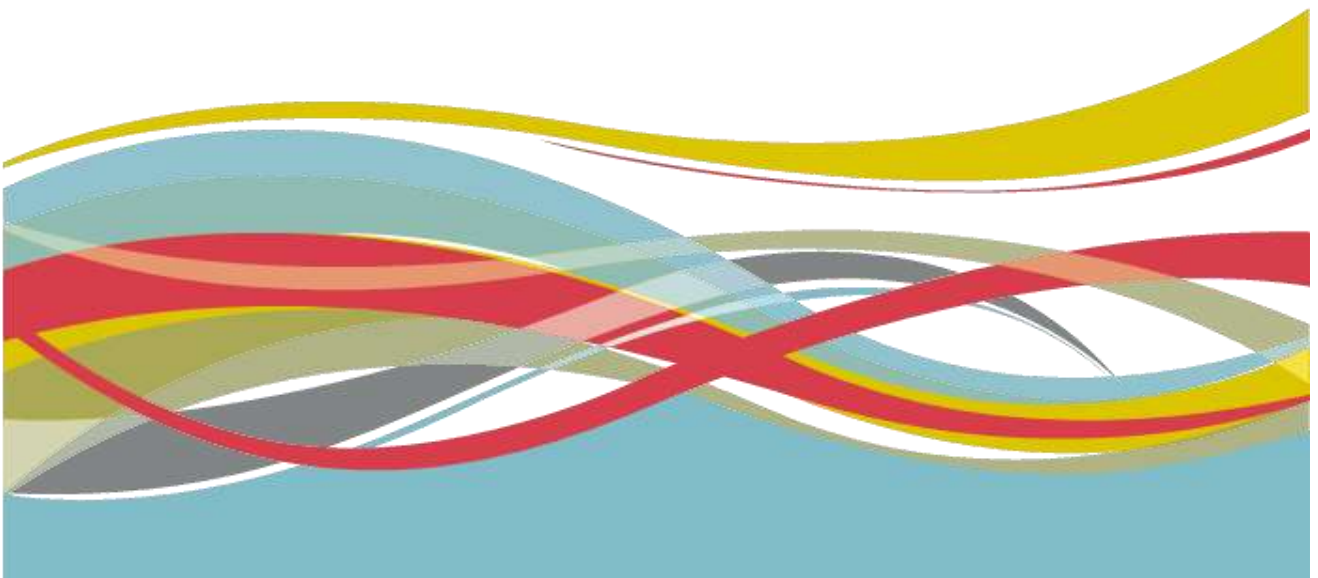




**muswellbrook  
shire council**

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

**BUSINESS PAPER**  
**24 NOVEMBER 2020**



**ORDINARY COUNCIL MEETING, 24 NOVEMBER 2020**

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122

MUSWELLBROOK

20 November, 2020

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **24 November, 2020** commencing at 6.00PM.

Fiona Plesman  
**GENERAL MANAGER**

# Order of Business

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19.2	LIDDELL POWER STATION CLOSURE <i>Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
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**MUSWELLBROOK SHIRE COUNCIL  
ORDINARY COUNCIL MEETING**

# **AGENDA**

**TUESDAY 24 NOVEMBER 2020**

- 1 ACKNOWLEDGEMENT OF COUNTRY**
- 2 CIVIC PRAYER**
- 3 APOLOGIES AND LEAVE OF ABSENCE**

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

- 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**  
**RECOMMENDATION**

The Minutes of the Ordinary Meeting held on **27 October 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 REFUND OF APPLICATION FEES POLICY AND PROCEDURE

Attachments:	A. Application fee and Advertising Refund of Fees Policy B. Withdrawal of DA/Fee Refund Procedure PERS C. Refunding Fees Procedure
Responsible Officer:	Derek Finnigan - Deputy General Manager
Author:	Sharon Pope - Executive Manager - Environment and Planning

#### PURPOSE

The report provides Councillors with details of a reviewed policy on refunding applications fees if the application is withdrawn by the applicant prior to determination. It is recommended that the *Application Fee and Advertising Refund of Fees Policy* (last amended in the year 2000) be rescinded. If this were to occur, the refund process would instead be guided by the *Refunding Fees Procedure* (Attachment C).

#### OFFICER'S RECOMMENDATION

**Council rescinds the *Application Fee and Advertising Refund of Fees Policy* (Attachment A) and replaces it with the *Refunding Fees Procedure* (Attachment C).**

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

#### BACKGROUND

Submission of the report aligns with Council's commitment towards reducing the number of Council policies, particularly in circumstances where the policy could be appropriately replaced by an operational procedure.

#### CONSULTATION

The report has been discussed by MANEX.

#### CONSULTATION WITH COUNCILLOR SPOKESPERSONS

A copy of the report has been forwarded to the Councillors comprising the Development Assessment Committee for review, these being the Mayor, Councillor Rush, the Deputy Mayor, Councillor Scholes, and the Councillor Spokesperson for Development, Assessment, and Regulation, Councillor Woodruff.

#### REPORT

At times an application may be withdrawn before staff have made a final determination. This relates to a small number of applications in any year. Some are withdrawn as the applicant has a change of plans. More often the withdrawal is requested based on advice from Council staff that the proposal will not be supported. In these cases, there are benefits in having the application withdrawn, rather than the matter being reported to Council for refusal.

The current *Application Fee and Advertising Refund of Fees Policy* (appended as Attachment A to the report), approved in the year 2000, permits only limited refunds being provided to applicants. Staff have been utilising a departmental working document to guide decisions on the amount of fees that will be refunded for withdrawn applications. This document was developed in 2015, and is titled the *Withdrawal of DA/Fee Refund Procedure* (appended as Attachment B to the report). The working document needs to be updated to reflect current legislation and to include additional types of applications. It should also

become a formal procedure with regular review. A new procedure, titled *Refunding Fees Procedure*, is appended as Attachment C to the report.

## **OPTIONS**

Council may or may not endorse the Officer's Recommendation.

## **CONCLUSION**

The current *Application Fee and Advertising Refund of Fees Policy* has not been updated in 20 years and does not provide mechanisms for staff to negotiate the withdrawal of poorly conceived applications. It also doesn't recognise that some applicants may have a change of mind before staff have spent a significant amount of time processing the application.

It is recommended that this Policy be rescinded. The process of refunding fees would be guided by an updated operational procedure instead (*Refunding Fees Procedure*, Attachment C).

## **SOCIAL IMPLICATIONS**

An updated process related to the management of fees associated with the assessment of development applications will enhance Council's reputation in the community.

## **FINANCIAL IMPLICATIONS**

Only a small number of applications are ever withdrawn. The fees paid at lodgement are calculated on the cost of the development, so the amount to be refunded will be a percentage of the fees paid. The percentage has been based on the staff time that would generally have been spent on processing the application, depending on the stage the application had reached when the withdrawal request is received.

## **POLICY IMPLICATIONS**

It is recommended that the *Application Fee and Advertising Refund of Fees Policy* be rescinded.

## **STATUTORY IMPLICATIONS**

Nil known.

## **LEGAL IMPLICATIONS**

Nil known.

## **OPERATIONAL PLAN IMPLICATIONS**

Submission of the report complies in principle with Action 19.3.6 of the Operational Plan: Deliver timely, professional engineering assessment of proposed development.

## **RISK MANAGEMENT IMPLICATIONS**

It is considered that the departmental working document should become a Procedure. This means it will conform to the Council template for procedures, it will be subject to regular review and will be more accessible generally to staff who may receive enquiries from the public on this matter.





A 20/1

## POLICY REGISTER

**Subject: Application Fee and Advertising – Refund of Fees**

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<b><i>Minute No:</i></b>	<b>919</b>	<b>792</b>	<b>283</b>	<b>762</b>
<b><i>Meeting Date:</i></b>	<b>14.8.2000</b>	<b>11.12.95</b>	<b>8.5.89</b>	<b>14.10.85</b>

### POLICY

That Council charge a minimum advertising fee for applications, such fee to be fixed annually.

That no refund of application fees paid be made, except where an application has been lodged and none is required.

That the advertising fee be refunded if an application is withdrawn prior to the proposal being advertised.

\*\*\*\*\*

## Refunding Guidelines

### DEVELOPMENT APPLICATION / S96 AMENDMENT / S82A REVIEW OF DETERMINATION – REFUNDS

1. If the application is withdrawn before investigations are made 60% of the fee may be refunded.
2. If the application is withdrawn prior to the preparation of an assessment report 15% of the fee may be refunded.
3. If the application is withdrawn after an assessment report has been prepared, but before determination is made, 10% of the fee paid may be refunded.
4. If it has been advertised the advertising fee is retained.

### CONSTRUCTION CERTIFICATE REFUND

1. If the application is withdrawn before the site investigations are made, 70% of the fee may be refunded on request of the applicant.
2. If the application is withdrawn **prior** to a BCA/DA compliance audit being commenced, 25% of the fee paid may be refunded on request of the applicant.
3. If the application is withdrawn **after** the BCA/DA compliance audit has been commenced, but before the certificate is issued, 10% of the fee may be refunded on request of the applicant.

**BCA ALTERNATE SOLUTION – Loading of 50% to 100% on scheduled fee plus 130% of Council's direct cost for the provision of expert opinion, consultants, testing and on-costs to assess the alternate solution/s.**

### OCCUPATION CERTIFICATE REFUND

**NO REFUNDS** apply to withdrawn Occupation Certificate applications.

### COMPLYING DEVELOPMENT CERTIFICATE REFUND

1. If the application is withdrawn before site investigations are made, 70% of the fee paid may be refunded on request of the applicant.
2. If the application is withdrawn prior to the preparation of an assessment/compliance audit, 25% of the fee may be refunded on request of the applicant.
3. If the application is withdrawn before the certificate is issued, 5% of the fee may be refunded on request of the applicant.

### APPOINTMENT OF COUNCIL AS PCA AND INSPECTION FEES – REFUNDS

1. If the appointment is withdrawn before approval history and site investigations are made; and no inspections have been undertaken, 90% of fees may be refunded on request of the applicant.
2. If the appointment is withdrawn and no inspections have been undertaken, 80% of the fees paid may be refunded on request of the applicant.
3. If the appointment is withdrawn after work has commenced; inspections have been undertaken, and an alternate PCA is proposed to be appointed **no** refund is applicable.

### NOTIFICATION FEES

FULL refund of fees paid if it **hasn't** been advertised or notified.

**NO refund of fees paid if it has already been advertised and/or notified (the full fee is retained)**

### SUBDIVISION CERTIFICATE APPLICATION FEES REFUND (including Strata Subdivision)

1. If the application is withdrawn before investigations are made 60% of the fee paid may be refunded.
2. If the application is withdrawn prior to the preparation of an assessment report 15% of the fees paid may be refunded.
3. If the application is withdrawn after an assessment report has been prepared, but before determination is made, 10% of the fee paid may be refunded.

### SECTION 68 LGAct APPLICATION REFUND

1. If the application is withdrawn before investigations are made 60% of the fee paid may be refunded.
2. If the application is withdrawn prior to the preparation of an assessment report 15% of the fee paid may be refunded.

3. If the application is withdrawn after an assessment report has been prepared, but before determination is made, no refund applied.



# muswellbrook shire council

## Refunding Fees Procedure

Reference Number

This document is a controlled document. Before using this document, check it is the latest version by referring to Council's ED RMS and ensuring you are using the Last Approved Version. Printed or downloaded versions of this document are uncontrolled.

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## Procedure Objective

The objective of this Procedure is to provide staff and the community with a consistent approach to refunds where an application is withdrawn prior to final determination. The amount refunded will be based on the amount of staff time already involved in assessing the application prior to withdrawal.

## Procedure

### Applications under the Environmental Planning and Assessment Act

#### Planning Proposal

##### Stage 1 – Pre Gateway

- If the application is withdrawn after staff have completed a review of adequacy of the application and supporting documents, 50% of the fee may be refunded.
- If the application is withdrawn prior to the request being reported to Council with a recommendation about Gateway Determination, 20% of the fee may be refunded.
- If the application is withdrawn after being reported to Council with a recommendation about Gateway Determination, no fee will be refunded.

##### Stage 2 – Post Gateway

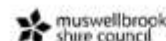
- If the application is withdrawn prior public notification, 50% of the fee may be refunded.
- If the application is withdrawn after public notification but prior to being reported to Council with a recommendation about finalisation, 20% of the fee may be refunded.
- If the application is withdrawn after being reported to Council following public notification, no fee will be refunded.

#### Development application

- If application is rejected due to lack of documentation or owners consent 100% of the fee may be refunded.
- If the application is withdrawn before initial investigations are completed by staff (for example, a Request for Information has not been sent), 70% of the fee may be refunded.
- If the application is withdrawn prior to the preparation of an s.4.15 assessment, 50% of the fee may be refunded.
- If the application is withdrawn after a s4.15 assessment report has been prepared, but before determination is made, 30% of the fee may be refunded.
- Full refund of notification fees will be paid if the application is withdrawn prior to being notified. If the application has been notified the notification fee is retained.
- Council is unable to refund Planning Reforms Fund fees that have been paid.

#### s4.55 amendment & s8.3 review of determination

- If the application is withdrawn before investigations are completed by staff (for example, a Request for Information has not been sent), 70% of the fee may be refunded.
- If the application is withdrawn prior to the preparation of an assessment, 50% of the fee may be refunded.
- If the application is withdrawn after an assessment has been prepared, but before determination is made, 30% of the fee may be refunded.
- Full refund of notification fees will be paid if the application is withdrawn prior to being notified. If the application has been notified the notification fee is retained.

**Complying Development certificate**

- If the application is withdrawn before site inspections are made, 70% of the fee paid may be refunded.
- If the application is withdrawn prior to the preparation of an assessment/compliance audit, 50% of the fee may be refunded.
- If the application is withdrawn after an assessment has been prepared, but before determination is made, 30% of the fee may be refunded.

**Construction certificate**

- If the application is withdrawn before the site investigations are made, 70% of the fee may be refunded.
- If the application is withdrawn prior to a BCA/DA compliance audit being commenced, 50% of the fee paid may be refunded.
- If the application is withdrawn after the BCA/DA compliance audit has been commenced, but before the certificate is issued, 30% of the fee may be refunded.

**Occupation certificate**

NO REFUNDS apply to withdrawn Occupation Certificate applications.

**Building Information certificate**

- If the application is withdrawn before site inspections are made, 50% of the fee paid may be refunded.
- If the application is withdrawn prior to the preparation of an assessment/compliance audit, 30% of the fee may be refunded.

**Appointment of Council as PCA and inspection fees**

- If the appointment is withdrawn before approval history and site investigations are made, 70% of fees may be refunded.
- If the appointment is withdrawn before critical stage inspections have been undertaken, 30% of the fees paid may be refunded.
- If the appointment is withdrawn after critical stage inspections have been undertaken, no fee will be refunded.

**Subdivision certificate application fees (including Strata Subdivision)**

- If the application is withdrawn before approval history and site investigations are made 50% of the fees paid may be refunded.
- If the application is withdrawn after an assessment report has been prepared, but before determination is made, 20% of the fee may be refunded.

**Section 68 LG Act application refund**

- If the application is withdrawn prior inspections and preparation of an assessment report, 50% of the fee may be refunded.
- If the application is withdrawn after an assessment report has been prepared, but before determination is made, 30% of fees paid may be refunded.

**Policy Reference**

Nil

**Associated Council Documentation**

Nil

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Page 4 of 5  
Date printed - 9 November 2020

## Authorisation Details

<b>Authorised by:</b>	MANEX
<b>Minute No:</b>	
<b>Date:</b>	
<b>Review timeframe:</b>	Within 12 months of an Ordinary Council Election
<b>Department:</b>	Planning, Environment and Regulatory Services
<b>Document Owner:</b>	Executive Manager Environmental and Planning Services

## Details History

Version No.	Date changed	Modified by	Amendments made
1		Sharon Pope	Procedure generated using Doc Id 557598 as a basis.



**10.2 MUSCLE CREEK ROAD REZONING REQUEST - PP013**

<b>Attachments:</b>	<b>A. Letter - Department of Planning, Industry and Environment</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Deputy General Manager</b>
<b>Author:</b>	<b>Sharon Pope - Executive Manager - Environment and 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>Provide efficient and effective Development Application, Complying Development Certificate, Construction Certificate and Occupational Certificate assessment services.</i></b>

**PURPOSE**

The Department of Planning Industry and Environment (DPIE) has requested advice from Council on the status of the Muscle Creek rezoning proposal (PP013), and specifically if it is intended to make, discontinue or withdraw the planning proposal by 31 December 2020.

The purpose of the report is to provide Council with information regarding this planning proposal. As Council is not able to forward the Planning Proposal to DPIE to have it made by 31 Dec 2020 it is recommended that the Planning Proposal be withdrawn and resubmitted as a new planning proposal for Gateway Determination in the future.

**OFFICER'S RECOMMENDATION**

**Council write to the Minister for Planning and request that the Muscle Creek Road Planning Proposal (PP013) be withdrawn with the intention of resubmitting an amended Planning Proposal in the future for a Gateway Determination.**

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

**BACKGROUND**

In July 2020 the NSW Premier announced the Planning System Acceleration Program to streamline and simplify the planning system, unlock productivity, keep people in jobs and support sustained economic recovery from the COVID -19 pandemic.

One of the initiatives has been to review all existing Planning Proposals across NSW that are more than four years old, to determine if, by December 31, 2020, they can be:

- Made;
- Discontinued; or
- Withdrawn.

A copy of correspondence received from the Department of Planning Industry and Environment regarding this matter is provided as Attachment A.

The Muscle Creek Road rezoning request was lodged with Council in June 2015 and the Planning Proposal originally received a Gateway determination on 2 October 2015. There was an extension to the Gateway determination in December 2016 and July 2019. The most recent extension required the Planning Proposal to be finalised by October 2019.

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**CONSULTATION**

Consultation has occurred with the Proponent through their surveyor. Withdrawal of the planning proposal and resubmission for a new Gateway Determination is preferred to discontinuation.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

There has been no consultation with Councillors in relation to the report.

**REPORT**

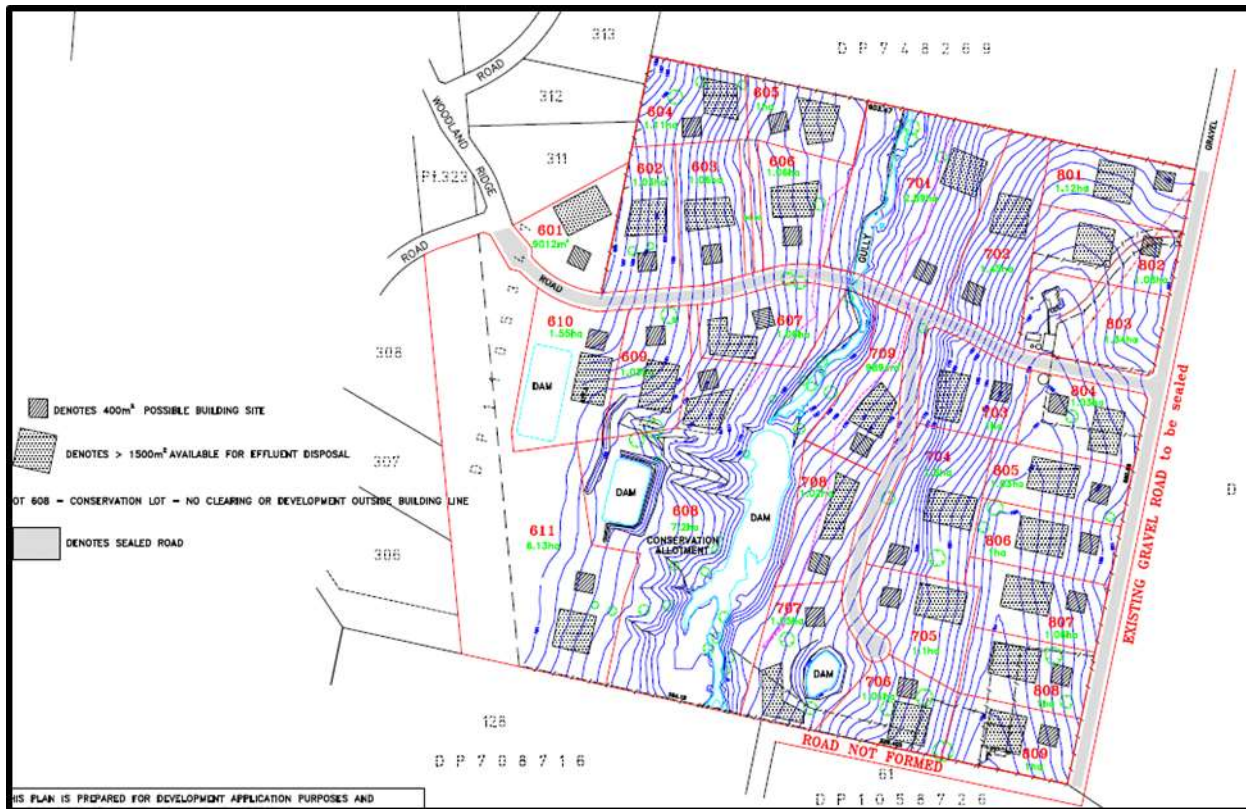
On 23 June 2015, Council received a request to rezone Lot 42 DP 748269, located at 362 Muscle Creek Road, Muswellbrook, with the intention of future subdivision of the land into large lot residential lots. The site comprises approximately 40 hectares of land and the original intention was to rezone the land to R5 Large Lot Residential to allow lots with a minimum area of 4000sqm.

A brief timeline synopsis of the rezoning request consists of:

- 23 June 2015 - Submission of rezoning request to Council.
- 14 Sept 2015 - Ordinary Meeting of Council resolution to prepare a planning proposal and to forward on to the Department of Planning and Environment for a Gateway Determination
- 2 October 2015 - Gateway Determination was issued requiring supporting information/investigation and state agency consultation to be completed prior to public exhibition.
- 18 Nov 2016 – Proponent requests extension to Gateway Determination.
- 5 April 2018 – Proponent requests another extension to Gateway Determination.
- 15 Jan 2019 – Ecology and Transport reports submitted for referral to OEH and Transport for NSW.
- 22 May 2020 – Proponent indicates consideration being given to changing the rezoning request to create larger lots (e.g. 2ha - 4ha).



**Map 1. Location**



**Plan 1. Conceptual Lot Layout**

## OPTIONS

The options available to Council are:

1. To write to the Minister for Planning and request that the Muscle Creek Road Planning Proposal (PP013) be withdrawn with the intention of resubmitting an amended Planning Proposal in the future for a Gateway Determination.
2. To write to the Minister for Planning and request that the Muscle Creek Road Planning Proposal (PP013) be discontinued.
3. To make no decision. Advice from the DPIE is that where a council chooses not to finalise a planning proposal by the 31 December, the Minister (or his delegate) may choose to finalise the planning proposal.

## CONCLUSION

To comply with the request from the DPIE to finalise all Planning Proposals lodged prior to 2016, by 31 Dec 2020, it is recommended that Council write to the Minister for Planning and request that the Muscle Creek Road Planning Proposal (PP013) be withdrawn with the intention of resubmitting an amended Planning Proposal in the future for a Gateway Determination.

## SOCIAL IMPLICATIONS

Nil known.

## FINANCIAL IMPLICATIONS

Nil.

**POLICY IMPLICATIONS**

Given the length of time the Planning Proposal has been with Council, there have been several changes to current strategies (Regional Plan, Local Strategic Planning Statement, etc.), state planning policies, and Ministerial directions which would require a revision of the Planning proposal. If the Proponent also intends to alter the minimum lot size, seeking a new Gateway Determination would be more appropriate.

**STATUTORY IMPLICATIONS**

There are no statutory implications.

**LEGAL IMPLICATIONS**

There are no legal implications

**OPERATIONAL PLAN IMPLICATIONS**

There are no operational Plan implications.

**RISK MANAGEMENT IMPLICATIONS**

Advice from the DPIE is that where a council chooses not to finalise a planning proposal by the 31 December, the Minister (or his delegate) may choose to finalise the planning proposal.



Planning,  
Industry &  
Environment

IRF20/4503

1 October 2020

Ms Fiona Plesman, General Manager

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

Dear Ms Plesman

On 15 July 2020 the Premier announced the Planning System Acceleration Program to reform the NSW planning system. The reforms, which streamline and simplify the planning system, will unlock productivity, keep people in jobs and support sustained economic recovery from the Covid-19 pandemic.

A key part of the reform program involves delivering improved processes for determining and finalising planning proposals more efficiently to cut the time taken to finalise rezoning decisions by 33%. This will provide greater clarity to local government and the community, and more certainty to proponents and investors.

Going forward our intention is that planning proposals should generally take 1 year and no more than 2 years to complete. This has been shown to be achievable in many cases where applications are supported by enough evidence to justify strategic and site-specific merit, and when proposals are aligned to a strong strategic planning framework.

Further information about changes and improvements to existing processes such as online lodgement via the NSW Planning Portal will be provided to councils as part of ongoing communication about the planning reform program.

To ensure the new system achieves these outcomes we must first clear the backlog of planning proposals that have remained under consideration for an extended period.

A review of current proposals identified a number that have been delayed or, are yet to be finalised after more than four years. To address these, the Department is commencing a focused program to work with councils to finalise these proposals by 31 December 2020. Following the initial focus on proposals lodged more than four years ago the program will start to address those that are between two – four years old.

I am aware that many councils are working to improve planning assessment timeframes. This includes eligible councils with long standing proposals applying to the Public Spaces Legacy Program. The Department will work with all councils to help finalise the long standing proposals.



## Planning, Industry & Environment

Muswellbrook Shire Council has the following planning proposals that we will initially be working with you to finalise by 31 December 2020:

- PP\_2014\_MUSWE\_003\_01
- PP\_2015\_MUSWE\_002\_01

Daniel Simpkins, Director Hunter & Central Coast Region, will contact you in the coming days to establish a project plan and timeframe for finalising the above proposals.

Should Council have any immediate questions regarding the finalisation program please discuss these with Jeremy Gray during this initial discussion.

Alternatively, you can contact Jeremy Gray on 02 9373 2820 or [daniel.simpkins@planning.nsw.gov.au](mailto:daniel.simpkins@planning.nsw.gov.au)

We look forward to working with Council to deliver this program as a major step towards improving and streamlining the plan making process.

Yours sincerely

A handwritten signature in black ink, appearing to read "Marcus Ray", with a horizontal line underneath.

**Marcus Ray**  
**Group Deputy Secretary**  
**Planning and Assessment**

### 10.3 PLANNING AND ENVIRONMENTAL SERVICES

**Attachments:** Nil

**Responsible Officer:** Sharon Pope - Executive Manager - Environment and Planning

**Author:** Chloe Wuiske - Administration Officer  
 Ziggy Andersons - Ecologist and Sustainability Team Leader  
 Michael Brady - Sustainability Officer  
 Tracy Ward - Sustainability Officer  
 Jo Barker - Records Officer

**Community Plan Issue:** *A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders*

**Community Plan Goal:** *Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.*

**Community Plan Strategy:** *Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.*

#### PURPOSE

To provide an update on activities in the Planning and Environmental 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 Approved (16 October to 12 November 2020)***

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2020/86/2	S4.55(1a) Modification - Shed - Residential	56 Cook Street Muswellbrook	-
2020/61/2	S4.55 (1a) Modification - Ancillary Development (Shed)	15 Grey Gum Road Denman	-
2020/118	Professional Consulting Room - Swab Box and Vet Room	35 Racecourse Road Muswellbrook	40,000
2020/116	New Dwelling	24 Martindale Street Denman	318,515
2020/114	Spa and Decking	182-184 Queen Street Muswellbrook	41,650
2020/113	Dwelling House	12 Jillaroo Way Muswellbrook	560,670



DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2020/112	Dwelling House	4 Billabong Close Muswellbrook	544,525
2020/111	Shipping Container	Thiess Crescent Muswellbrook	2,000
2020/108	Awning (Muswellbrook Men's Shed)	5-7 Industrial Close Muswellbrook	19,885
2020/106	Attached Pergola	16 Angus Peebles Close Muswellbrook	9,234
2020/104	Demolition of Structures and Removal of Fourteen (14) Trees	72-74 Maitland Street Muswellbrook	102,000
2020/103	Dwelling House	6 Honeyeater Close Denman	381,371
2020/101	Dwelling Additions and Deck	2 Yarraman Row Muswellbrook	153,000
2020/100	Ancillary Development - Residential Shed	11 Silver Eye Road Muswellbrook	31,000
2020/99	Attached Development - Covered Deck	59 Carl Street Muswellbrook	17,380
2020/95	Ancillary Development - Residential Carport	34 Lexia Street Muswellbrook	7,950
2020/93	Dwelling House	Bylong Valley Way Baerami	385,000
2020/84	Alterations and Additions to Existing School Building	80 Palace Street Denman	290,000
2020/72	Residential Shed	23 Osborn Avenue Muswellbrook	11,300
2020/43	Animal Boarding Establishment and Community Facility	127-129 Sydney Street Muswellbrook	2,550,000

***Schedule 2: Development Applications Currently Being Assessed***

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2020/126	Office Premises	Maitland Street Muswellbrook	13/11/2020	55,000
2020/125	Ancillary Development - Shed	26 Anzac Parade Muswellbrook	09/11/2020	19,165
2020/124	Swimming Pool and Decking	21 Lou Fisher Place Muswellbrook	06/11/2020	16,000
2020/123	Hay Shed	480 Bureen Road Bureen	02/11/2020	92,220
2020/122	Dwelling House and Change of Existing Dwelling to Secondary Dwelling	515 Martindale Road Martindale	29/10/2020	306,785
2020/121	Demolition of Shed	39-41 Ogilvie Street Denman	29/10/2020	17,500
2020/120	Ancillary Development - Carport	46 Shiraz Street Muswellbrook	29/10/2020	17,100
2020/119	Boundary Adjustment - Consolidating Three (3) Lots into Two (2) Lots	196 Queen Street Muswellbrook	26/10/2020	5,000
2020/117	Commercial Fit-out and Alterations and Change of use to Takeaway	6 Maitland Street Muswellbrook	14/10/2020	75,000



DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
	Shop			
2020/115	Residential Shed	55 Ford Street Muswellbrook	12/10/2020	26,300
2020/4/2 -	S4.55 (1a) Modification - Change of Use to Bed and Breakfast as a Staged Development	32 Palace Street Denman	08/10/2020	-
2020/110	Ancillary Development - Shed	Foley Lane Muswellbrook	28/09/2020	81,120
2020/109	Dwelling House	Denman Road Muswellbrook	25/09/2020	735,110
2020/107	Ancillary Development - Shed	18 Wilson Street Muswellbrook	18/09/2020	25,000
2020/105	Ancillary Development - Shed with Attached Awning	15 Edinglassie Drive Muswellbrook	11/09/2020	40,000
2017/18/2 -	S4.55(1A) Modification - Proposed Stage 2A minor alterations to Elevations on South Eastern Corner of Club Building	15 Sydney Street Muswellbrook	08/09/2020	-
2020/102	Hotel Accommodation (Royal Hotel)	10 Ogilvie Street Denman	04/09/2020	20,000
2020/98	Ancillary Development - Residential Shed	80 Ironbark Road Muswellbrook	28/08/2020	34,000
2020/96	Recreation Facility (Outdoor) - Formula Kart Track	Hebden Road Hebden	25/08/2020	90,000
2020/89	Service Station (Operating Hours - 24 hours, 7 days a week)	31 Maitland Street Muswellbrook	18/08/2020	2,128,496
2020/85	Dwelling House with Attached Secondary Dwelling	25 Pendula Way Denman	11/08/2020	455,000
2020/82	Commercial Fitout (Upgrade to Kitchen), Outdoor Dining and Amendments to Car Park)	10-16 Bridge Street Muswellbrook	11/08/2020	80,000
2020/81	Dwelling house	Foley Lane Muswellbrook	07/08/2020	382,145
2020/80	Relocation of Existing Dwelling	Bylong Valley Way Baerami	04/08/2020	40,000
2020/83	Subdivision of one lot (1) into three (3)	60-62 Palace Street Denman	03/08/2020	10,000
2020/73	Residential Shed	39 Pamger Drive Muswellbrook	27/07/2020	40,000
2020/69	Commercial Alterations and Additions to Fitout an Existing Shop Premises for Use as a Bakery and Cafe	72-78 Brook Street Muswellbrook	07/07/2020	100,000
2020/58	Commercial Alterations and Additions	4 Lorne Street Muswellbrook	16/06/2020	45,000
2020/55	Commercial Fitout Additions and Alterations	20 Ogilvie Street Denman	12/06/2020	49,720
2020/51	Residential Shed	5 Arlingham Close Muswellbrook	29/05/2020	25,350

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2020/49	Electricity Generating Works (Solar Farm)	Denman Road Muswellbrook	21/05/2020	26,131,000
2020/48	Use of Shipping Container as a Residential Shed	54 Ironbark Road Muswellbrook	18/05/2020	1,200
2020/36	Residential Outbuilding - Storage Space	540 Sandy Creek Road Muswellbrook	17/04/2020	20,000
2020/7	Additions and Alterations to existing Hotel	184 Bridge Street Muswellbrook	24/01/2020	110,000
2019/104	Change of Use to Warehouse and Distribution Premises with a New Office and Storage/Shade Structure	Thomas Mitchell Drive Muswellbrook	27/11/2019	75,000
2019/90	Subdivision of One (1) Lot into Twenty (20) Lots	9 Yarrowa Road Denman	30/09/2019	2,828,700
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
2019/16	Information and Education Facility (Museum)	Turner Street Denman	15/02/2019	265,000
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
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 of Conditions	2449 Denman Road Muswellbrook	29/05/2017	-

**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)**

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

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

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Applications Received (new businesses)	0	1	2	0	1	1	0	1	2	2	1	3	2
Inspections (new businesses)	1	0	2	1	1	1	0	1	0	2	1	2	2
Inspections (existing businesses)	6	1	0	10	0	4	1	1	35	3	0	0	0
Reinspections	0	0	0	0	0	0	0	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)**

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Total Sites Inspected	7	7	6	7	4	4	6	5	4	4	5	4	4
Total non-compliant and educated	0	1	0	0	0	0	0	1	0	0	0	2	0
Total compliance after education	0	1	0	0	0	0	0	1	0	0	0	4	0
Total Penalty Notices Issued	0	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)**

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Total Investigations	3	2	4	7	8	2	9	4	6	7	3	0	3
Total Clean up by Council - insufficient evidence	2	2	4	7	2	0	5	1	5	2	1	0	3
Total Clean Up by individual	0	0	0	0	6	2	0	0	1	3	0	0	0
Total Penalty Notices Issued	0	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	0
Still under investigation	0	0	0	0	0	0	0	0	0	1	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)**

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Applications for Compliance Certs.	3	3	3	2	4	4	3	1	4	4	4	7	3

Total compliance inspections (not inc. Final Insp. for Occ. Certs)	3	2	5	7	6	6	3	6	8	5	8	10	2
Initial Inspections	2	1	3	7	5	5	2	5	8	2	6	9	1
Re-inspections	1	1	2	0	1	1	1	1	0	3	2	1	1

Compliance Certs / Occ. Certs issued	6	8	7	3	0	4	1	6	5	3	3	7	2
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**Total Pools in Council's Swimming Pool Register = 929**

**Compliance as at 30 June 2017 = 63.7%**

**Compliance as at 30 June 2018 = 65.7%**

**Compliance as at 30 June 2019 = 43.0%**

**Compliance as at 30 June 2020 = 26.7%**

**Current Compliance = 20.7%**

That is, 192 out of 929 pools have a valid Compliance Certificate or Occupation Certificate.  
N.b. Certificate is valid for 3 years.

**Percentage of pools inspected during Financial Year 2020/2021 = 1.9%**

That is, 18 out of 929 pools have had at least one inspection carried out during FY 2020/2021.

## **SUSTAINABILITY**

### **Local Government NSW Excellence Awards**

Council received a Highly Commended Award for Behaviour Change in Waste for it's Waste Wranglers Education Program. This was part of the Local Government NSW Excellence in the Environment Awards program.

This is for the work Council has done for several years to educate and raise awareness in the community around various waste issues. The photo below shows Joann from the Waste Department and Tracy from the Sustainability Unit with Reece the Recycler, Gene the Gardener and Max the Minimiser with their award.



### Online Workshops

Under normal circumstances the Sustainability Unit would engage with the community through various face to face activities. Given COVID restrictions other methods are being used.

Funding from the Healthy Towns Challenge saw three online workshops held. Sustainable Gardening, Growing food on Mars and Meal Planning workshops were held to encourage residents to grow food at home and to plan their meals. This helps reinforce messages around reducing food waste.

Funding from the Environmental Trust saw an online native animal show conducted for the children at MOOSH. This was to help raise awareness of the values of areas such as Muscle Creek.

### Denman - Don't be a Tosser

In September for the "Denman – Don't be a Tosser" project the message was all about enforcement. A video and newspaper ads and articles helped spread the Report a Tosser message. Marquees featuring Council's Logo and the Don't be a Tosser logo were ordered for community groups in Denman. This will get the message out at larger community events once these events can be held.

### Worm Farms and Compost Bins

The Sustainability Unit has been running an engagement program that focuses on reducing food waste going to landfill. During this period, 8 worm farms and 9 compost bins have been sold to residents. Bin stickers have also been given to residents. This program also featured a series of online videos. A community event was held at Hunter Park Family Centre to encourage the use of worm farm and compost bins.



**Special Waste Disposal Promotion**

The Sustainability unit continues to promote the proper disposal of different types of waste. This month's focus was on household batteries and fatbergs.

**Bee Hotels**

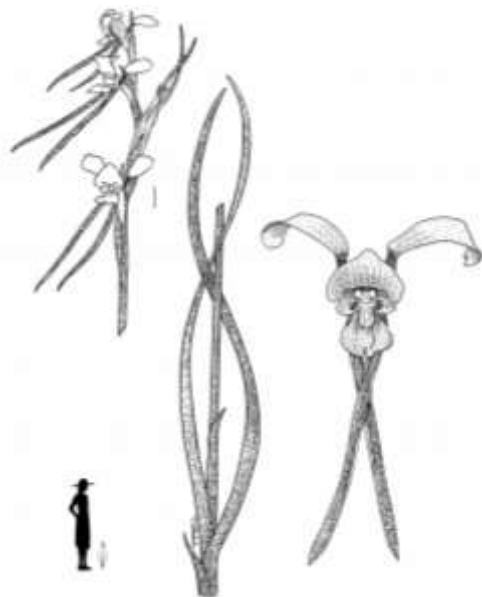
Fourteen bee hotels have been made. These will be given out to community and school groups to encourage native bees.

**Botanical Illustrations**

The Sustainability Unit commissioned botanical illustrations and stylised illustrations of the 6 species endemic (only occur in) to the Muswellbrook Shire. These illustrations add to the limited material available on these species and will give council the ability to use them to develop information signage to highlight the significance of these species and incorporate them into council graphic designs to increase community awareness and therefore ownership of the unique plants.



Stylised Illustrations 'Roundels'



Example of Botanical Illustration

**Muswellbrook Connect**

The Sustainability Unit continues to engage with the community online. This involves coordinating the development of locally produced materials aimed at making recommendation to local community members on what they can do at home around living healthy and sustainable lives. Each week a different theme is posted. Themes have included how to reduce leftovers, how to be water smart, how to be energy efficient at home, how to reduce litter and how businesses can be more sustainable etc.

**Sustainable Futures – Muswellbrook**

The popularity of the Sustainable Futures – Muswellbrook Facebook page continues to grow. It has now

received 1,201 page likes and 1,264 page followers. This page continues to be a great way for Council to engage with the community around a range of sustainability topics. This includes promoting the Community Recycling Centres, correct waste management practices, the Reuse Shop, soft plastic recycling, Sustainability Hub activities, reducing food waste, plastic free July, worm farms, composting, grant projects and more.

### **Healthy Towns Challenge**

The seed library at the Sustainability Hub and at the Muswellbrook library have loaned out over 150 packets of seeds. The Challenge also involved a GrandMaster Chef Challenge. Residents were rewarded for preparing healthy meals using leftovers.

These activities have been a great way to engage with the community around the importance of eating and producing local food and reducing food waste going to landfill. This can also be used to encourage the use of worm farms and composting.

The Seed Library and GrandMaster Chef Challenge has been made possible thanks the NSW Healthy Towns Challenge. The Healthy Town Challenge is a joint initiative of the NSW Office of Preventive Health and the Heart Foundation NSW to help regional and rural communities become healthier. The Seed Library is a collaboration between the Sustainability Unit, Muswellbrook Library and the Penguin Garden Club.



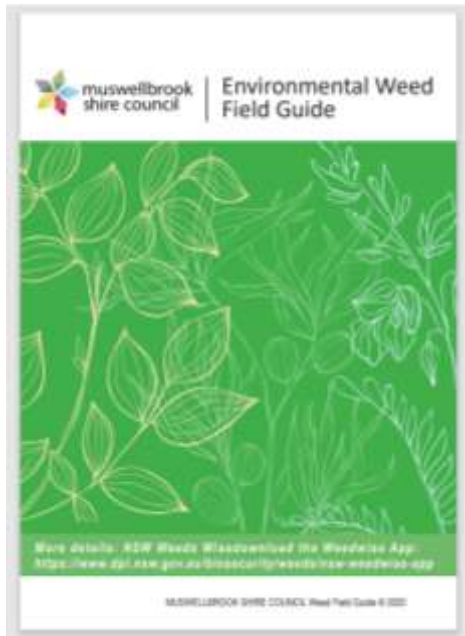
**Anne from the Penguin Garden Club at the Sustainability Hub with the Seed Library.**

### **Public Bins**

A meeting between Property and Building, Waste and Sustainability discussed ways to make our current public bins system work more efficiently. The aim would be to consolidate the number of public bins so that the bins available are all functioning and in appropriate places. This would lead to a reduction in litter that Works need to collect and that washes into our waterways.

### **Muswellbrook Environmental Weed Field Guide**

Based on a need identified by the CI team the Sustainability Unit developed and published an environmental weed field guide in collaboration with council's communication team specifically for the Muswellbrook LGA. This field guide has been distributed to all field staff and any other staff likely to need to identify problem weeds.



### **Sustainability Hub**

Warrior Disability Services continue to run the composting system at the Sustainability Hub. This involves collecting coffee and food waste and transforming it into valuable compost that is used in the garden. On average this equates to 2700 litres of waste diverted from landfill.

The Penguin Garden Club meet at the Sustainability Hub. The Garden Club gets an average of 8 people to each activity twice a month.

### **Powerpal purchase**

Council has purchased a Powerpal as seen on “Fight for Planet A”. Once installed at Campbell’s Corner Council’s real time energy usage will be monitored. There are plans to roll these out over a few of Council’s high usage sites to enable quick responses to spikes in electricity usage.

### **Radio Advertising**

The Sustainability Unit have been involved in the production of several radio advertisements letting residents and businesses know they can contact the unit for assistance with waste minimisation, reducing water consumption and reducing energy consumption. It is hoped that this will engage both business and the wider community to embrace the sustainability message.

### **Water Tank Rebate Program**

To reduce the amount of electricity required to treat water for town water consumption and to reduce water consumption, the Sustainability Unit has offered a rebate on water tanks to residents who are connected to the town water supply to either connect a water tank to their house or install one for their garden. The grants are up to \$1000 for a house connection or up to \$500 for a tank installed to be used in the garden. There have been several enquiries to date, and it is hoped that the uptake of this scheme will be high.

### **Air Quality Monitoring Program**

Weekly air quality monitoring continues. Council received results for the past 12 months during this period and there were 11 days with exceedances. There were particularly high exceedances in early January during the bushfires. Interestingly while high nitrate levels (which are related to smoke) were detected in early January, soil levels were also elevated.



## 11 COMMUNITY INFRASTRUCTURE

### 11.1 TRANSPORT NSW 2020-2021 & 2021-22 FUNDING ACTIVE TRANSPORT PROGRAM

<b>Attachments:</b>	A. Project Map Site 1 B. Project Map Site 2
<b>Responsible Officer:</b>	Derek Finnigan - Deputy General Manager
<b>Author:</b>	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>Facilitate investment in high quality community infrastructure necessary to a regional centre.</i>
<b>Community Plan Strategy:</b>	<i>Investigate and recommend appropriate management treatments for road safety and traffic management.</i>

#### PURPOSE

To advise Council of the success of the 2020-2021 Active Transport application for funding and approved Projects which requires a contribution by Council of \$24,000.

#### RESPONSIBLE OFFICER'S RECOMMENDATION

**Council Allocates \$24,000 from the 2020-21 Capital Budget for New footpaths as the contribution for the approved 2 projects for the 2020-2021 Active Transport Program.**

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

#### BACKGROUND

Transport for NSW is committed to encouraging people to walk or cycle as an important part of everyday travel. The Active Transport Walking and Cycling Program has been shaped towards the delivery of walking and cycling outcomes as set out in Transport for NSW's "Future Transport 2056". The key objectives of the program are to:

- ensure walking and cycling is the most convenient option for short key destinations and within centres;
- reduce congestion on our roads and public transport networks by delivering projects that encourage a walking and cycling mode shift;
- enable efficient, safe and reliable journey times by prioritising infrastructure and support pedestrian or cycling movements on certain corridors, consistent with the Movement and Place Framework;
- deliver projects that make walking and cycling safe, comfortable and convenient transport modes that are accessible to a wide range of users; and
- encourage positive health, wellbeing, social and environmental outcomes.

The most recent round of funding has focussed on connecting key locations being schools, hospitals and the town centres.

**CONSULTATION**

- Road Safety Officer;
- Manager Roads Drainage & Technical Services; and
- Grants and Community Officer.

Further community consultation will be undertaken should Council accept the grant.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

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

**REPORT**

For projects to be eligible for Active Transport Funding they are required to satisfy specific criteria, such as for new shared zone footpaths or widening of existing footpaths that are part of a wider “place” making project or projects that provide direct access to a school but are required to be within 200m of a school access point. The provision of new crossings or upgrades, traffic control signal adjustments and kerb ramps and extensions could also be included in the projects.

Although there was no minimum amount set by Transport for NSW for Council contributions when applying for Active Transport funding, it is one of the criteria that Transport for NSW evaluates when assessing applications.

For the 2020-2021 round of funding Council submitted 4 applications for Projects which met the criteria around schools in Muswellbrook and Denman. Council has received funding offers for two (2) of the projects under the 2020-2021 Active Transport Program totalling \$1,397,955 for the following sites:

- Funding of \$856,350 for the construction of shared user path of 2.5m totalling a length of 1275m along King Brecht and Semillon Streets including pedestrian refuges linkage to Muswellbrook High School; and
- Funding of \$541,608 for the construction of a shared user path of 2.5m and a total length of 960m around Muswellbrook Public School.

For this round of funding Council's contribution to the Projects is \$12,000 each site totalling \$24,000.

Projects proposed under the 2021-22 Walking and Cycling Program will be assessed against their construction feasibility, and against the Movement and Place Framework, which focuses on delivering projects that support safe, efficient and reliable journeys for customers whilst enhancing the liveability and amenity of places. Advice from Transport for NSW is that most Councils contribute around 10% of funding sought as a contribution towards the overall project cost. Project criteria may change for future funding rounds and projects will be submitted according to the requirements for the next round. One (1) of the two (2) unfunded projects will be resubmitted for the 2021-2022 round of funding for 400m of 2.5m shared path along Paxton Street adjacent to Denman Public School and at the rear of St Josephs Primary School Denman. The other unsuccessful project submitted for 2020-2021 was for 400m of 2.5m shared path in Maitland Street between Bell Street and extending past the Thompson Street intersection on the northern side of the road. It is to be noted that Council has listed this project for construction this financial year in the New Footpath Program.

**OPTIONS**

Option 1: Council accepts the funding of \$1,397,955 for the two (2) approved projects and allocate an amount of \$24,000 as the contribution toward the works.

Option 2: Council not allocate a financial contribution for the 2020-2021 and reject the funding offer and not commit a budget to the 2021-22 round of Active Transport funding.

**CONCLUSION**

It is recommended that Council accept the funding of \$1,397,955 and allocate \$24,000 from the current

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Capital Program Budget, as contribution for new footpaths for the current approved Projects and consider a similar commitment for the 2021-2022 round of funding applications where Council will resubmit the further applications for the Paxton Street unfunded site and other locations depending on the eligibility criteria at the time.

**SOCIAL IMPLICATIONS**

Improved and safer walk and cycle facilities will encourage positive health, wellbeing, social and environmental outcomes. Walking and cycling play a key role in ensuring the sustainability of the transport network, with Future Transport 2056 encouraging more people to undertake active (walking and cycling) trips

**FINANCIAL IMPLICATIONS**

A contribution of \$24,000 from Council will be required if Council accepts the TfNSW offer for the current 2020-2021 approved projects. Council's contribution could come for the existing 2020-21 Capital Budget under New Footpath and Cycleway GL 3500.4042.504.

**POLICY IMPLICATIONS**

In keeping with Council's Footpaths and Kerb and Guttering Policy. The project connecting routes are identified in Council's Walk and Cycle Plan for Muswellbrook and Denman adopted by Council in March 2009.

**STATUTORY IMPLICATIONS**

Nil known.

**LEGAL IMPLICATIONS**

Nil known.

**OPERATIONAL PLAN IMPLICATIONS**

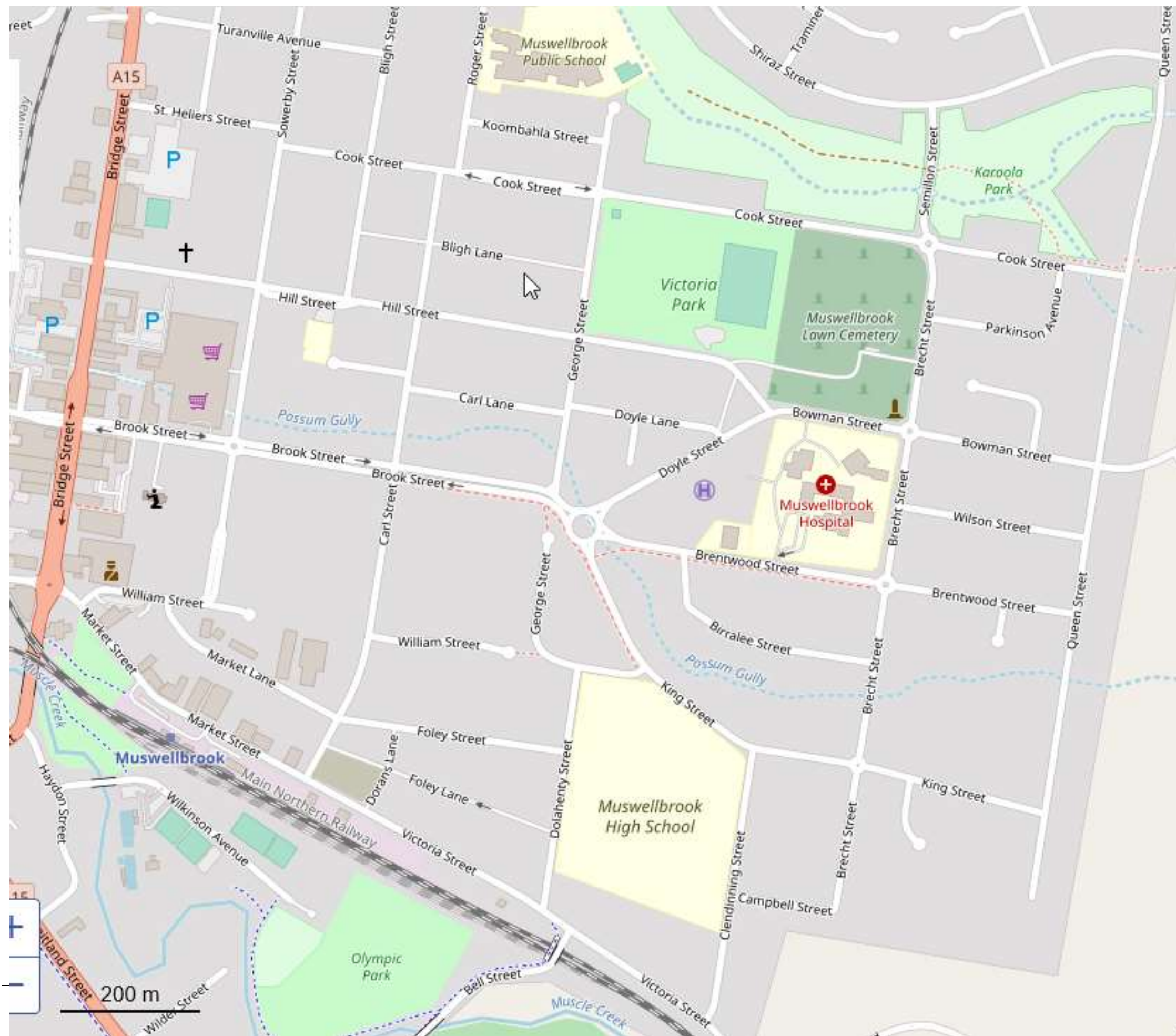
This proposal directly links to Council's Goal 21 of the 2019/2020 Operational Plan. The road, footpath and cycleway networks are integrated and allow for the safe movement of residents around the Shire.

**RISK MANAGEMENT IMPLICATIONS**

The current 2 Project funding approvals need to be spent in the 2020-2021 financial which is achievable. If projects were successful under the 2021-22 Walking and Cycling Program, the funding would need to be spent and project completed within the 2021/2022 financial year.







## 11.2 EASEMENT FOR ELECTRICITY KIOSK 24 CARRAMERE ROAD

<b>Attachments:</b>	<b>A. Carramere Road Electricity Easement</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Deputy General Manager</b>
<b>Author:</b>	<b>Imelda Williams - Technical Officer - Traffic &amp; Roads</b>
<b>Community Plan Issue:</b>	<i>Diversify the economy, facilitate the development of intensive agricultur and other growth industries, make the Shire a more attractive place to invest and do business</i>
<b>Community Plan Goal:</b>	<i>Work with University of Newcastle on research and innovation in areas where the Upper Hunter has a competetive or comparative advantange.</i>
<b>Community Plan Strategy:</b>	<i>Bring key stakeholders together to initiate and progress projects and programs that have a high probability to deliver positive economic outcomes for the Shire.</i>

### PURPOSE

The report requests Council's consideration of approving the construction of an electricity kiosk transformer and an associated easement for Electricity and other purposes on Council owned land being Lot 22 in DP 1131270 being 24 Carramere Road, Muswellbrook.

### OFFICER'S RECOMMENDATION

**Council approve the construction of a Kiosk Transformer for low voltage power supply to the Hunter Pilot Biorefinery facility and authorise Council's Seal to be affixed to:**

- 1. The "Plan of Easements for Electricity and other Purposes over Lot 22 DP1131270" and**
- 2. The associated 88B instrument.**

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

### BACKGROUND

A Development Application has been approved for the Pilot Biorefinery facility located on Council land being Lot 22 DP 1131270 being 24 Carramere Road, Muswellbrook. Any dealings relating to Council owned land require the seal to be affixed to the documents to allow for registration at Land Registry Services NSW in accordance with the Registrar General's Directions.

### CONSULTATION

The Biorefinery Project has been previously reported to Council.

Council's Manager Works, Property & Building Services

### CONSULTATION WITH COUNCILLOR SPOKESPERSON

Consultation with Councillor Spokespersons has not been carried out in the preparation of this report.

### REPORT

The developer is seeking approval for a kiosk transformer to be installed on the land. The new kiosk is to be installed on, and gifted to, the Ausgrid network for low voltage supply to the Hunter Pilot Biorefinery facility. The network currently does not have existing Low Voltage service capacity in the area.

The easement constitutes an 8.8m extension to the existing 11m wide Ausgrid easement along the front boundary of Lot 22, allowing unimpeded service access to the proposed transformer from Carramere road. The documents are required to be signed under the Seal of Council as the land is Council owned.

Without the easement in favour of Ausgrid, the kiosk is unable to be constructed.

**OPTIONS**

Option 1: Council agrees to the construction of the Kiosk and to the creation of the easement for electricity and other purposes on the land to allow the work to proceed.

Option 2 Not agree to the construction works or an easement on Council land.

**CONCLUSION**

It is recommended that Option 1 is the most appropriate option in this instance to allow the Biorefinery to connect to the Low Voltage Service.

**SOCIAL IMPLICATIONS**

Not applicable.

**FINANCIAL IMPLICATIONS**

The costs associated with the process will be met by the developer.

**POLICY IMPLICATIONS**

Nil known.

**STATUTORY IMPLICATIONS**

Nil known.

**LEGAL IMPLICATIONS**

Council is required to sign the documents under the seal of Council in accordance with the Registrar General's Directions.

**OPERATIONAL PLAN IMPLICATIONS**

Not applicable.

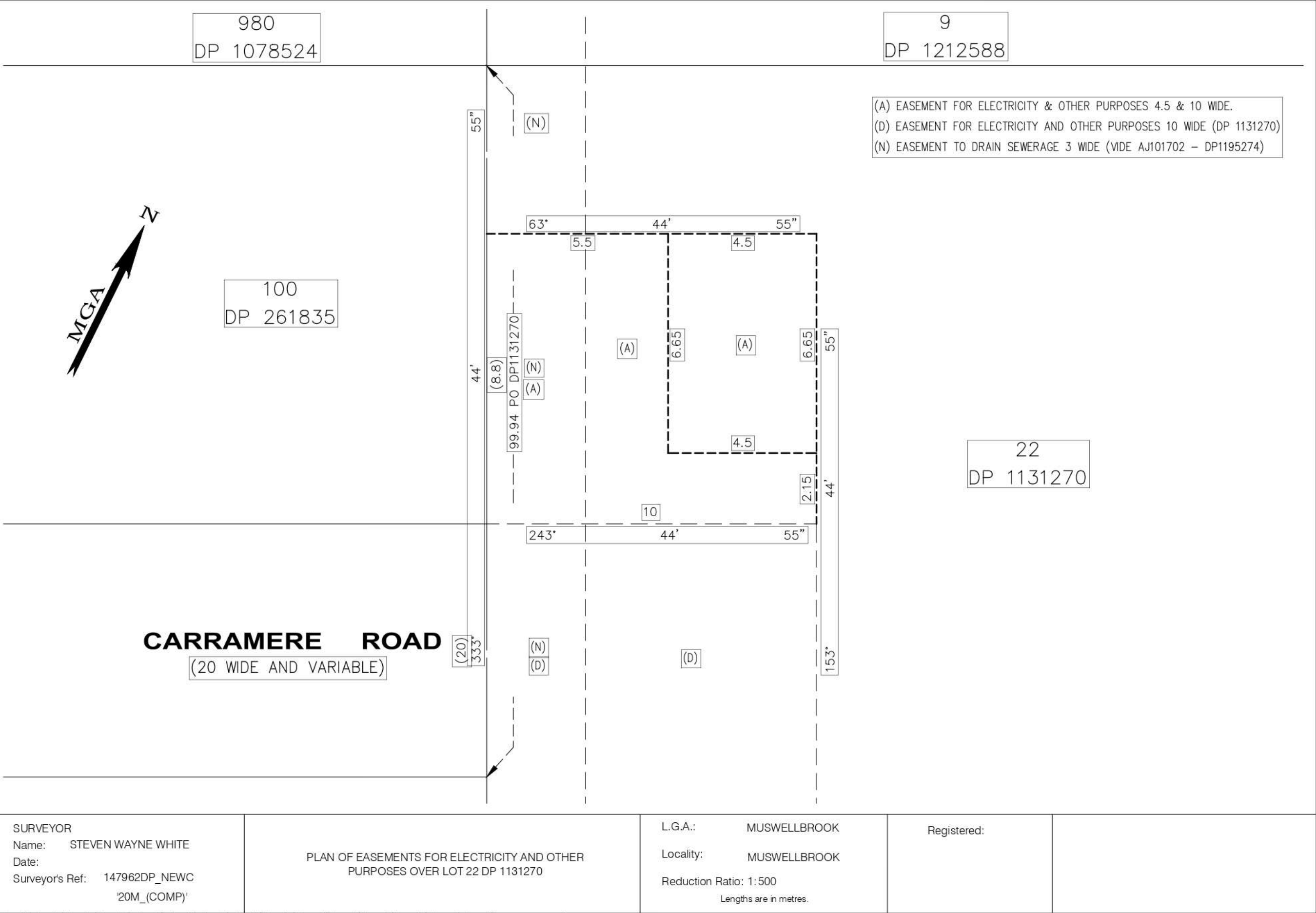
**RISK MANAGEMENT IMPLICATIONS**

Not applicable.

PLAN FORM 1 (A3)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SHEET 2 OF 3 SHEETS





### 11.3 EDDERTON ROAD B DOUBLE ROUTE FROM DENMAN ROAD TO SECONDARY MT ARTHUR SITE ACCESS ROAD

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Derek Finnigan - Deputy General Manager
<b>Author:</b>	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>Facilitate investment in high quality community infrastructure necessary to a regional centre.</i>
<b>Community Plan Strategy:</b>	<i>Investigate and recommend appropriate management treatments for road safety and traffic management.</i>

#### PURPOSE

To provide clarity to Council on the approval process for B Double Routes under the Heavy Vehicle National Law and to request approval to advertise the proposed 25 metre (25m) B-Double Route on the identified section of Edderton Road detailed in the report.

#### OFFICER'S RECOMMENDATION

##### Council

1. **Seek submissions from the public for a period of 28 days by advertising the proposed 25 metre B-Double Route on Edderton Road for a distance of 4.2 kilometres from the Denman Road intersection to the secondary Mt Arthur Mine Access;**
2. **Following the public consultation period, if no significant submissions are received, then concurrence be given by Council for the National Heavy Vehicle Regulator (NHVR) to assess the route following due process; and**
3. **The General Manager will determine the significance of any submissions received. Should any significant submissions be received, a further report will be submitted for the consideration of Council.**

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

#### BACKGROUND

The National Heavy Vehicle Regulator (NHVR) is an independent statutory authority established in 2012 pursuant to the *Heavy Vehicle National Law Act 2012* (HVNLA). The process for assessment of 25m B-Double routes has changed since the introduction of the HVNLA. Authority for approval of these routes now lies with NHVR in consultation with Transport for NSW and Council.

Stage 1 construction of Edderton Road is complete and has been opened to the public. Stage 2, which incorporates the new secondary site access road intersection, is currently under construction and is expected to be completed within the next few months.

#### CONSULTATION

Transport for NSW

NSW Principal - Approvals and Land Management Strategy & Development BHP Billiton

GHD road Designers

National Heavy Vehicle Regulator

Public consultation to be undertaken as outlined in the report

### **CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Information relating to this matter has previously been provided to Council in a number of related Edderton Road reports.

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

### **REPORT**

Condition 47 (e) of the Project Approval for the Mount Arthur Coal Mine-Open Cut Consolidation Project has the following provision:

*Upgrade the intersection of Edderton Road and the secondary site access road to the satisfaction of council prior to using the road for deliveries to the relocated explosives facility.*

Stage 1 of Edderton Road (realigned portion) is now complete and open to the public for use. Stage 2, which incorporates the secondary site access road intersection, is currently under construction and is expected to be completed in the next few months. The explosives facility is being relocated within the Hunter Valley Energy Coal (HVEC) site and will be accessed from the secondary site access road as per the Project Approval.

Stage 1 and Stage 2 of the Edderton Road works, including its intersections with Denman Road and the secondary site access, have been designed to accommodate 25m B-Double vehicles. The vehicles propose to use the road to supply the mine with fuel and product for blasting purposes in compliance with the approved conditions of consent.

HVEC has applied for the route to be approved as a 25m B-Double route as contemplated by condition 47 (e) of the Mount Arthur Coal Mine-Open Cut Consolidation Project Consent Approval. The application is based on the principles that use of 25m B-Double vehicles will require less truck movements for the same freight task, reduce crash exposure (that is, less vehicle kilometres travelled), reduce environmental impact and vertical pavement wear per tonne of payload while improving transport productivity when compared to six axle semi-trailers for deliveries to Mt Arthur Coal.

The following matters will be taken into consideration by NHVR for the assessment process for the route approval:

- the vehicle's ability to interact with surrounding traffic;
- the vehicle's ability to interact with the infrastructure and road environment;
- dimensions of the road such as its width and the length of stretches of the road;
- location of infrastructure on or near the road pavement;
- usual traffic conditions of the road, such as what types of vehicles use the road;
- the use of properties near the road, for example, does the road pass a property used by vulnerable road users such as children (that is, proximity to schools);
- sight distance for other road users;
- clearance zones for the road;
- the result of any road safety assessments and audits if required; and
- whether the road is suitable for the safe transport of the intended goods.

Following assessment of the route and the approval process it is proposed that, if approved, the route will be published in the Government Gazette.

Under the proposal, the only section of Edderton Road to be approved as a B-Double route will be from the intersection of Denman Road to the entrance of the Mt Arthur secondary mine access road, which involves a length of approximately 4.2 kilometres. Edderton Road will continue to have the current load limit of 14 tonnes applied for all other through traffic on the road.

The HVNL does not explicitly require the NHVR to consider public amenity issues in deciding whether to grant access to restricted access vehicles. The requirement of the NHVR is to be satisfied that the granting of the access will not pose a significant risk to public safety. The NHVL does, however, require the NHVR to consider the impact of the use of the restricted access vehicle on the community when assessing whether safety may be adversely affected. Public consultation is proposed to be undertaken by Council so that the process is open and transparent, and the community is given the opportunity to provide comment relating to the proposal.

### **OPTIONS**

Option 1: Advertise the B-Double proposal in the local newspapers calling for any interested persons to make a submission on the proposal.

Option 2: Not advertise the proposal making the decision subject to NHVR approval without public consultation.

### **CONCLUSION**

Consultation with the public is consistent with Council's commitment to transparency, and effective consultation and communication with the community. Therefore, it is recommended that Option 1 is considered to be the most appropriate option for recommendation to Council.

### **SOCIAL IMPLICATIONS**

Assessment of the application will include provisions for public safety. Advertising of the proposal by Council demonstrates a strong commitment to ensuring appropriate consultation and communication with the community is carried out.

For the purposes of the report, the third Officer's Recommendation requests that:

*The General Manager will determine the significance of any submissions received. Should any significant submissions be received, a further report will be submitted for the consideration of Council.*

For the purpose of the report, a 'significant submission' is considered to be a submission that would identify a change in the use of the road that has the realistic potential to result in a clearly identifiable decrease, reduction, or loss of safety for road users arising from the proposed 25 metre B Double route.

### **FINANCIAL IMPLICATIONS**

Any costs associated with the process, including any field trial if required, will be covered by HVEC.

### **POLICY IMPLICATIONS**

Nil known.

### **STATUTORY IMPLICATIONS**

Nil known.

### **LEGAL IMPLICATIONS**

The process will be undertaken by the National Heavy Vehicle Regulator in accordance with the Heavy Vehicle National Law.

### **OPERATIONAL PLAN IMPLICATIONS**

Submission of the report complies in principle with action 19.03.04 of the Operational Plan: 'Investigate and recommend appropriate management treatments for road safety and traffic management'.

### **RISK MANAGEMENT IMPLICATIONS**

Assessment of the application will include provisions to ensure public safety is not compromised by the proposal.

**11.4 SPORT AND RECREATION SMALL AND LARGE CAPITAL GRANTS PROGRAMME 2020**

<b>Attachments:</b>	<b>A. Small Capital Grant Application - Guidelines</b> <b>B. Large Capital Grant Application - Guidelines</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Deputy General Manager</b>
<b>Author:</b>	<b>Paul Chandler - Technical Offer - Recreation &amp; Property</b>
<b>Community Plan Issue:</b>	<b><i>Continue to improve the affordability, livability and amenity of the Shire's communities</i></b>
<b>Community Plan Goal:</b>	<b><i>Promote and facilitate increased participation in active and passive recreational activities.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Continue small grants dollar for dollar program.</i></b>

**PURPOSE**

The sixth round of Council's Sport and Recreation Capital Grants Programme has now closed. A total of sixteen applications were received from local sporting and community user groups. This report provides the detail of these applications under the Small and Large Capital Grants Programme and recommendations for the allocation of funds.

**OFFICER'S RECOMMENDATION**

**Council award the funding for the grant applications as recommended in the report.**

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

**BACKGROUND**

The 2020-21 Sport and Recreation Grants Programme has a funding allocation of \$75,000, which is comprised of \$25,000 for the Small Capital Grants Programme and \$50,000 for the Large Capital Grants Programme.

**CONSULTATION**

Manager Works, Property and Building Services

Technical Officer - Recreation and Property

Muswellbrook Shire Sport and Recreation Group

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Councillor Spokesperson for Sport, Cr McNeill,

Councillor Spokesperson for Community Engagement, Cr Reynolds,

Councillor Spokesperson for Utilities, Deputy Mayor, Cr Scholes,

**REPORT**

The Sport and Recreation Capital Grants Programme has been a successful initiative of Council's. It has allowed local user groups to fund their user priorities using matched funding. Council's funding has also assisted user groups to attract additional funding from other organisation's grant programmes. Since 2015 Council has facilitated 53 user group projects.

Listed below under the respective programmes are the applications received and the recommendations for Council's consideration.

**Small Capital Grants**

User Group	Purpose of funding:	Funding requested	Total project cost	Recommendation	Budget Allocation
The Brook Cricket Club	Purchase balls, new equipment, sanitiser, and stationery.	\$650	\$1,300	Recommended	\$650
Denman Little Athletics	A second-long jump adjacent to the existing long jump.	\$2,000	\$21,443	Not recommended for this programme round as the club has an outstanding grant acquittal.	-
Denman Pony Club	Replacing old timber railing on each of their stabling yards with steel cattle rail	\$1,989	\$3,975	Recommended	\$1,989
Denman Senior Rugby League Club	Purchase of new 3 door commercial fridge.	\$2,000	\$4,244	Recommended	\$2,000
Glen Gallic Shooting Club	Purchase of new archery targets.	\$1,437	\$2875	Recommended	\$1,437
Muswellbrook Junior Cricket Club	Purchase balls, new equipment, sanitiser, and stationery.	\$600	\$1,200	Recommended	\$600
Muswellbrook Netball Club	Purchase new upright freezer.	\$1,149.50	\$2,299	Recommended	\$1,149.50
Muswellbrook Rugby Union Club	Replace existing exterior veranda lighting and external floodlights to energy efficient LEDs. Update electrical sub board and install daylight switch.	\$1,025	\$2,050	Recommended	\$1,025
Muswellbrook Touch Football	Purchase of new club laptop.	\$1,000	\$2,000	Recommended	\$1,000
<b>Total</b>		<b>\$11,850.50</b>	<b>\$41,386</b>		<b>\$9,850.50</b>

**Large Capital Grants**

User Group	Purpose of funding:	Funding requested	Total project cost	Recommendation	Budget Allocation
Denman Pony Club	Fabrication and installation of covered deck/ veranda for access to serving counters for new canteen.	\$10,876	\$21,751.50	Recommended	\$10,000

User Group	Purpose of funding:	Funding requested	Total project cost	Recommendation	Budget Allocation
Lake Liddell Recreation Area Reserve	Providing shaded seating for new splash pad.	\$5,000	\$10,000	Recommended	\$5,000
Muswellbrook Golf Club	Resurfacing and line marking car park.	\$50,000	\$100,320	Not recommended for this programme round due to other priorities.	-
Muswellbrook Park Tennis	Resurfacing of two tennis courts.	\$33,550	\$68,550	Recommended	\$32,500
Olympic Park Tennis Club	Replacement of court 6 surface.	\$19,787	\$39,564	Not recommended for this programme round as the club has an outstanding grant acquittal.	-
Muswellbrook Senior Rugby League	Replacement of fridges.	\$2,500	\$5,000	Recommended	\$2,500
Richard Gill School	Install play equipment and an asphalt playing court.	\$26,887.50	\$53,775	Not recommended for this programme round due to other priorities.	-
<b>Total</b>		<b>\$148,600.50</b>	<b>\$298,960.50</b>		<b>\$50,000</b>

If funding is allocated as recommended in both the small and large programmes, there will be a budget allocation remaining of \$15,150 from the Small Capital Grants Programme. This allocation could partially fund a Large Capital Grant application that is currently unfunded or be allocated to general recreation minor renewals as in previous years.

## OPTIONS

Council may choose to award the funding as recommended or prioritise other applications for funding.

## CONCLUSION

It is recommended that Council allocate funds as identified, and the remaining budget be allocated to general recreation minor renewals.

## SOCIAL IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

There is \$75,000 allocated in 2020/2021 Capital Budget. If Council fund the grants applications as recommended in the report, there will remain \$15,150.

**POLICY IMPLICATIONS**

F16-1 Financial Assistance Policy

**STATUTORY IMPLICATIONS**

Nil known.

**LEGAL IMPLICATIONS**

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

**OPERATIONAL PLAN IMPLICATIONS**

'05.05.02 Continue matched funding Small Sport and Recreation Grants Programme', and '05.05.03 Continue matched funding Large Sport and Recreation Grants Programme, *Muswellbrook Shire Council Operational Plan 2020 – 21*

**RISK MANAGEMENT IMPLICATIONS**

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



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## Sport and Recreation Small Capital Grants Program Guidelines

1. Grant applications will be considered from "not for profit" sporting and recreation groups in the Muswellbrook Shire Local Government Area that have an ABN.
2. All applicants will be notified of the funding round outcome within 10 working days of determination.
3. Grants are available on a matched funding (dollar for dollar) basis, up to a value of \$2,000 per project.
4. Grants will be payable to successful applicants on the provision of an invoice from the applicant.
5. Donated materials or voluntary labour will generally not be considered in assessing applicant contributions. However, if the applicant can provide independent evidence of their value such submissions will be considered on a case-by-case basis.
6. The successful applicant will be responsible for project management and all project costs in excess of the approved grant, with all works undertaken required complying with Council policy, including but not limited to Workplace Health and Safety, Volunteer and procurement policies. Works will be subject to inspection and verification
7. Grants are for maintenance, refurbishment, improvements or replacement of public sport or recreation facilities and equipment. 8. Applications may not be submitted for work that has already taken place.
8. Applications may not be submitted for work that has already taken place.
9. The number of grants given in any funding period is subject to the total annual funding pool.
10. Applicants will be required to acknowledge the funding provided by Council to be approved by Council Staff
11. Evidence of sufficient funds being held by the applicant to match the grant will be required before the grant is funded.
12. Council has the authority to approve grants of less than the amount being sought to applicant organisations
13. Accurate cost estimates/quotes must be submitted as part of an application.
14. Successful applicants must provide an acquittal of the monies received with evidence of expenses and photos of the project before and after submitted to Council's General Manager within 1 month of project completion.
15. The grant may only be used for the purpose specified in the funding agreement, unless written approval is received from Council.
16. Council reserves the right to publicise approved projects in any media form it chooses.
17. Funded projects must be completed within 12 months of the grant being approved.
18. These guidelines are subject to change from time to time.
19. If grants are for structures, relevant approvals must be in evidence before funding will be made available.
20. Funding received from Council must at a minimum be matched by the successful applicant.
21. Grant application period is from 1 September 2020 to 30 October 2020 only.





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## Sport and Recreation Small Capital Grants Program Application

### Your Organisation

Name of Organisation:

Contact name:

Position or office within Organisation:

Postal address:

Email address:

Phone number:

Organisation Facebook (optional):

Australian Business Number (ABN):

### Application details

Where is your project located?

Please describe your project:

Why is this project needed?

Alternatively, please **attach** a detailed document describing your project and why it is needed for the Organisation.

Maximum 500 words – attach document



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What is the total cost of your project?

**NOTE the total project cost must be at least double the amount of funding requested**

attach cost estimates/quotes

Amount of grant funding requested?

**NOTE the maximum funding for one project is \$2,000 and ALL funding must be matched by the applicant**

Does your Organisation have the available funds to match the grant amount?

If yes, attached evidence

☐ Yes ☐ No

Does your project need Development Approval?

☐ Yes ☐ No

If yes, does your project have Development Approval yet?

☐ Yes ☒ No

I certify that the information provided in and supporting this application is true and correct and that I am legally authorised to sign this application for and on behalf of the applicant Organisation.

Applicant's signature

Position

Date



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## Sport and Recreation Large Capital Grants Program Guidelines

1. Grant applications will be considered from "not for profit" sporting and community groups in the Muswellbrook Shire Local Government Area that have an ABN.
2. All applicants will be notified of the funding round outcome within 10 working days of determination.
3. Grants are available on a matched funding (dollar for dollar) basis, up to a value of \$50,000 per project.
4. Grants will be payable to successful applicants on the provision of an invoice from the applicant.
5. Donated materials or voluntary labour will generally not be considered in assessing applicant contributions. However, if the applicant can provide independent evidence of their value such submissions will be considered on a case-by-case basis.
6. The successful applicant will be responsible for project management and all project costs in excess of the approved grant, with all works undertaken required complying with Council policy, including but not limited to Workplace Health and Safety, Volunteer and procurement policies. Works will be subject to inspection and verification.
7. Grants are for construction, maintenance, refurbishment, capital improvements or replacement of public sport or recreation facilities only. Applications to purchase sporting equipment, small capital items such as administration materials or software, or uniforms will not be considered for funding.
8. Applications may not be submitted for work that has already taken place.
9. The number of grants given in any funding period is subject to the total annual funding pool.
10. Applicants will be required to acknowledge the funding provided by Council to be approved by Council Staff.
11. Evidence of sufficient funds being held by the applicant to match the grant will be required before the grant is funded.
12. Council has the authority to approve grants of less than the amount being sought to applicant organisations.
13. Accurate cost estimates/quotes must be submitted as part of an application.
14. Successful applicants must provide an acquittal of the monies received with evidence of expenses and photos of the project before and after submitted to Council's General Manager within 1 month of project completion.
15. The grant may only be used for the purpose specified in the funding agreement, unless written approval is received from Council.
16. Council reserves the right to publicise approved projects in any media form it chooses.
17. Funded projects must be completed within 12 months of the grant being approved.
18. These guidelines are subject to change from time to time.
19. If grants are for structures, relevant approvals must be in evidence before funding will be made available.
20. Funding received from Council must at a minimum be matched by the successful applicant.
21. Councillors Spokespersons for Sport, Recreation and Well-Being have the authority to prioritise applications following consideration of advice from Council staff officers and reference to the Guidelines.
22. Funding received under Council's Small Capital Grants program may not be used as the applicant contribution in an application to the Large Capital Grants Program.
23. Applications involving partnerships between clubs will be considered if the total funding provided is not the entire cost of the project; applicants must match funding requested of Council.
24. Grant application period is from 1 September 2020 to 30 October 2020 only.



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## Sport and Recreation Large Capital Grants Program Application

### Your Organisation

Name of Organisation:

Contact name:

Position or office within Organisation:

Postal address:

Email address:

Phone number:

Organisation Facebook (optional):

Australian Business Number (ABN):


### Application details

Where is your project located?

Please describe your project:

Why is this project needed?

Alternatively, please **attach** a detailed document describing your project and why it is needed for the Organisation.

 Maximum 500 words – attach document




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What is the total cost of your project?

**NOTE the total project cost must be at least double the amount of funding requested**

 attach cost estimates/quotes


\$

Amount of grant funding requested?

**NOTE the maximum funding for one project is \$50,000 and ALL funding must be matched by the applicant**

\$

Does your Organisation have the available funds to match the grant amount?

 If yes, attached evidence

☐ Yes ☐ No

Does your project need Development Approval?

☒ Yes ☐ No

If yes, does your project have Development Approval yet?

☐ Yes ☐ No

I certify that the information provided in and supporting this application is true and correct and that I am legally authorised to sign this application for and on behalf of the applicant Organisation.

Applicant's signature

Position

Date

**11.5 CAPITAL WORKS STATUS REPORT**

<b>Attachments:</b>	<b>A. Capital Works Status Report</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Deputy General Manager</b>
<b>Author:</b>	<b>Matthew Lysaught - Manager - Works, Property &amp; Building</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 capital projects updated to 13 November 2020.

**OFFICER'S RECOMMENDATION**

The information contained in this report be noted.

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

**REPORT**

The attached table of capital projects is updated by the section managers on a weekly basis. Previously this was reported to Council on a quarterly basis, but the frequency has now been increased to monthly.



PROJECT	PROJECT STAGE INVESTIGATION (I) DESIGN (D) CONSTRUCTION (C)	BUDGET FOR PROJECT	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS AS AT 24 NOVEMBER 2020
<b>ROADS AND DRAINAGE</b>								
Urban Road Renewal - Brook St (south) King to Carl St	C	\$400,000	Aug-20	Dec-20		Aug-20		Construction works commenced 16 November with sub soil drainage and kerb and gutter /AC pavement works scheduled in early December.
Road Resealing Programme	C	\$300,000	Aug-20	Dec-20		Aug-20		Reseal preparation scoping complete. Urban Road Reseal preparation complete. Sandblasting for reseal design and programming complete. Sealing contractor has provided a program to commence 5 December - 18 December.
Rural Road Regraveling	C	\$346,291	Aug-20	Jun-21		Aug		Planned works for quarter 3 & 4 to include Castle Rock Rd, Varrawa Rd, and Wells Gully.
Kerb and gutter replacement	C	\$130,000	Aug-20	Dec-21		Aug	Nov	Program complete. Work completed in Mitchell St Muswellbrook to replace 130m K and G. Associated pavement rehabilitation works in MITCHELL ST Muswellbrook (Lorne St to Francis St) programmed for Oct 2020. Works completed in Cabernet St, Chables, Casuarina Cl, Lower William, Queen, McClimbuck Dr, Towam, Cabernet, Chables, Cousins, Ruthven Road and Carl St.
Footpath and cycleway renewal programme	C	\$150,000	Aug-20	Dec-21		Aug	Nov	Program complete. Works completed in, Nothelby Cl, Brook Pl, Bridge St, Casuarina Cl, Hunter Park, and King St.
New footpath programme	I & D	\$150,000	Feb-21	Mar-21				Works planned post construction of Signalised Intersection at Thompson St. The section of footpath identified for construction links the existing path adjacent to Muswellbrook Golf Club, Bell Street, to the new traffic lights.
Safety device programme	I & D	\$135,000	Aug-20	Dec-20		July		Works commenced on targeted locations on Bylong Valley Way. Work is 30% completed.
Mangoola Culvert Replacement	C	\$300,000	Aug-20	Oct-20		Nov		Tenders for the construction received and reported to the September meeting of Council. The Contractor KCE has been indicated to the site with Construction programmed to commence in the last week of November.
TTNSW Repair Programme 1.6km Bylong Valley Way	C	\$635,000	Mar-21	Jun-21		Nov		Investigation and Design being undertaken. Tender Documentation being prepared. Design has been Completed. Construction commenced 11 Nov.
Sandy Creek Road Curve Improvements	I & D	\$419,520	Oct-20	Jun-21		Oct		Contractor to perform Investigation, design and Safety Audit engaged. Survey and geotech has been undertaken. Design is being undertaken.
Rosemount Rd Culvert	C	\$300,000						The Rosemount Road culvert replacement project will be the subject of a discrete report to Council.
Denman Masterplan	C	\$1,131,649	Jul-20	Jun-21		July		Tender has been awarded for the supply and install of the Play area in Memorial Park. The 4 month work is currently being manufactured off site to be installed from 30 November.
Hunter Beach	I & D	\$2,876,646	Jul-20	Mar-21				Council has endorsed a modified concept design in the September Council Meeting. Tender to be reported to the December Council Meeting.
Thompson St Signals	I & D	\$1,475,409	Sep-20	Jun-21				Tenders received and negotiations with preferred tenderer complete. Report went to August Meeting of Council. WAD received from TNSW, with Principle Contractor, Project Verifier and Road Safety Auditor now engaged. Final design drawings have been received and will be reviewed by Transport NSW and project verifier. A site induction will be held with the principle contractor pending final approval for commencement of works by TNSW.
Wilkinson St Bridge	I & D	\$1,104,205	Dec-20	Jun-21		Sept		Concept options for a design and construct Tender, endorsed at September Council meeting. Tender advertised 4 November 2020 with pre tender meeting on 24 Nov.
Edderlon Road Safety Upgrade	C	\$2,564,535	Nov-20	Jun-21				Investigation and Design 90% complete. Tender documentation for Construction being prepared. Concept and estimates reported to the August meeting of Council. 80% of the Design work is completed. Tender advertised 10 November with pre tender meeting 25 November.
Hebden Road 3.85 - 4.35km	C		Sep-20	Oct-20		Sept		Culvert Extension work completed. Road work commenced 24/09/2020 and is continuing. Sealing scheduled for 24 Nov.
Kayuga Road 3.5-5.3km rehab failures	C		Aug	Dec		Aug		85% of work is complete.
Williams Bridge Replacement	C	\$0	Aug-20	Dec-20		Oct-20		Works to upgrade the side-track are complete. Bridge construction contractor indicated to site with the demolition of the existing timber bridge to commence 2 Oct 2020. Community consultation is continuing following an information session conducted 20 August 2020. A contingency plan has been developed in consultation with emergency services, and the property owners for the case of an extreme weather event. Precast units have been delivered and placed to construct the superstructure and deck with the bridge construction expected to be completed late November.
Heavy Patching	C	\$267,500	Jul-20	Jun-21		July		Works continuing.
<b>WORKS, PROPERTY &amp; BUILDING SERVICES (WP&amp;BS)</b>								
Denman Children Centre	D & C	\$620,000	Jun-18	Mar-20		Jun-18		DA 99/2018 approved May 2019. Staff have requested meetings through Community Services with Denman Children's Centre to progress the project. Denman Children Centre have been provided with draft MOU.
Denman Heritage Village	D & C	\$250,000	Feb-19					Deed for Heritage Items executed. Denman Heritage Museum Advisory Committee are progressing the concept design to amend the Development Application.
Denman Lookout Nature Trail - Reg Thornton Memorial Drive	C	\$207,000	Jun-19	Aug-20	Feb-20	Jul-19		Trail complete. Awaiting sign installation.
Muswellbrook Animal Shelter (3910.5567)	D & C	\$2,500,000	May-19	Mar-20	Jun-21	Dec-19		Flood Evacuation Plan prepared and being reviewed by SES. DA reported to Council in September 2020 and was deferred pending further consultation on flood impact to surrounding residents. Community meeting with residents held 28 September. External engineers being engaged to develop preliminary civil plans. Design will need to consider minimising flood impacts. A Flood Mitigation report has been prepared. DA approval provided at October Ordinary Council meeting. Detailed design and construction tenders are being prepared.
Muswellbrook Aquatic Centre (3700.5442)	C	\$6,825,524	Nov-18	Oct-19	Mar-21	Nov-18		Early works including site investigation, demolition, geotechnical and preliminary construction works are complete. Construction certificates are in place for all stages. Water play concepts ordered. Works progressing well.
Muswellbrook Aquatic Centre - Outdoor Pool	D & C	\$1,500,000	Aug-20	Dec-20				Outdoor pool works walls, guttering and return pipe work complete. Connecting of the floor is progressing. Shade structure and light poles are ordered and due to be installed in the next fortnight.
Regional Entertainment and Conference Centre (3630.5433)	D	\$15,000,000 (Est)	Dec-18	Dec-22		Dec-18		Options on the treatment of the stormwater culvert are being investigated and a second concept is being prepared for an improved path for drainage. Architect has been instructed to review design within funding envelopes. Awaiting cost estimates in relation to the revised design and pre-treat works.
Upper Hunter Innovation Precinct Stage 2 (3630.5435) (Includes Innovation Hub and Weidmann Café)	D & C	\$4,200,000	Jul-19	Sep-20	Jun-21	Jul-19		Construction tender called Monday 26 October. Tender was called to be reported to November Council meeting. Request to extend tender for two weeks approved. Tender closes 1 December. Addendum is being provided to ensure that Loxton House works is staged and is completed by 1 July 2021.

PROJECT	PROJECT STAGE INVESTIGATION (I) DESIGN (D) CONSTRUCTION (C)	BUDGET FOR PROJECT	PLANNED START	PLANNED COMPLETION	PLANNED COMPLETION (EXTENDED)	ACTUAL START	ACTUAL COMPLETION	STATUS AS AT 24 NOVEMBER 2020
Commercial Building	D	\$85,000	Oct-19	Feb-20	Dec-20 (DA approval only)	Jul-19		Pre-DA meeting held. Heritage consultant report received. Traffic and fire reports being prepared to complete DA documentation. DA to be lodged in December.
Victoria Park and Cemetery Improvements	C	\$517,515	Dec-18	Feb-19		Jan-19	May-20	Fencing of the cemetery has been investigated and quotes have been received. Field 1 works currently in establishment period. Scarifying of field and top dressing undertaken by contractor. Selective herbicide spraying is scheduled, with coming to take place 30 November, followed by top dressing.
Aria Centre - Lighting & Air-conditioning	D & C	\$551,015	Nov-18	Feb-20	Mar-21	Nov-18	Jul-21	Lighting installation complete. Internal access between gateway and café complete. Air conditioning works completed. Audio requirements to be procured. A conceptual design for Conservatory has been received and RFQ for architect resulted in one response. RFQ was reassessed for a reduced scope and an architect engaged. Architect has consulted with the stage advisor to inform design development and is preparing draft design. DA is required.
Relocation of Council Administration Centre	D & C	\$1,200,000	Mar-19	Dec-19	Oct-20	Mar-19		Occupation of ground floor Tuesday, 20 October. Part OC issued for first floor. Final OC scheduled for 23 November.
Community Infrastructure Depot	D & C	\$220,000	May-19	Jun-21	Dec-21	Jul-19		Two submissions received for the RFQ for Principal Design Consultant and both were over budget. RFQ brief is being revised to reduce the scope and is scheduled to be reissued.
Muswellbrook Indoor Sport and Youth Centre	D	\$50,000	Oct-19	Dec-20		Oct-19		Upper Hunter Youth Services was awarded Stronger Country Community grant funding of \$300k. Stakeholder consultation and preliminary design progressing to development application. Surveying and final documentation being prepared.
<b>WP&amp;BS - Olympic Park Master Plan</b>								
Olympic Park - Grandstand & Amenities	D	\$50,000	Mar-20					Design consultant engaged. Three concept designs have been developed and user groups consultation being arranged.
Olympic Park - Intelligent Lighting	D	\$124,515	Mar-20	Dec-20				Request for Quotations complete. Works planned to be completed in the new year.
<b>WP&amp;BS - General Recreation Programme 2020-2021</b>								
Highbrook Park Grandstand	D&C	\$50,000						To be programmed.
Volunteer Park - New Playground	D&C	\$40,000						To be programmed.
Topdressing of Sports Fields	C	\$45,000						To be programmed.
Indoor Sports Centre - Outdoor Table Tennis Table	D&C	\$15,000						To be programmed.
Weerraman Fields - Field Lighting	D&C	\$20,000						To be programmed.
<b>WASTE</b>								
Leachate Dam	D&C		Tba	Tba				Design and Construction Cost Estimates complete (\$300,000). Biodiversity Assessment needed (and will require RFQ) prior to DA.
<b>WATER</b>								
Asbestos Removal Old WTP	C	\$372,664	Jul-20	Dec-20		Jul-20		Asbestos Removal approx 100% and clearance certificate issued. Lime room has been demolished and a "temporary" roof installed which can be removed and rebuilt when the building is reused/refurbished. Roof trusses were repairable and have been repaired, new roof and gutters installed. Painting is underway.
Mains Renewal & Replacement	D&C	\$637,355	Jul-20	Jun-21		Jul-20		Planned work for 2020-2021 year - Sowerby St & Hill St stage 2 tenders closed end October - 9 tenders received and will be assessed by the panel next week. Replacement of Main under Rail Line at Sandy Creek Road - working through ARTC access issues with several likely contractors. Possibility of adding Queen St main from King St intersection being reviewed. Condition Grade 4 and 5 mains list has been prepared for consideration for next FY work.
Relocation - Rail Underpinning Rail Crossing Water Mains	C	\$225,525	Jul-20	Dec-20				Final invoices to be received against carry over funds. Construction and Rehab works complete. Remaining connections for services and utility fire system to be transferred onto the new main to allow old main to be closed and abandoned.
System Plant Asset Renewals	I	\$201,474	Jul-20	Jun-21		Jul-20		MWTP No 1 High Lift Pump - ordered and old pump removed - approx. delivery 10 weeks from Mid October. Clarifier Hood - search for original fabrication drawings unsuccessful with Public Works, contractors and internally. Working with several companies on how to measure up and develop appropriate drawings. Order placed for Check transfer and upgrade. Recarb Panel installation complete.
Muswellbrook Fluoride Plant Upgrade	D	N/A	Jul-20	TBC				DPIE have responded with a design change to improve operability and reliability. Scope changed and being reviewed. Cost estimate to be reviewed and agreement sought from Dept Health. Report to Council once complete.
<b>SEWER</b>								
Mains Renewal & Relocation	D	\$471,516	Jul-20	Jun-21				RFQ out for Manhole repairs and replacements. Order issued for manhole on corner of Rutherford Rd (intersection). RFQ prepared for relining of very poor condition junctions. Detailed list being developed and to be agreed with Sewer Supervisor & Coordinator. New Engineering Officer is taking a lead in these projects. Condition Grade 4 & 5 list has been prepared for consideration for next Financial years work.
Transportation System Improvement	I	\$1,000,000	Jul-20	Jun-21				SPS1 Replacement - Geotech & soil classification has been performed to allow planning for excavated material management and improving loading accuracy based on actual ground conditions.
Sewer Pump Station - Denman	I	\$107,625	Jan-21	Jun-21				Investigation Phase - Pump sizing to be reviewed, may be able to utilise SPS1 Pumps when removed/replaced.
System Plant Asset Renewals	I	\$275,030	Jul-20	Jun-21		Jul-20		Denman No2 Aerator, Denman Electrical Panel Upgrade (very poor condition and many redundant components). SPS5 Pump failed in June 2020. Carried over from last Financial Year - Electrical Panels SPS7, RWTW Minor Improvements and optimisation, SPS13 Pump replacement, Denman SPS Electrical Panel Upgrade.



## 11.6 OWNER'S CONSENT FOR DEVELOPMENT APPLICATION

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Deputy General Manager</b>
<b>Author:</b>	<b>Matthew Lysaught - Manager - Works, Property &amp; Building</b>
<b>Community Plan Issue:</b>	<b><i>Develop Muswellbrook as a Regional Centre</i></b>
<b>Community Plan Goal:</b>	<b><i>Construct and maintain regionally significant infrastructure that facilitates regional service provision.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Apply Shire Town Centre Masterplans, Development Control Plans and Regional Economic Development Strategies to support development of Muswellbrook as a Regional Centre.</i></b>

### PURPOSE

The report requests Council's consideration of dedicating as public road an identified section of Haydon Street, Muswellbrook, currently classified as community land.

### OFFICER'S RECOMMENDATION

**Council approves:**

- Owner's consent for the lodgement of a Development Application for 14 Haydon Street, Muswellbrook; and**
- The development of options for the dedication of public road and precinct development, which will be the subject of a subsequent report to Council.**

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

### BACKGROUND

A request has been submitted by Perception Planning for 14 Haydon Street, Muswellbrook, Lot 1 and 2 DP 551973 seeking Council's owner consent for the lodgement of a Development Application for backpackers' accommodation, which will have access from Haydon St over Lot 11 DP 1058170.

The lodgement of a development application requires consent from the owner(s) of all land to which the development application relates. In this instance, the development site is not benefited by direct access by a dedicated public road. Council's records indicate that the part of Haydon Street which adjoins the site has been formed on part of land identified as Lot 11 DP 1058170, and is owned by Council. The parcel of land is currently classified as Community Land.

The public has been using Haydon Street as a road for many years, and there are two private properties that have no other access other than Haydon Street. Ordinarily, owner's consent would be provided by the General Manager under delegation, however given the circumstances the matter is being reported to Council for consideration.

Furthermore, a Plan of Management (POM) is currently being drafted to replace the outdated Olympic Park (Fitzgerald Park) - Plan of Management from 2002 to include the following adopted master plans:

- Muswellbrook Urban Riparian Landcare Master Plan; and**
- Olympic Park Master Plan.**

The adopted Olympic Park Master Plan considers gateway entries to the precinct, and discussion has been held around options for Haydon Street. Alongside the development of the precinct there may be an opportunity to resolve this outstanding matter.

**CONSULTATION**

Executive Manager Environmental and Planning Services

Development Coordinator

Technical Officer – Traffic & Road Status

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Councillor Spokesperson for Innovation, Land Use Planning and Heritage – Mayor, Cr Rush

Councillor Spokesperson for Utilities – Deputy Mayor, Cr Scholes

**REPORT**

Below is an aerial image of Haydon Street and related Lots. The southern part of Haydon Street was dedicated as public road as part of Subdivision Plan DP 22599 registered 5 July 1950. The other 2 parcels of land dotted red and yellow are held in the name of Muswellbrook Shire Council. The smaller triangular one being Lot 1 DP 364120 is classified as community land – public reserve. This land was purchased by Council (notice of Transfer No 167 of 1951) for the extension of Haydon Street.

The larger parcel is Lot 11 DP 1058170 classified as community land - public reserve. It is unknown why this section of Haydon Street was not dedicated as a public road. The 'road' has been openly used by the public and has had public monies spent on the construction and continued maintenance of the road.

Council did approve further subdivision plan DP 551973 showing the formation of Haydon Street but with no dedication. Lot 14 of DP 1102551 does have legal access via a 'right of way' to Sydney Street through the long thin land being Lot 2 in DP 197210 although this access does not appear to be used.

There is provision to allow for the dedication of the road through the parcels of community land under Section 47F of the Local Government Act. The land could also be reclassified to operational land to facilitate access although the land being classified as community land does not prohibit Council granting owner's consent.

An additional benefit of reclassifying the identified section of Haydon Street from community land to public road is that, in the event of a natural disaster, should the identified parcel of land be retained as community land, it may not be eligible for natural disaster recovery assistance funding.



## OPTIONS

Council could provide or refuse owner's consent and provide direction on the purpose of Haydon Street in the development of the precinct.

## CONCLUSION

It is recommended Council provide owner's consent for the lodgement of the Development Application and options for the dedication of public road and precinct development be reported to Council.

## SOCIAL IMPLICATIONS

The Muswellbrook Urban Riparian Landcare Master Plan and Olympic Park Master Plan provides for enhanced passive and active recreation opportunities for the community

## FINANCIAL IMPLICATIONS

Nil known.

## POLICY IMPLICATIONS

Nil known.

## STATUTORY IMPLICATIONS

Local Government Act 1993 No 30

**LEGAL IMPLICATIONS**

Nil known.

**OPERATIONAL PLAN IMPLICATIONS**

'Code 2.4 Implement the Muswellbrook, Denman Town Centre Masterplans and the Sandy Hollow Village Masterplan', *Muswellbrook Shire Council Operational Plan 2020 – 2021*

**RISK MANAGEMENT IMPLICATIONS**

Risks to be managed through consideration of options for the dedication of public road and precinct development.

**11.7 BUILDING WORKS - RECORDS STORAGE AND LOCAL EMERGENCY OPERATIONS CENTRE**

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Deputy General Manager</b>
<b>Author:</b>	<b>Matthew Lysaught - Manager - Works, Property &amp; Building</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>Facilitate investment in high quality community infrastructure necessary to a regional centre.</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**

To seek Council's approval to progress building works for a purpose-built records storage room and the locating of the Local Emergency Operations Centre.

**OFFICER'S RECOMMENDATION**

**Council approves the building works for the Records Storage and Local Emergency Operations Centre.**

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

**BACKGROUND**

Council's Administration Centre relocation to the town centre has highlighted the need for a purpose-built records storage room for Council records. In 1986 when Council relocated to 157 Maitland Street many records remained at the QEII building for processing. Similarly, there are several records required to be stored and processed from the most recent move. Staff are conscious not to create another legacy issue and facilitate the proper management of these records including digitisation.

The Local Emergency Operations Centre (LEOC) was previously located at Council's Administration Centre. In consultation with emergency services it is now planned to be located at the Muswellbrook Library in the seminar rooms. The seminar rooms are large and comfortable, air-conditioned, well furnished, with tea and coffee facilities and, importantly, secure access to Council's fibre network and server, and is proximate to the new Administration Centre. To complete the reliability of the LEOC it is intended to locate the generator from Council's previous administration centre to the new LEOC site.

**CONSULTATION**

General Manager

Local Emergency Management Committee

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Councillor Spokesperson for Innovation, Land Use Planning and Heritage – Mayor, Cr Rush

Councillor Spokesperson for Utilities – Deputy Mayor, Cr Scholes

**REPORT****Records Storage Room**

It is proposed to build a records storage room at Council's Industrial Close site by repurposing an existing shed. Works would include re-sheeting roof, replacement of gutters, construction of internal

block work walls, and lining of ceiling. The room will be air-conditioned, fire rated, and will be accessible and comfortable for staff to work in and process records. Shelving, and a small compactus, will be installed, and the remaining records located at both the QEII and Maitland Street relocated to this new records storage room.

#### Local Emergency Operations Centre (LEOC)

Approximately two years ago Council purchased a substantial generator as back-up power at the Maitland Street Council administration centre. It is proposed to relocate this generator to the southern side of the Muswellbrook library discreet from most viewpoints. The connection will likely require an upgrade of the main switchboard and a generator link box. The Richard Gill School has been informed of the intention to remove the generator.

It is also proposed to make some improvements to the air conditioning plant at the library, which currently struggles during high temperatures.

At the Industrial Close site there is also a small area that could service as an alternate LEOC and it is proposed to undertake some minor works to this area. It could be used in the case of a major flood event or a prolonged activation.

### **OPTIONS**

Council may choose other priorities or provide alternate solutions.

### **CONCLUSION**

Council's record and emergency support functions are very important, and it is recommended the proposed scope of works proceed.

### **SOCIAL IMPLICATIONS**

The proposed facilities would meet the expectations and needs of the community.

### **FINANCIAL IMPLICATIONS**

It is proposed to fund the works from a budget saving of \$260k from the Aquatic Centre works.

### **POLICY IMPLICATIONS**

Nil known.

### **STATUTORY IMPLICATIONS**

Nil known.

### **LEGAL IMPLICATIONS**

Nil known.

### **OPERATIONAL PLAN IMPLICATIONS**

'Code 22.1 Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best place to make decisions in the best interests of the community', *Muswellbrook Operational Plan 2020-2021*

### **RISK MANAGEMENT IMPLICATIONS**

The proposed works mitigates risk for Council with records storage and emergency support functions.

## 12 CORPORATE AND COMMUNITY SERVICES

### 12.1 2020-2021 OPERATIONAL PLAN 30 SEPTEMBER QUARTERLY REVIEW

<b>Attachments:</b>	<b>A. Q1 2020-2021 Council Review - Under Separate Cover</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</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 2020/21 Operational Plan has been reviewed over the months of 1 July 2020 to 30 September 2020.

#### OFFICER'S RECOMMENDATION

The 2020/21 Operational Plan Review dated 30 September 2020 be noted.

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





#### BACKGROUND

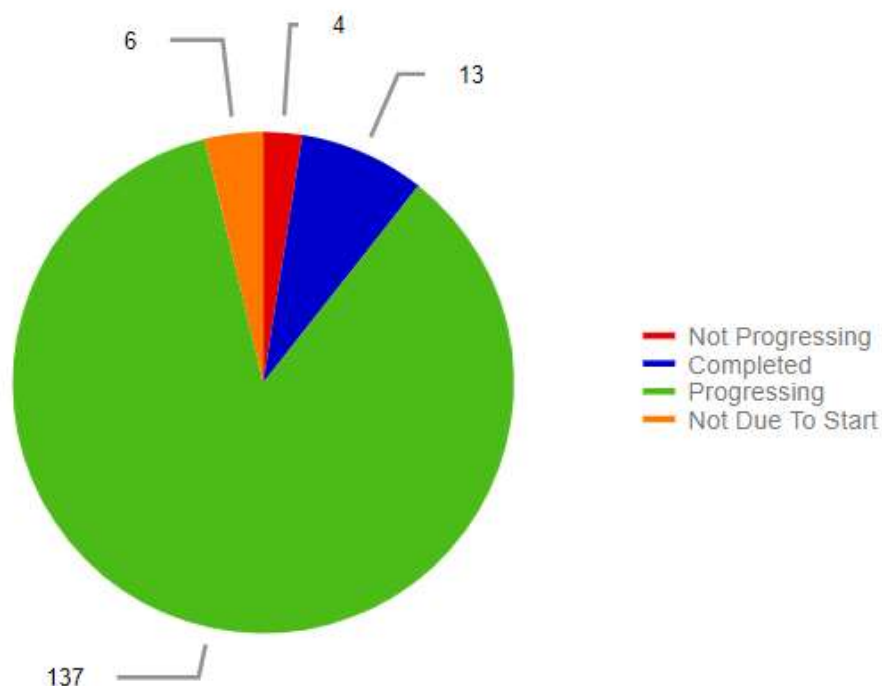
The *Local Government Act 1993* requires Council to review its Operational Plan.

#### REPORT

Please refer to the Q1 2020-2021 Council Review (attached under separate cover) for the full Operational Plan review for the period to 30 September 2020.

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

<b>Overall</b> - of the 160 activities:	
	2% are not progressing;
	4% are not due to start;
	86% are progressing;
	8% have been completed on or ahead of schedule.



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

ACTION	STATUS
2.2.4 Develop comprehensive investment prospectus.	Council has finalised a Future Fund Prospectus which provides a comprehensive overview of Council's investments and long term financial investment strategy.
2.2.6 Action opportunities identified in the BioValley Study	The Bio Valley Study is now complete.
2.3.1 Prepare the Local Strategic Planning Statement for public exhibition	The draft Local Strategic Planning Statement was exhibited for the period 8 July 2020 to 6 August 2020.
2.5.1 Implement a Farm Productivity and Climate Change Resilience Policy	The Farm Productivity and Climate Change Resilience Policy was adopted by Council in 2019 and applied to Council's Revenue Policy as follows: Rates in the irrigable sub-category of the Farming category of the rates will be reduced to 75% and reduced further to 50% in the financial year following a 50% reduction in water allocation under the Hunter River Water Sharing Plan, and continue for one year after water access entitlements are restored.
5.1.1 Report on the list of prioritised capital sport and recreation projects	The 2020-21 General Recreation programme was reported to the 27 October 2020 Ordinary Council meeting.



ACTION	STATUS
5.5.6 Support the relocation of the Muswellbrook Amateur Theatrical Society to achieve storage and practice space for their organisation	Council purchased the vacant Roads and Traffic Authority Building and has now rented this facility at an affordable rate to the Muswellbrook Amateur Theatrical Society.
7.1.1 Continue to work with and promote the Muswellbrook Healthy and Well Program	Support has been provided to the Healthy & Well Program through the distribution of promotional materials through the Upper Hunter Community Services Interagency. The funding for this Program ceased in September 2020.
7.2.1 Apply Disability Access and Building Code of Australia (BCA) requirements to Development Applications and Construction Certificate applications across the Shire	Requirements being implemented for new DAs, CCs and CDCs being submitted to Council for approval.
14.2.1 Investigate offsetting options for Council under the NSW Biodiversity Offset Scheme and prepare recommendations for Council's consideration	A report has been submitted to Council providing possible Biodiversity offset options.
19.3.2 Provide to Council a list of works proposed for design	The 2020-21 Capital Works Program was reported and endorsed by Council at the July 2020 meeting.
20.1.8 Provide a report to Council listing priorities for construction	A list of priority projects was reported to, and endorsed by Council at the September 2020 Ordinary Council meeting.
21.1.1 Provide a report to Council listing priorities for construction	The 2020-21 Capital Works Programme was reported to the July 2020 meeting of Council. This report provided to Council prioritised lists for construction works. Council endorsed the prioritised lists.
24.2.13 Ensure compliance with all Recover at Work processes in accordance with requirements of regulators and insurer	All Recover at Work compliance is in accordance with regulators and insurer. Templates and procedures have been developed, all HR staff are qualified RTW coordinators. Covid-19 has placed restrictions on HR staff attending doctors visits with Recover at Work employees but all information and communication is completed regularly with injured employees and our insurer. Regular fortnightly conference calls are held with our insurer. All communication, and documentation is stored electronically in the Workers compensation file of the injured worker.

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

ACTION	STATUS
1.1.2 Advance 2 projects/initiatives identified in the Hunter Bio-ethanol Industry Study	Council reviewed the bio-ethanol study and the status of the Hunter Pilot Bio-refinery. At the moment, due to a number of factors, there is limited potential for progressing additional projects. The bio-ethanol industry should be added to the agenda of the next Council's Strategic weekend and discussed further.
2.5.2 Develop strategy for 'Food Upper Hunter' in partnership with Upper Hunter Shire Council and Upper Hunter Country Tourism	This did not progress throughout the drought and then was impacted by COVID-19
5.6.5 Continued implementation of Asset Management System phase 2 - financial components.	The major asset classes have been successfully uploaded in the Asset Management System. Further progress has slowed down due to the departure of a key resource.
22.1.4 Undertake strategic advocacy with government and industry leaders to further the interests and aspirations of the Shire's communities	Council continues strategic advocacy with government and industry. Council has requested and attended meetings with the Minister for Local Government in relation to the local government investment order and advocates regularly on the need for economic transition in the Upper Hunter.

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

ACTION	STATUS
5.3.2 Develop Aquatic Centre and Gym programs that increase social engagement and wellbeing with young people in Council's pools and gym	All programs at the Muswellbrook Aquatic and Fitness Centre have been placed on hold due to the reconstruction of the Aquatic facilities.
9.2.2 Partner with other community groups and organisations to deliver and promote a directory of Seniors Festival events	No action due to COVID 19 constraints, the festival has been delayed to March 2021.
18.1.2 Deliver the funded actions of the approved Events and Festival Strategy 2020-2024 during 2020/21 financial year.	The Events and Festival Strategy is in draft.
19.3.7 Conduct regular meetings of the Muswellbrook Bypass Advisory Committee	The Muswellbrook Bypass Advisory Committee meets regularly and minutes are reported to Council in line with the Terms of Reference for the Committee.

ACTION	STATUS
22.1.10 Council will support the Shire's communities with a flexible and scaleable response to the impacts of the Novel Coronavirus (COVID-19) to reduce the social and economic impacts	Council has been Chairing fortnightly meetings of the Local Emergency Response stakeholder groups since March 2020 these will continue until the NSW COVID-19 Health Order is rescinded.
23.1.1 Undertake a community consultation program as per the Community Participation Plan in preparation for the new suite of Integrated Planning and Reporting documents	Council is yet to commence its community consultation program. It will be rolled out as part of the preparation of the review of the ten year Community Strategic Plan.

## 12.2 STRATEGIC INTERNAL AUDIT PLAN 2020-2023

<b>Attachments:</b>	<b>A. FINAL Strategic Internal Audit Plan 2020-2023</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Leonie Nash - Risk &amp; 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

To present to Council the FINAL Strategic Internal Audit Plan 2020-2023 which was endorsed by MANEX at its regular meeting held on 30 July, 2020.

### OFFICER'S RECOMMENDATION

**Council notes the FINAL Strategic Internal Audit Plan 2020-2023.**

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

### BACKGROUND

Council underwent a Request for Quote process through Local Government Procurement to secure the services of an Internal Audit provider in order to develop a 3 Year Strategic Internal Audit Plan.

This plan was developed by Centium in consultation with Council's executive management team (MANEX) and Audit, Risk and Improvement Committee, in order to adequately identify and assess enterprise risks and to ensure whole-of-organisation awareness of, and commitment to, Internal Audit.

Council's DRAFT Strategic Internal Audit Plan 2020-2023 was presented to Manex on 14 July 2020 and included the following recommended schedule of audits:

Item	Internal Audit Area	Audit Size	2020/2021	2021/2022	2022/2023
1.	Follow Up & Verification of Previous Audit Recommendations	Medium	✓		
2.	Fraud & Corruption Health Check	Medium	✓		
3.	Future Fund	Medium	✓		
4.	Independent, External Pen Testing	Small	✓		
5.	Procurement & Tendering	Medium		✓	
6.	ICT & Cybersecurity	Large		✓	
7.	Plant & Fleet	Medium		✓	
8.	Water & Sewer	Large			✓
9.	Payroll & Leave	Medium			✓
10.	Phishing Campaign	Small			✓

**CONSULTATION**

Audit, Risk and Improvement Committee;  
 Manex;  
 Centium.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Cr Scholes, Councillor Member – Audit, Risk and Improvement Committee

**REPORT**

Further, Manex endorsed the following amended schedule of audits:

**Amended Timeframe for Audits**

Item	Internal Audit Area	Audit Size	2020/2021	2021/2022	2022/2023
1.	Procurement and Tendering	Medium	✓		
2.	Plant and Fleet	Medium	✓		
3.	Follow Up and Verification of Previous Audit Recommendations	Medium		✓	
4.	Fraud and Corruption	Medium		✓	
5.	Future Fund	Medium		✓	
6.	Independent, External Pen Testing	Small			✓
7.	ICT & Cybersecurity	Large			✓
8.	Water & Sewer	Large			✓
9.	Payroll & Leave	Medium			✓
10.	Phishing Campaign	Small			✓

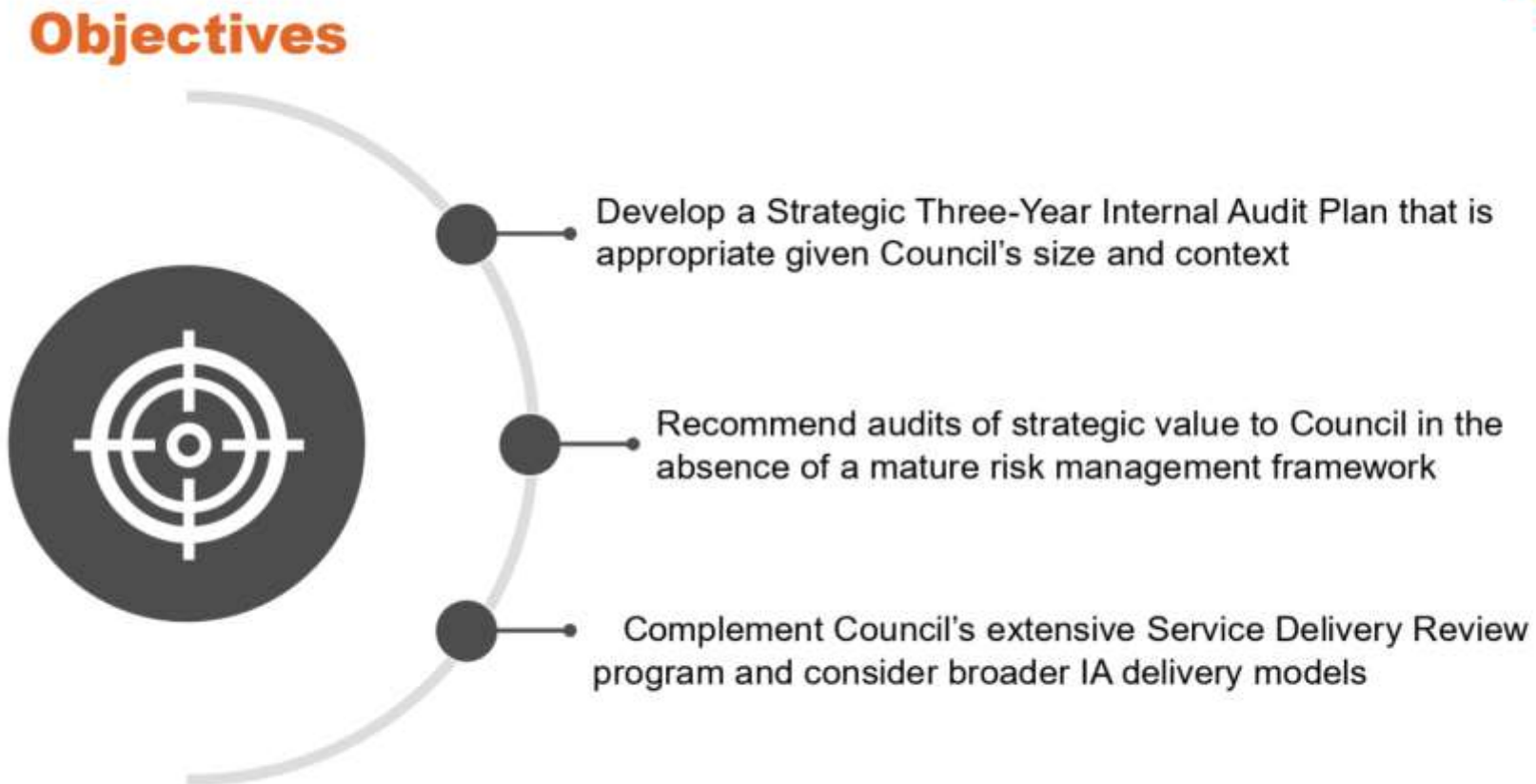
The FINAL Strategic Internal Audit Plan 2020-2023 has been forwarded to Council's Audit, Risk and Improvement Committee.



**centium** 

**Muswellbrook Shire Council**

Draft June 2020; FINAL October 2020





## What We Did



Review of Integrated Planning documents; past audit plans and audits; media clippings; risk register



Consultation with the ARIC, General Manager, MANEX, and other nominated managers



## Key Identified Themes and Issues



Management are committed, dedicated and passionate about the role of Council



Council is forward thinking and entrepreneurial - the Future Fund is a critical component of Council's future sustainability



There is a strong focus on service delivery efficiency and benchmarking; Council's financial activities appear to be well controlled



Resourcing, multi-tasking and key person dependencies were common themes



"...there is a low level of maturity and acceptance of the value and role of internal audit..."



Previous audits focused on compliance and were not perceived to offer improvement; there are a substantial number of outstanding audit recommendations and actions yet to be implemented



Cyber security is a significant risk for all organisations; Council is building its maturity in this space



Council's Risk Register is not current or fit for purpose.

## Deliverables

- Centium submitted its suggested Strategic Internal Audit Plan to Council in June 2020
- Council's MANEX meeting endorsed the following IA Plan 2020-2023 in July 2020, with slight amendments to the order of the audits
- A summary of this Plan was subsequently presented to the September 2020 ARIC meeting

## Strategic Internal Audit Plan

ITEM	INTERNAL AUDIT AREA	AUDIT SIZE	2020/21	2021/22	2022/23
1	Procurement & Tendering	Medium	✓		
2	Plant & Fleet	Medium	✓		
3	Follow-up & Verification of Previous Audit Recommendations	Medium		✓	
4	Fraud & Corruption Health Check	Medium		✓	
5	Future Fund	Medium		✓	
6	Independent, External Pen Testing	Small			✓
7	ICT & Cybersecurity	Large			✓
8	Water & Sewer	Large			✓
9	Payroll & Leave	Medium			✓
10	Phishing Campaign	Small			✓

# 1. Procurement & Tendering

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Accounts for a significant and increasing spend for Council (i.e. approx. \$12.5 Million in FY2019)</li><li>• Provides independent assurance over activities generally perceived to be a high fraud / corruption risk</li><li>• Ensures compliance with accounting standards, good practice fiduciary controls and ICAC recommendations (e.g. Operation Ricco)</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to assess Council's compliance with procurement processes, including tendering, quotation and procurement policies, procedures and associated practices.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include governance; procurement planning; decision-making and approvals; purchasing controls; segregation of duties; documentation and recordkeeping; implementation of ICAC recommendations. Sampling should include a range of high value, high volume and/or extraordinary procurement, including transactions across Council's approved levels.

Medium Size Audit

## 2. Plant & Fleet

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Accounts for a substantial gross asset value (i.e. \$17.1 Million at 30 June 2019)</li><li>• Provides independent assurance over assets generally perceived to be a high fraud / corruption risk</li><li>• Ensures compliance with accounting standards and good practice fiduciary controls</li><li>• Responds to local management request for a review of controls</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to assess the adequacy of plant / fleet management and maintenance services for compliance with policy and procedures.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include governance; acquisition; inventory and asset tracking; utilisation and productivity analysis; repairs and maintenance (including condition management); decommissioning and disposal; and recordkeeping.

Medium Size Audit



### 3. Follow-up & Verification of Previous Audit Recommendations

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"> <li>• Confirms the importance of the internal audit function to Council's corporate governance structure</li> <li>• Provides an opportunity to review/consolidate outstanding recommendations for ongoing relevance</li> <li>• Raises profile of internal audit via robust verification of previous recommendations / actions (i.e. confirm agreed actions have in fact been implemented)</li> <li>• Identifies risk exposures that are yet to be addressed by Council</li> </ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to follow-up and verify Council's progress regards recommendations from previous internal audits, external audits and service delivery reviews.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include the status of management responses and action plans to address each of the specific recommendations made during past years (i.e. from 2015/16 onwards). The audit could also consider recommendations from external audit management letters.

Medium Size Audit

## 4. Fraud & Corruption Health Check

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Raises the profile of fraud / corruption prevention and internal audit via across-Council consultation</li><li>• Assesses Council's performance against recognised Standard and frameworks</li><li>• Provides relevant managers with suggested controls for incorporation into local business processes</li><li>• Establishes a benchmark for future engagements</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to provide assurance regarding the efficiency and effectiveness of Council's fraud and corruption prevention framework.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include an assessment of Council's fraud and corruption prevention strategies and policies against Australian Fraud Control Standard (AS8001), with the aim identifying any gaps. The review would also seek to identify Council's highest fraud and corruption risks to enable further analysis and treatment, as required.

Medium Size Audit

## 5. Future Fund

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Represents a substantial investment and was established to reduce significant economic risks</li><li>• Provides independent assurance to the ARIC, management, Council and the community</li><li>• Ensures compliance with accounting standards and good practice fiduciary controls</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to determine whether there are appropriate, effective and efficient internal controls over the investment operations of Council's Future Fund, and where possible, provide recommendations to achieve better practice.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include an assessment of governance and oversight arrangements; decision-making, execution and recording of investments; monitoring and reporting activities; and compliance with statutory and recordkeeping obligations.

Medium Size Audit



## 6. Independent, External Pen Testing

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Provides assurance that Council's IT systems are security via ethical hacking</li><li>• Involves the use of automated and manual system tools to detect system weaknesses and exploit vulnerabilities</li><li>• Improves Council's cyber security maturity and ability to respond in the event of a real incident</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of the audit is to assess the adequacy of Council's controls that protect against cyber-attacks, and to detect and respond to attacks, should they occur, efficiently and effectively.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review would involve the conduct of pen testing and development of an action plan for any required remedial action; and examining that appropriate procedures and controls are in place around security for working from home arrangements.

Small Size Audit

## 7. ICT & Cyber Security

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Determines whether there are appropriate controls in place to ensure the security of Council's ICT, information and data assets (including Council's critical systems)</li><li>• Mitigates risks associated with data / information loss and reputational damage</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to assess the efficiency and effectiveness of Council's ICT and cyber security controls.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include planning and governance; patch management; user access (including privilege systems); back-ups, multifactor authentications; hardening operating systems; and detection and prevention capabilities. Importantly, the scope of this audit would be tailored to complement Council's external audit program.

Large Size Audit

## 8. Water & Sewer

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Provides independent assurance over core service delivery activities</li><li>• Accounts for substantial capital investment in water / sewerage networks, drainage, pumping stations</li><li>• Incorporates new and high profile infrastructure projects</li><li>• Generates revenue for Council</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this audit is to evaluate the effectiveness of Council's current framework for water and sewer management around network connections, water supply and asset maintenance.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include the appropriateness of Council's water / sewerage framework; network connections; water supply management; asset maintenance; complaints handling; revenue management; employee qualifications and training.

Large Size Audit

## 9. Payroll & Leave

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Represents a substantial budget item for Council (i.e. employee benefits and on-costs expenditure amounted to approx. \$14.4 Million as at 30 June 2019)</li><li>• Provides independent assurance that Council is complying with its obligations to correct pay staff salaries, leave and entitlements</li><li>• Reduces the likelihood of fraud / corruption</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this review is to assess the efficiency and effectiveness of systems, processes and controls across the payroll function.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review could include appointments; terminations; salary payments; time and attendance; leave management; payroll variations; superannuation; masterfile controls; mandatory superannuation obligations; payments and reconciliations; segregation of duties; recordkeeping.

Medium Size Audit

## 10. Phishing Campaign

<b>STRATEGIC VALUE</b>	<ul style="list-style-type: none"><li>• Complements cyber security and pen testing audits</li><li>• Improves Council's cyber security maturity and ability to respond in the event of a real incident</li><li>• Builds awareness of cyber security threats and provides additional information / training (as required)</li></ul>
<b>AUDIT OBJECTIVE</b>	The objective of this project is to facilitate the conduct of a phishing campaign with the aim of raising awareness regarding Cyber Security and building staff capacity via additional information and training.
<b>SUGGESTED HIGH LEVEL SCOPE</b>	The scope of the review would involve an assessment / test of email spam blocking features; an assessment and test of email spam filters; a simulation of zero-day threat actors and their detection rate; and a campaign to promote the awareness of the threats that phishing presents.

Small Size Audit

## Audits that were not included...



Work Health & Safety	Not included as there is no lost time or history of claims
Routine Financial Activities	Assurance is provided by Council's external auditors
Development Applications & Statutory Planning	Council does not have high levels of development
Complaints Management	Did not emerge as a key issue for Council
Roads Management	High visibility of road infrastructure via asset register
Grants Management	Financial aspects were thought to be well controlled



## Final Comments

- Shire Councils generally undertake two to four audits per year to ensure coverage of strategic, operational and compliance issues
- There should be a mix of small-medium and large audits (with some small related activities)
- There should be complementary activities that build staff capacity regarding high risk issues (i.e. cyber security)
- Suggested internal audit budget (excluding ARIC fee) = \$50,000



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**12.3 REPORT ON COUNCIL GRANT FUNDING NOVEMBER 2020**

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Ivan Skaines - Grants Officer</b> <b>Kellie Scholes - Manager - Roads, Drainage &amp; Technical 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 advise Council of our recent success in obtaining funding under State and Federal grant programs, to let Council know of recent grant applications submitted by Council and to inform Council of some upcoming grant opportunities.

**OFFICER'S RECOMMENDATION**

- 1. The report be noted.**
- 2. Council accept the offer of grant funding for the amount of \$425,000 from the Federal Government's Heavy Vehicle Safety and Productivity Program (HVSPP) for the replacement of the culvert on Rosemount Road adjacent to the Explosive Ordnance Depot Myambat and further that funding opportunities be sought for the additional \$425,000 needed to complete the project.**

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

**BACKGROUND**

Over the last 12 months, and particularly over the past month, Muswellbrook Shire Council has been very successful in obtaining grants which have been decided via competitive applications and, in addition, Council has continued to receive grant allocations from both State and Federal government sources for which we are required to nominate proposed projects for funding.

**CONSULTATION**

Grant applications are prepared in consultation with senior managers at Council and staff in relevant sections.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

The Mayor and Deputy Mayor have been consulted on possible projects for funding under the Local Roads and Community Infrastructure (LRCI) Program – Extension.

**REPORT**

On 2 October 2020 Michael Johnsen, Member for the Upper Hunter, announced that Muswellbrook Shire Council has received NSW Government funding of \$18.9 million from the Growing Local Economies fund for the construction of the 11km Upper Hunter Water Security Project Pipeline that will supply water from Denman to Hollydeen, and a further 6.5km pipeline connecting Hollydeen to Sandy Hollow. There are a number of approvals and conditions to be met before the project can commence construction, and the General Manager has formed a Steering Committee comprising Council staff and representatives of the

NSW Government agencies (Department of Premier and Cabinet, Department of Planning, Industry and Environment, etc) to work towards satisfying those conditions by September 2021.

Council has also received an offer for funding of \$425,000 under Round 7 of the Federal Government's Heavy Vehicle Safety and Productivity Program (HVSPP) for the replacement of the culvert on Rosemount Road adjacent to the Explosive Ordnance Depot Myambat. The total cost of the project is estimated to be \$850,000. Council also has outstanding grant applications for funding for the Rosemount culvert project from the State Government's Fixing Country Roads fund, along with a funding application for the Mangoola Road culvert.

Council has also received \$20,000 from the National Australia Day Council to enable the delivery of 2021 Australia Day events in a COVID safe environment in January 2021. The COVID Safe Australia Day Program will be hosted by Muswellbrook Shire Council at Denman Memorial Hall on Monday, 25 January 2021 to announce the finalists and winners of the Australia Day Awards 2020, and then on Tuesday, 26 January a Citizenship Ceremony at Muswellbrook Aquatic Centre.

And finally, Council has received \$48,400 under the State Government's 2019/21 Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) for 4 new bus shelters and 2 upgrades.

In terms of recent grant applications submitted, over the past month a team of Council staff has also applied for funding under the 2020/21 Public Library Infrastructure Grants which are being offered by the State Library of NSW. The application was for \$94,300 for an upgrade and extension to the existing Children's Section of Muswellbrook Library to provide a safe and engaging space for children of all abilities. The two components of the project are improvements to the indoor Children's Section including upgraded shelving and furniture, and design and construction of a sensory garden adjacent to children's section, and we are not offering any co-contribution.

In terms of future funding, under the Local Roads and Community Infrastructure (LRCI) Program – Extension Muswellbrook Shire Council will receive an additional funding allocation of \$815,765 in 2021 (this year we received \$577,898 for Stage 2 of the Muswellbrook Aquatic & Fitness Centre project). The funding was included in the 2020–21 Budget where the Australian Government announced a \$1 billion extension of the LRCI Program which supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Councils will be able to access funding under the extension to the LRCI Program Extension from 1 January 2021 with the Program being extended until the end of 2021, and it is proposed that \$250,000 of the \$815,765 will be allocated to the Ironbark Road (Skellatar Stock route) footpath and the balance (\$565,765) to the diversion of Possum Gully around the Muswellbrook Civic Square precinct and Council will match contributions if necessary.

## **OPTIONS**

1. Council notes the funding received from various State and Federal grants, the applications submitted over the past month and the proposed allocation of funding for the Local Roads and Community Infrastructure Program

## **CONCLUSION**

The funding received under these grant programs will offset expenditure that would otherwise be needed to be made by Council.

## **SOCIAL IMPLICATIONS**

These projects address priority issues in the community and are well-supported.

## **FINANCIAL IMPLICATIONS**

The total value of the grants received over past month is almost \$19.4 million.

The acceptance of the grant offer from the Federal Government's Heavy Vehicle Safety and Productivity Program (HVSPP) for the replacement of the culvert on Rosemount Road adjacent to the Explosive Ordnance Depot Myambat will require a commitment from Council for a further amount of \$425 K to

complete the program. A funding application for this amount to the State Government's Fixing Country Roads program is pending.

**POLICY IMPLICATIONS**

Not applicable.

**STATUTORY IMPLICATIONS**

The Steering Committee for the Upper Hunter Water Security Project Pipeline are seeking clarification of all required Planning and Regulatory Approvals.

**LEGAL IMPLICATIONS**

Not applicable.

**OPERATIONAL PLAN IMPLICATIONS**

The projects funded by these grants are in line with Council's Operational Plan goals and objectives.

**RISK MANAGEMENT IMPLICATIONS**

Council was required to outline possible risks associated with each project in preparing each grant application, along with risk mitigation strategies.

**12.4 COUNCIL REPRESENTATION ON MUSWELLBROOK HOSPITAL LOCAL HEALTH COMMITTEE**

**Attachments:**

- A. Letter of request from Muswellbrook Health Services Manager
- B. Terms of reference
- C. Application Form

**Responsible Officer:**

**Author:** Fiona Plesman - General Manager

**Community Plan Issue:** *Genuine and well informed community participation in decision making*

**Community Plan Goal:** *Utilise best practice models of community engagement to ensure decision making is meeting the expectations of the community.*

**Community Plan Strategy:** *Undertake a comprehensive community consultation program as per the Community Engagement Strategy.*

**PURPOSE**

To seek a Council nominee to join the Muswellbrook Hospital Local Health Committee.

**OFFICER'S RECOMMENDATION**

**Council nominate a representative to sit on the Muswellbrook Hospital Local Health Committee.**

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

**BACKGROUND**

Historically Council has provided a member to join the Hospital Local Health Committee; there is currently no Council representation on the committee.

**CONSULTATION**

Not applicable

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Not applicable

**REPORT**

The purpose of the Muswellbrook Hospital Local Health Committee is to:

- Seek to ensure the local health needs are identified and made available to the committee, the Health Service and the community
- The committee ensures effective community, patient and carer participation in local health service planning and design of the local health facilities
- Identify problems and better ways of access to health services for key groups in the community – including young people.

Members are usually nominated for three years.

**OPTIONS**

Council delegates membership of the Committee to the General Manager.

**CONCLUSION**

Council nominates a Councillor to sit on the Local Health Committee

**SOCIAL IMPLICATIONS**

Participation on this committee will improve social outcomes for the shire.

**FINANCIAL IMPLICATIONS**

No financial implications

**POLICY IMPLICATIONS**

Participation is in line with council Policies

**STATUTORY IMPLICATIONS**

No statutory implications

**LEGAL IMPLICATIONS**

No legal implications

**OPERATIONAL PLAN IMPLICATIONS**

Participation in the Local Health Committee is in line with the Operational Plan

**RISK MANAGEMENT IMPLICATIONS**

No risk management implications



10<sup>th</sup> November 2020

Ms F Plesman  
Muswellbrook Shire Council General Manager  
Via email [council@muswellbrook.nsw.gov.au](mailto:council@muswellbrook.nsw.gov.au)

Dear Fiona

**Re Representation on the Muswellbrook Hospital Local Health Committee**

Muswellbrook Hospital has had a long standing Local Health Committee which assists us in ensuring that we are working with our community.

Historically the Muswellbrook Shire Council has provided a member to this important Committee however there has been no attendees for some time.

We are keen to increase the committee representation. The Committee members and I would like to invite nominations to fill this membership.

The focus of this particular committee is to:

- Seek to ensure the local health needs are identified and made available to the committee, the Health Service and the community.
- The committee ensures effective community, patient and carer participation in local health service planning and design of the local health facilities
- Identify problems and better ways of access to health services for key groups in the Community – including young people.

Members on the committee are usually nominated for a three (3) year term.

Would it be possible please for you to discuss the Local Health Committee membership with members of the Muswellbrook Council and seek a nomination to ensure that the local Shire Council is represented.

The Committee meets 2<sup>nd</sup> monthly on a Thursday afternoon at 4pm – 6pm

I have attached an application form in anticipation a nomination is received, and a copy of the current Terms of Reference for your information.

Yours Sincerely

A handwritten signature in purple ink that reads 'Wendy Hordern'.

Wendy Hordern  
Muswellbrook District Health Service  
Health Service Manager

# Local Health Committee

Terms of Reference

April 2017



**Health**  
Hunter New England  
Local Health District

## Version Control

Date	Unit responsible	Version	Description
May 2012	Communication and Stakeholder Engagement Unit	1.0	<b>Adopted by the Community Partnerships Forum 24 April 2012</b>
November 2014	Strategic Relations and Communication Unit	2.0	<b>Adopted by the Community and Patient Care Committee and HNELHD Board, November 2014</b>
June 2015	Strategic Relations and Communication Unit	3.0	<b>Adjustment approved by Community and Patient Care Committee, April 2014</b>
March 2016	Strategic Relations and Communication Unit	4.0	<b>Update to:</b> <ul style="list-style-type: none"> <li>• Committee Functions to clarify "funding opportunities" (as per query from Barraba HC)-p7</li> <li>• Terms for Committee Chairs (as per LHD Board decisions and discussion with Committees at Nov 2015 Partnerships Forum-p9)</li> </ul>
March 2017	Strategic Relations and Communication Unit	5.0	<b>Update to include advice on when a committee membership can be made void for non-attendance – p8</b>
April 2017	Strategic Relations and Communication Unit	6.0	<b>Update to include requirement for <i>re-appointed</i> members to undergo National Criminal Record Checks &amp; 100 points identification</b>

This terms of reference document provides information on the roles and functions of local health committees

This is a living document with changes expected over time as feedback is provided and discussion occurs.

The most up to date version of the document will be available on the Hunter New England Health website.

Local Health committees and other key stakeholders will be notified of any major changes to the document.

If you have any comments or concerns, please contact the Strategic Relations and Communication Unit.

### Contact Details:

#### Postal Address:

Strategic Relations and Communication Unit  
 Hunter New England Health  
 Locked Bag 1  
 New Lambton NSW 2305

Phone: 02 4985 5522

Email: [HNELHD-Communication@hnehealth.nsw.gov.au](mailto:HNELHD-Communication@hnehealth.nsw.gov.au)



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## 1. Purpose

The purpose or key role of a Local Health Committee is to provide leadership in the local community to ensure health services meet local community health needs, and ensure the promotion and enhancement of the health of the community.

## 2. Functions

The Local Health Committee works with the local Health Service Manager, and with key community partners to represent the local community on matters relating to health and health services.

### SERVICE PLANNING

Local Health Committees will:

1. Seek to ensure that local community **health needs are identified** and made available to the Committee, the Health Service and the community.

*[Health needs should include the needs of patients and their carers, as well as the preventive health needs of the whole community.]*

*Support and templates will be provided to the Health Service Managers/acute General Managers and Local Health Committees in examining available data such as demographic, health status and service use data in forms suitable for discussion with the community.]*

2. Provide and ensure effective community, patient and carer participation in **local health service planning** and design of local health facilities.

## DESIGNING PATIENT-CENTRED CARE

Local Health Committees will:

3. Be **represented on relevant local health service committees** that consider implementation of the health service's patient care policies and procedures, and ensure patient-centred care.

*[Patient-centred care involves:*

- *Treating patients and carers with dignity*
- *Communicating and sharing information between patients and carers and healthcare providers*
- *Encouraging and supporting patients' and carers' participation in decision-making]*

4. Identify problems and **better ways of access to health services** for key groups in the community – particularly for Aboriginal and Torres Strait Islander peoples, the elderly, and people experiencing socioeconomic disadvantage.

*[This may involve arranging meetings with key groups to review service access for patients and their carers]*

5. Recommend to healthcare providers **better ways to consult and involve** community, patients and carers.

*[This may involve providing feedback on the implementation of key patient safety initiatives in the facility, for example, Hand Hygiene, Sepsis Kills, REACH programs]*

6. Participate in **District-level forums** and meetings that consider how services are to be provided.

## EVALUATING PERFORMANCE

Local Health Committees will:

7. Provide **a community perspective to ensure that health services are effective** and meet the needs of the community.

*[This will involve:*

- *Reviewing the **health service's performance** in terms of patient care indicators, which may extend to monitoring of KPIs of local concern*
- *Reviewing patient satisfaction surveys*
- *Review of **patient compliments and complaints**, and adequacy of response to complaints]*

## **PROMOTING BETTER HEALTH**

Local Health Committees will:

8. **Increase community knowledge** and understanding of health issues, the health service's role and the roles of other agencies that provide health-related services.

*[This will involve provision of information to the community about what services are available, and how to access these services, using a mix of media.*

*An up-to-date local **health services directory** should be maintained with input from the Hospital, Community Health and the Primary Health Network. Committees will decide on locally relevant means of access to this information to ensure that people who need the information have ready and timely access to correct information.]*

9. Provide leadership for effective **promotion of better health** in the local community.

*[This will involve:*

- *Promoting and involving the community in district-wide initiatives.*
- *Working with the Health Promotion section of District Health Service, and development of partnerships with Primary Health Network Locals and other local health partners.*
- *Identifying effective local health promotion methods. This may involve arranging forums for the community on key health issues, and better use of the local media to ensure timely and effective health service information flow]*

## BUILD CAPACITY

### Local Health Committees

10. Where relevant, assist in the **recruitment and retention of the local health workforce**, including General Practitioners.
11. Identify **funding opportunities** that would improve health services or programs in the community<sup>1</sup>.
12. Prepare and present an **Annual Health Report** to the community and to the Board of Hunter New England Local Health District.  
*[A template will be provided.]*

**Note:** The Committee will **not** intervene in operational matters that are the responsibility of Hunter New England Health Service Managers.

## 3. Membership

Members of the Local Health Committee will be appointed by the Sector General Manager on advice of the chair (where appointed) and the local Health Service Manager. For larger acute facilities, members of the Local Health Committee will be appointed by the hospital General Manager on advice of the chair (where appointed).

The number of members is not prescribed, however Committees should seek an active membership of between six and 10 members.

Appointment of members of the Local Health Committee will be for a period of three years, and members may seek re-appointment after their term expires. In line with NSW

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<sup>1</sup> It is not intended that local Health Committees themselves apply for funds. Nor is it intended that they undertake fundraising on their facility's or the Local Health District's behalf. Fundraising activities follow a formal process that requires pre-approval and an Authority to Fundraise in line with NSW Government and Hunter New England Health policy.

Health policy, new members *and* members seeking reappointment are required to complete a National Criminal Record Check and provide 100 points of identification.<sup>2</sup>

Membership of the Local Health Committee is void where a member fails to attend three consecutive meetings without prior arrangement and agreement from the Chair and/or Health Service Manager.

Committees and Health Service Managers/General Managers are encouraged to seek fresh input to ensure that new ideas are contributed to the Committee. Committees may co-opt additional people to provide input on specific issues or on a needs basis.

Additional members and renewing members may be appointed following local advertisement of a vacancy and completion of an application form.

Committee members, like all HNE Health volunteers, will be expected to operate in accordance with the *NSW Health Code of Conduct*. Appointment of members to the committee may be terminated for breaches of the *Code of Conduct*.

Membership of Local Health Committees should include:

- The local Health Service Manager/hospital General Manager
- The local Community Health Manager
- A representative nominated by the Primary Health Network
- A local government nominee

Membership should be sought from people with expertise, or consumer/carer experience from such backgrounds as:

- Services to older people
- Services to children and families
- Mental health services
- Aboriginal health
- Services to young people
- Services to the disabled
- Services to the disadvantaged

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<sup>2</sup> *Criminal Record Checks and Working with Children Checks – PD2016\_047*

- Management and/or financial skills
- Planning and/or policy development skills

Where it is not feasible to secure actual membership from people representing the above, the committee should work to ensure there are mechanisms in place to gain input and expertise from people with such backgrounds.

**Local Health Committee Chairs:**

The Chair of the Local Health Committee will be **elected annually** by vote of the Committee.

Committee chairs will **serve a maximum of 3 consecutive years**. *(NB: this requirement starts from 1 January 2015, and will allow time to skill new people to take up the role of chair.)*

A local Health Committee, through their Health Service Manager, can apply to have the term of the chair extended. Application to be made through General Manager of the relevant Sector to the Executive Director of either Rural and Regional Health Services or Metropolitan Health Services for their final consideration and sign-off .

## **4. Communication and accountability**

The Local Health Committee will work with and through the Health Service Manager/General Manager of the local health service in the day-to-day reporting of meeting outcomes and communications and in ensuring the implementation of Committee decisions.

The Committee is responsible to the community for presentation of an annual Health Report of activity of the local health service and the Committee, and for provision of such information as is necessary to fulfil its role in the community.

The Committee is responsible to the Board of the District Health Service for provision of an annual Health Report, and to communicate with the Board on key issues of concern.

Opportunities for consideration of issues of concern will be provided in two District-wide Forums for Local Health Committee Chairs and/or representatives each year.

The Local Health Committee Chair may raise issues of local concern to the local Health Service Manager/hospital General Manager, Sector General Manager, the relevant executive director, or if unresolved to the Chief Executive and Board.

## **5. Executive support to Local Health Committees**

The local Health Service Manager, with the Sector General Manager, will provide such support as required for the Local Health Committee to fulfil its role. This will include:

- Meeting venue, suitable refreshments
- Circulation of meeting advices, agendas and papers to members,
- Recording and preparation of minutes
- Preparing agendas with the Chair
- Preparation of reports using provided templates – including Community Health profile
- Annual Health Report assistance
- Assistance with travel to District-wide forums and other meetings as required.



A

## Local Health Committee



Health  
Hunter New England  
Local Health District

## Application for appointment

Name of local health committee you are applying for: \_\_\_\_\_

Dr / Mr / Miss / Ms / Mrs / Other: \_\_\_\_\_ Male / Female \_\_\_\_\_  
Please circle the relevant response

Surname: \_\_\_\_\_ Given names: \_\_\_\_\_

Are you Aboriginal / Torres Strait Islander? Yes / No \_\_\_\_\_ Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Town and country of birth: \_\_\_\_\_

Address: \_\_\_\_\_

Post Code: \_\_\_\_\_

Please let us know if your postal address is different to your living address

Phone (home): \_\_\_\_\_ Phone (work): \_\_\_\_\_

Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Current occupation and employer (if applicable): \_\_\_\_\_

Our local health committees are made up of people from a variety of backgrounds who are connected to the wider community and bring a wealth of experiences to our group. Tell us about your skills and community connections. Please note, this is not a job application – you don't have to excel in all areas to be considered.

☐ Community connections – what groups or organisations do you belong to or are affiliated with?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Active interest in health issues – what background or interest do you have in health?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Local Health Committee



Health  
Hunter New England  
Local Health District

☐ Good communication skills – keeping the community informed about health issues is one of the roles of the local health committee. How can you help us keep the community informed?

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☐ Enjoy working in a team – the local health committee is a team which brings together a range of people from a variety of backgrounds and experience. How can you help us be an effective team?

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Other activities and interests:

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I understand this information is being provided to Hunter New England Health. I understand that as a committee member I am entitled to receive reasonable out of pocket expenses for my engagement but my involvement does not attract any salary. I agree to abide by the terms of reference of the Local Health Committees.

Signature \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Please attach any other relevant information. Appointment to local health committee is subject to a satisfactory criminal record check.

**Please submit this application, along with a completed criminal record check authorisation and confidentiality agreement to the manager of your local health service.**

**12.5 REPORT ON INVESTMENTS HELD AS AT 31 OCTOBER 2020**

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

**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 October 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 October 2020 are shown in the attachments.

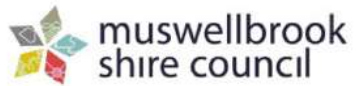
**COMMENT:**

As at 31 October 2020, there are no issuers whose individual portfolio trading limits have been exceeded.

Council's weighted running yield is 1.14% 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
<b>At Call Deposit</b>											
	MACQ At Call		6,900,000.00	1.00000000	6,900,000.00	100.000	0.000	<b>6,900,000.00</b>	10.71%	0.80%	
	ME Bank At Call		500,000.00	1.00000000	500,000.00	100.000	0.000	<b>500,000.00</b>	0.78%	0.55%	
	Westpac Bus Prem At Call		4,997,993.43	1.00000000	4,997,993.43	100.000	0.000	<b>4,997,993.43</b>	7.76%	0.34%	
	Westpac Muswellbrook Trading Acct At Call		100,000.00	1.00000000	100,000.00	100.000	0.000	<b>100,000.00</b>	0.16%	0.34%	
			<b>12,497,993.43</b>		<b>12,497,993.43</b>			<b>12,497,993.43</b>	<b>19.40%</b>		<b>0.60%</b>
<b>Fixed Rate Bond</b>											
	BENAU 1.7 06 Sep 2024 Fixed	AU3CB0266377	2,500,000.00	1.00000000	2,500,000.00	103.563	0.254	<b>2,595,425.00</b>	4.03%	1.68%	
			<b>2,500,000.00</b>		<b>2,500,000.00</b>			<b>2,595,425.00</b>	<b>4.03%</b>		<b>1.68%</b>
<b>Floating Rate Deposit</b>											
	ANZ 1.2 21 Jul 2022 2557DAY FRD		1,000,000.00	1.00000000	1,000,000.00	100.000	0.035	<b>1,000,345.21</b>	1.55%	1.26%	
			<b>1,000,000.00</b>		<b>1,000,000.00</b>			<b>1,000,345.21</b>	<b>1.55%</b>		<b>1.26%</b>
<b>Floating Rate Note</b>											
	AMP 1.08 10 Sep 2021 FRN	AU3FN0044657	2,000,000.00	1.00000000	2,000,000.00	100.133	0.160	<b>2,005,860.00</b>	3.11%	1.17%	
	Auswide 1.1 06 Nov 2020 FRN	AU3FN0045621	1,000,000.00	1.00000000	1,000,000.00	100.009	0.279	<b>1,002,880.00</b>	1.56%	1.20%	
	Auswide 0.75 07 Nov 2022 FRN	AU3FN0057345	1,000,000.00						0.00%	0.75%	
	Auswide 1.05 17 Mar 2023 FRN	AU3FN0053567	2,000,000.00	1.00000000	2,000,000.00	100.594	0.134	<b>2,014,560.00</b>	3.13%	1.14%	
	BOQ 1.02 16 Nov 2021 FRN	AU3FN0039418	1,000,000.00	1.00000000	1,000,000.00	100.549	0.227	<b>1,007,760.00</b>	1.56%	1.12%	
	BOQ 1.05 03 Feb 2023 FRN	AU3FN0040549	500,000.00	1.00000000	500,000.00	101.461	0.274	<b>508,675.00</b>	0.79%	1.15%	
	BOQ 1.03 18 Jul 2024 FRN	AU3FN0040094	1,000,000.00	1.00000000	1,000,000.00	101.767	0.033	<b>1,018,000.00</b>	1.58%	1.11%	
	BOQ 1.1 30 Oct 2024 FRN	AU3FN0051272	500,000.00	1.00000000	500,000.00	102.167	0.000	<b>510,835.00</b>	0.79%	1.16%	
	BENAU 1.05 25 Jan 2023 FRN	AU3FN0040523	500,000.00	1.00000000	500,000.00	101.492	0.012	<b>507,520.00</b>	0.79%	1.11%	
	CredSuis 1.95 09 Mar 2021 FRN	AU3FN0030458	1,000,000.00	1.00000000	1,000,000.00	100.658	0.285	<b>1,009,430.00</b>	1.57%	2.04%	
	CUA 1.25 06 Sep 2021 FRN	AU3FN0044269	1,500,000.00	1.00000000	1,500,000.00	100.796	0.195	<b>1,514,865.00</b>	2.35%	1.34%	
	CUA 1.12 24 Oct 2024 FRN	AU3FN0051033	1,500,000.00	1.00000000	1,500,000.00	101.173	0.013	<b>1,517,790.00</b>	2.36%	1.18%	
	RACB 0.93 24 Feb 2023 FRN	AU3FN0053146	1,000,000.00	1.00000000	1,000,000.00	100.577	0.191	<b>1,007,680.00</b>	1.56%	1.04%	
	NAB 0.93 26 Sep 2023 FRN	AU3FN0044996	2,000,000.00	1.00000000	2,000,000.00	102.092	0.089	<b>2,043,620.00</b>	3.17%	1.02%	
	NPBS 1.4 06 Feb 2023 FRN	AU3FN0040606	500,000.00	1.00000000	500,000.00	101.664	0.349	<b>510,065.00</b>	0.79%	1.48%	
	NPBS 1.12 04 Feb 2025 FRN	AU3FN0052627	4,500,000.00	1.00000000	4,500,000.00	101.586	0.291	<b>4,584,465.00</b>	7.12%	1.22%	
	Qld Police 1.4 22 Mar 2021 FRN	AU3FN0041638	1,500,000.00	1.00000000	1,500,000.00	100.313	0.155	<b>1,507,020.00</b>	2.34%	1.49%	
	Qld Police 1.5 14 Dec 2021 FRN	AU3FN0046389	750,000.00	1.00000000	750,000.00	100.910	0.200	<b>758,325.00</b>	1.18%	1.59%	
	Qld Police 1.15 06 Dec 2022 FRN	AU3FN0052072	2,000,000.00	1.00000000	2,000,000.00	100.649	0.180	<b>2,016,580.00</b>	3.13%	1.24%	
	RABOBK 1.5 04 Mar 2021 FRN	AU3FN0030409	1,000,000.00	1.00000000	1,000,000.00	100.470	0.244	<b>1,007,140.00</b>	1.56%	1.59%	
	UBS Aust 1.05 21 Nov 2022 FRN	AU3FN0054151	1,000,000.00	1.00000000	1,000,000.00	101.441	0.220	<b>1,016,610.00</b>	1.58%	1.15%	
	UBS Aust 0.87 30 Jul 2025 FRN	AU3FN0055307	650,000.00	1.00000000	650,000.00	101.491	0.000	<b>659,691.50</b>	1.02%	0.93%	
			<b>28,400,000.00</b>		<b>27,400,000.00</b>			<b>27,729,371.50</b>	<b>43.05%</b>		<b>1.22%</b>
<b>Term Deposit</b>											



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 1.6 30 Nov 2020 185DAY TD		1,000,000.00	1.00000000	1,000,000.00	100.000	0.679	1,006,794.52	1.56%	1.60%	
Auswide 1.55 10 Nov 2020 180DAY TD		1,500,000.00	1.00000000	1,500,000.00	100.000	0.722	1,510,828.77	2.35%	1.55%	
BOQ 3.4 21 Jun 2021 1826DAY TD		1,000,000.00	1.00000000	1,000,000.00	100.000	1.220	1,012,202.74	1.57%	3.40%	
ME Bank 1.4 13 Nov 2020 184DAY TD		3,000,000.00	1.00000000	3,000,000.00	100.000	0.656	3,019,676.70	4.69%	1.40%	
NAB 0.7 30 Nov 2020 90DAY TD		5,000,000.00	1.00000000	5,000,000.00	100.000	0.115	5,005,753.40	7.77%	0.70%	
NAB 0.65 16 Dec 2020 90DAY TD		2,000,000.00	1.00000000	2,000,000.00	100.000	0.078	2,001,567.12	3.11%	0.65%	
NAB 0.6 24 Dec 2020 87DAY TD		5,000,000.00	1.00000000	5,000,000.00	100.000	0.054	5,002,712.35	7.77%	0.60%	
P&NB 3.53 21 Jun 2021 1826DAY TD		2,000,000.00	1.00000000	2,000,000.00	100.000	1.267	2,025,338.64	3.14%	3.53%	
		20,500,000.00		20,500,000.00			20,584,874.24	31.96%		1.29%
Fixed Interest Total		64,897,993.43		63,897,993.43			64,408,009.38	100.00%		1.14%

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Report Code: TBSBP100EXT-01.16  
Report Description: Portfolio Valuation As At Date  
Parameters:  
Term Deposit Interest Included  
Cash Excluded



## 1 Issuer Trading Limits

Issuer	Issuer Rating Group (Long Term)	Issuer Parent	Already Traded (with Issuer Group) Face Value Notional	Limit For Book or 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	BBB+ to BBB-		3,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	47.00	53.00	3,389,799	0.00	0
ANZ Banking Group Ltd	AA+ to AA-		1,000,000.00	Book	30.00	% of 63,897,993.43	19,169,398.03	5.00	95.00	18,169,398	0.00	0
Auswide Bank Limited	BBB+ to BBB-		4,500,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	70.00	30.00	1,889,799	0.00	0
Bank of Queensland Ltd	A+ to A-		4,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	63.00	37.00	2,389,799	0.00	0
Bendigo & Adelaide Bank Ltd	A+ to A-		3,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	47.00	53.00	3,389,799	0.00	0
Credit Suisse Sydney	A+ to A-		1,000,000.00	Book	20.00	% of 63,897,993.43	12,779,598.69	8.00	92.00	11,779,599	0.00	0
Credit Union Australia Ltd	BBB+ to BBB-		3,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	47.00	53.00	3,389,799	0.00	0
Macquarie Bank	A+ to A-		6,900,000.00	Book	20.00	% of 63,897,993.43	12,779,598.69	54.00	46.00	5,879,599	0.00	0
Members Banking Group Limited t/as RACQ Bank	BBB+ to BBB-		1,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	16.00	84.00	5,389,799	0.00	0
Members Equity Bank Ltd	BBB+ to BBB-		3,500,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	55.00	45.00	2,889,799	0.00	0
National Australia Bank Ltd	AA+ to AA-		14,000,000.00	Book	30.00	% of 63,897,993.43	19,169,398.03	73.00	27.00	5,169,398	0.00	0
Newcastle Permanent Building Society Ltd	BBB+ to BBB-		5,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	78.00	22.00	1,389,799	0.00	0
P&N Bank Ltd	BBB+ to BBB-		2,000,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	31.00	69.00	4,389,799	0.00	0
QPCU LTD t/a QBANK	BBB+ to BBB-		4,250,000.00	Book	10.00	% of 63,897,993.43	6,389,799.34	67.00	33.00	2,139,799	0.00	0
Rabobank Nederland Australia Branch	AA+ to AA-		1,000,000.00	Book	20.00	% of 63,897,993.43	12,779,598.69	8.00	92.00	11,779,599	0.00	0
UBS Australia Ltd	AA+ to AA-		1,650,000.00	Book	20.00	% of 63,897,993.43	12,779,598.69	13.00	87.00	11,129,599	0.00	0
Westpac Banking Corporation Ltd	AA+ to AA-		5,097,993.43	Book	30.00	% of 63,897,993.43	19,169,398.03	27.00	73.00	14,071,405	0.00	0
			63,897,993.43				172,524,582.26			108,626,587		0

## 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-	3,000,000.00	Book	100.00	% of 63,897,993.43	63,897,993.43	5.00	95.00	60,897,993	0.00	0
A+ to A-	12,050,000.00	Book	70.00	% of 63,897,993.43	44,728,595.40	27.00	73.00	32,678,595	0.00	0
A1+	17,097,993.43	Book	100.00	% of 63,897,993.43	63,897,993.43	27.00	73.00	46,800,000	0.00	0
A1	2,000,000.00	Book	70.00	% of 63,897,993.43	44,728,595.40	4.00	96.00	42,728,595	0.00	0
A2	13,000,000.00	Book	60.00	% of 63,897,993.43	38,338,796.06	34.00	66.00	25,338,796	0.00	0
A3	1,500,000.00	Book	60.00	% of 63,897,993.43	38,338,796.06	4.00	96.00	36,838,796	0.00	0
BBB+ to BBB-	15,250,000.00	Book	60.00	% of 63,897,993.43	38,338,796.06	40.00	60.00	23,088,796	0.00	0
	63,897,993.43				332,269,565.84			268,371,571		0

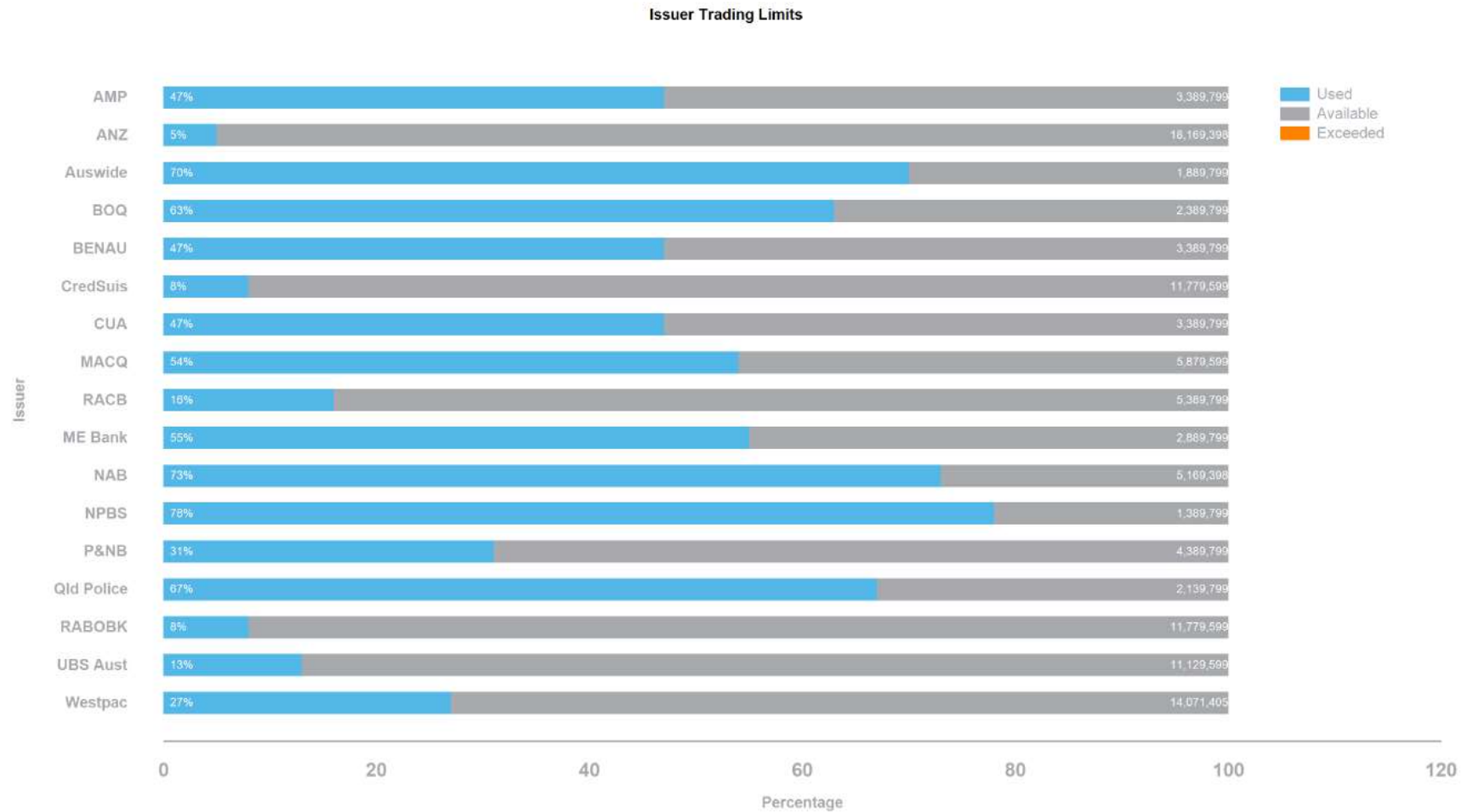
### Notes

1. In instances where long securities have a term remaining which is less than 365 days, the issuer's short term rating is used instead of the security's (presumably long term) rating.



### 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	40,997,993.43	Book	100.00	% of 63,897,993.43	63,897,993.43	64.00	36.00	22,900,000	0.00	0
1-3 Year	12,250,000.00	Book	100.00	% of 63,897,993.43	63,897,993.43	19.00	81.00	51,647,993	0.00	0
3-5 Year	10,650,000.00	Book	100.00	% of 63,897,993.43	63,897,993.43	17.00	83.00	53,247,993	0.00	0
	63,897,993.43				191,693,980.29			127,795,986		0







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Report Code: TSSBP125EXT-0018  
Report Description: Trading Limit Performance As At Date  
Parameters:  
As At/Scenario Date: 31 October 2020  
Balance Date: 11 November 2020 (but 31 Oct 2020 used instead)  
Trading Entity: Muswellbrook Shire Council  
Trading Book: Muswellbrook Shire Council  
Report Mode: Bal Only  
Using Face Value  
Trading Entity and Book Limits  
Effects of Parent/Child Issuers Ignored  
Hide Zero Holdings

**12.6 OCTOBER 2020 MONTHLY FINANCIAL REPORT**

<b>Attachments:</b>	<b>A. October 2020 Monthly Financial Report</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Daryl Hagger - 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 Council's approved budget at an organisational level for the month ending 31 October 2020.

**OFFICER'S RECOMMENDATION**

The Financial Report for the month ending 31 October 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 October 2020

Account Group	Annual Adopted Budget	YTD % Spend vs Budget - 33.4% target	YTD Actuals	October Monthly Actuals	Monthly Variance fav / (unfav)	Variance comments
Grand Total	(2,076,430)	498%	(14,123,172)	1,855,093	(884%)	
less SRV budgeted surplus	(1,017,305)		202,879	42,188		
SRV adjusted Grand Total	(1,059,125)		(14,326,051)	1,812,905		

Revenue

Rates and Charges	(21,576,792)	100%	(22,218,014)	(8,420)	(100%)	100% of the annual rates and charges are booked in the system in August 2020.
User Charges and Fees	(7,379,255)	25%	(1,845,818)	(597,645)	(76%)	The \$621k YTD budget deficit is primarily in the areas of Mixed waste (\$163k), DECCW levy (\$191k), Aquatic Centre (\$244k) and Individually Priced Works Orders (\$131k). Income above YTD budgets has been received in Section 149 and 603 Certificates (\$33k), Road Opening Permits (\$64k) Development Application fees (\$26) and Onsite Sewerage Fees (\$52).
Interest and Investments Revenues	(626,971)	18%	(112,199)	(58,157)	(72%)	The \$97k YTD budget deficit is a result of the average interest being earned is lower than budgeted and \$22k YTD deficit for interest on overdue rates.
Other Revenues	(2,873,561)	24%	(679,655)	(148,973)	(84%)	The YTD budget deficit is mainly driven by lower than budgeted plant cost recovery (\$227k).
Operating Grants and Contributions	(7,385,954)	15%	(1,137,588)	(47,864)	(98%)	The \$1.33m YTD budget deficit is primarily due to the timing of receiving the Financial Assistance Grant (\$690k); Ethtec (\$269k); Farm Productivity (\$301k); pensioner rates subsidy (\$41k) and SH27 maintenance (\$160k). Income above YTD budgets has been received for the Block Grant (\$83k) and Bushfire Operational Grant (\$69k).
Internal Revenue	(7,195,717)	15%	(1,222,920)	(305,730)	(89%)	The budget deficit is due to timing of internal transactions being processed.
<b>Total Revenue</b>	<b>(47,038,250)</b>	<b>56%</b>	<b>(27,216,194)</b>	<b>(1,166,789)</b>	<b>(93%)</b>	

Expenses

Wages and Salaries	12,328,362	30%	3,728,177	827,890	80%	There are YTD wages overruns in some individual areas e.g. Economic Development, Roads & Drainage - Works, Property & Building Services, Recreation.
Materials and Contracts	16,176,905	26%	4,426,873	917,605	84%	
Other Costs	3,285,563	38%	1,248,573	334,769	70%	The \$150 YTD overspend is due to the payment of annual insurance and rates and charges.
Borrowing Costs	1,365,639	10%	123,467	76,222	82%	
Overheads	2,241,734	27%	607,247	151,812	80%	
Depreciation	9,563,617	31%	2,958,685	713,584	78%	
<b>Total Expenses</b>	<b>44,961,820</b>	<b>29%</b>	<b>13,093,022</b>	<b>3,021,882</b>	<b>80%</b>	

\*Report Contains Filters



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

Account Group	Annual Adopted Budget	YTD % Spend vs Budget - 33.4% target	YTD Actuals	October Monthly Actuals	Monthly Variance fav / (unfav)	Variance comments
<b>Grand Total</b>	0	#DIV/0!	(777,746)	394,084	#DIV/0!	
<b>Revenue</b>						
Rates and Charges	(1,637,172)	101%	(1,648,212)	0	(100%)	100% of the annual water rates have been booked in August 2020.
User Charges and Fees	(4,169,994)	23%	(953,225)	(12,665)	(99%)	The \$441 YTD deficit due to timing of water reads and less water consumed for the first water consumption period.
Interest and Investments Revenues	(305,166)	3%	(8,830)	0	(100%)	The \$93k YTD budget deficit is a result of the average interest being earned is lower than budgeted.
Operating Grants and Contributions	(36,790)	0%	0	0	(100%)	No grants have been received.
<b>Total Revenue</b>	<b>(6,149,122)</b>	<b>42%</b>	<b>(2,610,267)</b>	<b>(12,665)</b>	<b>(99%)</b>	
<b>Expenses</b>						
Wages and Salaries	1,001,421	32%	323,137	64,558	81%	
Materials and Contracts	1,327,849	27%	363,370	58,020	87%	
Other Costs	310,292	26%	79,850	17,630	83%	
Borrowing Costs	83,791	0%	0	0	100%	
Overheads	1,492,132	30%	444,044	111,011	78%	
Depreciation	1,933,637	32%	622,120	155,530	76%	
<b>Total Expenses</b>	<b>6,149,122</b>	<b>30%</b>	<b>1,832,521</b>	<b>406,749</b>	<b>80%</b>	



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

Account Group	Annual Adopted Budget	YTD % Spend vs Budget - 33.4% target	YTD Actuals	October Monthly Actuals	Monthly Variance fav / (unfav)	Variance comments
<b>Grand Total</b>	0	#DIV/0!	(2,623,479)	370,373	#DIV/0!	
<b>Revenue</b>						
Rates and Charges	(4,639,141)	90%	(4,164,008)	306	(100%)	100% of the annual sewer rates are booked in the system in August 2020, the remaining 16% of the annual rates and charges are made up of the non-residential sewer charges which get booked with each water bill.
User Charges and Fees	(502,682)	21%	(104,662)	(26,696)	(84%)	The \$63k YTD budget deficit is due to lower sewer effluent reuse revenue.
Interest and Investments Revenues	(64,063)	5%	(3,240)	0	(100%)	The \$18k YTD budget deficit is a result of the average interest being earned is lower than budgeted.
Operating Grants and Contributions	(35,875)	0%	0	0	(100%)	No grants have been received.
<b>Total Revenue</b>	<b>(5,241,761)</b>	<b>81%</b>	<b>(4,271,910)</b>	<b>(26,390)</b>	<b>(98%)</b>	
<b>Expenses</b>						
Wages and Salaries	832,043	34%	278,776	62,468	78%	Wages are \$9k over the YTD budget due to overtime associated with sewer mains works.
Materials and Contracts	689,507	30%	209,598	66,295	71%	
Other Costs	324,367	38%	122,016	25,222	77%	The \$13k YTD overspend is due to the payment of annual insurance.
Borrowing Costs	726,218	23%	164,329	24,350	90%	
Overheads	816,725	33%	272,244	68,061	75%	
Depreciation	1,852,901	32%	601,468	150,367	76%	
<b>Total Expenses</b>	<b>5,241,761</b>	<b>31%</b>	<b>1,648,431</b>	<b>396,763</b>	<b>77%</b>	

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

Account Group	Annual Adopted Budget	YTD % Spend vs Budget - 33.4% target	YTD Actuals	October Monthly Actuals	Monthly Variance fav / (unfav)	Variance comments
<b>Grand Total</b>	<b>(2,521,878)</b>	<b>36%</b>	<b>(918,612)</b>	<b>(155,601)</b>	<b>(26%)</b>	

**Revenue**

User Charges and Fees	(6,729,959)	37%	(2,460,056)	(417,753)	(81%)	The budget deficit is due to timing of internal transactions being processed.
Internal Revenue	(259,361)	0%	0	0	(100%)	
<b>Total Revenue</b>	<b>(6,989,320)</b>	<b>35%</b>	<b>(2,460,056)</b>	<b>(417,753)</b>	<b>(82%)</b>	

**Expenses**

Wages and Salaries	232,417	29%	67,077	12,893	83%	The \$237 YTD overspend is due to the payment of annual insurance and rates and charges.
Materials and Contracts	1,943,762	26%	466,984	101,274	83%	
Other Costs	710,835	62%	514,806	91,158	67%	
Borrowing Costs	945,748	30%	281,017	3,937	99%	
Overheads	0	0%	0	0	#DIV/0!	
Depreciation	634,680	33%	211,560	52,890	75%	
<b>Total Expenses</b>	<b>4,467,442</b>	<b>35%</b>	<b>1,541,444</b>	<b>262,152</b>	<b>82%</b>	

**12.7 COMMUNITY SERVICES**

<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Kim Manwarring - Co-ordinator - Community Partnerships</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 Community Services section.

**OFFICER'S RECOMMENDATION**

The information contained in this report be noted.

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

**REPORT****MUSWELLBROOK SHIRE LIBRARIES – Muswellbrook and Denman**

This month the library was attended by **2397** customers in Muswellbrook and **187** customers in Denman. Over the same period, our library branches loaned **6831** items and processed **3617** returns.

**Current Displays:**

- NAIDOC Week – Physical and digital displays of collection items Written and Illustrated by Indigenous Australians.



- Terry Gill – Remembrance Day Display



### Providing opportunities that increase community literacy, both physical and digital

- Online Engagement:

The Library has continued a regular presence on its social media with posts shared to promote services and collections as well as celebrate Book Week and NAIDOC week. Over the past month the library has had **686** post views and now has a combined like/follow total of **1919**.

- Digital Collections:

Our digital collections have continued to be popular with a 2.2% increase in members using Borrowbox. Across our three platforms, there have been 859 loans of eBooks and eAudiobooks and 331 loans of our digital magazines and comics.

**Creating spaces and programs that meet the needs of members and library visitors****- Children's Programs**

Baby Rhyme time and story time continue to be popular programs at the Muswellbrook branch with two programs being held weekly. Attendance at these sessions throughout the month totalled 72 baby rhyme time attendees and 10 story time attendees. Numbers for these programs still remain capped due to Covid-19 restrictions.

A special virtual story time was hosted this year to celebrate Book Week which was postponed from August to October this year. Library staff presented and live streamed a storytime session marking this event. This session was attended by 87 attendees virtually.

Preparations are currently underway for Summer Reading program to be launched in December

**- Home Library Services**

The home library service provides home delivery of library items to community members unable to visit our branches in person due to various reasons. This month the home library service has delivered **343 items** and facilitated the return of **326 items**. This program currently services **90 members** across the Muswellbrook Shire.

**- Click and Collect**

The click and collect service at the Muswellbrook and Denman Libraries enables library customers to reserve and collect items via the customer web portal and also to submit 'profiles' for staff selection of items. This has been popular with customers wishing for a quick visit to the library. Library staff have been utilising their reader advisory skills in making and recommending selections for customers. This service has extended to attendees of the children's programs with library staff selecting items for collection ready at each session. Over the past month, staff at Muswellbrook and Denman have satisfied 121 reservations through this service.

**- Wifi and Computer Usage**

*Wifi Usage:*

Muswellbrook: 94; Denman: 57;

*Computer Bookings:* Muswellbrook: 826; Denman: 22

**Increasing and maintaining library memberships**

Muswellbrook: 43 new members

Denman: 3 new members

**COMMUNITY PARTNERSHIPS TEAM**

- Governance support to Upper Hunter Youth Services Management Committee and Management Team;
- The Aboriginal Oral History Project launch has been postponed due to the passing of Recognised Aboriginal Elder Aunty Margaret Matthews.

***Aunty Margaret was a valuable member and contributor to the Muswellbrook Shire Aboriginal Reconciliation Committee for the past 15 years, she was the instigator for the Aboriginal Oral History Project and volunteered her time to progress and establish the Aboriginal Artefacts displayed in the foyer of the Council Administration Centre. This project is unique due to Aunty Margaret's vision to ensure that a selection of Aboriginal Artefacts are permanently displayed for all of the community to appreciate the significance of the Artefacts to the Aboriginal Culture.***

- Work continues with 2 Rivers Pty Ltd with the development of the Treaty Project. A redeveloped consultation plan has been scoped the next phase will be the launch of a Treaty Discussion Paper for distribution to the local Aboriginal Community in December, the delay has been due to the unforeseen circumstances in the Aboriginal Community. Other consultation meetings and work that can occur are happening to progress and develop the project;



- Active participation in the Community Drug Action Team in the to launch community education strategies including a localised magnet and brochure with local emergency and support services contacts. The CDAT team held an information stand at the Muswellbrook Marketplace and Hunter Valley Fair to distribute the magnets and brochures. This was well supported by the community with over 70 people partaking in the CDAT survey and competition, in addition the CDAT made contact with well over 150 people. The Muswellbrook Shire Libraries also supported the project by distributing the magnets and brochures.
  - After a long recession the Aboriginal Reconciliation Committee meet during November, the meeting was well attended. The Committee received updates on projects and supported the lodging of an application for funding through the Aboriginal Community Development Fund for an Aboriginal Cultural Heritage Officer. If the funding was successful the position would focus on developing the Aboriginal Oral History Project into an educational resource for schools and community; work with Muswellbrook Shire Council to implement culturally appropriate policy and procedures and work with the local Aboriginal Community Members to develop economic development concepts. The application would be for three years funding to cover wages and materials and contracts.
- 2.

### **TOURISM AND EVENTS**

- The Muswellbrook Shire Council Australia Day 2021 plans are well underway for an awards ceremony on the evening of the 25 January at Denman Memorial Hall to honour the award recipients for the Citizen of the Year; Young Citizen of the Year and an open award category. Nominees in all categories will have made a significant contribution to the community, be an inspirational role model, demonstrated a commitment to enhancing the welfare and wellbeing of the community and had a positive impact on the Muswellbrook community. Nomination forms are available at Council's Administration Centre, Campbell's Corner or online at [www.muswellbrook.nsw.gov.au](http://www.muswellbrook.nsw.gov.au) and close **on Sunday, December 6.**
- Australia Day 2021 Citizenship Ceremony will be held outdoors at the Denman Pool prior to the Australia Day Fun Day which will include free membership into the Aquatic Centre, jumping castle, food vendors will be engaged to meet the COVID 19 regulations around food handling.
- The establishment to the Denman VIC is well underway a pool of local volunteers has formed, this volunteer pool will be crucial in ensuring that the Centre can open Monday – Saturday and ensuring that the Muswellbrook Shire is positively promoted locally and to visiting tourist market.
- The Civic Reception in honour of Dr Rogers retirement and contribution to the Muswellbrook Community is scheduled for this month.

### **DENMAN AQUATIC CENTRE**

- 26 Family session passes have been processed since October;
- There has been 395 visits to the Denman Aquatic Centre;
- The following programs are about to be commenced in November; Aqua Aerobics and a five week Learn to Swim program;
- The fitness passport members have been reactivated for use at the Aquatic Centre in Denman;
- School carnivals and school intensive swimming programs have been booked into the Denman Aquatic Centre, booking are from Muswellbrook and Denman Primary Schools;

### **MUSWELLBROOK REGIONAL ARTS CENTRE**

- There are 6 exhibitions scheduled for this financial year, the current exhibition is:  
**40/40 Newcastle Print Makers and Perceptions; Ros Elkin, Memoir of Surface; Bruce Tindale and Transient; Rebecca Delaney** the opening night was held on the 25 October and was well supported by the Arts Community, attendance numbers were contained within the Arts Centre COVID Safe Plan, the Arts Centre Team should be commended on their excellent installation and the

implementation of their COVID Safe plan for the opening night, this exhibition is open until the 23 December.

- The Max Watters Request for Quotation is currently being advertised, seeking expressions of interest from suitably qualified artists to undertake the construction of a three-dimensional public art installation, this closes the 30 November.

### 13 REPORTS FROM COMMITTEES

<b>13.1 REPORT OF THE DENMAN HERITAGE MUSEUM ADVISORY COMMITTEE MEETING HELD ON THURSDAY, 16 JULY 2020</b>
--

<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 Denman Heritage Museum Advisory Committee held on 16 July 2020.

#### OFFICER'S RECOMMENDATION

The Minutes of the Denman Heritage Museum Advisory Committee Meeting held on Thursday 16 July 2020 be received and the recommendations contained therein ADOPTED.

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

#### REPORT

The Denman Heritage Museum Advisory Committee met on Thursday 16 July 2020.

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



**PRESENT:** Cr B. Woodruff (Chair), Ms F. Plesman (General Manager), Ms C. Reddish, Mr J. Wolfgang, Mr A. Janssen and Mr M. Saunders.

**IN ATTENDANCE:** Mr M. Lysaught, Ms A. Burrows (Architect) and Mrs M. Sandell-Hay.

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Nil

## **3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST**

Nil

## **4 BUSINESS ARISING**

Nil

## **5 BUSINESS**

### **5.1 CONCEPT PLAN**

Mr Lysaught provided the meeting with copies of the proposed concept plans for discussion.

Ms Burrows provided a brief overview of the concept plans advising that the first concept had buildings cut into two which made them more compact but the buildings were not connected.

Ms Burrows advised that the second concept was an L shaped structure and was more traditional with a small amount of architecture which takes advantage of the water tower as well as utilising recycled timber and could include a "sculpture garden" for larger items such as tractors and cars.

Ms Reddish advised the meeting that 50 to 100 people could be expected to attend Open Days and raised concerns with the weather and that the building had no awnings.

Concerns were also raised regarding heat inside the building with glass windows on the eastern side of the building and it was suggested that a more heritage look be created rather than the glass.

Mr Wolfgang advised the meeting that he was happy with the configuration.

The meeting requested that feedback be provided within the next few days.

Ms Burrows left the meeting at 4.03pm.

The meeting also suggested that a site meeting be held to map out the concept plans and that measurements /dimensions be provided to Cr Woodruff who would mark out the area for the onsite meeting.

**RECOMMENDED** on the motion of Cr Woodruff and Ms Plesman that:

A site meeting be held at 3pm on Tuesday 21 July, 2020.

**6 DATE OF NEXT MEETING**

TBD

**7 CLOSURE**

The meeting was declared closed at 4.23pm.

.....  
Cr B. Woodruff

**Chairperson**

**13.2 REPORT OF THE DENMAN HERITAGE MUSEUM ADVISORY COMMITTEE MEETING HELD ON THURSDAY, 13 AUGUST 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 Denman Heritage Museum Advisory Committee held on 13 August 2020.

**OFFICER'S RECOMMENDATION**

The Minutes of the Denman Heritage Museum Advisory Committee Meeting held on Thursday 13 August 2020 be received and the recommendations contained therein **ADOPTED**.

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

**REPORT**

The Denman Heritage Museum Advisory Committee met on Thursday 13 August 2020.  
The Minutes of the meeting are attached for the information of the Councillors.

**PRESENT:** Cr B. Woodruff (Chair), Ms F. Plesman (General Manager), Ms C. Reddish, Mr J. Wolfgang, Mr A. Janssen and Mr M. Saunders.

**IN ATTENDANCE:** Mr M. Lysaught, Ms A. Burrows, Mr T. Naqshbyndi, Mr P. Chandler and Mrs M. Sandell-Hay.

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Cr Woodruff and Ms Plesman that:

The Minutes of the Denman Heritage Museum Advisory Committee held on 16 July 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 BUSINESS ARISING**

Nil

## **5 BUSINESS**

### **5.1 CONCEPT PLAN**

Ms Burrows provided the meeting with an overview of the amended concept plan.

Three options were provided:

Option 1 – Original Concept

Option 2 – Reduction in amount of glass, awning at the front of the building and an interconnected walk through.

Option 3 – Reduction in amount of glass with an offset entrance, awning at the side of the building.

The meeting was advised that another option could be to install a picture of the old main street at the front of the building.

RECOMMENDED on the motion of Mr Wolfgang and Mr Saunders that:

The Committee endorse Option 3 with a square front and awning to the side of the building being approximately 4 metres and picture to infill the top.

Ms Burrows and Mr Naqshbyndi left the meeting at 3.59pm

## **6 DATE OF NEXT MEETING**

TBA

## **7 CLOSURE**

The meeting was declared closed at 3.59pm.

.....

Cr B. Woodruff

**Chairperson**

**13.3 REPORT OF THE DENMAN HERITAGE MUSEUM ADVISORY COMMITTEE MEETING HELD ON THURSDAY, 24 SEPTEMBER 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 Denman Heritage Museum Advisory Committee held on 24 September 2020.

**OFFICER'S RECOMMENDATION**

The Minutes of the Denman Heritage Museum Advisory Committee Meeting held on Thursday 24 September 2020 be received and the recommendations contained therein **ADOPTED**.

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

**REPORT**

The Denman Heritage Museum Advisory Committee met on Thursday 24 September 2020.  
The Minutes of the meeting are attached for the information of the Councillors.

**PRESENT:** Cr B. Woodruff (Chair), Ms F. Plesman (General Manager), Ms C. Reddish, Mr J. Wolfgang, Mr A. Janssen.

**IN ATTENDANCE:** Mr M. Lysaught and Mr P. Chandler.

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Cr Woodruff and Ms Plesman that:

The Minutes of the Denman Heritage Museum Advisory Committee held on 13 August 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 BUSINESS ARISING**

Nil

## **5 BUSINESS**

### **5.1 CONCEPT PLAN**

RECOMMENDED on the motion of Mr Wolfgang and Mr Saunders that:

1. The width to be 20 m
2. Alignment of shed to be consistent with existing heritage shed.
3. PA door to be located between barn door and front of building on the western side.

### **5.2 AMENDMENT OF DEVELOPMENT APPLICATION**

RECOMMENDED on the motion of Mr Saunders and Mr Wolfgang that:

1. Proceed with amendment of Development Application.
2. Obtain a cost estimate from a quantity surveyor.

### **5.3 DEVELOPMENT OF BUSINESS PLAN**

RECOMMENDED on the motion of Mr Saunders and Ms Reddish that:

The Heritage Committee to proceed with the development of a business plan and provide draft to the General Manager.

**6 DATE OF NEXT MEETING**

TBD

**7 CLOSURE**

The meeting was declared closed at 4.05pm.

.....  
Cr B. Woodruff

**Chairperson**



**13.4 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE  
MEETING HELD ON MONDAY, 16 NOVEMBER 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 16 November 2020.

**OFFICER'S RECOMMENDATION**

The Minutes of the Development Assessment Committee Meeting held on Monday 16 November 2020 be received and the recommendations contained therein ADOPTED.

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

**REPORT**

The Development Assessment Committee met on Monday 16 November 2020.  
The Minutes of the meeting are attached for the information of the Councillors.

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

**IN ATTENDANCE:** Ms F. Plesman (General Manager), Ms S. Pope (Executive Manager – Planning & Environment), Mr H. McTaggart (Co-Ordinator Development) and Mrs M Sandell-Hay.

## **1 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RECOMMENDED on the motion of Cr Rush and Cr Woodruff that:

The Minutes of the Development Assessment Committee held on 7 September 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**

RECOMMENDED on the motion of Cr Rush and Cr Woodruff that:

Standing Orders be suspended in order to consider Items 6.2 and 6.3 prior to Public Participation and Item 6.1 to allow Cr Scholes time to attend the meeting

## **5 BUSINESS ARISING**

Nil

## **6 BUSINESS**

### **6.2 MUSWELLBROOK COAL OLD PIT TOP REHABILITATION**

RECOMMENDED on the motion of Cr Rush and Cr Woodruff that:

The information contained in this report be noted and be considered further at the next Development Assessment Committee Meeting.

### **6.3 OUTSTANDING DEVELOPMENT APPLICATIONS**

RECOMMENDED on the motion of Cr Rush and Cr Woodruff that:

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

Adjournment of meeting

RECOMMENDED on the motion of Cr Rush and Cr Woodruff that:

The meeting be adjourned to allow Cr Scholes time to attend the meeting.

The meeting adjourned at 4.16pm

Cr Scholes arrived at 4.28pm.

The meeting resumed at 4.28pm

## **7 PUBLIC PARTICIPATION**

**Mr Michael Blunt – Applicant – DA51/2020**

### **6.1 DA 2020-51 PROPOSAL FOR ANCILLARY DEVELOPMENT - SHED - 5 ARLINGHAM CLOSE, MUSWELLBROOK**

RECOMMENDED on the motion of Cr Rush and Cr Scholes that:

The Committee approve Development Application No. 2020/51 proposing ancillary development (Shed) at Lot 5 & 6, DP 700845 known as 5 Arlingham Close Muswellbrook, subject to the conditions in Appendix B.

## **7 DATE OF NEXT MEETING**

30 November 2020

## **8 CLOSURE**

The meeting was declared closed at 4.32pm.

.....

Cr B. Woodruff

**Chairperson**

**14 NOTICES OF MOTION / RESCISSION**

Nil

**15 QUESTIONS WITH NOTICE**

Nil

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

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

**19 CLOSED COUNCIL****RECOMMENDATION**

**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 LIDDELL POWER STATION CLOSURE**

Item 19.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**19.2 CIVIC PRECINCT PROJECT**

Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(ii) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council, and 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 22 DECEMBER 2020**