



**muswellbrook
shire council**

Muswellbrook Shire Council
ORDINARY COUNCIL MEETING

BUSINESS PAPER
30 MARCH 2021



ORDINARY COUNCIL MEETING, 30 MARCH 2021

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
25 March, 2021

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **30 March, 2021** commencing at 6.00pm.

Fiona Plesman
GENERAL MANAGER

Order of Business

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| 19.2 | TENDER 2020-2021-0454 - PROVISION OF CLEANING SERVICES FOR VARIOUS COUNCIL COMMERCIAL PROPERTIES <i>Item 19.2 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i> | |
| 19.3 | TENDER 2020-2021-0445 - MUSWELLBROOK MARKETPLACE AIR CONDITIONING REPLACEMENT <i>Item 19.3 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i> | |
| 19.4 | TENDER (PANEL) T412021HUN PROVISION OF ROAD SAFETY BARRIER SYSTEMS <i>Item 19.4 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i> | |
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**MUSWELLBROOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING**

**AGENDA
TUESDAY 30 MARCH 2021**

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

Moved: _____ **Seconded:** _____

- 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
RECOMMENDATION**

That the Minutes of the Ordinary Meeting held on **23 February 2021**, 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 WAR ON WASTE GRANTS FOR COUNCIL APPROVAL

| | |
|---------------------------------|--|
| Attachments: | Nil |
| Responsible Officer: | Sharon Pope - Executive Manager - Environment and Planning |
| Author: | Michael Brady - Sustainability Officer |
| Community Plan Issue: | <i>Support initiatives which reduce the community's impact on the environment</i> |
| Community Plan Goal: | <i>Carry out actions under the Sustainability Action Plan as it relates to air quality, waste reuse and minimisation, electricity minimisation, Council's Renewable Energy Target and food waste minimisation.</i> |
| Community Plan Strategy: | <i>Support business and engage with the community in regard to waste minimisation and re-use..</i> |

PURPOSE

OFFICER'S RECOMMENDATION

The General Manager be delegated authority to determine the allocation of funds to groups as part of the Business War on Waste and Community War on Waste programs.

Moved: _____ Seconded: _____

BACKGROUND

Local business and community groups were recently invited to apply for financial and practical support to join Council's *War on Waste* program. The program is aimed at diverting waste from landfill and reducing the amount of waste produced. This program is funded through the *NSW Better Waste and Recycling Fund*.

Small or medium business (as defined by the ATO), community groups, charities, childcare centres and schools based in the Muswellbrook Shire Local Government Area were eligible to apply for funding to assist with a waste reduction project. Grants of up to \$6,000 (*Business War on Waste*) or \$4,000 (*Community War on Waste*) were available on a matched funding basis. In-kind support contributions such as donated goods, services or work to support a project could be considered.

Nine applications were received and were assessed according to:

- the amount of waste reduction that is likely to occur as a result of the project, measured by the weight of waste likely to be diverted from landfill; and
- the level of awareness raising and education the project is likely to have, measured by the number of people likely to be impacted by the project.

Reducing waste not only keeps valuable materials out of landfill, it benefits the environment by reducing gas emissions and the need for new materials. Reducing and reusing can also save money at home and the workplace.

CONSULTATION

Grant applications opened on 1 February and closed at 4pm on Monday, March 8, 2021. A total of nine (9) grant applications were received.

Internally the following staff have been consulted:

- Sustainability Team Leader

- Senior Coordinator Waste Operations
- Grants and Community Engagement Co-ordination Officer

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Not applicable

REPORT

Council received 5 applications for the *Community War on Waste* grant program. Grants were assessed based on the following criteria and conditions:

1. Grant applications had to be from incorporated community groups, registered charities, childcare centres and educational facilities with facilities in the Muswellbrook Shire Local Government Area.
2. Grants were for projects with the diversion of waste from landfill as the major objective.
3. Applications were prioritised by:
 - a. the amount of waste reduction that is likely to occur due to the project. This can be measured by the weight of the waste likely to be diverted from landfill.
 - b. the level of awareness raising and education is likely to have. This can be measured by the number of people likely to be impacted by the project.

NB: The above requested information can be accurate estimates.

Council received 4 applications for the *Business War on Waste* grant program. Grants were assessed based on the following criteria and conditions:

1. Grant applications had to be from local small to medium sized businesses (as defined by the ATO) that operate within the Muswellbrook Shire Local Government Area.
2. Grants were for any project with the diversion of waste from landfill as the major objective.
3. Applications will be assessed by:
 - a. the amount of waste reduction that is likely to occur due to the project. This can be measured by the weight of the waste likely to be diverted from landfill.
 - b. the level of awareness raising and education the project is likely to have. This can be measured by the number of people likely to be impacted by the project.

NB: The above requested information can be accurate estimates.

Officers assessed each application and determined an average rating between 1 = low rating 10 = high rating. Officers make the following recommendations:

Community War on Waste Grant Program (total funding pool \$24,000)

| Application | Project | Average Rating | Officer's Recommendation |
|-------------------------------------|---|----------------|--------------------------------------|
| 1. Richard Gill School | Garden beds with composting system for food scraps. | 6.4 | Approve grant for \$1,073 Ex GST. |
| 2. Muswellbrook Preschool | Food waste education and worm farming system. | 7.2 | Approve grant for \$3,401 Ex GST. |
| 3. St Nicholas Early Education | Food waste education, worm farms and composting system. | 6.7 | Approve grant 2,561.03 Ex GST. |
| 4. St Joseph's Denman | Food waste education, worm farms and composting system. | 7 | Approve grant for \$1,688.65 Ex GST. |
| 5. Muswellbrook Junior Rugby League | Container deposit scheme system. | 4.1 | Approve grant for \$1,906 Ex GST. |

| | |
|----------------------------------|---------------------|
| Total Recommended Funding | \$10,629.03 Ex GST. |
|----------------------------------|---------------------|

Business War on Waste Grant Program (total funding pool \$36,000).

| Application | Project | Average Rating | Officer's Recommendation |
|--|--|-----------------------|--|
| 1. Vines Restaurant – Hollydene | Chicken coop for reducing food waste. | 7.4 | Approve grant for \$6,000 Ex GST. |
| 2. Double Picc Cafe | Reusable cups system. | 6.3 | Approve grant for \$6,000 Ex GST. |
| 3. Wild Engineering | Establishing a recycling facility for construction and demolition waste. | NA | Do not approve grant. Decision not to approve application as there was not enough information on what the grant funds would be used for. Also DA approval has not yet been granted. The project may not proceed in a reasonable timeframe. |
| 4. United Pastoral Pty Ltd t/a Hollydene Wines | Glass crushing machine for turning bottles into sand. | 6.2 | Approve grant of \$4,000 Ex GST. with the condition that they seek approval from NSW EPA on application of crushed glass and comply with directions. |
| Total Recommended Funding | | | \$16,000 Ex GST. |

OPTIONS

Not applicable

CONCLUSION

Not applicable

SOCIAL IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

Ongoing Operational and Maintenance Costs Implications Associated with Capital Project

1. Financial Implications – Capital

None

2. Financial Implications – Operational

Operational costs met from existing budget. There are no ongoing operating costs.

POLICY IMPLICATIONS

None

STATUTORY IMPLICATIONS

Not applicable

LEGAL IMPLICATIONS

None

OPERATIONAL PLAN IMPLICATIONS**| SUPPORT INITIATIVES WHICH REDUCE THE COMMUNITY'S IMPACT ON THE ENVIRONMENT**

14.01.05 Conduct a minimum of two community education programs to reduce the volume of food waste going to the Waste Management Facility.

Action 14.01.07 Conduct a minimum of two education programs or events to engage businesses the broader community to minimise waste minimisation and encourage re-use.

RISK MANAGEMENT IMPLICATIONS

Not applicable

WASTE MANAGEMENT IMPLICATIONS

These grants highlight to the community and businesses, measures they could take to reduce their waste.

COMMUNITY CONSULTATION/MEDIA IMPLICATIONS

There will be a requirement to promote these grant funded projects in order to encourage the community to undertake sustainable waste management. These promotional items will need to comply with requirements of the NSW Government.

10.2 PLANNING AND ENVIRONMENTAL SERVICES

Attachments: Nil

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

Author: Michelle Reichert - Administration Officer
Chloe Wuiske - Administration Officer
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 (11 February to 17 March 2020)

| DA No. | DESCRIPTION | PROPERTY | VALUE (\$) |
|------------|---|-------------------------------|------------|
| 2021/15 | Ancillary Development - Shed | 34 Brecht Street Muswellbrook | \$30,425 |
| 2021/14 | Ancillary Development - Shed | 9 Jillaroo Way Muswellbrook | \$35,000 |
| 2020/62/2 | S4.55 (2) Modification - Ancillary Development (Shed) | 3 Jillaroo Way Muswellbrook | \$- |
| 2021/12 | Farm building | 154 Bureen Road Bureen | \$22,842 |
| 2021/9 | Inground Swimming Pool | 264 Bureen Road Martindale | \$40,000 |
| 2005/179/5 | S4.55(1A) Modification – Commercial Subdivision | 10 Ogilvie Street Denman | \$- |
| 2021/5 | Dwelling Additions - Verandah and Carport | 11 Powers Road Manobalai | \$100,000 |

| DA No. | DESCRIPTION | PROPERTY | VALUE (\$) |
|----------|---|---------------------------------|-------------|
| 2021/4 | Dwelling House and Ancillary Development - Residential Shed | 102 Ironbark Road Muswellbrook | \$570,000 |
| 2021/3 | New Dwelling and Retaining Wall | 26 Pendula Way Denman | \$323,693 |
| 2021/2 | Ancillary Development - Carport | 59 Adams Street Muswellbrook | \$21,353 |
| 2021/1 | Change of use from warehouse and retail to Vehicle Repair Station | 15 Glen Munro Road Muswellbrook | \$- |
| 2020/135 | Ancillary Development - Shed | 89 Ironbark Road Muswellbrook | \$19,350 |
| 2020/134 | Change of use to Office Premises | 35 Maitland Street Muswellbrook | \$- |
| 2020/131 | Dwelling Additions and Swimming Pool | 104 Osborn Avenue Muswellbrook | \$198,000 |
| 2020/89 | Service Station | 31 Maitland Street Muswellbrook | \$2,128,496 |

Schedule 2: Development Applications Currently Being Assessed

| DA No. | DESCRIPTION | Property | RECEIVED | VALUE (\$) |
|------------|--|---------------------------------------|------------|------------|
| 2021/25 | Ancillary Development - Shed | 119 Ironbark Road Muswellbrook | 17/03/2021 | \$29,531 |
| 2021/24 | Two (2) Shipping Containers to be used for Storage | 7 Billabong Close Muswellbrook | 12/03/2021 | \$15,000 |
| 2021/23 | Dwelling with Attached Secondary Dwelling | 18 Pendula Way Denman | 10/03/2021 | \$433,000 |
| 2021/22 | Dwelling with Attached Secondary Dwelling | 27 Pendula Way Denman | 10/03/2021 | \$431,000 |
| 2021/21 | Ancillary Development - Shed | 8440 New England Highway Muswellbrook | 05/03/2021 | \$162,240 |
| 2015/27/2 | S4.55 (1a) Modification to Stage 4 and 5 of Commercial Storage Sheds | 27 Glen Munro Road Muswellbrook | 05/03/2021 | \$0 |
| 2021/20 | Dwelling | 120 Hill Street Muswellbrook | 02/03/2021 | \$334,274 |
| 2021/19 | Ancillary Development - Shed | 113 Ironbark Road Muswellbrook | 19/02/2021 | \$41,500 |
| 2007/386/3 | S4.55 (1A) Modification - Amend Condition 7 of Consent to extend period of temporary use of shed as dwelling | 178 Beggary Creek Road Muswellbrook | 19/02/2021 | \$0 |
| 2021/18 | Ancillary Development - Shed | 10 Jillaroo Way Muswellbrook | 17/02/2021 | \$49,000 |
| 2021/17 | Ancillary Developments - Carport and Garage | 51 Palace Street Denman | 15/02/2021 | \$22,000 |
| 2021/16 | Dwelling | 29 Lou Fisher Place Muswellbrook | 11/02/2021 | \$375,000 |
| 2021/11 | Ancillary Development - Shed | 6 Honeyeater Close Denman | 09/02/2021 | \$65,707 |
| 2021/13 | Educational establishment continuation of use (Demountable | 104 Hill Street Muswellbrook | 05/02/2021 | \$0 |

| DA No. | DESCRIPTION | Property | RECEIVED | VALUE (\$) |
|-----------|---|--|------------|--------------|
| | Classroom) | | | |
| 2021/10 | Entertainment Facility (Muswellbrook Regional Entertainment and Conference Centre) | 30 Brook Street Muswellbrook | 02/02/2021 | \$26,998,400 |
| 2021/8 | Ancillary Development - Shed | 12 Octagonal Way Muswellbrook | 02/02/2021 | \$18,400 |
| 2019/86/2 | S4.55 (1A) Modification - Industrial Shed - Minor decrease to FFL and increasing setback from southern side boundary. | 29-33 Enterprise Crescent Muswellbrook | 02/02/2021 | \$0 |
| 2021/7 | Dwelling House | 12 Octagonal Way Muswellbrook | 01/02/2021 | \$435,764 |
| 2021/6 | Dwelling House | 7 Finnegan Crescent Muswellbrook | 22/01/2021 | \$304,875 |
| 2011/1/2 | S4.55(2) Modification - Liddell Ash Dam - Additional Borrow Area | New England Highway Muswellbrook | 18/01/2021 | \$0 |
| 2020/136 | Alterations and additions to a Heritage Item (Ellamara) and its use as Tourist Accommodation and a Function Centre | 1831 Merriwa Road Sandy Hollow | 17/12/2020 | \$1,500,000 |
| 2020/133 | Backpackers Accommodation | 14 Haydon Street Muswellbrook | 08/12/2020 | \$679,975 |
| 2020/126 | Office Premises | Maitland Street Muswellbrook | 13/11/2020 | \$55,000 |
| 2020/121 | Demolition of Shed | 39-41 Ogilvie Street Denman | 29/10/2020 | \$17,500 |
| 2020/117 | Commercial Fit-out and Alterations and Change of use to Takeaway Shop | 6 Maitland Street Muswellbrook | 14/10/2020 | \$75,000 |
| 2020/105 | Ancillary Development - Shed with Attached Awning | 15 Edinglassie Drive Muswellbrook | 11/09/2020 | \$40,000 |
| 2020/102 | Hotel Accommodation (Royal Hotel) | 10 Ogilvie Street Denman | 04/09/2020 | \$20,000 |
| 2020/96 | Recreation Facility (Outdoor) - Formula Kart Track | Hebden Road Hebden | 25/08/2020 | \$90,000 |
| 2020/82 | Commercial Fitout (Upgrade to Kitchen), Outdoor Dining and Amendments to Car Park) | 10-16 Bridge Street Muswellbrook | 11/08/2020 | \$80,000 |
| 2020/83 | 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 |

| DA No. | DESCRIPTION | Property | RECEIVED | VALUE (\$) |
|-----------|---|---------------------------------------|------------|--------------|
| 2020/49 | Electricity Generating Works (Solar Farm) | Denman Road Muswellbrook | 21/05/2020 | \$26,131,000 |
| 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 |
| 2019/54 | 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 |
| 2019/2 | 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 | \$0 |
| 2017/60 | Change of Use - Building Materials Recycling Depot | 7 Glen Munro Road Muswellbrook | 23/06/2017 | \$0 |

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)

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

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

| | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Applications Received (new businesses) | 1 | 1 | 0 | 1 | 2 | 2 | 1 | 3 | 2 | 1 | 0 | 0 | 1 |
| Inspections (new businesses) | 1 | 1 | 0 | 1 | 0 | 2 | 1 | 2 | 2 | 0 | 0 | 0 | 0 |
| Inspections (existing businesses) | 0 | 4 | 1 | 1 | 35 | 3 | 0 | 0 | 0 | 5 | 2 | 2 | 1 |
| Re-inspections | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 3 |

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)

| | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb |
|----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total Sites Inspected | 4 | 4 | 6 | 5 | 4 | 4 | 5 | 4 | 4 | 3 | 4 | 2 | 5 |
| Total non-compliant and educated | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 0 | 1 | 1 | 0 | 1 |
| Total compliance after education | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 4 | 0 | 3 | 4 | 0 | 5 |
| 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)

| | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Total Investigations | 8 | 2 | 9 | 4 | 6 | 7 | 3 | 0 | 3 | 2 | 3 | 2 | 4 |
| Total Clean up by Council - insufficient evidence | 2 | 0 | 5 | 1 | 5 | 2 | 1 | 0 | 3 | 2 | 3 | 2 | 4 |
| Total Clean Up by individual | 6 | 2 | 0 | 0 | 1 | 3 | 0 | 0 | 0 | 0 | 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 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

24.1.8 Ensure statutory requirements under the Private Swimming Pools Program (Swimming Pool Act 1992) are implemented

Swimming Pool Compliance Statistics – 13 Month Analysis (2019/2020)

| | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb |
|------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Applications for Compliance Certs. | 4 | 4 | 3 | 1 | 4 | 4 | 4 | 7 | 3 | 7 | 3 | 6 | 7 |

| | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|----|---|---|---|---|----|
| Total compliance inspections (not inc. Final Insp. for Occ. Certs) | 6 | 6 | 3 | 6 | 8 | 5 | 8 | 10 | 2 | 6 | 5 | 8 | 17 |
| Initial Inspections | 5 | 5 | 2 | 5 | 8 | 2 | 6 | 9 | 1 | 4 | 3 | 6 | 14 |
| Re-inspections | 1 | 1 | 1 | 1 | 0 | 3 | 2 | 1 | 1 | 2 | 2 | 2 | 3 |

| | | | | | | | | | | | | | |
|--------------------------------------|---|---|---|---|---|---|---|---|---|----|---|---|---|
| Compliance Certs / Occ. Certs issued | 0 | 4 | 1 | 6 | 5 | 3 | 3 | 7 | 2 | 10 | 5 | 8 | 8 |
|--------------------------------------|---|---|---|---|---|---|---|---|---|----|---|---|---|

Total Pools in Council's Swimming Pool Register = 934

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 = 17.3%

That is, 162 out of 934 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 = 4.8%

That is, 45 out of 934 pools have had at least one inspection carried out during FY 2020/2021.

SUSTAINABILITY

Sustainability Update - 14 January to 17 February 2021

Muscle Creek Weed Control Works

Weed control works started again on Muscle Creek. This involves awarding one longer term contract to one company to be responsible for weed control along Muscle Creek. The Sustainability Unit is responsible for the revegetation work on sloped areas along the Creek. The slopes mean that work is more difficult as access to sites needs to be done via experienced staff on rope and harness.

Priority has been given to keeping recently planted seedlings alive. This is due to the resources needed to establish seedlings in these areas. After this has been achieved more time will be spent on weed control on other sloped areas. A recent new action undertaken is installation of wooden stakes painted with high visibility bright pink paint. These stakes will make it easier to find native seedlings amongst the weeds in the future. Some delays have been experienced for this project due to weather.

The general process for revegetation on these sloped areas is as follows:

1. Remove woody weeds. This increases the growth of herbaceous weeds as more sunlight allows these weeds to flourish.

2. Plant native seedlings to replace woody weeds. This requires some intensive works until the natives can outcompete the weeds. This can take one to two years.
3. Once native plants have established only minimal maintenance works is required. This may take 6 to 10 years depending on conditions of soil and weather.

Muscle Creek Restoration Project

The site for this project is between Muswellbrook Golf Club and Muscle Creek. This work is funded through the NSW Environmental Trust. Two separate Request for Quotes were sent out for weed control (1.5 hectares) and planting 930 native plants. This work will be completed by the end of March.

Food Organics Garden Organics (FOGO) Engagement

Sustainability staff continue to work with the Waste Department on the roll out of FOGO. For this roll out to be successful it is crucial that all stakeholders including Councillors, staff, business and residents be aware of the reasons for FOGO and how it will be implemented. To help achieve this, meetings have been held with relevant staff from Muswellbrook and Upper Hunter Councils and JR Richards. We are now working with staff to develop a FOGO community engagement plan.

Museum

Museum in a box continue to be loaned out to groups for free. Very positive feedback is received as these groups use the boxes to teach environmental subjects.

Olympic Park Revegetation

A Request for Quotes were sent out to contractors to plant 350 plants on the steep slope between Olympic Park carpark and Muscle Creek and another 350 plants between Wilder Street residents and Muscle Creek. This work will be completed in March (weather permitting).

It is important to note for the future that weed control works should be timed to be completed just before planting. This is so more weed control is not needed before planting and also so that the slope is not left exposed to erosion.

Planning CUAD

Planning began for Clean Up Australia Day activities. This involved contacting all known interested stakeholders to see what support they needed.

Sustainability Support for Educational Groups

A meeting was held with school teachers to consult with and offer support for sustainability related activities. We have now achieved buy in from most educational groups in the Shire.

Social Enterprises

A meeting was held with Koora Industries to investigate opportunities to develop partnerships that would support Council, sustainability and the community.

Denman NTD site quotes

A Request for Quotes was issued for maintenance works at the Denman National Tree Day site. The Sustainability Unit is responsible for maintenance of this site around the wetland only (see map). Please note we are not responsible for maintaining the area along Name Path.



War on Waste

A Business and Community War on Waste Grant Program was launched. This program was promoted through the Muswellbrook Business Chamber, on social and print media, and on local radio.

Local businesses and community groups were invited to apply for financial and practical support to join Council's *War on Waste* program to divert waste from landfill and reduce the amount of waste produced.

This program is funded through the NSW government Better Waste and Recycling Fund paid for through the waste levy.

Grant applications opened on 1 February and closed at 4pm on Monday, March 8, 2021.

Net Zero Emissions Project

A meeting was held with Sustainable Advantage regarding developing a Net Zero Emissions Pathway for the Shire. Work has begun on assembling a baseline for Muswellbrook so that a plan can be established to work towards the Net Zero emissions target. Several areas of Council have been supplying data to feed into this work. Through Sustainable Advantage, Muswellbrook Shire Council is one of 30 participating organisations in this project.

The NSW Government has committed to a 35% reduction in the state's greenhouse gas emissions by 2030 and net zero emissions for NSW by 2050.

Community Recycling Centres

Another Community Recycling Station is being made by Denman Men's Shed. This unit will be installed at the Muswellbrook Waste Facility. Mini Community Recycling Stations can already be found at the Muswellbrook Library, Campbell's Corner and Denman Craft Shop.



Indian Mynas

Some residents in our Shire have noticed an increase in Indian Myna birds. These birds are a major pest as they outcompete native birds. Council is seeking support from a community group to run a program to trap Mynas.

Sustainable Futures – Muswellbrook

The popularity of the Sustainable Futures – Muswellbrook Facebook page continues to grow. It has now received 1,254 page likes and 1,329 page followers.

Air Quality Monitoring Program

Air quality monitoring continues with samples recorded near the water treatment plant and sent to ANSTO for analysis.

Solar and Water Tank rebates

10 households in rural areas of the Muswellbrook Shire have received rebates for installing solar panels on their homes. 8 households in urban areas of the Muswellbrook Shire have received rebates for installing water tanks on their properties. This scheme has proven very popular.

Flying Foxes

Along with the Grey Headed Flying Fox population that often resides near the Muswellbrook rail overpass, 7-10000 Little Red Flying Foxes are currently residing along Muscle Creek. The Sustainability unit has been liaising with both residents and businesses in the area and has continued to supply washing line and car covers to residents and Motels in need. An application for some emergency funds is being assessed by the Office of Environment and Heritage in the hope that more can be done for the two Motels that are most impacted by the presence of the Flying Foxes.

11 COMMUNITY INFRASTRUCTURE

11.1 MAJOR PROJECTS STATUS REPORT

| | |
|---------------------------------|--|
| Attachments: | A. Capital Works Status Report |
| Responsible Officer: | Fiona Plesman - General Manager |
| Author: | Derek Finnigan - Deputy General Manager |
| Community Plan Issue: | <i>Our community's infrastructure is planned well, is safe and reliable and provides required levels of service</i> |
| Community Plan Goal: | <i>Maintain and continually improve community infrastructure across the Shire.</i> |
| Community Plan Strategy: | <i>Implement prioritised (but responsive) rolling works program of maintenance.</i> |

PURPOSE

The report provides a summary of the status of 2020-21 major projects.

OFFICER'S RECOMMENDATION

Council notes the information contained in the report.

Moved: _____ Seconded: _____

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor Scholes

REPORT

The report is submitted for Council's information in relation to the status of major projects.

FINANCIAL IMPLICATIONS

The projects included in the Major Project List are funded through the 2020-21 capital budgets.

| 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 30 March 2021 |
|--|---|-----------------------|------------------|-----------------------|-------------------------------------|-----------------|----------------------|---|
| ROADS AND DRAINAGE | | | | | | | | |
| Urban Road Renewal - Brook St (south) King to Carl St | F | \$400,000 | Aug-20 | Dec-20 | | Aug-20 | Dec-20 | The project is complete. |
| Road Resealing Programme | C | \$500,000 | Aug-20 | Dec-20 | | Aug-20 | | Resealing works have been completed in the urban sector. Awaiting announcement of grant funding to carry out extensive reseal preparation works at Widden Road and Mangoola Road. |
| Rural Road Regravelling | C | \$348,291 | Aug-20 | Jun-21 | | Aug-20 | | Works have been undertaken on Wells Gully Road, Beggary Ck road and Yarrowa Road. Planned works for quarter 3 & 4 to include Castlerock Rd, and minor works at Yarrowa Road. |
| Kerb and gutter replacement | F | \$130,000 | Aug-20 | Dec-21 | | Aug-20 | Nov-20 | Program complete. Work completed in Mitchell St, Muswellbrook, to replace 130m K and G. Associated pavement rehabilitation works (Lorne St to Francis St). Works completed in Cabemet St, Chablis, Casuarina Cl, Lower William, Queen, McClintock Dr, Towarri, Cousins, Rutherford Road, and Carl St. |
| Footpath and cycleway renewal programme | F | \$150,000 | Aug-20 | Dec-21 | | Aug | Nov-20 | Program complete. Works completed include Northerly Cl, Brook Pk, Bridge St, Casuarina Cl, Hunter Park, and King St. |
| New footpath programme | I & D | \$1,547,955 | Apr-21 | Jun-21 | | Jan-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. Additional funding has been received from the Active Transport Program for footpaths to be constructed in nominated locations to access Muswellbrook High and Public School. Whilst investigation, design and preliminary planning is continuing to be undertaken in preparation for the commencement of construction at the various sites construction works have commenced in areas immediately adjacent to the Muswellbrook Public School and near Muswellbrook High in King St. Works completed in the vicinity of Muswellbrook Public School. Design returned for King St near Upper William St from consultant. Public consultation to be carried out in the third quarter of 2020-21. |
| Safety devices programme | I & D | \$135,000 | Aug-20 | Dec-20 | | Jul-20 | | Works commenced on targeted locations at Bylong Valley Way. Work is 50% completed. |
| Mangoola Culvert Replacement | C | \$500,000 | Aug-20 | Oct-20 | | Nov-20 | Feb-21 | The project has been completed. |
| TfNSW Repair Programme 1.6km Bylong Valley Way | F | \$695,000 | Mar-21 | Jun-21 | | Nov-20 | Dec-20 | Project complete. |
| Sandy Creek Road Curve Improvements | I & D | \$419,520 | Oct-20 | Jun-21 | | Oct-20 | | Contractor has been engaged to carry out investigation, design and safety audit. Survey and geotech has been undertaken. Works are scheduled to commence on site after Easter. |
| Rosemount Rd Culvert | C | \$425,000 | | | | | | The Rosemount Road culvert replacement project will be the subject of a discrete report to Council. Estimation is currently being undertaken to inform the potential cost of the project. |
| Denman Masterplan | C | \$1,191,649 | Jul-20 | Jun-21 | | Jul-20 | | The installation of the play area and amenities block in Memorial Park, is complete. |
| Hunter Beach | I & D | \$2,878,646 | Jul-20 | Mar-21 | Dec-21 | | | Council has endorsed a modified concept design in the September Council Meeting. No tenders were received in the first round of tendering. Separate engagement with Soil Conservation Services for embankment works and weed eradication. Project to be separated into discrete projects that may be more attractive to a range of qualified and experienced tenderers. Tenders to be resubmitted. An extension of the funding deadline is currently being sought. |
| Rosebrook Bridge Replacement | D & C | \$1,633,500 | | | | | | Investigations and design works underway. |
| Thompson St Signals | I & D | \$1,473,409 | Sep-20 | Jun-21 | | | | Tenders received and negotiations with preferred tenderer complete. WAD received from TfNSW, with Principal Contractor, Project Verifier and Road Safety Auditor now engaged. Stage 3 Road Safety Audit report received and is being reviewed by Transport NSW and Project Verifier. Design has been amended following advice of the Project Verifier. It is intended that the project will commence on site in April. |
| Wilkinson St Bridge | I & D | \$1,104,205 | Dec-20 | Jun-21 | | Sep-20 | | Concept options for a design and construct Tender, endorsed at September Council meeting. Tender advertised 4 November 2020 and pre tender meeting on 24 November. Tenders have been received and reported to the 2 February 2021 Extra Ordinary Council Meeting. The letter of acceptance has been sent to the Council endorsed Tenderer and a request for a pre start meeting to be programmed. Community consultation will be incorporated into the scheduling of the construction works. |
| Edderton Road Safety Upgrade | C | \$2,564,535 | Nov-20 | Jun-21 | | | | The Tender was advertised 10 November 2020 with pre tender meeting held 25 November. Tenders were reported to the 2 February 2021 Extraordinary Council meeting where Council endorsed for the recommended tenderer to be engaged. A letter of acceptance has been forwarded to KCE. |
| Hebden Road 3.85 - 4.95km | F | | Sep-20 | Oct-20 | | Sep-20 | Dec-20 | Project complete. |
| Kayuga Road 3.3-5.3km rehab failures | C | | Aug | Dec | | Aug-20 | Jan-21 | Project complete. |
| Williams Bridge Replacement | C | | Aug-20 | Dec-20 | | Oct-20 | Dec-20 | Project Complete with bridge opened to traffic 17 December 2020. Works to remove the side-track have been undertaken. |
| Heavy Patching | C | \$287,500 | Jul-20 | Jun-21 | | Jul-20 | | Works continuing. Scoping of further patches has been undertaken. |
| Yarrowa Road Improvements | I & D | \$5,000,000 | Dec-20 | Oct-21 | | Dec-20 | | Consultant has been engaged for the design works, which include a Road Safety Audit of the route. |
| WORKS, PROPERTY & BUILDING SERVICES (WP&BS) | | | | | | | | |
| Denman Children Centre | D & C | \$620,000 | Jun-18 | Mar-20 | | Jun-18 | | DA 99/2018 approved May 2019. Staff have requested meetings with Denman Children's Centre to progress the project. Denman Children's Centre has been provided with a draft Memorandum Of Understanding. Meeting held Tuesday, 9 March 2021. Awaiting feedback from Denman Children Centre. |
| Denman Heritage Village | D & C | \$250,000 | Feb-19 | | | | | Deed for Heritage items executed. Denman Heritage Museum Advisory Committee progressed the concept design with Council representatives to Development Application approval at the 22 December 2020 Ordinary Council meeting. The Committee is seeking grant funding to advance this project. Consultant has been engaged to prepare a Capital Expenditure Review. |
| Denman Lookout Nature Trail - Reg Thornton Memorial Drive | C | \$207,000 | Jun-19 | Aug-20 | Feb-20 | Jul-19 | | Trail complete, artwork for signs being finalised. |

| 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 30 March 2021 |
|--|--|-----------------------|------------------|-----------------------|-------------------------------------|-----------------|----------------------|--|
| Muswellbrook Animal Shelter (3910.5587) | D & C | \$2,500,000 | May-19 | Mar-20 | Jun-21 | Dec-19 | | DA approval provided at October Ordinary Council meeting. A design and construction tender has been called and closed Thursday, 4 February and was reported to the 23 February 2021 Ordinary Council meeting. Letter of Award has been issued to contractor. Start up meeting held. |
| 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. Plumbing commenced for Indoor Pool and Balance Tanks line. Entrance footings and piles complete. LTS and water play slabs poured. Installed slab services to the balance tanks and detailed excavation for the entry kiosk, and stripped formwork for the pools. Existing Indoor Pool to be open by April 2021. Indoor works programme has occupation in August. A meeting being arranged with General Manager to review programme. Quotes have been sourced for heat pumps. |
| Muswellbrook Aquatic Centre - Outdoor Pool | D & C | \$1,500,000 | Aug-20 | Dec-20 | Jan-21 | | Jan-21 | Outdoor pool works walls, guttering and return pipe work complete. Concreting of the floor and waterproofing are complete. Shade structure and light poles are installed. Completion of tiling hindered by wet weather but work continued over Christmas period. All works complete with adjustments to operation of plant to accommodate changes in volume of water. |
| Regional Entertainment and Conference Centre (3690.5433) | 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 reviewed design to within funding envelopes and has lodged Development Application. Cost estimate for precinct park works informed Capital Expenditure Review reported to the 2 February 2021 Extraordinary Council meeting. An EOI being prepared for construction contractors to facilitate selective tender and closes 23 March. |
| Upper Hunter innovation Precinct Stage 2 (3690.6438) (Includes Innovation Hub and Weidmann Café) | D & C | \$6,500,000 | 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 approved. Tender closed 14 December. Addendum provided to ensure that Loxton House works is staged and is completed by 1 July 2021. Tender reported and considered at 22 December 2020 Ordinary Council meeting. Further tender responses and options prepared and reported to February Extraordinary Council meeting. Negotiations complete and construction tender awarded. Contract executed and expected to be on site in 2 weeks. |
| Commercial Building | D | \$95,000 | Oct-19 | Feb-20 | Dec-20 (DA approval only) | Jul-19 | | Pre-DA meeting held. Heritage consultant report received. All DA documentation completed and ready to be lodged in December, subject to approval of budget in relation to the QS estimate received. DA prepared and ready to be lodged. |
| Victoria Park and Cemetery Improvements | C | \$517,613 | Dec-18 | Feb-19 | | Jan-19 | Jan-21 | Field 1 outfield is complete with minor works on cricket wicket programmed. |
| Arts Centre Conservatory | D & C | \$100,000 | Nov-18 | Feb-20 | Mar-21 | Nov-18 | | Architect has consulted with heritage advisor to inform design development and draft concepts received. Design being progressed relies on glazing existing structure. Architect instructed to remove entry and exit, naming façade with the intent of only glazing existing structure. Advice will be sought on planning pathway following some further changes. |
| Relocation of Council Administration Centre | D & C | \$1,200,000 | Mar-19 | Dec-19 | Oct-20 | Mar-19 | Oct-20 | All areas are now occupied. Acoustic certification required for Final Occupation Certificate. |
| 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 above allocated budget. RFQ brief was revised and reported to the December 2020 Ordinary Council meeting. Preliminary design workshop held with Works staff. Architect awarded design construction. |
| Muswellbrook Indoor Sport and Youth Centre | D | \$30,000 | Oct-19 | Dec-20 | | Oct-19 | | Upper Hunter Youth Services was awarded Stronger Country Community grant funding of \$500k. Stakeholder consultation and preliminary design progressing to development application. Surveying and final documentation being prepared. DA being prepared for lodgement. |
| WP&BS - Olympic Park Master Plan | | | | | | | | |
| Olympic Park - Grandstand & Amenities | D | \$900,000 | Mar-20 | | | | | Design consultant engaged. Three concept designs have been developed and user groups consultation has taken place. Changes to design currently being discussed. QS has been received. Architect has amended design for stakeholder consultation. |
| Olympic Park - Intelligent Lighting | D | \$124,313 | Mar-20 | Dec-20 | | | | Request for Quotations complete. Works planned to be completed in March. |
| WP&BS - General Recreation Programme 2020-2021 | | | | | | | | |
| Highbrook Park Grandstand | D&C | \$30,000 | | | | | | Works programmed to be complete before winter season sport. |
| Volunteer Park - New Playground | D&C | \$40,000 | | | | | | Requests for Quotes are currently being sought. |
| Topdressing of Sports Fields | C | \$45,000 | Nov-20 | Dec-20 | | Dec-20 | Dec-20 | Complete. |
| Indoor Sports Centre - Outdoor Table Tennis Table | D&C | \$15,000 | | | | | | Table has been ordered. |
| Weeraman Fields - Field Lighting | D&C | \$20,000 | | | | | | Works programmed to be complete before winter season sport. |
| WASTE | | | | | | | | |
| Leachate Dam | D&C | \$500,000 | | | | | | Design and Construction Cost Estimates complete (\$500,000). Biodiversity Assessment (RFQ issued 12/02/2021) and prior to DA. |
| WATER | | | | | | | | |
| Asbestos Removal Old WTP | C | \$372,664 | Jul-20 | Dec-20 | | Jul-20 | Dec-20 | Works completed. |
| Mains Renewal & Replacement | D/C | \$697,955 | 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 assessed. Report recommending alternative tenderer to be submitted to the 23 February 2021 Ordinary Council Meeting. Works is scheduled to commence on site in the fourth quarter. |
| Reticulation - Rail Underbrings Rail Crossing Water Mains | C | \$225,325 | Jul-20 | Dec-20 | | | Dec-20 | Works completed. |
| System Plant Asset Renewals | I | \$201,474 | Jul-20 | Jun-21 | | Jul-20 | | MWTP No 1 High Lift Pump - ordered and old pump removed. Clarifier Hood - search for original fabrication drawings unsuccessful with Public Works, contractors and internally. Measurement work has commenced, may need laser scanning to confirm fit into concrete structure. Order placed for Citect 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. A report will be provided to Council once complete. The cost of carrying out the Fluoride Plant Upgrade will be fully reimbursed to Council by NSW Health. |
| SEWER | | | | | | | | |
| Mains Renewal & Relocation | D | \$471,316 | Jul-20 | Jun-21 | | | | Manhole replacement carried out at the intersection of Matland Street and Rutherford Road. 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 FY work. |

| 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 30 March 2021 |
|-----------------------------------|---|-----------------------|------------------|-----------------------|-------------------------------------|-----------------|----------------------|--|
| Transportation System Improvement | I | \$1,600,000 | Jul-20 | Jun-21 | | | | SPS1 Replacement - Geotech & soil classification has been performed to allow planning for excavated material management and improve tendering 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. SCADA Improvements being scoped. |
| System Plant Asset Renewals | I | \$275,090 | Jul-20 | Jun-21 | | Jul-20 | | Denman No2 Aerator. Denman Electrical Panel Upgrade (very poor condition and many redundant components). SPS5 Pump has been ordered. Electrical Panels SPS7; RWTW Minor Improvements and optimisation; SPS13 Pump replacement completed 3/12; Denman SPS Electrical Panel Upgrade. |

11.2 REDUCING MANDATORY WATER RESTRICTIONS FROM LEVEL TWO TO LEVEL ONE FOR MUSWELLBROOK, DENMAN AND SANDY HOLLOW TOWN WATER SUPPLY**Attachments:** Nil**Responsible Officer:** Derek Finnigan - Deputy General Manager**Author:** Irene Chetty - Operations Manager**Community Plan Issue:** *A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health***Community Plan Goal:** *Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.***Community Plan Strategy:** *Ensure substantial achievement of Best Practice Water Supply and Sewerage Guidelines.***PURPOSE**

The report requests Council's consideration of reducing the current Level Two water restrictions in place for Muswellbrook, Denman and Sandy Hollow town water supply to mandatory Level One water restrictions. As at Monday, 22 March 2021, the water level in Glenbawn Dam is 52.3%. The Officer's Recommendation aligns with the intention of both Singleton Council and Upper Hunter Shire Council, who were consulted in the drafting of this report. It is understood that both Singleton Council and Upper Hunter Shire Council will consider reports requesting a reversion to Level One water restrictions commencing Monday, 3 May 2021.

OFFICER'S RECOMMENDATION

1. Council approves reducing the mandatory water restrictions for Muswellbrook, Denman, and Sandy Hollow town water supply from Level Two to Level One, commencing 3 May 2021, following notification of the downgrading of the water restrictions in a local newspaper and provision of information through Council's website and social media platforms;
2. Council's revision of the mandatory water restrictions will align with both Singleton Council and Upper Hunter Shire Council, through the Upper Hunter Water Alliance, to ensure consistent communication across the three Councils.
3. Mandatory Level One water restrictions will remain in place until the water level at Glenbawn Dam rises to a level against which Council may, with confidence, revoke mandatory water restrictions.
4. Council maintains legislative enforcement of the mandatory Level One water restrictions.

Moved: _____ **Seconded:** _____**BACKGROUND**

At the 11 February 2020 Extra Ordinary Council Meeting, Council approved the establishment of mandatory Level Two water restrictions for Muswellbrook, Denman and Sandy Hollow town water supplies. Council's resolution in relation to the report was:

6.1 ESTABLISHMENT OF MANDATORY LEVEL 2 WATER RESTRICTIONS

RESOLVED on the motion of Crs Woodruff and Scholes that:

- 1. Council approves the establishment of mandatory level 2 water restrictions for Muswellbrook, Denman, and Sandy Hollow town water supply from 2 March 2020, following notification of the restrictions in a local newspaper and provision of information through Council's web site and engagement with social media;*
- 2. Council adopts a policy of aligning the substance of water restriction levels with those established by Hunter Water;*
- 3. Council adopts a policy of timing future changes in mandatory water restrictions for Muswellbrook, Denman, and Sandy Hollow town water supply to those applied by Hunter Water when the conditions applied by Hunter Water are more conservative of water usage than those detailed in Council's Drought Management and Emergency Response Plan (September 2014);*
- 4. The Drought Management Emergency Response Plan that applies to Muswellbrook be amended accordingly; and*
- 5. Council places a moratorium on the legislative enforcement of the mandatory level 2 water restrictions until 6 April 2020.*

At the time of submission of the 11 February 2020 report the water level at Glenbawn Dam was 39% capacity. At 22 March 2021 the water level at Glenbawn Dam is 52.3% (source: www.waternsw.com.au accessed 22 March 2021).

The current rainfall forecast for March and April is expected to continue to positively impact the Glenbawn Dam storage levels, and it is therefore considered to be appropriate for Council to downgrade the Level Two water restrictions to Level One water restrictions for the Muswellbrook, Denman and Sandy Hollow water supplies.

CONSULTATION

External consultation has been carried out with Upper Hunter Shire Council and Singleton Council through the Upper Hunter Water Alliance forum.

Hunter Water went to Level Two water restrictions on 20 January 2020 but then reverted to Level One water restrictions on 24 February 2020 after heavy rainfall experienced in early February 2020. Hunter Water then replaced the Level One water restrictions on 20 October 2020 with their Smart Water Choices program (source: <https://www.hunterwater.com.au/>).

Internal consultation has been carried out with the General Manager and a range of operational and administrative staff responsible for implementing, administering, and ensuring compliance with mandatory water restrictions.

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

Muswellbrook Shire Council established mandatory Level One water restrictions in Muswellbrook and Denman on 1 September 2019 and in Sandy Hollow on 11 November 2019. On 2 March 2020, Muswellbrook Shire Council elevated this status to mandatory Level Two water restrictions for Muswellbrook, Denman and Sandy Hollow town water supplies.

Over the spring and summer months of 2020 and early 2021, the Upper Hunter catchment area has benefited from increased rainfall due to the prevalence a La Niña weather pattern which has alleviated the stress of low water storage level in Glenbawn Dam. The above average rainfall over summer and

going into autumn has increased the Glenbawn Dam capacity to above 52%. The above average rainfalls are forecast to remain for the period April to June 2021.


Hunter Water has, from 1 October 2020, removed mandatory water restrictions, and has replaced the restrictions with an education program called "Smart Water Choices". Hunter Water Storage capacity is currently above 95%. The Upper Hunter Water Alliance, comprising Muswellbrook Shire Council, Upper Hunter Shire Council and Singleton Council, has been working in a collaborative manner in order to promote a joint, consistent approach to the critically important matter of ensuring water security for our towns. Given that both Glennies Creek Dam and Glenbawn Dam storage levels are steadily improving, all three Councils have been in discussion to reduce mandatory Level Two water restrictions to mandatory Level One water restrictions. These discussions have been held through the Upper Hunter Water Alliance. Should Muswellbrook Shire Council consider reducing the water restrictions from Level Two to Level One, then it is suggested that the commencement date should be from 3 May 2021. This date is suggested to align with Singleton Council and Upper Hunter Shire Council, to ensure that the commencement date and associated communication are consistent across the three Councils.



A practical guide to level 1 water restrictions

One of the aims of the Upper Hunter Water Alliance is to align not only our practice in reducing Level Two to Level One water restrictions, but also to provide coordinated, consistent information to our communities through the use of media release and notifications in local newspapers.

Should Council decide to revert to Level One water restrictions from 3 May 2021, a joint media release and radio advertising will be provided to inform the community about the change from Level Two to Level One restrictions. An example of the information that may be included in the joint media release is provided below:

Table 1: A Guide to the practical impact of Level One water restrictions

| Scenario | ✓ What is permitted | ✗ What is not permitted |
|--|--|--|
| Watering lawns and gardens  | <ul style="list-style-type: none"> ✓ You can: ✓ Water lawns and gardens with a watering can or bucket. ✓ In periods where Eastern Standard time applies (that is, the cooler months), water lawns and gardens by hand held hose between 6:00 a.m. and 10:00 a.m., and between 4:00 p.m. and 10:00 p.m. daily. ✓ In periods when Daylight Savings time applies (that is, the warmer months), water lawns and gardens by handheld hose between 6:00 a.m. and 9:00 a.m., and between 6:00 p.m. and 9:00 p.m. daily. | <ul style="list-style-type: none"> ✗ You can't: ✗ Use standard sprinklers and watering systems at any time. ✗ Leave hoses and taps running unattended. |

| Scenario | ✓ What is permitted | ✗ What is not permitted |
|--|--|--|
| | ✓ Water your garden with drip irrigation systems. ✓ Water lawns and gardens with micro-spray watering systems with one or more of these features: <ul style="list-style-type: none"> ▪ Automated weather adjustment; ▪ Rain sensor; ▪ Soil moisture sensor. ✓ Water new turf for one week after it's delivered, as long as you follow the instructions provided by the turf supplier, following which the level 1 restriction on the watering of lawns will apply. | |
| Washing cars at home  | ✓ You can: ✓ Wash a vehicle (this includes all types of vehicles) with a bucket, and rinse with a trigger hose on your lawn at any time. | ✗ You can't : ✗ Leave hoses and taps running unattended. |
| Filling pools and spas  | ✓ You can: ✓ Top up an existing swimming pool or spa to replace water lost through evaporation. ✓ Fill a new or renovated swimming pool. ✓ Fill inflatable or temporary children's pools. | |

OPTIONS

Council may decide to:

1. Approve reducing Level Two water restrictions to Level One water restrictions, aligning the commencement date with those proposed by Upper Hunter Shire Council and Singleton Council;
2. Remain at the current Level Two status of mandatory water restrictions; or
3. Remove all water restrictions for Muswellbrook Shire.

CONCLUSION

Given that the level of water storage in Glenbawn Dam is currently in excess of 52% of capacity, and that continuing above average rainfall is forecast for the period April to June 2021, it is recommended that Council reduces the Level Two water restrictions to Level One water restrictions from 3 May 2021.

SOCIAL IMPLICATIONS

The reduction of Level Two water restrictions to Level One water restrictions will provide consistency of approach and communication across Muswellbrook, Upper Hunter and Singleton Council areas. The community will still be required to moderate water consumption, and by doing so proactively assist in maintaining water security for local communities.

FINANCIAL IMPLICATIONS

The increased rainfall in conjunction with the Level Two water restrictions has reduced the revenue from water services. Downgrading of mandatory Level Two water restrictions to Level One may improve water consumption and bulk water sales, and therefore may improve the income generated from the use of water in the community.

POLICY IMPLICATIONS

The report complies with Council's 'Drought Management and Emergency Response Plan'

STATUTORY IMPLICATIONS

Specific statutory regulations applying to the report include the Local Government Act 1993 and the Local Government Water Services Regulation 1999.

LEGAL IMPLICATIONS

Under Part 6, Division 1, Clause 137 of the *Local Government (General) Regulation 2005*, Council is empowered to restrict water supply (by public notice published in a newspaper circulating within the Council's area). The reversal of restrictions, with due consideration, is therefore also applicable.

OPERATIONAL PLAN IMPLICATIONS

The submission of the report complies with Item 20.1 of the Operational Plan: "Provide safe, secure, efficient and effective water, sewerage and wastewater services in compliance with regulatory requirements."

RISK MANAGEMENT IMPLICATIONS

The report's primary purpose is to manage the risk associated with water security by initiating proactive, appropriate, timely controls as a means of ensuring the community's water security for the present and into the future.

WASTE MANAGEMENT IMPLICATIONS

Nil known.

COMMUNITY CONSULTATION/MEDIA IMPLICATIONS

It is recommended that mandatory Level One water restrictions commence from 3 May 2021 to ensure that the three Upper Hunter Councils align their Level One commencement dates, and that communication is consistent across the three Councils.

11.3 MARCH 2021 BULKY WASTE COLLECTION CAMPAIGN

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

PURPOSE

To submit for Council's information the outcomes of the recent Bulky Waste Collection service conducted in March 2021.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ **Seconded:** _____

REPORT

The recent Bulky Waste Collection service has been completed, and was scheduled between March 1 2021 to March 19 2021. The service is provided to residential premises only, funded by part of the "Domestic Waste Management Charge" levied on residential property rates for waste services. At the present time there are 5,622 property assessments rated in this manner and eligible for this service.

The Bulky Waste Collection service is provided for specific large or heavy items that do not go in the kerbside bin system, that residents may have difficulty self-hauling to the Muswellbrook Waste & Recycling Facility. Residents are requested to separately stack waste types and the contractor is required to separately collect these waste types to enable maximum resource recovery. The Waste Services Contract 2018-2019-0303 specifies the following Collectable and Non-collectable materials

Collectable materials include:

- Furniture, bedding and carpets;
- Whitegoods (empty with doors removed);
- Metal and timber items up to 1 metre in length and no thicker than 100mm;
- TVs, computer equipment and electrical appliances;
- Pottery, crockery and wash basins;
- Tools and gardening equipment;
- Empty paint tins with lids removed;
- Tree prunings up to 1 metre in length and 100mm in diameter; and
- General waste items able to be safely handled by two people.

Non-collectable materials, which present environmental and safety risks if placed kerbside include the following:

- Materials that exceed maximum stack dimensions of 2 cubic metres;

- Any materials otherwise suitable to be placed in the 3-bin system;
- Asbestos or fibro;
- Trade, industrial or commercial wastes;
- Cement bags or sawdust;
- Insulation batts;
- Motor vehicles, engines, car parts and tyres;
- Building and demolition materials, concrete, bricks, tiles and fencing;
- Gas bottles and fire extinguishers;
- Hazardous wastes;
- Fuels or oils;
- Liquids or paints; and
- Food scraps, recyclable material or household garbage.

The tonnage of Bulky Waste materials delivered to the Muswellbrook Waste & Recycling Facility over the past three-week campaign is summarised below:

Table 1: March 2021 bulk waste collection tonnages

| March 2021 event | Tonnes |
|-----------------------------------|---------------|
| Cleanup Bulk Waste | 363.54 |
| Cleanup E-Waste | 5.30 |
| Cleanup Fridges | 10.12 |
| Cleanup Greenwaste | 45.80 |
| Cleanup Mattresses | 16.78 |
| Cleanup Metal | 95.50 |
| Grand Total | 537.04 |
| Increase on previous event | 21.5% |

The volume of waste presented to the kerbside by eligible residential premises this collection has exceeded the volume of any previous collection event, with waste to landfill increasing by 112 tonnes compared to the September 2020 event.

To provide context, the September 2020 collection occurred post COVID-19 lockdowns, a situation that staff attributed to the presentation of higher volumes than observed in any previous cleanup to date at that time. Below is presented the September 2020 collection and the March 2020 collection data:

Table 2: March and September 2020 bulk waste collection event tonnages

| September 2020 event | Tonnes | March 2020 event | Tonnes |
|-----------------------------------|---------------|-----------------------------------|---------------|
| Cleanup Bulk Waste | 251.40 | Cleanup Bulk Waste | 248.62 |
| Cleanup E-Waste | 15.12 | Cleanup E-Waste | 4.36 |
| Cleanup Fridges | 16.34 | Cleanup Fridges | 9.78 |
| Cleanup Greenwaste | 27.94 | Cleanup Greenwaste | 14.72 |
| Cleanup Mattresses | 10.58 | Cleanup Mattresses | 11.82 |
| Cleanup Metal | 100.48 | Cleanup Metal | 90.12 |
| Grand Total | 421.86 | Grand Total | 379.42 |
| Increase on previous event | 10% | Increase on previous event | 25.4% |

Previous clean-up in September 2019 totalled 282.34 tonnes, prior to that March 2019 totalled 272.36 tonnes. These events were early in the new collection contract where the service changed from an annual event to a bi-annual multi-stream collection service. It is also useful to note the top line "Cleanup

Bulk Waste” is the only material stream going into landfill, all the other material lines are processed and recycled through various on or off site modalities.

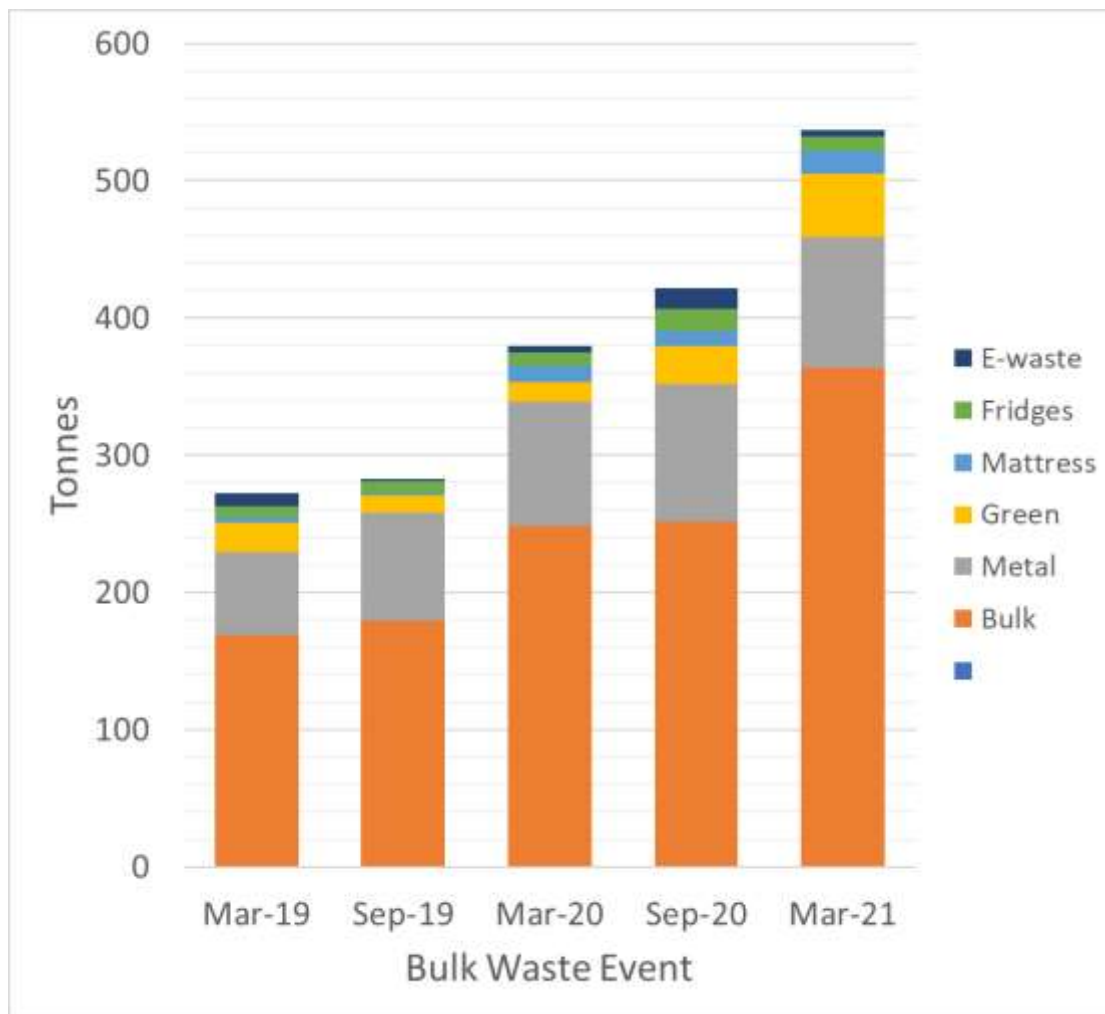


Figure 1: Graph breakdown of past bulky waste collection events

The trend of consecutive increases to the volume of presented waste per event presents significant operational challenges. At the present time, data is not collected with regard to the presentation rate, that is, whether a property ‘participates’ or not, and as such we are unable to ascertain if the increases are simply a matter of higher awareness of the service or an increase in consumerist behaviour which generates increased waste volume over short timeframes.

The service is entirely reliant upon the compliance of eligible residential customers to the stated list of Collectible Items. Feedback from the contractor along with Council staff observations at the collection point and at disposal highlight an increase in general household rubbish, made up of small miscellaneous items for which the red lid bin service is already in place. Service delays occur and risks increase where residents do not comply with the terms of the service. Other issues that impact the progress of the service include non-eligible premises presenting waste, notably commercial businesses around Market Street and Industrial Close which do not contribute to the rates funding the service. Also, significant efforts are contributed by customer service staff to inform and assist those residents who have questions or concerns about the service.

For Council's contractor to complete the collection and disposal of over 500 tonnes of materials within reasonable variation of the scheduled three week window is a significant logistical achievement, considering also the impact of increased rainfall and storm events as the clean-up service was progressing. It may be prudent to schedule a 4 week clean up for the next collection, based on current trends. The efforts of the contractor team to ensure streets were left in a tidy state, allocating multiple additional personnel as the collection progressed, ensured a high completion standard. The input and support of multiple business units within Council to ensure a smooth and timely collection event is also essential to success of the service.

12 CORPORATE AND COMMUNITY SERVICES

12.1 REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

| | |
|--------------------------|---|
| Attachments: | A. Audit Risk and Improvement Committee Charter adopted 20190312 |
| Responsible Officer: | Fiona Plesman - General Manager |
| Author: | Melissa Cleary - Co-Ordinator - Integrated Planning |
| Community Plan Issue: | <i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i> |
| Community Plan Goal: | <i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i> |
| Community Plan Strategy: | <i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i> |

PURPOSE

To seek Council's approval of the Audit, Risk and Improvement Committee's review of the Audit, Risk and Improvement Committee Charter.

OFFICER'S RECOMMENDATION

Section 4.5 (p.5) of the Audit Risk and Improvement Committee Charter be amended to state that the Audit Risk and Improvement Committee will:

Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and endorse the plan for the determination of Council;

Moved: _____ Seconded: _____

BACKGROUND

Developed in alignment with the current Office of Local Government (OLG) NSW *Internal Audit Guidelines – September 2010* and statutory changes proposed by the OLG's *A New Risk Management and Internal Audit Framework for Local Councils in NSW – Discussion Paper*, the Audit, Risk and Improvement Committee Charter (attached) was adopted by Council on 12 March 2019.

The Charter defines the objectives; authority; composition and tenure; roles and responsibilities; reporting and administration requirements for the ARIC and Section 6.8 (p.7) stipulates that:

At least once every two years the Committee will review this Audit, Risk and Improvement Committee Charter and make recommendations on any changes to Council for its determination.

CONSULTATION

General Manager

Deputy General Manager

Audit, Risk and Improvement Committee

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Councillor Scholes

REPORT

Section 4.5 (p.5) of the Audit Risk and Improvement Committee Charter states that the ARIC will:

Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and approve the plan;

However, as detailed in Council's December 2019 submission in response to the OLG's *A New Risk Management and Internal Audit Framework for Local Councils in NSW – Discussion Paper*, page 30 of the Framework stipulates that the ARIC is to be granted an “*advisory and assurance role only, and is to have no administrative function, delegated financial responsibility or any management functions*”.

Therefore, responsibility for the approval of Council's Internal Audit Plan and associated budget should remain with Council and the ARIC Charter be updated accordingly.

CONCLUSION

It is recommended that Section 4.5 (p.5) of the Audit Risk and Improvement Committee Charter is amended to state that the ARIC will:

Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and endorse the plan for the determination of Council;



muswellbrook shire council

Audit, Risk and Improvement Committee Charter

Authorisation Details:

| | |
|--------------------------|---|
| Authorised by: | Council |
| Minute No: | 245 |
| Date: | 12/03/2019 |
| Review timeframe: | 12/03/2021 |
| Department: | Integrated Planning & Improvement |
| Document Owner: | Coordinator Integrated Planning & Improvement |

Review History:

| Version No. | Date changed | Modified by | Amendments made |
|-------------|--------------|-------------------|---|
| 2 | 22/02/2018 | Melissa Cleary | Amendments to align with current <i>Internal Audit Guidelines – September 2010</i> |
| 3 | 05/02/2019 | Madeleine Brazier | Amendments to align with current <i>Internal Audit Guidelines – September 2010</i> and statutory changes proposed by the Office of Local Government |
| 4 | 15/12/2020 | Melissa Cleary | Adjust review timeframe in authorisation details table from 12/3/22 to 12/3/21 to align with 6.8 |

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1. Objective

The objective of the Audit, Risk and Improvement Committee (the Committee) is to provide independent review of and advice to Muswellbrook Shire Council on those matters identified in the Audit Plan. These include the following areas:

- | | |
|------------------------|---|
| 1 Compliance | 6 Implementation of IP&R Strategies and Plans |
| 2 Risk Management | 7 Service Reviews |
| 3 Fraud Control | 8 Performance Measurement |
| 4 Financial Management | 9 Business Improvement |
| 5 Governance | 10 External Accountability |

In fulfilling its objective, the ability of the Committee to maintain independent and objective judgement is vital.

The Committee will report to Council and provide independent advice and recommendations on matters relevant to the Audit, Risk and Improvement Committee Charter and the adopted Audit Plan.

2. Authority

Muswellbrook Shire Council authorises the Committee, within the scope of its role and responsibilities to:

- Request information required to inform decision making (subject to their legal obligations to protect information and with prior consultation with the General Manager)
- Discuss any matters with the internal and external auditors or other external parties (subject to confidentiality considerations)
- Request information from employees (with approval of the General Manager) or Councillors. They may request these persons to present information at the Committee meetings to assist in understanding any matter under consideration
- Obtain external legal or other professional advice, as considered necessary to meet its responsibilities (in accordance with Council Budget and procurement arrangements and subject to prior consultation with the General Manager)

3. Composition and Tenure

The Committee will consist of:

3.1 Members (voting)

- 1 x Councillor, not being the Mayor
- 2 x Independent External Members (not a member of the Council)

The Chair will be appointed by Council from the Independent External Members (cannot be the Councillor) for either the term of Council or if a casual vacancy arises.

3.2 Attendees (non-voting)

- General Manager, or their delegate
- Representatives of the Internal Audit firm appointed by Council
- Manager Integrated Planning, Risk and Governance
- Coordinator Integrated Planning & Improvement (Convenor)
- Risk & Improvement Officer (Agenda and minutes)

- Governance and Improvement Officer

3.3 Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor
- Other officers or Councillors may attend by invitation as requested by the Committee.

The independent external members will be appointed for the term of four (4) years. Council may resolve to appoint an independent external member for consecutive terms.

The members of the Committee, taken collectively, shall have a broad range of skills and experience relevant to the operations of Muswellbrook Shire Council and ideally to the function of internal audit. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

Should the Chair be absent, the members present at the meeting will elect an Acting Chair (excluding the Councillor).

3.4 Remuneration

Council may pay a fee to a member of the committee who is not a Councillor or member of Council staff.

The fee paid to members at the date of this Charter is:

Chair: \$900.00 per meeting attended (including expenses)

Member: \$700.00 per meeting attended (including expenses)

4. Roles and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

4.1 Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud;
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

4.2 Control Framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

4.3 External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls;
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments;
- To consider contentious financial reporting matters in conjunction with Council's management and external auditors;
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements;
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations;
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

4.4 Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements;
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

4.5 Internal Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit;
- Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and ~~approve—endorse~~ the plan for the determination of Council;
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan;
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices;
- Monitor the implementation of internal audit recommendations by management;
- Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place;
- Periodically review the performance of Internal Audit.

4.6 External Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit;
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided;
- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management;
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

4.7 Responsibilities of Members

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Muswellbrook Shire Council;
- Contribute the time needed to study and understand the papers provided;
- Apply good analytical skills, objectivity and good judgement;
- Express opinions frankly, ask questions that go to the fundamental core of the issues, and pursue independent lines of enquiry.

5. Reporting

At the first Committee meeting after 30 June each year, the Internal Auditor will provide a performance report to the Committee of:

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators;
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

The Committee will report regularly, and at least annually, to the governing body of Council on the management of risk and internal controls.

6. Administrative Arrangements

6.1 Meetings

The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit, Risk and Improvement Committee Charter.

Audit, Risk and Improvement Committee – Charter

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Approval Date 12 March 2019

Date Printed 9 March 2021

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The Committee shall comply with Council's adopted Code of Meeting Practice and Code of Conduct.

6.2 Attendance at Meetings and Quorums

A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone or by video conference

The General Manager may attend each meeting but will permit the Committee to meet separately with each of the Chief Audit Executive, Internal Auditor and the External Auditor in the absence of management on at least one occasion per year.

6.3 Voting

The Committee is expected to make decisions by consensus but if voting becomes necessary then the details of the vote are to be recorded in the minutes. Each member of the Committee shall be entitled to one vote only. In the case of an equality of votes on any issue the Chair shall have the casting vote.

6.4 Secretariat

The Manager Integrated Planning, Risk and Governance will ensure that appropriate secretariat support is provided to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meeting are prepared and maintained.

Minutes shall be approved by the Chair and circulated to all Committee members within two weeks of the meeting and filed in InfoXpert in accordance with Council's Records Management Policy.

6.5 Conflicts of Interest

Councillors, Council staff and members of Council committees must comply with the applicable provisions of Council's Code of Conduct in carrying out the functions as Council officials. It is the personal responsibility of Council officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must declare any conflict of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflict of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

6.6 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6.7 Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

6.8 Review of Audit, Risk and Improvement Committee Charter

At least once every two years the Committee will review this Audit, Risk and Improvement Committee Charter and make recommendations on any changes to Council for its determination.

Any changes to the Audit, Risk and Improvement Committee Charter must be approved by Council.

The Audit, Risk and Improvement Committee Charter should also be reviewed and adopted at least once during each term of Council at an open meeting of Council.

12.2 REPORT ON COUNCIL GRANT FUNDING MARCH 2021

| | |
|---------------------------------|--|
| Attachments: | Nil |
| Responsible Officer: | Fiona Plesman - General Manager |
| Author: | Ivan Skaines - Grants 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>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i> |

PURPOSE

To advise Council of recent grant applications submitted, grant funding recently announced or to be announced shortly, and of some upcoming grant opportunities, including possible projects to be put forward for funding.

OFFICER'S RECOMMENDATION**Council:**

1. Notes the information contained in the report.
2. Endorses the construction of public domain/curtilage works at the TEC II (Donald Horne Building) project for funding under the Local Roads and Community Infrastructure (LRCI) Program Extension with \$565,765 allocated to the project, in addition to the \$250,000 already proposed for the shared pathway at Ironbark Road, between Adams Street and Rutherford Road.
3. Endorses the Muswellbrook Regional Entertainment and Conference Centre as the preferred project for funding from the 2021 NSW Resources for Regions, with grant funding likely to be in the vicinity of \$3.8 million.

Moved: _____ **Seconded:** _____

BACKGROUND

For some time 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 key staff in relevant sections.

CONSULTATION WITH COUNCILLOR SPOKESPERSON

Both the Mayor and Deputy Mayor have been consulted about grant applications since the last report.

REPORT**Grant applications submitted**

Since the last report, Council has applied for two grants, namely the:

Regional Sports Facility Fund is a State fund which assists eligible organisations to develop quality core sport infrastructure that will meet the current and future needs of the community, and supports the development of well-designed and utilised new and improved sport infrastructure projects that can directly impact and support participation and performance opportunities in sports at all levels. The application submitted was for \$1 million for regional standard facilities at Olympic Park as part of the implementation of the Olympic Park Masterplan.

Building Better Regions Fund is a Commonwealth program and we submitted an application under the Infrastructure Projects Stream for \$10 million for the Muswellbrook Regional Entertainment and Conference Centre. This round is focussing on tourism-related infrastructure projects. However, we are not confident of success with this application given there is \$200 million available for the fifth round of the BBRF Australia-wide, and we understand that a large number of applications were received.

We have also submitted a Registration of Interest under the Snowy Hydro Legacy Fund Freight Linkages program. This NSW Government initiative is investigating improvements in freight logistics and supply chain processes to help farmers and regional communities get the state's world-class produce to domestic and international markets as efficiently as possible. We have registered the concept of the Gateway Service Centre (Lot 161, DP 597534), on the New England Highway south of Muswellbrook as "enabling infrastructure that would facilitate supply chains to domestic and export markets, and economic development in regional NSW through supply chain improvements".

Upcoming grant and funding opportunities

Muswellbrook Shire Council needs to provide a recommendation about our proposed projects under the Local Roads and Community Infrastructure (LRCI) Program. Council has been advised that the Australian Government announced a \$1 billion extension of the LRCI Program to support 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 and that Council had been allocated \$815,765. A report prepared for Council in November 2020 proposed that \$250,000 of the funding should be allocated to the Ironbark Road footpath (between Adams Street and Rutherford Road) and the balance (\$565,765) to the diversion of Possum Gully around the Muswellbrook Civic Square precinct and Council will match contributions if necessary.

However, construction activity on eligible projects must be undertaken between 1 July 2020 and 31 December 2021, and project eligibility and acceptance must be sought from the funding body prior to the commencement of construction. Initial liaising with the Department of Infrastructure, Transport, Regional Development and Communications by the Manager, Roads Drainage and Technical Services, indicates that the footpath works will definitely be eligible. The eligibility of the drainage project would be supported in terms of it being a Council owned asset which is accessible to the public, however it would need to be demonstrated that it is beneficial to the community as being part of a first stage of a development which has Council commitment to continue to complete the second stage of the development (thus the completed overall project) in the near future.

Whilst Council could demonstrate these factors, the delivery of the project within the timeframes for construction required by the agreement, being December 2021, is not achievable due to there being no construction plans or approvals to construct, tendering documents etc available. Therefore, it is not realistic to nominate this project. An alternative that meets the criteria established by the Department of Infrastructure, Transport, Regional Development and Communications for the balance of the funds (\$565,765) is the construct of public domain/curtilage works at the TEC II (Donald Horne Building) project. We currently have a budget amount of \$750,000 in the draft 2021-22 capital works budget to enable the carrying out of these works.

Around May or June we anticipate this year's NSW Resources for Regions funding will become available and, based on the amount of funding Council received last year, it is likely the funding could be again in the vicinity of \$3.8 million. Last year we allocated \$2,850,318 to the construction of the Black Box Studio and this was accepted by Regional NSW. Given our concerns about our low probability of success for our application for the Muswellbrook Regional Entertainment and Conference Centre under the Building Better Regions Fund, and a predicted shortfall in grant funding needed for the project, Council could nominate the Muswellbrook Regional Entertainment Centre as our project for 100% of the 2021 Resources for Regions funding. An added advantage is that we have already prepared a detailed Business Case for this project.

Grant funding recently announced or to be announced shortly

As mentioned last month, we are awaiting the outcome of our applications to the Bushfire Community Recovery and Resilience Fund (upgrades to the Muswellbrook and Denman Indoor Sports Centres) and the 2020/21 NSW Public Library Infrastructure Grants Program (improvements to the indoor Children's Section at Muswellbrook Library, and design and construction of a sensory garden adjacent to children's section).

OPTIONS

Council notes the applications submitted over the past month, the grant funding to be announced shortly and the applications to be submitted over the next month.

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

There are co-contributions required as specified in the applications descriptions above.

POLICY IMPLICATIONS

Not applicable.

STATUTORY IMPLICATIONS

Not applicable.

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

12.3 FEBRUARY 2021 MONTHLY FINANCIAL REPORT

| | |
|---------------------------------|--|
| Attachments: | A. February 2021 Financial Reports |
| Responsible Officer: | Fiona Plesman - General Manager |
| Author: | Matthew Plumridge - 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 toward the achievement of the targets established in the Fit for the Future ratios.</i> |

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 28 February 2021.

OFFICER'S RECOMMENDATION

The Financial Report for the month ending 28 February 2021 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 28 February 2021

| Account Group | Annual Adopted Budget | December Budget Review | YTD % Spend vs Budget - 66.30% target | YTD Actuals | February Monthly Actuals | Monthly Variance fav / (unfav) | Variance comments |
|---------------------------|-----------------------|------------------------|---------------------------------------|-------------|--------------------------|--------------------------------|-------------------|
| Grand Total | (2,076,430) | (2,800,417) | 304.8% | (8,535,080) | 1,374,399 | (689%) | |
| less SRV budgeted surplus | (1,017,305) | (1,017,305) | | 371,380 | 42,146 | | |
| SRV adjusted Grand Total | (1,059,125) | (1,783,112) | | (8,906,460) | 1,332,253 | | |

Revenue

| | | | | | | | |
|------------------------------------|---------------------|---------------------|--------------|---------------------|--------------------|--------------|--|
| Rates and Charges | (21,576,792) | (22,220,742) | 100.0% | (22,230,926) | 1,334 | (100%) | 100% of the annual rates and charges are booked in the system in August 2020. |
| User Charges and Fees | (7,379,255) | (7,105,433) | 57.7% | (4,102,141) | (561,291) | (88%) | The \$609K YTD budget deficit is primarily in the areas of Mixed waste (\$343k), DECCW levy (\$313k), and Aquatic Centre (\$248k). Income above YTD budgets has been received in Scrap Metal Fees (\$131k), Road Opening Permits (\$51k) Upper Hunter Shire Council fees (\$86k) and Onsite Sewerage Fees (\$24k), Construction Certificates (\$20k), Section149 and 603 certificates (\$37k). |
| Interest and Investments Revenues | (626,971) | (499,445) | 52.1% | (260,072) | (32,540) | (90%) | The \$71k YTD budget deficit is a result of the average interest being earned is lower than budgeted and timing of investment maturity. |
| Other Revenues | (2,873,561) | (2,474,357) | 65.7% | (1,625,828) | (194,025) | (88%) | |
| Operating Grants and Contributions | (7,385,954) | (7,614,269) | 38.9% | (2,960,493) | (517,547) | (90%) | The \$2.08m YTD budget deficit is primarily due to the timing of receiving the Financial Assistance Grant (\$1.09m); Ethtec (\$468k); Farm Productivity (\$525k) and SH27 maintenance (\$278k). Income above YTD budgets has been received for the Block Grant (\$27k); Better Waste Recycling (\$61k); Bridge Street retaining Wall (\$81k), Bushfire Subsidy (\$259k) and Pensioner Rates Subsidy (\$43k). |
| Internal Revenue | (7,195,717) | (6,301,719) | 38.8% | (2,445,840) | (305,730) | (93%) | The budget deficit is due to timing of internal transactions being processed. |
| Total Revenue | (47,038,250) | (46,215,965) | 72.8% | (33,625,300) | (1,609,799) | (95%) | |

Expenses

| | | | | | | | |
|-------------------------|-------------------|-------------------|--------------|-------------------|------------------|------------|--|
| Wages and Salaries | 12,328,362 | 11,994,719 | 61.0% | 7,314,091 | 916,879 | 88% | There are minor YTD wages overruns in some individual areas e.g. Economic Development, Roads & Drainage - Works, Property & Building Services, Graffiti Removal, Denman Urban Areas; Recreation that are offset by savings in other areas. |
| Materials and Contracts | 16,176,905 | 15,173,020 | 53.4% | 8,105,040 | 983,120 | 90% | \$1.9M YTD underspend is driven by Farm Productivity Program (\$596k), Waste Facility programs (\$850k) and some other minor savings in other programs. |
| Other Costs | 3,285,563 | 3,518,540 | 63.4% | 2,231,204 | 158,474 | 93% | |
| Borrowing Costs | 1,365,639 | 1,256,721 | 8.9% | 111,862 | 16,046 | 98% | |
| Overheads | 2,241,734 | 2,241,734 | 54.2% | 1,214,494 | 151,812 | 90% | |
| Depreciation | 9,563,617 | 9,230,814 | 66.2% | 6,113,529 | 757,867 | 88% | |
| Total Expenses | 44,961,820 | 43,415,548 | 57.8% | 25,090,220 | 2,984,198 | 90% | |

*Report Contains Filters

Muswellbrook Shire Council
Water Fund
For the Month Ending 28 February 2021

| Account Group | Annual Adopted Budget | December Budget Review | YTD % Spend vs Budget - 66.30% target | YTD Actuals | February Monthly Actuals | Monthly Variance fav / (unfav) | Variance comments |
|------------------------------------|-----------------------|------------------------|---------------------------------------|--------------------|--------------------------|--------------------------------|---|
| Grand Total | 0 | 685,850 | 27.3% | (187,084) | (732,839) | 1382% | |
| Revenue | | | | | | | |
| Rates and Charges | (1,637,172) | (1,637,172) | 100.7% | (1,648,647) | 0 | (100%) | 100% of the annual water rates have been booked in August 2020. |
| User Charges and Fees | (4,169,994) | (4,261,494) | 49.5% | (2,109,583) | (1,084,817) | (62%) | The \$715k YTD deficit due to less water consumed for the water consumption period until the end of February |
| Interest and Investments Revenues | (305,166) | (188,483) | 39.1% | (73,749) | (1,293) | (99%) | The \$951k YTD budget deficit is a result of the average interest being earned is lower than budgeted and timing of investment maturity's. |
| Operating Grants and Contributions | (36,790) | (35,430) | 100.0% | (35,430) | 0 | (100%) | |
| Total Revenue | (6,149,122) | (6,122,579) | 63.2% | (3,867,409) | (1,086,110) | (73%) | |
| Expenses | | | | | | | |
| Wages and Salaries | 1,001,421 | 1,001,421 | 62.0% | 621,339 | 75,630 | 89% | Wages are \$26k over the YTD budget in the areas of water meters, private works and water purchases as well as Water Treatment. This is offset by savings in wages in other ares. |
| Materials and Contracts | 1,327,849 | 2,112,295 | 42.2% | 891,352 | 145,930 | 90% | \$509k YTD underspend is due to underspend on Water Consultant activities, particularly the GLE pipeline as well as other savings in Payroll tax, Uniforms, Protective Equipment. |
| Other Costs | 310,292 | 281,868 | 59.6% | 168,031 | 18,675 | 90% | |
| Borrowing Costs | 83,791 | 83,791 | 51.4% | 43,096 | 0 | 100% | |
| Overheads | 1,492,132 | 1,492,132 | 59.5% | 888,088 | 111,011 | 89% | |
| Depreciation | 1,933,637 | 1,836,922 | 58.2% | 1,068,419 | 2,025 | 100% | |
| Total Expenses | 6,149,122 | 6,808,429 | 54.1% | 3,680,325 | 353,271 | 92% | |

Muswellbrook Shire Council
Sewer Fund
For the Month Ending 28 February 2021

| Account Group | Annual Adopted Budget | December Budget Review | YTD % Spend vs Budget - 66.30% target | YTD Actuals | February Monthly Actuals | Monthly Variance fav / (unfav) | Variance comments |
|------------------------------------|-----------------------|------------------------|---------------------------------------|--------------------|--------------------------|--------------------------------|---|
| Grand Total | 0 | 230,000 | 715.1% | (1,644,694) | (8,708) | 145% | |
| Revenue | | | | | | | |
| Rates and Charges | (4,639,141) | (4,639,141) | 94.7% | (4,394,577) | (230,450) | (93%) | 100% of the annual sewer rates are booked in the system in August 2020, the remaining 10% 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) | (462,682) | 50.1% | (231,764) | (48,774) | (84%) | The \$75k YTD budget deficit is due to lower sewer effluent reuse revenue. |
| Interest and Investments Revenues | (64,063) | (51,250) | 37.4% | (19,158) | (819) | (98%) | The \$15k YTD budget deficit is a result of the average interest being earned is lower than budgeted and timing of investment maturity. |
| Operating Grants and Contributions | (35,875) | (35,875) | 99.3% | (35,612) | 0 | (100%) | |
| Total Revenue | (5,241,761) | (5,188,948) | 90.2% | (4,681,111) | (280,043) | (92%) | |
| Expenses | | | | | | | |
| Wages and Salaries | 832,043 | 832,043 | 66.2% | 550,685 | 66,127 | 88% | Wages are \$7k over the YTD budget in the areas of sewer mains. |
| Materials and Contracts | 689,507 | 761,478 | 47.6% | 362,715 | 45,960 | 91% | \$142k YTD underspend due to reduced maintenance costs, employee costs for uniforms, payroll tax credit received. |
| Other Costs | 324,367 | 429,583 | 54.3% | 233,401 | 29,379 | 90% | The \$51k saving is due to timing of the Electricity expense |
| Borrowing Costs | 726,218 | 726,218 | 66.6% | 483,622 | 57,155 | 88% | |
| Overheads | 816,725 | 816,725 | 66.7% | 544,488 | 68,061 | 87% | |
| Depreciation | 1,852,901 | 1,852,901 | 46.5% | 861,506 | 4,653 | 100% | \$366K underspend as RWTW capitalisation is still to be finalised. |
| Total Expenses | 5,241,761 | 5,418,948 | 56.0% | 3,036,417 | 271,335 | 92% | |

Muswellbrook Shire Council
Future Fund
For the Month Ending 28 February 2021

| Account Group | Annual Adopted Budget | December Budget Review | YTD % Spend vs Budget - 66.30% target | YTD Actuals | February Monthly Actuals | Monthly Variance fav / (unfav) | Variance comments |
|-------------------------|-----------------------|------------------------|---------------------------------------|-------------|--------------------------|--------------------------------|--|
| Grand Total | (2,521,878) | (2,783,783) | 72.1% | (2,007,414) | (168,400) | (27%) | |
| Revenue | | | | | | | |
| User Charges and Fees | (6,729,959) | (6,997,153) | 69.0% | (4,830,992) | (569,569) | (88%) | The budget deficit is due to timing of internal transactions being processed. |
| Internal Revenue | (259,361) | (237,831) | 0.0% | 0 | 0 | (100%) | |
| Total Revenue | (6,989,320) | (7,234,984) | 66.8% | (4,830,992) | (569,569) | (88%) | |
| Expenses | | | | | | | |
| Wages and Salaries | 232,417 | 232,417 | 61.0% | 141,842 | 13,594 | 91% | The \$85k YTD overspend is due to the payment of annual insurance and rates and charges. |
| Materials and Contracts | 1,943,762 | 1,859,426 | 51.2% | 952,044 | 101,103 | 92% | |
| Other Costs | 710,835 | 776,002 | 77.2% | 599,375 | 29,919 | 94% | |
| Borrowing Costs | 945,748 | 969,178 | 74.4% | 720,866 | 205,370 | 68% | |
| Overheads | 0 | 0 | 0.0% | 0 | 0 | 0% | |
| Depreciation | 634,680 | 614,178 | 66.7% | 409,451 | 51,183 | 87% | |
| Total Expenses | 4,467,442 | 4,451,201 | 63.4% | 2,823,578 | 401,169 | 86% | |

12.4 REPORT ON INVESTMENTS HELD AS AT 28 FEBRUARY 2021

| | |
|---------------------------------|--|
| Attachments: | A. Portfolio Valuation Report B. Trading Limit Report |
| Responsible Officer: | Fiona Plesman - General Manager |
| Author: | Matthew Plumridge - 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

Information showing Council's investments as at 28 February 2021 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.

Funds invested under Section 625 of the Local Government Act, as at 28 February 2021 are shown in the attachments.

COMMENT:

As at 28 February 2021, the portfolio trading limits had been exceeded with respect of AMP Bank Ltd by 7% and Bank of Queensland by 2%. Correction for these will commence in March 2021 however may take an extended period to return to approved limits depending on the timeframe of rollovers for AMP Bank Ltd, Bank of Queensland and excess funds available for investment.

Council's weighted running yield is 0.98% for the month.

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

| | Fixed Interest Security | ISIN | Face Value Original | Bond Factor | Face Value Current | Capital Price | Accrued Interest Price | Market Value | % Total Value | Running Yield | Weighted Running Yield |
|------------------------------|---|--------------|------------------------|----------------|-----------------------|------------------|------------------------------|----------------------|---------------------|------------------|------------------------------|
| At Call Deposit | | | | | | | | | | | |
| | MACQ At Call | | 5,250,000.00 | 1.00000000 | 5,250,000.00 | 100.000 | 0.000 | 5,250,000.00 | 8.17% | 0.45% | |
| | ME Bank At Call | | 500,000.00 | 1.00000000 | 500,000.00 | 100.000 | 0.000 | 500,000.00 | 0.78% | 0.55% | |
| | Westpac Bus Prem At Call | | 4,162,992.81 | 1.00000000 | 4,162,992.81 | 100.000 | 0.000 | 4,162,992.81 | 6.48% | 0.34% | |
| | Westpac Muswellbrook Trading Acct At Call | | 100,000.00 | 1.00000000 | 100,000.00 | 100.000 | 0.000 | 100,000.00 | 0.16% | 0.34% | |
| | | | 10,012,992.81 | | 10,012,992.81 | | | 10,012,992.81 | 15.59% | | 0.41% |
| Fixed Rate Bond | | | | | | | | | | | |
| | BENAU 1.7 06 Sep 2024 Fixed | AU3CB0266377 | 2,500,000.00 | 1.00000000 | 2,500,000.00 | 102.628 | 0.822 | 2,586,250.00 | 4.03% | 1.68% | |
| | | | 2,500,000.00 | | 2,500,000.00 | | | 2,586,250.00 | 4.03% | | 1.68% |
| Floating Rate Deposit | | | | | | | | | | | |
| | ANZ 1.2 21 Jul 2022 2557DAY FRD | | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.000 | 0.126 | 1,001,259.73 | 1.56% | 1.21% | |
| | | | 1,000,000.00 | | 1,000,000.00 | | | 1,001,259.73 | 1.56% | | 1.21% |
| Floating Rate Note | | | | | | | | | | | |
| | AMP 1.08 10 Sep 2021 FRN | AU3FN0044657 | 2,000,000.00 | 1.00000000 | 2,000,000.00 | 100.121 | 0.241 | 2,007,240.00 | 3.13% | 1.10% | |
| | Auswide 0.75 07 Nov 2022 FRN | AU3FN0057345 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 99.998 | 0.042 | 1,000,400.00 | 1.56% | 0.76% | |
| | Auswide 1.05 17 Mar 2023 FRN | AU3FN0053567 | 2,000,000.00 | 1.00000000 | 2,000,000.00 | 100.384 | 0.213 | 2,011,940.00 | 3.13% | 1.06% | |
| | BOQ 1.02 16 Nov 2021 FRN | AU3FN0039418 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.588 | 0.034 | 1,006,220.00 | 1.57% | 1.03% | |
| | BOQ 1.05 03 Feb 2023 FRN | AU3FN0040549 | 500,000.00 | 1.00000000 | 500,000.00 | 101.396 | 0.073 | 507,345.00 | 0.79% | 1.06% | |
| | BOQ 1.03 18 Jul 2024 FRN | AU3FN0049094 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 102.101 | 0.117 | 1,022,180.00 | 1.59% | 1.04% | |
| | BOQ 1.1 30 Oct 2024 FRN | AU3FN0051272 | 500,000.00 | 1.00000000 | 500,000.00 | 102.375 | 0.091 | 512,330.00 | 0.80% | 1.11% | |
| | BENAU 1.05 25 Jan 2023 FRN | AU3FN0040523 | 500,000.00 | 1.00000000 | 500,000.00 | 101.404 | 0.099 | 507,515.00 | 0.79% | 1.06% | |
| | CredSuis 1.95 09 Mar 2021 FRN | AU3FN0030458 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.046 | 0.437 | 1,004,830.00 | 1.56% | 1.97% | |
| | CUA 1.25 06 Sep 2021 FRN | AU3FN0044269 | 1,500,000.00 | 1.00000000 | 1,500,000.00 | 100.552 | 0.289 | 1,512,615.00 | 2.36% | 1.27% | |
| | CUA 1.12 24 Oct 2024 FRN | AU3FN0051033 | 1,500,000.00 | 1.00000000 | 1,500,000.00 | 101.788 | 0.105 | 1,528,395.00 | 2.38% | 1.13% | |
| | RACB 0.93 24 Feb 2023 FRN | AU3FN0053146 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.645 | 0.010 | 1,006,550.00 | 1.57% | 0.94% | |
| | NAB 0.93 26 Sep 2023 FRN | AU3FN0044996 | 2,000,000.00 | 1.00000000 | 2,000,000.00 | 101.762 | 0.159 | 2,038,420.00 | 3.17% | 0.96% | |
| | NPBS 1.4 06 Feb 2023 FRN | AU3FN0040606 | 500,000.00 | 1.00000000 | 500,000.00 | 101.571 | 0.077 | 508,240.00 | 0.79% | 1.39% | |
| | NPBS 1.12 04 Feb 2025 FRN | AU3FN0052627 | 4,500,000.00 | 1.00000000 | 4,500,000.00 | 101.914 | 0.074 | 4,589,460.00 | 7.15% | 1.13% | |
| | Qld Police 1.4 22 Mar 2021 FRN | AU3FN0041638 | 1,500,000.00 | 1.00000000 | 1,500,000.00 | 100.055 | 0.263 | 1,504,770.00 | 2.34% | 1.41% | |
| | Qld Police 1.5 14 Dec 2021 FRN | AU3FN0046389 | 750,000.00 | 1.00000000 | 750,000.00 | 100.733 | 0.317 | 757,875.00 | 1.18% | 1.52% | |
| | Qld Police 1.15 06 Dec 2022 FRN | AU3FN0052072 | 2,000,000.00 | 1.00000000 | 2,000,000.00 | 100.755 | 0.266 | 2,020,420.00 | 3.15% | 1.17% | |
| | RABOBK 1.5 04 Mar 2021 FRN | AU3FN0030409 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.016 | 0.357 | 1,003,730.00 | 1.56% | 1.52% | |
| | UBS Aust 1.05 21 Nov 2022 FRN | AU3FN0054151 | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 101.372 | 0.017 | 1,013,890.00 | 1.58% | 1.06% | |
| | UBS Aust 0.87 30 Jul 2025 FRN | AU3FN0055307 | 650,000.00 | 1.00000000 | 650,000.00 | 101.501 | 0.072 | 660,224.50 | 1.03% | 0.88% | |
| | | | 27,400,000.00 | | 27,400,000.00 | | | 27,724,589.50 | 43.17% | | 1.15% |
| Term Deposit | | | | | | | | | | | |

| Fixed Interest Security | ISIN | Face Value Original | Bond Factor | Face Value Current | Capital Price | Accrued Interest Price | Market Value | % Total Value | Running Yield | Weighted Running Yield |
|----------------------------------|------|------------------------|----------------|-----------------------|------------------|------------------------------|---------------|---------------------|------------------|------------------------------|
| AMP 0.7 14 May 2021 182DAY TD | | 3,000,000.00 | 1.00000000 | 3,000,000.00 | 100.000 | 0.205 | 3,006,156.15 | 4.68% | 0.70% | |
| AMP 0.7 18 Jun 2021 210DAY TD | | 800,000.00 | 1.00000000 | 800,000.00 | 100.000 | 0.192 | 801,534.25 | 1.25% | 0.70% | |
| AMP 0.75 30 Nov 2021 365DAY TD | | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.000 | 0.185 | 1,001,849.32 | 1.56% | 0.75% | |
| BOQ 0.5 20 May 2021 181DAY TD | | 2,500,000.00 | 1.00000000 | 2,500,000.00 | 100.000 | 0.137 | 2,503,424.65 | 3.90% | 0.50% | |
| BOQ 3.4 21 Jun 2021 1826DAY TD | | 1,000,000.00 | 1.00000000 | 1,000,000.00 | 100.000 | 2.338 | 1,023,380.82 | 1.59% | 3.40% | |
| NAB 0.5 26 Oct 2021 330DAY TD | | 5,000,000.00 | 1.00000000 | 5,000,000.00 | 100.000 | 0.123 | 5,006,164.40 | 7.79% | 0.50% | |
| NAB 0.43 19 Nov 2021 330DAY TD | | 5,000,000.00 | 1.00000000 | 5,000,000.00 | 100.000 | 0.078 | 5,003,887.65 | 7.79% | 0.43% | |
| NAB 0.5 02 Dec 2021 365DAY TD | | 2,500,000.00 | 1.00000000 | 2,500,000.00 | 100.000 | 0.121 | 2,503,013.70 | 3.90% | 0.50% | |
| P&NB 3.53 21 Jun 2021 1826DAY TD | | 2,000,000.00 | 1.00000000 | 2,000,000.00 | 100.000 | 2.427 | 2,048,549.58 | 3.19% | 3.53% | |
| | | 22,800,000.00 | | 22,800,000.00 | | | 22,897,960.52 | 35.65% | | 0.92% |
| Fixed Interest Total | | 63,712,992.81 | | 63,712,992.81 | | | 64,223,052.56 | 100.00% | | 0.98% |

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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- | | 6,800,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 100.00 | 0.00 | 0 | 7.00 | 428,701 |
| ANZ Banking Group Ltd | AA+ to AA- | | 1,000,000.00 | Book | 30.00 | % of 63,712,992.81 | 19,113,897.84 | 5.00 | 95.00 | 18,113,898 | 0.00 | 0 |
| Auswide Bank Limited | BBB+ to BBB- | | 3,000,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 47.00 | 53.00 | 3,371,299 | 0.00 | 0 |
| Bank of Queensland Ltd | A+ to A- | | 6,500,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 100.00 | 0.00 | 0 | 2.00 | 128,701 |
| Bendigo & Adelaide Bank Ltd | A+ to A- | | 3,000,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 47.00 | 53.00 | 3,371,299 | 0.00 | 0 |
| Credit Suisse Sydney | A+ to A- | | 1,000,000.00 | Book | 20.00 | % of 63,712,992.81 | 12,742,598.56 | 8.00 | 92.00 | 11,742,599 | 0.00 | 0 |
| Credit Union Australia Ltd | BBB+ to BBB- | | 3,000,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 47.00 | 53.00 | 3,371,299 | 0.00 | 0 |
| Macquarie Bank | A+ to A- | | 5,250,000.00 | Book | 20.00 | % of 63,712,992.81 | 12,742,598.56 | 41.00 | 59.00 | 7,492,599 | 0.00 | 0 |
| Members Banking Group Limited t/as RACQ Bank | BBB+ to BBB- | | 1,000,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 16.00 | 84.00 | 5,371,299 | 0.00 | 0 |
| Members Equity Bank Ltd | BBB+ to BBB- | | 500,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 8.00 | 92.00 | 5,871,299 | 0.00 | 0 |
| National Australia Bank Ltd | AA+ to AA- | | 14,500,000.00 | Book | 30.00 | % of 63,712,992.81 | 19,113,897.84 | 76.00 | 24.00 | 4,613,898 | 0.00 | 0 |
| Newcastle Permanent Building Society Ltd | BBB+ to BBB- | | 5,000,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 78.00 | 22.00 | 1,371,299 | 0.00 | 0 |
| P&N Bank Ltd | BBB+ to BBB- | | 2,000,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 31.00 | 69.00 | 4,371,299 | 0.00 | 0 |
| QPCU LTD t/a QBANK | BBB+ to BBB- | | 4,250,000.00 | Book | 10.00 | % of 63,712,992.81 | 6,371,299.28 | 67.00 | 33.00 | 2,121,299 | 0.00 | 0 |
| Rabobank Nederland Australia Branch | AA+ to AA- | | 1,000,000.00 | Book | 20.00 | % of 63,712,992.81 | 12,742,598.56 | 8.00 | 92.00 | 11,742,599 | 0.00 | 0 |
| UBS Australia Ltd | A+ to A- | | 1,650,000.00 | Book | 20.00 | % of 63,712,992.81 | 12,742,598.56 | 13.00 | 87.00 | 11,092,599 | 0.00 | 0 |
| Westpac Banking Corporation Ltd | AA+ to AA- | | 4,262,992.81 | Book | 30.00 | % of 63,712,992.81 | 19,113,897.84 | 22.00 | 78.00 | 14,850,905 | 0.00 | 0 |
| | | | 63,712,992.81 | | | | 172,025,080.59 | | | 108,869,489 | | 557,402 |

2 Security Rating Group Trading Limits

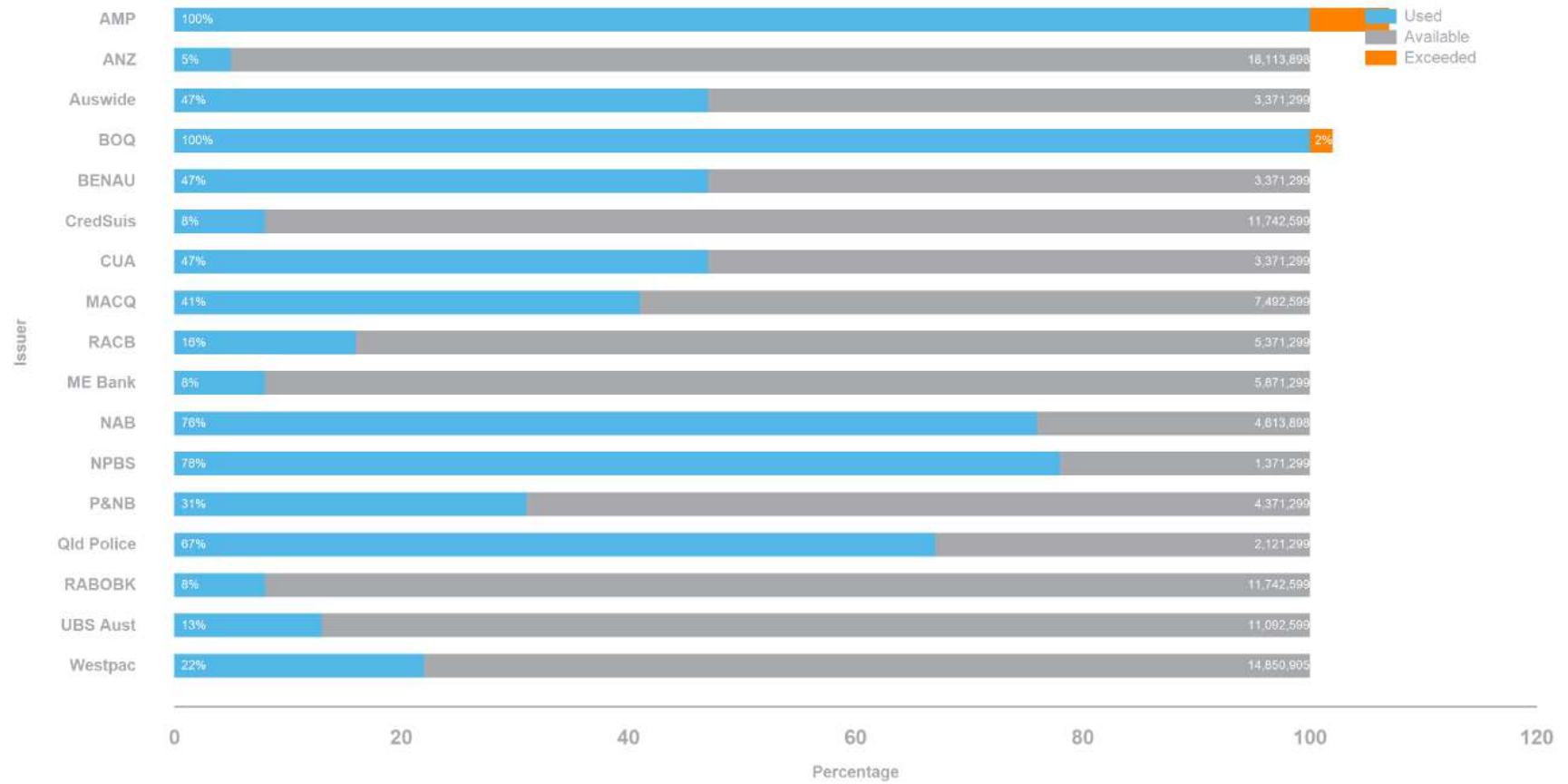
| Security Rating Group | Already Traded Face Value Notional | Limit For Book or Trading Entity | Trading Limit | Trading Limit Type | Trading Limit Value | Trading Limit Used (%) | Trading Limit Available (%) | Trading Limit Available (Value) | Trading Limit Exceeded (%) | Trading Limit Exceeded (\$) |
|-----------------------|--|---|---------------|-----------------------|------------------------|---------------------------|--------------------------------|------------------------------------|-------------------------------|--------------------------------|
| AA+ to AA- | 3,000,000.00 | Book | 100.00 | % of 63,712,992.81 | 63,712,992.81 | 5.00 | 95.00 | 60,712,993 | 0.00 | 0 |
| A+ to A- | 11,900,000.00 | Book | 70.00 | % of 63,712,992.81 | 44,599,094.97 | 27.00 | 73.00 | 32,899,095 | 0.00 | 0 |
| A1+ | 16,762,992.81 | Book | 100.00 | % of 63,712,992.81 | 63,712,992.81 | 28.00 | 74.00 | 46,050,000 | 0.00 | 0 |
| A1 | 2,000,000.00 | Book | 70.00 | % of 63,712,992.81 | 44,599,094.97 | 4.00 | 96.00 | 42,599,095 | 0.00 | 0 |
| A2 | 14,800,000.00 | Book | 60.00 | % of 63,712,992.81 | 38,227,795.69 | 39.00 | 61.00 | 23,427,796 | 0.00 | 0 |
| A3 | 2,250,000.00 | Book | 60.00 | % of 63,712,992.81 | 38,227,795.69 | 6.00 | 94.00 | 35,977,796 | 0.00 | 0 |
| BBB+ to BBB- | 13,000,000.00 | Book | 60.00 | % of 63,712,992.81 | 38,227,795.69 | 34.00 | 66.00 | 25,227,796 | 0.00 | 0 |
| | 63,712,992.81 | | | | 331,307,562.61 | | | 267,594,571 | | 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 | 41,562,992.81 | Book | 100.00 | % of 63,712,992.81 | 63,712,992.81 | 65.00 | 35.00 | 22,150,000 | 0.00 | 0 |
| 1-3 Year | 11,500,000.00 | Book | 100.00 | % of 63,712,992.81 | 63,712,992.81 | 18.00 | 82.00 | 52,212,993 | 0.00 | 0 |
| 3-5 Year | 10,650,000.00 | Book | 100.00 | % of 63,712,992.81 | 63,712,992.81 | 17.00 | 83.00 | 53,062,993 | 0.00 | 0 |
| | 63,712,992.81 | | | | 191,138,978.43 | | | 127,425,986 | | 0 |

Issuer Trading Limits






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BRISBANE OFFICE: LEVEL 18, RIVERSIDE CENTRE 123 EAGLE STREET, BRISBANE QLD, 4000 T 61 7 3123 5370 F 61 7 3123 5371

Report Code: TSSBP125EXT-0018
Report Description: Trading Limit Performance As At Date
Parameters:
As At/Scenario Date: 28 February 2021
Balance Date: 2 March 2021 (but 28 Feb 2021 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

12.5 COMMUNITY SERVICES

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

PURPOSE

To provide an update on activities in the Community Services section.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ Seconded: _____

REPORT

MUSWELLBROOK SHIRE AQUATIC CENTRE – Denman and Muswellbrook

Visitation at the Denman Memorial Pool during January – February was 962 entries; this includes a high visitation of over 200 people on Australia Day 2021.

The Denman Aquatic Centre delivered the Learn to Swim Program and Aqua Aerobics as well as the school swimming carnivals, in the first week of March there was 225 entries into this facility.

The Muswellbrook Outdoor Pool has needed to be closed to the public during this reporting period due to technical issues, complimentary entry was extended to the public as a result of these closures. The community embraced this offer during the month of February there was 929 free entries to the Muswellbrook Outdoor Pool.

During the first week of March another 572 free entries were recorded. The Muswellbrook Outdoor Pool remains open and the Denman Outdoor Pool is scheduled to close on the 31 March.

An evaluation is being carried out by relevant staff to determine if the Gym could be opened to the public taking into consideration secure access and the incorporation of office space as the indoor construction continues.

MUSWELLBROOK SHIRE LIBRARIES – MUSWELLBROOK and DENMAN

During February 2021 the Muswellbrook Shire Libraries was attended by **2159 customers**. Over the same period, our library branches **loaned 5483 items** and processed **2877 returns**.

- **February Displays:**
Library Lovers Day (see photos)

- **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 to share information about library collections, library events and library online resources. Over the past month the library has had **749** post views and now has a combined like/follow total of **1,979**.

Digital Collections:

Our digital collections have continued to be popular with a **1.5% increase** in members using Borrowbox. Across our three digital platforms, there have been **1,093 loans**.

- **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 **55 baby rhyme time attendees** and **9 story time attendees**.

Adult Programs

Muswellbrook and Denman Library re-launched their book club, tech help and history help programs in March. Denman hosted a Library Lovers daybook mark making event which was attended by 2 customers.

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 **322 items** and facilitated the return of **302 items**. This program currently services **20 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 **190 reservations** through this service.

Wifi and Computer Usage

Computer Usages: Muswellbrook: 228 Denman: 24

Wifi Usage: Muswellbrook: 148 Denman: 126

- **Increasing and maintaining library memberships**

Muswellbrook: 41 new members

Denman: 3 new members



COMMUNITY PARTNERSHIPS

- Governance support has been provided to Upper Hunter Youth Services Management Committee and Management Team and Arts Upper Hunter and the Upper Hunter Community Services Interagency meeting;
- A Muswellbrook Shire Council Aboriginal Reconciliation Committee was held in February, this was the first meeting held since the pandemic restrictions were lifted;
- Work continues with 2 Rivers Pty Ltd with the development of the Treaty Project, a consultation was held with the Aboriginal Community on the 24 February, this workshop was well attended and supported and enjoyed by all attended. The Consultants have also been holding individual meetings with relevant stakeholders all this information will provide critical information to develop this project.
- Planning for Graffiti Removal Day scheduled for the 28 March is well underway with our partners NSW Police and PCYC. This year the Graffiti Removal Day Working group have identified Brook Street Carpark Muswellbrook as the site. The volunteers on the day will paint a mural on the carpark wall, the mural will depict the rolling hills of the Muswellbrook area and local bird life will be incorporated in the design;
- The compilation of a local Seniors Festival Brochure will be finalised at the end of the month for distribution to the community for the festival on the 13-24 April.

MUSWELLBROOK ART GALLERY

- The Muswellbrook Art Prize 2021 was held this month, the three acquisitive winners were Painting Prize Sally Stokes, 'Somewhere Deep Within' 2020; Works on Paper Prize - Cleo Wilkinson, 'Then IV' 2020, mezzotint print on paper; Ceramics Prize - Sassy Park, 'Apothecary Jars' 2021. The night was attended by 80 guests, we were honoured to have our adjudicator Lauretta Morton, Director of Newcastle Art Gallery present on the night to announce the winners. 7 works have been sold to buyers all from outside of the local area, in less than 2 weeks of the exhibition being open to the public.
- The Arts Centre Team are working on the development of a digital Treasure Hunt. This interactive digital activity involves participants moving around the CBD of Muswellbrook locating 10 public art such as the Beersheba Memorial Statue, the Blue Heeler Statue, the Bee Mural etc and linking back to the Art Gallery and Cafe. The project will be completed by the end of April.
- Muswellbrook Artist in Residence project – Wollemi - Muswellbrook Regional Arts Centre is partnering with NSW National Parks and Wildlife Service and Singleton Council for the 2021 Artist in Residence Project. Singleton Council has committed to matching Muswellbrook Shire Council's funding of \$7,000 for the project. Three artists have been engaged for the project which is to be undertaken the week beginning 24 May 2021 for five days of intensive field work – Rebecca Rath (Upper Hunter Region), Mark Dober (Castlemaine, VIC) and Marie Mansfield (Sydney). The subsequent exhibition and public art workshops are scheduled for Jan-Feb 2022.
- Muswellbrook Regional Arts Centre has partnered with the Australian Photographic Society (APS) to host the Mullins Conceptual Photography Prize in 2021 and beyond. Now in its third year, the Mullins Conceptual Photography Prize is an \$8,000 acquisitive prize funded courtesy of a bequest in memory of Doug Mullins, president of the APS 1964-1966. The major prize winning work is to be acquired by Muswellbrook Shire Council as part of the Muswellbrook Shire Art Collection and will assist in achieving the objectives of the Muswellbrook Shire Art Collection Management Policy (Policy A30/2), section 6b. The collection shall comprise of five (5) main categories... Post War Australian photography.

13 REPORTS FROM COMMITTEES

13.1 REPORT OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON TUESDAY, 9 MARCH 2021

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Local Traffic Committee held electronically on 9 March 2021.

OFFICER'S RECOMMENDATION

The Minutes of the Local Traffic Committee Meeting held on Tuesday 9 March 2021 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Local Traffic Committee met on Tuesday 9 March 2021.

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

PRESENT: Cr S. Reynolds, (Chair), Cr M. Rush (Alt Delegate), Mr J. Smoother (Transport for NSW), Ms A. Sweeney (NSW Police), Mr M. Kelly (Representing Mr Michael Johnsen), Mrs K. Scholes (Manager – Roads, Drainage & Technical Services).

IN ATTENDANCE: Mrs I. Williams (MSC), Ms A. Balding (MSC), Mr A. Mettam (MSC Ranger).

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED that:

The Minutes of the Local Traffic Committee held on 9 February 2021, 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 SCHOOL BUS ZONE SIGNAGE - INTERSECTION OF WYBONG ROAD AND CASTLE ROCK ROAD

RECOMMENDED that:

Council use its delegated authority to approve the installation of "School Bus Zone 7:00am to 8:30am and 3:30pm to 5:00pm School Days" signage in the designated bus bay on Wybong Road at the Castlerock Road intersection.

VOTE: Unanimous Support

5.2 NEW REGULATORY LINEMARKING - SANDY CREEK ROAD

RECOMMENDED that:

Council use its delegated authority to approve the regulatory linemarking on Sandy Creek Road from chainage 00 to 10874 as shown on the plans.

VOTE: Unanimous Support

5.3 LATE ITEM ROAD CLOSURES REQUIRED TO CONDUCT THE 2021 ANZAC DAY CEREMONY AND MARCH

RECOMMENDED that:

Council use its delegated authority to approve the following road closures on Sunday 25 April, 2021:

1. The New England Highway between Sydney and Hill Streets from approximately 9:45am to 11.00am subject to Transport for NSW (TfNSW) approval;
2. Market Street between Carl & Bridge Streets from 8:30am to 11:00am;
3. William Street between Market & Sowerby Streets from 8:30am to 11:00am and
4. Haydon/Lorne Street from Maitland to Sydney Street from 8:30am to 12:30pm

subject Traffic Control personnel having the appropriate TfNSW approved qualifications, the provision of the RSL public liability insurance cover for a minimum of \$20,000,000 for the event, any Police requirement for anti-terrorist measures and the National Heavy Vehicle Regulator to be advised of the road closures.

VOTE: Unanimous Support

6 DATE OF NEXT MEETING

TBA

7 CLOSURE

The meeting was declared closed.

.....
Cr S. Reynolds

Chairperson

**13.2 REPORT OF THE ABORIGINAL RECONCILIATION COMMITTEE
MEETING HELD ON WEDNESDAY, 17 FEBRUARY 2021**

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

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Aboriginal Reconciliation Committee held on 17 February 2021.

OFFICER'S RECOMMENDATION

The Minutes of the Aboriginal Reconciliation Committee Meeting held on Wednesday 17 February 2021 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Aboriginal Reconciliation Committee met on Wednesday 17 February 2021.

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

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

| Item Ref | Description | \$ | GL No. |
|----------|-------------|----|--------|
| | | | |

ACKNOWLEDGMENT OF COUNTRY

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

PRESENT: Cr Jacinta Ledlin (Chairperson), Ms Kylie Pascoe, Aunty Rhonda Griffiths, Ms Kate Wood-Pahuru, Inspect Jo Schultz, Aunty Gay Horton, Ms Georgia Pascoe, Ms Theresa Smith, Ms Amanda Howard,
Ms Elizabeth Howard, Ms Lorraine Fisherden, Ms Makishia Felton (via teams).

IN ATTENDANCE: Ms Kim Manwarring & Ms Roz Thomson.

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Aunty Griffiths and Ms Wood-Pahuru that:

The apologies for inability to attend the meeting submitted by Aunty Jean Hands and Uncle John Matthews be ACCEPTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Ms Wood-Pahuru and Aunty Griffiths that:

The Minutes of the Aboriginal Reconciliation Committee held on 28 October 2020, a copy of which has been distributed to all members, be taken as read and confirmed as a true record with corrections to spelling contained in item 4.3 and 4.4.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS

4.1 ABORIGINAL ORAL HISTORY PROJECT

Aunty Rhonda Griffiths thanked Cr Jacinta Ledlin, Councils Community Partnerships Team and 2 Rivers Pty Ltd on behalf of the Aboriginal Reconciliation Committee, for the success of the 'In Our Own Words' launch.

Community Partnership Officer Roz Thomson provided the following update to the Committee:

- The project is now 100% complete
- The exhibition will be on display at the Muswellbrook Regional Art Centre until the 1st May 2021 and lot of positive feedback has been received regarding the exhibition.
- The 'In Our Own Words' Book sold out within the first 2 weeks of the exhibition. An extra 200 will be in the next print run, a waiting list has been established.

Promotions included Art Up Close and a half page article in the Hunter River Times, Council website and facebook, 2 Rivers Facebook page has had a high volume of engagement.

4.2 REVIEW OF ACKNOWLEDGEMENT OF COUNTRY

1. Discussion took place around the current acknowledgement of Country:

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

The acknowledgement is used throughout different meetings, events and printed or digital material within the Muswellbrook Shire Council

RESOLVED to explore the wording at the next meeting.

4.3 MACH ENERGY FUNDING DOCUMENT ABORIGINAL COMMUNITY DEVELOPMENT FUNDING;

Kim Manwarring provided the following update to the Committee:

- The Application has been submitted to Mach Energy ACDF committee
- The ACDF Committee have requested more information around the description, if it is an identified position, recruiting etc.
- The ACDF Committee has asked for Kim to attend and present at the next meeting.

A suggestion to change the name of the Aboriginal Cultural Heritage Officer to Aboriginal Liaison Officer

4.4 WIDDEN CREEK ABORIGINAL ARTEFACTS

Roz Thomson provided the following update to the Committee:

- The Widden Creek Aboriginal Artefact display has now been relocated and redisplayed at the new Muswellbrook Shire Council Administration foyer with assistance from Suzie Worth.

There has been a request for the Wanaruah Local Aboriginal Land Council Elders Group to be involved in the repatriation of the Aboriginal Artefacts.

RESOLVED that relevant reports, minutes and agreement for the Widden Creek Aboriginal Artefacts be brought to the next meeting for discussion

4.5 CORRESPONDENCE

Letter to Wanaruah Local Aboriginal Council

Aunty Rhonda Griffiths raised that Hunter Valley Operations are considering the development of a Cultural Centre rather than land being provided as a cultural offset area. There was discussion around the various discussions and plans for local and regional cultural centers. Hunter Valley Operation and the Registered Aboriginal Parties involved.

The letter of support to the Wanaruah Local Aboriginal Land Council is still pending.

4.6 TREATY DOCUMENT

Lorrayne Fisherden provided the following update to the committee:

- Thanked the Committee for their time today to discuss the project.
- 2 Rivers communicated that there will be in one on one consultation with community over the next few weeks and well as a free community lunch will be held on Wednesday 24th February 2021 with Buddy Knox.

The Committee raised the following:

- What does a Treaty mean? What does it look like? Impacts, governance etc.

- Who will sign the document?
- A question was raised regarding the legalities of a Treaty.
- A question was raised regarding the wording/ name TREATY (suggestion was raised to speak to a legal body)
- Suggestion was made to change the name (Memorandum of Understanding (MOU) or Reconciliation Agreement)
- If there is no legality around the term Treaty, then why can't the Muswellbrook Shire Council be the first to have a Treaty.

RESOLVED that 2 Rivers seek the legalities around the term Treaty.

6 GENERAL BUSINESS

6.1 VOLUNTEER FOR CELL SUPPORT PROGRAM

Insp Jo Schultz provided the following update to the committee on behalf of Insp Guy Guiana:

- There is now discussion to have a potential Aboriginal Liaison Officer in the Muswellbrook Station, to assist the Aboriginal Community.
- Cell Support and Victim Support Program: looking for list of volunteers to be a part of this program

Provide extra communication between the volunteers and NSW Police

RESOLVED that if anyone would like to be a volunteer please contact Jo Schultz: schu1joa@police.nsw.gov.au or Guy Guiana: guia1guy@police.nsw.gov.au

6.2 SIMPSON PARK - TENNIS TABLE

Kim Manwarring provided the following update to the committee:

- There has been an idea around the possibility of a table tennis table being installed at Simpson Park.
- Discussion around having a local Aboriginal Artist paint a design on the table to link in with the Reconciliation Mural.

RESOLVED that more information be submitted to the next meeting.

6.3 MUSWELLBROOK LIBRARY EXPRESSION OF INTEREST

Roz Thomson provided the following update to the committee:

- The Muswellbrook Library is seeking creative works and collections to be display in the main foyer
- Suggestion to speak to the Ungooroo Aboriginal Corporation as they have a connection with local artist who may want to be involved. (Georgia Pascoe to send contact for Ungooroo)
- Discussion around having Aboriginal people volunteer at the library

RESOLVED that Roz Thomson speaks to the Library Co-Ordinator regarding volunteering at the Muswellbrook Library.

7 DATE OF NEXT MEETING

21 April, 2021

7 CLOSURE

The meeting was declared closed at 2.57pm.

.....

Cr J. Ledlin

Chairperson

**13.3 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE
MEETING HELD ON TUESDAY, 15 DECEMBER 2020****Attachments:** Nil**Responsible Officer:** Fiona Plesman - General Manager**Author:** Leonie Nash - Risk & Improvement 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 facilitate Council's adoption of the recommendations of the meeting of the Audit, Risk and Improvement Committee held on 15 December 2020.

OFFICER'S RECOMMENDATION

The Minutes of the Audit, Risk and Improvement Committee Meeting held on Tuesday 15 December 2020 be noted.

Moved: _____ Seconded: _____

REPORT

The General Manager reports that the Audit, Risk and Improvement Committee met on Tuesday 15 December 2020 for the quarterly scheduled meeting.

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

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

| Item Ref | Description | \$ | GL No. |
|----------|-------------|----|--------|
| | | | |

PRESENT: Mr M. Morley (Chair), Mr P. Quealey, Cr R. Scholes, Ms F. Plesman (General Manager), Mr A. Pirillo (Governance and Improvement Officer), Mr D. Hagger (Chief Financial Officer) and Ms M. Cleary (Coordinator Integrated Planning and Improvement).

IN ATTENDANCE: Ms L. Nash (Risk and Improvement Officer)

1 APOLOGIES AND LEAVE OF ABSENCE

Recommended on the motion of Mr Quealey and Cr Scholes that:

The apologies for inability to attend the meeting submitted by Mr M. Lysaught and Mr D. Finnigan be ACCEPTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

The Minutes of the Audit, Risk and Improvement Committee Meeting held on 15 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 BUSINESS ARISING

4.1 STATUS OF COMMENCEMENT OF INTERNAL AUDITS

Ms Cleary informed the committee that KPMG had been engaged as of last week to commence the first internal audit which is a review of Procurement and Tendering.

Mr Morley asked whether there might be a report completed by KPMG on this audit in time for the next ARIC meeting.

Ms Cleary confirmed that the audit and report are due to be finalised on 1 February, 2021.

Ms Plesman explained that the report will be presented to the Audit, Risk and Improvement Committee once it is completed and has been presented to the MANEX meeting.

Mr Morley requested that a brief report be presented at the next Audit, Risk and Improvement Committee meeting providing details of the order of the audits that were ultimately agreed upon by MANEX along with an explanation as to why MANEX disagreed with the original order of the audits that were proposed by Centium in the first draft of the Strategic Internal Audit Plan 2020-2023.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

1. The information contained in this report be noted,
2. The report by KPMG on the review of Procurement and Tendering be presented at the next ARIC meeting; and
3. The report from Centium with the order of audits that were first proposed be presented to the next ARIC meeting including an explanation as to why MANEX disagreed with the original order of the audits that were proposed by Centium in the first draft of the Strategic Internal Audit Plan 2020-2023.

5 RISK MANAGEMENT

5.1 STATUS OF RISK MANAGEMENT AND MOVING FORWARD

Ms Plesman advised the meeting that the report outlines how Council has progressed with risk management including the roll-out of Council's Enterprise Risk Management module in Pulse.

Ms Plesman added that Managers were coming up to speed with risk management, becoming more engaged each year as Council develops the framework.

Mr Morley pointed out that the role of the committee is to get a feel for how identified risks will be managed.

Cr Scholes requested that a copy of the Risk Register containing 18 Operational risks be brought back to the committee.

Mr Quealey questioned whether Council has a goal set on where they would like to be with the risk management framework to which Cr Scholes queried what would Council's "delivery point" be.

Mr Morley pointed out that an annual action plan for risk management, likely to be one to two pages maximum, would be useful to consider, providing a guiding blueprint.

Ms Plesman reassured the committee that Council has a very high safety culture but enterprise risk was different again.

Ms Plesman suggested that the committee members may wish to attend one of Council's Managers forums which commence with discussion around risks, a case study and a review on "how did Council get there?".

Mr Morley agreed to attending one of those discussions.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

1. The information contained in this report be noted,
2. The Risk Register be presented to the committee once finalised; and
3. The committee will provide feedback and advice on ways to develop an end goal for implementing Council's Risk Management Framework.

5.2 INSURANCE TRENDS

Ms Plesman advised that Council is always learning from their insurance claims, are improving on their claims management and expanding networks with other Councils when it comes to claims matters.

Ms Plesman explained that Council's focus is on prevention rather than reaction when it comes to incidents and that staff involved in dealing with larger, more serious incidents have been recognised with staff awards for excellence in work performance.

The committee requested brief details of the insurance claim involving a Development Application that was finalised in 2018.

A discussion took place around steps being taken to keep insurance premium costs at a minimum.

Mr Morley advised the meeting that increasing the excess amount usually sends a positive message to the underwriter and it can translate into more favourable premiums.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

Recommended on the motion of Cr Scholes and Mr Quealey that:

1. The information contained in this report be noted; and
2. Brief details of the Development Application insurance claim involving Council are to be sent to the committee out of session.

5.3 CAPITAL WORKS STATUS REPORT

Cr Scholes advised the meeting that he received briefs around these status reports on a very regular basis.

Mr Quealey raised a concern that there had been asbestos removal at one site to which Ms Plesman assured him that Council has a pretty good handle on asbestos management.

Mr Morley questioned whether there are any projects that are a cause for concern in that they could result in budget blowouts or a problem in the future.

Ms Plesman advised the meeting that they are on time and on budget.

Ms Plesman provided the committee with two examples of Capital Works Projects affected by climate events that have thorough risk management plans around them.

Mr Morley explained that, as a committee, they are mindful of regularly asking if there are any risks.

Mr Morley offered to forward Council some examples of Project Risk Summaries to which Ms Plesman advised that this would be appreciated.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

1. The information contained in this report be noted; and
2. Mr Morley provide Council with examples of Project Risk Summaries out of session.

7 EXTERNAL AUDIT

7.1 2019/20 ANNUAL FINANCIAL STATEMENTS

Ms Plesman and Mr Morley moved a motion to bring the matter forward in this meeting and the matter was dealt with following item 5.3.

Mr Morley explained that there will obviously be no comment or resolution on this matter until the full presentation by the external auditor is conducted at a separate meeting on Thursday 17 December, 2020.

Mr Hagger advised the committee that the 2019/2020 Annual Financial Statements showed a pleasing result.

Mr Hagger provided the committee with an overview of Council's investments.

Mr Quealey queried the rates ratio doubling from the previous year.

Mr Hagger attributed this to be primarily around the Dartbrook Mine.

Mr Quealey described the financial statements as displaying an extremely healthy result in a COVID-tough time.

Ms Plesman provided the committee with an overview on the effects of the pandemic on the

community economy and on Council itself, including running programs to provide meals, a library delivery service and introducing other additional services to the community.

Ms Plesman went on to add that Council has a very healthy investment portfolio and future fund. Ms Plesman mentioned that another larger Council had approached Muswellbrook Shire Council to gain information from our Revenue Policy.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

1. The information contained in this report be noted; and
2. A presentation of the 2019/2020 Annual Financial Statements will be made by Pitcher Partners at a meeting held at Council on Thursday 17 December, 2020.

6 INTERNAL AUDIT

6.1 Q1 2020-21 INTERNAL AUDIT ACTION UPDATE

Discussion took place around Council's recent Staff Survey and Ms Plesman provided the committee with an overview of the results, summarising that any matters or concerns have now been addressed and that additional training is being scheduled.

Mr Morley advised that he was pleased to see a Staff Survey being conducted and participated in.

Ms Plesman expressed her interest in finding out from the committee whether they are aware of other Councils that are doing the same and what their statistics are.

Mr Morley conceded that most Councils do not carry out staff surveys regularly enough and that actions resulting from the surveys do not get addressed in a timely manner.

Mr Quealey agreed that the absence of communication with staff is definitely an issue.

Discussion took place around removing Item Q-1 on Service Levels as this is now ongoing, as well as items T2 and T3 from the report for the next ARIC meeting as these have been completed.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

The information contained in this report be noted.

6.2 INTERNAL AUDIT CHARTER REVIEW

Discussion took place around how often the Charter should be reviewed.

Ms Cleary suggested that instead of "periodically reviewing" the Charter, this could be more specific such as "annually".

Mr Morley agreed that annually would be suitable, or even every four years.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

1. The information contained in this report be noted,
2. The Internal Audit Charter be noted; and
3. The Internal Audit charter be reviewed again once the new OLG Internal Audit Guidelines are revealed.

6.3 GOVERNANCE, INTERNAL CONTROLS AND LEGISLATIVE COMPLIANCE

Ms Plesman pointed out the attachments to the report and explained that the report is straightforward and has been compiled to provide an overview of Governance and Internal Control as well as Legislative Compliance.

Cr Scholes queried when the Fraud Policy may be finalised to which Ms Plesman explained that it would be in early 2021.

Ms Plesman advised the committee that Council have been trying to condense the Policy Register and that there have been quite a few policies go to Council for rescinding.

Mr Quealey asked what the framework was that is in place for reporting fraud.

Ms Plesman offered to have the procedure provided to the committee out of session.

Ms Plesman further explained that Council had experienced such an incident and that the appropriate procedure was followed and an investigation took place.

There is also a Public Interest Disclosure reporting process.

Mr Morley also recommended that, with the policies and strategy provided, where it is referenced "Internal Audit Committee" this should be amended to "Audit, Risk and Improvement Committee" and "Fraud" should be amended to "Fraud and Corruption".

Additionally, Mr Morley recommended that the Governance Policy be reviewed so that it is consistent with other related policies.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

1. The information contained in this report be noted,
2. The policies contained in this report be noted; and
3. Information is provided to the committee regarding the framework that is in place for reporting fraud and corruption.

8 LEGISLATIVE COMPLIANCE

Nil

9 GOVERNANCE AND INTERNAL CONTROL

9.1 ETHICAL AND LAWFUL BEHAVIOUR REVIEW

Ms Plesman outlined Council's Performance Management System.

Mr Quealey questioned whether this report was complete.

Mr Morley queried whether there was a follow-up process in place for staff who do not complete their assigned training to which Ms Plesman explained that there were automated reminders generated until the training is completed.

Mr Morley asked whether the Staff Survey questioned staff on whether they are aware of the procedure relating to reporting unethical and unlawful behaviour to which Ms Plesman replied that it did.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

The information contained in this report be noted.

10 PERFORMANCE MANAGEMENT AND IMPROVEMENT

10.1 SERVICE DELIVERY REVIEW PROGRAM QUARTERLY UPDATE

Mr Pirillo provided the committee with an overview of the report data.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

The information contained in this report be noted.

10.2 2020-2021 OPERATIONAL PLAN 30 SEPTEMBER QUARTERLY REVIEW

Mr Morley described the report as good and concise.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

The information contained in this report be noted.

11 GENERAL BUSINESS

11.1 REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

Mr Morley recommended that, as there are no significant changes, the review of this Charter will be treated the same as the Internal Audit Charter in that it can be reviewed again following the release of the OLG Guidelines.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

The information contained in this report be noted.

11.2 INTERNAL AUDIT FUNCTION SELF REVIEW

Mr Morley recommended that this review be re-titled "Audit, Risk and Improvement Committee and Internal Audit Function Self-Review".

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

The information contained in this report be noted.

11.3 ARIC FORWARD MEETING PLAN 2020

Discussion took place around the status of the Councillor member role on the ARIC in September 2021 due to the election.

Mr Morley recommended that the first 2 meeting dates of 2021 be decided on then the rest of the meetings remain in abeyance until after the election.

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON TUESDAY 15 DECEMBER, 2020 COMMENCING AT 9.00AM.

The committee agreed on Tuesday 23 February 2021 and Wednesday 25 May 2021 as the first two meeting dates.

Mr Morley queried whether these meetings would occur in person or continue virtually.

Ms Plesman advised that virtually would be a more suitable option for now.

RECOMMENDED on the motion of Mr Quealey and Cr Scholes that:

The information contained in this report be noted.

11.4 ARIC MEETING ACTIONS STATUS UPDATE

Ms Nash provided an overview of report content.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

The information contained in this report be noted.

12 DATE OF NEXT MEETING

Tuesday 23 February, 2021.

13 CLOSURE

The meeting was declared closed at 11.06am

.....

Mr M. Morley

Chairperson

**13.4 REPORT OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE
MEETING HELD ON THURSDAY, 17 DECEMBER 2020**

| | |
|---------------------------------|--|
| Attachments: | Nil |
| Responsible Officer: | Fiona Plesman - General Manager |
| Author: | Leonie Nash - Risk & Improvement 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>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i> |

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Audit, Risk and Improvement Committee held on 17 December 2020.

OFFICER'S RECOMMENDATION

The Minutes of the Audit, Risk and Improvement Committee Meeting held on Thursday 17 December 2020 be noted.

Moved: _____ Seconded: _____

REPORT

The General Manager reports that the Audit, Risk and Improvement Committee met on Thursday 17 December 2020 for a presentation on Council's 2019/2020 Annual Financial Statements by the External Auditor, Pitcher Partners.

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

The next meeting of the Audit, Risk and Improvement Committee is scheduled for 16 March 2021.**DECISIONS REQUIRING A NEW BUDGET ALLOCATION**

| Item Ref | Description | \$ | GL No. |
|-----------------|--------------------|-----------|---------------|
| | | | |

PRESENT: Mr M. Morley (Chair), Mr P. Quealey, Cr R. Scholes, Mr D. Finnigan (Deputy General Manager) and Mr D. Haggar (Chief Financial Officer).

IN ATTENDANCE: Mr W. Russell (Pitcher Partners) and Ms L. Nash (Risk and Improvement Officer).

1 APOLOGIES AND LEAVE OF ABSENCE

Recommended on the motion of Mr Quealey and Cr Scholes that:

The apologies for inability to attend the meeting submitted by Ms F. Plesman (General Manager) be accepted.

2 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

3 EXTERNAL AUDIT

3.1 2019/2020 ANNUAL FINANCIAL STATEMENTS

Mr Russell presented Council's 2019/2020 Annual Financial Statements to the committee, providing a copy of the presentation in point form to each person at the meeting.

Mr Russell provided a summary of the following:

- Income Statement for the year ended 30 June 2020,
- Statement of Financial Position as at 30 June 2020,
- Statement of Cash Flows for the year ended 30 June 2020,
- Restricted funds,
- Financial indicators,
- Engagement closing report; and
- Report on the conduct of the audit

Mr Russell provided further information on the Muswellbrook Shire Council Income Statement for the year ended 30 June 2020 pointing out that this was Council's net operating result for the year.

Mr Russell stressed that it was important to note that the income statement is the "consolidated statement" of the General Fund, Water Fund and Sewer Fund.

Mr Morley queried what in particular was driving the loss of \$1M within the sewer fund.

Mr Hagger undertook to provide an explanation to the Committee.

Mr Russell noted that one of the things impacting on all audits this year was COVID including significant changes with personnel.

Mr Russell also added that it was not uncommon for there to be a loss in the General Fund.

The Committee members asked a number of questions regarding the financial statements. In particular, the Committee asked if restricted funds had been properly accounted for and whether there were any issues similar to those which had arisen at Central Coast Council.

Mr Russell advised that restricted funds appear to have been properly accounted for.

RECOMMENDED on the motion of Cr Scholes and Mr Quealey that:

1. The presentation by Pitcher Partners be noted,
2. The Financial Statements be noted; and

3. A copy of the Engagement Closing Report be provided to the Audit, Risk and Improvement Committee who will come back with questions out of session.

4 DATE OF NEXT MEETING

Tuesday, 23 February 2021.

2 CLOSURE

The meeting was declared closed at 3.05pm.

.....
Mr M. Morley

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 TENDER 2020-2021-0458 - BYLONG VALLEY WAY CH13.77KM - CH14.52KM ROAD AND DRAINAGE UPGRADE WORKS

Item 19.1 is classified CONFIDENTIAL under the provisions of Section10A(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.

19.2 TENDER 2020-2021-0454 - PROVISION OF CLEANING SERVICES FOR VARIOUS COUNCIL COMMERCIAL PROPERTIES

Item 19.2 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.3 TENDER 2020-2021-0445 - MUSWELLBROOK MARKETPLACE AIR CONDITIONING REPLACEMENT

Item 19.3 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.4 TENDER (PANEL) T412021HUN PROVISION OF ROAD SAFETY BARRIER SYSTEMS

Item 19.4 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Moved: _____ **Seconded:** _____

20 RESUMPTION OF OPEN COUNCIL

21 CLOSURE

DATE OF NEXT MEETING: TUESDAY 27 APRIL 2021