



**muswellbrook  
shire council**

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

**BUSINESS PAPER**  
**11 FEBRUARY 2020**



**EXTRA ORDINARY COUNCIL MEETING, 11 FEBRUARY 2020**

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122  
MUSWELLBROOK  
7 February, 2020

Councillors,

You are hereby requested to attend the Extra Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **11 February, 2020** commencing at 6.00pm.

Fiona Plesman  
**GENERAL MANAGER**

# Order of Business

ITEM	SUBJECT	PAGE NO
1	ACKNOWLEDGEMENT OF COUNTRY	5
2	CIVIC PRAYER	5
3	APOLOGIES AND LEAVE OF ABSENCE	5
4	DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST	5
5	PUBLIC PARTICIPATION	5
6	COMMUNITY INFRASTRUCTURE	6
6.1	ESTABLISHMENT OF MANDATORY LEVEL 2 WATER RESTRICTIONS	6
6.2	REPLACEMENT OF FIRE-DAMAGED LANDFILL LIDS	13
6.3	REVISED DRAFT OLYMPIC PARK MASTER PLAN - PUBLIC EXHIBITION	24
6.4	INSTALLATION OF TWO VALVES: NORTH MUSWELLBROOK 375MM WATER MAIN	32
7	CORPORATE AND COMMUNITY SERVICES	36
7.1	DECEMBER 2019 MONTHLY FINANCIAL REPORT	36
7.2	ELECTION OF COUNCILLOR SPOKESPERSON (VACANCIES)	41
8	ADJOURNMENT INTO CLOSED COUNCIL	42
9.1	RICHARD GILL NATIONAL MUSIC ACADEMY <i>Item 9.1 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>	
9.2	2018-2019-0374 RELOCATION OF COUNCIL ADMINISTRATION CENTRE - REFURBISHMENT AND FIT OUT <i>Item 9.2 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>	
9.3	COMMUNITY PROPERTY PURCHASE - DUE DILIGENCE <i>Item 9.3 is classified CONFIDENTIAL under the provisions of Section10A(2)(d)(I) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
9.4	TERTIARY EDUCATION CENTRE - STAGE 2 - DRAFT DESIGN <i>Item 9.4 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</i>	

*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.*

<b>9</b>	<b>CLOSED COUNCIL</b>	<b>42</b>
<b>10</b>	<b>RESUMPTION OF OPEN COUNCIL</b>	<b>43</b>
<b>11</b>	<b>CLOSURE</b>	<b>43</b>



## MUSWELLBROOK SHIRE COUNCIL

# AGENDA

### **1 ACKNOWLEDGEMENT OF COUNTRY**

### **2 CIVIC PRAYER**

### **3 APOLOGIES AND LEAVE OF ABSENCE**

### **4 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.

### **5 PUBLIC PARTICIPATION**

## 6 COMMUNITY INFRASTRUCTURE

### 6.1 ESTABLISHMENT OF MANDATORY LEVEL 2 WATER RESTRICTIONS

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Fiona Plesman - General Manager
<b>Author:</b>	Derek Finnigan - Director - Community Infrastructure
<b>Community Plan Issue:</b>	<i>A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health</i>
<b>Community Plan Goal:</b>	<i>Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.</i>
<b>Community Plan Strategy:</b>	<i>Ensure substantial achievement of Best Practice Water Supply and Sewerage Guidelines.</i>

#### PURPOSE

The report requests Council's consideration of the establishment of level 2 water restrictions for Muswellbrook, Denman, and Sandy Hollow town water supply, consistent with the level 2 water restrictions applied by Hunter Water.

#### OFFICER'S RECOMMENDATION

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. That 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.

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

#### BACKGROUND

At the 11 June 2019 Ordinary Council meeting, Council approved the establishment of mandatory level 1 water restrictions for Muswellbrook and Denman town water supply. Council's resolution in relation to the report was:

**11.1 ESTABLISHMENT OF MANDATORY LEVEL 1 WATER RESTRICTIONS**

*RESOLVED on the motion of Crs McNeill and Rush that:*

- 1. Council approves the establishment of mandatory level 1 water restrictions for Muswellbrook and Denman town water supply from 1 July 2019, following notification of the restrictions in a local newspaper;*
- 2. The mandatory level 1 water restrictions will apply until the dam level at Glenbawn Dam rises to a level against which Council may with confidence revoke the mandatory level 1 water restrictions;*
- 3. Council places a moratorium on the legislative enforcement of the mandatory level 1 water restrictions until 1 September 2019.*

At the 29 October 2019 Ordinary Council Meeting, Council approved the establishment of mandatory level 1 water restrictions for Muswellbrook and Denman Sandy Hollow town water supply. Council's resolution in relation to the report was:

**11.4 ESTABLISHMENT OF MANDATORY LEVEL 1 WATER RESTRICTIONS AT SANDY HOLLOW**

*RESOLVED on the motion of Crs Woodruff and Ward that:*

- 1. Council approves the establishment of mandatory level 1 water restrictions for Sandy Hollow town water supply from Monday 11 November 2019, following notification of the restrictions in a local newspaper; and*
- 2. The mandatory level 1 water restrictions will apply until Council may with confidence revoke the restrictions.*

At the time of submission of the 11 June 2019 report, the water level at Glenbawn Dam was 51.7% of capacity. At 28 January 2020, the water level at Glenbawn Dam is 39.0% of capacity (Source: [www.waternsw.com.au](http://www.waternsw.com.au) accessed 28 January 2020).

With the continuing reduction in the water level at Glenbawn Dam, and to introduce alignment with the mandatory water restrictions established by Hunter Water, it is considered appropriate for Council to consider the establishment of mandatory level 2 water restrictions for Muswellbrook, Denman, and Sandy Hollow town water supply.

**CONSULTATION**

External consultation has been carried out with Upper Hunter Shire Council and Singleton Council.

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 the mandatory water restrictions.

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

Consultation has been carried out with the Mayor, Councillor Rush. 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 has established mandatory level 1 water restrictions for Muswellbrook, Denman, and Sandy Hollow town water supply. With the water level at Glenbawn Dam reducing to

39.0% of capacity at 28 January 2020, it is considered appropriate for Council to consider increasing the mandatory water restriction from level 1 to level 2.


Council's level 1 mandatory water restrictions are defined in the 'Muswellbrook Shire Council Drought Management and Emergency Response Plan (September 2014)'. Whilst the mandatory level 1 water restrictions have been successful in reducing town water consumption, there exists a level of confusion within the community regarding which water restrictions apply to Muswellbrook Shire Council. This is primarily due to the advertising carried out by Hunter Water regarding water restrictions applying to the lower Hunter. The report requests Council's consideration of aligning Muswellbrook Shire Council's level of water restrictions to those applied by Hunter Water. This will provide an enhanced level of certainty to Muswellbrook Shire Council residents and business, who have demonstrated a strong commitment to ensuring compliance with the mandatory level 1 water restrictions. Elevating Muswellbrook Shire Council's level of mandatory water restriction not only demonstrates strong leadership in conserving the community's precious water resource, but also enables the provision of potable water to the Shire's farming communities and to the Rural Fire Service when required.

Due to the considerable economic and community recreation and social benefit provided by Council's civic precinct, sporting fields and irrigated parks and reserves, these locations will be exempted from the mandatory level 2 water restrictions, however irrigation will only be permitted between the hours of 9:00 p.m. and 6:00 a.m. Water usage will also be monitored to ensure that the minimum possible amount of water is utilised to ensure the satisfactory standard and amenity of these important public assets.



Should Council decide to align the level of mandatory water restriction to those applied by Hunter Water, the following restrictions will apply under level 2 mandatory water restrictions:







## A Quick Guide to Level 2 Water Restrictions

Restriction level	Home and business	All business customers
	<ul style="list-style-type: none"> <li>Only watering every second day, before 10am and after 4pm using a hose with a trigger nozzle for up to 15 minutes in total for the day</li> </ul> <p><b>Which day is your water day?</b> Simple, if your street number is even (eg 12 Smith Street) you can water on an even date of the month, if your street number is odd (eg 27 Smith Street), you can water on odd dates.</p> <ul style="list-style-type: none"> <li>Bucket wash vehicles and buildings</li> <li>Maximum 4 minute showers</li> <li>No hosing of hard surfaces such as concrete, paths, and driveways</li> <li>No sprinklers or irrigation systems</li> <li>All hoses must have a trigger nozzle</li> <li>Repair dripping taps and leaking toilets</li> </ul>	<ul style="list-style-type: none"> <li>Large customers implement Water Efficiency Management Plans</li> <li>All customers prepare Water Efficiency Management Plans</li> </ul>

## What's Allowed Under Level 2 Water Restrictions?

Activity	What can you do?	What can't you do?
<b>Watering lawns and gardens</b> 	<p>You can:</p> <ul style="list-style-type: none"> <li>Water lawns and gardens by hand held hose fitted with a trigger nozzle, bucket or watering can before 10am and after 4pm every second day* for up to 15 minutes.</li> </ul>	<p>You can't:</p> <ul style="list-style-type: none"> <li>Use sprinklers or irrigation systems at any time</li> <li>Leave hoses or taps running unattended</li> <li>Water lawns and gardens every day</li> </ul>
<b>Hose connected water toys (eg inflatable slides, sprinkler toys)</b> 	<p>You can:</p> <ul style="list-style-type: none"> <li>Fill and use paddle pools or inflatable pools that have less than 3,000 litre capacity</li> </ul> <p>Tip: When emptying your paddle pool use the water on your lawn or garden</p>	<p>You can't:</p> <ul style="list-style-type: none"> <li>Use toys (eg. inflatable slides, sprinklers) that are connected to a hose at any time</li> <li>Leave hoses or taps running unattended</li> </ul>
<b>Cleaning external hard surfaces (paths, driveways &amp; concrete)</b>	<p>You can:</p> <ul style="list-style-type: none"> <li>Spot clean for safety, health or</li> </ul>	<p>You can't:</p> <ul style="list-style-type: none"> <li>Use a hose for general</li> </ul>

	<p>emergency reasons with a hose fitted with trigger nozzle or with high pressure cleaning equipment</p>	<p>cleaning of hard surfaces such as paths, driveways and paved areas</p> <ul style="list-style-type: none"> <li>• Leave hoses and taps running unattended</li> </ul>
<p><b>Washing vehicles and buildings</b></p> 	<p>You can:</p> <ul style="list-style-type: none"> <li>• Wash vehicles and buildings using a bucket at any time.</li> </ul> <p>Tip: wash your car on your lawn and your grass will benefit</p>	<p>You can't:</p> <ul style="list-style-type: none"> <li>• Wash vehicles and buildings using a hose.</li> </ul>
<p><b>Washing boats</b></p>	<p>You can:</p> <ul style="list-style-type: none"> <li>• Undertake necessary cleaning for maintenance of water craft, their bilges and motors. Read our FAQ below.</li> </ul>	
<p><b>Filling private pools and spas</b></p> 	<p>You can:</p> <ul style="list-style-type: none"> <li>• Top up existing pools if using a trigger nozzle or device that can be turned off instantly</li> <li>• Fill a new or renovated pool or spa over 3,000 litres capacity by obtaining a permit and a pool cover approved by <a href="#">SAWM</a> or certified by <a href="#">SPASA</a>. <a href="#">Apply for a permit to fill a pool</a></li> </ul>	<p>You can't:</p> <ul style="list-style-type: none"> <li>• Top up an existing pool without using a hose fitted with a trigger nozzle or device that can be turned off instantly</li> <li>• Leave an unattended hose running in a pool</li> <li>• Fill a new or renovated pool or spa over 3,000 litres capacity unless you have a permit and a pool cover approved by <a href="#">SAWM</a> or certified by <a href="#">SPASA</a>. <a href="#">Apply for a permit to fill a pool</a></li> </ul>
<p><b>Filling or topping up tanks and dams</b></p>	<p>You can:</p> <ul style="list-style-type: none"> <li>• Fill up a tank or dam if primarily used for internal domestic consumption and connected with a direct connection to the domestic plumbing</li> <li>• Use rainwater collected and stored in your tank and dam for any purpose (we encourage everyone to use all water wisely)</li> </ul> <p>Please note: when in doubt about the source of the water in your tank please abide by</p>	<p>You can't:</p> <ul style="list-style-type: none"> <li>• Fill or top up a tank or dam using water sourced from Muswellbrook Shire Council that is not being used for internal domestic consumption</li> </ul>

	water restrictions	
<b>Internal use</b> 	<p><b>You can:</b></p> <ul style="list-style-type: none"> <li>• Have a maximum four minute shower</li> <li>• Help water saving efforts by repairing internal leaks as quickly as possible, such as dripping taps or leaking toilets</li> </ul> <p><b>Tip:</b> Fixing a leaking toilet can save you between 10 to 260 litres a day.</p>	<p><b>You can't:</b></p> <ul style="list-style-type: none"> <li>• Be wasteful with water in the bathroom</li> </ul>

## \* What does watering every second day mean?

- If your street number is even (e.g. 12 Smith Street) you can water on even dates of the month (e.g. 2nd, 4th, 6th February).
- If your street number is odd (e.g. 27 Smith Street) you can water on the odd dates of the month (e.g. 3rd, 5th, 7th February).

### OPTIONS

Council may decide to:

1. Approve level 2 mandatory water restrictions consistent with those applied by Hunter Water;
2. Approve level 2 mandatory water restrictions as specific in the 'Muswellbrook Shire Council Drought Management and Emergency Response Plan (September 2014)'.
3. Remain at the current level 1 status of mandatory water restrictions.

### CONCLUSION

Muswellbrook Shire Council is committed to strong, positive leadership in ensuring the conservation of the community's precious water resource. In order to manage water consumption consistently across the Hunter region, and to ensure that the community is not receiving ambiguous or inconsistent information relation to the water restrictions that apply, it is recommended that Council aligns its level of mandatory water restrictions with those applied by Hunter Councils.

### SOCIAL IMPLICATIONS

While the establishment of mandatory level 2 water restrictions will moderate the ability of residents and business to use water without constraint, it is considered that greater present and future social benefit will result from proactive, appropriate measures undertaken in a timely manner to ensure water security now and into the future.

### FINANCIAL IMPLICATIONS

The establishment of mandatory level 2 water restrictions will reduce potable water use, and therefore the level of income generated from the sale of town water to the community.

### POLICY IMPLICATIONS

The report references Council's 'Drought Management and Emergency Response Plan (September 2014)'.

**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).

**OPERATIONAL PLAN IMPLICATIONS**

The submission of this report complies in principle with item 20.1 of the Operational Plan: 'Provide safe, secure, efficient and effective water, sewerage, and waste services in compliance with regulatory requirements'.

**RISK MANAGEMENT IMPLICATIONS**

The report's primary purpose is to manage the risk associated with insufficient water security by initiating proactive, appropriate, timely controls as a means of ensuring the community's water security now and into the future, and particularly during sustained periods of drought conditions.

## 6.2 REPLACEMENT OF FIRE-DAMAGED LANDFILL LIDS

<b>Attachments:</b>	<b>A. 20191101 landfill lids damage assessment.pdf</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Director - Community Infrastructure</b>
<b>Author:</b>	<b>Joann Polsen - Senior Technical Officer Waste</b>
<b>Community Plan Issue:</b>	<b><i>A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health</i></b>
<b>Community Plan Goal:</b>	<b><i>Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Operate in accordance with the New South Wales Environment Protection Agency (EPA) Licences.</i></b>

### PURPOSE

The report requests Council's consideration of temporarily allocating \$207,440 from the waste reserve to enable the replacement of seven landfill lids under insurance claim PR0025587.

### OFFICER'S RECOMMENDATION

**Council temporarily allocates \$207,440 from the waste reserve to enable the replacement of seven landfill lids at the Muswellbrook waste and recycling facility.**

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

### BACKGROUND

Muswellbrook Shire Council operates the Muswellbrook Waste & Recycling Facility subject to the provisions of Environment Protection Licence 5980. Condition 6.14 of the licence specifies Council utilises Wastewell Landfill Lids for alternative daily cover of the active landfill face. These landfill lids are applied to the working face of the landfill cell at the end of each working day, serving to exclude vermin, minimise odour and prevent waste being blown by wind. The lids are removed at the commencement of landfilling the next working day and set neatly aside until required again at the closure of the facility to the public.

At approximately 1:00 a.m. on Friday 18 October 2019, a fire began in the waste directly underneath the emplaced landfill lids. This fire burnt until 6:15am when staff first became aware of the incident. During the initial fire response, the landfill lids would have been exposed to fire fighting water spray before being removed by machine, to allow the burning waste to be doused.

Post incident, staff conducted inspection and assessment of the landfill lids. Inspection clearly indicated that the majority of the lids were damaged beyond repair. The lids are Council's only approved alternative daily cover material for waste, therefore staff initiated a claim on Council's insurance for replacement of the damaged lids.

### CONSULTATION

Director Community Infrastructure

Coordinator Financial Services

Risk & Improvement Officer

Supplier of patented landfill lids.

**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**

At approximately 1:00am on Friday 18<sup>th</sup> October 2019 a fire began in the waste directly underneath the emplaced landfill lids. The fire burnt until 6:15 a.m., when staff first became aware of the incident. During the initial fire response, the landfill lids were exposed to fire fighting water spray before being removed by machine to allow the burning waste to be doused.

Seven of the eight landfill lids were in place on the working face and sustained fire damage. Three are extensively damaged and lack the integrity to provide the required daily cover of compacted waste. The remaining four are also extensively fire affected and will quickly rust and deteriorate further. A damage assessment was conducted by staff, a copy of which is appended to the report.

A strengths, weaknesses, opportunities and threats (SWOT) analysis exercise was also carried out to consider a range of technology options, and to assist with selecting the best value solution. Council's landfill lids were originally procured in 2009-10, and since then upgraded versions of landfill lids have been developed. Replacement of the lids with a current version of the same product has several benefits to Council over other options, as they are now lighter and more robust for daily use. Additionally, staff are trained and familiar with their safe use, and no modifications to Council's heavy plant would be required.

It was determined that a claim on insurance was justified based on the cost of replacement and the impact on continuing operations, and also to maintain compliance with Council's landfill licence conditions.

The total cost of replacement of the damaged/destroyed lids is quoted at \$209,440. As the incident and consequent expense were unforeseen, this amount does not form part of Council's budget.

Council's insurer has granted Claim PR0025587 to reimburse this cost, less \$2000 of excess payable, which can be absorbed within existing budgets.

The supplier has commenced manufacture, and advises delivery by the end of February 2020. In order to make this payment and facilitate prompt replacement, Council is requested to allocate the required \$207,440 from the waste reserve, which will be reimbursed by Council's insurer upon receipt of evidence that replacement has been completed.

**OPTIONS**

Council may decide to approve or not approve the requested temporary allocation of \$207,440 from the waste reserve to enable the replacement of the seven landfill lids.

**CONCLUSION**

The total cost of replacement of the damaged/destroyed lids is quoted at \$209,440.

Council's insurer has granted Claim PR0025587 to reimburse this cost, less \$2000 of excess payable. This excess amount can be absorbed within existing budgets.

In order to make this payment, Council is requested to temporarily transfer from the waste reserve the required \$207,440.00, which will be reimbursed by Council's insurer upon receipt of evidence of replacement completed.

**SOCIAL IMPLICATIONS**

The replacement of the damaged landfill lids will provide an enhanced means of controlling waste material on site, and will increase the community's social amenity through the prevention of loose waste material leaving the waste and recycling facility site.

**FINANCIAL IMPLICATIONS**

The total cost of replacement of the damaged/destroyed lids is quoted at \$209,440.00.

Council's insurer has granted Claim PR0025587 to reimburse this cost, less \$2000 of excess payable. The excess amount may be absorbed within existing budgets, such as the waste operational materials and contracts budget.

Should Council decide to temporarily transfer the requested \$207,440.00 from the waste reserve, which will be reimbursed by Council's insurer upon receipt of evidence that replacement has been completed, sufficient funding exists within the reserve to enable the transaction to proceed.

**POLICY IMPLICATIONS**

Nil known.

**STATUTORY IMPLICATIONS**

Replacement of the landfill lids permits continued compliance with Council's Environment Protection License 5980, Condition O6.14 for Alternative Daily Cover.

Not providing effective overnight cover of the landfill working face would be a breach of the licence.

**LEGAL IMPLICATIONS**

Nil known.

**OPERATIONAL PLAN IMPLICATIONS**

The submission of this report complies with item 20.1.1 of the Operational Plan: 'Operate in accordance with the New South Wales Environment Protection Agency (EPA) Licences'.

**RISK MANAGEMENT IMPLICATIONS**

Not replacing the landfill lids would result in a significant increase in the volumes of soil required to provide effective cover material in the void. This would require upsizing of the tipper truck plant, additional staff, and would reduce the calculated lifespan of the landfill.

Fire incident 18/10/2019 - Asset damage report.

Prepared 08/11/2019 by Joann Polsen, Senior Coordinator Waste Operations.

#### Infrastructure Asset – Wastewell Landfill lids

##### Contents:

1. Introduction
2. Damage assessment
3. Options
4. Conclusion

#### 1. Introduction:

Muswellbrook Council operates Muswellbrook Waste & Recycling Facility subject to the provisions of Environment Protection License 5980. In compliance with Condition O6.14 of this licence, Council utilises (eight) Wastewell Landfill Lids for Alternative Daily Cover of the active landfill face.

At approximately 1:00am on Friday 18<sup>th</sup> October 2019 a fire began in the waste directly underneath the emplaced landfill lids. This fire burnt uncontrolled until 6:00am where staff first became aware of the incident. During the initial fire response, the landfill lids would have been exposed to fire fighting water spray before being removed by machine, to allow the burning waste to be doused.

#### 2. Damage assessment

Seven of the eight landfill lids have sustained fire damage. Three of these are extensively damaged and lack the integrity to provide the required daily cover of compacted waste. The remaining four are also extensively fire affected and will quickly rust and deteriorate. For the purposes of this report, lids have been allocated a number however otherwise they lack individual identification markings.

Results of preliminary inspection and photos follow:

Lid No.	Image	Condition
1	Figure 1, <b>Error! Reference source not found.</b> <b>Error! Reference source not found.</b>	Very poor – does not provide 100% waste cover
2	Figure 1, <b>Error! Reference source not found.</b> , Figure 4	Poor
3	Figure 1, Figure 5	Poor
4	Figure 1, Figure 6, Figure 7	Very poor - does not provide 100% waste cover
5	Figure 8, Figure 9, Figure 10, Figure 11	Poor
6	Figure 8, Figure 9, Figure 11, Figure 12	Poor
7	Figure 13	Very poor - does not provide 100% waste cover
8	Figure 13	Good working condition





Figure 1: Lid 1 in foreground through to Lid 4 at rear.



Figure 2: Lid 1. Exposed and burnt insulation, charring and displacement of sheeting. Lid no longer provides effective cover of waste.



Figure 3: Lid 2, rubber skirts have burnt away, sheeting is deformed, galvanising has been burned away.



Figure 4: Lid 2, charred and warped, skirting destroyed.



Figure 5: Lid 3. Charring of paint and galvanising evident. Skirts burnt away.



Figure 6: Lid 4. Warping of steel and lifting of sheeting, skirts burnt away and surfaces charred.



Figure 7: Lid 4 intense heat damage to sheeting & steel frame.



Figure 8: Lids 5 and 6. Lid 6 (in foreground) showing charring and warping.





Figure 9: Lid 5 (left) lifting assembly, Lid 6 (right). Paint/galvanising either charred or burnt off.

Figure 10: Lid 5, showing complete removal of rubber skirt assembly and charring of steel beams.



Figure 11: Lid 6 (left) and lid 5 (right) showing complete destruction of rubber skirt assembly and charring of steel and galvanised portions.

Figure 12: Lid 6, skirt mountings visible as majority burnt away, lid warped.



Figure 13: Lid 7 (foreground) and Lid 8 (background). Lid 7 appears in very poor condition with charring of steel lifting assembly evident. Lid 8 in the background was not in use on waste when the fire occurred and is in fair working condition with no notable damage and skirts intact.

### 3. Options

Council has several options available to it for ongoing compliant operation of the landfill and providing daily cover as required by its Environment Protection Licence and industry best practise.

A SWOT analysis of four possible options is presented below:

<b>Option 1</b> Abandon lids and revert to soil cover	<b>Strengths</b>	<b>Weaknesses</b>
	<ul style="list-style-type: none"> <li>Soil is available on site.</li> </ul>	<ul style="list-style-type: none"> <li>Staff will be taken off other tasks in order to satisfy need to move soil.</li> <li>Would need an additional plant operator</li> <li>Accelerates landfill filling with inert material</li> <li>Loss of landfill income as airspace taken up by additional soil cover.</li> </ul>
	<b>Opportunities</b>	<b>Threats</b>
	<ul style="list-style-type: none"> <li>No need to invest in new plant</li> </ul>	<ul style="list-style-type: none"> <li>Additional hours spent by staff to excavate and transport soil cover.</li> <li>Additional plant wear and tear.</li> <li>Requirement for dedicated truck &amp; driver for soil</li> <li>Risk of premature soils stockpile depletion.</li> <li>Risk of dust generation resulting in non-compliance with licence.</li> </ul>

<b>Option 2</b> Replace landfill lids with new version of the same product	<b>Strengths</b>	<b>Weaknesses</b>
	<ul style="list-style-type: none"> <li>Council's existing landfill plant is suitable for moving the lids.</li> <li>Staff already trained and familiar with product and it's safe and correct application.</li> <li>After a decade of operation on site, landfill lids are proven effective alternative daily cover solution.</li> <li>Landfill lids are the only approved alternative daily cover material on Council's facility licence.</li> <li>Lids may be moved independently of each other, resulting in a flexible face cover depending on each day's situation.</li> </ul>	<ul style="list-style-type: none"> <li>Only one supplier of patented product exists.</li> </ul>
	<b>Opportunities</b>	<b>Threats</b>
	<ul style="list-style-type: none"> <li>Council may be able to claim insurance to replace damaged units.</li> <li>Modern landfill lid model has several design improvements over Council's ten year old design.</li> <li>New lids have improved fire suppression qualities and are a simplified design.</li> </ul>	<ul style="list-style-type: none"> <li>May have insurance claim refused</li> <li>Verbally quoted \$25K each to replace plus \$5K freight to deliver from Qld.</li> </ul>

Option 3	Strengths	Weaknesses
Replace with "Tarp Armour TDS" product, through Australian distributors Jaylon.	<ul style="list-style-type: none"> <li>Lower weight solution covering larger area.</li> </ul>	<ul style="list-style-type: none"> <li>Requires investment in new infrastructure</li> <li>May require modifications to existing plant or new plant</li> <li>Staff require training</li> <li>Tarps need to be deployed over a flat area</li> </ul>
	<b>Opportunities</b> <ul style="list-style-type: none"> <li></li> </ul>	<b>Threats</b> <ul style="list-style-type: none"> <li>Cost of new plant</li> <li>Cost of new infrastructure</li> </ul>

Option 3	Strengths	Weaknesses
Replace with "polyFIX" type spray on daily cover system.	<ul style="list-style-type: none"> <li>Provides a hard shell coating which may be landfilled over without having to remove the coating first.</li> </ul>	<ul style="list-style-type: none"> <li>Requires investment in new infrastructure</li> <li>May require modifications to existing plant or new plant</li> <li>Staff require training</li> <li>May be insufficient leachate water for effective reuse</li> </ul>
	<b>Opportunities</b> <ul style="list-style-type: none"> <li>System can use leachate liquid.</li> </ul>	<b>Threats</b> <ul style="list-style-type: none"> <li>Cost of new plant</li> <li>Cost of new infrastructure</li> <li>Introduces a consumable which needs constant refilling = ongoing cost.</li> </ul>

#### 4. Conclusion

Council's landfill lids sustained significant damage during the fire and firefighting efforts on the 18<sup>th</sup> October 2019. To ensure continued operation of the landfill in line with licensing requirements significant repair, replacement like-for-like or investment in alternative daily cover technologies is required. There are risks if Council chooses to do nothing and these are primarily loss of income and increased operational costs, as well as risk of non-compliance with licence. Benefits of replacing landfill lids with new landfill lids are staff familiarity with safe operation, existing plant sufficient to task, effective and modifiable daily cover of landfill face is able to be achieved and the landfill lid technology is already explicitly approved in Council's Environmental Protection Licence for the Waste Facility.

## 6.3 REVISED DRAFT OLYMPIC PARK MASTER PLAN - PUBLIC EXHIBITION

<b>Attachments:</b>	<b>A. Adopted Olympic Park Master Plan</b> <b>B. Revised DRAFT Olympic Park Master Plan</b> <b>C. Revised DRAFT Olympic Park Master Plan Submissions</b>
<b>Responsible Officer:</b>	<b>Derek Finnigan - Director - Community Infrastructure</b>
<b>Author:</b>	<b>Paul Chandler - Technical Offer - Recreation &amp; Property</b>
<b>Community Plan Issue:</b>	<b><i>Continue to improve the affordability, livability and amenity of the Shire's communities</i></b>
<b>Community Plan Goal:</b>	<b><i>Promote and facilitate increased participation in active and passive recreational activities.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Maintain the sporting and recreational facilities to standard.</i></b>

### PURPOSE

To report to Council the outcomes arising from the public exhibition period for the proposed revision to the Olympic Park Master Plan.

### OFFICER'S RECOMMENDATION

The information contained in the report be noted.

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

### BACKGROUND

The Olympic Park Master Plan consultation process began in March 2017. In February 2018, Council adopted the Stage 1 Olympic Park Master Plan. Over this time there has been extensive consultation with key stakeholders, including meetings and workshops with individuals and user groups.

Following advice from the Muswellbrook Cycle Club that they were unable to maintain the velodrome due declining membership numbers and funding, a revised master plan was developed for the community's consideration.

At the October 2019, Ordinary Council meeting it was:

*RESOLVED on the motion of Crs Reynolds and Green that:*

1. *Council endorse the inclusion of the cycling criterium track in a revised Olympic Park Master Plan to be placed on public exhibition for a period of 28 days.*
2. *At the conclusion of the period of public exhibition, the revised Olympic Park Master Plan be resubmitted to Council for consideration.*
3. *A revised program of works and cost estimate for the Olympic Park Project be prepared and reported to Council.*

The proposed revised plan was placed on public exhibition from November 2019 till Tuesday, 21 January 2020. A drop-in community information session was also held on Wednesday, 15 January 2020, between 3 pm and 6 pm at the Muswellbrook Aquatic Centre.



The proposed revised plan included the construction of a criterium track and three international football fields, which would be enabled by the proposed removal of the Ron King Velodrome.

**CONSULTATION**

Community Listening Post – Muswellbrook Aquatic Centre – 15 January 2020

Mrs Pam King

Muswellbrook Cycle Club

Muswellbrook District Junior Rugby League Club

Muswellbrook Rams Senior Rugby League Football Club

Muswellbrook Olympic Park Tennis

Muswellbrook Park Tennis

Muswellbrook Touch Association

Manager Works, Property and Building

Technical Officer – Recreation and Property

**CONSULTATION WITH COUNCILLOR SPOKESPERSON**

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

Councillor Spokesperson for Sport, Cr McNeill

**REPORT**

Community feedback was received opposing the revised master plan, and specifically the proposal to remove the Ron King Velodrome. Therefore, Council announced on 6 December 2019 that the revised plan would not be adopted.

Six written submissions regarding the revised plan and one written comment from the community information session were received. The submissions are attached as an appendix to the report.

The criterium track offered a number of wider community benefits for passive and active recreation beyond cycling. However, without the removal of the velodrome there is not enough physical space to meet the specification without encroaching on the Muscle Creek riparian zone. Council could, however, consider the inclusion of a shared 2.5 m wide path loop as a substitute.

An itemised programme of works will be reported to the March 2020 Ordinary Council Meeting, but the bridge design and amenity building design will resume consistent with the adopted master plan. The programme of works will include recommendations for the maintenance of the velodrome and surrounds following a structure and risk assessment of the site.

**OPTIONS**

Council could choose to amend the adopted master plan.

**CONCLUSION**

Council to continue with the adopted master plan.

**SOCIAL IMPLICATIONS**

The Olympic Park Master Plan provides for enhanced passive and active recreation opportunities for the community.

**FINANCIAL IMPLICATIONS**

The total funding available for the Olympic Park project is \$5.51M for Stage 1 (includes stage 1 car park - completed) and \$5.5M for Stage 2 (which is assumed to be funded by grants for the construction of a grandstand).

**POLICY IMPLICATIONS**

Nil known.

**STATUTORY IMPLICATIONS**

Nil known.

**LEGAL IMPLICATIONS**

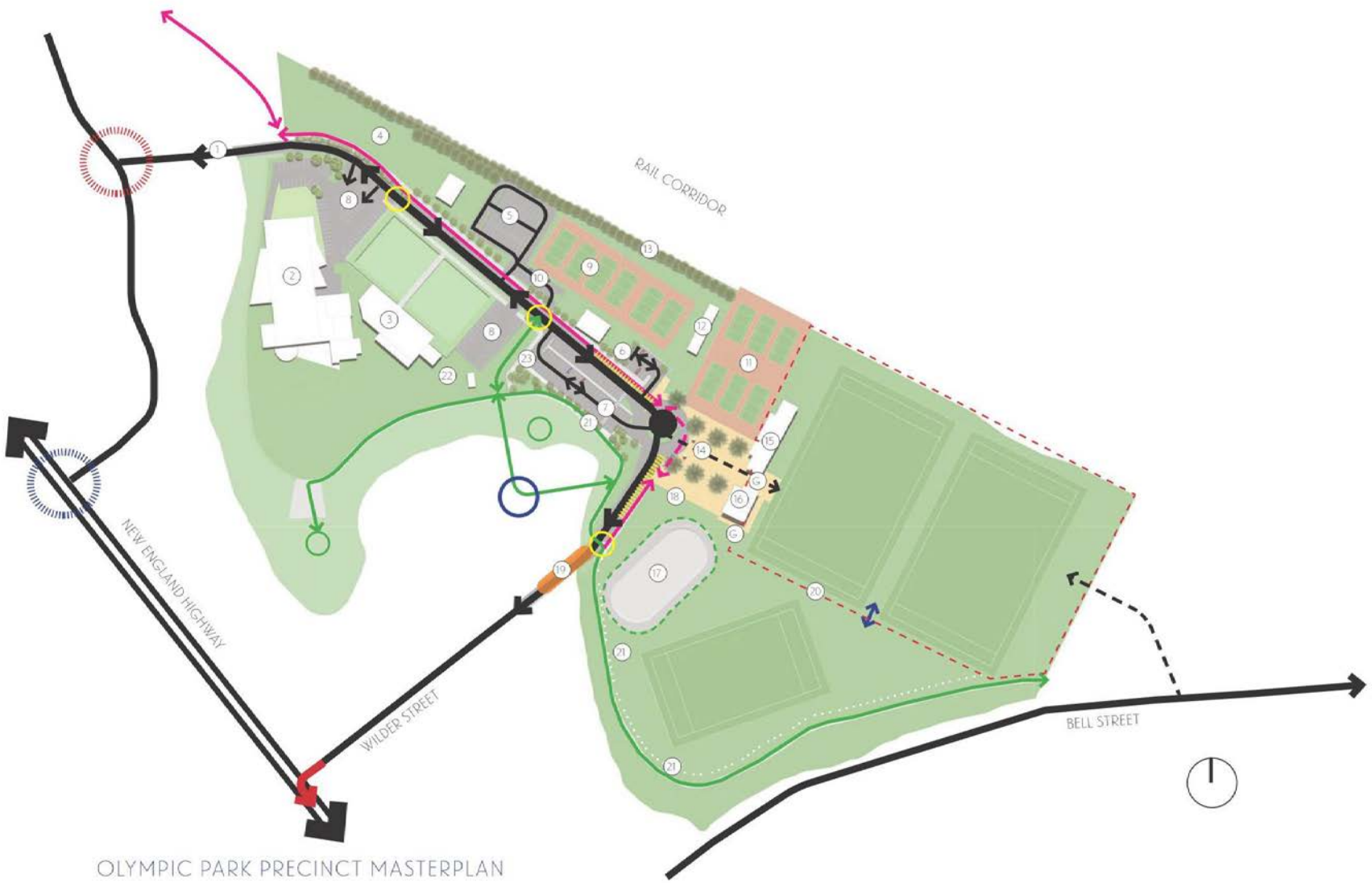
Nil known.

**OPERATIONAL PLAN IMPLICATIONS**

‘CI. 2.4.4 Construct additional gateway access to Olympic Park’ and ‘CI 2.4.5 Develop detailed design for the Olympic Park Precinct upgrade’, *Muswellbrook Shire Council Operational Plan 2019-20*

**RISK MANAGEMENT IMPLICATIONS**

Risks are managed through the successive phases of project planning.



## STAGE 1 STRUCTURE PLAN

The first stage undertakes the primary structural changes to Olympic Park including:

### General Precinct Upgrades

- Upgrade of Wilkinson Avenue
- Construction of a new bridge over Muscle Creek which provides a new egress from the precinct
- Carparking areas which provide a total of 100 spaces. This includes an allowance for future carparking expansions in Stage 2
- Relocation of the heritage gates to the football precinct forecourt at the eastern end of Wilkinson Avenue
- Intelligent lighting along Wilkinson Avenue and within each precinct. Intelligent lighting – where sensors and timers allow lighting fixtures to function at different times of the day and under varying atmospheric conditions. Lighting intensity will also vary automatically according to a range of factors and requirements
- Street trees and landscaping along Wilkinson Avenue
- Integrate outcomes of the Riparian Corridor Masterplan such as the Riparian Walk and seating/lookout areas
- Integrate outcomes of the Muswellbrook Aquatic Centre Masterplan
- New forecourt for the Rugby League Precinct

### Rugby League Precinct

- Field improvement and drainage to Fields 1 and 2
- Irrigation and upgrades to Field 3. Field 3 to be used for touch football and training. Field 3 proposed as a public kick about space
- 1800mm high palisade fence to enclose Fields 1 and 2. The Palisade fence to be black to allow for visual permeability
- New Amenities Building including
  - 2 x change rooms
  - storage for velodrome
  - lift/stair access to multi-function room above

### Ron King Velodrome

- New intelligent lighting to allow for night training and competition
- New fencing to secure the track
- Removal of storage facility and derelict brick structure.
- New storage area for the Velodrome to be incorporated into the new amenities building located within the Rugby League Precinct.

### LEGEND

	WILKINSON AVENUE - TWO WAY ROAD
	ONE WAY BRIDGE LINKS WILKINSON AVENUE TO WILDER STREET
	CARPARK AISLES INC. DIRECTION
	SHARED PATH
	RIPARIAN WALK
	LEFT OUT ONLY FROM WILDER STREET
	VEHICULAR ACCESS TO FIELD 1 & 2
	PALISADE FENCING
	PEDESTRIAN CROSSING POINTS
	LINKS TO POTENTIAL LOOKOUT WITH SEATING (PART OF RIPARIAN MASTER PLAN)
	SEATING LOCATIONS
	INTERSECTION IS WIDENED AND UPGRADED TO ACCOMMODATE BUSES
	INTERSECTION TO BE SIGNALISED BY RMS
	LINK BETWEEN FIELDS WITH SLIDING SLIDING GATE
	BUS DROP OFF ONLY (NO PARKING)

The Muswellbrook Urban Riparian area and Muswellbrook Aquatic Centre have separate design master plans that are scheduled for public exhibition in 2018.

- ① EXISTING BRIDGE OVER MUSCLE CREEK
- ② EXISTING POOL COMPLEX\*
- ③ EXISTING BOWLING FACILITY
- ④ RETAIN EXISTING OPEN SPACE
- ⑤ NEW CARPARK B1 - 44 SPACES
- ⑥ NEW CARPARK C1 & C2 - 6A 5 SPACES & 6B - 6 SPACES
- ⑦ NEW CARPARK D - 45 SPACES
- ⑧ EXISTING CARPARK
- ⑨ PARK TENNIS (6 COURTS)
- ⑩ EXISTING CLUB HOUSE
- ⑪ OLYMPIC TENNIS (6 COURTS)
- ⑫ EXISTING CLUB HOUSE
- ⑬ LANDSCAPED BUFFER
- ⑭ NEW FORECOURT
- ⑮ EXISTING GRANDSTAND
- ⑯ NEW AMENITIES BUILDING INC.
  - 2 X CHANGE ROOMS
  - STORAGE FOR VELODROME
  - LIFT/STAIR ACCESS TO MULTI FUNCTION ROOM ABOVE
- ⑰ EXISTING VELODROME WITH NEW FENCE
- ⑱ BATTER SEATING FOR VELODROME
- ⑲ NEW ONE WAY BRIDGE OVER MUSCLE CREEK
- ⑳ NEW PALISADE FENCE AROUND FIELD 1 AND 2 (RED DASH)
- ㉑ NEW BOLLARD AND CHAIN FENCE (WHITE DOTS)
- ㉒ SUSTAINABILITY HUB
- Ⓔ GATE



OLYMPIC PARK PRECINCT MASTERPLAN

REVISED - OLYMPIC PARK MASTER PLAN SUBMISSIONS	
NAME	SUBMISSION SUMMARY
Josh Kelly	<p>A comprehensive submission with issues raised on the removal of the velodrome and suggests Council should reconsider the plan to include the velodrome alongside the criterium track. If this was achieved Muswellbrook could soon be known as the 'cycling hub of the Hunter'.</p> <p>Further, advocates the trees located on the northern side of the Olympic Park field remain within the master plan (this cannot be seen from the plan). That the trees are used all year round for shade and blocking noise from the railway line.</p>
Cameron Blake	<p>Issues raised about the removal of the velodrome with having a strong emotional connection to the facility from childhood. Would prefer Council allocated funds to improve this facility iconic and unique to Muswellbrook.</p>
Emil & Patricia Battista	<p>Concerns raised with the proposed bridge and it impacting how they can safely exit their property and enter Wilder Street. They believe the proposed bridge has many safety issues due to the traffic flow already in place. Have suggested a few measures to reduce the risk of a collision. Advised the revised plan is better but not near as good as the 'no risk' situation that is presently enjoyed by the residents without the bridge.</p>
Betty Ellis & Brigitte Lansdowne	<p>Object to part 19 (one-way bridge over Muscle Creek) and that Wilder Street also has a 'left turn only' labelled. Objections based on that there will be restricted use of driveways, advised they already experience problems due to the motel. Further, that Wilder Street is already a narrow street and that increase of parked cars will make this worse. That the bridge would cause an increase of traffic, litter, and noise. Regarding 'left turn only' believe that it would add extra unnecessary time to their trips. Further, question raised whether Council will propose an alcohol free zone for the Olympic Park vicinity. A petition to stop the one way bridge representing seven residences was attached to the submission.</p>
Grahame & Tanya Gill	<p>Maintains that Wilder Street is a quiet road full of young families and elderly people and that they have minimal traffic flow including vehicles and people. Considers the bridge to be a waste of money. Further, feel that the left hand turn only on to Wilder Street would be a waste of time especially with the planned bypass and the use of Maitland Street for local traffic only.</p>

Chad & Vanessa Pranglely	A comprehensive submission in relation to rate payers and property owners' in Wilder Street. The submission does not agree with the construction of the bridge, suggesting that Wilder Street has not been constructed to the standard required to accommodate for increased traffic and buses/coaches. Also, submission concerned that contradictory information has been issued regarding whether the bridge would be one-way and for limited event use or a two-way bridge. It is believed the bridge will increase traffic and Wilder Street will be used as parking for sports events. Suggests installation of traffic lights on Maitland Street to be safer.
--------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## 6.4 INSTALLATION OF TWO VALVES: NORTH MUSWELLBROOK 375MM WATER MAIN

<b>Attachments:</b>	<b>A. 2019-2020-0383 North MbK 375 trunk main.pdf</b>
<b>Responsible Officer:</b>	<b>Fiona Plesman - General Manager</b>
<b>Author:</b>	<b>Derek Finnigan - Director - Community Infrastructure</b>
<b>Community Plan Issue:</b>	<b><i>Our community's infrastructure is planned well, is safe and reliable and provides required levels of service</i></b>
<b>Community Plan Goal:</b>	<b><i>Maintain and continually improve community infrastructure across the Shire.</i></b>
<b>Community Plan Strategy:</b>	<b><i>Implement prioritised (but responsive) rolling works program of maintenance.</i></b>

### PURPOSE

The report requests Council's consideration of transferring \$100,000 from the water reserve to enable the installation of two stop valves in the 375mm north Muswellbrook water main.

### OFFICER'S RECOMMENDATION

**Council approves the transfer of \$100,000 from the water reserve to enable the installation of two stop valves in the 375mm north Muswellbrook water main.**

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

### BACKGROUND

Ongoing assessment of risk associated with potential water main failure has identified that the north Muswellbrook 375mm water trunk main requires the installation of two stop valves. The installation of the stop valves will not only enable a more cost effective and efficient repair service in the event of any future failure of this water main, or associated north Muswellbrook water mains, but will also provide an enhanced level of water service, including improved water pressure, for a broad area of north Muswellbrook extending as far as the St Heliers Correctional Centre.

### CONSULTATION

Consultation has been carried out with the General Manager, and Council's engineering and operational professionals from the Water & Wastewater and Works teams.

### CONSULTATION WITH COUNCILLOR SPOKESPERSON

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

### REPORT

Council's Water & Wastewater team is committed to ongoing continual improvement in asset management, operational service delivery, and risk management. A recent major internal risk assessment exercise identified the 375mm trunk water main transporting town water supply from Council's Coal Road water reservoirs through north Muswellbrook to Scott Street, poses a significant operational risk should a failure of the water main occur. The water main was originally constructed as



Council's rising water main transporting potable water from Council's water treatment plant in Scott Street to the Coal Road water reservoirs. Due to population and housing growth experienced in north Muswellbrook during the 1980s, the 375mm rising main was replaced in 1985-86 by the current 450mm rising main transporting town water supply to the Coal Road reservoirs.

The construction of the 450mm rising main resulted in the existing 375mm water main being repurposed to its current use as a trunk water main supplying water to north Muswellbrook.

While there is no known current risk associated with a failure of the 375mm water main, should a failure occur there is potential for a widespread suspension of water supply to a large area of north Muswellbrook for up to 72 hours. The installation of two stop valves, one located near Queen Street, the other located near Bridge Street, will have the effect of greatly reducing the impact of any water main failure, while also providing improved water pressure service to a wide area of north Muswellbrook extending to the St Heliers Correctional Centre.

### **OPTIONS**

Council may decide to approve the transfer of requested funding from the water reserve to enable the carrying out of the water valve installation works, or to not approve the transfer of funding.

### **CONCLUSION**

Whilst there is no known immediate risk of failure to the 375mm north Muswellbrook water main, an internal risk assessment exercise has determined that this water main poses the most significant risk of widespread suspension and duration of water supply should a failure of the water main occur. It is estimated that the cost of providing a reactive repair of a failure of the water main would exceed the cost of installing two stop valves. As a result, it is recommended that Council approves the transfer of \$100,000 from the water reserve to enable the installation of two stop valves in the 375mm north Muswellbrook water main.

### **SOCIAL IMPLICATIONS**

Installing the two stop valves in the 375mm north Muswellbrook water main will greatly reduce the range and impact of any future failure of the water main. Further, installing the two stop valves will facilitate improved water pressure across a broad area of north Muswellbrook extending to St Heliers Correctional Centre.

### **FINANCIAL IMPLICATIONS**

The report requests the transfer of \$100,000 from the water reserve to enable the carrying out of the works. Should Council decide to approve the transfer, sufficient funding exists in the water reserve to enable the transfer of funding to proceed.

### **POLICY IMPLICATIONS**

Nil known.

### **STATUTORY IMPLICATIONS**

Nil known.

### **LEGAL IMPLICATIONS**

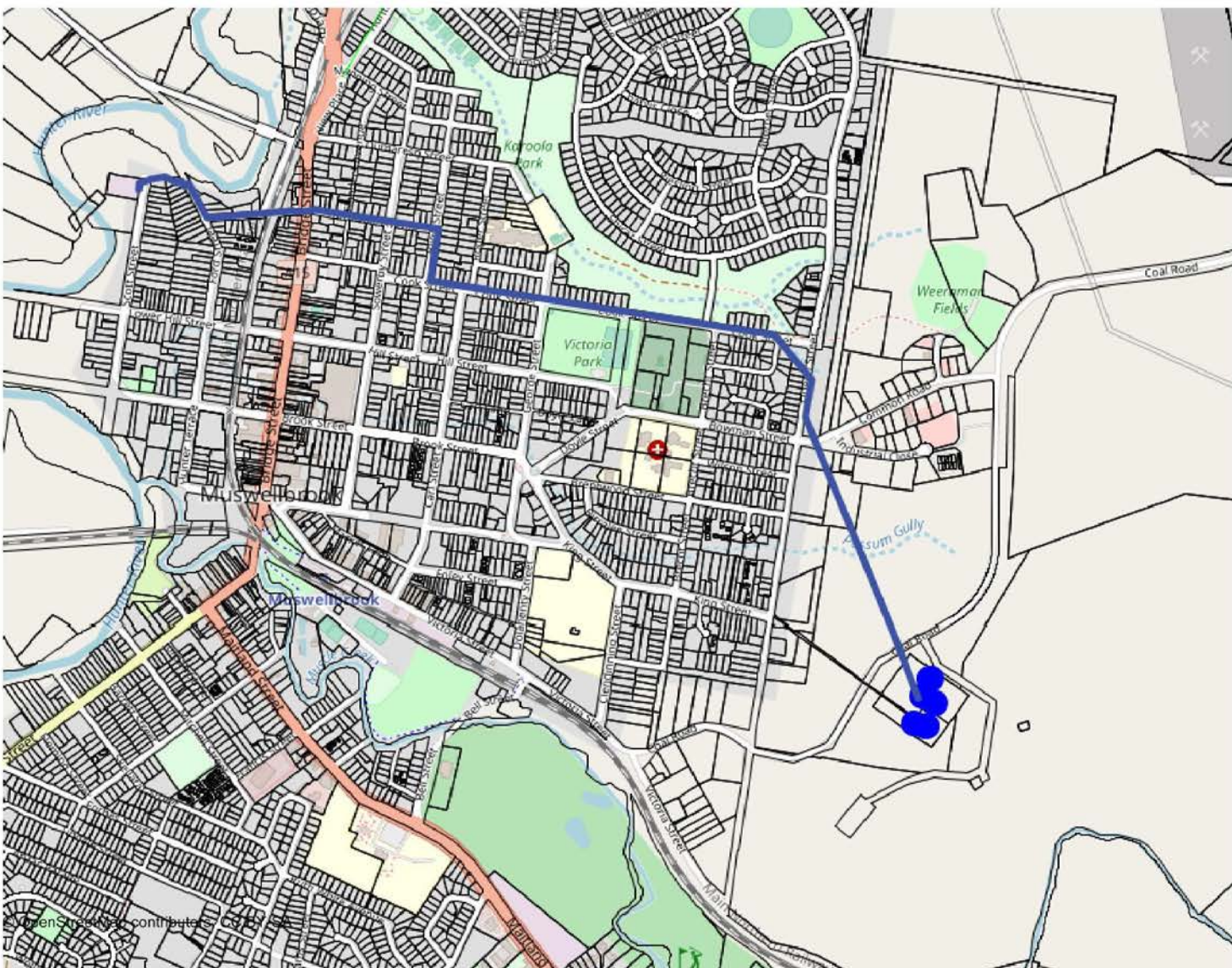
Nil known.

### **OPERATIONAL PLAN IMPLICATIONS**

The submission of the report complies in principle with item 20.1.2 of the Operational Plan: 'Ensure substantial achievement of Best Practice Water Supply and Sewerage Guidelines'.

**RISK MANAGEMENT IMPLICATIONS**

The timely, proactive installation of two stop valves in the 375mm north Muswellbrook water main will appropriately mitigate and control the risk arising from any future failure of the main. The installation of the valves will minimise the extent and duration of water supply to the community of north Muswellbrook.



**muswellbrook  
shire council**



Scale

500 m

Scale = 15282.54

Printed

5-February-2020

©Copyright to Muswellbrook Shire Council and LPI NSW. Aerial imagery by Sinclair Knight Merz P/L, LPI or Aerometrex

DISCLAIMER: No responsibility is taken for any errors or omissions that may be contained within this map and associated data. No guarantee is given as to the accuracy of the information contained within this map. This is not a Department of Planning certified copy of the maps accompanying the Muswellbrook LEP 2009 and is for indicative purposes only. Muswellbrook Shire Council takes no responsibility for reliance upon the information contained on this map.

To determine the zoning attributes applying to a property, a Section 149 certificate must be obtained or certified copies of the LEP maps can be obtained from the following website.  
[www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

## 7 CORPORATE AND COMMUNITY SERVICES

### 7.1 DECEMBER 2019 MONTHLY FINANCIAL REPORT

Attachments:	A. December 2019 Monthly Financial Report
Responsible Officer:	Fiona Plesman - General Manager
Author:	Natalia Cowley - Executive Manager - Office of the 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 the Council approved budget (September 2019 Budget Review) at an organisational level for the month ending 31 December 2019.

#### OFFICER'S RECOMMENDATION

The Financial Report for the month ending 31 December 2019 be noted.

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

#### REPORT

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



Muswellbrook Shire Council  
General Fund  
For the Month Ending 31 December 2019

Account Group	Annual Adopted Budget	September Budget Review	YTD % Spend vs Budget - 50% target	YTD Actuals	December Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	(2,521,381)	(2,301,097)	561%	(12,912,746)	1,956,973	(1121%)	
less SRV budgeted profit	(1,234,681)	(1,234,681)		(1,597,592)	20,833		
SRV adjusted Grand Total	(1,286,700)	(1,066,416)		(11,315,154)	1,936,140		

Revenue

Rates and Charges	(20,458,503)	(20,458,503)	108%	(22,111,153)	(31)	(100%)	100% of the rating income for the year has been raised.
							\$843k YTD budget deficit due to no YTD revenue received for individual work orders (\$390k YTD deficit); \$411k YTD deficit for DECCW Levy; \$188k YTD deficit in mixed waste fees and \$55k YTD deficit across Aquatic Centre gym and kiosk - offset by the following extra income collected from VPA tonnage income (\$45k); the onsite sewer (\$39k YTD), debt collection recovery fees (\$29k YTD), scrap metal (\$11k) and construction certificate revenue (\$11k YTD).
User Charges and Fees	(7,208,811)	(7,194,959)	38%	(2,764,681)	(419,170)	(30%)	
Interest and Investments Revenues	(738,569)	(761,569)	49%	(369,580)	(72,496)	14%	
Other Revenues	(2,708,830)	(2,707,428)	37%	(1,014,949)	(252,122)	12%	\$342k YTD budget deficit due to \$363k plant cost under-recovery for the YTD.
Operating Grants and Contributions	(5,627,882)	(5,682,169)	34%	(1,938,735)	(85,767)	(82%)	\$910k YTD budget deficit mostly due to the timing in receiving the Financial Assistance Grant (\$797k YTD deficit) and \$177k YTD budget deficit for s94 maintenance contributions.
Internal Revenue	(4,663,721)	(5,825,216)	30%	(1,727,484)	(287,914)	(41%)	
Total Revenue	(41,406,316)	(42,629,844)	70%	(29,926,582)	(1,117,500)	(69%)	

Expenses

Wages and Salaries	11,687,374	11,586,159	47%	5,410,437	902,080	7%	There are YTD wages overruns in some individual areas, eg. Environmental Planning; Waste Facility; Economic Development.
Materials and Contracts	12,442,797	12,811,462	31%	3,962,488	503,372	53%	
Other Costs	3,425,626	4,393,988	60%	2,638,389	766,816	(109%)	\$435k YTD budget overrun due to legal fees (\$462k YTD overrun).
Borrowing Costs	509,227	509,227	19%	96,142	36,132	15%	
Overheads	1,953,399	1,953,399	32%	619,452	103,242	37%	
Depreciation	8,866,513	9,074,513	47%	4,286,928	762,831	(1%)	
Total Expenses	38,884,935	40,328,747	42%	17,013,836	3,074,473	9%	

\*Report Contains Filters

Muswellbrook Shire Council  
Water Fund  
For the Month Ending 31 December 2019

Account Group	Annual Adopted Budget	September Budget Review	YTD % Spend vs Budget - 50% target	YTD Actuals	December Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	(71,594)	(71,594)	-576%	(412,452)	381,947	6502%	
<b>Revenue</b>							
Rates and Charges	(1,595,684)	(1,595,684)	100%	(1,599,779)	168	(100%)	
User Charges and Fees	(4,068,286)	(4,069,837)	31%	(1,258,663)	(17,661)	(95%)	\$436k YTD budget deficit due to decreased water usage by ratepayers in light of the drought.
Interest and Investments Revenues	(424,552)	(424,552)	30%	(126,066)	(26,371)	(25%)	This reflects the timing of actual receipts and the lower interest rate environment (\$51k YTD deficit).
Operating Grants and Contributions	(35,893)	(35,893)	98%	(35,137)	0	(100%)	
<b>Total Revenue</b>	<b>(6,124,415)</b>	<b>(6,125,966)</b>	<b>49%</b>	<b>(3,019,645)</b>	<b>(43,864)</b>	<b>(91%)</b>	
<b>Expenses</b>							
Wages and Salaries	1,017,793	1,017,793	51%	514,234	75,718	11%	\$4k over YTD budget due to extra hours worked.
Materials and Contracts	1,472,661	1,477,546	31%	451,519	43,026	65%	
Other Costs	331,081	327,747	48%	157,643	27,844	(2%)	
Borrowing Costs	106,482	106,482	51%	53,876	40,903	(361%)	\$0k over YTD budget.
Overheads	1,286,476	1,286,476	44%	563,238	93,873	12%	
Depreciation	1,838,328	1,838,328	47%	866,683	144,447	6%	
<b>Total Expenses</b>	<b>6,052,821</b>	<b>6,054,372</b>	<b>43%</b>	<b>2,607,193</b>	<b>425,811</b>	<b>16%</b>	

Muswellbrook Shire Council  
Sewer Fund  
For the Month Ending 31 December 2019

Account Group	Annual Adopted Budget	September Budget Review	YTD % Spend vs Budget - 50% target	YTD Actuals	December Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	300,000	300,000	695%	(2,085,712)	344,103	(1276%)	

Revenue

Rates and Charges	(4,521,580)	(4,521,580)	91%	(4,104,026)	(465)	(100%)	\$83k YTD budget deficit due to lower than expected sewer effluent reuse revenue.
User Charges and Fees	(459,200)	(459,200)	32%	(146,955)	(21,720)	(43%)	
Interest and Investments Revenues	(62,500)	(62,500)	53%	(33,248)	(5,970)	15%	
Operating Grants and Contributions	(35,000)	(35,000)	101%	(35,211)	0	(100%)	
<b>Total Revenue</b>	<b>(5,078,280)</b>	<b>(5,078,280)</b>	<b>85%</b>	<b>(4,319,440)</b>	<b>(28,155)</b>	<b>(93%)</b>	

Expenses

Wages and Salaries	852,547	852,547	48%	410,065	73,274	(3%)
Materials and Contracts	799,500	809,284	28%	227,296	22,049	67%
Other Costs	324,969	315,185	20%	94,117	9,822	63%
Borrowing Costs	766,469	766,469	50%	385,474	80,983	(27%)
Overheads	839,594	839,594	50%	419,796	69,966	0%
Depreciation	1,795,201	1,795,201	59%	696,980	116,164	22%
<b>Total Expenses</b>	<b>5,378,280</b>	<b>5,378,280</b>	<b>42%</b>	<b>2,233,728</b>	<b>372,258</b>	<b>17%</b>

Muswellbrook Shire Council  
Future Fund  
For the Month Ending 31 December 2019

Account Group	Annual Adopted Budget	September Budget Review	YTD % Spend vs Budget - 50% target	YTD Actuals	December Monthly Actuals	Monthly Variance fav/ (unfav)	Variance comments
Grand Total	(1,433,840)	(1,812,176)	64%	(1,161,692)	(77,468)	-49%	

Revenue

User Charges and Fees	(6,469,775)	(6,564,488)	54%	(3,539,210)	(499,087)	-9%	
Total Revenue	(6,469,775)	(6,564,488)	54%	(3,539,210)	(499,087)	-9%	

Expenses

Wages and Salaries	226,748	226,748	53%	121,251	14,883	21%	\$8k over YTD budget due to the timing of annual leave taken.
Materials and Contracts	1,577,449	1,690,688	45%	757,242	177,700	(26%)	
Other Costs	738,947	743,895	64%	476,896	7,057	89%	\$104k over YTD budget due to the annual payment of rates and insurances.
Borrowing Costs	1,415,591	1,221,781	48%	587,543	166,881	(64%)	
Overheads	250,000	250,000	50%	124,998	20,833	0%	
Depreciation	827,200	619,200	50%	309,588	34,265	34%	
Total Expenses	5,035,935	4,752,312	50%	2,377,518	421,619	(6%)	



## 7.2 ELECTION OF COUNCILLOR SPOKESPERSON (VACANCIES)

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

### PURPOSE

To elect a Councillor Spokesperson for Finance, Corporate Services and Integrated Planning and recommend the merge of Recreation and Wellbeing with Sport and Events with Innovation following a vacancy arising in each office

### OFFICER'S RECOMMENDATION

1. Council elect Councillor \_\_\_\_\_ as Councillor Spokesperson for Finance, Corporate Services and Integrated Planning.
2. That Recreation and Wellbeing be included in the Sport Portfolio, and Events be included in the Innovation portfolio.

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

### BACKGROUND

Councillors Scott Bailey and Michelle Green have signalled their intention to resign from Muswellbrook Shire Council, which will result in vacancies in the offices of Councillor Spokesperson for Finance, Corporate Services and Integrated Planning, and Events; and Councillor Spokesperson for Recreation and Wellbeing.

### REPORT

Councillor Spokespersons are elected by the Council for a term of four years. In the event of a vacancy arising, an election for that vacancy is to be conducted. Councillors should determine the means of election should more than one councillor nominate for the positions.

It is recommended that in order to streamline the responsibilities for Recreation and Wellbeing, and for Events, that these areas be included within the Sport and Innovation portfolios respectively.

## 8 ADJOURNMENT INTO CLOSED COUNCIL

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

### **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:**

#### **9.1 RICHARD GILL NATIONAL MUSIC ACADEMY**

Item 9.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

#### **9.2 2018-2019-0374 RELOCATION OF COUNCIL ADMINISTRATION CENTRE - REFURBISHMENT AND FIT OUT**

Item 9.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

#### **9.3 COMMUNITY PROPERTY PURCHASE - DUE DILIGENCE**

Item 9.3 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

#### **9.4 TERTIARY EDUCATION CENTRE - STAGE 2 - DRAFT DESIGN**

Item 9.4 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

## 9 CLOSED COUNCIL

**10 RESUMPTION OF OPEN COUNCIL**

**11 CLOSURE**