.504. Hebden Rd-	0
3500.4274.504. Bureen Rd	0
3500.4275.504. Edderton Rd	2,595,468
3500.4276.504. Thomas Mitchell Drive	0
3500.4277.504. Thompson St/NE Hwy/	1,290,986
3500.4278.504 Wilkinson Av/Wilder St	1,206,859
3500.4279.504. Bylong Valley Way	586,163
3500.4281.504 Heavy Patch Prog-	0
Wybong Road	1,900,000
Bylong Valley Way RMS REPAIR	410,000
3500.4282.504. Upp Hunter Shire-R4R-Rd5-Mine Affect Rd, Asset Acquisitions / Sales	1,255,737

This program of work is already funded. The table provides the budget amounts to allow for each separate project within the program of work to be delivered.

In order to complete the entire program of projects it will be a requirement to use the Edderton Road Reserve of \$1,231,063 which is based on the 42% required co contribution towards the Edderton Road Safety Improvements, which has a total estimated cost of \$2,595,468.

The report requests the consolidation of all relevant funding accounts into one ledger in order to facilitate ease of reporting and sound financial and project management.

**POLICY IMPLICATIONS**

Nil known.

**STATUTORY IMPLICATIONS**

Nil known.

**LEGAL IMPLICATIONS**

Nil known.

**OPERATIONAL PLAN IMPLICATIONS**

The submission of the report complies with item 19.1.1 of the Operational Plan: 'Deliver the capital program on time, on budget, and in accordance with relevant design and construction standards'.

**RISK MANAGEMENT IMPLICATIONS**

The amendments to the General Ledger will minimise financial risk due to potential project over expenditure.

**11.3 COMMUNITY INFRASTRUCTURE CAPITAL WORKS STATUS REPORT  
FOR THE SECOND QUARTER OF 2019-2020**

<b>Attachments:</b>	<b>A. 2019-20 Quarter 2 Quarterly Project Status Report.pdf</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Derek Finnigan - Director - Community Infrastructure</b>
<b>Community Plan Issue:</b>	<b><i>Our community's infrastructure is planned well, is safe and reliable and provides required levels of service</i></b>
<b>Community Plan Goal:</b>	<b><i>Improve and maintain civic precincts.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Deliver the capital program substantially on time, on budget and in accordance with relevant design and construction standards.</i></b>

**PURPOSE**

The report presents in tabular form the status of Community Infrastructure capital projects for the second quarter of 2019-20, updated to 20 February 2020.

**OFFICER'S RECOMMENDATION**

The information contained in the report be noted.

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

**REPORT**

The attached table of capital projects is updated by the Community Infrastructure Section Managers on a weekly basis and report to Council quarterly.



PROJECT	PROJECT INVESTIGATION STAGE (I) DESIGN (D) CONSTRUCTION (C) Final (F)	BUDGET FOR PROJECT	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	PROJECT STATUS at 20 February 2020
Roads and Drainage Capital Works								
Bridges Renewal, Williams Bridge, [3530.5853.504]	C	\$1,300,000	Mar-20	Jun-20				Funding to the value of \$650k has been received from Transport NSW (Bridges Renewal Program), however, Council is seeking a funding source for a further 25% contributory funding. A grant proposal under the Filling Country Roads program was submitted on Tuesday 9 October 2019. Tender documents have been prepared, however tenders will not be advertised for construction until the funding is confirmed.
Denman Revitalisation, 0408 Amenities Block [3550.4261.504] 2019-2020-2019-2020-0409 Memorial Park	C	\$2,500,000	Aug-18	Jun-20	Stage 1 and Stage 2 Complete 11-2019 Stage 3			Stage 3 is the upgrade of Memorial Park including the construction of a long vehicle parking bay in Paxton St. Part A: Civil construction in Paxton St is scheduled to commence 25 November 2019 with works to be undertaken in-house by Council's Works team. Construction planning and consultation process. Part B is the upgrade of Memorial Park. Community Consultation is continuing, and the DDA and RSL subbranch have specifically been consulted. The construction drawings and tender documents have been finalised. The design drawings, play space and amenities detailed concepts were reported to the 26 November meeting of Council, and endorsed by Council. Civil works in Paxton St to construct drainage and bus layby commenced in December 2019. A grant application has been submitted for NSW Gov Everyone Can Play programme.
Drainage Devices, [3540.4065.504]	C	\$161,950	Feb-20	Jun-20				Design drawings are being finalised with tender documents being prepared in preparation for construction.
Footpath and Cycleway Renewal, [3500.4072.504]	F	\$160,000	Aug-19	Dec-19	Nil	Nov-19		Construction completed in accordance with adopted capital program for 2019-20. A section of footpath adjacent to the Anglican Church in Milswellbrook is completed.
Active Transport Program, Wilkinson Ave Olympic Park to Haydon St, [3560.4065.504]	F	\$269,280	Sep-19	Nov-19	Nil	Aug-19	Nov-19	Project construction complete.
Heavy Patching Program [3500.4035.504]	F	\$200,000	Oct-19	Jun-20	Nil	Aug-19	Nov-19	Capital programs for 2019-20, program adopted by Council and works have been completed.
Hunter Beach	I	\$2,736,000	May-20	Jun-21				Weding and revegetation works for Karoola Wetlands scheduled for May 2020. The primary objectives of stage 1 of the project include: 1. Detention dam in Karoola Pk.; 2. Bed and bank stabilisation work; 3. Construction of pathway to the beach; 4. Construction of car park; and 5. Access from Aberdeen St.
Kerb and Gutter Replacement [35660.4065.504]	F	\$130,000	Aug-19	Dec-19	Nil	Aug-19		Construction completed in Cabernet, Cypress, Maitland St, Queen St (three locations), Hill St, Hunter Tce and Foley St in accordance with adopted capital program for 2019-20. Construction now completed at McClinlock Drive. This program will continue in accordance with the adopted list until funding is expended.
New Footpath Cycleway, [3500.4073.504]	F	\$43,000	Aug-19	Sep-19	Nil	Aug-19	Aug-19	Construction of a section of footpath adjacent to St Mathias Church in Palace Street, Denman has been completed.
R4R R5 - Thompson St - New England Hwy Signalisation	C	\$910,000	Feb-20	Jul-20				Concept design has been reported to August 2019 Council meeting and endorsed. RMS has provided comment. Tenders to be reported to the March Ordinary Council meeting.
Bylong Valley Way Widened Intersection Curve safety improvements	C	\$259,000	Jul-19	Jun-20	Nil	Jul-19	Oct-19	Project complete.
R4R R5 Edderton Road 9.9km to 14.6km [11.4km to 14.6km]	I and D	\$2,595,468	Mar-20	Jun-20				Following the preliminary review of the Mine Affected Roads Network Plan, the scope of work for this project has changed to focus on the section of Edderton road north of Saddlers Creek. Additional survey, environmental assessment and design is to be carried out and Tender documents modified. This work has commenced.
R4R R5 Wybong Road (ch 23.7km), [3500.4221.504]	C	\$1,900,000	Oct-19	Apr-20		Oct-19		Works started 25 October 2019 with site establishment, clearing and earthworks. The project program extends to April 2020.
Regional Road Repair Program and R4R R5 safety improvements	D and C	\$1,400,000	Mar-20	May-20				RPAR programme. 1 confirmed project value = \$220,000 chainage 6.8km Bylong Valley Way. The aim is to carry out linemarking during 2019-21; identify areas where the width needs to be increased in order to accommodate linemarking. Design drawings for works are currently being prepared.
Road Resealing Program, [3500.4030.504]	C	\$577,898	Nov-19	Mar-20		Nov-19		Programme has been reported to Council. Road sealing works commenced mid November 2019. Sealing contractor has completed Stage 1. Remaining is Widden, and Mangoola roads.
Rural Regravelling Program, [3500.4055.504]	F	\$336,000	Sep-19	Oct-19	Nil	Sep-19	Oct-19	Work completed at Albano Rd to regrade and gravel the 12 km of road. Yarrawa road complete 3/4.
Safety Device Renewal, [3590.4145.504]	F	\$138,137	Nov-19	Dec-19	Nil	Nov-19	Dec-19	Works completed.
Sandy Hollow Village Streetscape, [3550.4257.504]	I and D	\$54,293	Apr-20	Jun-20				Pocket park/playground concepts are being developed to provide play equipment with minimum maintenance requirements. Survey of site undertaken and landscape design is being prepared. Concept included in quotes for Wollombi and Hunter Park master plans.
Replacement of culvert, Mangoola Rd.	I and D	\$455,000	Feb-20	Jun-20				Approved by Council at the 30 July 2019 Ordinary Council Meeting. Tender documentation has been prepared.
Recreation, Property & Buildings								
Denman Memorial Hall Restoration (3910.5889)	Complete	\$2,465,728	Oct-18	Feb-19	Apr-19	Oct-18	Oct-19	Demolition and removal of asbestos at VRA Building on Paxton Street is complete. EOI has been issued for a cafe/ wine bar with closing date 9th March 2020.
Denman Recreational Vehicle (RV) Destination	C	\$118,270	Aug-18	Sep-19		Aug-18	Sep-19	Practical completion of this phase of the project has been completed. The Denman Tourist Park Master Plan has been adopted by Council. Draft style guide produced and informing Mens Shed Development Application for Heritage Shed. The balance of funding will be used as co-contribution for grant funding being sought to construct amenities supporting the Heritage Shed. Crown Reserves Improvement Fund grant application submitted for new amenities. Current investigations have been carried out to assess feasibility of the power connection - electrician's proposal for power requirements to enable any infrastructure works has been received. Funding may be directed to complete design for Heritage Village.

2019-2020 Projects



PROJECT	PROJECT STAGE INVESTIGATION (I) DESIGN (D) CONSTRUCTION (C) Final (F)	BUDGET FOR PROJECT	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	PROJECT STATUS at 20 February 2020
Denman Children Centre	D&C	\$720,000	Jun-18	Mar-20		Jun-18		Community Services are in communication with Denman Children Centre (DCC) regarding the draft lease that they are reviewing. Staff have requested a meeting with DCC to progress lease.
Denman Heritage Village	D&C	\$250,000	Feb-19					Awaiting DA approval. Deed to be signed.
Denman Lookout Nature Trail - Reg Thornton Memorial Drive	D&C	\$207,000	Jun-19	Dec-19	Feb-20	Jul-19		Works commenced January 2020 and progressing well. Minor EOT delay received due to inclement weather. Project scheduled to be completed March 2020.
Karoela Netball Courts	D&C	\$184,000	Aug-19	Dec-19	Feb-20	Dec-19		Works commenced 28 January 2020 and expected to be completed by end March.
Muswellbrook Animal Shelter (3910.5587)	D&C	\$1,200,000	May-19	Mar-20		Dec-18		Council adopted the revised master plan at the September 2019 Council meeting. Architect has been awarded, pre-DA meeting held Monday 20 January 2020. Expecting to lodge DA late February.
Muswellbrook Aquatic Centre - Stage 1 (3700.5442)	D	\$3,250,000	Nov-18	Oct-19	Sep-20	Nov-18		Early works demolition completed. Fire Engineering Solution (FEBES) report received endorsed by Fire NSW. Tender assessment to be reported to February 2020 Ordinary Council meeting.
Muswellbrook Rail Noise Abatement (3950.4168)	F	\$1,950,000	Jul-18	Oct-19		Jul-18	Oct-19	Final inspection with Council, GHD and Bridge & Civil was held on Wed. 23 Oct. and minor remedial actions were identified. The contractor has completed all the remedial work and a completion notice for 23 October was issued to Bridge & Civil. Post wall construction noise attenuation testing is complete and results advise no requirement for any architectural treatments.
Olympic Park Master Plan Works SRV	D	\$2,150,000	Jul-19	Dec-19		Sep-18		The Amended Master Plan report was not accepted in the February Extraordinary Council meeting and the original plan remains in place. The focus areas are the bridge over Muscove Creek, grandstand design and field improvements.
Regional Entertainment and Conference Centre (3690.5433)	D	\$15,000,000 (Est)	Dec-18	Sep-21		Dec-18		Working with FJMT towards DA submission, starting with the pre-design phase and concept design developments. This work is proceeding and FJMT are undertaking site investigations. Surveying of site undertaken by drone and survey of Possum Gully Culvert delayed due to weather and expected to be undertaken within the next week. Architect is preparing revised draft based on stakeholder comments.
Upper Hunter Innovation Precinct Stage 2 (3690.6438) (includes Innovation Hub and Weidmann Café)	D	\$3,600,000	Jul-19	Sep-20		Jul-19		Revised plans lodged with planning for lodgement with Office of Heritage. The assessment of the application is scheduled to be reported to the April Heritage Council meeting.
Commercial Building	D	\$95,000	Oct-19	Feb-20		Jul-19		Review of an option for an additional storey, with sub-options of additional commercial or apartments has been provided. DA to be submitted before 30 June 2020.
Victoria Park and Cemetery Improvements	C	\$517,613	Dec-18	Feb-19		Jan-19		Fencing of the cemetery has been investigated and quotes have been received. Field 1 works to be completed before 30 June 2020. Field 2 will be closed from 30 March to 2 May for this oversow.
Arts Centre - Lighting & Air-conditioning	D&C	\$251,015	Nov-18	Feb-20		Nov-18		Lighting installation complete. Internal access between gallery and cafe complete. Airconditioning tender opened 15 February 2020 and will close 10 March 2020, with a non mandatory pre-tender site meeting to be held 26 February 2020. Design for Conservatory currently underway.
Relocation of Council Administration Centre	I&D&C	\$1,200,000	Mar-19	Dec-19	Mar-20	Mar-19		DA approved and tender negotiation of refurbishment and fit out has been delegated to the General Manager. Tender negotiation expected to be completed by 26 February 2020.
Denman Recreation Area - Drainage	Complete		Aug-18	Dec-19		Oct-19	Oct-19	Works completed. Field open.
Community Infrastructure Depot	D	\$300,000	May-19	Mar-20		Jul-19		The plan has been revised to include feedback from staff. Principal Design Consultant to be engaged.
Muswellbrook Indoor Sport and Use Centre	I					Oct-19		Application for grant funding of \$800k has been submitted. Results of the grant application is still awaited. Stakeholder consultation and preliminary design progressing.
2019/2020 General Building Renewal Programme	I&D&C	\$372,795	Jul-19	Jun-20		Jul-19		1. Muswellbrook Regional Arts Centre - planned changes 2. Accessibility upgrades - various - upgrade to CWA footpath. 3. Fire safety improvements - various. 4. Muswellbrook Indoor Sports Centre - extension design. 5. Muswellbrook Regional Library - minor works. 6. Denman Library - minor works - carpeting. 7. Stan Theiss Centre - removal of carpet. 8. Muswellbrook Child Care Centre. 9. MOOSH - minor works.
2019/2020 General Recreation Programme	I&D&C	\$754,007	Jul-19	Jun-20		Jul-19		1. Victoria Park - irrigation - completed. 2. Hunter Park - Master Plan, RfQ for design underway. 3. Wollombi Park - Master Plan, RfQ for design underway. 4. Highbrook Playground - landscaping - Works Parks are preparing scope. 5. Weeraman Fields - undercover spectator area - completed. 6. Muswellbrook Cemetery fencing. 7. Small Capital Grants Program - awarded. 8. Large Capital Grants Program - awarded.
Water								
Mains Renewal and Replacement (5320.4340)	D/C	\$1,005,556	Dec-19	Jun-20		Jan-20		Other sites are: William St; Scott St around Muswellbrook Water Treatment Plant; and Hill Street. Works are in progress at Brook Street.

2019-2020 Projects



PROJECT	PROJECT STAGE INVESTIGATION (I) DESIGN (D) CONSTRUCTION (C) FINAL (F)	BUDGET FOR PROJECT	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	PROJECT STATUS at 20 February 2020
Reticulation - Rail Underboring [5340.4377]	D/C	\$991,996	Dec-19	Jun-20		Jan-20		Works are in progress. Hill Street bore has been completed Denman underbore works will be completed by the end of February 2020. Connections to network to follow
Reservoir Renewal and Replacements [5310.4321]	D	\$1,194,575	Apr-19	Dec-19		May-19	Oct-19	The works have been completed.
Replacement of Water Meters Programme [5320.4376]	C	\$71,750	Jul-19	Jun-20		Jul-19		Ongoing replacement of water meters when identified as faulty or requiring replacement. Replacement is performed by operations personnel as required.
Muswellbrook Water Treatment Plant Replacements [5310.4560]	I/D/C	\$978,412	Jul-19	Jun-20		Jul-19		List of work includes: 1. Chemical system upgrades - Chlorine, Ferric & Lime. 2. Clarifier channel replacement. This work will be carried out during winter in order to bypass clarifier. 3. Main electrical panel design work. 4. Recarb electrical panel. Installation to be progressed, and completed by 30 June 2020 5. No. 1 high lift pump. The motor has been replaced. Quotations received for new pumps. 6. Removal of asbestos from old Muswellbrook water treatment plant site. Request for Quotation closes 21 February 2020. 7. Backwash lagoon relocation away from river. NSW Department of Health has suggested a process review which will incorporate the preferred lagoon location. 8. Clarifier mixing zone hood. 9. Lime sludge reuse.
System Plant Asset Renewals [5340.4400]	I/D/C	\$509,500	Jul-19	Jun-20		Jul-19		Planned work includes: 1. Queen Street WPS Pump 2 - Complete 2. Sandy Hollow Clear Water Tank - design review being completed 3. Sandy Hollow Raw Water Tank - design review being completed 4. Sandy Hollow Intermediate Tank - design review being completed 5. Sandy Hollow Permeate Tank - design review being completed 6. Sandy Hollow Pumping - design review being completed 7. Denman WTP Stormwater Improvements 8. Muswellbrook High Lift Pump Drive Cooling Duct work- Being installed Feb 2020 9. Minor Capital Replacements - Air Lines replaced had been causing process issues 10. Common Road WPS Improvement works 11. Denman Membrane Feed Pump 12. Denman Membrane Feed Pump 13. SCADA & Telemetry - Progressing with upgrades
Construction of two water fill points [5310.4405]	I/D/C	\$290,715	May-19	Aug-19		Dec-19		Work in progress. Commissioning planned for March 2020
Muswellbrook Fluoride Upgrade [5310.4577]	D/C	\$258,980	Jan-20	Jun-20				Design complete tender documentation being prepared. Tender Spec being reviewed
South Muswellbrook Water Main [5310.4579]	I/D/C	\$1,800,000 (\$900,000)	Jan-20	Jun-21				Part 1 - Coal Road to Rail Bridge/Olympic Park Part 2 - Rail Bridge to Cassidy Avenue Stage 1 design complete Review of Environmental Factors and geotechnical investigation are underway
Sewer								
Construction - RWTW [5310.4472]	C	\$2,969,856	May-17	Mar-19	Nov-19			Process commissioning successfully completed on 6th Dec. Acceptance testing commenced and completed on 13th Dec. Plant Operational Handover completed on 16th December 2019. Civil work commenced 10th Dec and expected to be completed by mid March. Demolition scoping finalised and Contractor is seeking procurement of contractors. Demolition contractor is engaged. S60 approval process and EPL License application underway. Sludge Transfer is being carried out by Council and is expected to commence next week.
Mains Renewal [5310.4437]	D/C	\$1,185,573	Jul-19	Jun-20		Jul-19		Skellatar Stock Route construction works are in progress.
Denman Treatment Plant Upgrade [5310.4473]	C	\$200,000	Jul-19	Jan-20		Jul-19		Business case development progressing. Draft report has been received and is being reviewed.
Transportation System Improvement [5340.4485]	D/C	\$1,193,872	Sep-18	Jun-20		Sep-18		Outcome of study to be reported to March 2020 Ordinary Council Meeting
Sewer Plant & Equipment [5340.4380]	C	\$73,543	Jul-19	Jun-20		Jun-20		Replacement of various items of plant and equipment for newworks and treatment operations. Portable Generator. Replacement Plumguards.
System Plant Asset Renewals [5340.4488]	IDC	\$400,161	Jul-19	Jun-20		Jul-19		MSPS7 Guide Rails and Outlet Pipework - Completed MSPS5 Pump TBC Sewer Treatment Minor Capital Denman No2 Aerator Overhaul - Jet Aerator to be trialed

2019-2020 Projects

## 12 CORPORATE AND COMMUNITY SERVICES

### 12.1 DISASTER RELIEF FUND

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Derek Finnigan - Director - Community Infrastructure
<b>Author:</b>	Anthony Pirillo - Policy Officer
<b>Community Plan Issue:</b>	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
<b>Community Plan Goal:</b>	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
<b>Community Plan Strategy:</b>	<i>Work towards the achievement of a sustainable Operating Budget result in the General Fund.</i>

#### PURPOSE

To establish a Disaster Relief Fund in preparation for the case of a potential disaster(s) in Muswellbrook Shire. The fund will be an emergency fund, the scope of which will be for relief for immediate personal losses, not for capital items.

#### OFFICER'S RECOMMENDATION

##### That Council:

1. establishes a Disaster Relief Fund for the purposes of receiving donations and disbursing financial assistance in times of natural disaster;
2. makes an application to the Australian Taxation Office for tax deductibility status for donations received by the Fund; and
3. transfers all residual funds from the Drought Relief allocation to the new Disaster Relief Fund and that applications for drought relief be considered through the Disaster Relief Fund.

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

#### BACKGROUND

Ongoing devastating bushfires have severely impacted numerous local communities and local government areas across Australia. This report recommends that Council endorses the establishment of a Disaster Relief Fund, for emergency relief, in the event that at some point in the future the Shire is affected by a major natural disaster.

#### CONSULTATION

General Manager

Chief Financial Officer

Director Community Infrastructure

Manager of Integrated Planning, Risk and Governance.

**REPORT**

A number of local government authorities across Australia in disaster affected areas have established Disaster Relief Funds, enabling donations to be made for disaster affected individuals to draw on for immediate financial and economic relief. Whilst donations from the public for these type of funds are generally tax deductible, donations will not attract tax deductible gift status from the Australian Taxation Office until arrangements are entered into, which can reduce the success of any fundraising appeal. On Kangaroo Island earlier this year, the Mayor of Kangaroo Island, having established a fund to assist in the recovery from the devastating fires, could not grant a tax deduction for donations received. It is recommended that Council establish such a fund now and obtain the tax deductibility status from the Australian Taxation Office as part of sound preparation for any future emergency, to ensure that in the event of a disaster, donations to the fund will attract the deductible status.

The guiding principles of the fund, accessibility and eligibility criteria are informed through an examination of other local Councils' disaster relief funds.

The intent of Muswellbrook Shire Council's Disaster Relief Fund is that it is to be an emergency fund, specifically providing relief for personal losses such as:

- (a) immediate requirements for food and water;
- (b) clothing;
- (c) utensils;
- (d) furniture;
- (e) bedding; and
- (f) children's educational needs.

It is recommended that the fund not provide relief for capital items, which will be covered by insurance or capital grants.

The fund will be one that individuals affected by disaster can apply for, and for individuals to make donations to.

It is recommended that the fund be established with an initial transfer of all remaining funds (\$22,436 at the time of writing) from the drought relief allocation.

It is recommended that Council adopt the following as eligibility criteria for access to the fund:

- (a) Must be a resident of the Muswellbrook Shire Local Government Area;
- (b) Applicant resides within the disaster impact or disaster impact zone or is significantly affected by other issues as a result of the disaster;
- (c) Disaster event has caused a situation of reasonably demonstrated financial hardship;
- (d) Applicant has reasonably demonstrated they have exhausted general sources of finance such as insurance and/or grant funding;
- (e) Financial relief will be a one (1) off maximum of up to \$5000 per residential address and all applications in excess of \$500 must have proof of cost;
- (f) Each application dealt with on case-by-case basis;
- (g) Proof of identity and residential address; and
- (h) EFT payments only.

It is recommended that donations to the fund be tax deductible for donations over \$2.00 and that Council make an application to the Australian Taxation Office for tax deductibility status.

**CONCLUSION**

That a Disaster Relief fund be established and the associated recommendations be adopted by Council.

**SOCIAL IMPLICATIONS**

Such a fund will provide support for the community in times of need.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the current budget. Funds are expected to be generated in times of need by public donations.

**POLICY IMPLICATIONS**

No known policy implications.

**STATUTORY IMPLICATIONS**

No known statutory implications.

**LEGAL IMPLICATIONS**

No known legal implications.

**OPERATIONAL PLAN IMPLICATIONS**

Consistent with Council's Operational Plan.

**RISK MANAGEMENT IMPLICATIONS**

Risk to the economic and financial wellbeing of individuals affected by disaster(s) if the recommendations contained in this report are not adopted.

**12.2 AUTHORISATION UNDER SECTION 226 OF THE LOCAL GOVERNMENT ACT**

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Anthony Pirillo - Policy Officer</b>
<b>Community Plan Issue:</b>	<b><i>Progressive leadership</i></b>
<b>Community Plan Goal:</b>	<b><i>That Muswellbrook Shire is well led and managed</i></b>
<b>Community Plan Strategy:</b>	<b><i>Effective governance of Muswellbrook Shire</i></b>

**PURPOSE**

To advise of the Mayor's exercise of his delegation under section 226(d) of the *Local Government Act 1993* (NSW).

**OFFICER'S RECOMMENDATION**

**Council note the information provided.**

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

**BACKGROUND**

Section 226 (d) of the *Local Government Act 1993* provides for the Mayor to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council. Since the last ordinary meeting of the Council, the Mayor has exercised his delegation on three occasions.

**CONSULTATION**

General Manager.

**REPORT**

The first delegation was exercised on 8 January 2020 to allocate \$2500 from the Sundries Donation budget for the Muswellbrook Business Awards 2020.

The second delegation was exercised on 14 January 2020 to waive the entry fee into Muswellbrook and Denman Aquatic Centres between 1.00pm-4.00pm on 26 January 2020 (Australia Day).

The third delegation was exercised on 5 February 2020, to authorise the expenditure of \$31,500 through the NSW EPA "Don't be a Tosser" grant.

**CONCLUSION**

It is recommended that Council notes the information provided in the report.



**12.3 COUNCILLOR CASUAL VACANCIES**

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Joshua Brown - Manager - Integrated Planning &amp; Governance</b>
<b>Community Plan Issue:</b>	<b><i>Support Job Growth</i></b>
<b>Community Plan Goal:</b>	<b><i>Facilitate the expansion of and establishment of new industries and business.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Develop the subsidised Innovation Hub for start-ups.</i></b>

**PURPOSE**

To seek an order from the Minister for Local Government that the two vacancies for the office of Councillor that have arisen on Muswellbrook Shire Council not be filled.

**OFFICER'S RECOMMENDATION**

Council make an application pursuant to s294(1) and (2)(a) of the Local Government Act 1993 to the Minister for Local Government seeking an order that the two (2) casual vacancies in the office of councillor of Muswellbrook Shire Council not be filled.

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

**BACKGROUND**

The General Manager has received in writing the resignation of Scott Bailey and Michelle Green from the office of councillor of Muswellbrook Shire Council. The Local Government Act 1993 provides that Council may apply to the Minister for Local Government seeking that casual vacancies that fall within eighteen (18) months before the date specified for the next ordinary election not be filled.

**CONSULTATION**

Corporate Lawyer

**REPORT**

If a casual vacancy occurs in the office of a councillor (but not the office of a mayor elected by the electors), the Minister may, on the application of the council--

- (a) order that the vacancy not be filled, or
- (b) order the holding on a stated day of a by-election to fill the vacancy and revoke any earlier order made under paragraph (a).

It is noted that the quorum for a meeting of the council is a majority of the councillors of the council who hold office for the time being and are not suspended from office (unless a performance improvement order has been issued by the Minister in respect of the council): s 368. Accordingly, the total number of councillors for a quorum has been reduced proportionately.

A general election is scheduled for 12 September 2020, with the caretaker provisions taking effect from 15 August 2020. An election would have a lead up time of approximately six weeks to conduct and cost approximately \$123,000, and new councillors taking office for effectively four months. It is therefore recommended to seek the Minister's order not to fill the casual vacancies.

**OPTIONS**

Councillors may determine to proceed to fill the two (2) casual vacancies, which will incur a cost of approximately \$123,000 (excluding GST) and within a matter of months of the general election which will be conducted on 12 September 2020.

**CONCLUSION**

It is recommended that Council make an application to the Minister for Local Government seeking that she make an order not to fill the two (2) casual vacancies in the office of councillor.

**SOCIAL IMPLICATIONS**

No known social implications.

**FINANCIAL IMPLICATIONS**

The estimated cost of holding a by-election to fill the casual vacancies is in the order of \$123,000 (excluding GST). Council has made no budget allocation for such expenditure.

**POLICY IMPLICATIONS**

No known policy implications.

**STATUTORY IMPLICATIONS**

An application of this nature to the Minister is consistent with s294(1) and (2)(a) of the Local Government Act.

**LEGAL IMPLICATIONS**

No known legal implications.

**OPERATIONAL PLAN IMPLICATIONS**

No known Operational Plan implications.

**RISK MANAGEMENT IMPLICATIONS**

No Risk Management implications.

## 12.4 2019-2020 OPERATIONAL PLAN 30 DECEMBER QUARTERLY REVIEW

<b>Attachments:</b>	<b>A. 2019-20_Operational_Plan_Q2_Council_Review.docx</b>
<b>Responsible Officer:</b>	<b>Joshua Brown - Manager - Integrated Planning &amp; Governance</b>
<b>Author:</b>	<b>Melissa Cleary - Co-Ordinator - Integrated Planning</b>
<b>Community Plan Issue:</b>	<b><i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i></b>

### PURPOSE

The adopted 2019/20 Operational Plan has been reviewed over the months of 1 October 2019 to 30 December 2019.

### OFFICER'S RECOMMENDATION

The 2019/20 Operational Plan Review dated 30 December 2019 be noted.

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

### BACKGROUND

The *Local Government Act 1993* requires Council to review its Operational Plan.

### REPORT

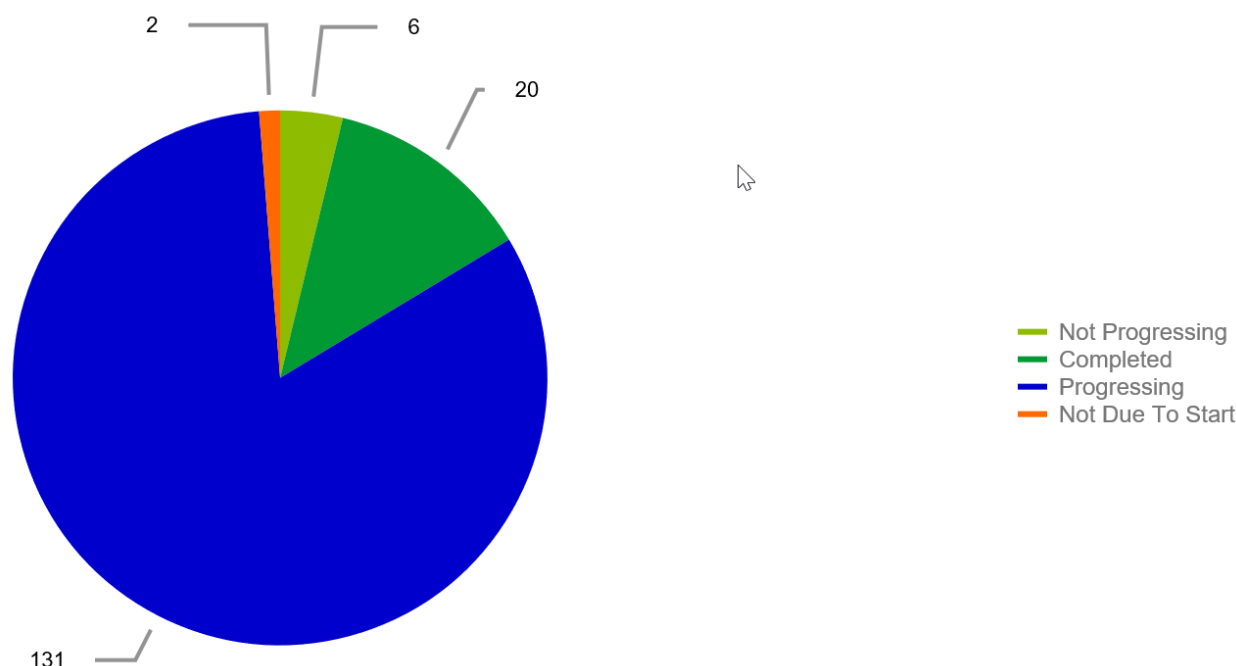
Please refer to the separate Quarterly Management Report – Q2, 2019/20 outlining the full Operational Plan review for the period to 30 December 2019.

Following, are overview charts indicating the status of Operational Plan items by Principal Activity Area.

#### Overall

Of the 159 activities:

- 13% have been completed on or ahead of schedule;
- 82% are progressing;
- 1% are not due to start; and
- 4% are not progressing.



The actions reported as **completed** are as follows:

ACTION	STATUS
5.2.1 Deliver at least one piece of permanent public art as a part of the urban revitalisation project.	Public art mural installed in Marketplace laneway.
5.5.2 Continue matched funding Small Sport and Recreation Grants Programme.	Applications were awarded at the November 2019 Ordinary Council meeting.
5.5.3 Continue matched funding Large Sport and Recreation Grants Programme	Applications were awarded at the November 2019 Ordinary Council meeting.
5.5.4 Continue user group consultation program and calendar.	Facility user groups meetings held monthly and the first biannual Muswellbrook Shire Sport and Recreation User Group meeting was held in September 2019. The next biannual meeting is to be held March 2020.
8.1.1 Progress the design of Upper Hunter Early Learning Centre and prepare for funding opportunities.	Design developed to the extent to support funding opportunities.
8.1.3 Construct a suitable crèche as part of the Muswellbrook Aquatic and Fitness Centre renewal.	Creche included in the design of the Muswellbrook Aquatic Centre upgrade.
9.2.1 Deliver the ageing strategy in consultation	The Muswellbrook Shire Ageing Strategy has been

ACTION	STATUS
with residents of Muswellbrook Shire.	adopted by Council and distributed throughout the community during the preparations for the Seniors Festival week, 2020. An action list identifying future work will be considered as part of the 2021/22 Operational Plan.
14.1.4 Investigate opportunities for joint ventures with renewable energy innovators and power suppliers	Council successfully completed a Pumped Hydro Storage energy project with delivery the project taken up by AGL. AGL has announced that the Bells Mountain Pumped Hydro Storage Facility will be delivered by 2026.
18.1.1 Support and grow the Blue Heeler Film Festival in partnership with the School of Creative Industries at the University of Newcastle	Successful collaboration with the UoN in delivery of the Blue Heeler Festival has improved the quality of films entered and attracted participation from outside the Upper Hunter. It is expected that the 2020 Blue Heeler Festival will attract increased attendance at the event.
18.2.2 Work with sponsors to investigate the annual delivery of the Muswellbrook Art Prize	A sponsorship agreement has been settled with Bengalla Mining Company regarding the Muswellbrook Art Prize to be held in March 2020.
18.4.1 Maintain ongoing financial membership and provide management support to Arts Upper Hunter	Membership to Arts Upper Hunter was arranged during Q1 of 2019/20.
18.4.2 Encourage local artist projects and grant applications through Arts Upper Hunter	The following groups received funding in the 2020 Country Arts Support Program (CASP). These groups included, Upper Hunter Youth Council, Scone Arts and Crafts, Cassilis District Development Group Incorporated (Cassilis DDG), Dungog Primary School P&C and Singleton Council.
19.2.5 Develop prioritised bus stop shelter upgrade and renewal program for Muswellbrook Shire	A report entitled 'Prioritised bus stop shelter upgrade and renewal programme' was submitted to the 24 September 2019 Ordinary Council meeting. The report provides a list of projects seeking grant funding under the Country Passenger Transport Infrastructure Grants Scheme.
19.3.2 Provide to Council a list of works proposed for design	The 2019-20 capital works programme was submitted and endorsed by Council at the July 2019 Ordinary Council Meeting.
19.3.9 Seek support for Council's infrastructure priorities for grant programs; e.g. Resources for Region	Council has successfully received funding as part of the Resources for Regions fund for road improvement projects across the Shire and

ACTION	STATUS
	completed a submission as part of the review of Resources for Region program.
19.4.1 Seek grant funding for projects which may arise out of the Floodplain Risk Management Plan	Council has successfully obtained grant funding for the establishment of an early flood warning system for Muscle Creek. This project has been identified as a high priority in the Floodplain Risk Management Plan.
20.1.2 Ensure substantial achievement of Best Practice Water Supply and Sewerage Guidelines	Benchmarking report was submitted in October 2019. Substantial achievement of Best Practice Water Supply and Sewerage Guidelines has been achieved.
20.1.8 Review and update the Landfill Environmental Management Plan	The Landfill Environmental Management Plan has been reviewed and updated, and was reported to the 27 August 2019 Ordinary Council meeting.
22.1.1 Carry out a desk based exercise to test preparedness for a severe weather event.	A desk-based exercise has been carried out to test preparedness for a severe weather event. The exercise was carried out under the auspices of Muswellbrook Police and relevant response agencies following the September 2019 meeting of the Local Emergency Management Committee.
24.2.13 Ensure compliance with all Recover at Work processes in accordance with requirements of regulators and insurer.	HR have completed all the improvement recommendations from the Statecover audit May 2018. HR had organized with Statecover to deliver training to Supervisors and managers in relation to initial injury and doctors visits. All RTW records are stored electronically no paper based records are kept on site. HR attend every doctors visit with correct paperwork to be authorized by all parties. HR have developed templates for the purpose of gathering and storing information along with a RTW information folder for injured workers outlining process, responsibilities and expectations. HR have a fortnightly phone conference with Statecover case worker and schedule in calendar regular catch ups with injured workers.

The actions reported as **not due to start** are as follows:

ACTION	STATUS
5.3.5 Deliver a Youth Week Event.	Council staff will support the delivery of Youth Week activities between 1-9 April in partnership with other Service providers.
8.1.2 Implement the actions identified in the	Work has not yet commenced on the review of the



ACTION	STATUS
review of the Children's Services Strategic Plan to improve childcare, early childhood education and preschool options across the Shire.	Children's Services Plan. This work will commence in Q3 pending the return of key staff from leave.

The actions reported as **not progressing** are as follows:

ACTION	STATUS
2.4.2 Review Council's Parking Study 2010 and develop a comprehensive parking strategy for Muswellbrook and Denman taking into account Council's endorsed strategies for both town centres	This project is currently unfunded
5.6.5 Continued implementation of Asset Management System phase 2 - financial components.	<p>The Asset Management System implementation is a multi-year project, which has progressed effectively during 18-19. Continued implementation efforts will be needed over the next few years to complete this project.</p> <p>Progress is starting to resume with staff coming on board and actions being taken to further continue deployment.</p>
6.1.1 Support the continued delivery of the Collaborative Impact Facilitators Project with respect to social housing tenants in partnership with other providers	The CREATE change Coalition has finalized their program of work and the role of the Collaborative Impact Facilitator has ceased. This operational plan action will not progress further.
16.1.2 Seek funding to review Council's Heritage Inventory 1996	Funding source has not been identified
19.3.7 Undertake a comprehensive review of Council's Development Contribution Plans	This project is currently unfunded.
23.1.1 Continue a comprehensive community consultation program as per the Community Engagement Strategy.	Council has not commenced a comprehensive community consultation program and there are no plans to host a community panel this year.



# **Q2 Council Review 2019/20 Operational Plan**

## Economic Prosperity

### Plan for Local Economic Prosperity

#### 1. Support job growth.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
1.1	Facilitate the expansion of and establishment of new industries and business.	1.1.1 Complete refurbishment work on the Innovation Hub.	Innovation Hub is available to provide subsidised rent for innovative and new businesses.	January, 2020	New design prepared to meet heritage requirements.
1.1	Facilitate the expansion of and establishment of new industries and business.	1.1.2 Support Economic Development and Innovation initiatives of Council through the local planning framework.	Provide advice in relation to strategic land use planning and development controls to support Council's Economic Development and Innovation initiatives, as required and provide annual report to Council on related activities.	Reported monthly to Council.	Comments and assistance provided to Council's Policy Analyst Economic Transition and Innovation Officer as requested.
1.1	Facilitate the expansion of and establishment of new industries and business.	1.1.3 Review environmental goods and services activity in region	Audit conducted and report delivered	30 June, 2020	in collaboration with the Hunter Joint Organisation Transition Steering Committee

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					Muswellbrook Shire is leading a study into the feasibility of establishing bio related industries in the Hunter Valley (Bio-Valley Study).

**2. 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.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
2.1	Facilitate the diversification of the Shire's economy and support growth of existing industry and business enterprise.	2.1.1 Support Economic Development and Innovation initiatives of Council through the local planning framework.	Provide advice in relation to strategic land use planning and development	Annual report to Council	Planning and Building staff provide advice in response to enquires regarding strategic land use planning and development controls, and prepare updates or new matters to incorporate into Council's Local Strategic Planning Statement, Local Environment Plan and Development Control Plan as needed.
			controls to support Council's Local Strategic Planning Statement, Local Environment Plan and Development Control Plan		
2.2	Work with University of Newcastle on	2.2.1 Advocate for establishment of Upper	UHEDC established	30 June 2020	Ministerial approval for an Upper Hunter

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	research and innovation in areas where the Upper Hunter has a competitive or comparative advantage.	Hunter Economic Development Corporation (UHEDC) to NSW Government. Apply for Ministerial approval and commence strategic planning process			Economic Development Corporation was not successful. Council is now working closely with the Hunter Joint Organisation of Councils (HJO) to establish a group within the HJO to lead economic and industrial transition in the Hunter. This is being lead by a Steering Committee Chaired by the Mayor of the Upper Hunter and largely facilitated by Muswellbrook Council's Policy Analyst for Economic Transition. A study tour of the Latrobe Valley has now been scheduled.
2.2	Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competitive or	2.2.2 Establish governance structure and promotion of business opportunities for the Hunter Pilot Biorefinery	Hunter Pilot Biorefinery Advisory Committee established	30 June 2020	Council has significantly progressed a due diligence process prior to finalizing support to ensure establishment of the Hunter Pilot Bio
			Committee established	30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	comparative advantage.				refinery.
2.2	Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competitive or comparative advantage.	2.2.3 Continue to work with the Hunter Research Foundation Centre and other economists to deliver economic modelling and evidence for the advancement of economic development in the Shire	Research studies and economic modelling provided to Council.	30 June 2020	Council is working closely with the Hunter Transition Steering Committee toward establishment of a HJO related transition committee. Council has established a Liddell Closure Advisory Committee including participation from AGL.
				30 June 2020	
2.2	Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competitive or comparative advantage.	2.2.4 Delivery of Job Creation Fund Projects.	Two job creation projects funded and delivered	30 June 2020	Council has the following Job Creation projects underway: Pilot Bio Refinery Plant; Muswellbrook STEM project (with University of Newcastle and Muswellbrook High School); Bells Mountain Pumped Hydro Storage Facility (completed and now with AGL for delivery); Sandy Hollow Water Pipeline project to
				30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					provide water security for new agricultural business development.
2.2	Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competitive or comparative advantage.	2.2.5 Development of comprehensive investment prospectus.	Investment prospectus produced and dedicated page established on website	30 June 2020	Investment prospectus prepared in 2019 is now being revised.
				30 June 2020	Muswellbrook Council contributing to the Hunter Innovation website as initiated by Department of Premier and Cabinet.
2.2	Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competitive or comparative advantage.	2.2.6 Implementation of key recommendations in the Upper Hunter Tourism Strategy.	i. Wollemi walks produced and marketed on both Council and NSW Parks websites.	30 June 2020	The Denman Lookout walking track will be delivered by June 2020. Council continues negotiations towards establishment of Base Camp Wollemi in Denman. Council has undertaken negotiations with NSW National Parks who support the establishment of Base Camp Wollemi. Wollemi walks are posted on Council
			ii. Commission study into tourism accommodation in the Upper Hunter and exploration of Wollemi National Park access opportunities	30 June 2020	
			iii. Partner with Destination NSW to investigate market opportunities in	30 June 2020	



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			Western Sydney through Blue Mountains		websites.
2.2	Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competitive or comparative advantage.	2.2.7 Formalise partnership with the University of Newcastle in the BioValley initiative	Memorandum of Understanding signed with University of Newcastle	30 June 2020	Council has an MOU with the University of Newcastle and is supporting the Tailings to Top Soil research program now underway at the Muswellbrook Upper Hunter Campus of the University of Newcastle. Council will support this research program for 2 years.
2.3	Review the Local Environmental Plan and Development Control Plan to improve investment certainty for industry.	2.3.1 Finalise the Local Strategic Planning Statement (LSPS)	Develop an interim Local Strategic Planning Statement endorsed by Council, in consultation with the Department of Planning and Environment.	30 June 2020	Recently participated in a workshop to identify Regional Objectives and Actions.
2.4	Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy	2.4.1 Seek commercial opportunities consistent with Muswellbrook's Town Centre Strategy	Seek opportunities to fund buildings providing commercial opportunities within the Muswellbrook Town Centre	30 June, 2020	New concept design prepared for new commercial and education building consistent with the

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	Hollow Village Masterplan.				Muswellbrook Town Centre Strategy.
2.4	Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy Hollow Village Masterplan.	2.4.2 Review Council's Parking Study 2010 and develop a comprehensive parking strategy for Muswellbrook and Denman taking into account Council's endorsed strategies for both town centres	Existing Parking Study reviewed and a comprehensive parking strategy for Muswellbrook and Denman Shire developed for endorsement	30 June 2020	This project is currently unfunded
2.4	Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy Hollow Village Masterplan.	2.4.3 Construct further stages of the Rail Noise Abatement Wall	In liaison with stakeholders and Australian Rail Track Corporation (ARTC), advocate for further grant funding to construct further stage	30 June 2020	Successful completion of Noise Walls 1, 3, & 4 in consultation with ARTC.
2.4	Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy Hollow Village Masterplan.	2.4.4 Construct additional gateway access to Olympic Park	Construction of additional gateway access to be underway by June 2020	30 June 2020	Amended draft Olympic Park Master Plan placed on public exhibition.
2.4	Implement the Muswellbrook, Denman Town	2.4.5 Develop detailed design for the Olympic Park Precinct upgrade	Develop detailed design for construction subject to available funding	30 June 2020	Amended draft Olympic Park Master Plan placed on public

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	Centre Masterplans and the Sandy Hollow Village Masterplan.				exhibition.
2.4	Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy Hollow Village Masterplan.	2.4.6 Develop detailed design for Muswellbrook Aquatic Centre upgrade	Complete construction of stage 1 of Aquatic Centre	30 June 2020	Construction has been retendered closing 4 February 2020.
2.4	Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy Hollow Village Masterplan.	2.4.7 Development of Denman Walking Trail	Walking trail constructed and launched	30 June 2020	The Denman Lookout Walking trail is under construction and will be complete by April 2020.
2.5	Develop agricultural industry opportunities in the Shire.	2.5.1 Develop an Agribusiness Development Strategy for Upper Hunter.	Agribusiness Development Strategy developed and reported to Council for endorsement	30 June 2020	The Agribusiness Development Strategy has not been completed. Scoping for the strategy is underway.
2.5	Develop agricultural industry opportunities in the Shire.	2.5.2 Develop strategy for 'Food Upper Hunter' in partnership with Upper Hunter Shire Council and Upper Hunter Country	i. Forum held with producers/farmers	30 June 2020	A food upper hunter strategy and forum has been overtaken by the worsening drought in the Upper
			ii. Strategy delivered	30 June	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
		Tourism		2020	Hunter with few producers available to participate.

**3. Facilitate greater access to higher education and participation in the knowledge and creativity economy.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
3.1	Through the Future Fund invest in additional education infrastructure, in partnership with Hunter TAFE, the University of Newcastle and other providers.	3.1.1 Construct the Upper Hunter Innovation Precinct - Stage 2.	Upper Hunter Innovation Precinct - Stage 2 is constructed	31 January 2020	New design prepared to meet heritage requirements.

## Social Equity and Inclusion

*Access to a wide range of community and government agencies appropriate for their age and needs.*

Continue to improve the affordability, liveability and amenity of the Shire's communities.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
5.1	Implement the outcomes of the Recreation Needs Study.	5.1.1 Maintain list of prioritised capital sport and recreation projects	Prioritised program reported to Council	30 September, 2019	Council approved the 2019-2020 General Recreation Programme in August 2019.
5.2	Continue town centre revitalisation projects.	5.2.1 Deliver at least one piece of permanent public art as a part of the urban revitalisation project.	Installation of a permanent piece of public art as a part of the urban revitalisation project in 2019-20	30 June 2020	Public art mural installed in Marketplace laneway.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	5.3.1 Library programs are developed that increase social engagement with young people in our libraries.	5% increase in youth memberships driven by library services and digital technologies in 2019/20.	30 June 2020	There has been an increase in youth membership of 92 people since 1 July, 2019. The total increase, less dormant members will be calculated in the fourth quarter and reported to council as a percentage of youth memberships in the

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					fourth quarter.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	5.3.2 Aquatic Centre and Gym programs are developed that increase social engagement and wellbeing with young people in Council's pools and gym	A 5% increase is achieved in youth memberships driven by Aquatic and Gym programs in 2019/20	30 June 2020	There were 40 less enrollments in the Learn to Swim program in Q2 of 2019/20. It is expected that the 5% increase in youth memberships during Q3 and Q4 will be impacted by the current construction works occurring at the aquatic center and the availability of the indoor pool during this time.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	5.3.3 Support the Upper Hunter Youth Services Committee in the relocation and development of their facility at a new location	Report to Council on the progress of the Upper Hunter Youth Services in providing a new location for their service during 2019/20	30 June 2020	Muswellbrook Shire Council is providing support in both the development of project scope, building design and supporting administration functions of the Upper Hunter Youth Service is preparation for the successful outcome of a grant funding application that will

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					assist in the service's relocation.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	Identify opportunities that provide affordable entertainment for young people in isolated communities	Seek funding through grants and partnerships which provides affordable entertainment for young people in isolated communities	30 June 2020	The Community Services areas of Muswellbrook Shire Council continue to seek grants and partnerships that will provide affordable entertainment for young people in isolated communities.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	5.3.5 Deliver a Youth Week Event.	Support Youth Week activities during 2019/20 in partnership with other organisations	30 June 2020	Council staff will support the delivery of Youth Week activities between 1-9 April in partnership with other Service providers.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	5.3.6 Expand the home library service to include young people with mobility or accessibility issues	Achieve a 20% increase in home library recipients through Home Library, Mini Libraries and digital technologies during 2019/20	30 June 2020	The home library service has experience steady usage rates, mini libraries remain a static delivery. Library staff are investigating the data behind the use of online borrowing. A final statistic on this reporting outcome will



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					be described in Q4.
5.3	Facilitate investment in entertainment opportunities, particularly for young people.	5.3.7 Explore opportunities to transform outcomes in line with the Muswellbrook Urban Riparian Landcare Master Plan through local planning instruments	Seek funding through grants and partnerships that deliver the Muswellbrook Urban Riparian Landcare Master Plan	30 June 2020	Appropriate conditions of consent nominated for development adjoining urban waterways
5.5	Promote and facilitate increased participation in active and passive recreational activities.	5.5.1 Maintain the sporting and recreational facilities to standard.	Continue local and industry benchmarking and report to Council.	October, 2019	Local benchmarking of sport and recreational facilities completed and will be reported to Council.
5.5	Promote and facilitate increased participation in active and passive recreational activities.	5.5.2 Continue matched funding Small Sport and Recreation Grants Programme.	Open grants program	July 2019	Applications were awarded at the November 2019 Ordinary Council meeting.
5.5	Promote and facilitate increased participation in active and passive recreational activities.	5.5.3 Continue matched funding Large Sport and Recreation Grants Programme	Open grants program	July 2019	Applications were awarded at the November 2019 Ordinary Council meeting.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
5.5	Promote and facilitate increased participation in active and passive recreational activities.	5.5.4 Continue user group consultation program and calendar.	Respective Facility User Group meetings and Muswellbrook Shire Sport and Recreation User Group meetings held biannually	30 June 2020	Facility user groups meetings held monthly and the first biannual Muswellbrook Shire Sport and Recreation User Group meeting was held in September 2019. The next biannual meeting is to be held March 2020.
5.5	Promote and facilitate increased participation in active and passive recreational activities.	5.5.5 Construction of Hunter Beach project	Construction underway	30 June 2020	Brief for survey works and Review of Environmental Factors prepared and quotations being sought.
5.5	Promote and facilitate increased participation in active and passive recreational activities.	5.5.6 Support the expansion of the Hunter Park Family Centre during their planning phase	Work with Upper Hunter Community Services on the expansion of the Hunter Park Family Centre and report on the progress of this project to Council as required	30 June 2020	There has been no further progress on the Upper Hunter Community Services expansion of Hunter Park Family Centre during Q2 of 2019/20.
5.6	Consider and	5.6.1 Seek external			Council continues to

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	deliver social inclusion principles across Council functions.	grant funding opportunities to support the interests and aspirations of the Shire's communities.	Identify and adequately prepare projects for future grant opportunities	30 June 2020	make applications for grants in line with the Community Strategic Plan and Delivery Program.
5.6	Consider and deliver social inclusion principles across Council functions.	5.6.2 Address the actions identified in accessibility building and property audits.	Deliver a prioritised capital works program	30 June 2020	Council approved the General Building Renewal Programme 2019/20 in September 2019. The programme includes works identified in accessibility building and property audits.
5.6	Consider and deliver social inclusion principles across Council functions.	5.6.3 Include responsive adaptive actions in the Information Services Strategy	Council applies an Information and Communication Technology Strategy to  enable improved service delivery to the community, governance and business improvement in line with Council's Fit for the Future commitments	30 June 2020	Community portal is in final stage testing of payments, to ensure Merchant fee is collected and processed successfully within council systems  OLR :- project has face several delay causing project to pushed out by over 3 months ETA is looking around the April 2020

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					<p>OLT:- roll out is ramping up with swift progress to made in February 2020. Current ETA of June 2020 for roll out to staff the system will work with.</p> <p>Public Wifi :- completed for the council sites, no other improvements in this spear on the horizon.</p>
5.6	Consider and deliver social inclusion principles across Council functions.	5.6.4 Implementation of Disaster Recovery infrastructure and the review of Disaster Recovery Plan	Draft Information and Communications Technology (ICT) Disaster Recovery Plan is endorsed by MANEX	30 June 2020	Backup to tapes are functional, and process is being adjusted for the best outcomes for council.
5.6	Consider and deliver social inclusion principles across Council functions.	5.6.5 Continued implementation of Asset Management System phase 2 - financial components.	<p>i. Pilot asset classes utilising Capital Value Register (CVR) and Strategic</p> <p>Asset Management (SAM) module functionality</p>	30 June 2020	The Asset Management System implementation is a multi-year project, which has progressed effectively during 18-19. Continued implementation efforts will be needed over

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			ii. Provide report recommendation for work order and General Ledger restructure	30 June 2020	the next few years to complete this project.  Progress is starting to resume with staff coming on board and actions being taken to further continue deployment.
5.6	Consider and deliver social inclusion principles across Council functions.	5.6.6 Continue implementation of Customer Request Management System (CRMS) and customer online transaction portal.	Customers able to log service requests and other online transactions through online portal	30 June 2020	Secure frame is working with merchant fee. However back office processes are not fully working.  Pending all success from payments testing
5.6	Consider and deliver social inclusion principles across Council functions.	5.6.7 That the needs of people with varying abilities are a constant consideration in Council's plans and strategies.	Develop a style guide for Muswellbrook Shire Council that considers the communication needs of people with varying abilities	30 June 2020	Council's style guide is under development.
5.7	Facilitate the provision of affordable housing	5.7.1 Facilitate the provision of affordable housing opportunities			There were no changes to the Affordable Housing
			Modify and report as	30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	opportunities through development application process as encouraged through the Affordable Rental Housing SEPP 2009.	through the development application process via changes to Council policies	required to Council on changes required to the Local Environment Plan and Development Control Plan to reflect amendments in the Affordable Housing SEPP		SEPP this quarter

**Stabilise the tenancy turnover in the Shire's social housing.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
6.1	Continue partnership with government and community housing services to reduce the turnover of tenants in the Shire's social housing.	6.1.1 Support the continued delivery of the Collaborative Impact Facilitators Project with respect to social housing tenants in partnership with other providers	Seek external funding to support the ongoing work of the Collaborative	30 June 2020	The CREATE change Coalition has finalized their program of work and the role of the Collaborative Impact Facilitator has ceased. This operational plan action will not progress further.
			Impact Facilitator to reduce the turnover of tenancies in social housing and access to education opportunities		

**Build social inclusion and improve the delivery of social services.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
7.2	Facilitate and Implement improved disability access and inclusion across the Shire.	7.2.1 Continue the internal oversight of the accessibility audit through the internal Accessibility Audit Committee	Meetings held internally as required to drive improvements in accessibility	30 June 2020	The internal oversight of accessibility has not required a meeting of the internal Accessibility Audit Committee. Instead these matters are raised during Pre-DA meetings with the Planning Business Unit and through Construction Certificates.
			issues across the Shire based upon service requests and community consultation		
7.2	Facilitate and Implement improved disability access and inclusion across the Shire.	7.2.2 Apply Disability Access and Building Code of Australia (BCA) requirements to Development Applications and Construction Certificate applications across the Shire	Progress towards ensuring compliance with the disability access through BCA requirements during Development Applications and Construction Certificate processes	30 June 2020	This has become "Business as Usual" for planning and building staff, with accessibility reports required for significant development proposals (e.g. Campbell's Corner) and standard conditions of consent requiring compliance



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					with the BCA.

#### Retention and expansion of quality and affordable child care services.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
8.1	Facilitate investment in child care services across the Shire.	8.1.1 Progress the design of Upper Hunter Early Learning Centre and prepare for funding opportunities.	Design developed to support grant funding opportunities	30 June 2020	Design developed to the extent to support funding opportunities.
8.1	Facilitate investment in child care services across the Shire.	8.1.2 Implement the actions identified in the review of the Children's Services Strategic Plan to improve childcare, early childhood education and preschool options across the Shire.	Deliver the actions of the revised Children's Services Plan and report annually to Council on the progress of the plan during 2019/20	30 June 2020	Work has not yet commenced on the review of the Children's Services Plan. This work will commence in Q3 pending the return of key staff from leave.
8.1	Facilitate investment in child care services across the Shire.	8.1.3 Construct a suitable crèche as part of the Muswellbrook Aquatic and Fitness Centre renewal.	Complete construction of creche	30 June 2020	Creche included in the design of the Muswellbrook Aquatic Centre upgrade.

## Facilitate opportunities to expand seniors' living.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
9.2	Facilitate discussions with other levels of Government to enhance the delivery of services to support older people to live in the Muswellbrook Shire.	9.2.1 Deliver the ageing strategy in consultation with residents of Muswellbrook Shire.	Incorporate Council's Ageing Strategy into policy development and the Integrated Planning and Reporting process	30 June 2020	The Muswellbrook Shire Ageing Strategy has been adopted by Council and distributed throughout the community during the preparations for the Seniors Festival week, 2020. An action list identifying future work will be considered as part of the 2021/22 Operational Plan.
9.2	Facilitate discussions with other levels of Government to enhance the delivery of services to support older people to live in the Muswellbrook Shire.	9.2.2 Partner with other community groups and organisations to deliver and promote a directory of Seniors Festival events	Support the delivery and promotion of Seniors Festival Events through the development of a Festival Guide	30 June 2020	Work will commence on the Seniors Festival Program in Q3 of this financial year.
9.2	Facilitate discussions with other levels of Government to enhance the delivery of services to support older people to live in the Muswellbrook	9.2.3 Increase the membership of older people at both Muswellbrook and Denman Aquatic Centres, gym and Upper Hunter	A 5% increase is achieved in aquatic centre program memberships at both Denman and Muswellbrook Aquatic Centres during 2019/20	30 June 2020	Recent changes in staffing and service deliveries has increased the capacity to delivery age appropriate activities at both

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	Shire.	Regional Library Service			Denman and Muswellbrook Aquatic Centres. There has been an attendance increase of approximately 2.5%.

**Further the process of reconciliation in the Shire.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
10.1	Collaborate with the local Aboriginal people on projects which enhance an appreciation for, and which develop the vitality of, Aboriginal culture.	10.1.1 Facilitate and support the Aboriginal Culture and Heritage working group.	Provide reports to Council on the activities of the Aboriginal Culture and Heritage working group during 2019/20	30 June 2020	The Aboriginal Culture and Heritage Working Group has not been convened during 2019/20.
10.1	Collaborate with the local Aboriginal people on projects which enhance an appreciation for, and which develop the vitality of, Aboriginal culture.	10.1.2 Work with the Aboriginal community on the delivery of at least two events annually to celebrate and promote Aboriginal art and culture	Provide support and report as required to Council on the delivery of two Aboriginal art and culture events during 2019/20	30 June 2020	The NAIDOC week exhibition at the Muswellbrook Regional Arts Centre included an Exhibition by local Aboriginal Artist Travis De Vries.
10.1	Collaborate with the local Aboriginal people on projects which enhance an	10.1.3 Review the currency of the Working with ATSI website and make	Working with ATSI website reviewed and necessary changes made to achieve	30 June 2020	A quarterly review of the Working with ATSI website was conducted

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	appreciation for, and which develop the vitality of, Aboriginal culture.	necessary changes to reflect changes in legislation and policy	information currency		during Q2 of 2019/20.
10.1	Collaborate with the local Aboriginal people on projects which enhance an appreciation for, and which develop the vitality of, Aboriginal culture.	10.1.4 Monitor the conservation of the Aboriginal Reconciliation Mural and Aboriginal Artifacts project to ensure conservation occurs as required	Report on monitoring and maintenance of the Simpson Park Mural as this occurs	30 June 2020	No work was required on the monitoring and maintenance of the Simpson Park Mural during Q2 of 2019/20.
10.2	Raise awareness of the local Aboriginal community and an appreciation of their long traditions and culture.	10.2.1 Work with the Aboriginal community to improve access to cultural and educational activities.	i. Seek funding for the design and construction of a cultural keeping space in partnership with the Aboriginal Community during 2019/20	30 June 2020	The development of the Aboriginal Reconciliation Action plan has been considered and discussions held with the Aboriginal Community on a Cultural Keeping Space. This work has now morphed into conversations regarding the development of an Aboriginal Treaty. A scope of works has been developed to facilitate the delivery of this outcome and
			ii. Explore the development of an Aboriginal Development Action Plan in partnership with the Aboriginal Reconciliation Committee	30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					related documentation and actions list.
10.2	Raise awareness of the local Aboriginal community and an appreciation of their long traditions and culture.	10.2.2 Work with the Aboriginal Community on programs that support native tree plantings on Aboriginal Land that has been identified by the Wanaruah Lands Council as suitable.	i. Convene meetings to discuss the appropriate native tree plantings on identified Aboriginal Land	30 June 2020	Funding opportunities not identified for this Action, although use of VPA money from Mine Projects e.g. Maxwell Underground Mine is being considered.
			ii. Seek external funding to achieve native tree plantings on Aboriginal Land	30 June 2020	

## Environmental Sustainability

*Environmental Sustainability to focus on the regeneration of mined land and urban riparian areas, increase our use of renewable energy and to monitor and manage our use of natural resources.*

Higher quality final landforms with shallower voids and more emphasis on progressive rehabilitation with local workforce participation.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
11.1	Work in partnership with industry and other levels of government to achieve improved rehabilitation outcomes for disused mining lands and ongoing employment for the local workforce.	11.1.1 Review Council's Land Use Development Strategy and develop a Mining and Extraction Policy to inform Council's involvement in mining and extraction activity within the Shire	Council's Strategic Planning Statement is endorsed by the NSW Department of Planning and Environment and the Local Environment Plan is submitted to the NSW Department of Planning and Environment. These documents will inform Council's involvement in mining and extraction activity within the Shire	30 June 2020	Council continues to liaise with the NSW Department of Planning towards finalizing the Strategic Planning Statement. The statement is drafted and endorsed by Council.
11.1	Work in partnership with industry and other levels of government to achieve improved rehabilitation outcomes for disused mining lands and ongoing	11.1.2 Review new and modified consent applications approved by Department of Planning & Environment to ensure they are consistent with	Review and report as required during 2019/20 on revised Mine Operation Plans and Mine Rehabilitation Plans in a timely manner to ensure that Council's mining policy is met	30 June 2020	Comments provided on the supporting Plans for Muswellbrook Coal, Mt Pleasant and Bengalla Mines.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	employment for the local workforce.	Council's Mining Policy			
11.1	Work in partnership with industry and other levels of government to achieve improved rehabilitation outcomes for disused mining lands and ongoing employment for the local workforce.	11.1.3 Provide advice to Community Consultative Committees operated by the mines within the Shire	Attend all Community Consultative Committee meetings and report on the outcomes of these meetings to Council as required	30 June 2020	Council staff attend the Muswellbrook Coal, Bengalla, Mt Pleasant and Dartbrook CCC meetings. Councillors are representatives for the other mine CCCs.

#### Enhance native vegetation connectivity across the Upper Hunter.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
12.1	Support Landcare initiatives and programs to enhance native vegetation connectivity across the Upper Hunter.	12.1.1 Support existing Landcare groups and investigate the creation of new Landcare groups within Muswellbrook Shire	Report monthly on the activities of the existing landcare groups and support establishment of new groups across the Shire as this occurs during 2019/20	30 June 2020	Upper Hunter Region Landcare Network to provide Council with a monthly report on landcare activities in the Shire. Council Staff support Upper Hunter Region Landcare Network to grow local Landcare Groups.
12.1	Support Landcare	12.1.2 Maintain		30 June	Works Parks



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	initiatives and programs to enhance native vegetation connectivity across the Upper Hunter.	rehabilitation works along Muscle Creek, Karoola Wetlands and Denman Wetlands to improve habitat quality and vegetation connectivity across the Upper Hunter	Rehabilitation work maintained	2020 30 June 2020	programme the maintenance of rehabilitated areas fortnightly.
12.1	Support Landcare initiatives and programs to enhance native vegetation connectivity across the Upper Hunter.	12.1.3 Maintain areas that have undergone rehabilitation activities to avoid degradation	Rehabilitation work maintained	30 June 2020	Works Parks programme the maintenance of rehabilitated areas fortnightly.
12.1	Support Landcare initiatives and programs to enhance native vegetation connectivity across the Upper Hunter.	12.1.4 Continue Council's efforts running multiple National Tree Day planting events in Muswellbrook and Denman.	Report on outcomes of the National Tree Day	April 2020	Preparatory work under way

**Our local rivers and creeks are enhanced, utilised and valued.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
13.1	Adopt an Urban Riparian Masterplan and implement	13.1.1 Plan a staged program of works and seek funding for the implementation of the	Seek external funding to support the ongoing	30 June 2020	Grant Application for Possum Gully Sponge Project

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	actions.	Council adopted Muswellbrook Urban Riparian Landcare Master Plan (MURLMP)	work of prioritised actions that deliver the Muswellbrook Urban Riparian Landcare Master Plan (MURLMP)		unsuccessful

**Support initiatives which reduce the community's impact on the environment.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
14.1	Carry out actions under the Sustainability Action Plan	14.1.1 Work towards developing a Muswellbrook Shire Catchment Management Plan which prioritises areas for remediation and identifies current and potential water pollution threats	Seek funding to develop a Muswellbrook Shire Catchment Management Plan that prioritises areas for remediation, access and improved water quality	30 June 2020	A grant funding source for a Shire wide catchment management plan has not been identified.
14.1	Carry out actions under the Sustainability Action Plan	14.1.2 Monitor air quality for the Shire and advocate for improved quality, regulation and compliance	i. Provide quarterly presentations to Council on the outcomes of the Upper Hunter Air Quality Monitoring Network	Quarterly to 30 June 2020	Staff email Councillors a copy of the Air Quality Monitoring Network seasonal newsletter with statistics quarterly.
			ii. Conduct and report weekly air quality monitoring at Council's air quality	Weekly to 30 June 2020	Air quality monitoring funded by Council but undertaken by

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			monitoring station to inform policy improvements for external regulators		ANSTO continues to occur.
14.1	Carry out actions under the Sustainability Action Plan	14.1.3 Seek funding to deliver the Muswellbrook Shire Renewable Energy Action Plan	Implement and report quarterly on the delivery of the Muswellbrook Shire Council Renewable Energy Action Plan as funding is identified during 2019/20	30 June 2020	Delivery actions reported as part of monthly Director's report to Council. Projects currently on hold waiting for development of new sites e.g. Campbells Corner, Works Depot and Sustainability Hub.
14.1	Carry out actions under the Sustainability Action Plan	14.1.4 Investigate opportunities for joint ventures with renewable energy innovators and power suppliers	One energy project/partnership recommended to Council	30 June 2020	Council successfully completed a Pumped Hydro Storage energy project with delivery the project taken up by AGL. AGL has announced that the Bells Mountain Pumped Hydro Storage Facility will be delivered by 2026.
14.1	Carry out actions	14.1.5 Conduct a			Education

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	under the Sustainability Action Plan	community education program to reduce the volume of food and green waste.	Conduct and report on the outcomes of an education program that facilitates community understanding of food and green waste that diverts waste from landfill	30 June 2020	programs are ongoing, information on activities is provided in monthly Director's Report
14.1	Carry out actions under the Sustainability Action Plan	14.1.6 Implement procurement procedures to minimise waste and improve sustainability outcomes	Develop operational targets and a method of collecting and reporting on Council improvements in water use and waste minimisation	31 December 2019	Collecting data for all Council activities difficult, considering starting with discrete sites where water use is monitored.
14.1	Carry out actions under the Sustainability Action Plan	14.1.7 Support business and engage with the community to promote waste minimisation and re-use	Deliver and communicate the results of the Council Sustainability and Landcare Grants	30 June 2020	Grants offered to local Landcare Groups. Updates on progress provided in monthly Director Reports.
14.1	Carry out actions under the Sustainability Action Plan	14.1.8 Encourage establishment, participation and maintenance of community gardens	Report monthly to Council on the community use of the Sustainability Hub and any new initiatives undertaken by the groups that use the Hub	30 June 2020	Activities reported in the monthly Director's report to Council.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
14.1	Carry out actions under the Sustainability Action Plan	14.1.9 Source funding and grant opportunities for energy, waste, and water sustainability projects as applicable	External funding, through grants, is identified for energy, waste and water sustainability projects within Muswellbrook Shire and project outcomes reported to Council	30 June 2020	Staff are monitoring upcoming grant funding sources. Project outcomes are reported in the monthly Director's Report
14.1	Carry out actions under the Sustainability Action Plan	14.1.10 Continue surveillance and regulation of illegal dumping on an ongoing basis	Work with community to identify regular illegal dumping locations throughout the Shire and source grant funding that delivers projects that reduce the impact of littering in these locations during 2019/20	30 June 2020	Regulatory staff investigate reports of illegal dumping and arrange for material to be removed to the waste facility. Staff are collating information to determine if there are any regular illegal dumping locations.
14.1	Carry out actions under the Sustainability Action Plan	14.1.11 Implement the planned management actions outlined in the Flying Fox Management Plan including the	Seek funding to implement the Flying Fox Management Plan and establish habitat as opportunities arise during 2019/20	30 June 2020	Grant funding obtained for car covers, clothesline covers and gurneys to wash driveways.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
		establishment of a Grey-headed Flying Fox Habitat if external funding can be identified to assist in its establishment			
14.2	Require all development proposals to avoid and mitigate against potential environmental impacts and facilitate improved environmental outcomes where possible.	14.2.1 Investigate offsetting options for Council under the NSW Biodiversity Offset Scheme	Report provided to Council regarding possible Biodiversity Offset Options	30 June 2020	Council has appointed an Ecologist and work will commence shortly on this project.

## Cultural Vitality

*Increase the local variety, availability and access to the arts and cultural experiences.*

Conserve the heritage and history of the Shire.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
16.1	Support the conservation and restoration of the Shire's heritage items	16.1.1 Complete the adaptive reuse works of Loxton House.	Adaptive reuse works completed	31 January 2020	New design prepared to meet heritage requirements.
16.1	Support the conservation and restoration of the Shire's heritage items	16.1.2 Seek funding to review Council's Heritage Inventory 1996	Deliver a revised thematic history and current inventory of the existing heritage items and amendments to Schedule 5 of the Muswellbrook LEP	30 June 2020	Funding source has not been identified
16.3	New investment in heritage conservation and restoration made.	16.3.1 Funding allocation for heritage conservation and restoration is made available annually through the Local Heritage Grants Fund	Report to Council on the number of local Heritage Grant applications received and approved	30 June 2020	One Grant offered. Project Planner has not been available to organize promotion of funding to community



## Facilitate options to improve cultural activities in the Shire.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
17.1	Construct a Regional Entertainment and Conference Centre (subject to a Special Variation).	17.1.1 Develop the detailed design of the Regional Entertainment and Conference Centre (RECC)	Progress detailed design to enable calling for construction tenders by December 2019	31 December 2019	Preliminary concept options have been prepared for consultation.

## Facilitate cultural activities and events which engage the community and visitors, and which create a 'sense of place' and identity.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
18.1	Increase funding to the Blue Heeler Film Festival and the Noisy Heeler Festival with a view to engaging more locals and visitors.	18.1.1 Support and grow the Blue Heeler Film Festival in partnership with the School of Creative Industries at the University of Newcastle	i. Collaboration signed with UoN and promoted.	30 September 2020	Successful collaboration with the UoN in delivery of the Blue Heeler Festival has improved the quality of films entered and attracted participation from outside the Upper Hunter. It is expected that the 2020 Blue Heeler Festival will attract increased attendance at the event.
			ii. Increased Blue Heeler Film Festival competition entrants.	10% increase on number of entries for 2018/19	
			iii. Increased attendance at the event	5% on 2018/19 tickets sold	
18.1	Increase funding to the Blue Heeler Film Festival and the	18.1.2 Development and implementation of several small scale	At least three events		The Archibald Exhibition is currently being hung and the

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	Noisy Heeler Festival with a view to engaging more locals and visitors.	cultural events to build interest in Muswellbrook's town centre and increase cultural activity	co-ordinated and consolidated into the Upper Hunter Economic Development Corporation Strategic Plan.		exhibition will open soon. The Archibald Exhibition has attracted wide attention and will lift visitation numbers. The Art Gallery Café is currently being renovated.
18.2	Continue the provision of arts appreciated through the Muswellbrook Regional Arts Centre	18.2.1 Muswellbrook Regional Arts Centre to host a minimum of five exhibitions each year	Report monthly on the current exhibition program at the Muswellbrook Regional Arts Centre during 2019/20	Monthly to 30 June 2020	The Exhibition program of the Muswellbrook Regional Arts Centre will include at least five exhibition periods during 2019/20 with progress reported to Council monthly or as required.
18.2	Continue the provision of arts appreciated through the Muswellbrook Regional Arts Centre	18.2.2 Work with sponsors to investigate the annual delivery of the Muswellbrook Art Prize	Deliver and report on the annual outcomes of the Muswellbrook Art Prize before May 2020	30 April 2020	A sponsorship agreement has been settled with Bengalla Mining Company regarding the Muswellbrook Art Prize to be held in March 2020.
18.2	Continue the provision of arts appreciated through	18.2.3 Partner with local education providers to enhance			The 'Saplings' exhibition of the 2019/20 financial
			Form at least two	30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	the Muswellbrook Regional Arts Centre	the Muswellbrook Regional Arts Centre's exhibitions	partnerships with education providers in the delivery of exhibitions at the MRAC during 2019/20		year at the Muswellbrook Regional Arts Centre included works from the Goodstart Early Learning Centre. This exhibition was hang in the 'Ramp Gallery'. The Young Archies will be held in March, 2020 in conjunction with the Archibald Prize exhibition.
18.2	Continue the provision of arts appreciated through the Muswellbrook Regional Arts Centre	18.2.4 Muswellbrook Regional Arts Centre to host an Artist in Residence Program	MRAC hosts at least one Muswellbrook Shire Artist in Residence program in 2019/20	30 June 2020	Work has commenced on the delivery of the 2019/20 Artist in Residence program. Entries are currently closed on this program.
18.4	Support Arts Upper Hunter as the peak organisation of Artist endeavour.	18.4.1 Maintain ongoing financial membership and provide management support to Arts Upper Hunter	Attend board meetings, maintain membership and report monthly on the work of Arts Upper Hunter	100% attendance at board meetings in 2019/20	Membership to Arts Upper Hunter was arranged during Q1 of 2019/20. Board meetings have been attended during Q2.
18.4	Support Arts Upper	18.4.2 Encourage local			The following groups

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	Hunter as the peak organisation of Artist endeavour.	artist projects and grant applications through Arts Upper Hunter	Report to Council the number of Local Artists who have received Community Art Support Program funding through Arts Upper Hunter as they occur	30 June 2020	received funding in the 2020 Country Arts Support Program (CASP). These groups included, Upper Hunter Youth Council, Scone Arts and Crafts, Cassilis District Development Group Incorporated (Cassilis DDG), Dungog Primary School P&C and Singleton Council.

## Community Infrastructure

*Expand on the infrastructure required for Muswellbrook to realise Regional Centre status, improve community facilities and improve accessibility to community facilities.*

Our community's infrastructure is planned well, is safe and reliable and provides required levels of service.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
19.1	Improve and maintain civic precincts.	19.1.1 Deliver the capital program substantially on time, on budget and in accordance with relevant design and construction standards	Quarterly update provided to Council's Infrastructure Committee	Quarterly to 30 June 2020	The Quarterly Project Status Report for the second quarter of 2019-20 will be submitted to the 25 February 2020 Ordinary Council Meeting.
19.1	Improve and maintain civic precincts.	19.1.2 Implement program of street and footpath sweeping under contract.	i. Program carried out within budget.	30 June 2020	Contract is being implemented as programmed.
			ii. Contract performance to be monitored	30 June 2020	
19.1	Improve and maintain civic precincts.	19.1.3 Carry out the management and removal of graffiti with compliance to Council's Graffiti Management Policy.	i. Non-offensive graffiti removed within three working days of identification and offensive graffiti removed within 24 hours of identification	Biannual reports provided	Graffiti is being managed in accordance with Council's policy.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			ii. Program carried out within budget.	30 June 2020	
19.1	Improve and maintain civic precincts.	19.1.4 Carry out annual audit of Council's Best Practice Management of water supply and sewerage services	Result of audit to be reported to Infrastructure Committee	30 March 2020	Best Practice Management Audit will be implemented for FY 2018-2019 once IWCM is finalized. A workshop has been scheduled for 13 Feb 2020 to review final draft of the IWCM strategy paper, expected report to be sent to Council in March for adoption. Tentative date for the Best Practice Management Audit is Apr'20 once IWCM strategy paper is adopted.
19.2	Maintain and continually improve asset management.	19.2.1 Co-ordinate and facilitate implementation of the Asset Management Improvement Strategy	Report to Infrastructure Committee biannually on the implementation of the Asset Management Improvement Strategy	30 June 2020	A report regarding implementation of the Asset Management Improvement Strategy will be reported to Council in the third quarter of 2019-20.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
19.2	Maintain and continually improve asset management.	19.2.2 Monitor service levels achieved compared to Level of Service targets in asset management plans and in funded levels of Precinct Specification Manual	Report to Infrastructure Committee	30 June 2020	Service levels are being monitored, and will be reported to Council with respect to the 2019-20 financial year.
19.2	Maintain and continually improve asset management.	19.2.3 Progressively reduce passive mowing areas through the staged establishment of pockets of native vegetation	Report to Infrastructure Committee on achieved reduction in passive mowing area	30 June 2020	Projects have been included in the Landscaping and Tree Management Programme 2019-2019.
19.2	Maintain and continually improve asset management.	19.2.4 Advocate for the Denman and Muswellbrook levees to be included in the Hunter Valley Flood Mitigation Scheme	Report to Infrastructure Committee	30 June 2020	A meeting has been held with the NSW Office of Environment & Heritage, and in-principle support has been provided in relation to inclusion of the Muswellbrook and Denman levees in the Hunter Valley Flood Mitigation Scheme. Follow up has been made, with the aim of formalising the

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					inclusion of the levees in the Hunter Valley Flood Mitigation Scheme.
19.2	Maintain and continually improve asset management.	19.2.5 Develop prioritised bus stop shelter upgrade and renewal program for Muswellbrook Shire	i. Report to Infrastructure Committee	30 June 2020	A report titled 'Prioritised bus stop shelter upgrade and renewal programme' was submitted to the 24 September 2019 Ordinary Council meeting. The report provides a list of projects seeking grant funding under the Country Passenger Transport Infrastructure Grants Scheme.
			ii. Seek grant funding opportunities to enable staged implementation of the program	30 June 2020	
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.1 Design and construct the New Animal Care Facility	Construction tenders to be called in July 2019	31 July 2019	Development application is being progressed as per the adopted master plan.
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.2 Provide to Council a list of works proposed for design	Annual Report provided to Infrastructure Committee in August 2019	31 August 2019	The 2019-20 capital works programme was submitted and endorsed by Council at the July 2019 Ordinary Council Meeting.



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.3 Provide to Council designs and associated estimates for the forward financial year	Designs and associated estimates provided to Infrastructure Committee in March 2020	31 March 2020	Designs and estimates are being prepared and estimated on a project by project basis.
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.4 Investigate and recommend appropriate management treatments for road safety and traffic management	Report quarterly to the Local Traffic Committee and the Infrastructure Committee on the management treatments for road safety and traffic management	Quarterly to 30 June 2020	Meetings of the Local Traffic Committee are conducted on a monthly basis. Management treatments are investigated and reported to Council as required on a project by project basis.
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.5 Deliver the Capital Program substantially on time, on budget and in accordance with relevant design and construction standards	i. Quarterly updated project status report provided to Infrastructure Committee	Quarterly to 30 June 2020	Capital works projects status are updated regularly, and reported quarterly.
			ii. Asset registers updated upon project completion	30 June 2020	
19.3	Facilitate investment	19.3.6 Deliver timely,			Weekly and project-

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	in high quality community infrastructure necessary to a regional centre.	quality professional development engineering and assessment	i. Ensure new infrastructure provided by development meets specifications	As required to 30 June 2020	based meetings are held between Council's planning and engineering teams to ensure quality professional engineering advice is provided in relation to infrastructure provided by development.
			ii. Deliver professional development engineering and assessments that meet the reporting timeframes of the Planning team	As required to 30 June 2020	
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.7 Undertake a comprehensive review of Council's Development Contribution Plans	The comprehensive review of Council's Development Contribution Plans are completed and endorsed by Council	30 June 2020	This project is currently unfunded.
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.8 Muswellbrook Bypass is Built	Liaise with Roads and Maritime Services and NSW Government to support timely progress of the Muswellbrook Bypass	As required to 30 June 2020	The Muswellbrook Bypass Advisory Committee has been convened with a detailed presentation provided from Transport NSW Regional Director who advises that the bypass is on track for delivery in 2026..

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
19.3	Facilitate investment in high quality community infrastructure necessary to a regional centre.	19.3.9 Seek support for Council's infrastructure priorities for grant programs; e.g.Resources for Region.	Council successfully applies for Resources for Regions and other infrastructure funding programs	30 June 2020	Council has successfully received funding as part of the Resources for Regions fund for road improvement projects across the Shire and completed a submission as part of the review of Resources for Region program.
19.4	Maintain and continually improve community infrastructure across the Shire.	19.4.1 Seek grant funding for projects which may arise out of the Floodplain Risk Management Plan	Report to Infrastructure Committee grant funding opportunities, including any requirements for matching Council funding, for projects enabling the staged implementation of projects arising from the Floodplain Risk Management Plan	As required to 30 June 2020	Council has successfully obtained grant funding for the establishment of an early flood warning system for Muscle Creek. This project has been identified as a high priority in the Floodplain Risk Management Plan.
19.4	Maintain and continually improve community infrastructure across	19.4.2 Inspect Muswellbrook and Denman Levee Systems	Report of inspections provided to Infrastructure Committee	30 June 2020	Service request works are carried out on the Muswellbrook and Denman levees

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	the Shire.				throughout the year. An inspection of the levees will be carried out in the fourth quarter of 2019-20.
19.4	Maintain and continually improve community infrastructure across the Shire.	19.4.3 Continue development of plans of management for Crown Lands.	Draft Plans of Management reported to Council	30 June 2020	Report provided to the October Council meeting on the status of development. Internal working group formed to progress identified actions.
19.4	Maintain and continually improve community infrastructure across the Shire.	19.4.4 Seek grant funding for replacement of Williams Bridge (a timber bridge) Martindale Road	Subject to grant funding availability, replacement of bridge to commence	30 June 2020	Fifty per cent of the project's funding has been secured through Federal grant funding. A further 25 per cent of the project's funding has been applied for from the State Government. The project is scheduled for commencement during the second half of 2019-20.
19.4	Maintain and continually improve community infrastructure across the Shire.	19.4.5 Implement prioritised (but responsive) rolling works program of maintenance.	i. Program carried out within budget	Reviewed quarterly to 30 June 2020	A programme of maintenance works is prepared monthly and adjusted weekly.
			ii. Asset registers updated as works	As required to 30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			program is implemented		
19.4	Maintain and continually improve community infrastructure across the Shire.	19.4.6 Carry out regular asset inspections	i. Programmed inspections carried out and works orders raised and prioritised within budget constraints	30 June 2020	Programmed asset inspections are carried out by Council's Asset Inspector. A formal condition assessment of Council's road assets, and a range of Council's footpath and storm water assets will be carried out during 2019-20.
			ii. Matters that are extensive or that require capital funding will be listed for consideration in future works programs	to 30 June 2020	
19.4	Maintain and continually improve community infrastructure across the Shire.	19.4.7 Effectively manage customer service requests	Responses to customer service requests provided within agreed levels of service and budget constraints	As required to 30 June 2020	Responses to customer service requests are captured and provided within agreed levels of service and budget constraints.
19.4	Maintain and continually improve community infrastructure across	19.4.8 Implement construction waste avoidance and resource recovery	Report on funded aspects of action plan to be provided to Infrastructure	30 June 2020	Waste avoidance and resource recovery strategies included as part of project and

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	the Shire.	strategy	Committee		works management.

***Utility services are operated as distinct business units within Council.***

**A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.1 Operate in accordance with the New South Wales Environment Protection Agency (EPA) Licences	Ensure Muswellbrook and Denman Sewage Treatment Works comply with EPA guidelines	30 June 2020	The annual Pollution Incident Response Management Plan test for Muswellbrook is scheduled for 21 January 2020. The Muswellbrook Sewer Treatment Plant licence variation application is presently being reviewed.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.2 Ensure substantial achievement of Best Practice Water Supply and Sewerage Guidelines	Internal reporting and formal report to Department of Industry and Water	30 June 2020	Benchmarking report was submitted in October 2019. Substantial achievement of Best Practice Water Supply and Sewerage Guidelines has been achieved.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.3 Test and monitor water supply and sewerage system, including re-use systems, to ensure legislative compliance with health guideline and licence parameters	i. Quarterly Infrastructure Committee report on Water & Wastewater Services Review	Quarterly to 30 June 2020	Quarterly report for July 2019 - September 2019 has been completed.
			ii. Annual Drinking Water Quality Report to NSW Department of Health	30 June 2020	Quarterly report for October 2019 - December 2019 will be submitted to the 25 February 2020 Ordinary Council Meeting.
					Annual water quality report preparation has commenced and will be submitted to NSW Health no later than 31 March 2020.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.4 Monitor higher risk zones and treatment works within the sewer system exposed to businesses with liquid trade waste discharges	i. Undertake appropriate and timely corrective actions to protect high risk zones and treatment works within the sewer system exposed by businesses with liquid trade waste discharges	As required to 30 June 2020	Inspections of high risk zones have been carried out, and further inspections are being carried out on a prioritised basis.
			ii. Report biannually to Infrastructure	Biannually to 30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			Committee on the corrective actions taken to protect Council infrastructure		
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.5 Undertake inspections and approvals of liquid trade waste premises and agreements.	Report biannually to Infrastructure Committee on the appropriate and timely corrective actions implemented to ensure liquid trade waste approvals currency and compliance	30 June 2020	An report will be submitted to Council in March 2020 to provide an update on Council's Liquid Trade Waste register and current approvals.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.6 Implement and monitor effluent reuse arrangements with relevant stakeholders to ensure secure and cost effective effluent disposal	Ensure quality meets contractual requirements.	Quarterly to 30 June 2020	Council is entering into contracts with external customers for the purchase of recycled water produced from the new recycled water treatment plant.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in	20.1.7 Carry out construction of second water main servicing south Muswellbrook	Construction of new water main to be completed	30 June 2020	Design progressing for the second water main servicing south Muswellbrook.



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	compliance with regulatory requirements.				
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.8 Review and update the Landfill Environmental Management Plan	Report to be provided to Council by June 2020	30 June 2020	The Landfill Environmental Management Plan has been reviewed and updated, and was reported to the 27 August 2019 Ordinary Council meeting.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.9 Carry out construction of new water treatment plant for Sandy Hollow	Construction of new water treatment plant to be completed	30 June 2020.	Progression of design subject to appropriate management of the secondary water product.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.10 Implement appropriate studies and planning approvals for Food Organics and Garden Organics management	Provide report to Council regarding outcome of the trial of a Mobile Aerated Floor System to process kerbside organic material	30 June 2020	A tender for the provision of preliminary engineering designs and Review of Environmental Factors in relation to the provision of Food Organics and Garden Organics was
			Provide report to Council recommending any	30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			further actions to be taken in relation to the processing of Food Organics and Garden Organics		reported to the 17 December 2019 Ordinary Council Meeting, and a contract awarded to the successful tenderer.
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.11 Inspect onsite wastewater sewage systems to ensure they are installed and maintained in compliance with regulatory requirements	Increase the inspection and compliance of onsite wastewater sewage systems	25% more inspections conducted than during 2018/19	Inspections ongoing
20.1	Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.	20.1.12 Carry out business case for upgrade of Denman sewer treatment plant	i. Business case to be completed	31 August 2019	The business case for the upgrading of the Denman sewer treatment plant is currently under review, and is expected to be reported to Council during the fourth quarter of 2019-20.
			ii. Options report to be provided to Council	30 September 2019	

The road, footpath and cycleway networks are integrated and allow for the safe movement of residents around the Shire.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
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DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
21.1	Maintain and continually improve the Shire's footpath and cycleway networks to improve connectivity.	21.1.1 Provide a report to Council on options to be funded and the amounts necessary to achieve the Delivery Program priorities	i. Report on the funded program to be provided to Council	30 August 2019	A report providing detail of the funded programme was submitted and endorsed by Council at the July 2019 Ordinary Council meeting. A further report was submitted to Council for the project to replace Mangoola Road Culverts.
			ii. Reports on further discrete projects funded by grants or other means to be reported to Council prior to construction	30 June 2020	
21.1	Maintain and continually improve the Shire's footpath and cycleway networks to improve connectivity.	21.1.2 Deliver the Capital Program substantially on time, on budget and in accordance with relevant design and construction standards	Capital project status report to be submitted quarterly to the Infrastructure Committee	Quarterly to 30 June 2020	A Quarterly Project Status Report for the second quarter of 2019-20 will be submitted to the 25 February 2020 Ordinary Council Meeting.

## Community Leadership

*To improve the community's participation in decision making and implement business improvement initiatives to improve service delivery.*

Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.	22.1.1 Carry out a desk based exercise to test preparedness for a severe weather event.	Desk-based exercise carried out and report submitted to the Local Emergency Management Committee	30 June 2020	A desk-based exercise has been carried out to test preparedness for a severe weather event. The exercise was carried out under the auspices of Muswellbrook Police and relevant response agencies following the September 2019 meeting of the Local Emergency Management Committee.
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to	22.1.2 Ensure currency of Bush Fire Risk Management Plan.	Status of Bush Fire Risk Management Plan to be reported to the Local Emergency Management Committee	30 June 2020	The Bush Fire Risk Management Plan is currently being reviewed through the auspices of the regional Bush Fire Risk Management

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	make decisions in the best interest of the community.				Committee.
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.	22.1.3 Meetings of the Local Emergency Management Committee are held regularly	Meetings held on a quarterly basis	to 30 June 2020	A quarterly meeting of the Local Emergency Management Committee was held in Muswellbrook in September 2019. The scheduled December quarterly meeting was cancelled due to the need to manage and provide assistance to the management of bush fires in New South Wales. The next scheduled meeting of the Local Emergency Management Committee is March 2020.
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council	22.1.4 Undertake strategic advocacy with government and industry leaders to further the interests and aspirations of the	Council is represented at a senior level on intergovernmental and industry bodies to progress Council's strategic goals	30 June 2020	Council is taken leadership in the establishment of the Hunter Joint Organisation Economic Transition

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	and its elected arm is best placed to make decisions in the best interest of the community.	Shire's communities			Steering Committee and has established a range of new Advisory Committees, the Future Fund Advisory Committee and the Liddell Closure Advisory Committee.
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.	22.1.5 Review Council's Emergency Management Plan (EMPLAN)	i. EMPLAN to be drafted into new template	31 March 2020	A review of Council's Emergency Management Plan (EMPLAN) has been carried out, and the status of evacuation centres for Muswellbrook Shire has been updated. The reviewed EMPLAN will be drafted into the new template once the template has been finalised.
			ii. Report to be submitted to Local Emergency Management Committee	30 June 2020	
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm	22.1.6 Attend Regional Emergency Management Committee meetings	Host meetings on a six monthly basis	Biannually to 30 June 2020	Attendance at Regional Emergency Management Committee meetings is occurring on a quarterly basis.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	is best placed to make decisions in the best interest of the community.				
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.	22.1.7 Attend Combined Muswellbrook-Singleton Bush Fire Risk Management Committee meetings	Host meetings on a six monthly basis	Biannually to 30 June 2020	Attendance at meetings of the Combined Muswellbrook-Singleton Bush Fire Risk Management Committee is occurring on a quarterly basis.
22.1	Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.	22.1.8 Develop Climate Change Resilience Policy	Draft Policy to be reported to Council by June 2020	30 June 2020	Initial information gathering work is being carried out in relation to the development of a Climate Change Resilience Policy.
22.1	Enhanced collaboration with Council's community and	22.1.9 Infrastructure projects to consider emergency risk management in the	All infrastructure projects to include consideration of emergency risk management in the design	30 June 2020	Planning and design for capital project includes consideration of

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.	design process	process		emergency risk management.

**Genuine and well informed community participation in decision making.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
23.1	Utilise best practice models of community engagement to ensure decision making is meeting the expectations of the community.	23.1.1 Continue a comprehensive community consultation program as per the Community Engagement Strategy.	i. Conduct community consultation in preparation for the forthcoming Community Strategic Plan, Delivery Program and End of Term Report	30 June 2020	Council has not commenced a comprehensive community consultation program and there are no plans to host a community panel this year.
			ii. Continue the community panel engagement process to include service levels	30 June 2020	
			iii. Implement and maintain a diverse range of communication	30 June 2020	



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
			channels between Council and community stakeholders		
23.2	Enhance Council's consultation and communication with the community to build awareness and understanding of Council's activities and community needs.	23.2.1 Promote Council and the Muswellbrook Shire and share information through a range of communications media	i. Build a new website that is accessible to all	30 June 2020	Council continues to promote its work to the community and other key stakeholders. Over the fourth quarter Council's communications team published 64 stories in social and traditional media. Council's social media engagement over the period has seen a cumulative reach of 147,344 and resulted in direct engagement on 33,854 occasions.
			ii. Develop a Shire branding strategy	30 June 2020	
			iii. Promote Council's work to the community and respond to media enquiries using a range of media as appropriate	30 June 2020	

**A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
24.1	Maintain a strong focus on financial discipline to enable Council to properly respond to the needs	24.1.1 Manage Council's Future Fund.	Report performance of the Future Fund to the Future Fund Committee	30 June 2020	Future Fund financial statements from the Sept 19 Budget Review were emailed to the Future Fund Committee

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	of the communities it serves.				on 29 Nov 19.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.1 Identify and implement business improvement measures to achieve efficiencies and better service delivery outcomes	i. Monitor and review the Audit, Risk & Improvement Committee Charter to ensure compliance with recommendations of Audit Office and Office of Local Government	30 June 2020	Council has appointed a new Audit, Risk and Improvement Committee, which has met in this quarter and is providing advice on a range of business improvement matters. Two service reviews were completed and two more commenced.
			ii. Undertake two internal audits per year to be reported to the Audit Risk & Improvement Committee	30 June 2020	
			iii. Undertake two service reviews each year to be reported to the Audit Risk & Improvement Committee	30 June 2020	
			iv. Review Fraud and Corruption Prevention measures in place	30 June 2020	
24.2	Implement a comprehensive and targeted business	24.2.2 Ensure compliance with Council's statutory	i. Provide timely responses to information requests	30 June 2020	One formal GIPA application was received and processed within the

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	improvement program.	reporting obligations.	ii. Review Public Interest Disclosure systems	30 June 2020	statutory timeframe. Reviews of Council's Public Interest Disclosure and Government Information (Public Access) Act processes are nearing completion.
			iii. Review processes around Government Information (Public Access) Act	30 June 2020	
24.2	Implement a comprehensive and targeted business improvement program.	24.2.3 Provide efficient and effective Development Application, Complying Development Certificate, Construction Certificate and Occupational Certificate assessment services	Reduce the average number of days to complete assessments of Development Application, Construction Certificates and Occupational Certificates	Reduce assessment service times by 10% by 30 June 2020	New notification processes approved. Updates to templates, better utilization of Trapeze and new processes for Admin staff to issue documents when applications are approved has improved efficiency of staff.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.4 Deliver high quality, cost effective and competitive Principal Certifying Authority (PCA) certification services	Report statistics to Council of PCA certification services retained by Council and private certifiers	Quarterly to 30 June 2020	Statistics reported to Council in the monthly Director's Report.
				Quarterly to 30 June 2020	

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
24.2	Implement a comprehensive and targeted business improvement program.	24.2.5 Undertake site inspection of development sites subject to Development Application / Construction Certificate in accordance with statutory requirements	Report statistics to Council on DA and CC compliance site inspections	Quarterly to 30 June 2020	Statistics reported to Council as part of monthly Director's Report.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.6 Facilitate the registration and inspection of all 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	Report to Council the number of regulated premises (caravan parks, food outlets, skin penetration, hairdressers, mortuaries, air handling systems) registered and inspected in accordance with relevant legislation and regulations	Quarterly to 30 June 2020	Statistics reported to Council in the monthly Director's report
24.2	Implement a comprehensive and targeted business	24.2.7 Facilitate the control of animals in	Maintain statistics on incoming and outgoing animals, rescues,	30 June 2020	Monthly statistics recorded.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
	improvement program.	accordance with the Companion Animals Regulations	adoptions, return to owners and euthanasia's in accordance with regulations		
24.2	Implement a comprehensive and targeted business improvement program.	24.2.8 Ensure statutory requirements relating to fire safety measures are implemented	Report annually on the number of reminder letters issued to owners of buildings on Council's register of fire safety measures and annual fire safety statements received by Council	30 June 2020	Reminder letters being sent as premises fall due.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.9 Ensure statutory requirements under the Private Swimming Pools Program (Swimming Pool Act 1992) are implemented	Report on the number of private swimming pools inspected and number of appropriate enforcement actions taken	Quarterly to 30 June 2020	Registered public pools have been inspected, other inspections will occur as new pools are identified.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.10 Continue to review, update and revoke policies in accordance with the policy framework	Policies are reviewed in line with the Policy Review Schedule for 2019/20	30 June 2020	Policy reviews are continue in line with the policy framework management strategy.

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
		management strategy			
24.2	Implement a comprehensive and targeted business improvement program.	24.2.11 Provide support services for the elected Council and executive.	Business Papers are provided to Council in accordance with the Code of Meeting Practice	30 June 2020	Business Papers are provided to Council in accordance with the Code of Meeting Practice.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.12 Implement the Muswellbrook Shire Council Workforce Plan 2017-2021	Review and revise the Muswellbrook Shire Council Workforce Plan in line with workforce data trends to ensure the workforce has the capacity to deliver the Delivery Program going forward	30 June 2020	The workforce plan of Attract, retain, engage and develop will continue to roll over until 2021. HR have completed projects with online onboarding, wider advertising and promotion of Muswellbrook Council has been achieved, and we will continue to build a better online profile. The Performance appraisal system was completed by 100% of staff. In 2020 HR will be working on engagement and development. HR have commenced this project with the amalgamation and centralization of training

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					schedule and annual plan with budget implications.
24.2	Implement a comprehensive and targeted business improvement program.	24.2.13 Ensure compliance with all Recover at Work processes in accordance with requirements of regulators and insurer.	Provide reports to the Audit, Risk and Improvement Committee (ARIC) on Recover at Work statistics to ensure compliance with the policy and program	Quarterly to 30 June 2020	HR have completed all the improvement recommendations from the Statecover audit May 2018. HR had organized with Statecover to deliver training to Supervisors and managers in relation to initial injury and doctors visits. All RTW records are stored electronically no paper based records are kept on site. HR attend every doctors visit with correct paperwork to be authorized by all parties. HR have developed templates for the purpose of gathering and storing information along with a RTW information folder for injured workers outlining process, responsibilities and expectations. HR have a fortnightly phone conference with Statecover case worker

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
					and schedule in calendar regular catch ups with injured workers.

**A sustainable Council that is best practice employer providing safe, happy and productive workplace.**

DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments
25.1	Continue to prioritise safety and risk management initiatives, employee welfare initiatives, and upgrades to Council's works depot and waste management facility.	25.1.1 Construct a new Works Depot with consideration of opportunities for operational efficiencies	Develop detailed design and seek funding opportunities to construct a new combined Works Depot and Water & Wastewater administration facility at the Recycled Water Treatment Plant Site	30 June 2020	Preliminary concept design progressing for planning approval.
25.1	Continue to prioritise safety and risk management initiatives, employee welfare initiatives, and upgrades to Council's works depot and waste management facility.	25.1.2. Ensure Council meets all its Workplace Health and Safety obligations and responsibilities	i. Implement WHS Risk Assessment Action Plan in full	30 June 2020	Council continues to meet all of its Workplace Health and Safety obligations and responsibilities, and provides continuous monitoring and oversight of Council's health and safety performance.
			ii. Provide continuous monitoring of Council's WHS performance	30 June 2020	
			iii. Consider the needs of people with varying abilities in Council's plans and strategies	30 June 2020	



DP Strategy Code	DP Strategy	Action Name	Performance Measure	Target	Comments

**12.5 SERVICE DELIVERY REVIEW OF WATER AND WASTEWATER**

<b>Attachments:</b>	<b>A. Service Deliver Review of Water and Wastewater.docx</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Madeleine St John - Continuous Improvement Officer</b>
<b>Community Plan Issue:</b>	<b><i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i></b>

**PURPOSE**

For Council to note the attached report of the Service Delivery Review of Water and Wastewater.

**OFFICER'S RECOMMENDATION**

**Council notes the attached Service Delivery Review of Water and Wastewater**

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

**BACKGROUND**

In 2015, in response to the State Government's Fit for the Future (FFTF) program, Muswellbrook Shire Council adopted its *Further Improvement Plan*, which among other things commits to the implementation of a Service Review Program to improve operational efficiencies.

In 2016 it was identified, as part of Council's internal risk management program, that Council's service delivery models and service levels are currently not fully documented and that there has historically been limited community engagement regarding Council's services.

On 17 December 2018 MANEX endorsed a Service Delivery Review Program.

**CONSULTATION**

Director Community Infrastructure Services;  
Assistant Director Community Infrastructure & Chief Engineer;  
Operations Manager (Water and Wastewater);  
Asset Manager (Water and Wastewater);  
Asset Management Engineer;  
Project Engineer (Water and Wastewater)  
General Manager  
Manager Integrating Planning, Risk and Governance  
Coordinator Integrated Planning and Improvement  
Risk and Improvement Officer  
Maitland City Council

Central Coast Council  
Singleton Council  
Blacktown City Council  
Lithgow City Council  
Morrison Low Consultants

## REPORT

The process for this Service Delivery Review is as follows:

- Establish a project team consisting of key internal staff;
- Collect benchmarking data;
- Conduct team workshops to discuss benchmark data and seek business improvement ideas;
- Analysis and initial report;
- Seek endorsement from Leadership Team; and
- Submit final report to Council and Audit Risk and Improvement Committee.

A project team was established on 18 February 2019. Members of the project team were selected by the Director Community Infrastructure Services. Meetings were conducted with the project team to collect and discuss benchmark data on:

- 1 March 2019;
- 2 April 2019;
- 2 May 2019; and
- 9 September 2019.

Team workshops were conducted on 7 May 2019 and 7 June 2019.

The key findings of the Service Delivery Review are that:

1. The 2017 Community Satisfaction Survey indicated Water Supply as the most important service identified by the community; *(see page 13 of attached report)*
2. The 2019 Community Satisfaction Survey indicated an increase in importance of the sewage collection and treatment service as identified by the community; *(see page 13 of attached report)*
3. Council's Integrated Water Cycle Management (IWCM) strategy is currently under review, and therefore key performance indicators remain unclear; *(see page 14 of attached report)*
4. Interrupted water supply data is not currently captured; *(see page 15 of attached report)*
5. Internal and external stakeholder information is not currently available; *(see page 16 of attached report)*
6. Data indicating the proportion of the Water and Wastewater service (or part of the service) provided by another part of the organisation or that has a close relationship or duplication with another service provided by Council is not currently collected; *(see page 17 of attached report)*
7. Key processes and procedures that enable the safe, secure and reliable delivery of the service are not recorded; *(see page 17 of attached report)*
8. The mode of service delivery (including resource sharing, outsourcing or insourcing data) has not been documented; *(see page 17 of attached report)*
9. The Network's team pride themselves on strengths including teamwork and effective interactions with the community; *(see page 18 of attached report)*
10. The two biggest challenges identified by staff are limited resources and inferior systems; *(see page 18 of attached report)*

11. Internal Audits were carried out on various Council functions which involved Water and Wastewater from June 2015 to June 2017. Thirteen improvement actions were identified by the audits for Water and Wastewater. Seven actions remain outstanding. *(see page 19 of attached report)*

The key recommendations of the Service Delivery Review are that:

1. The length of interrupted water supply data is captured and utilised as a key performance measure of Council's delivery of water to the Shire; *(see page 15 of attached report)*
2. A list of internal and external stakeholders is compiled before conducting the next Service Delivery Review on the Water and Wastewater service; *(see page 16 of attached report)*
3. Service relationship mapping is documented prior to conducting the next Service Delivery Review on the Water and Wastewater service; *(see page 17 of attached report)*
4. The key processes and procedures are documented prior to conducting the next Service Delivery Review on the Water and Wastewater service; *(see page 17 of attached report)*
5. Mode of service delivery data is documented prior to conducting the next Service Delivery Review on the Water and Wastewater service; *(see page 17 of attached report)*
6. The draft Integrated Water Cycle Management (IWCM) is completed and submitted to Council for adoption; *(see page 19 of attached report)*
7. Accurate location maps of assets and pipes are loaded into a system to facilitate the current implementation of tablet devices; *(see page 19 of attached report)*
8. Additional resources are allocated to enable proactive improvements and greater long-term efficiencies; *(see page 19 of attached report)*
9. Outstanding actions from the internal audit of Water and Wastewater are prioritised and actioned. *(see page 22 of attached report)*

Full report from the Service Delivery Review of Water and Wastewater is attached.

## CONCLUSION

Water and Wastewater is a critical service provided to the community of Muswellbrook Shire and historical surveys identify community satisfaction with the service.

Council's Integrated Water Cycle Management (IWCM) document is currently under review, and therefore key performance indicators remain unclear.

The expectations of the community are that the supply of water is secure and reliable (*Community Strategic Plan – Goal 20*) however, interrupted water supply data is not currently monitored and therefore is not a measurable key performance indicator of Council's delivery of water to the Shire.

Water and Wastewater has been subject to multiple internal audits and outstanding recommendations should be actioned as a priority.

Key service information relating to stakeholders, processes and procedures was unavailable. It is recommended that these are documented prior to conducting the next Service Delivery Review (SDR).

The Network's team pride themselves on strengths including teamwork and effective interactions with the community.

The two biggest challenges identified by staff were limited resources and inferior systems. It is recommended that additional resources are allocated to enable proactive improvements and greater long-term efficiencies.

## STATUTORY IMPLICATIONS

In 2016, the NSW Government made it a requirement under the *Local Government Act 1993* that each council have an Audit, Risk and Improvement Committee. This requirement is likely to take effect from March 2021. The Government is consulting on the proposed regulatory framework that will support the

operation of these committees, and the establishment of a risk management framework and internal audit function in each council. There will be nine core requirements that councils will be required to comply with when establishing their Audit, Risk and Improvement Committees, risk management framework and internal audit function. These requirements are based on international standards and the experience of Australian and NSW Government public sector agencies who have already implemented risk management and internal audit.

**OPERATIONAL PLAN IMPLICATIONS**

Council's 2019/20 Operational Plan commits to the completion of two service reviews as follows:

24.2.1 Identify and implement business improvement measures to achieve efficiencies and better service delivery outcomes.

- Monitor and review the Audit, Risk and Improvement Committee (ARIC) Charter to ensure compliance with recommendations of Audit Office and Office of Local Government;
- Undertake two internal audits per year to be reported to the ARIC;
- Undertake two service reviews each year to be reported to the ARIC;
- Review Fraud and Corruption Prevention measures in place.

**RISK MANAGEMENT IMPLICATIONS**

The objectives of Council's internal audit function are to review and monitor organisational legislative compliance, risk management, fraud control, financial management, governance, IP&R, service reviews and external accountability.



## **SERVICE DELIVERY REVIEW**

# Water and Wastewater Service



Prepared by Madeleine St John

Endorsed by Manex

Date: 9 December 2019

Version: 3.1



*Muswellbrook Water Treatment Plant*

**STAGE KEY:**

Version :	Reviewed by:
✓ 1	First draft
✓ 2	Service Delivery Review Project team
✓ 3	Manex
4	Council

**Symbol Attributes:**

search computer by Mushu from the Noun Project  
Strategic Plan by ProSymbols from the Noun Project



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Symbol key:


Findings

Recommendation

## 1. Executive Summary

The key findings of the Service Delivery Review are that:

1. [The 2017 Community Satisfaction Survey indicated Water Supply as the most important service identified by the community;](#) (page **Error! Bookmark not defined.**)
2. [The 2019 Community Satisfaction Survey indicated an increase in importance of the sewage collection and treatment service as identified by the community;](#) (page **Error! Bookmark not defined.**)
3. [Council's Integrated Water Cycle Management \(IWCM\) strategy is currently under review, and therefore key performance indicators remain unclear;](#) (page **Error! Bookmark not defined.**)
4. [Interrupted water supply data is not currently captured;](#) (page **Error! Bookmark not defined.**)
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The key recommendations of the Service Delivery Review are that:

1. [The length of interrupted water supply data is captured and utilised as a key performance measure of Council's delivery of water to the Shire;](#) (page **Error! Bookmark not defined.**)
2. [A list of internal and external stakeholders is compiled before conducting the next Service Delivery Review on the Water and Wastewater service;](#) (page **Error! Bookmark not defined.**)

3. [Service relationship mapping is documented prior to conducting the next Service Delivery Review on the Water and Wastewater service;](#) (page **Error! Bookmark not defined.**)
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9. [Outstanding actions from the internal audit of Water and Wastewater are prioritised and actioned.](#) (page **Error! Bookmark not defined.**)

## **2. Background**

### **2.1 What is a Service Delivery Review?**

A Service Delivery Review (SDR) applies an evidence-based approach to drive more efficient use of resources whilst providing effective services appropriate to the needs of the community. A mature SDR program will enable Council to determine where adjustments to service levels are required and/or which service delivery models will return the greatest benefits to stakeholders whilst remaining fiscally responsible and sustainable.

### **2.2 Rationale for Service Delivery Review**

In 2015, in response to the State Government's Fit for the Future (FFTF) program, Muswellbrook Shire Council adopted its *Further Improvement Plan*, which among other things commits to the implementation of a Service Review Program to improve operational efficiencies (Doc ID: 619662).

In 2016 it was identified, as part of Council's internal risk management program, that Council's service delivery models and service levels are currently not fully documented and that there has historically been limited community engagement regarding Council's services.

Council's 2018/19 Operational Plan committed to the completion of two service reviews by 30 June 2019 (Operational Plan action 24.2.6).

On 17 December 2018 Council's Management and Executive team (MANEX) endorsed an SDR of Water and Wastewater Services.

### **2.3 Historical Context - Service Delivery Reviews at Council**

Council conducted two SDRs in 2016. Both SDRs were approved for commencement on 10 December 2015 and were expected to be completed within three months; however, the reviews took eleven months to complete. The methodology used for these SDRs has since been revised and an amended methodology has been adopted for future SDRs with the goal to simplify the process and reduce the overall time for completion.

## **2.4 Previous reviews relating to Water and Wastewater Service**

In 2013, Council engaged an external consultant to undertake a structural review of Council's Water & Waste Section (*Muswellbrook Shire Council (Water & Waste Section) Organisational Review Discussion Paper* – DOC ID: 755785). The Review identified several key issues which were impacting upon the Section's achievement of operational objectives, and proposed an action plan.

Council's Water and Sewer Service was included in the 2015 Independent Pricing and Regulatory Tribunal's *Assessment of Council Fit for the Future Proposals* (DOC ID: 594613). The following assessment was provided: "The council has not provided evidence its water and sewer businesses currently pay, or would be able to pay, dividends. Consequently, the existence of these businesses only affect the councils' scale and capacity insofar as they allow the council to hire staff with a wider range of skills."

An Internal Audit was conducted on Council's Water Utility Management in June 2017 by Council's independent internal auditor. The audit's overall grading was: "Some Improvement Needed". A few specific control weaknesses were noted; generally however, controls were evaluated as adequate, appropriate, and effective to provide reasonable assurance that risks are being managed and objectives should be met (*Review of Water Utility Management* – DOC ID: 773568).



***In 2018 the Water and Wastewater section was impacted by an organisational restructure resulting in the Networks team being integrated with the Roads, Drainage, Parks and Gardens section and relocated at Council's Works Depot.***

This report details the first formal SDR to be completed on the Water and Wastewater department by Council.

## **2.5 Consultation**

An extensive consultation period occurred whilst determining the revised SDR framework for Muswellbrook Shire Council. Port Stephens Council, having commenced their SDR program over ten years ago, contributed advice and guidance.

Morrison Low Consultants, Maitland City Council, Central Coast Council, Singleton Council, Blacktown City Council and Lithgow City Council were also consulted.

Further consultation was conducted with internal staff with knowledge and/or experience of Council's previous SDR program, including the:

- General Manager;
- Manager Integrated Planning, Risk and Governance;
- Coordinator Integrated Planning and Improvement; and
- Risk and Improvement Officer.

The following reports were also utilised:

- Walker G and Gray M., 2012 *Service Delivery Reviews in Australian Local Government*, Australian Centre of Excellence for Local Government, University of Technology, Sydney; and

- Hunting, S.A., Ryan, R. & Robinson, T.P. 2014, *Service delivery review: a how to manual for local government*, 2<sup>nd</sup> edn, Australian Centre of Excellence for Local Government, University of Technology, Sydney.

## **2.6 Key issues identified before review**

Water and Wastewater is the most critical service the Council provides. Water and Wastewater service is unique in that its allowable outage time is a matter of hours rather than days.

This was highlighted on 17 September 2018 when the water main that feeds a large area of South Muswellbrook burst resulting in loss of pressure and water to many homes. Council was quick to respond, providing bottled water to affected residents and free showers in the local aquatic centre. A specialised section of pipe required transportation from Newcastle to replace the damaged section and therefore water services were unable to be restored until 19 September 2018. An extensive debrief followed the incident and the draft *South Muswellbrook Water Main Break Procedure* was developed (DOC ID: 1009181) to provide guidelines for managing future major water main breaks in a systematic manner to minimise disruption to water supply. South Muswellbrook experienced another water main break on 3 July 2019. The draft *South Muswellbrook Water Main Break Procedure* was enacted and disruption to the community was successfully minimised.

## **3. Methodology**

### **3.1 Scope of Service Delivery Review**

The purpose of SDRs is to ensure that services provided by Council are efficient, effective and appropriate to the needs of the community. As a starting point, it is important to identify the services provided by Council and define levels of service.

Developing an effective SDR program can take multiple years and reviews. The knowledge acquired by each review informs successive reviews.

The initial SDR of an area is primarily focused on identifying services and sub-services and describing how these services are delivered. This is especially pertinent for Muswellbrook Shire Council because Council's services and service levels are not fully documented. Consequently, as this is the first SDR for Water and Wastewater, it has a primary focus on defining and benchmarking the service area.

Subsequent SDRs of this area will be informed by this benchmarking information, and will spend fewer resources in this area. Instead it will focus on testing the appropriateness of service levels against community expectations and allocated resources.

The following benchmarking information about the service is collected and recorded in the first round SDR:

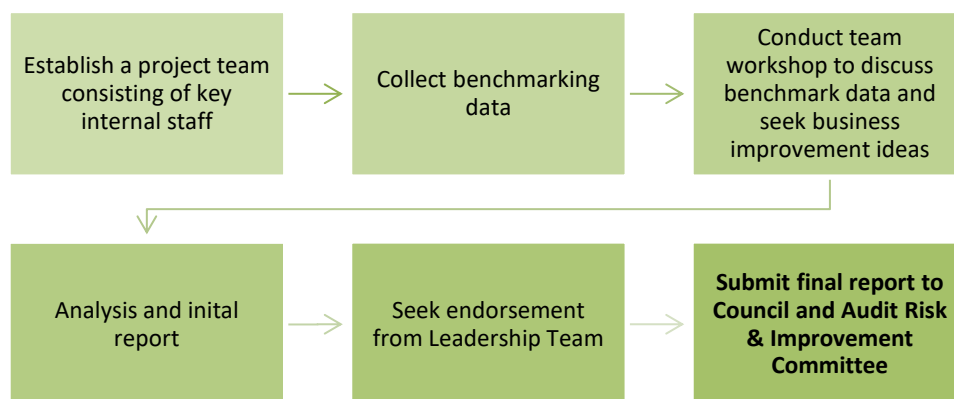
- Purpose of the service;
- Sub-services associated with the service;
- How the service relates to the Community Strategic Plan;

- Relevant legislation and compliance requirements governing the service;
- Levels of Service and how they are measured;
- Capital and operational budget commitments for the last two financial years;
- Annual income from previous financial years;
- The amount of full time equivalent staff required to deliver the service;
- Service overlaps or duplications with other services provided by Council;
- Mapping the processes and procedures of the service;
- The service delivery mode; and
- Assets, infrastructure and facilities associated with the service.

Once this information is collected, a workshop is conducted with the service delivery team to present and confirm the data and record any initial business improvement ideas.

### **3.2 Process of Service Delivery Review**

The process for this Service Delivery Review is set out as follows:



### **3.3 Timeline**

When this SDR was approved by Manex in December 2018, the following timeline was endorsed:

Date	Action
February 2019	Commence Service Delivery Review
June 2019	Provide plan for improvement
July 2019	Complete Service Delivery Review

The Service Delivery Review was announced and the project team formed on 18 February 2019. The first project meeting was held on 1 March 2019.

Team workshops were conducted on 7 May 2019 and 7 June 2019.

## **4. Establishing the project team**

### **4.1 Members of the project team**

The project team included the following members:

- Director Community Infrastructure Services;
- Assistant Director Community Infrastructure & Chief Engineer;
- Operations Manager (Water and Wastewater);
- Asset Manager (Water and Wastewater);
- Asset Management Engineer;
- Project Engineer (Water and Wastewater);
- Governance and Improvement Officer; and
- Risk and Improvement Officer.

Members of the project team were selected by the Director Community Infrastructure Services.

### **4.2 Gathering of information**

The initial project meeting focused on introducing Council's SDR Program and determining how and from whom to gather data. Follow-up project meetings and emails were utilised for data collection.

## **5. Description of service**

### **5.1 Water and Wastewater Service**

Council provides water treatment and reticulated drinking water supply services to the urban areas of Muswellbrook, Denman and Sandy Hollow and sewerage reticulation and treatment to the urban areas of Muswellbrook and Denman. The fully regulated Hunter River provides a high reliability source for both Muswellbrook and Denman. Sandy Hollow relies for its water supply on the Goulburn River, which over the course of the last drought proved reliable for the village at its current size.

Muswellbrook Shire Council meets each of the water quality benchmarks set by the NSW Office of Water and will continue to do so.

The Muswellbrook Shire community wants clean, affordable and healthy water and waste management services that are sustainable and have a low impact on the environment (*Community Strategic Plan 2017-2027*– Goal 20).

### **5.2 Service subsets**

The service includes the following subsets:

- Water supply

- Sewage service

## **6. Link to the Community Strategic Plan**

### **6.1 Community Strategic Plan 2017-2027 background**

The *Community Strategic Plan 2017-2027* (the Plan) is an overview document that identifies the community's main priorities and visions for the future. It covers a time frame of 10 years.

In 2016 Council undertook a comprehensive program of consultation with its communities and stakeholders as part of the development of the Plan, where residents were invited to attend community forums, participate in telephone and face-to-face surveys and make submissions as part of a whole-of-community strategic planning exercise.

Whilst surveys indicated that the community is increasingly happy with the way that Council is tackling the "big issues", the surveys also indicated that the community was asking Council to do much more and sooner. The Plan sets out overarching goals that provide a framework for the strategies, which Council, through consultation with the community and key stakeholders, has adopted in order to best meet the challenges of the present and future.

The community's goals outlined in the Plan were also informed by, and aligned with the priorities and actions endorsed in the Premier's Priorities in Action, and NSW State Priorities and other NSW Government plans to grow the economy, deliver infrastructure, protect the vulnerable, reduce human impacts on the environment and improve health, education and public services across NSW. Specific elements of those goals are also aligned with the goals and directions identified in the vision outlined in the Hunter Regional Plan 2036 which will guide the delivery of greater prosperity for communities across the Hunter region, including those in the Muswellbrook Shire.

### **6.2 Community Strategic Plan 2017-2027 – Community Infrastructure**

The community has high expectations of its infrastructure and Council has over many years worked to ensure that the renewal backlog has been addressed through significant investment.

Well maintained community infrastructure helps enable Council to provide quality lifestyle facilities in support of our residents and to attract and sustain further economic and population growth.

### **6.3 Community Strategic Goal 20**

Goal 20 of the *Community Strategic Plan 2017-2027* makes the following commitment:

*A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health.*

### **6.4 Alignment of Muswellbrook's Community Goals with NSW Government Priorities and Plans**

**Premier's Priorities In Action:** Building infrastructure.



***The Hunter Regional Plan 2036 includes:***

- ***deliver infrastructure to support growth and communities; and***
- ***A biodiversity-rich natural environment: sustain water quality and security.***



## **7. Legislative information**

The Water and Wastewater Service is governed by the following legal and statutory requirements:

- Australian Drinking Water Guidelines (2011)
- EPA Licence requirements
- Department of Public Health
- Public Health Act 2010

## **8. The Muswellbrook Shire Community**

### **8.1 Desired outcome of service**

The desired outcome of the service is a safe, secure and reliable water supply and sewerage services.

### **8.2 Importance of Water and Wastewater service to the community**

In August 2017, Muswellbrook Shire Council commissioned Jetty Research to conduct a representative and statistically valid telephone survey of 400+ adult residents living within the local government area (LGA) to assess satisfaction with, and priorities towards various Council-managed facilities and services and Council's customer service function (*Muswellbrook Shire Council Customer Satisfaction Survey 2017* – DOC ID: 789268). The survey was also designed to identify and understand community priorities regarding a range of potential new Council infrastructure projects.

The questionnaire was designed as a baseline measurement tool, from which future repeats of the study can understand movements in satisfaction and identify the impact of changes in Council service levels, strategies and focus.

Polling was conducted from August 28th to September 4th 2017, as a random telephone survey of 403 adult residents living throughout the LGA. No formal quotas were applied, although Jetty Research did attempt to ensure a robust mix of ages, genders and sub-regions.

Based on the number of households within the Muswellbrook Shire, a random sample of 403 adult residents implies a margin for error of +/- 4.8% at the 95% confidence level. This essentially means that if a similar poll was conducted 20 times, results should reflect the views and behaviour of the overall survey population – in this case "all Muswellbrook Shire adult residents excluding Council employees and Councillors" - to within a +/- 4.8% margin in 19 of those 20 surveys.

During the telephone survey, respondents were asked to rank various Council services. The results are then divided into four categories:

- High importance and high satisfaction;
- High importance but low satisfaction;
- Low importance and high satisfaction; and

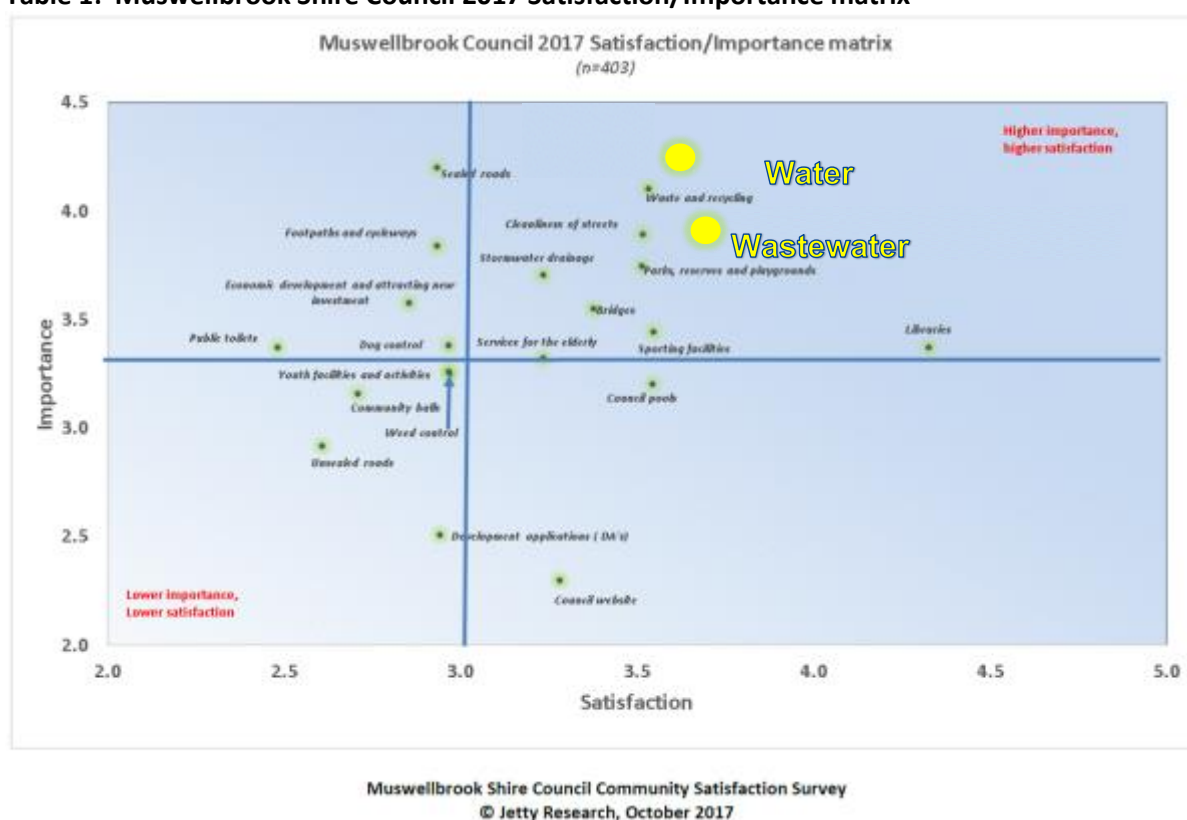
- Low importance and low satisfaction

The survey revealed the following importance and satisfaction rating from the community of Muswellbrook Shire:

	Importance	Satisfaction
<b>Water:</b>	4.24	3.61
<b>Wastewater:</b>	3.90	3.70

Those scores place both services in the high satisfaction/high importance quadrant as can be seen in Table 1.

**Table 1: Muswellbrook Shire Council 2017 Satisfaction/Importance matrix**



***Compared to the rest of Council's services the 2017 community satisfaction survey revealed that Water Supply is the most important service for the community.***

Generally the top right quadrant (high importance and high satisfaction) indicates areas of service that must be maintained for a satisfied community. The top left quadrant identifies priority areas for improvement – service delivery that is important to the community but with lower satisfaction for the delivery, or level of service.

Both the Water Supply and Wastewater service were rated as high importance and high satisfaction which indicates that the services are important to the community and that there is satisfaction with

the delivery and level of service. The Water Supply service rated as the most important service Council provides for the community.



**Council commissioned Jetty Research to conduct another survey in May 2019. The only significant change was an increase in importance of the sewage collection and treatment service (5580 MSC Community Satisfaction Survey – Doc ID: 1024310).**

Water supply	2017	2019	Difference
Importance	4.24	4.35	+3%
Satisfaction	3.61	3.65	+1%

Sewage collection and treatment	2017	2019	Difference
Importance	3.90	4.16	+7%
Satisfaction	3.70	3.72	+1%

## 9. Current service levels

### 9.1 Water supply current level of service

The current critical levels of service were identified as follows:

<b>Quality of water:</b>	Compliant with Australian drinking water guidelines 2011
<b>Secure supply of water:</b>	Ten planned supply interruptions a year per 1,000 customers; Not more than two unplanned interruptions per affected connection and less than twenty per 1,000 connections in any year.
<b>Reliable water pressure:</b>	Minimum pressure at meter when conveying 6 L/min to tenement: 20 (metres head) Max static pressure: 85 (metres head)
<b>Response time:</b>	Response times to customer requests – critical failures: During working hours: Muswellbrook = 2 hours; Denman and Sandy Hollow = 3 hours Outside working hours: 4 hours Non critical customer requests: 1 day

### 9.2 Wastewater current level of service

The current critical level of service for wastewater is the managing of odour control complaints:

Treatment plant and pumping station:

- No more than seven odour complaints in Muswellbrook per year; and
- No more than one odour complaint in Denman.

Reticulation system:

- No more than fifteen odour complaints in Muswellbrook per year; and
- No more than two odour complaints in Denman.

### 9.3 How current service levels are measured

Key Performance Indicator (KPI) data is currently recorded to compare to service level targets. It is intended that the KPI's are measured against the service level targets specified in the Integrated Water Cycle Management (IWCM) document. The IWCM, which is required to be prepared at least every eight years, illustrates how Council has complied with the best-practice management of water and sewerage guidelines issued by the NSW Government. Council is in the process of renewing their IWCM as the current 2007 version was due for renewal in 2015. It has been acknowledged that the Levels of Service Targets are incorrect in the adopted 2007 IWCM and they have been updated in the draft IWCM.



***Because the draft IWCM is yet to be adopted by Council there is confusion amongst staff as to which targets they should measure their performance against.***



***The KPI data that is currently recorded is summarised quarterly and reported to Council.***

For a full list of the Levels of Service Targets please see Appendix B.

#### 9.4 Service levels that are not measured

The expectations of the Muswellbrook Shire community are that there is a supply of water that is secure and reliable (*Community Strategic Plan 2017-2027* page 17 – DOC ID: 714974).



***Council's IWCM sets Level of Service targets for interrupted water supply at a maximum duration of of four hours (eight hours in the draft IWCM). However this data is not currently captured or monitored.***



As this is a key Level of Service to the community, **it is recommended that maximum length of interrupted water supply data is captured and utilised as a key performance measure of Council's delivery of water to the Shire.**

## 10. Financial information

Financial information regarding Water and Wastewater:

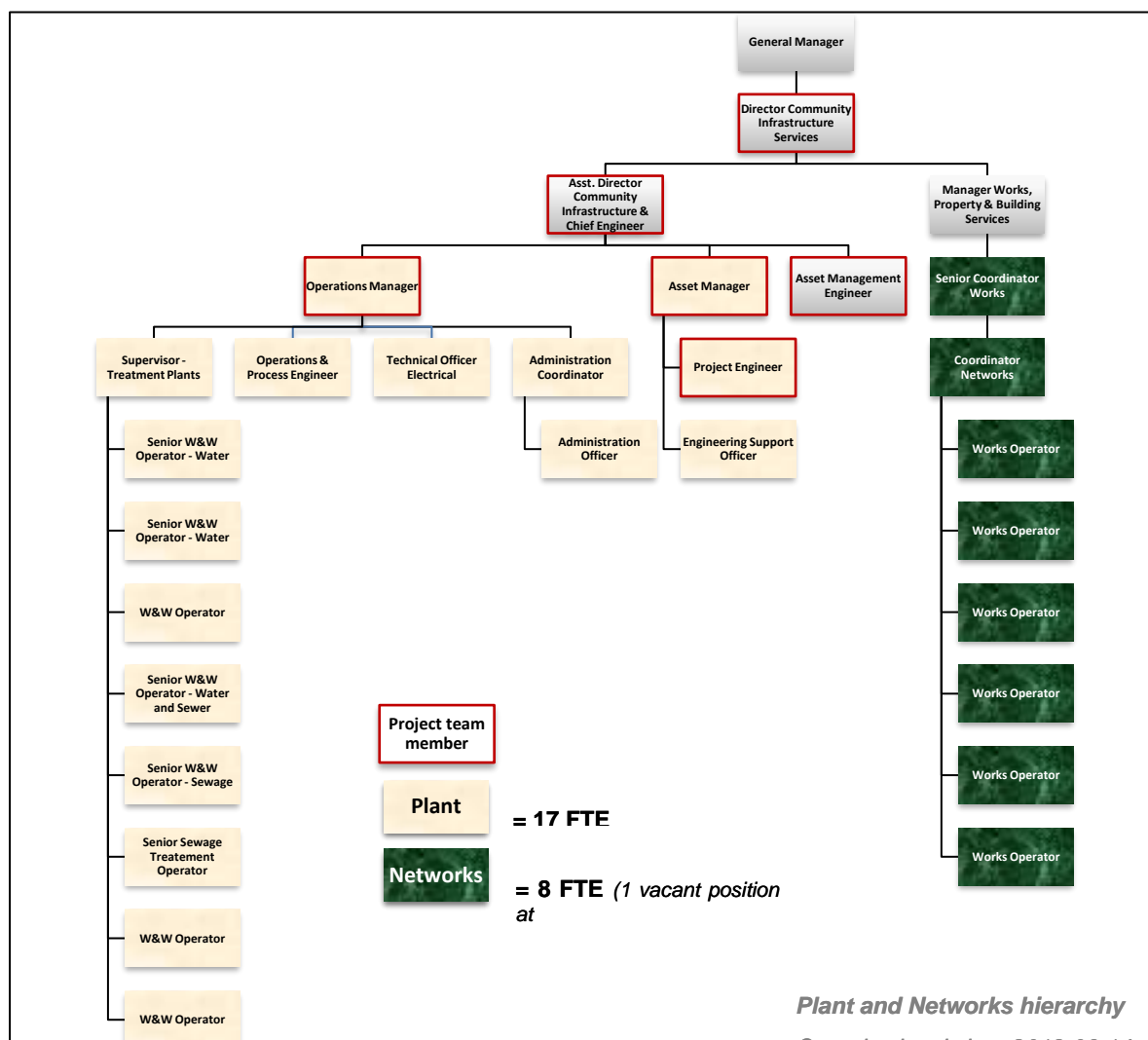
<b>FY17 Annual Operating Expenditure</b>	Water: \$5,571,000 Sewer: \$3,825,000 <b>Total: \$9,396,000</b>
<b>FY17 Annual Capital Expenditure</b>	Water: \$2,031,000 Sewer: \$1,777,000 <b>Total: \$3,808,000</b>
<b>FY17 Annual Income</b>	Water: \$5,785,000 Sewer: \$4,519,000 Grants: \$825,000 <b>Total: \$11,129,000</b>
<b>FY18 Annual Operating Expenditure</b>	Water: \$6,195,000 Sewer: \$4,245,000 <b>Total: \$10,440,000</b>
<b>FY18 Annual Capital Expenditure</b>	Water: \$4,300,000 Sewer: \$1,803,000 <b>Total: \$6,103,000</b>

FY18 Annual Income	Water: \$6,826,000 Sewer: \$4,760,000 Grants: \$8,695,000 <b>Total: \$20,281,000</b>
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## 11. Staffing levels



*The current staffing level for Water and Wastewater is 25 full time equivalent positions (as at 14 June 2019). This includes one vacant position.*



*There are also staff from the Works department (Roads, Parks and Gardens) who work in Networks when necessary.*



*The previous financial year (2017/18) saw staffing levels at 31 full time equivalent positions (as at 6 June 2018). This included five vacant positions.*

## 12. Stakeholders



*Internal and external stakeholder information is not currently available.*



It is recommended that a list of internal and external stakeholders is compiled before conducting the next SDR on the Water and Wastewater service.

## 13. Service relationships



*An expectation of this SDR was to record if the Water and Wastewater service (or part of the service) is provided by another part of the organisation or has a close relationship or duplication with another service provided by Council. However, this data is not currently available.*



It is recommended that service relationship mapping is documented prior to conducting the next SDR on the Water and Wastewater service.

## 14. Process and procedures of service



*An expectation of this SDR was to collate key processes and procedures that contribute to the key safe, secure and reliable desired outcomes of the service. However, this data is not currently available.*



It is recommended that the key processes and procedures are documented prior to conducting the next SDR on the Water and Wastewater service.

## 15. Mode of service delivery



*The mode of service delivery (including resource sharing, outsourcing or insourcing data) has not been documented.*



It is recommended that mode of service delivery data is documented prior to conducting the next SDR on the Water and Wastewater service.

## 16. Assets, infrastructure and facilities

The assets, infrastructure and facilities associated with the Water and Wastewater service are:

Asset Class	Asset Category	Sub Category
Water Supply Network	Mains	Gravity Mains Rising Mains
	Reservoirs	Muswellbrook Denman

		Sandy Hollow
	Pumping Stations	By Location – Street Name ex: MbK Common Rd
	Treatment Infrastructure	Muswellbrook Denman Sandy Hollow
	Other ex: Telemetry	
Sewage network	Mains	Gravity Mains Rising Mains
	Pumping Stations	Muswellbrook (MPS 01 to MPS 13) Denman (DSP 01 to DSP 02) Sandy Hollow
	Treatment Infrastructure	Muswellbrook Denman
	Effluent Re-Use	Effluent Re-Use pumping stations Reuse Reservoirs Reuse Water Reticulation
	Other ex: Telemetry	

## 17. Suggested Improvements

### 17.1 Workshop outline

Two workshops were conducted, the first with the Plant team and the second with the Network team.

The workshops consisted of three parts:

- Explanation of the SDR program at Council;
- Discussion of gathered benchmark information and levels of service; and
- Identifying challenges and opportunities.

### 17.2 Identified strengths

During the Networks workshop the following strengths were identified:

- Teamwork;
- Responsive team;
- Good at prioritising;
- Effective communication with the community; and
- Responsive to the community in times of emergency and crisis.



*The Network's team pride themselves on strengths including teamwork and effective interactions with the community.*

### 17.3 Identified challenges



***The two biggest challenges identified by staff related to limited resources and systems.***

The full list of challenges identified were:

1. Lack of resources – people – which leads to spending more money due to staff only able to work reactively rather than proactively;
2. Lack of systems – documented procedures (eg procurement/ tenders / conflicting info – impacts upon timeliness for engineers to get jobs done) – double-handling of service requests/ monitoring and managing health monitoring;
3. Lack of clarification of Service Level Targets due to the IWCM still in draft form – staff unsure of which version of targets should be adhered to;
4. Aging infrastructure;
5. Location of assets and pipe maps are inaccurate which leads to wasting time in searching for correct location;
6. Non-functioning valves; and
7. Risk Assessment paperwork for Network staff is inefficient due to forms not being pre-filled with standard information – i.e. constant repetition writing standard information on every form.

### 17.4 Suggested Improvements from workshop



**That the draft IWCM is completed and submitted to Council for adopted;**



**Accurate location maps of assets and pipes are loaded into a system to facilitate the current implementation of tablet devices;**



**Additional resources are allocated to enable proactive improvements and greater long-term efficiencies.**

### 17.5 Internal Audit Review of Water Utility Management

Council's Audit, Risk and Improvement Committee (formerly Internal Audit Committee) provides independent review of and advice to Council on matters identified by the independent internal auditor. Internal Audit reports, presented to the Committee at each meeting, include action updates provided by responsible Council officers via an Independent Internal Audit Findings Register managed by Council's Pulse software.



***Internal Audits were carried out on various Council functions which involved Water and Wastewater from June 2015 to June 2017. Of the actions plans that arose from these audits, thirteen concerned Water and Wastewater. Six of these actions have been completed, with seven actions outstanding.***



The outstanding findings and actions consist of:

<b>Finding</b>	<b>Agreed action</b>
<ul style="list-style-type: none"> <li>The SRMS for Water &amp; Wastewater is a manual system requiring the administration staff to consult with the network &amp; treatment plant supervisors in the first instance to prioritise the service request. The service request is then printed and provided for completion to the operators. There is often a significant delay in receiving paper copies to be returned or they are lost. The paper copies need to be returned to administration to enable all the additional data to be captured in the SRMS and then in InfoXpert to complete the service request. Further the information being reported to the administration staff for data entry is often not complete.</li> </ul>	<ul style="list-style-type: none"> <li>Council will investigate the use of tablets and Reflect to enable the recording of information relating to service requests by the outdoor staff on site so as to eliminate the need for the double handling of information. Until an alternative system can be implemented the Network &amp; Treatment Plant Supervisors will review the current SRMS printed requests on a sample basis and follow up with the operators when there is inadequate information. The administration staff will produce a report of outstanding SRMS requests on a monthly basis and provide to the service co-ordinator to follow up with the operators to complete the requests.</li> </ul>
<ul style="list-style-type: none"> <li>There is no stock register or register of tools and small plant for the stock kept at the water treatment plant. Due to lack of controls in place, has led to items being lost, broken or missing. Items have also been Ordered which have never been unboxed. In order to improve processes, issuance sheets similar to the depot stores have been introduced. There are plans to further improve access control to control materials in stores. CCTV cameras will be installed to improve security in prevention of theft of vehicles, plant and equipment.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to the planned improvements noted the stock will be itemised and included in the Authority Stock System. Stock used will be tracked using the issuance sheets introduced and entered to Authority by Storemen at the Depot. Minimum/maximum stock levels will be set and purchasing centralised at the Depot, with purchases made automatically by the storemen when the minimum levels are reached.</li> </ul>
<ul style="list-style-type: none"> <li>Stock at the Water treatment plant is being stored outside on the ground in the yard and outside of the fences increasing risk of WHS incidents and theft.</li> </ul>	<ul style="list-style-type: none"> <li>Stock will be stored within the yard on pallets and piping racks to reduce the WHS risk.</li> </ul>
<ul style="list-style-type: none"> <li>There is a significant amount of stock at the water treatment plant that may be redundant or obsolete.</li> </ul>	<ul style="list-style-type: none"> <li>A stocktake of the various storage areas is to be carried out to identify redundant and obsolete stock for disposal.</li> </ul>
<ul style="list-style-type: none"> <li>Plant hire rates have been recently updated for the Water &amp; Sewer by Unifleet for the 2017 financial year, however Water &amp; Sewer staff have not reviewed the plant hire rates and are unaware of the inputs used to determine the plant hire rates.</li> </ul>	<ul style="list-style-type: none"> <li>Plant hire rates will be reviewed annually or bi-annually as applicable using whole of life costs to ensure Council is setting appropriate internal hire rates. Whole of life costs include: Depreciation; Finance costs; Operational costs including tyres, fuel, repairs and maintenance; Fixed costs including overhead recovery, insurance</li> </ul>

**Finding**

**Agreed action**

- 
- An internal plant reconciliation between the timesheets and hours and kilometres (KM's) entered to log sheets is only be completed by the Works Department. Efforts have been made to establish this procedure at the Waste Depot and Water and Sewer, however this has not been implemented.

wages licensing; and FBT for light vehicles.

- 
- The requirement for internal reconciliation between hours and KM's from log sheets to the timesheets is to be included in the Plant & Fleet Management and Utilisation Policy and procedures manual, to ensure all data is being captured correctly and entered to Authority. Training on the internal reconciliation will be provided by the Business System and Fleet Operations team. Where issues are identified Coordinators are to remind plant operators of the correct procedure for the completion of timesheets/logsheets. Further coordinators will follow up incorrect timesheets with plant operators each week to ensure accuracy information is being recorded. Operations managers will review timesheets on a sample basis and follow up errors with coordinators.

- 
- From our inspection of various Council work sites we found the following issues:

- Variances between Departments in the level of WHS management. We found (via site observations, review of various records and comments from various staff) that Works, Parks and Waste had higher level of WHS focus and were culturally more "attuned" to managing WHS risk compared to other Departments such as Water and Sewer;
- There was a ferric sulphate leak on 28 March at the Water Treatment Plant (WTP) which resulted in significant overflows into containment ponds and also residues remaining in the lime dosing area. However, the reporting of the incident to WHS staff did not occur until the following day. Further, whilst we were onsite there also did not appear to be any level of urgency regarding the issue or that the matter was indeed serious;
- The lime dosing restricted access area at the WTP was also unlocked and the door propped open allowing

- 
- Council will include continual inspections of high risk sites by staff from outside their respective Departments for improved accountability. Matters found will be placed on the incident register for treatment. Council will ensure there is a link between WHS performance, overall staff performance and clarity of roles for staff and in particular supervisors and managers who need to monitor and foster WHS improvement. Contractor WHS compliance will be an element of project performance outcomes for managers monitoring projects where contractors are used. Council will review the Water Treatment Plant perimeter fencing and gate access to improve not only WHS risk but also water security.

**Finding****Agreed action**

- the auditor and potentially the public access to this high risk area;
- The access gates for the WTP were unlocked and open. Therefore, once you enter the fenced perimeter of the WTP there was a high level of risk a member of the public could access various unsafe parts of the plant. The design of the WTP has the reception to the WTP set back from the perimeter fencing which does not help with WTP access security;
  - The fire wardens and fire drills were not up to date at the WTP;
  - There was no noise register for high risk areas of the WTP and Sewer Treatment Plant (STP);



**It is recommended that outstanding actions from the internal audit of Water and Wastewater are prioritised and actioned.**

For a complete list of Internal Audit findings associated with Water and Wastewater including comments from authorising or responsible officers see Appendix C.

### 17.6 Asset Management Audit Preparedness Assessment 2015

In 2015 an Audit Preparedness Assessment was completed by Council's financial auditors (DOC ID: 594500). It included two findings that related to Water and Wastewater:

NSW Local Government Asset Management Audit Preparedness Assessment 2015		
Question:	Compliance level:	Finding:
Has Council identified its critical assets and what systems and processes are in place to manage these assets?	<b>LOW</b>	<ul style="list-style-type: none"> <li>• Critical water &amp; wastewater assets are identified, however contingency plans need to be developed.</li> </ul>
Does the Council have a comprehensive asset register covering all its assets?	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Water &amp; Wastewater Plant and Building assets are componentised to a level satisfactory for valuation purpose but do not fully meet operational requirement</li> </ul>



***Findings from the Asset Management Audit Preparedness Assessment are currently being reviewed by the Asset Management Working Group to recommend actions to rectify issues and assign responsibilities.***

### 17.7 Implemented business improvements

Business improvements were identified and implemented by the service team on the following process: When Network teams identified significant repairs were required (i.e. a broken pipe) they directed the issue to the Plant team who organised contractors to repair. However, this process was not an efficient use of resources as it resulted in longer response times (particularly a concern for emergency repairs) and double handling.

The process has been changed so that Network teams liaise directly with contractors so that communication is effective and repairs are addressed immediately. A process is also being initiated to tender a contractor so that response times can be agreed upon and contractors can be used as a matter of course on weekends and public holidays.

## **18. Conclusion**

### **18.1 Conclusion**

Water and Wastewater is a critical service provided to the community of Muswellbrook Shire. Historical surveys identify community satisfaction with the service.

Council's Integrated Water Cycle Management (IWCM) document is currently under review, and therefore key performance indicators remain unclear.

The expectations of the community are that the supply of water is secure and reliable (*Community Strategic Plan – Goal 20*) however, interrupted water supply data is not currently monitored and therefore is not a measurable key performance indicator of Council's delivery of water to the Shire.

Water and Wastewater has been subject to multiple internal audits and outstanding recommendations should be actioned as a priority.

Key service information relating to stakeholders, processes and procedures was unavailable. It is recommended that these are documented prior to conducting the next Service Delivery Review (SDR).

The Network's team pride themselves on strengths including teamwork and effective interactions with the community.

The two biggest challenges identified by staff were limited resources and inferior systems. It is recommended that additional resources are allocated to enable proactive improvements and greater long-term efficiencies.

## 19. Appendices

### 19.1 Appendix A: Service Delivery Summary

#### **SERVICE DELIVERY PROFILE: Water and Wastewater Service**

##### **Short Service Description:**

Provide a safe water supply and wastewater service to the community

<b>Funded by Council: Y</b>	<b>\$'000</b>	<b>\$'000</b>	
	<b>2016-2017</b>	<b>2017-2018</b>	<b>MAO: 0 days</b>
<b>Annual Operating</b>	\$9,396	\$10,440	
<b>Annual Capital Expenditure</b>	\$3,808	\$6,103	
<b>Total Expenditure</b>	\$13,204	\$16,543	
<b>Annual Income</b>	(\$11,129)	(\$20,281)	
<b>Net cost</b>	\$2,075	(\$3,738)	
<i>This is a mandatory and external service with 25 FTE staff</i>			<i>(31 FTE in prior year)</i>

#### **- Community Infrastructure - Water and Wastewater -**

##### **Link to Community Strategic Plan**

Goal 20 - A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health

##### **Full Service Description:**

Council provides water treatment and reticulated drinking water supply services to the urban areas of Muswellbrook, Denman and Sandy Hollow and sewerage reticulation and treatment to the urban areas of Muswellbrook and Denman. The fully regulated Hunter River provides a high reliability source for both Muswellbrook and Denman. Sandy Hollow relies for its water supply on the Goulburn River, which over the course of the last drought proved reliable for the village at its current size.

Muswellbrook Shire Council meets each of the water quality benchmarks set by the NSW Office of Water and will continue to do so.

The Muswellbrook Shire community wants clean, affordable and healthy water and waste management services that are sustainable and have a low impact on the environment.

##### **Legislative Information:**

- Australian Water Drinking Guidelines (2011)
- EPA Licence requirements
- Department of Public Health
- Public Health Act 2010

##### **Service Subsets:**

- Water Supply
- Sewage service

##### **Service Outcomes for Residents:**

A safe, secure and reliable water supply and sewerage services

**Current Service Level:**

<b>Water</b>	Water Quality:	Compliant with Australian drinking water guidelines 2011
	Water flow:	Ten planned supply interruptions a year per 1,000 customers; Not more than two unplanned interruptions per affected connection and less than twenty per 1,000 connections in any year.
	Water pressure:	Minimum pressure at meter when conveying 6 L/min to tenement: 20 (metres head) Max static pressure: 85 (metres head)
	Response time:	Response times to customer requests – critical failures: During working hours: Muswellbrook = 2 hours; Denman and Sandy Hollow = 3 hours Outside working hours: 4 hours Non critical customer requests: 1 day
<b>Sewer:</b>	Odour control:	Number of odour complaints per year: Treatment plant and pumping station: Muswellbrook = 7; Denman = 1 Reticulation system: Muswellbrook = 15; Denman = 2
<b>Service Level Measuring Method:</b> KPI data that is currently recorded is summarised and reported to Council on a quarterly basis		
<b>Community Satisfaction results 2017:</b> Sewage collection and treatment: 3.7/5 satisfaction; 3.9/5 importance Water Supply: 3.6/5 satisfaction; 4.2/5 importance		
<b>Community Satisfaction results 2019:</b> Sewage collection and treatment: 3.7/5 satisfaction; 4.1/5 importance Water Supply: 3.6/5 satisfaction; 4.3/5 importance		
<b>Stakeholder(s):</b> Data currently not available		
<b>Service Relationships:</b> Data currently not available		
<b>Processes and Procedures:</b> Data currently not available		
<b>Mode of Service Delivery:</b> Data currently not available		
<b>Assets, Infrastructure and Facilities Associated with Service:</b>		
Asset Class	Asset Category	Sub Category
<b>Water Supply Network</b>	Mains	Gravity Mains Rising Mains

	Reservoirs	Muswellbrook Denman Sandy Hollow
	Pumping Stations	By Location – Street Name ex: Mbk Common Rd
	Treatment Infrastructure	Muswellbrook Denman Sandy Hollow
	Other ex: Telemetry	-
<b>Sewage network</b>	Mains	Gravity Mains Rising Mains
	Pumping Stations	Muswellbrook (MPS 01 to MPS 13) Denman (DSP 01 to DSP 02) Sandy Hollow
	Treatment Infrastructure	Muswellbrook Denman
	Effluent Re-Use	Effluent Re-Use pumping stationsReuse ReservoirsReuse Water Reticulation
	Other ex: Telemetry	-
<b>Strengths and Challenges Analysis:</b>		
<div> <div> Teamwork Responsive team Good at prioritising Effective communication with the community Ability to supply bottled water effectively when required </div> <div> Lack of resources Lack of systems Lack of clarification of Service Level Targets Age of current infrastructure Inaccurate asset maps Valves that do not work Risk Assessment paperwork inefficient </div> </div>		
<i>Strengths</i>		<i>Challenges</i>

## 19.2 Appendix B: Levels of service targets

WATER SUPPLY LEVELS OF SERVICE TARGETS				
DESCRIPTION	UNIT	MUSWELLBROOK	DENMAN	SANDY HOLLOW
<b>Availability of Services</b>				
<b>New Services</b>				
Time to provide an individual connection to water supply in serviced areas (90% of	Working Days	15		



WATER SUPPLY LEVELS OF SERVICE TARGETS				
DESCRIPTION	UNIT	MUSWELLBROOK	DENMAN	SANDY HOLLOW
time)				
Availability of Supply				
Domestic peak day (90% of peak day use by residential customer)	L/ET/Day	Less than 2800 litres per day		
Domestic allowance	KL/ET/Year	Average 250 KL or less		
Peak Production Capability	KL/Day	14500	2700	250
Fire Fighting				
Compliance with the Building Code of Australia and NSW Fire Brigade requirements	% Area Fully Served	98%		
Pressure				
Minimum pressure at meter when conveying 6 L/min to tenement	Metres Head	20		
Max Static Pressure	Metres Head	85		
Water Restrictions in Drought	In accordance with targets set in Council's Drought Management Plan			
Supply Interruptions				
Planned				
Notice to Residential Customers	Days	2		
Notice to Non-residential customers	Days	5		
Maximum duration of interruption	Hours	8		
Number of Interruptions	No./Year/1000 Customers	10		
Unplanned				
Maximum duration of interruption	Hours	8		
Number of Interruptions	No	Not more than 2 per affected connection and less than 20 per 1000 connections in any year.		
Response Times to Customer Requests- Critical Failures				
During working hours	Hours	2	3	3
Outside working hours	Hours	4	4	4
Response Times to Customer Requests-Non Critical Failures				
During or Outside working hours	Day	1		
Customer Enquiries –				
Verbal Enquiry	Refer Council's Complaints Management Policy			
Written Enquiry				

WATER SUPPLY LEVELS OF SERVICE TARGETS				
DESCRIPTION	UNIT	MUSWELLBROOK	DENMAN	SANDY HOLLOW
Water Quality of Distribution System				
COMPLIANT WITH THE AUSTRALIAN DRINKING WATER GUIDELINES (2011), Council's Drinking Water Policy				

SEWERAGE SERVICES LEVELS OF SERVICE TARGETS			
DESCRIPTION	UNIT	MUSWELLBROOK	DENMAN
Availability of Services			
System Failure Causing Overflow (excluding private property)			
Category 1: Failure due to rainfall and inadequate design capacity-( 5 year average recurrence interval rainfall)	No/Year	7	1
Category 2: Failure due to breakdown	No/Year	7	1
Category 3: Failure due to blockages	No/Year	100	15
Response Time to System Failures (95% of the time)			
Staff on Site	Hours	2	3
Service Re-established	Hours	8	
Odour Complaints			
Treatment Plant	No/Year	7	1
Pumping Stations	No/Year	7	1
Reticulation System	No/Year	15	2
Effluent Quality & Reuse Quality			
COMPLIANT WITH EPA Licence Requirements, End Use Agreement, Australian Guidelines for Water Recycling 2006, Council's Liquid Trade Policy based on Liquid Trade Waste Guidelines 2007 & POEO Act 1997			

### 19.3 Appendix C: Internal Audit Findings of Water and Wastewater

<b>Code:</b>	A-20	<b>Responsible Officer:</b>	Jacob Godwell
<b>Target:</b>	31/12/2016	<b>Authorising Officer:</b>	Natalia Cowley
<b>Issue/Finding:</b> A number of staff are experiencing issues with using InfoXpert offsite. The stability of the system is poor with it crashing all the time. In addition, we understand that InfoXpert operates very slow in the Water and Waste building on Scott Street. Due to the time delays in operating the system Water and Waste staff are reluctant to utilise the system.		<b>Agreed action:</b> IT will investigate the stability issues with using InfoXpert offsite to ensure that staff can use their Workspace. IT will investigate the performance of InfoXpert at the Water and Waste building and determine if anything can be done to improve the performance of the system.	
<b>Latest update:</b> COMPLETED			
Fibre optic network has been implemented at all relevant sites. Substantial performance increases achieved, connection speed from 3MB/s to 105MB/s. Basic Magiq documents tests conducted, opening document reduced from 45 second to 10 seconds.			

<b>Code:</b>	E-6	<b>Responsible Officer:</b>	Irene Chetty
<b>Target:</b>	30/9/2016	<b>Authorising Officer:</b>	Derek Finnigan
<b>Issue/Finding:</b> Water and Wastewater use a separate Service Request Management System (SRMS) to capture the additional information required for the annual report to the Department of Primary Industries (DPI) Water and Environmental Protection Agency (EPA). The SRMS has not been updated for changes in the legislation and reporting requirements and cannot be run on the latest version of windows.		<b>Agreed action:</b> The Water and Wastewater requirements will be taken into account in the review of a suitable CRM System for use by Council. In addition, the Water Operations Manager will investigate the use of Reflect by Water and Waste to ascertain the ability of Reflect to capture the required information. This will upgrade the function to a correct supported system used elsewhere across Council.	
<b>Latest update:</b> COMPLETED			
The new Customer Request Management System will replace the present SRMS - data retrieved from the new CRMS will be used for DoI and EPA reporting.			

<b>Code:</b>	E-7	<b>Responsible Officer:</b>	Jacob Godwell
<b>Target:</b>	-	<b>Authorising Officer:</b>	Natalia Cowley
<b>Issue/Finding:</b> The SRMS for Water & Wastewater is a manual system requiring the administration staff to consult with the network & treatment plant supervisors in the first instance to prioritise the service request.  The service request is then printed and provided for completion to the operators. There is often a significant delay in receiving paper copies to be returned or they are lost. The paper copies need to be returned to administration to enable all the additional data to be captured in the SRMS and then in InfoXpert to complete the service request.  Further the information being reported to the administration staff for data entry is often not complete.		<b>Agreed action:</b> Council will investigate the use of tablets and Reflect to enable the recording of information relating to service requests by the outdoor staff on site so as to eliminate the need for the double handling of information.  Until an alternative system can be implemented the Network & Treatment Plant Supervisors will review the current SRMS printed requests on a sample basis and follow up with the operators when there is inadequate information.  The administration staff will produce a report of outstanding SRMS requests on a monthly basis and provide to the service co-ordinator to follow up with the operators to complete the requests.	
<b>Latest update:</b> 80% Complete Implementation of Authority CRM and Asset Management systems in progress. CRM go-live schedule December, Asset management - maintenance management go-live schedule December.			

<b>Code:</b>	H-3	<b>Responsible Officer:</b>	Regina Connon
<b>Target:</b>	30/6/2017	<b>Authorising Officer:</b>	Natalia Cowley
<b>Issue/Finding:</b> There is no stock register or register of tools and small plant for the stock kept at the water treatment plant. Due to lack of controls in place, has led to items being lost, broken or missing. Items have also been Ordered which have never been unboxed. In order to improve processes, issuance sheets similar to the		<b>Agreed action:</b> In addition to the planned improvements noted the stock will be itemised and included in the Authority Stock System. Stock used will be tracked using the issuance sheets introduced and entered to Authority by Storemen at the Depot. Minimum/maximum stock levels will be set and purchasing	

depot stores have been introduced. There are plans to further improve access control to control materials in stores. CCTV cameras will be installed to improve security in prevention of theft of vehicles, plant and equipment.	centralised at the Depot, with purchases made automatically by the stormen when the minimum levels are reached.
<b>Latest update: 0% Complete</b> CCTV cameras have been installed to improve security in prevention of theft of vehicles, plant and equipment. The contractor to active the centralised fob system in the stores, as the hardware has been installed. (No reportable progress. Officer on leave)	

<b>Code:</b>	H-4	<b>Responsible Officer:</b>	Regina Connon
<b>Target:</b>	30/06/2017	<b>Authorising Officer:</b>	Natalia Cowley
<b>Issue/Finding:</b> Stock at the Water treatment plant is being stored outside on the ground in the yard and outside of the fences increasing risk of WHS incidents and theft.		<b>Agreed action:</b> Stock will be stored within the yard on pallets and piping racks to reduce the WHS risk.	
<b>Latest update:</b> 0% Complete Significant progress has been made and need to be continued to further improve. (No reportable progress. Officer on leave)			

<b>Code:</b>	H-5	<b>Responsible Officer:</b>	Irene Chetty
<b>Target:</b>	30/06/2017	<b>Authorising Officer:</b>	Derek Finnigan
<b>Issue/Finding:</b> There is a significant amount of stock at the water treatment plant that may be redundant or obsolete.		<b>Agreed action:</b> A stocktake of the various storage areas is to be carried out to identify redundant and obsolete stock for disposal.	
<b>Latest update:</b> 50% Complete			
This work is currently in progressed. Networks team is relocating relevant inventory to the Works Depot, presently.			
Redundant and obsolete equipment will be discarded or auctioned, in consultation with Regina - this process has also commenced.			
We have requested that consideration should be given to allow a mini satellite store for emergency breakdowns at the treatment plants - Regina has taken this to Natalia and the GM - we are waiting for feedback on this request.			
25/10/2018			
Anthony has reported that an area has to be cleared out and levelled before the racks go on. Alex is managing this work. Once the shelving and racks are installed, the networks equipment will be moved. The expected date for relocating of equipment is mid Dec 2018.			
Regina has confirmed that no satellite stores will be permitted at the treatment plants. Kugan will contact Michael to make arrangements for relocating treatment plant equipment.			

<b>Code:</b>	M-3	<b>Responsible Officer:</b>	Irene Chetty
<b>Target:</b>	31/03/2017	<b>Authorising Officer:</b>	Derek Finnigan
<b>Issue/Finding:</b> Plant hire hours are not being correctly recorded on the timesheets. Issues found included: - No ledger codes used; - Incorrect ledger codes used; - Incorrect Kilometres entered;		<b>Agreed action:</b> Coordinators will remind plant operators of the correct procedure for the completion of timesheets. Further Coordinators will follow up incorrect timesheets with plant operators each week to ensure accurate information is being recorded. Operations	

<ul style="list-style-type: none"> <li>- Incorrect odometer readings recorded;</li> <li>- Double entry;</li> <li>- Missed plant codes; and</li> <li>- Plant on trailers not recorded at all.</li> </ul> <p>The issues identified relate mainly to the Water &amp; Sewer and the Waste depot. This has resulted in three work around processes being used by payroll to properly capture plant hire.</p>	<p>managers will review timesheets on a sample basis and follow up errors with Coordinators.</p>
<p><b>Latest update:</b> <b>COMPLETED</b></p> <p>This has been addressed. Networks team are now using the timesheets that the Works depot use. The timesheets used previously did not cater for all of the plant hire hours. Works timesheets provide adequate room for logging all information required by payroll. Refer to DOC ID 910322 for an example i.e. timesheet for 31 Aug 2018 - scroll down to last two pages where the networks team long in the plant hire with odometer readings, hours and project costing numbers. Treatment plant supervisor monitors and check timesheets every Monday to ensure that the correct information is added in before submission to payroll.</p>	

<b>Code:</b>	M-5	<b>Responsible Officer:</b>	Regina Connon
<b>Target:</b>	30/06/2017	<b>Authorising Officer:</b>	Natalia Cowley
<b>Issue/Finding:</b> Plant hire rates have been recently updated for the Water & Sewer by Unifleet for the 2017 financial year, however Water & Sewer staff have not reviewed the plant hire rates and are unaware of the inputs used to determine the plant hire rates.		<b>Agreed action:</b> Plant hire rates will be reviewed annually or bi-annually as applicable using whole of life costs to ensure Council is setting appropriate internal hire rates. Whole of life costs include: Depreciation; Finance costs; Operational costs including tyres, fuel, repairs and maintenance; Fixed costs including overhead recovery, insurance wages licensing; and FBT for light vehicles.	
<b>Latest update:</b> 0% Complete			
It is planned to review and update internal plant hire rates for Water & Waste and Works for implementation in 2018-2019. (No reportable progress. Officer on leave)			

<b>Code:</b>	M-6	<b>Responsible Officer:</b>	Regina Connon
<b>Target:</b>	30/06/2017	<b>Authorising Officer:</b>	Natalia Cowley
<p><b>Issue/Finding:</b> An internal plant reconciliation between the timesheets and hours and kilometres (KM's) entered to log sheets is only be completed by the Works Department. Efforts have been made to establish this procedure at the Waste Depot and Water and Sewer, however this has not been implemented.</p>		<p><b>Agreed action:</b> The requirement for internal reconciliation between hours and KM's from log sheets to the timesheets is to be included in the Plant &amp; Fleet Management and Utilisation Policy and procedures manual, to ensure all data is being captured correctly and entered to Authority. Training on the internal reconciliation will be provided by the Business System and Fleet Operations team. Where issues are identified Coordinators are to remind plant operators of the correct procedure for the completion of timesheets/logsheets. Further coordinators will follow up incorrect timesheets with plant operators each week to ensure accuracy</p>	

	information is being recorded. Operations managers will review timesheets on a sample basis and follow up errors with coordinators.
<b>Latest update:</b> 0% Complete Discussion will be held with Water & Waste in order to establish a similar practice to that being carried out by Works. (No reportable progress. Officer on leave)	

<b>Code:</b>	M-8	<b>Responsible Officer:</b>	Irene Chetty
<b>Target:</b>	30/06/2017	<b>Authorising Officer:</b>	Derek Finnigan
<b>Issue/Finding:</b> The utilisation of plant is monitored on a weekly basis in the Works Department as part of the budget review. However, there is no regular monitoring of plant and fleet utilisation in the Water & Sewer and Waste areas. Target utilisation rates have not been set in either department. Setting target utilization rates improves the ability of Council to assess the plant held as being fit-for-purpose.		<b>Agreed action:</b> Plant & fleet utilisation will be monitored and reviewed in the Water & Sewer and Waste areas.Target utilisation rates are to be calculated ,benchmarked against IPWEA and documented to provide improved reporting on the utilisation of the plant.Detailed analysis of the target utilisation rates is to be documented including the rationale for the rates being used.	
<b>Latest update:</b> COMPLETED			
The accurate usage of plant is recorded daily in hours and submitted with timesheets. We have adopted the same timesheet template that is used at the Works Depot. The Networks team has been doing this since moving to the Works Depot. The Electrical officer has commenced with this reporting three weeks ago. The water treatment and sewer treatment plants are now reporting plant hours on the timesheets. After consideration, it was decided that recording of plant hours on a daily basis is accurate and reliable rather than targeting utilization rates.			

<b>Code:</b>	M-13	<b>Responsible Officer:</b>	Irene Chetty
<b>Target:</b>	31/07/2017	<b>Authorising Officer:</b>	Derek Finnigan
<b>Issue/Finding:</b> Payroll is not provided with all log sheets for plant and fleet hire each week from the Water& Sewer department. Payroll do not have a master list of all the plant/ fleet held by Water & Sewer and therefore are unable to determine if all have been received each week for processing. Often log sheets are scanned and sent to payroll and reused, this results in additional time in payroll to ensure data is only captured once.		<b>Agreed action:</b> Water & Sewer will provide a master list of all Plant/fleet held by the department and will provide an original log sheet for all plant/fleet held by the department each week to ensure all internal plant/ fleet hire is captured in a timely manner.	
<b>Latest update:</b> COMPLETED Please refer to DOC ID 911147 for list of plant in use at the treatment plants and networks. This list was updated in September 2018. Annette Bridge has been tasked a copy of this list on 12/10/2018. The treatment plant supervisor has commenced to review the log sheets prior to sending it to payroll on a weekly basis since September 2018. The practice of re-using log sheets has stopped. Networks record plant usage hours on a daily basis on individual timesheets; the practice of re-using log sheets had stopped since moving to the Works Depot. The treatment plants are in the process of adopting the method of recording plant hours on a daily basis similarly to what is done at the Works Depot. 25/10/2018			

Kugan has commenced from 22 Oct'18 to record plant usage on the same timesheet template, used by the Works Depot. Toolbox meeting discussion held on 24/10/2018 indicates that operators are happy to proceed with the new format of reporting working hours and plant usage daily.

<b>Code:</b>	Q-2	<b>Responsible Officer:</b>	Melissa Cleary
<b>Target:</b>	-	<b>Authorising Officer:</b>	Joshua Brown
<b>Issue/Finding:</b> WHS management is fragmented across Council with, for example, Works, Water & Sewer and the Waste Departments performing their own WHS management including training, Safe Work Method Statements (SWMS) development, toolbox management and site monitoring. Within these Departments different processes and WHS management cultures have developed and a consistent approach across Council has not been achieved. This creates a higher risk that gaps have formed in WHS management that will result in weaknesses in preventing injury or fatalities. Further, without centralised monitoring from outside the various Departments there is a lack of accountability for poor management and practices.		<b>Agreed action:</b> Council will improve coordination of WHS across all Council Departments. Monitoring activities will be increased for site inspections; SWMS targeted completions, toolbox attendance and implement a WHS training register. The WHS Management System being reviewed by council will have the ability to track the effectiveness of centralised WHS coordination (including suitable checklists, prompts and frequency of tracking various WHS functions across Council’s Departments, etc.).	
<b>Latest update:</b> COMPLETED Rollout of WHS management system (SafeHold) has improved coordination of WHS across all Council Departments. Staff are consistently reporting incidents in SafeHold with investigations and corrective actions recorded and monitored in a central and accessible location. Job Site Investigations are now conducted and recorded within the system. The number of organisation-wide SWMS has been reviewed reducing the number of SWMS from to 360 to 71. WHS Team regularly attend toolbox meetings and will continue to work in collaboration with other departments to ensure a uniform approach to safety. A WHS training register is currently under development in collaboration with HR.			

<b>Code:</b>	Q-6	<b>Responsible Officer:</b>	Lyndall Gunning
<b>Target:</b>	-	<b>Authorising Officer:</b>	Joshua Brown
<b>Issue/Finding:</b> From our inspection of various Council work sites we found the following issues: <ul style="list-style-type: none"> <li>• Variances between Departments in the level of WHS management. We found (via site observations, review of various records and comments from various staff) that Works, Parks and Waste had higher level of WHS focus and were culturally more "attuned" to managing WHS risk compared to other Departments such as Water and Sewer;</li> <li>• The Works Depot had not had a fire drill for over twelve months and the emergency response plan for the site was only in draft;</li> <li>• There was a ferric sulphate leak on 28 March at the Water</li> </ul>		<b>Agreed action:</b> Council will include continual inspections of high risk sites by staff from outside their respective Departments for improved accountability. Matters found will be placed on the incident register for treatment. Council will ensure there is a link between WHS performance, overall staff performance and clarity of roles for staff and in particular supervisors and managers who need to monitor and foster WHS	



<p>Treatment Plant (WTP) which resulted in significant overflows into containment ponds and also residues remaining in the lime dosing area. However, the reporting of the incident to WHS staff did not occur until the following day. Further, whilst we were onsite there also did not appear to be any level of urgency regarding the issue or that the matter was indeed serious;</p> <ul style="list-style-type: none"> <li>• The lime dosing restricted access area at the WTP was also unlocked and the door propped open allowing the auditor and potentially the public access to this high risk area;</li> <li>• The access gates for the WTP were unlocked and open. Therefore, once you enter the fenced perimeter of the WTP there was a high level of risk a member of the public could access various unsafe parts of the plant. The design of the WTP has the reception to the WTP set back from the perimeter fencing which does not help with WTP access security;</li> <li>• There is no Traffic management plan for the Works Depot site;</li> <li>• Sun protection issues – The following issues were found: Parks and Gardens staff member observed to have no hat whilst working on a park site; the Hebden Road works site had two staff with rolled up sleeves contrary to sun safe policy; and contractors on Rutherford Road works were wearing shorts, short sleeves and were all not wearing hats;</li> <li>• For the Hebden Road works there was no spotter used between the traffic lights and where the works were occurring. Given the distance between the lights and where current works occurred, the trucks carting materials away could not see what traffic was coming after the lights changed;</li> <li>• Trucks used for Hebden Road works were observed to not have their tarp covers covering the loads, which is against policy;</li> <li>• The fire wardens and fire drills were not up to date at the WTP;</li> <li>• There was no noise register for high risk areas of the WTP and Sewer Treatment Plant (STP);</li> <li>• We observed contractors working on Rutherford Road roundabout (new pedestrian access) where the level of traffic management and sun protection did not comply with Council requirements.</li> </ul> <p>Our random inspections highlighted the need for unannounced visits to continue to identify issues and reinforce on the ground WHS cultural compliance.</p>	<p>improvement. Contractor WHS compliance will be an element of project performance outcomes for managers monitoring projects where contractors are used. Council will review the Water Treatment Plant perimeter fencing and gate access to improve not only WHS risk but also water security.</p>
<p><b>Latest update: 75% Complete</b></p> <p>Job Safety interactions are conducted by the WHS Advisor on temporary jobsites, these are recorded in SafeHold. Hazard/Safety Inspections are conducted Monthly by HSRs and the WHS Advisor. The outcomes of these inspections are discussed at toolbox talks, WHS Meetings and safety meetings. A risk management gap analysis was carried out by StateCover at Council's request. Council's Manex</p>	



team takes ultimate responsibility for WHS performance with the General Manager and Director of Community Infrastructure key members of the WHS Action Plan Working Group, which will commence work in Q2 of 2018/19.

## Reference List

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**12.6 REPORT ON INVESTMENTS HELD AS AT 31 JANUARY 2020**

<b>Attachments:</b>	<b>A. Investment Portfolio and Cash as at 31 January 2020</b> <b>B. Issuer Trading Limits as at 31 January 2020</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Natalia Cowley - Executive Manager - Office of the Chief Financial Officer</b>
<b>Community Plan Issue:</b>	<b><i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Work towards the achievement of a sustainable Operating Budget result in the General Fund.</i></b>

**PURPOSE**

To present the list of financial investments currently held by Council in accordance with the Regulation.

**OFFICER'S RECOMMENDATION**

The information showing Council's investments as at 31 January 2020 be noted.

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

**REPORT**

Clause 212 (1) of the Local Government (General) Regulation 2005, requires details of funds invested, as at the end of the preceding month, to be reported to an ordinary meeting of Council.

The funds, invested under Section 625 of the Local Government Act, as at 31 January 2020 are shown in the attachments.

**COMMENT:**

As at 31 January 2020, there are no individual or group portfolio trading limits that have been exceeded.

Council's weighted running yield is 1.97% for the month.

The Responsible Accounting Officer certifies that, apart from the above trading limit discrepancies, the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy. This includes investments that have been made in accordance with Minister's Orders that have been subsequently amended. "Grandfathering" provisions still allow the holding of these investments. A detailed list of investments is attached.

	Fixed Interest Security	ISIN	Face Value Original	Bond Factor	Face Value Current	Capital Price	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
At Call Deposit											
	Westpac Bus Prem At Call		5,266,406.26	1.00000000	5,266,406.26	100.000	0.000	<b>5,266,406.26</b>	9.44%	1.59%	
	Westpac Muswellbrook Trading Acct At Call		100,000.00	1.00000000	100,000.00	100.000	0.000	<b>100,000.00</b>	0.18%	0.90%	
			5,366,406.26		5,366,406.26			<b>5,366,406.26</b>	9.62%		1.58%
Floating Rate Deposit											
	ANZ 1.2 21 Jul 2022 2557DAY FRD		1,000,000.00	1.00000000	1,000,000.00	100.000	0.056	<b>1,000,561.64</b>	1.79%	2.05%	
			1,000,000.00		1,000,000.00			<b>1,000,561.64</b>	1.79%		2.05%
Floating Rate Note											
	AMP 1.08 10 Sep 2021 FRN	AU3FN0044657	2,000,000.00	1.00000000	2,000,000.00	99.866	0.280	<b>2,002,920.00</b>	3.59%	1.96%	
	Auswide 1.05 12 Feb 2020 FRN	AU3FN0040747	1,500,000.00	1.00000000	1,500,000.00	100.013	0.435	<b>1,506,720.00</b>	2.70%	1.98%	
	Auswide 1.1 06 Nov 2020 FRN	AU3FN0045621	1,000,000.00	1.00000000	1,000,000.00	100.147	0.481	<b>1,006,280.00</b>	1.80%	2.04%	
	BOQ 1.05 12 Feb 2020 FRN	AU3FN0026381	1,000,000.00	1.00000000	1,000,000.00	100.022	0.435	<b>1,004,570.00</b>	1.80%	1.98%	
	BOQ 1.17 26 Oct 2020 FRN	AU3FN0033023	1,000,000.00	1.00000000	1,000,000.00	100.478	0.017	<b>1,004,950.00</b>	1.80%	2.05%	
	BOQ 1.02 16 Nov 2021 FRN	AU3FN0039418	1,000,000.00	1.00000000	1,000,000.00	100.536	0.390	<b>1,009,260.00</b>	1.81%	1.92%	
	BOQ 1.05 03 Feb 2023 FRN	AU3FN0040549	500,000.00	1.00000000	500,000.00	100.500	0.477	<b>504,885.00</b>	0.91%	1.98%	
	BOQ 1.03 18 Jul 2024 FRN	AU3FN0049094	1,000,000.00	1.00000000	1,000,000.00	100.081	0.057	<b>1,001,380.00</b>	1.80%	1.88%	
	BENAU 1.1 21 Feb 2020 FRN	AU3FN0033486	1,500,000.00	1.00000000	1,500,000.00	100.046	0.387	<b>1,506,495.00</b>	2.70%	1.98%	
	BENAU 1.1 18 Aug 2020 FRN	AU3FN0028361	3,000,000.00	1.00000000	3,000,000.00	100.360	0.406	<b>3,022,980.00</b>	5.42%	1.99%	
	BENAU 1.05 25 Jan 2023 FRN	AU3FN0040523	500,000.00	1.00000000	500,000.00	100.614	0.016	<b>503,150.00</b>	0.90%	1.93%	
	CredSuis 1.15 29 Apr 2020 FRN	AU3FN0027314	1,000,000.00	1.00000000	1,000,000.00	100.186	0.011	<b>1,001,970.00</b>	1.80%	2.03%	
	CredSuis 1.95 09 Mar 2021 FRN	AU3FN0030458	1,000,000.00	1.00000000	1,000,000.00	101.655	0.413	<b>1,020,680.00</b>	1.83%	2.84%	
	CUA 1.3 20 Mar 2020 FRN	AU3FN0034963	750,000.00	1.00000000	750,000.00	100.134	0.255	<b>752,917.50</b>	1.35%	2.21%	
	CUA 1.25 06 Sep 2021 FRN	AU3FN0044269	1,500,000.00	1.00000000	1,500,000.00	100.779	0.329	<b>1,516,620.00</b>	2.72%	2.13%	
	CUA 1.12 24 Oct 2024 FRN	AU3FN0051033	1,500,000.00	1.00000000	1,500,000.00	100.229	0.039	<b>1,504,020.00</b>	2.70%	2.01%	
	MACQ 1.1 03 Mar 2020 FRN	AU3FN0026605	750,000.00	1.00000000	750,000.00	100.067	0.321	<b>752,910.00</b>	1.35%	1.99%	
	RACB 1.1 11 May 2020 FRN	AU3FN0042370	2,000,000.00	1.00000000	2,000,000.00	100.108	0.450	<b>2,011,160.00</b>	3.61%	2.03%	
	ME Bank 1.25 06 Apr 2020 FRN	AU3FN0035333	500,000.00	1.00000000	500,000.00	100.137	0.148	<b>501,425.00</b>	0.90%	2.16%	
	NPBS 1.35 07 Apr 2020 FRN	AU3FN0026969	1,000,000.00	1.00000000	1,000,000.00	100.181	0.149	<b>1,003,300.00</b>	1.80%	2.26%	
	NPBS 1.4 06 Feb 2023 FRN	AU3FN0040606	500,000.00	1.00000000	500,000.00	101.089	0.551	<b>508,200.00</b>	0.91%	2.31%	
	Qld Police 1.4 22 Mar 2021 FRN	AU3FN0041638	1,500,000.00	1.00000000	1,500,000.00	100.645	0.248	<b>1,513,395.00</b>	2.71%	2.32%	
	Qld Police 1.5 14 Dec 2021 FRN	AU3FN0046389	750,000.00	1.00000000	750,000.00	101.225	0.302	<b>761,452.50</b>	1.37%	2.40%	
	Qld Police 1.15 06 Dec 2022 FRN	AU3FN0052072	2,000,000.00	1.00000000	2,000,000.00	100.008	0.313	<b>2,006,420.00</b>	3.60%	2.04%	
	RABOBK 1.05 11 Feb 2020 FRN	AU3FN0026373	1,000,000.00	1.00000000	1,000,000.00	100.028	0.439	<b>1,004,670.00</b>	1.80%	1.98%	
	RABOBK 1.5 04 Mar 2021 FRN	AU3FN0030409	1,000,000.00	1.00000000	1,000,000.00	101.188	0.381	<b>1,015,690.00</b>	1.82%	2.40%	
	SunBank 1.25 20 Oct 2020 FRN	AU3FN0029195	4,000,000.00	1.00000000	4,000,000.00	100.597	0.063	<b>4,026,400.00</b>	7.22%	2.06%	
			34,750,000.00		34,750,000.00			<b>34,974,820.00</b>	62.71%		2.08%
Term Deposit											

Fixed Interest Security	ISIN	Face Value Original	Bond Factor	Face Value Current	Capital Price	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
AMP 2 26 Feb 2020 184DAY TD		2,000,000.00	1.00000000	2,000,000.00	100.000	0.866	<b>2,017,315.06</b>	3.62%	2.00%	
AMP 1.75 20 Apr 2020 182DAY TD		1,300,000.00	1.00000000	1,300,000.00	100.000	0.489	<b>1,306,357.53</b>	2.34%	1.75%	
BOQ 3.4 21 Jun 2021 1826DAY TD		1,000,000.00	1.00000000	1,000,000.00	100.000	2.087	<b>1,020,865.75</b>	1.83%	3.40%	
MACQ 1.6 02 Mar 2020 90DAY TD		3,500,000.00	1.00000000	3,500,000.00	100.000	0.259	<b>3,509,052.05</b>	6.29%	1.60%	
MYS 1.72 03 Feb 2020 91DAY TD		1,000,000.00	1.00000000	1,000,000.00	100.000	0.415	<b>1,004,146.85</b>	1.80%	1.72%	
MYS 1.77 03 Apr 2020 122DAY TD		2,500,000.00	1.00000000	2,500,000.00	100.000	0.286	<b>2,507,152.75</b>	4.50%	1.77%	
P&NB 3.83 05 Jun 2020 1827DAY TD		1,000,000.00	1.00000000	1,000,000.00	100.000	2.518	<b>1,025,183.56</b>	1.84%	3.83%	
P&NB 3.53 21 Jun 2021 1826DAY TD		2,000,000.00	1.00000000	2,000,000.00	100.000	2.166	<b>2,043,327.12</b>	3.66%	3.53%	
		14,300,000.00		14,300,000.00			<b>14,433,400.67</b>	25.88%		2.26%
Fixed Interest Total		55,416,406.26		55,416,406.26			<b>55,775,188.57</b>	100.00%		1.97%

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Report Code: TBSBP100EXT-01.14  
Report Description: Portfolio Valuation As At Date  
Parameters:  
Term Deposit Interest Included  
Cash Excluded



## 1 Issuer Trading Limits

Issuer	Issuer Parent	Already Traded (with Issuer Group) Face Value Notional	Limit For Book or Trading Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
AMP Bank Ltd		5,300,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	96.00	4.00	241,641	0.00	0
ANZ Banking Group Ltd		1,000,000.00	Book	30.00	% of 55,416,406.26	16,624,921.88	6.00	94.00	15,624,922	0.00	0
Auswide Bank Limited		2,500,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	45.00	55.00	3,041,641	0.00	0
Bank of Melbourne	Westpac Banking Corporation Ltd	5,366,406.26	Book	30.00	% of 55,416,406.26	16,624,921.88	32.00	68.00	11,258,516	0.00	0
Bank of Queensland Ltd		5,500,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	99.00	1.00	41,641	0.00	0
BankSA	Westpac Banking Corporation Ltd	5,366,406.26	Book	30.00	% of 55,416,406.26	16,624,921.88	32.00	68.00	11,258,516	0.00	0
Bendigo & Adelaide Bank Ltd		5,000,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	90.00	10.00	541,641	0.00	0
Credit Suisse Sydney		2,000,000.00	Book	20.00	% of 55,416,406.26	11,083,281.25	18.00	82.00	9,083,281	0.00	0
Credit Union Australia Ltd		3,750,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	68.00	32.00	1,791,641	0.00	0
Macquarie Bank		4,250,000.00	Book	20.00	% of 55,416,406.26	11,083,281.25	38.00	62.00	6,833,281	0.00	0
Members Banking Group Limited t/as RACQ Bank		2,000,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	36.00	64.00	3,541,641	0.00	0
Members Equity Bank Ltd		500,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	9.00	91.00	5,041,641	0.00	0
MyState Bank Ltd		3,500,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	63.00	37.00	2,041,641	0.00	0
Newcastle Permanent Building Society Ltd		1,500,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	27.00	73.00	4,041,641	0.00	0
P&N Bank Ltd		3,000,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	54.00	46.00	2,541,641	0.00	0
QPCU LTD t/a QBANK		4,250,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	77.00	23.00	1,291,641	0.00	0
Rabobank Nederland Australia Branch		2,000,000.00	Book	20.00	% of 55,416,406.26	11,083,281.25	18.00	82.00	9,083,281	0.00	0
Rural Bank Ltd	Bendigo & Adelaide Bank Ltd	5,000,000.00	Book	10.00	% of 55,416,406.26	5,541,640.63	90.00	10.00	541,641	0.00	0
St George Bank Limited	Westpac Banking Corporation Ltd	5,366,406.26	Book	30.00	% of 55,416,406.26	16,624,921.88	32.00	68.00	11,258,516	0.00	0
Suncorp Bank		4,000,000.00	Book	20.00	% of 55,416,406.26	11,083,281.25	36.00	64.00	7,083,281	0.00	0
Westpac Banking Corporation Ltd		5,366,406.26	Book	30.00	% of 55,416,406.26	16,624,921.88	32.00	68.00	11,258,516	0.00	0
		76,515,625.04				193,957,421.91			117,441,802		0
	(Excluding Parent Group Duplicates)	55,416,406.26									

## 2 Security Rating Group Trading Limits

Security Rating Group	Already Traded Face Value Notional	Limit For Book or Trading Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
AA+ to AA-	8,366,406.26	Book	100.00	% of 55,416,406.26	55,416,406.26	15.00	85.00	47,050,000	0.00	0
A+ to A-	20,750,000.00	Book	70.00	% of 55,416,406.26	38,791,484.38	53.00	47.00	18,041,484	0.00	0
BBB+ to BBB-	26,300,000.00	Book	60.00	% of 55,416,406.26	33,249,843.76	79.00	21.00	6,949,844	0.00	0
	55,416,406.26				127,457,734.40			72,041,328		0

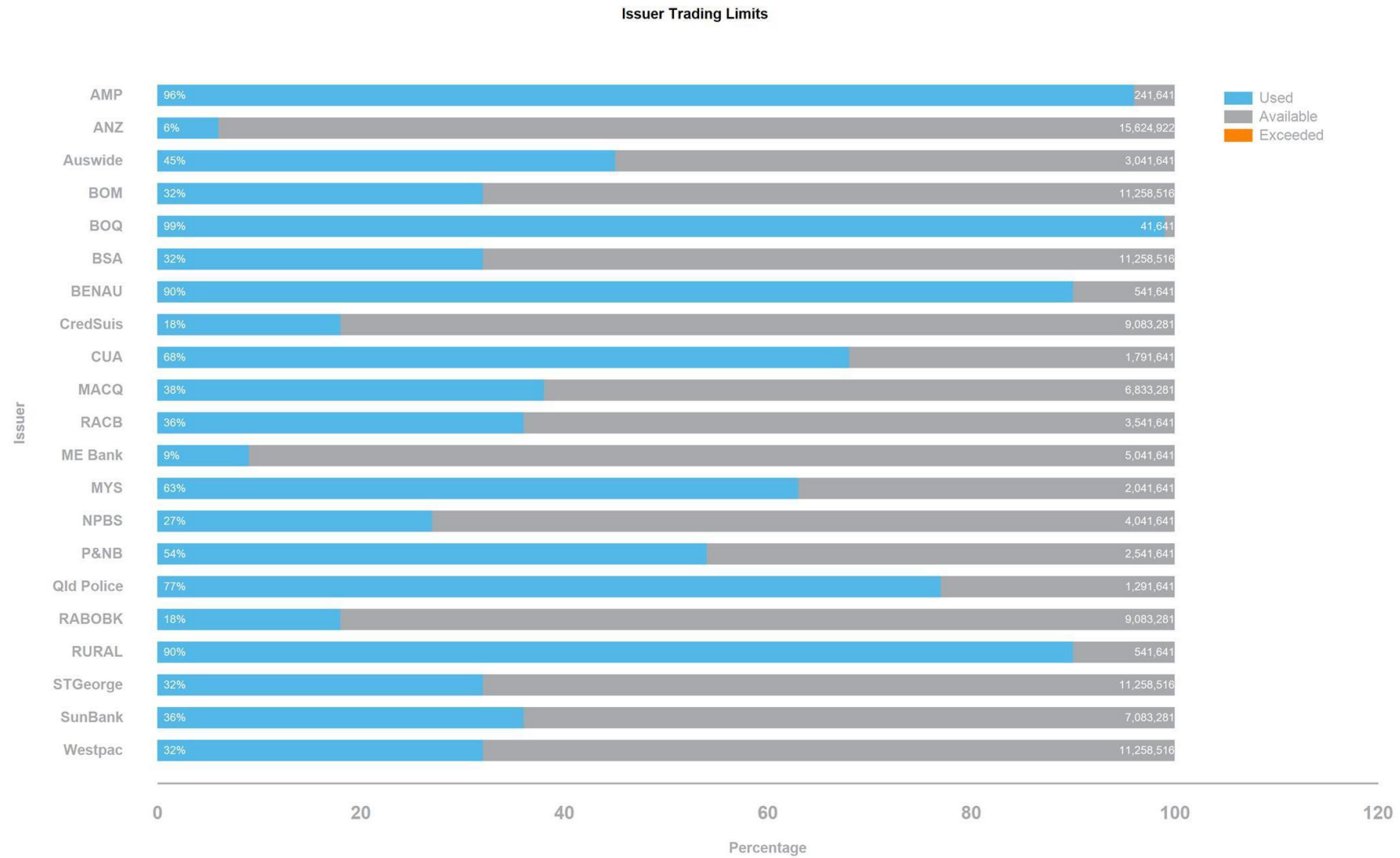
### Notes

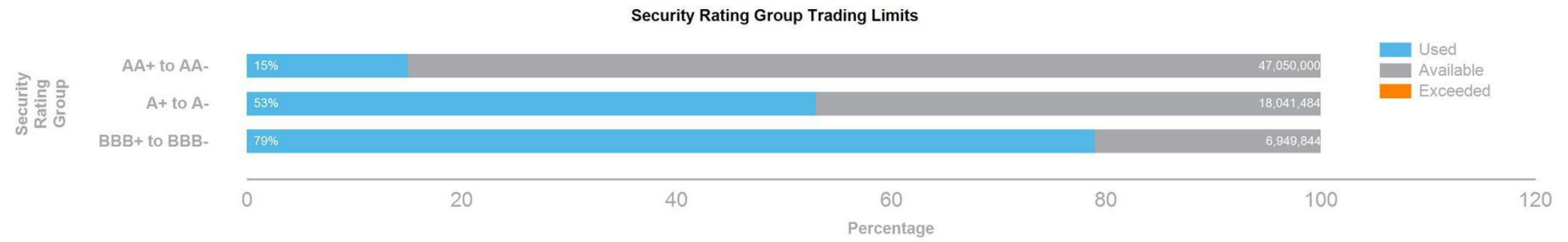
1. The above rating groups are actually based upon the issuer's long term rating rather than the ratings associated with each security.

## 3 Term Group Trading Limits

Term Group	Already Traded Face Value Notional	Limit For Book or Trading Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
0-1 Year	36,666,406.26	Book	100.00	% of 55,416,406.26	55,416,406.26	66.00	34.00	18,750,000	0.00	0
1-3 Year	15,250,000.00	Book	100.00	% of 55,416,406.26	55,416,406.26	28.00	72.00	40,166,406	0.00	0
3-5 Year	3,500,000.00	Book	100.00	% of 55,416,406.26	55,416,406.26	6.00	94.00	51,916,406	0.00	0
	55,416,406.26				166,249,218.78			110,832,812		0









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Report Code: TBSBP125EXT-00.04  
Report Description: Trading Limit Performance As At Date  
Parameters:  
As At/Scenario Date: 31 January 2020  
Balance Date: 31 January 2020  
Trading Entity: Muswellbrook Shire Council  
Trading Book: Muswellbrook Shire Council  
Report Mode: BalOnly  
Using Face Value  
Trading Entity and Book Limits  
Effects of Parent/Child Issuers Not Ignored  
Issuer Long Term Rating Group Used Instead of Security Rating Group  
Hide Zero Holdings

**12.7 JANUARY 2020 MONTHLY FINANCIAL REPORT**

<b>Attachments:</b>	<b>A. January 2020 Monthly Financial Report</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Natalia Cowley - Executive Manager - Office of the Chief Financial Officer</b>
<b>Community Plan Issue:</b>	<b><i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Work toward the achievement of the targets established in the Fit for the Future ratios.</i></b>

**PURPOSE**

To provide Council with a high-level overview of the monthly financial performance of Council's General, Water, Sewer and Future Funds and to identify and explain any major variances against the Council approved budget (December 2019 Budget Review) at an organisational level for the month ending 31 January 2020.

**OFFICER'S RECOMMENDATION**

The Financial Report for the month ending 31 January 2020 be noted.

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

**REPORT**

Please refer to the attachment for the monthly financial performance details for Council's Funds.

Muswellbrook Shire Council  
General Fund  
For the Month Ending 31 January 2020

Account Group	Annual Adopted Budget	December Budget Review	YTD % Spend vs Budget - 59% target	YTD Actuals	January Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	(2,521,381)	(2,243,276)	493%	(11,065,698)	1,616,983	(965%)	
less SRV budgeted profit	(1,234,681)	(1,234,681)		(1,576,830)	20,762		
SRV adjusted Grand Total	(1,286,700)	(1,008,595)		(9,488,868)	1,596,221		

Revenue

Rates and Charges	(20,458,503)	(20,458,503)	108%	(22,194,509)	(83,356)	(95%)	100% of the rating income for the year has been raised.
User Charges and Fees	(7,208,811)	(7,235,489)	44%	(3,180,273)	(415,592)	(31%)	\$1,062k YTD budget deficit due to no YTD revenue received for individual work orders (\$460k YTD deficit); \$492k YTD deficit for DECCW Levy; \$230k YTD deficit in mixed waste fees and \$55k YTD deficit across Aquatic Centre gym and kiosk - offset by the following extra income collected from waste fees (\$83k YTD); VPA tonnage income (\$45k); the onsite sewer (\$31k YTD), Muswellbrook Pool entry fees and yearly passes (\$21k YTD), debt collection recovery fees (\$11k YTD).
Interest and Investments Revenues	(738,569)	(761,569)	58%	(443,149)	(73,569)	16%	
Other Revenues	(2,708,830)	(2,615,539)	42%	(1,099,758)	(84,809)	(61%)	\$434k YTD budget deficit due to \$451k plant cost under-recovery for the YTD.
Operating Grants and Contributions	(5,627,882)	(5,737,430)	41%	(2,345,988)	(407,253)	(15%)	\$1,018k YTD budget deficit mostly due to the timing in receiving the Financial Assistance Grant (\$1,100k YTD deficit) and \$230k YTD budget deficit for s94 maintenance contributions - offset by the receipt of bushfire operational grants and block grants.
Internal Revenue	(4,663,721)	(6,041,812)	33%	(2,015,398)	(287,914)	(43%)	
Total Revenue	(41,406,316)	(42,850,342)	73%	(31,279,075)	(1,352,493)	(62%)	

Expenses

Wages and Salaries	11,687,374	11,730,877	52%	6,078,543	668,106	32%	There are YTD wages overruns in some individual areas, eg. Waste Facility; Economic Development.
Materials and Contracts	12,442,797	12,963,887	40%	5,127,433	1,127,065	(4%)	
Other Costs	3,425,626	4,426,432	67%	2,962,805	324,149	12%	\$368k YTD budget overrun due to legal fees (\$395k YTD overrun).
Borrowing Costs	509,227	509,227	19%	96,142	0	100%	
Overheads	1,953,399	1,953,399	37%	722,694	103,242	37%	
Depreciation	8,866,513	9,023,245	58%	5,225,760	746,914	1%	
Total Expenses	38,884,935	40,607,066	50%	20,213,377	2,969,476	12%	

\*Report Contains Filters

Muswellbrook Shire Council  
Water Fund  
For the Month Ending 31 January 2020

Account Group	Annual Adopted Budget	December Budget Review	YTD % Spend vs Budget - 59% target	YTD Actuals	January Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	(71,594)	(129,285)	-86%	(110,586)	288,023	2773%	

Revenue

Rates and Charges	(1,595,684)	(1,595,684)	100%	(1,599,779)	0	(100%)
User Charges and Fees	(4,068,286)	(4,255,837)	34%	(1,429,949)	(171,286)	(52%)
Interest and Investments Revenues	(424,552)	(254,552)	59%	(150,108)	(24,042)	13%
Operating Grants and Contributions	(35,893)	(35,137)	100%	(35,137)	0	(100%)
<b>Total Revenue</b>	<b>(6,124,415)</b>	<b>(6,141,210)</b>	<b>52%</b>	<b>(3,214,973)</b>	<b>(195,328)</b>	<b>(62%)</b>

\$1.1m YTD budget deficit due to the pending user charges being issued in February 2020.

Expenses

Wages and Salaries	1,017,793	1,017,793	58%	592,696	78,462	7%
Materials and Contracts	1,472,661	1,477,546	39%	572,620	119,649	3%
Other Costs	331,081	342,991	59%	202,497	44,854	(57%)
Borrowing Costs	106,482	106,482	51%	53,876	0	100%
Overheads	1,286,476	1,286,476	51%	657,111	93,873	12%
Depreciation	1,838,328	1,780,637	58%	1,025,587	146,513	1%
<b>Total Expenses</b>	<b>6,052,821</b>	<b>6,011,925</b>	<b>52%</b>	<b>3,104,387</b>	<b>483,351</b>	<b>4%</b>



Muswellbrook Shire Council  
Sewer Fund  
For the Month Ending 31 January 2020

Account Group	Annual Adopted Budget	December Budget Review	YTD % Spend vs Budget - 59% target	YTD Actuals	January Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	300,000	(87,740)	-1986%	(1,742,725)	332,129	4642%	

Revenue

Rates and Charges	(4,521,580)	(4,521,580)	91%	(4,104,194)	(168)	(100%)	\$103k YTD budget deficit due to lower than expected sewer effluent reuse revenue.
User Charges and Fees	(459,200)	(459,200)	36%	(165,869)	(18,914)	(51%)	
Interest and Investments Revenues	(62,500)	(62,500)	64%	(39,973)	(6,725)	29%	
Operating Grants and Contributions	(35,000)	(35,211)	100%	(35,211)	0	(100%)	
<b>Total Revenue</b>	<b>(5,078,280)</b>	<b>(5,078,491)</b>	<b>86%</b>	<b>(4,345,247)</b>	<b>(25,807)</b>	<b>(94%)</b>	

Expenses

Wages and Salaries	852,547	852,547	55%	469,175	59,110	17%
Materials and Contracts	799,500	809,495	31%	249,776	22,405	67%
Other Costs	324,969	315,185	38%	120,814	26,697	(2%)
Borrowing Costs	766,469	766,469	58%	447,272	61,798	3%
Overheads	839,594	839,594	58%	489,762	69,966	0%
Depreciation	1,795,201	1,407,461	59%	825,723	117,960	(1%)
<b>Total Expenses</b>	<b>5,378,280</b>	<b>4,990,751</b>	<b>52%</b>	<b>2,602,522</b>	<b>357,936</b>	<b>14%</b>



Muswellbrook Shire Council  
Future Fund  
For the Month Ending 31 January 2020

Account Group	Annual Adopted Budget	December Budget Review	YTD % Spend vs Budget - 59% target	YTD Actuals	January Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
<b>Grand Total</b>	<b>(1,433,840)</b>	<b>(1,852,176)</b>	<b>72%</b>	<b>(1,341,056)</b>	<b>(179,729)</b>	<b>16%</b>	

**Revenue**

User Charges and Fees	(6,469,775)	(6,688,890)	61%	(4,086,976)	(547,766)	-2%	
<b>Total Revenue</b>	<b>(6,469,775)</b>	<b>(6,688,890)</b>	<b>61%</b>	<b>(4,086,976)</b>	<b>(547,766)</b>	<b>-2%</b>	

**Expenses**

Wages and Salaries	226,748	226,748	59%	132,846	11,595	39%	
Materials and Contracts	1,577,449	1,729,401	54%	940,586	182,979	(27%)	
Other Costs	738,947	768,299	74%	568,345	91,449	(43%)	
Borrowing Costs	1,415,591	1,205,066	50%	597,543	10,000	90%	
Overheads	250,000	288,000	51%	145,831	20,833	13%	
Depreciation	827,200	619,200	58%	360,769	51,181	1%	
<b>Total Expenses</b>	<b>5,035,935</b>	<b>4,836,714</b>	<b>57%</b>	<b>2,745,920</b>	<b>368,037</b>	<b>9%</b>	

\$118k over YTD budget due to the annual payment of rates and insurances.

## 12.8 DECEMBER BUDGET REVIEW 2019

<b>Attachments:</b>	<b>A. December Budget Review 2019 - Under Separate Cover</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Natalia Cowley - Executive Manager - Office of the Chief Financial Officer</b>
<b>Community Plan Issue:</b>	<b><i>Progressive leadership</i></b>
<b>Community Plan Goal:</b>	<b><i>That Muswellbrook Shire is well led and managed</i></b>
<b>Community Plan Strategy:</b>	<b><i>A financially sustainable council</i></b>

### PURPOSE

To present the December 2019 Budget Review for adoption.

### OFFICER'S RECOMMENDATION

Council adopt the list of proposed changes and incorporate them into the 2019/20 Budget.

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

### BACKGROUND

Council is required by Clause 203 of the Local Government (General) Regulation 2005 to revise the estimates at the end of the September, December and March quarters.

### CONSULTATION

Mayor, Cr Rush

Finance Councillor Spokesperson, Cr Ledlin

All Managers with budget responsibility

### REPORT

During the course of the financial year, Council is required to undertake Quarterly Budget Reviews at the end of the September, December and March quarters. The aim of these reviews is to:

- Include new and/or expanded projects and programmes as adopted by Council in the budget, along with their related funding source.
- To make adjustments to original estimates in line with actual receipts and expenditures to date.

When completing Budget Reviews, staff aim to ensure that the net impact of all the proposed changes maintain the adopted budget.

The table below shows the impact of the proposed changes on each of the individual funds:-

Description	General	Future	Water	Sewer	Consol
September 19 Adopted Operating Result	\$2,301,097 (surplus)	\$1,812,176 (surplus)	\$71,594 (surplus)	(\$300,000) (deficit)	\$3,884,867 (surplus)
Net Operating Changes	(\$57,821)	\$40,000	\$57,691	\$387,740	\$427,610

Proposed December 19 Result – Budget Review	\$2,243,276 (surplus)	\$1,852,176 (surplus)	\$129,285 (surplus)	\$87,740 (surplus)	\$4,312,477 (surplus)
September 19 Adopted <b>Capital</b> Result	(\$184,526)	Nil	Nil	Nil	(\$184,526)
Net Capital Changes	\$184,526	Nil	Nil	Nil	\$184,526
Proposed <b>Capital</b> Result – December 19 Review	Nil	Nil	Nil	Nil	Nil

The proposed December 2019 Operating Budget Review outcome is a reduction on the September 19 adopted General Fund Operating Surplus by \$58k due to depreciation increase following the finalisation of the 2018/19 Financial Statements.

The Future Fund has increased its operating surplus by \$40k as a result of a reduction in the Development Applications expenditure.

The Water Fund has increased its operating surplus by \$58k as a result of a depreciation reduction and likewise the Sewer Fund has recorded a surplus of \$88k as a result of a \$388k depreciation reduction following the finalisation of the 2018/19 Financial Statements.

The General Fund has balanced the capital result to nil by reducing large plant capital by \$86k and the remaining \$99k is driven by the depreciation adjustments.

## OPTIONS

Council can choose not to accept the proposed changes and/or to add changes of their own.

## CONCLUSION

Not applicable

## SOCIAL IMPLICATIONS

Not applicable

## FINANCIAL IMPLICATIONS

As outlined in the report.

## POLICY IMPLICATIONS

Not applicable

## STATUTORY IMPLICATIONS

Not applicable

## LEGAL IMPLICATIONS

Not applicable

## OPERATIONAL PLAN IMPLICATIONS

Not applicable

## RISK MANAGEMENT IMPLICATIONS

Not applicable

**12.9 PLANNING, ENVIRONMENT AND COMMUNITY SERVICES**

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

**PURPOSE**

To provide an update on activities in the Planning, Environment and Community Services sections.

**OFFICER'S RECOMMENDATION**

The information contained in this report be noted.

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

**REPORT****PLANNING & 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 Determined/Withdrawn (4 December to 13 February 2020)**

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2019/108	Swimming Pool	71 King Street Muswellbrook	\$32,500
2019/107	Ancillary Development - Shed and Rainwater Tank	35 Cabernet Street Muswellbrook	\$15,600
2019/105	Demolition of Existing Shed and Replace with New Storage Shed	2 Wilson Street Muswellbrook	\$27,300
2019/101	Replacement of Swimming Pool	20 Cabernet Street Muswellbrook	\$24,525
2019/98	Ancillary Development - Deck	1054 Sandy Creek Road Muswellbrook	\$37,000
2019/103	Amenities building	18-22 Enterprise Crescent Muswellbrook	\$10,000
2019/97	Ancillary Development - Shed	35 Dixon Circuit Muswellbrook	\$25,642
2019/96	Patio	59 Stockyard Parade Muswellbrook	\$54,947
2019/94	Dwelling Additions/Alterations	133 Hill Street Muswellbrook	\$75,000
2019/92	Strata Subdivision of one (1) Lot into two (2) Lots	98 Osborn Avenue Muswellbrook	\$4,000
2019/86	Industrial Shed	29-33 Enterprise Crescent Muswellbrook	\$164,200
2019/85	Change of Use from Warehouse to Place of Worship	2-4 Common Road Muswellbrook	\$12,000
2019/83	Ancillary Development - Shed	82 Bell Street Denman	\$18,430
2019/79	Rural Workers Dwelling - Caretakers Residence	3367 Golden highway Jerrys Plains	\$467,285
2019/50	Industrial Development - Asphalt Plant	43-45 Enterprise Crescent Muswellbrook	\$415,800
2019/36	Installation of a 120m Tall Wind Monitoring Mast	Sandy Creek Road McCullys Gap	\$150,000
2019/30	Demolition of Existing Dwelling and Sheds, Construction of Additional Motel Units, Extension of Restaurant and Consolidation of Titles	26 Maitland Street Muswellbrook	\$1,700,000
2019/108	Swimming Pool	71 King Street Muswellbrook	\$32,500

**Schedule 2: Development Applications Currently Being Assessed**

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2020/19	Dwelling Additions	11 Grevillea Street Muswellbrook	13/02/2020	\$49,977
2020/18	Steel Horse Shelter	241 Merriwa Road Denman	12/02/2020	\$13,900
2020/17	Covered Deck	22 Roger Street Muswellbrook	10/02/2020	\$15,176

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2020/16	New Dwelling	21 Finnegan Crescent Muswellbrook	07/02/2020	\$385,335
2020/15	Residential Shed	104 Osborn Avenue Muswellbrook	06/02/2020	\$19,500
2020/14	New Dwelling	7 Honeyeater Close Denman	06/02/2020	\$560,395
2020/13	Residential Shed	7 Honeyeater Close Denman	04/02/2020	\$35,000
2020/12	Residential Shed	Honey Lane Sandy Hollow	04/02/2020	\$35,194
2020/11	Residential Shed	29 Palace Street Denman	03/02/2020	\$12,350
2020/10	Single Residential Garage	1 Gyarran Street Muswellbrook	03/02/2020	\$9,000
2020/9	Single Residential Garage	52 Palace Street Denman	31/01/2020	\$27,548
2020/8	New Dwelling	Honey Lane Sandy Hollow	30/01/2020	\$320,029
2020/7	Additions and Alterations to existing Hotel	184 Bridge Street Muswellbrook	24/01/2020	\$110,000
2020/6	Carport	26 George Street Muswellbrook	24/01/2020	\$1,900
2020/5	Change of Use from a Restaurant to a Community Facility	29 Sydney Street Muswellbrook	20/01/2020	-
2020/4	Old Denman Courthouse change of use to Bed and Breakfast, Carpark and addition of accessible bathroom.	32 Palace Street Denman	16/01/2020	\$46,585
2020/3	Demolition and Replacement of Rural Workers Dwelling	Widden Valley Road Denman	10/01/2020	\$313,233
2020/2	Residential Shed and Carport	31 Weemala Place Muswellbrook	06/01/2020	\$16,600
2020/1	Residential Garage and Carport	18 Grimes Close Denman	06/01/2020	\$25,000
2019/109	Change of use from Tattoo Shop to Thai Massage Spa, Internal Fitout and Shop Front Signage	26 Bridge Street Muswellbrook	10/12/2019	\$50,000
2019/104	Industrial Development - Installation of Demountable Office Building and Three (3) Shipping Containers with a Dome Tarpaulin Shade Structure.	Thomas Mitchell Drive Muswellbrook	27/11/2019	\$75,000
2019/102	Electricity Generating Works (Solar Farm)	1333 Merriwa Road Denman	19/11/2019	\$6,114,757
2019/100	Ancillary Development - Carport and Shed	17 Ruth White Avenue Muswellbrook	14/11/2019	\$22,619
2019/99	Secondary Dwelling Appurtenant to Principle Dwelling	159 Martindale Road Denman	08/11/2019	\$210,000
2019/93	Change of use to Retail Outlet, Alterations to front of building and Signage	19 Bridge Street Muswellbrook	24/10/2019	\$20,000
2015/25/3	S4.55 (2) Modification - modification of the design and layout of an approved child care centre	38 Woollybutt Way Muswellbrook	17/10/2019	-

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2019/91	Demolition of Existing Identification Sign and Erection of New Identification Sign	310 Richmond Grove Road Sandy Hollow	08/10/2019	\$12,000
2019/90	Subdivision of One (1) Lot into Twenty (20) Lots	9 Yarrawa Road Denman	30/09/2019	\$2,828,700
2019/89	Storage Shed	Turner Street Denman	26/09/2019	\$37,220
2019/87	Replacement Dwelling	Bureen Road Denman	20/09/2019	\$200,000
2019/69	Ancillary Development - Carport	26 Queen Street Muswellbrook	16/08/2019	\$18,900
2019/54	Subdivision One (1) Lot into Three (3) Lots	52 Palace Street Denman	28/06/2019	\$10,000
2019/53	Subdivision of Two (2) Lots into Seventy Five (75) Lots	9027 New England Highway Muswellbrook	27/06/2019	\$4,875,600
2019/41	Subdivision - Nine (9) Lots into Six (6) Lots	Castlerock Road Muswellbrook	09/05/2019	\$10,000
2019/37	Construction of Pipes and Pump Infrastructure to Return Seepage Water from Lake Liddell Dam Wall to Lake Liddell	New England Highway Muswellbrook	16/04/2019	\$250,000
2019/16	Information and Education Facility (Museum)	Turner Street Denman	15/02/2019	\$265,000
2019/13	Subdivision One (1) Lot into One Hundred and Twenty Three (123) Lots and the carrying out of associated civil work including roads, drainage and tree removal	8911 New England Highway Muswellbrook	14/02/2019	\$5,142,236
2019/2	The construction of multi dwelling housing comprising a total of Sixteen (16) units and the carrying out of associated site works, including internal private roads, stormwater drainage, landscaping and tree removal.	19 John Howe Circuit Muswellbrook	14/01/2019	\$4,414,300
2018/117	Commercial Alterations and Additions (Expansion of Bottle Shop)	36 Sydney Street Muswellbrook	21/12/2018	\$500,000
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
2017/58/2	S96 (1A) Modification - Modify Condition 8	Jerdan Street Denman	19/02/2018	-
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	2449 Denman Road Muswellbrook	29/05/2017	-

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
	of Conditions			
2016/32	Placement of Fill	110 Merriwa Road Denman	12/04/2016	\$5,000

**20.1.12 Inspect onsite wastewater sewerage systems to ensure they are installed and maintained in compliance with regulatory requirements.**

**On-site Wastewater Statistics - 13 Month Analysis (2019/2020)**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
Applications Received (new installation)	4	4	0	0	2	2	0	0	1	2	0	0	0
Applications Approved (new installation)	0	3	0	0	2	0	0	0	0	1	3	1	0
Inspections (new system)	0	0	0	0	0	0	0	0	1	1	1	0	0
Inspections (existing system)	0	0	0	0	16	47	2	3	0	11	1	0	1

**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.**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
Applications Received (new businesses)	0	0	0	1	1	0	1	1	0	0	1	2	0
Inspections (new businesses)	0	0	0	0	1	0	1	0	0	1	0	2	1
Inspections (existing businesses)	10	9	4	7	6	30	0	0	0	6	1	0	10
Reinspections	1	1	1	0	0	1	2	0	0	0	0	0	0

**4.01.01.1 Reduce the environmental impact of development on our community by carrying out regular inspection of building sites and monitoring waste.**

**Building Site Compliance Inspection Statistics – 13 Month Analysis (2019/2020)**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Oct	Nov	Dec	Jan
Total Sites Inspected	5	5	5	4	6	7	7	6	7	7	6	7
Total non-compliant and educated	0	0	1	0	2	2	0	1	0	1	0	0
Total compliance after education	0	0	1	0	6	2	0	1	0	1	0	0
Total Penalty Notices Issued	0	0	0	0	0	0	0	0	0	0	0	0

**14.1.11 Continue surveillance and regulation of illegal dumping on an ongoing basis through participation in the Hunter Central Coast Regional Illegal Dumping Squad**

**Illegal Dumping Statistics – 13 Month Analysis (2019/2020)**

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Oct	Nov	Dec	Jan
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Total Investigations	5	5	5	9	4	7	7	4	3	2	4	7
Total Clean up by Council - insufficient evidence	4	4	3	8	1	7	3	4	2	2	4	7
Total Clean Up by individual	1	1	1	0	3	0	4	0	0	0	0	0
Total Penalty Notices Issued	0	0	0	0	0	0	0	0	0	0	0	0
Court Attendance Notice Issued	0	0	0	0	0	0	0	0	0	0	0	0
Still under investigation	0	0	0	0	0	0	0	0	0	0	0	0

**24.1.8 Ensure statutory requirements under the Private Swimming Pools Program (Swimming Pool Act 1992) are implemented.**

**Swimming Pool Compliance Statistics – 13 Month Analysis (2019/2020)**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
<b>Applications for Compliance Certs.</b>	1	5	4	4	2	2	2	3	6	3	3	3	2
<b>Total compliance inspections (not inc. Final Insp. for Occ. Certs)</b>	1	12	8	9	2	8	7	10	8	3	2	5	7
Initial Inspections	1	11	7	8	2	6	5	8	8	2	1	3	7
Re-inspections	0	1	1	1	0	2	2	2	0	1	1	2	0
<b>Compliance Certs / Occ. Certs issued</b>	0	10	4	6	6	3	4	5	4	6	8	7	3

**Total Pools in Council's Swimming Pool Register = 918**

**Compliance as at 30 June 2017 = 63.7%**

**Compliance as at 30 June 2018 = 65.7%**

**Compliance as at 30 June 2019 = 43.0%**

**Current Compliance = 35.5%**

That is, 326 out of 918 pools have a valid Compliance Certificate or Occupation Certificate.

N.b. Certificate is valid for 3 years.

**Percentage of pools inspected during Financial Year 2019/2020 = 3.7%**

That is, 34 out of 918 pools have had at least one inspection carried out during FY 2019/2020.

**COMMUNITY SERVICES**

Operational Plan Action	Performance Measure	Update
Support to the Upper Hunter Youth Services Committee in the relocation of their facility at a new location	Report to Council on the progress of the Upper Hunter Youth Services in providing a new location for their service during 19/20	The final concept plans have been agreed upon by all stakeholders and finalised, there is a separate report to Council that provides the next recommendations.
Identify opportunities that provide affordable entertainment for young	Seek funding through grants and partnerships which provides	No update on this action.

Operational Plan Action	Performance Measure	Update
people in isolated communities	affordable entertainment for young people in isolated communities by 30 June 2020	
Deliver a Youth Week Event	Support Youth Week activities during 2019/20 in partnership with other organisations	Application for funds has been submitted to Depart of Communities and Justice. The event will occur in April, Upper Hunter Youth Service have commenced preparations for the event.
Support the expansion of the Hunter Park Family Centre during their planning phase	Work with Upper Hunter Community Services on the expansion of the Hunter Park Family Centre and report on their progress to Council as required.	No update on this action.
Support the continued delivery of the Collaborative Impact Facilitators Project with respect to social housing tenants in partnership with other providers	Seek external funding to support the ongoing work of the Collaborative Impact Facilitators to reduce the turnover of tenancies in social housing and access to education opportunities	The Collaborative Impact Facilitator Project ceased as of the 30 June no alternate funding has come available.  This action is now completed
Implement the actions as identified in the review of the Children's Services Strategic Plan to improve childcare. Early childhood education and preschool options across the Shire	Deliver the actions of the revised Children's Services Plan and report annually to Council on the progress of the plan during 2019/20	The review of the Children's Services Plan has not yet commenced.
Deliver the ageing strategy in consultation with residents of Muswellbrook Shire	Incorporate Councils Ageing Strategy into policy development and the Integrated Planning and Reporting process	The Ageing Strategy 2020-2022 is now on public display until the 14 Feb.
Partner with other community groups and organisations to deliver and promote a directory of Seniors Festival events	Support the delivery and promotion of Seniors Festival Events through the development of a Festival Guide	The local 2020 Seniors Festival Events brochure has been completed and distributed throughout the community
Facilitate and support the Aboriginal Culture and Heritage Working Group	Provide reports to Council on the activities of the Aboriginal Culture and Heritage working group during 2019/20	No working Group meetings have been convened or required in this quarter
Review the currency of the <a href="http://workingwithindigenoustralians.info/">workingwithindigenoustralians.info/</a> and make necessary changes to reflect changes in legislation and policy	<a href="http://workingwithindigenoustralians.info/">workingwithindigenoustralians.info/</a> reviewed and necessary changes made to achieve information currency	A review of the <a href="http://workingwithindigenoustralians.info/">workingwithindigenoustralians.info/</a> website is currently occurring with the Reference Group.
Monitor the conservation of the Aboriginal Reconciliation Mural and Aboriginal Artefact Project to ensure conservation occurs and required	Report on monitoring and maintenance of the Simpson Park Mural as this occurs	The Widden Creek Aboriginal Artefact Project is complete.  The inspection of the Mural is anticipated in 2020.
Work with the Aboriginal Community to improve access to cultural and	Seek funding for the design and construction of a cultural keeping	The Cultural Community Hub Working Group has resolved to

Operational Plan Action	Performance Measure	Update
educational activities	space in partnership with the Aboriginal Community during 2019/20	support Wanaruah Local Aboriginal Land Council and the development of their administration and cultural space infrastructure. This group will meet again in February.
	Explore the development of an Aboriginal development Action Plan in partnership with the Aboriginal Reconciliation Committee	The Aboriginal Reconciliation Committee is finalising the Consultants Brief and will commence an appointment of a Consultant to lead the process of developing of a local treaty and action plan.

### Other activities as per the Community Builders Department of Communities and Justice Project:

- Governance support to Upper Hunter Youth Services Management Committee and Management Team around human resources and service development issues;
- Facilitation of the Upper Hunter Community Services Interagency

## **SUSTAINABILITY**

### **Sustainability Update February 2020**

#### **Habitat Action Project**

We have now received the quotes and have appointed the a contractor. The 3000 plants will be planted in late March and early April.

#### **Waste Promotion**

There has been regular promotion of how the community can recycle problem wastes, such as batteries, through Community Recycling Centres. There has also been regular promotion of composting and worm farms.

#### **Water Restrictions**

The Sustainability Unit sends education material to people who breach of the Level 1 Water Restrictions. We also continue to promote the water wise message.

#### **Don't be a Tosser Denman**

Work on the Denman - Don't be a Tosser anti littering campaign has begun. It is hoped that this project will be launched to coincide with Clean Up Australia Day.

[https://www.muswellbrookchronicle.com.au/story/6605804/local-community-right-behind-tosser-message/?cs=983&fbclid=IwAR38E\\_WJOzux5HCudHOhr8-3Ucun-JSPH2xY-IOCo7HE2BtNuLgUoifTZPs](https://www.muswellbrookchronicle.com.au/story/6605804/local-community-right-behind-tosser-message/?cs=983&fbclid=IwAR38E_WJOzux5HCudHOhr8-3Ucun-JSPH2xY-IOCo7HE2BtNuLgUoifTZPs)

#### **Clean Up Australia Day**

Work had begun on preparing for and promoting Clean Up Australia Day. Already a number of schools, community groups and AGL have expressed an interested in participating.



Clean Up Australia Day is on Sunday, 1 March - in Muswellbrook and Denman. Business Clean Up Day is Tuesday 25 February. Schools Clean Up Day is Friday 28 February.

### **Connect Muswellbrook – Environment; Community; Culture**

We are continuing to work with Muswellbrook Healthy and Well to organise an event for 25 March. The event will focus on providing students with a practical, hands on experiences based on these themes. Over 300 students have already confirmed attendance.

### **Landcare Grants**

Landcare grants provided:

1. Martindale Creek Catchment Landcare Inc. – Funded amount \$10 000. Total project costs \$35,000.  
The project will be used for Stage 3 of the Green Cestrum Control Program. This work will involve working with landowners to control this weed on a 8.4km section of Martindale Creek. The Sustainability Unit attended a project inception meeting with the group to build on the relationship with this active group.
2. Hunter Sustainability Landcare Team – Funded amount \$3,137.70. Total project costs \$15,687.70.  
This project will involve purchasing, monitoring and using wildlife cameras to record wildlife and prevent crime in the Muscle Creek area.

### **Sustainability Grants**

Sustainability grants provided:

1. Muswellbrook High School – Funded amount \$2,000. Total project costs \$6,000.  
This project will involve upgrading a healthy food garden used by Special Education Unit to educate students. This will include education around water wise gardening and growing and eating healthy, local food.
2. Denman Children's Centre – Funded amount \$490.63. Total project costs \$981.25.  
These funds will be used to install a toilet with low water use. This was a suggestion after completing a Sustainability audit. The project will also involve educating kids and families about water conservation.
3. Hunter Sustainability Landcare Team – Funded amount \$1,790. Total project costs \$3,580.  
This project will involve purchasing two gazebos for use at various community events.

### **Fish Deaths in Muscle Creek**

Sustainability staff assisted with the investigation into fish deaths reported in Muscle Creek. Determined to be a result of small rain events.

### **Parks and Natural Areas Meeting**

The Sustainability Unit continues to work collaboratively with the Works Department in order to coordinate works on natural areas.

### **Small Acts Big Change**

A professional film crew visited the Sustainability Hub to film community members and get their input into a short online clip on reducing food waste. This Hunter Joint Council's initiative is aiming to promote to the community the actions community members in our region take to reduce their waste.

**Sustainable Futures**

Our Sustainable Futures – Muswellbrook Facebook page now has over 1000 page likes and 1000 followers. This page is a great way to engage with the community about practical actions we can all take to be more sustainable.

**Water Wise Education**

Wilbur the Water Warrior puppet has arrived and will be used to educate children about being water wise.

**Sustainability Hub**

Community users of the Sustainability Hub met with Council staff to determine their requirements for the relocated Hub. Community members are keen to move to a more permanent location.

Sunnyfield Disability Services spent a morning completing activities at the Hub. They plan to return on a regular basis. Warrior Disability Services continue to run the composting and worm farm systems at the Sustainability Hub. This is one way we help to encourage community members to reduce their own food waste. The Penguin Garden Club and Muscle Creek Landcare group continue to meet at the Sustainability Hub. The Garden Club gets an average of 8 people to each activity twice a month. The Landcare group averages 4 people in attendance each month.

**Bread Tags Collection**

Bread tags collection points have been set up at the Muswellbrook and Denman libraries and Council staff kitchen.

**Reuse Shop**

The Sustainability Unit continues to promote the Reuse Shop at the Muswellbrook Waste Facility.

**Museum in a Box**

Educational groups continue to use the mini museums on loan from the Australian Museum.

**Special Waste Collections**

Sustainability Unit staff continue to facilitate the collection of special waste such as soft plastics, batteries, ink cartridges, mobile phones and coffee grounds.

**Abandoned Trolleys**

The Sustainability Unit ensures abandoned shopping trolleys are reported and collected.

**Energy and Water Usage Analysis**

The Sustainability Unit has analysed Council's electricity and water consumption for the 2019 calendar year and has contacted high users about opportunities to reduce both electricity and water consumption at these sites.

**State Significant Development Applications**

The unit has provided comments on biodiversity and rehabilitation as part of the Maxwell Solar Farm SSD public consultation process as well as responding to responses provided by the Mangoola Coal Continued Operations and the Maxwell Coal Underground proponents.

**Muscle Creek Brochure**

A brochure has been developed promoting the Muscle Creek Walking Trail including the Platypus track and Muscle Creek Nature Trails which will be placed in the Tourist information Centre and Library to encourage locals as well as visitors to utilise this space.

**Wybong Rd Unauthorised Tree Clearing Investigation**

The unit provided technical advice to both the planning team and Councils Corporate Lawyer regarding an unauthorised tree clearing event at Wybong Rd. This required detailed interpretation of relevant environmental acts as well as liaising with state agencies to report this incident as well as to inform Council's position on the matter.



## 13 REPORTS FROM COMMITTEES

### 13.1 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE MEETING HELD ON MONDAY, 20 JANUARY 2020

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

#### PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Development Assessment Committee held on 20 January 2020.

#### OFFICER'S RECOMMENDATION

The Minutes of the Development Assessment Committee Meeting held on Monday 20 January 2020 be received and the recommendations contained therein ADOPTED.

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

#### REPORT

The Development Assessment Committee met on Monday 20 January 2020.

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

#### DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

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

**IN ATTENDANCE:** Ms S. Pope (Assistant Director – Environment & Community Services), Mr H. McTaggart (Co-Ordinator Development) and Miss M. Meadows (PA to the Mayor).

## **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 2 December 2019, 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**

- i. **Mr Rodney Harrison, AGL - Item 6.1 – DA37/2019 - Construction of Pipes and Pump Infrastructure to Return Seepage Water From Lake Liddell Dam Wall to Lake Liddell.**
- ii. **Ms Summer Steward, AGL - Item 6.1 – DA37/2019 - Construction of Pipes and Pump Infrastructure to Return Seepage Water From Lake Liddell Dam Wall to Lake Liddell.**

## **5 BUSINESS ARISING**

Nil

## **6 BUSINESS**

### **6.1 DA 37/2019 - CONSTRUCTION OF PIPES AND PUMP INFRASTRUCTURE TO RETURN SEEPAGE WATER FROM LAKE LIDDELL DAM WALL TO LAKE LIDDELL**

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The Development Assessment Committee defer consideration of DA 37/2019 to a future Development Assessment Committee Meeting where AGL Macquarie representatives can be present to discuss the lack of a full site development consent and the future of Lake Liddell.

### **6.2 AMENDMENTS TO MUSWELLBROOK DCP 2009 IN RELATION TO 9 YARRAWA RD, DENMAN AND 9027 NEW ENGLAND HWY, MUSWELLBROOK.**

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The Development Assessment Committee:

- 1) Resolves to prepare an amendment to the Muswellbrook Development Control Plan 2009 to incorporate a section for the Urban Release Area identified as 9027 New England Highway, Muswellbrook, prior to any approval of a subdivision application for



the site; and

- 2) Resolves to prepare an amendment to Muswellbrook Development Control Plan 2009, to incorporate a section for the Urban Release Area identified as 9 Yarrawa Rd, Denman, following determination of a subdivision application for the site.

**6.3 DA 2019/89 - STORAGE SHED - DENMAN GOLF CLUB - DENMAN RECREATION RESERVE, TURNER STREET, DENMAN**

Cr Rush enquired about information regarding the fence that has been constructed on the internal boundary of the site.

Cr Rush indicated to the meeting that he would like to see the Denman Recreation Area Master Plan updated and finalised prior to determining this application.

Cr Rush asked if recommended conditions included landscaping satisfactory to Council and if harvesting rain water was proposed.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The matter be deferred to the next Development Assessment Committee Meeting, following the Council Meeting on Monday 10 February 2020, where a report is expected on the Denman Recreation Area Master Plan and owners consent for lodgement of the Development Application.

**6.4 OUTSTANDING DEVELOPMENT APPLICATIONS**

Cr Rush advised the meeting that he had met with a developer regarding a site on Wilkinson Avenue. Cr Rush advised the meeting that it was an open discussion with Council staff present and that he advised the developer that a Backpackers might be a better development for the site than a Boarding House, but that a final decision rests with Council.

Cr Rush requested that Council staff, who were present at the meeting, brief the other Councillors on the matter.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

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

**7 DATE OF NEXT MEETING**

10 February 2020

**8 CLOSURE**

The meeting was declared closed at 5:12 pm.

.....  
Cr M. Rush  
**Chairperson**

**13.2 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE  
MEETING HELD ON MONDAY, 10 FEBRUARY 2020**

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

**PURPOSE**

To facilitate Council's adoption of the recommendations of the meeting of the Development Assessment Committee held on 10 February 2020.

**OFFICER'S RECOMMENDATION**

The Minutes of the Development Assessment Committee Meeting held on Monday 10 February 2020 be received and the recommendations contained therein ADOPTED.

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

**REPORT**

The Development Assessment Committee met on Monday 10 February 2020.

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

**DECISIONS REQUIRING A NEW BUDGET ALLOCATION**

Item Ref	Description	\$	GL No.

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

**IN ATTENDANCE:** Ms Fiona Plesman (General Manager), Ms S. Pope (Assistant Director – Environment & Community Services), Mr H. McTaggart (Co-Ordinator Development) , Mr Peter Chambers (Chief Engineer) and Miss M. Meadows (PA to the Mayor).

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Crs Woodruff and Scholes that:

The Minutes of the Development Assessment Committee held on 20 January 2020, 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**

Nil

## **5 BUSINESS ARISING**

### **5.1 PRINCE OF WALES**

Cr Martin Rush advised the meeting that he had been approached at a recent function regarding the development of the Prince of Wales Tavern.

## **6 BUSINESS**

### **6.1 DA41/2019 NINE (9) LOT INTO SIX (6) RURAL SUBDIVISION**

RECOMMENDED on the motion of Crs Woodruff and Scholes that:

The matter be considered at the next suitable Development Assessment Committee as determined by the GM, and an inspection by Committee Members be arranged prior to that Development Assessment Meeting.

### **6.2 DA 37/2019 - CONSTRUCTION OF PIPES AND PUMP INFRASTRUCTURE TO RETURN SEEPAGE WATER FROM LAKE LIDDELL DAM WALL TO LAKE LIDDELL**

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The matter be considered at the next suitable Development Assessment Committee as determined by the General Manager.

Cr Scholes left the meeting 4:10pm

Cr Scholes returned to the meeting at 4:13pm

**6.3 OUTSTANDING DEVELOPMENT APPLICATIONS**

RECOMMENDED on the motion of Crs Woodruff and Scholes that:

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

**7 DATE OF NEXT MEETING**

24 February 2020

**8 CLOSURE**

The meeting was declared closed at 4:15 pm.

.....  
Cr M. Rush

**Chairperson**

**14 NOTICES OF MOTION / RESCISSION**

Nil

**15 QUESTIONS WITH NOTICE**

Nil

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

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

**19 CLOSED COUNCIL****RECOMMENDATION**

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

**19.1 MUSWELLBROOK INDOOR SPORTS CENTRE - MUSWELLBROOK YOUTH VENUE**

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.

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

**20 RESUMPTION OF OPEN COUNCIL****21 CLOSURE**

**DATE OF NEXT MEETING: TUESDAY 31 MARCH 2020**