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# Council Meeting Agenda

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29 May 2023 at 5.00pm



A Highly Commended for the Council Float in the Horse Festival Parade

To All Councillors

*You are hereby notified that the next meeting of the Upper Hunter Shire Council will be held on Monday, 29 May 2023 in the COUNCIL CHAMBERS, SCONE commencing at 5.00PM, for the purpose of transacting the undermentioned business.*

*This meeting will be recorded and those in attendance should refrain from making any defamatory statements.*

*There are to be no other recordings of this meeting without the prior authorisation of Council.*

**GREG MCDONALD  
GENERAL MANAGER**

1. PRAYER

2. ACKNOWLEDGEMENT OF COUNTRY

3. STATEMENT OF ETHICAL OBLIGATIONS

The Mayor and Councillors are reminded that they remain bound by the Oath or Affirmation of Office made at the beginning of the Council term to undertake their civic duties in the best interests of the people of the Upper Hunter Shire community and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their ability and judgement.

Council Officials are also reminded of the requirement to declare and appropriately manage any conflicts of interest they may have in relation to matters considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

4. APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK

5. APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Application for leave of absence received from Cr Adam Williamson for the period 22 May to 5 July 2023. Cr Williamson has advised that he may be available to attend the May and June ordinary Council meetings via video link.

Application for leave of absence received from Cr James Burns for the week commencing 26 June 2023. Cr Burns advised that he will be available to attend the June ordinary Council meeting via video link.

6. PUBLIC PARTICIPATION

G.05.1 Young Endeavour Ambassadors – Presentation

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on 24 April 2023

8. DISCLOSURES OF INTEREST

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**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON MONDAY 24 APRIL 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 5.00PM**

**PRESENT:**

Cr Maurice Collison (Mayor), Cr James Burns (Deputy Mayor), Cr Ron Campbell, Cr Tayah Clout, Cr Elizabeth Flaherty, Cr Belinda McKenzie, Cr Allison McPhee, Cr Lee Watts and Cr Adam Williamson.

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Wayne Phelps (Acting Director Corporate & Community Services), Mr Mathew Pringle (Director Planning & Infrastructure Services) and Mrs Robyn Cox (Executive Assistant). Mr Ian Roberts (Governance & Risk Advisor) attended the closed session of the meeting via video link.

**PRAYER**

**ACKNOWLEDGEMENT OF COUNTRY**

**ODE OF REMEMBRANCE**

The Deputy Mayor, Cr James Burns, recited the Ode of Remembrance.

**STATEMENT OF ETHICAL OBLIGATIONS**

**APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK:**

Nil

**APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS:**

Nil

**PUBLIC PARTICIPATION:**

Nil

**CONFIRMATION OF MINUTES:**

23/090

**RESOLVED that the minutes of the ordinary Council meeting held on 27 March 2023 be adopted.**

Moved: Cr L Watts

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

**DISCLOSURES OF INTEREST:**

Nil

## STANDING COMMITTEE REPORTS

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### SCR.04.1 **INFRASTRUCTURE SERVICES COMMITTEE**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

23/091

#### RESOLVED

That Council adopt the:

1. minutes of the Infrastructure Services Committee meeting held on Tuesday 14 March 2023 with an amendment to include mention of the MR358 rectification works update discussed in Closed Committee; and
2. briefing note – “Murrurundi Dam Future Use” attached to this report.

Moved: Cr R Campbell    Seconded: Cr T Clout    CARRIED UNANIMOUSLY

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### SCR.04.2 **CORPORATE SERVICES COMMITTEE**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Wayne Phelps - Acting Director Corporate & Community Services

23/092

#### RESOLVED

That Council adopt the:

1. minutes of the Corporate Services Committee meeting held on 14 April 2023 and their recommendations with the amendment to the resolution for Item CORP.05.1 to read ‘that Council note the updates on the Property Strategy’; and
2. proposed budget variations as provided in attachment 2.

Moved: Cr J Burns    Seconded: Cr A Williamson    CARRIED

FOR	AGAINST
Councillor Burns	Councillor Flaherty
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
<b>Total (8)</b>	<b>Total (1)</b>

## COMMITTEE/DELEGATES REPORTS

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### C.04.1 **SCONE TOWN REVITALISATION COMMITTEE**

**RESPONSIBLE OFFICER:** Wayne Phelps - Acting Director Corporate & Community Services

**AUTHOR:** Chloe Leake - Strategic Projects Support Officer

23/093

#### RESOLVED

That Council

1. adopt the minutes from the Scone Town Revitalisation Committee meeting held on 1 March 2023;

2. adopt the minutes from the Scone Town Revitalisation Committee meeting held on 5 April 2023; and
3. support the request that public art at 133 Kelly Street be placed on hold until the adjacent Niagara Café mural is restored as recommended by the Committee.

Moved: Cr T Clout

Seconded: Cr J Burns

CARRIED UNANIMOUSLY

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**C.04.2** ***BILL ROSE SPORTS COMPLEX USER GROUP COMMITTEE -  
ADDITIONAL MEMBERSHIP NOMINATION***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Sam Wooden - Manager Works Delivery

23/094

**RESOLVED**

**That Council accept the additional nomination received from Renee Park to join the Bill Rose Sports Complex User Group as an alternate to the Scone Junior Rugby Union Club.**

Moved: Cr A McPhee

Seconded: Cr J Burns

CARRIED UNANIMOUSLY

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**ENVIRONMENT/HEALTH REPORTS**

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**E.04.1** ***UNDERGROUND PETROLEUM STORAGE SYSTEMS (UPSS)  
REGULATION AND AUDIT PROGRAM***

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

23/095

**RESOLVED**

**That Council receive the report and note the information.**

Moved: Cr A McPhee

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

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**FINANCE REPORTS**

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**F.04.1** ***DRAFT DELIVERY PROGRAM 2022/2023 - 2024/2025 AND  
OPERATIONAL PLAN 2023/2024***

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Wayne Phelps - Acting Director Corporate & Community Services

23/096

**RESOLVED**

**That Council:**

1. endorse the draft Delivery Program 2022/2023 to 2024/2025 & Operational Plan 2023/2024 and place documents on exhibition for a period of not less than 28 days, commencing on Friday, 29 April 2023 and closing on Monday, 29 May 2023;
2. undertake community engagement prior to finalising the draft Delivery Program 2022/2023 to 2024/2025 & Operational Plan 2023/2024.

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

## GENERAL ADMINISTRATION REPORTS

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### **G.04.1** *TEN MILE MOUNTAIN TELECOMMUNICATIONS FACILITY*

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

23/097

**RESOLVED**

**That Council:**

1. support in principle the installation of a GRN telecommunications facility within a Council road reserve at Ten Mile Mountain, Beales Creek Road, Kars Springs.
2. (a) enter into a licence agreement with the NSW Government Telecommunications Authority for a 20 year term; and  
(b) delegate authority to the General Manager to negotiate the terms of, and execute, the licence agreement and conduct all relevant functions under the licence; subject to all relevant approvals for the facility being obtained.

Moved: Cr A McPhee      Seconded: Cr R Campbell      CARRIED UNANIMOUSLY

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### **G.04.2** *CASA SURVEILLANCE REPORT*

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Greg McDonald - General Manager

23/098

**RESOLVED**

**That Council note the report.**

Moved: Cr A McPhee      Seconded: Cr T Clout      CARRIED UNANIMOUSLY

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### **G.04.3** *PLANNING AGREEMENT OFFER - GOULBURN RIVER SOLAR FARM PROJECT*

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**MOTION**

That Council make the following counter-offer to Lightsource bp:

Enter into a planning agreement to seal 4.7km of unsealed road on Wollara road up the Goulburn River National Park (valued at \$4.4 million) and make an annual contribution of:

- (a) \$529 (indexed to CPI) x the number of MW installed on the land as at the due date for payment; or
- (b) \$291,000 (indexed to CPI), whichever is the greater.

Moved: Cr R Campbell      Seconded: Cr E Flaherty

**FORESHADOWED MOTION 1**

That Council defer this matter until staff have had time to go back to Lightsource bp and negotiate a better settlement.

Moved: Cr J Burns      Seconded: Cr T Clout

Cr Campbell withdrew the original motion.

## FORESHADOWED MOTION 2

In the event that the first foreshadowed motion is lost, that Council adopt the original recommendation.

Moved: Cr A McPhee

**RESOLVED That Council defer this matter until staff have had time to go back to Lightsource bp and negotiate a better settlement.**

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

FOR	AGAINST
Councillor Burns	Councillor McPhee
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor Flaherty	
Councillor McKenzie	
Councillor Watts	
Councillor Williamson	
<b>Total (8)</b>	<b>Total (1)</b>

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### G.04.4

#### ***PLANNING AGREEMENT OFFER - BOWMANS CREEK WIND FARM***

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

23/099

#### **RESOLVED**

**That Council accept the offer from Ark Energy to enter into a planning agreement in respect of the Bowmans Creek Wind Farm based on an annual contribution of \$686 per MW installed on land within the Upper Hunter Shire LGA (indexed to CPI).**

Moved: Cr T Clout

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

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### G.04.5

#### ***RETURN & EARN - REVERSE VENDING MACHINE - SCONE***

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

23/100

#### **RESOLVED**

**That Council:**

- 1. support the establishment of a Return and Earn reverse vending machine at Lot 21 DP 1134921, Lawrence Lane, Scone (behind the Coles Complex) subject to favourable community consultation and all approvals being met.**
- 2. receive a further report on the outcome of community consultation should any objections be received.**

Moved: Cr L Watts

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

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**G.04.6****REQUESTS FOR DONATIONS****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Karen Boland - Governance & Executive Support Officer

23/101

**RESOLVED That Council:**

1. provide a donation to Tyla Brown for \$500.00 for financial assistance towards representing Australia in the U20 Mixed Emu's Youth Touch Football in Brisbane from 12 to 14 May 2023;

Moved: Cr L Watts      Seconded: Cr A McPhee      CARRIED UNANIMOUSLY

23/102

**RESOLVED That Council:**

2. provide a donation to St Joseph's Primary School Merriwa P & F Association for \$200.00 for sponsorship of the St Joseph's Primary School Merriwa Junior Campdraft and Fete to be held on Saturday 1 July 2023;

Moved: Cr R Campbell      Seconded: Cr B McKenzie      CARRIED UNANIMOUSLY

23/103

**RESOLVED that Council:**

3. provide a donation to Scone Tidy Towns Committee to assist with the costs of members attending the 'Keep Australia Beautiful Tidy Towns Awards' in King Island on Friday 19 May 2023 to the value of \$500 as per point 3 in the report;

Moved: Cr J Burns      Seconded: Cr L Watts      CARRIED UNANIMOUSLY

**MOTION**

4. That Council not provide a donation to NSW Rural Doctors Network for the 2023 Bush Bursary Program.

Moved: Cr J Burns      Seconded: Cr A McPhee

**FORESHADOWED MOTION**

To provide a donation to NSW Rural Doctors Network to the value of \$3,000 without the additional support.

Moved: Cr L Watts      Seconded: Cr E Flaherty

23/104

**RESOLVED that Council:**

4. not provide a donation to NSW Rural Doctors Network for the 2023 Bush Bursary Program.

Moved: Cr J Burns      Seconded: Cr A McPhee      CARRIED

**FOR**Councillor Burns  
Councillor Campbell  
Councillor Collison  
Councillor McKenzie  
Councillor McPhee**Total (5)****AGAINST**Councillor Clout  
Councillor Flaherty  
Councillor Watts  
Councillor Williamson**Total (4)**

The original motion was carried therefore the foreshadowed motion was not considered.

## LATE REPORT

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### **G.04.7** *RETURN & EARN - REVERSE VENDING MACHINE - MERRIWA*

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

23/105

**RESOLVED**

**That Council:**

1. support the establishment of a Return and Earn reverse vending machine within the road reserve adjoining Lot 6 DP 244849, 46 King George V Avenue, Merriwa subject to available funding, favourable community consultation and all approvals being met.
2. receive a further report on the outcome of community consultation should any objections be received.

Moved: Cr R Campbell    Seconded: Cr A Williamson    CARRIED UNANIMOUSLY

## INFRASTRUCTURE REPORTS

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### **I.04.1** *PROPOSED SALE OF ROAD - KILLOE ROAD, MERRIWA*

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Sam Wooden - Manager Works Delivery

23/106

**RESOLVED**

**That Council not permanently close nor sell Killoe Road.**

Moved: Cr A McPhee    Seconded: Cr R Campbell    CARRIED UNANIMOUSLY

### **I.04.2** *DRAFT BILL ROSE SPORTS COMPLEX MASTER PLAN*

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Sam Wooden - Manager Works Delivery

## **MOTION**

**That Council:**

1. endorse the draft Bill Rose Sports Complex Master Plan and place it on exhibition for a period no less than 28 days.
2. undertake community engagement prior to finalising the draft Bill Rose Sports Complex Master Plan.

Moved: Cr J Burns    Seconded: Cr A McPhee

## **AMENDMENT TO THE MOTION**

**That Council:**

1. endorse the draft Bill Rose Sports Complex Master Plan and place it on exhibition for a period no less than 28 days.
2. undertake community engagement prior to finalising the draft Bill Rose Sports Complex Master Plan.
3. That the RV Park area allocated to remain in the Bill Rose Sports Complex Master Plan.

Moved: Cr R Campbell    Seconded: Cr A Williamson    LOST

FOR	AGAINST
Councillor Campbell	Councillor Burns
Councillor Collison	Councillor Clout
Councillor McKenzie	Councillor Flaherty
Councillor Williamson	Councillor McPhee
	Councillor Watts
<b>Total (4)</b>	<b>Total (5)</b>

23/107

**RESOLVED**

**That Council:**

1. endorse the draft Bill Rose Sports Complex Master Plan and place it on exhibition for a period no less than 28 days.
2. undertake community engagement prior to finalising the draft Bill Rose Sports Complex Master Plan.

Moved: Cr J Burns      Seconded: Cr A McPhee      CARRIED

FOR	AGAINST
Councillor Burns	Councillor Campbell
Councillor Clout	Councillor Collison
Councillor Flaherty	Councillor McKenzie
Councillor McPhee	Councillor Williamson
Councillor Watts	
<b>Total (5)</b>	<b>Total (4)</b>

**CORRESPONDENCE**

**CORR.04.1**

***CORRESPONDENCE***

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Robyn Cox - Executive Assistant

23/108

**RESOLVED**

**That Council note the correspondence received from:**

1. Hon Barnaby Joyce – advice to Council that Phase 4 of the Local Roads and Community Infrastructure (LRCI) Program will be delivered to local government councils;
2. Dr Kerry Chant, Chief Health Officer and Deputy Secretary, Population and Public Health, thanking Council for its commitment to the NSW Sewage Surveillance Program.

Moved: Cr J Burns      Seconded: Cr A McPhee      CARRIED UNANIMOUSLY

**CLOSED COUNCIL**

23/109

**RESOLVED**

**That Council move into Closed Council with the press and public excluded in accordance with Section 10(2) of the Local Government Act 1993.**

Moved: Cr A McPhee      Seconded: Cr L Watts      CARRIED UNANIMOUSLY

## CONFIDENTIAL REPORTS

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### **CR.04.1** *ADVICE FROM OLG ON CODE OF CONDUCT MATTER 7 JULY 2022*

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Ian Roberts - Governance & Risk Advisor

*This matter is considered to be confidential under Section 10A(2) (i) of the Local Government Act 1993, as it deals with alleged contraventions of any code of conduct requirements under section 440.*

*Consideration of this matter in an open meeting would be contrary to the public interest as it would reveal confidential correspondence from the Office of Local Government.*

23/110

#### **RESOLVED**

**That Council receive and note the letter from the Office of Local Government dated 30 March 2023.**

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

The Mayor asked Cr Flaherty if she would like to make a statement on CR.04.2 and CR.04.3 to which she replied she would not. At the Mayor's suggestion, Cr Flaherty then left the meeting.

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### **CR.04.2** *CODE OF CONDUCT MATTER 9 NOVEMBER 2022*

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Ian Roberts - Governance & Risk Advisor

*This matter is considered to be confidential under Section 10A(2) (i) of the Local Government Act 1993, as it deals with alleged contraventions of any code of conduct requirements under section 440.*

*Consideration of this matter in an open meeting would be contrary to the public interest as it would reveal an independent investigator's confidential report on a code of conduct complaint.*

23/111

#### **RESOLVED That:**

1. **In relation to the Code of Conduct complaint lodged on 9 November 2022, Council note that, after investigation, an independent investigator found that:**
  - a) **Councillor Elizabeth Flaherty has publicly criticised Council without utilising the course available to her to make complaints under the Procedures; she has criticised resolutions of Council with respect to attending meetings by videoconference; she has publicly incorrectly reported that she was not given an opportunity to submit a Pecuniary Interest Declaration form and she has been critical of Council for meeting its statutory obligations under the Local Government Act in respect of reporting her failure to lodge a form on time.**
  - b) **The action of Councillor Flaherty in publishing the article in [www.scone.com.au](http://www.scone.com.au) on or about 2 November 2022, constituted a breach of the Code of Conduct in that, her conduct was such that it was likely to bring Council or Council officials into disrepute. Councillor Flaherty also failed to uphold and represent accurately the policies and decisions of Council including the decision to govern the attendance at Council meetings by videoconference.**
2. **In accordance with clause 7.37(c) of the Procedures for the Administration of the Model Code of Conduct, Council:**
  - a) **Formally censure Councillor Flaherty for a breach of the Upper Hunter Shire Council Code of Conduct for Councillors under section 440G of the Local Government Act 1993; and**
  - b) **Refer the matter to the Office of Local Government for further action under the misconduct provisions of the Local Government Act 1993.**

Moved: Cr A McPhee

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Ian Roberts - Governance & Risk Advisor

*This matter is considered to be confidential under Section 10A(2) (i) of the Local Government Act 1993, as it deals with alleged contraventions of any code of conduct requirements under section 440.*

*Consideration of this matter in an open meeting would be contrary to the public interest as it would reveal an independent investigator's confidential report on a code of conduct complaint.*

Cr Burns left the meeting.

23/112

**RESOLVED That:**

1. In relation to the Code of Conduct complaint lodged on 21 December 2022, Council note that, after investigation, an independent investigator found that:
  - a) on or about 19 December 2022, Councillor Elizabeth Flaherty published on the website [www.scone.com.au](http://www.scone.com.au) matters which were the subject of discussion during a closed session of the Ordinary Meeting of Council held on 19 December 2022;
  - b) the actions of Councillor Flaherty in publishing this material is a breach of Parts 3.1, 8.9, 8.10, 8.11 & 8.13 of the Code of Conduct for Councillors in that she acted in a manner contrary to statutory and administrative requirements, used Council information for her own private purposes, failed to maintain the integrity and security of confidential information, failed to protect confidential information, released confidential information without authority, used confidential information for her own purposes to secure a private benefit, used confidential information to cause harm or detriment to the Council, disclosed confidential information discussed during a confidential session of the Council and used Council resources for private purposes; is contrary to clauses 14 and 15 of the 2013 Guidelines on the Closure of Council Meetings to the Public in that Councillor Flaherty failed to maintain the integrity and security of confidential information and potentially exposed herself to disciplinary action; and is a breach of section 664 of the Local Government Act 1993 in that Councillor Flaherty misused confidential information provided to her in her role as a Councillor.
2. In accordance with clause 7.37(c) of the Procedures for the Administration of the Model Code of Conduct, Council:
  - a) Formally censure Councillor Flaherty for a breach of the Upper Hunter Shire Council Code of Conduct for Councillors under section 440G of the Local Government Act 1993; and
  - b) Refer the matter to the Office of Local Government for further action under the misconduct provisions of the Local Government Act 1993.

Moved: Cr A McPhee      Seconded: Cr R Campbell      CARRIED UNANIMOUSLY

Cr Burns returned to the meeting.

## RETURN TO OPEN MEETING

23/113

**RESOLVED That the meeting move back into Open Council.**

Moved: Cr T Clout      Seconded: Cr B McKenzie      CARRIED UNANIMOUSLY

Cr Flaherty returned to the meeting.

Upon resuming Open Council, and in accordance with the Code of Meeting Practice, the General Manager provided a summary of the resolutions passed in Closed Council.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.56PM.





## **General Manager's Unit**

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shifting at its worse, as it is imposed on councils without any mechanism for councils to recover costs.

The levy increase for the State's 128 councils in 2023/24 amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing the IPART baseline rate peg of 3.7% for 2023/24, which Council will recommend in its 2023/24 budget.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on councils' finances will be particularly severe in 2023/24 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing local government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the ESL has increased by \$43,892 for 2023/24, bringing the total Council contribution to \$928,332 which represents 9.95% of the expected increase in general rate income for 2023/24. However the major issue is the removal of the subsidy from the Office of Local Government which has assisted Council in the 2019/20, 2020/21 and 2021/22 years which was designed to maintain ESL to a level comparable to the 2018/19 year before the major increases to the levy was imposed onto Council's. Taking this subsidy into account (based on the 2021/22 subsidy amount) it is estimated that the net increase would be \$310,731 (levy increase \$43,892 plus subsidy \$266,839). Taking this total effective increase into account this represents 70.44% of the expected increase in general rate income for 2023/24. If the NSW Government's decision is not reversed, the potential impacts on Council's services, infrastructure maintenance and delivery include:

- Reduction in maintenance provided to our rural farmers' unsealed road network.
- Reduction in maintenance and servicing of the Shire's urban infrastructure, including stormwater, footpaths, public cemeteries, public conveniences, etc.
- Reduction in maintenance and servicing of community sporting grounds and parks.

The timing of this development is particularly challenging for councils as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year.

All councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are councillors and council staff). However, it is essential that these services be supported through an equitable, transparent and sustainable funding model.

## General Manager's Unit

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Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of councils across NSW in amplifying this advocacy.

This Mayoral Minute recommends that Council call on the NSW Government to take immediate action to:

- a. restore the ESL subsidy,
- b. decouple the ESL from the rate peg to enable councils to recover the full cost
- c. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Mayoral Minute also recommends that Council write to IPART advising of the financial sustainability impacts on of the ESL.

### **OPTIONS**

To adopt, reject or amend the recommendation.

### **ATTACHMENTS**

- [1](#)  Draft Letter to Ministers and Local State Member - Damaging Increase in ESL Costs
- [2](#)  Draft Letter to Independent Pricing and regulatory Tribunal - IPART

# OFFICE OF THE MAYOR



Our Reference: OLT-3432/23

XX May 2023

The Hon Daniel Mookhey MLC  
Treasurer

The Hon Jihad Dib MP  
Minister for Emergency Services

The Hon Ron Hoenig MP  
Minister for Local Government

Mr Dave Layzell  
Member for Upper Hunter

GPO Box 5341  
SYDNEY NSW 2001

Dear XXX

## Damaging Increase in Emergency Services Levy Costs

I write to you on behalf of Upper Hunter Shire Council to seek your urgent action to avoid serious impacts on the financial sustainability of our Council as a result of the NSW Government's decision to impose an enormous increase in the Emergency Services Levy on our Council.

For Upper Hunter Shire Council, the NSW Government invoice we have received for the ESL represents an increase of \$43,892 for 2023/24, bringing the total Council contribution to \$928,332.

For the last four years, the NSW Government has acknowledged the unsustainable burden of ESL increases on local government by funding the annual increases in the levy for councils. Our Council is alarmed that the new NSW Government has suddenly ceased this important contribution.

The 2023/24 ESL increase reflected in the NSW Government invoice we have received amounts to 0.38% of the expected increase in Upper Hunter Shire Council's rate income for the year. If the NSW Government's decision is not reversed, the potential impacts on Council's services, infrastructure maintenance and delivery include:|

All correspondence to:

General Manager | Upper Hunter Shire Council | GPO Box 208, Scone NSW 2337

Phone: Scone Office 6540 1100 | Merriwa Office 6521 7000 | Murrumbidgee Office 6540 1350

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



UPPERHUNTER.NSW.GOV.AU

- Reduction in maintenance provided to our rural farmers' unsealed road network.
- Reduction in maintenance and servicing of the Shire's urban infrastructure, including stormwater, footpaths, public cemeteries, public conveniences, etc.
- Reduction in maintenance and servicing of community sporting grounds and parks.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate revenue will have to be diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

The timing of this development is particularly challenging for councils as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year and at a time of soaring inflation and ongoing costs of disaster recovery.

Would you please urgently work to ensure the NSW Government:

- restores the ESL subsidy in 2023/24,
- passes legislation to decouple the ESL from the rate peg to enable councils to recover the full cost, and
- develops a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.

Without your assistance in this matter, the financial sustainability of our Council will be placed in serious jeopardy, forcing cuts to our services and infrastructure delivery and harming our community's quality of life.

For further information or to arrange a meeting, please contact Robyn Cox at roox@upperhunter.nsw.gov.au or on 02 6540 1126.

Yours sincerely

Maurice Collison  
MAYOR





# OFFICE OF THE MAYOR

Our Reference: OUT-3433/23

XX May 2023

Ms Carmel Donnelly  
Chair  
Independent Pricing and Regulatory Tribunal (IPART)

By email: [ipart@ipart.nsw.gov.au](mailto:ipart@ipart.nsw.gov.au)

Dear Ms Donnelly

## Damaging Increase in Emergency Services Levy Costs

I write to you on behalf of Upper Hunter Shire Council to alert you to the serious concerns of our Council, and the broader local government sector, regarding the unsustainable funding model for the Emergency Services Levy (ESL).

For the last four years, the NSW Government has acknowledged the unsustainable burden of ESL increases on local government by funding the annual increases in the levy for councils. Our Council is alarmed that the new NSW Government has suddenly ceased this important contribution.

For Upper Hunter Shire Council, the NSW Government invoice we have received for the ESL in 2023/24 represents an increase of \$43,892 compared to 2022/23, bringing the total Council contribution to \$928,332.

The 2023/24 ESL increase amounts to 36% of the expected increase in Upper Hunter Shire Council's rate income for the year. This increase makes the forced ESL contribution manifestly disproportionate to the 2023/24 rate cap.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate revenue will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

All correspondence to:

General Manager | Upper Hunter Shire Council | PO Box 208, Scone NSW2337

Phone: Scone Office 6540 1100 | Merriwa Office 6521 7000 | Murrurundi Office 6540 1350

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



UPPERHUNTER.NSW.GOV.AU

Further, the timing of this development is particularly challenging for councils as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year and at a time of soaring inflation and ongoing costs of disaster recovery.

I have written to the NSW Government seeking their urgent agreement to:

- restore the ESL subsidy in 2023/24,
- passes legislation to decouple the ESL from the rate peg to enable councils to recover the full cost
- develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.

Without NSW Government intervention, the financial sustainability of our Council will be placed in serious jeopardy, forcing cuts to our services and infrastructure delivery and harming our community's quality of life.

IPART has a core role in setting key parameters impacting the financial sustainability of local government, and I write to you as it is important that IPART be fully apprised of the impact of this policy decision of the NSW Government.

For further information, please contact Robyn Cox at [roox@upperhunter.nsw.gov.au](mailto:roox@upperhunter.nsw.gov.au) or on 02 8540 1128.

Yours sincerely

Maurice Collison  
MAYOR



## Infrastructure Services

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### STANDING COMMITTEE REPORTS

#### SCR.05.1 **INFRASTRUCTURE SERVICES COMMITTEE**

**RESPONSIBLE OFFICER:** Rag Upadhyaya - Director Infrastructure Services

**AUTHOR:** Leah Moore - Infrastructure Support Officer

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#### RECOMMENDATION

That Council:

1. adopt the minutes and recommendations of the Infrastructure Services Committee meeting held on Tuesday, 9 May 2023; and
2. discontinue the Scone Town Revitalisation Committee.

#### BACKGROUND

The Infrastructure Services Committee is a standing committee of Council that considers reports, advice and recommendations on matters related to all the functions of Infrastructure Services and provides policy and direction, along with updates on the planned program for roads, bridges, water and sewerage work, parks and buildings. The Committee subsequently makes recommendations to Council in relation to such matters.

A meeting of the Infrastructure Services Committee was held on Tuesday, 9 May 2023. A copy of the minutes is attached.

#### REPORT/PROPOSAL

The Infrastructure Services Committee considered reports on the following items:

#### ISC.05.1 **WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER AND SEWER**

Major Capital Works underway in the water and sewer section include:

- Scone Water Treatment Plan (Joint with Muswellbrook Shire Council)
- Scone Sewerage Treatment Plant (STP)
- Merriwa Sewerage Treatment Plant (STP)
- CCTV to inform the sewer re-lining program
- Water Main Renewal Work (Contract 1/2022)
- Sewer Main Repair Works
- Aberdeen River Pump Station Improvements (Contract 42/2021)
- Integrated Water Cycle Management Plan
- Village Water Supply – Parkville/Wingen/Blandford
- Scone to Murrurundi Pipeline – Easements
- Glenbawn Dam Pipework Discharge
- Murrurundi Dam

#### ISC.05.2 **WORKS PROGRAM - INFRASTRUCTURE SERVICES – WORKS DELIVERY**

The KPIs were reported to the Committee, with five (5) of the eighteen (18) KPIs being off track for the reportable year.

## Infrastructure Services

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### **ISC.05.3    *STRATEGIC AND CAPITAL WORKS UPDATE***

Strategic and Capital Works Delivery Update was reported.

There are sixty three (63) major projects in progress that have been reported on. Eleven (11) of these projects require budget or scheduling intervention.

### **ISC.05.4    *MR358 WILLOW TREE ROAD UPGRADE***

An update was provided on the MR358 Willow Tree Road Upgrade.

#### **Key activities next month:**

- Evaluation of the tenders.
- Extension of tender validity period to 90 days.
- PWA and staff working through tender departures and qualifications.

### **ISC.05.5    *LOCAL ROADS INITIAL SEAL - PROJECT UPDATE***

An update was provided on the three major roads projects, being:

- Moonan Brook Road
- Hunter Road
- Barrington Tops Forest Road

### **ISC.05.6    *SCONE CBD REVITALISATION PROJECT***

An update was provided on the current status of the project, what work has recently been completed and the work that is forecast for the next month, plus the revised forecast for the end of the project.

The Committee has proposed to discontinue the Scone Town Revitalisation Committee. Matters that require public involvement during the execution of the contract will be considered by the Scone Community Advisory Committee and reported to Council.

## **ATTACHMENTS**

- 1 [↓](#) Infrastructure Services Committee Minutes 9 May 2023

**MINUTES OF THE INFRASTRUCTURE SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL HELD ON TUESDAY 9 MAY 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 12.30PM**

**PRESENT:**

Cr Ron Campbell (Chair), Cr Maurice Collison and Cr Allison McPhee.

**APOLOGIES:**

Cr Tayah Clout

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Raghavendra Upadhyaya (Director Infrastructure Services), Mr Sam Wooden (Manager Works Delivery), Mr Jeff Bush (Manager Strategic Assets), Mr Grahame Wilson (Manager Water & Sewer), Mr Chris Agosto (Project Manager), Mr Allan Greer (Project Manager – ZOOM), Mr Gavin Newton-Smith (Asset Engineer) and Ms Leah Moore (Minutes)

**DISCLOSURES OF INTEREST:**

Nil

**PUBLIC PARTICIPATION**

Nil

**INFRASTRUCTURE SERVICES REPORTS**

**ISC.05.1** ***WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER & SEWER***

**RESPONSIBLE OFFICER:** Raghavendra Upadhyaya - Director Infrastructure Services

**AUTHOR:** Grahame Wilson - Manager Water & Sewer

23/090**RESOLVED**

**That the Committee**

1. receive the report and note the information; and
2. undertake a letterbox drop providing the plans and logic behind the decision to decommission the dam and include option for residents to express their interest in community consultation.

Moved: Cr A McPhee      Seconded: Cr M Collison      CARRIED UNANIMOUSLY

**ISC.05.2** ***WORKS PROGRAM - INFRASTRUCTURE SERVICES - WORKS DELIVERY*****RESPONSIBLE OFFICER:** Raghavendra Upadhyaya - Director Infrastructure Services**AUTHOR:** Sam Wooden - Manager Works Delivery23/091**RESOLVED****That the Committee receive the report and note the information.**

Moved: Cr A McPhee      Seconded: Cr M Collison      CARRIED UNANIMOUSLY

**ISC.05.3** ***STRATEGIC AND CAPITAL WORKS UPDATE*****RESPONSIBLE OFFICER:** Raghavendra Upadhyaya - Director Infrastructure Services**AUTHOR:** Sam Wooden - Manager Works Delivery23/092**RESOLVED****That the Committee receive the report and note the information.**

Moved: Cr M Collison      Seconded: Cr A McPhee      CARRIED UNANIMOUSLY

**ISC.05.4** ***MR358 WILLOW TREE ROAD UPGRADE*****RESPONSIBLE OFFICER:** Raghavendra Upadhyaya - Director Infrastructure Services**AUTHOR:** Jeff Bush - Manager Strategic Assets23/093**RESOLVED****That the Committee receive the report and note the information.**

Moved: Cr A McPhee      Seconded: Cr M Collison      CARRIED UNANIMOUSLY

**ISC.05.5** ***LOCAL ROADS INITIAL SEAL - PROJECT UPDATE*****RESPONSIBLE OFFICER:** Raghavendra Upadhyaya - Director Infrastructure Services**AUTHOR:** Chris Agosto - Project Manager23/094**RESOLVED****That the Committee receive the report and note the information.**

Moved: Cr M Collison      Seconded: Cr A McPhee      CARRIED UNANIMOUSLY

ISC.05.6

**SCONE CBD REVITALISATION PROJECT****RESPONSIBLE OFFICER:** Raghavendra Upadhyaya - Director Infrastructure Services**AUTHOR:** Alan Greer - Project Manager

23/095RESOLVED

**That the Committee**

1. Receive the report and note the information, and
2. Propose to discontinue the Scone Town Revitalisation Committee and staff to provide recommendations on how decisions can be made for matters that require public involvement during the execution of the contract.

Moved: A McPhee

Seconded: M Collison

CARRIED UNANIMOUSLY

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THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.03pm.

**Corporate Services**

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**SCR.05.2**

**CORPORATE SERVICES COMMITTEE**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Wayne Phelps - Manager Finance

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**RECOMMENDATION**

That Council:

1. adopt the minutes and recommendations of the Corporate Services Committee meeting held on 19 May 2023; and
2. adopt the proposed budget variations as provided in attachment 2.

**BACKGROUND**

The Corporate Services Committee meets prior to each monthly Council meeting to consider strategic and operational matters of business.

**REPORT/PROPOSAL**

A meeting of the Corporate Services Committee was held on Friday, 19 May 2023. A copy of the minutes of the meeting is attached. The following reports were considered:

**CORP.5.1 Financial Summary & Investment Report**

A monthly Financial Summary including details and levels of investments was provided for the Committee's information together with a statement from the Responsible Accounting Officer advising that the projected financial position as at 31 March 2023 was satisfactory.

The Financial Summary Reports provide an overview of Council's operations shown in a high-level position in both fund and function. The summary reports incorporate details of requested and approved variations.

The capital expenditure report presented included a full list of projects with any proposed variations. An overview of the associated reasons for the requests is provided, such as Council delay, contractor delay or pending grant funding.

The Cash and Investment Report provides a bank reconciliation of cash and details of Council's investments and rates of return. These rates of returns can be compared to the average benchmark BBSW 90-day cash rate provided at the base of the investment table.

The Responsible Accounting Officer's (RAO) Statement includes a statement of compliance of investments in accordance with regulatory requirements and Council's policies, a statement on the reconciliation of cash with bank statements as well as a statement of satisfaction with Council's financial position, or remedial action to be taken (Clause 203(2)) of the Local Government (General) Regulations 2005.

**CORP.5.2 Operational Report**

The budget review provides a detailed overview of the actuals to budget for the year to date, together with proposed variations and previously approved variations to the original budget. The effect on the originally adopted budget for these proposed and approved variations is shown in the revised end of year budget position for both the fund and service activity.

**Corporate Services**

Commentary is provided by managers and/or budget holders to inform details or reasons of why variances between actuals to budget exist or why proposed variations have been requested.

Key Performance Indicators (KPIs) are included within the body of the operations report for each respective service activity as adopted in the Delivery Program and Operation Plan these indicators are gauged against the actual performance of each service activity and are measured using a traffic light monitor with commentary provided by managers and/or budget holders.

At its meeting on 27 February 2023, Council resolved to include Councillor attendance of briefings, Council meetings and Council Committee meetings as well as LG Hub activity in the quarterly KPI report at the Corporate Services Committee meetings. The table provided to the Committee for the reporting period 1/1/2023 to 31/3/2023 for Councillor attendance had two errors. The updated table with correct figures is provided below:

**Councillor Attendance Record – 1/1/2023 to 31/3/2023**

2023	Cr Collison	Cr Burns	Cr Campbell	Cr Clout	Cr Flaherty	Cr McKenzie	Cr McPhee	Cr Watts	Cr Williamson
<b>Ordinary Council Meetings</b>									
Monday, 30 January 2023	✓	X	✓	✓	X	✓	✓	✓	✓
Monday, 27 February 2023	✓	✓	✓	✓	X	✓	✓	✓	✓
Monday, 27 March 2023	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Council Briefing Session - prior to Council Meetings</b>									
Monday, 30 January 2023	✓	X	✓	✓	X	✓	✓	✓	✓
Monday, 27 February 2023	✓	✓	✓	✓	X	✓	✓	✓	✓
Monday, 27 March 2023	✓	✓	✓	✓	X	✓	✓	✓	✓
<b>Environmental &amp; Community Services Committee Members: Crs Watts, McPhee, Flaherty &amp; Campbell</b>									
Tuesday, 14 February 2023	✓		✓		✓		✓	✓	
Tuesday, 14 March 2023	✓		✓		✓		✓	✓	
<b>Infrastructure Services Committee Members: Crs Campbell, Collison, McPhee, Clout</b>									
Tuesday, 14 February 2023	✓		✓	✓			✓		
Tuesday, 14 March 2023	✓		✓	✓			✓		
<b>Corporate Services Committee Members: Crs Burns, Abbott, Flaherty &amp; Williamson</b>									
Friday, 17 February 2023		✓			✓	✓			✓
Friday, 17 March 2023		✓			✓	✓			✓

**Legend:**

✓	In attendance
✓	In attendance (non-committee member)
X	Not in attendance

## Corporate Services

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### **CORP.5.3 Contractors & Expenses Report**

The Contractors Listing provides details of any contracts Council has entered into for the period which exceed the value of \$50,000 in accordance with Office of Local Government requirements.

The Consultants, Legal and other Expenses Report will show expenditure year to date for consultancies and legal services.

### **CORP.5.4 White Park Management and Development Committee**

The White Park Management & Development Committee is an advisory committee of Council. The Committee comprises representatives of the various users of the White Park facility.

The aim of the Committee is to make recommendations to Council on the management and future development of White Park. The minutes of the White Park Management and Development Committee meeting held 26 April 2023 and onsite meeting held 10 May 2023 were adopted by the Corporate Services Committee.

### **CORP.5.5 Scone & Upper Hunter Regional Saleyards Committee**

The purpose of this report is to provide the committee with details relating to the operational management of the Saleyards, including WHS, current projects, financial and performance management. The minutes of the Scone & Upper Hunter Regional Saleyards Committee meeting held 11 May 2023 were adopted by the Corporate Services Committee.

### **CORP.5.6 Property Update**

The purpose of this report is to give an update on various property matters within Council.

The Committee recommended that Council call for Expressions of Interest on a number of properties including 7 Surman Street, Scone, and also invite the Scone Medical Practice to submit ideas on the use of this site.

### **CORP.5.7 Responses to Previous Questions**

At each Corporate Services Committee meeting, the Councillors ask questions relating to items included on the agenda. Some questions require further investigation, actions to be made and a report is provided back to the Committee at the next meeting.

## **ATTACHMENTS**

- [1](#) Corporate Services Committee - 19 May 2023 - Minutes
- [2](#) Finance Budget Variation Requests - March 2023



**COUNCILLOR QUESTION:**

Cr Flaherty requested clarification if leftover excavated material from the Golden Hwy was used instead of locally sourced gravel on a road in Merriwa as it has been reported to her that the repairs were sub-standard.

*Response: General Manager advised that leftover excavated material from the Golden Hwy can be used if deemed suitable but would require clarification of the actual road in question so that staff can investigate further.*

**CORP.05.2****OPERATIONAL REPORT**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Wayne Phelps - Manager Finance

23/097

**RESOLVED**

**That the Committee:**

- 1. note the comments on the budget review by the managers/budget holders; and**

Moved: Cr E Flaherty      Seconded: Cr J Burns      CARRIED UNANIMOUSLY

- 2. adopt the requested variations as detailed in the budget review.**

Moved: Cr J Burns      Seconded: Cr B McKenzie      CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Burns	Councillor Flaherty
Councillor McKenzie	
Councillor Williamson	
<b>Total (3)</b>	<b>Total (1)</b>

The Committee noted an error in the Councillor Attendance Record – 1/1/2023 to 31/3/2023; Cr Williamson was present at the March Council meeting via Zoom up until moving into closed Council. It was also pointed out after the meeting that Cr Flaherty was absent from the January ordinary Council meeting. The table has been amended with these changes.

**Councillor Question:**

Cr Williamson enquired, regarding whether the decommissioned fuel tank at Cassilis been removed and the project completed?

*Response: General Manager advised the environmental studies and approvals have been put in place. Question taken on notice for the Director Environmental and Community Services to provide a further update regarding removal of the fuel tank.*

**CORP.05.3****CONTRACTORS & EXPENSES REPORT**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Wayne Phelps - Manager Finance

23/098

**RESOLVED**

**That the Committee:**

- 1. note the Contractors Listing for the period; and**
- 2. note the Consultancy and Legal Expenses report for the period.**

Moved: Cr E Flaherty      Seconded: Cr J Burns      CARRIED UNANIMOUSLY

**CORP.05.4****WHITE PARK MANAGEMENT AND DEVELOPMENT COMMITTEE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

23/099

**RESOLVED****That Council:**

1. adopt the minutes of the White Park Management & Development Committee meeting held on 26 April 2023 with the amendment that Mr Anto White be noted as an observer;
2. endorse the White Park Management & Development Committee's suggestion for the community usage of White Park; and,
3. endorse the White Park Management & Development Committee's Western Side White Park User/Event agreement.

Moved: Cr B McKenzie    Seconded: Cr J Burns    CARRIED UNANIMOUSLY

**CORP.05.5****SCONE & UPPER HUNTER REGIONAL SALEYARDS COMMITTEE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

23/100

**RESOLVED****That the Committee**

1. adopt the minutes of the Scone & Upper Hunter Regional Saleyards meeting held on 11 May 2023; and
2. endorse the \$4 per head fee increase with the split of \$5.25 agent fee and \$17.25 vendor fee as per the 2023/2024 Fees & Charges.

Moved: Cr J Burns    Seconded: Cr B McKenzie    CARRIED UNANIMOUSLY

<b>FOR</b>	<b>AGAINST</b>
Councillor Burns	Councillor Flaherty
Councillor McKenzie	
Councillor Williamson	
<b>Total (3)</b>	<b>Total (1)</b>

**Councillor Questions:**

Cr Flaherty enquired what the effect of the increase in saleyard and airport fees have on the budget figures for the 2023/24 budget. and how this will impact on the bottom line.

*Response: Manager Finance advised projected budget figures can be provided.*

**CORP.05.6****PROPERTY UPDATE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

23/101

**RESOLVED****That the Committee:**

1. note the report and actions undertaken to date on the property strategy including:
  - (a) Calling Expressions of Interest for the development of Lot 35 DP 1184486 Perth Street, Aberdeen being a 27 lot development including an option for house and land development
  - (b) Calling Expressions of Interest for the development of Subdivision DP 262398 at Collins Street and Maher Close, Merriwa for a 18 lot subdivision including an option for house and land development
  - (c) Calling Expressions of Interest for the development of Lot 31 DP1194098 at 7 Surman Street for a housing / unit development and that the Scone Medical Practice be invited to also submit ideas on the use of the site.

Moved: Cr J Burns      Seconded: Cr E Flaherty      CARRIED UNANIMOUSLY

2. Support the continued progress on the following intended Expressions of Interest in regard to properties being developed in the property strategy including:
  - (a) Calling Expressions of Interest for the development of Lot 1 & Lot 3 DP 212047 at 97 Hill Street for a housing / unit development subject to reclassification of the land.
  - (b) Commencing sales for Lot 12 DP 239406, 49 Stafford Street, Scone
  - (c) Commencing sales for Lot 12 DP 227553, 98 Hill Street subject to reclassification of the land.

Moved: Cr J Burns      Seconded: Cr B McKenzie      CARRIED UNANIMOUSLY

3. Call Expressions of Interest for the development of Lot 42 DP 846091, for airpark development on the western end of Scone Memorial airport.

Moved: Cr B McKenzie      Seconded: Cr E Flaherty      CARRIED UNANIMOUSLY

4. Remove all Terms of easement, profit a ' prendre, restriction, or positive covenant numbered 5 in the plan for Subdivision Certificate No 121/03.

Moved: Cr E Flaherty      Seconded: Cr J Burns      CARRIED UNANIMOUSLY

**CORP.05.7****RESPONSES TO PREVIOUS QUESTIONS****RESPONSIBLE OFFICER:** Wayne Phelps - Manager Finance**AUTHOR:** Karen Boland - Governance & Executive Support Officer**For notation only.**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.05AM.

**CORPORATE SERVICES COMMITTEE  
BUDGET VARIATION REQUEST  
FOR THE MONTH ENDED 31 MARCH 2023**

Budget Service Area	Account Type	Account Description	VARIATION REQUEST		Details of Variation Request
			DR \$	CR \$	
<b>GENERAL FUND</b>					
Town Planning	Operating Revenue	Contributions		270,000	Additional s.94 contributions received
Town Planning	Non-Operating Expenditure	s94 Contributions RA	270,000		Transfer of funds to RA balance
Public Library	Capital Expenditure	Aberdeen Library Upgrade	4,200		Additional upgrade works to Aberdeen Library
Public Library	Capital Expenditure	Additional Furniture		4,200	Reallocate budget funding to Aberdeen Library Upgrade
Other Sport and Recreation	Operating Revenue	User Fees and Charges		7,300	Funds received for Lake Glenbawn Triathlon event
Other Sport and Recreation	Operating Expenditure	Triathlon	7,300		Allocate funds received to Lake Glenbawn Triathlon event costs
<b>SEWERAGE SERVICES</b>					
		<i>NIL</i>			
<b>WATER SUPPLY</b>					
		<i>NIL</i>			
		<b>Total Variations</b>	<b>281,500</b>	<b>281,500</b>	
		<b>Net Variation to Operating Result</b>		<b>-</b>	
<b>Abbreviation notes</b>					
RA = Restricted Assets					

## Environmental & Community Services

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### COMMITTEE/DELEGATES REPORTS

#### **C.05.1** *MERRIWA AGED HOSTEL COMMITTEE*

**RESPONSIBLE OFFICER:** Wayne Phelps - Manager Finance

**AUTHOR:** Tash Taaffe - Community Services Officer

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#### **RECOMMENDATION**

That Council:

1. adopt the minutes of the Merriwa Aged Hostel Committee meeting held on 18 April 2023.
2. accept the nomination of Cheryl Dallimore to the Committee.

#### **BACKGROUND**

The Merriwa Aged Hostel Committee provides advice and recommendations to Council in relation to the provision of a 16 bed aged care facility in Merriwa. The Committee meets approximately every two months to review the operational and financial aspects of the facility.

#### **REPORT/PROPOSAL**

The Coordinator provided an update of the kitchen renovations which are on track for completion in May.

There are currently three vacancies. Two residents have been waiting for an ACAT assessment since February. Efforts are being made to fast track this process.

The Treasurer provided a report summarising the financial position of the hostel. The vacancies have negatively impacted revenue streams.

#### **ATTACHMENTS**

- 1 [↓](#) Merriwa Aged Hostel Committee - 18 April 2023 - Minutes

## MINUTES OF THE MERRIWA AGED HOSTEL COMMITTEE MEETING - TUESDAY 18 APRIL 2023



**PRESENT:** Cr Ron Campbell, Mrs Deirdre Peebles, Mr Ross Bishop, Mrs Julia Hardy and Mrs Jan Cronin

**IN ATTENDANCE:** Ms Suzanne Duggan (Hostel Supervisor), Ms Amanda Catzikiris (Manager Community Services - Zoom), Ms Tash Taafe (Community Services Officer - minutes), Mr Wayne Phelps (Treasurer - Zoom) and Mrs Cheryl Dallimore - Community

### 1. APOLOGIES

#### RESOLVED

**That the apologies received from Mr Barry Gherzi be accepted.**

Moved: J. Hardy

Seconded J. Cronin

CARRIED

### 2. DISCLOSURE OF INTEREST - nil

### 3. PREVIOUS MINUTES

#### RESOLVED

**That the minutes of the Merriwa Aged Hostel Committee meeting held on 16 February 2023, as circulated, be taken as read and confirmed as a correct record.**

Moved: R. Bishop

Seconded: J. Cronin

CARRIED

### 4. BUSINESS ARISING FROM PREVIOUS MINUTES -nil

### 5. AGENDA ITEMS

#### MAH.04.1 Gummun Hostel - Supervisor Report

##### PURPOSE

The purpose of the report is to provide an update from the Hostel Supervisor on operational activities at the hostel.

There are currently three vacancies with two residents awaiting an ACAT assessment since December. The family have been trying to expedite the process but there is a large backlog with assessments. There is a resident in respite in the other spare room that will be going home today. Another respite resident may be able to go into the spare room while awaiting a permanent resident. Hostel vacancies are advertised via aged care's online portal Capacity Tracker.

Kitchen upgrade is nearly complete, just awaiting new flooring scheduled for 15 May.

Committee sincerely thanked Council's maintenance staff for their efforts with the kitchen upgrade and requested a letter of thanks from the Committee to staff involved.

Julie Wilton provided a report on lifestyle and wellbeing as circulated. There has been a decline in volunteers and regular visitors to the hostel since Covid eg. for hand care, crafts, games.

**The Committee accepted the Hostel Supervisor's report.**

#### **ACTION FOR COMMITTEE:**

Community Services Officer to write letter of thanks to the staff involved in the kitchen upgrade.

This is Page 1 of 3 of Minutes of the **Merriwa Aged Hostel** Committee meeting of the Upper Hunter Shire Council held on 18 April 2023.

**2. Nomination to Committee – Cheryl Dallimore.****RESOLVED**

**That the Committee endorse the nomination received from Cheryl Dallimore.**

Moved: R. Bishop

Seconded: Cr R. Campbell

CARRIED

**3. Treasurers Report****PURPOSE**

To provide a report from the Treasurer of the Merriwa Aged Hostel summarising the financial position of the hostel.

The Treasurer's report was circulated and taken as read. Revenue is running in line with budget but in the course of the next few months, the three vacancies will have a negative impact on revenue. Staff costs are above budget. Need to look for cost savings where possible. Overall the hostel is behind budget by approximately \$100,000.

R. Bishop concerned with the length of time the ACAT assessment is taking for two residents (3 months). Manager Finance advised that Council can write a letter to ACAT and state our concerns and how this has impacted our revenue streams. R. Bishop requested Council contact Barnaby Joyce MP to see if he can help improve the time frame for ACAT assessments, discuss the requirement in future for facilities to have an RN on call 24/7, facilities will need more support to source an RN and pay for them.

The Hostel Coordinator and J. Cronin said more information regarding My Aged Care and ACAT assessments needs to be distributed within the community ie that ACAT assessments are required even for respite. The Hostel Coordinator advised families can make a referral themselves via My Aged Care website, calling 1800 200 422 or doctors can also make a referral. The Community Services Officer also assists community members to apply for My Aged Care assessments as needed.

**RESOLVED**

**That the Committee accept the Treasurer's report.**

Moved: R. Bishop

Seconded: J. Cronin

CARRIED

**Action for Committee** – Write to ACAT requesting fast track of assessment for two residents waiting to move to the hostel since February. Write to Barnaby Joyce re ACAT delays, requirement for RN 24/7. Look for ways to promote the hostel eg assist or partner with other providers to host a Seniors Expo

**6. ACTION SHEET**

<b>Issue</b>	<b>Notes</b>	<b>Personnel</b>	<b>Completion date</b>
<i>Meditrax Policies</i>	<i>Obtain details and costings</i>	<i>Sue Duggan</i>	<i>Meditrax are at Hostel today 18.4.23 doing medication review and assessing our medication system. Feedback should be received in April/May.</i>
<i>Draft Extension Plans</i>	<i>Architect to consider alternate options</i>	<i>Mat Pringle</i>	<i>Ongoing</i>
<i>Kitchen Renovations</i>	<i>Replace kitchen and floor coverings</i>	<i>Sue Duggan, Shaun Seckold, Wayne Phelps</i>	<i>Kitchen upgrade completed. New kitchen floor scheduled for 15.5.24</i>
<i>Flag</i>	<i>Remind staff to put flag up or ask community volunteer</i>	<i>Sue Duggan</i>	<i>Need new flag rope. W. Phelps to ask if maintenance can assist.</i>

This is Page 2 of 3 of Minutes of the **Merriwa Aged Hostel** Committee meeting of the Upper Hunter Shire Council held on 18 April 2023.

Telehealth Cart	Source grant or sponsorship for \$15k	Tash Taaffe	\$5k grant confirmed from PHN, \$10k to be advised by AGL
Request fast track of ACAT assessments	Residents waiting to move in to hostel since February – 2-3 month delays	Tash Taaffe	
MP – letter of request	Write to Barnaby Joyce requesting assistance with faster ACAT assessments, more funding for 24/7 RN	Tash Taaffe, Wayne Phelps	
Seniors Expo	Partner with Merriwa MPS to run expo promoting hostel & ILUs	Tash Taaffe, Julie Wilton	
Staff	Discuss with HR regarding long term casuals moving to permanent part time to assist with rosters & speeding up new staff recruitment	Wayne Phelps	

## 7. CORRESPONDENCE - nil

## 8. GENERAL BUSINESS

- (i) **Staff** – Ratio of permanent part time/casuals is about 50/50. D. Peebles asked if more permanent part time staff would be more beneficial to attract and retain staff. The Finance Manager will discuss with HR about the rosters to see if there are any long term casuals that might be willing to move to eg. 20 hours a week permanent part time. The Hostel Supervisor said this would assist with casuals not turning up for shifts as permanent part time staff generally don't do this.

J. Wilton asked if there was any way HR could speed up process to put new recruits on floor faster. Currently takes 6-7 weeks.

- (ii) **Expansion of the hostel** – Cr Campbell asked for an update on expansion plans for the hostel. The Manager Finance said while expansion may be possible in future, but historically there is still an issue of not being able to fill the existing beds in this area. Need a much larger waiting list to reduce some of the wait times when positions become available to show genuine need for expansion.
- (iii) **Advertising and promotion**– D. Peebles requested more promotion of the facility, as a lot of new residents have moved to Merriwa. J. Wilton suggested a seniors expo for Merriwa. Manager Community Services suggested that may be possible with Council staff later in the year if staff become available or to partner with another organisation.
- (iv) **Telehealth cart** – A \$5,000 PHN grant has been successfully sourced to go towards a telehealth cart. A sponsorship request to AGL for \$15,000 was applied for in April. Base price of cart is \$15,000.

## 9. NEXT MEETING – Tuesday 20 June 2023, 1pm at the Merriwa Meeting Room

The meeting was declared closed at 2.22pm.

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This is Page 3 of 3 of Minutes of the **Merriwa Aged Hostel** Committee meeting of the Upper Hunter Shire Council held on 18 April 2023.

**Environmental & Community Services**

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**C.05.2** *COMMUNITY ADVISORY COMMITTEE - MERRIWA DISTRICT*

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Environmental & Community Services

**AUTHOR:** Tash Taaffe - Community Services Officer

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**RECOMMENDATION**

That Council adopt the minutes of the Community Advisory Committee – Merriwa District meeting held on 3 May 2023.

**BACKGROUND**

The purpose of Council's Community Advisory Committees (CAC) is to advise Council on the needs or issues of a particular community and to inform Council's decision making and work relating to these communities. These committees meet every three months in Murrurundi, Scone, Aberdeen and Merriwa.

**REPORT/PROPOSAL**

Items raised by the community included requests for updates on MR358, Warbirds funding, Cassilis housing, flood clean up and roads maintenance. The Committee provided suggestions for projects that could be funded by the Merriwa Reserve Fund and DPOP.

Committee discussion included Merriwa bird issues, cleaning options for CBD footpaths, priority areas for Merriwa beautification funding and identification of potential sites for an RV overnight parking area and offleash dog exercise area in Merriwa.

**ATTACHMENTS**

- [1](#) Community Advisory Committee - Merriwa District - 3 May 2023 - Minutes

**MINUTES OF THE COMMUNITY ADVISORY COMMITTEE -  
MERRIWA DISTRICT MEETING - WEDNESDAY 3 MAY 2023 - 6pm**



**PRESENT:** Cr Ron Campbell (Chair), Cr Tayah Clout, Jane Hegarty, Ben Sullivan, Carlita McConnell, Patrick Ryan and Robert Tindall.

**IN ATTENDANCE:** Greg McDonald (General Manager), Mathew Pringle (Director Environmental & Community Services), Rag Upadhyaya (Director Infrastructure Services) and Tash Taaffe (Merriwa Community Services Officer and minutes).

**1. APOLOGIES**

**RESOLVED**

**That the apologies received from Neil Hunt and Sarah Thompson be accepted.**

Moved: J. Hegarty      Seconded: R. Tindall      CARRIED

**2. DISCLOSURE OF INTEREST -nil**

**3. PREVIOUS MINUTES**

**RESOLVED**

**That the minutes of the Community Advisory Committee - Merriwa District Meeting held on 21 February 2023, as circulated, be taken as read and confirmed as a correct record.**

Moved: P. Ryan      Seconded: T. Clout      CARRIED

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

- (i) **Untidy dwellings – Cassilis** – J.Hegarty asked if Council has written to landholders requesting properties be tidied up. B. Sullivan is happy to assist. Director Environmental & Community Services to liaise with Cassilis Brigade regarding removal of flood debris. Director Environmental & Community Services to look up who is responsible for maintenance of park as area is on Crown Land.

**ACTION:** Director Environmental & Community Services will liaise with B.Sullivan to identify which Cassilis properties need to receive a notice of intent to give an order to tidy yards. Director Environmental & Community Services to advise at next meeting who's responsibility it is to maintain park on Crown Land in Cassilis and liaise with Cassilis Brigade regarding removal of flood debris.

**5. PUBLIC PARTICIPATION - nil**

**6. AGENDA ITEMS**

**CAC-M.05.1      Items Raised by the Community**

**PURPOSE**

The purpose of this report is for the Committee to review and consider items submitted by committee members of the Community Advisory Committee (CAC) Merriwa District.

1. **Merriwa Reserve Fund** – The General Manager advised the report prepared by Council for this meeting is current and provides all the information requested by the Committee.

This is Page 1 of 5 of Minutes of the **Merriwa & District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 3 May 2023.

2. **Warbirds** – The General Manager said any additional funds required by the facility will come from grant funding not loans. The \$2.5 million grant received for the airport runway will need to be matched by other grant funds.
3. **Housing in Cassilis** – Director Environmental & Community Services advised Council is currently viewing it's Land Use Strategy and Cassilis is part of this process.
4. **Cassilis Road Update** – Work has been done, more needed. J. Hegarty asked how Council determine which roads are resheeted. The General Manager said gravel roads have a rating of 1-4 based on traffic volumes. A rating 1 - roads aim to be graded every 6 months, rating 2 – every 12 months, rating 3 – every 18 months, rating 4 – graded as needed. J. Hegarty said Cattle Creek Road in desperate need of upgrading. The General Manager said the Goulburn River Solar Farms project may provide an opportunity for more road funding and/or improve the frequency of road maintenance for roads within 30km of the project area. Director Environmental & Community Services said Council has also applied for additional funding for flood damaged roads.
5. **Merriwa Bird Issues** – Director Environmental & Community Services said a contractor has been contacted and Council is awaiting a quotation.
6. **Merriwa Sub Committees** – P. Ryan advised the Merriwa Sportsground User group has not met since February but are planning another meeting shortly.
7. **Merriwa Footpaths** – C. McConnell advised business owners would be happy to address the cleaning of footpaths themselves if taps in the main street (eg in garden beds) could be reinstated. At present, shop owners would have to run a hose through their shops to access the main street footpath.

ACTION: Council to investigate if taps can be reinstated so shops can hose down footpaths in front of their own businesses as needed.

8. **Roads Funding** – Director Environmental & Community Services advised Council will continue to apply for grants and source other funding to improve roads.
9. **DPOP** – Road remediation – J. Hegarty said at the recent Giro de Cassilis bike event, the Old Coolah Road was badly flood damaged.

ACTION: Council to review Old Coolah Road before next bike event.

10. **Driver Reviver** – Seat will be installed on Hacketts Road near the silos.
11. **Cassilis DDG Strategic Plan** – J. Hegarty said improved roads was the highest priority of most residents followed by a connected footpath. The General Manager said an interim measure may be for Council to line mark a path on the existing road. J. Hegarty said this would not be suitable as the state of most of the road edges have been flood damaged and would be a trip hazard for pedestrians. Cattle trucks also frequently use the road, making it unsafe for pedestrians. J. Hegarty said Cassilis would fundraise to assist residents who could not pay footpath contributions if required. Preferred paths would be along Buccleugh Street, Ancrum Street and from the hall to the school. B. Sullivan to liaise with school about location of a new school gate at bottom of hill. J. Hegarty said three priority areas are footpaths, a picnic area along the creek and a bushfire management plan.

ACTION: B.Sullivan to liaise with school about location of gate to join up with footpath. Director Infrastructure Services to investigate funding options for footpaths in Cassilis.

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This is Page 2 of 5 of Minutes of the **Merriwa & District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 3 May 2023.

**RESOLVED**

**That the Committee review the items listed in the report.**

Moved: P Ryan

Seconded: T. Clout

CARRIED

**ACTION FOR COMMITTEE:** As outlined above.

**CAC-M.05.2 Action Sheet Update**

**PURPOSE**

The purpose of this report is for the Committee to review and consider items on the Action Sheet for the Community Advisory Committee (CAC) Merriwa District.

P. Ryan asked if Merriwa Reserve Funds could be used to remediate the Soil Conservation Service (SCS) depot site. The General Manager said as area is now Council land, Council will remediate the site. Director Environmental & Community Services to investigate whether any assistance available through State Government eg EPA. Director Environmental & Community Services confirmed the community could put forward a proposal for uses of this site.

Communications– J. Hegarty asked if Council can put 'What's On' in the website. The General Manager said this is already on Council's website. J. Hegarty said there was no hard copy of the DPOP at Cassilis or Merriwa office. The Community Services Officer advised this has now been resolved.

**RESOLVED**

**That the Committee note the issues and responses listed in the Action Sheet.**

Moved: T. Clout

Seconded: J. Hegarty

CARRIED

**ACTION FOR COMMITTEE:** Council to investigate whether any funding available from EPA or other sources to remediate the SCS depot site. If no funds available, Council will consider a co-contribution from the Merriwa Reserve Fund.

**CAC-M.05.3 Capital Works Update for Merriwa**

**PURPOSE**

The purpose of this report is to provide the Merriwa Community Advisory Committee with an update on capital works projects in the Merriwa district.

Further to the report, the General Manager advised Council has been successful in applying for \$3 million in Regional & Local Road Repair funding. Road flood damage claims are still being assessed. Roads in the Western part of the Shire are included in this assessment.

**For notation only**

**ACTION FOR COMMITTEE:** Nil

**7. ACTION SHEET – As noted in agenda items.**

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This is Page 3 of 5 of Minutes of the **Merriwa & District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 3 May 2023.

## 8. CORRESPONDENCE

**IN:** 7.4.23 Merriwa Progress Association – regarding cleaning of footpaths. Addressed under Items from the Community report.

**OUT:** 8.3.23 MCAC to MPA Letter – thanks for community feedback

**IN:** 11.4.23 MPA requested update on MR358 Willow Tree Road

The email was circulated. The General Manager advised Council will receive an MR358 report at the next Council meeting (May). Federal funding is still to be finalised.

**IN:** 27.4.23 MPA email requesting update on CBD, driver reviver site, RV site, surveillance of Merriwa Railway site, MDPA decorative banners for main street.

The email was circulated and comments noted:

1. **Merriwa beautification \$200k funding** – The committee agreed uplighting of the street garden beds was the priority for this funding. MCAC members invited by MPA to attend consultation with footpath laser cutting expert later in the year. The General Manager advised Vennacher Street lighting will not come from the \$200k. J. Hegarty said concrete sheep sculptures along main street could be an option. R. Tindall said sculptures with audio element would also be good if sufficient funding.
2. **Driver Reviver** – Table and chairs to go to Silo area if still in good state after removal from Driver Reviver site. Transportable is at the depot.
3. **RV overnight parking area at Hacketts Road** – Discussion took place regarding the Silo precinct. Director Environmental & Community Services advised some of the area above railway line is owned by John Holland and UGL. P. Ryan asked what area is available for an RV area north of Hacketts Road and/or broader township.
4. **Railway request for surveillance** – B. Sullivan advised offenders were identified and the vandalism has been dealt with through the justice system. R. Tindall will liaise with Railway Society to advise surveillance is no longer necessary.
5. **Decorative banners along main street** – The General Manager suggested banners be added to beautification funding priorities in point 1.

### **ACTION FOR COMMITTEE:**

- (i) Council to advise MPA the MR358 will be discussed at May Council meeting.
- (ii) Council to advise MPA that the MCAC supports uplighting as the priority for street beautification as part of the original funding, then footpath etching and street art/sculptures.
- (iii) Council to seek costings and program of works for uplighting, bin furniture, sculptures/street art, main street banners and footpath etching for consideration by the committee.
- (iv) Council to advise what areas are potentially available for RV parking in Merriwa.
- (v) R. Tindall to liaise with Merriwa Railway Society regarding site surveillance (no longer required/vandalism addressed).

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This is Page 4 of 5 of Minutes of the **Merriwa & District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 3 May 2023.

**9. GENERAL BUSINESS**

- (i) **Showground Update** – P. Ryan advised user group had AGM and general meeting in April. The group will apply for Crown Reserves funding to upgrade the showground food service areas. A resolution was made to request Council signage be installed that stipulate the rules/regulations of showground. Arena surface has been an ongoing issue. An onsite meeting with users of showground took place with a positive outcome, four user groups reached consensus on arena surface preferences.

ACTION: P. Ryan to submit request as part of DPOP for budgeted funds allocated to the showground be spent on upgrading the arena surface.

- (ii) **Sportsground User Group** – P. Ryan said the group has asked Council if any funds have been allocated for oval upgrades in the DPOP. P. Ryan suggested Council consider preparing a master plan, similar to that completed for White Park.
- (iii) **Killoe Road Update** – P. Ryan said landholders met with Council to discuss a landholders request to purchase Killoe Road for private use.
- (iv) **Ringwood Road / Golden Highway intersection** – P. Ryan said there is no mention of an upgrade to the Ringwood Road/Golden Highway intersection as part of the Goulburn River solar project. P. Ryan asked if this issue could be escalated with RMS and considered as part of the BP Lightsource road funding commitment.
- (v) **Dog exercise area** – R. Tindall asked if Council could advise of areas that could be developed as a designated fenced dog exercise area. Currently the area is the showground, but this is not suitable as regularly used by various user groups, particularly on weekends.

ACTION: Council to advise what areas could be developed as an off-leash dog area in Merriwa.

**10. NEXT MEETING 5.30pm Monday 14 August at the Merriwa Meeting Room.**

**NOTE: The November meeting date was set for 5.30pm Thursday 16 November.**

*The meeting was declared closed at 7.45pm.*

**Environmental & Community Services**

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**C.05.3**

***COMMUNITY ADVISORY COMMITTEE - ABERDEEN  
DISTRICT***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Environmental & Community Services

**AUTHOR:** Amanda Catzikiris - Manager Community Services

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**RECOMMENDATION**

That Council adopt the minutes of the Community Advisory Committee – Aberdeen District meeting held on 18 April 2023.

***BACKGROUND***

The purpose of Council's Community Advisory Committees (CAC) is to advise Council on the needs or issues of a particular community and to inform Council's decision making and work relating to these communities. These committees generally meet every 3 months in Murrurundi, Scone, Aberdeen and Merriwa.

***REPORT/PROPOSAL***

Information was provided to the committee regarding capital works, road maintenance, facilities, flood repairs and a development application.

The committee discussed the Jefferson Park user group, Australia Day sub-committees and items raised by the community.

***ATTACHMENTS***

1 [↓](#) Community Advisory Committee - Aberdeen District - 18 April 2023 - Minutes

**MINUTES OF THE COMMUNITY ADVISORY COMMITTEE -  
ABERDEEN DISTRICT MEETING - TUESDAY 18 APRIL 2023 -  
5.00pm**



**PRESENT:** Cr Alison McPhee (Chair), Cr Adam Williamson,  
Sue Milton, Shane Lloyd, Helen Irving.

**IN ATTENDANCE:** Mat Pringle, Wayne Phelps, Amanda Catzikiris.

**1. APOLOGIES**

There were no apologies.

**2. DISCLOSURE OF INTEREST**

Nil declared

**3. PREVIOUS MINUTES**

**RESOLVED**

**That the minutes of the Community Advisory Committee - Aberdeen District Meeting held on 17 January 2023, as circulated, be taken as read and confirmed as a correct record.**

Moved: S. Lloyd      Seconded: Cr Williamson      CARRIED

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

**5. AGENDA ITEMS**

**CAC-M.04.1      Action Sheet - Update**

**RESOLVED**

**That the Committee note the issues and response listed in the Action Sheet.**

Moved: S. Lloyd      Seconded: H. Irving      CARRIED

**ACTION FOR COMMITTEE:** Nil

**CAC-M.04.2      Jefferson Park Sub-Committee**

**RECOMMENDATION**

That the Committee

1. amend minutes to reflect Sue Milton as a member, not secretary.
2. adopt the record of proceedings of the Jefferson Park Sub-Committee meetings held on 20 February 2023 and 20 March 2023 provided as Attachments 1 and 2 to the report.
3. establish the Jefferson Park Sub-Committee of the Aberdeen Community Advisory Committee and adopt the Charter provided as Attachment 3 to the report.

Moved: Sue Milton      Seconded: Cr McPhee      CARRIED

Noted that the meeting was positive with good ideas to come from the meeting. Staying focussed on the big picture. Overall plan is for the benefit of everyone.

This is Page 1 of 3 of Minutes of the **Aberdeen District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 18 April 2023.

**CAC-M.04.3 Australia Day Sub-committee - Scone and Aberdeen Districts**

Members are agreeable to the concept of sharing Aberdeen, Scone and Murrurundi awards event. Hopefully Merriwa will be included in the future. Scone has a suitable venue due to size. Suggest reducing the award categories. The catering was good. Possible clash with Murrurundi Australia Day parade.

**RESOLVED**

That the Committee note the minutes of the Australia Day Subcommittee – Scone and Aberdeen Districts meeting held on 28 February 2023.

Moved: S. Lloyd      Seconded: Cr McPhee      CARRIED

**CAC-M.04.4 Items Raised by the Community**

1. Artwork project- silo safety was raised as a concern. Mat Pringle to consult with Grain Corp.
2. Rouchel Road- discussion regarding road condition, potholes, incidents. Suggest this is considered in the next budget

**RESOLVED**

That the committee review the items listed in the report.

Moved: Cr Williamson      Seconded: Sue Milton      CARRIED

**ACTION FOR COMMITTEE:** If Grain Corp are agreeable, invite Tourism Manager to the next meeting.

**CAC-M.04.5 Capital Works Projects - Aberdeen**

**RESOLVED**

That the Committee note the report

Moved: Sue Milton      Seconded: S. Lloyd      CARRIED

**6. ACTION SHEET-** to be updated

**7. CORRESPONDENCE**

Motion: that the nomination from Paul Constable be accepted.

Moved: Cr Williamson      Seconded: S. Lloyd      CARRIED

**8. GENERAL BUSINESS**

8.1 Aberdeen Remedial Massage- trip hazard removed from outside the shop.  
Note: Director Environmental & Community Services to follow up.

8.2 Corner of Mount St and Graeme St - broken storm water pipe.  
Note: This matter can be reported directly as a CRM.

8.3 Riverbank at St Andrews Reserve Concerns about vehicle usage and the need to preserve the area.

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This is Page 2 of 3 of Minutes of the **Aberdeen District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 18 April 2023.

8.4 Petrol bowsers at Driscoll's store- fuel smell and concerns about underground storage.

8.5 Top end of Kyuga St- road surface has deteriorated with dirt and loose gravel.

8.6 Laneways behind properties- can these areas be graded. Need to check property titles.

8.7 Truck stop at the top shop- need to consider a toilet facility. Need to investigate the cost of a project.

**9. NEXT MEETING** 18 July 2023

*The meeting was declared closed at 5.48pm.*

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This is Page 3 of 3 of Minutes of the **Aberdeen District Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 18 April 2023.



## General Manager's Unit

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Developing and deepening connections of people to each other and their community.

1.3 Increase promotion of healthy lifestyle.

1.5 Advocate for, support and provide services and facilities for the community.

### b. Delivery Program

- The planning, promotion and implementation of a range of social, educational and recreational programs that are run in consultation with the youth
- Opportunities for young people to enhance leadership and key life skills
- Partnerships with schools and organisations to promote wellbeing, safety, connectedness and community recognition of our youth

### c. Other Plans

N/A

## **IMPLICATIONS**

### a. Policy and Procedural Implications

N/A

### b. Financial Implications

Nil

### c. Legislative Implications

Nil

### d. Risk Implications

Nil

### e. Sustainability Implications

N/A

### f. Other Implications

Nil

## **CONCLUSION**

Six ambassadors sailed on the Young Endeavour departing from Sydney for 10 days before returning back to Sydney. They have been invited to give a presentation to Council on their experiences and how the voyage has affected their lives.

## **ATTACHMENTS**

There are no enclosures for this report

**General Manager's Unit**

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**G.05.2**

**REQUESTS FOR DONATIONS**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Karen Boland - Governance & Executive Support Officer

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**PURPOSE**

The purpose of this report is for Council to consider providing financial assistance to local community groups requesting donations.

**RECOMMENDATION**

That Council:

1. provide a donation of \$200 to NSW Touch Football to go towards waiving of hire fees for the Bill Rose Sports Complex for the Scone Primary School Gala Day on 5 September 2023; and,
2. provide a donation of \$200 to Scone Public School P&C Association to assist with their fundraising goals for their Bloom Markets to be held on 4 November 2023.

**BACKGROUND**

Council may, in accordance with Section 356 of the Local Government Act 1993, contribute money or grant financial assistance to various entities including charitable, community and sporting organisations and private individuals.

**REPORT/PROPOSAL**

Council has received a request for financial assistance from the following:

1. NSW Touch Football to go towards the waiving of hire fees of three ovals at Bill Rose Sports Complex for the Scone Primary School Gala Day on 5 September 2023. The gala day run by NSW Touch Football is offered free of charge to schools from the Murrurundi, Merriwa and Scone districts. The aim of the day is to introduce primary school aged children to the sport of touch football and to promote local clubs and actively engage kids.

Estimated hire fees of three (3) fields at the Bill Rose Sports Complex is \$570.00. The request from NSW Touch Football fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum*. Touch Football NSW recognises that there are costs to Council for maintenance of grounds and have offered a contribution of \$200 for the use of the sporting fields.

It is recommended a donation of \$200 be approved to partially waive the hire fees of Bill Rose Sports Complex for NSW Touch Football.

2. Scone Public School P&C Association to assist with their fundraising goals for their Bloom Markets to be held on 4 November 2023. The P&C are aiming to raise funds to add more equipment to their Imagination Playground.

The request from NSW Touch Football fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum*.

It is recommended a donation of \$200 be approved.

## General Manager's Unit

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Copies of requests received are attached.

It is noted that NSW Touch Football and Scone Public School P&C Association have not received any donations from Council in the current financial year.

### **OPTIONS**

1. Provide donations
2. Provide alternative donation amounts
3. Not provide donations

### **CONSULTATION**

- General Manager
- Manager Finance

### **STRATEGIC LINKS**

#### **a. Community Strategic Plan 2032**

This report links to the Community Strategic Plan 2032 as follows:

#### **Connected Community**

Developing and deepening connections of people to each other and their community.

1.6 Provide and support a range of community events, festivals and celebrations.

#### **b. Delivery Program**

- Community social and physical infrastructure to support community activities Other Plans

### **IMPLICATIONS**

#### **a. Policy and Procedural Implications**

Nil

#### **b. Financial Implications**

Council has set aside \$34,000 in the annual budget for the 2022/23 financial year for the granting donations and contributions. The total donations and contributions provided for this financial year has been \$20,612 leaving a remaining balance of \$13,388.

#### **c. Legislative Implications**

Nil

#### **d. Risk Implications**

Nil

## General Manager's Unit

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### e. Other Implications

Nil

### **CONCLUSION**

Council has received requests for financial assistance from NSW Touch Football to go towards the waiving of hire fees of three ovals at Bill Rose Sports Complex for the Scone Primary School Gala Day on 5 September 2023 and from Scone Public School P&C Association to assist with their fundraising goals for the Bloom Markets to be held on 4 November 2023. These requests satisfy the selection criteria as outlined in Council's policy: Section 356 General Donations.

Council's policy states that Council will, in accordance with a resolution, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions, in accordance with section 356 of the Local Government Act.

### **ATTACHMENTS**

- 1 [↓](#) NSW Touch Football - Request for Financial Assistance
- 2 [↓](#) Scone Public School P&C Association



9<sup>th</sup> May 2023

The General Manager

Upper Hunter Shire Council

Scone NSW 2337

Dear Sir

**Re: Primary schools Gala Day – Bill Rose Sporting Complex**

Please accept this letter to support the submission from Deacon Cameron, Game Development Officer for Touch NSW.

As indicated in Deacon's letter – the Primary School Gala Day provides a good opportunity for local students to participate in a gala day provides opportunities for them to test their skills in a team environment and also, hopefully to encourage to participate in touch football in a local competition, if not already involved.

Junior touch football is quite popular in Scone with the Summer Thursday afternoon competition providing for three different age groups – K-Yr1, Yr 2-3 and Yr 4-6 – mixed competitions.

Scone Club is also developing an enthusiasm for representative touch football – entering boys and girls teams in U10, 12, 14 age groups to several carnivals – including the State Cup.

This gala day is a popular event and we would request that Council give favourable consideration to the request to reduce the Council fee for using three fields for the Gala Day. I understand that Touch NSW is still offering a payment which is recognition of the costs that council bears to provide our sporting facilities.

Yours faithfully

A solid black rectangular box redacting the signature of David Casson.

David Casson

Administrator

Scone Touch Football

A solid black rectangular box redacting contact information.

A solid black rectangular box redacting contact information.

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**From:** Karen Boland  
**Sent:** Monday, 22 May 2023 2:38 PM  
**To:** Robyn Cox  
**Subject:** FW: External: Sponsorship Opportunity  
**Attachments:** Sponsorship Packages 2023.docx; Sponsorship Letter 2023.docx

To whom it may concern,

We would like to invite you to take a few minutes of your time to consider our attached sponsorship request. We are excited to once again be hosting the very popular Bloom Markets! We (Scone Public School P&C Association) host these markets yearly at Scone Public School in the beautiful Upper Hunter of NSW and we have some amazing plans underway for Bloom Markets 2023.

We are now looking for financial support to help us make this year's event an even bigger success than past years. Essentially, we are looking for businesses and organisations who want to make a valuable contribution to our fundraising by helping us offset the cost of our event and the cost of our main raffle prize. I have attached details of our fundraising goals for this year so you can see what we are aiming for. There are many opportunities for your support to be recognised during the lead up to the Bloom Markets, as well as on the day itself. If you feel that your business or organisation is able and willing to contribute directly to the educational outcomes of our local public-school students, then we would be grateful if you would consider our sponsorship proposal. Our Committee is very excited about this year's Bloom Markets – it is going to be a wonderful, community event. Our committee is completely made up of volunteers, so any amount you are able to contribute, whether big or small, will be so very greatly appreciated.

If you would like the opportunity to discuss Bloom Markets or anything contained in this email, you are very welcome to call Brittany Davis on [REDACTED]. Otherwise, if you can support us, you can indicate this by replying to this email with your appropriate contact details and we will be in touch with you further.

Kind regards,

Brittany Davis  
Bloom Markets Co-Ordinator

Email – [REDACTED]  
Find us on Facebook! Bloom Markets



82 - 98 Liverpool Street Scone NSW  
2337

21st May 2023

Scone Public School P&C Association are excited to again host the Bloom Markets at Scone Public School. This year's Bloom Markets will be held on Saturday 4<sup>th</sup> November 2023. Bloom Markets have become a key community event, showcasing arts, crafts and foods produced by locals and those from out of the region. We are immensely proud to say that Bloom Markets has become a very popular family day out, not just for our school community, but also for many residents of the wider Upper Hunter region. Bloom Markets is also the major fundraiser for our P&C. All the funds raised by our P&C are directed solely towards benefiting students at Scone Public School.

[THIS YEAR, WE ARE ON A QUEST TO ADD MORE TO OUR IMAGINATION PLAYGROUND. WE ARE HOPING TO RAISE ENOUGH FUNDS TO ADD SOME MORE THINGS INTO OUR PLAYGROUND SOME ITEMS WE WOULD LIKE TO ADD BUT NOT LIMITED TO A WOODEN BOAT AND BRIDGE SO THAT THE CHILDREN CAN USE THEIR IMAGINATION WHEN PLAYING, ALONG WITH OUR WOODEN CUBBY HOUSE WE ALREADY HAVE. THESE WILL HELP BRING THE WHOLE PLAYGROUND TOGETHER.](#)

As is tradition, we will also be holding a major raffle in conjunction with our markets. We will be selling tickets in the several weeks leading up to the market (out in the community, and via distribution to our school community). Tickets will also be sold on market day. The raffle itself has been extremely popular and successful in past years and we are keen to build on that success in 2023. We are therefore seeking sponsorship from businesses and organisations willing to support us by sponsoring the major prize in our raffle – a family holiday package. In addition to this, we are hoping to gain enough sponsorship to secure 2 or 3 additional worthwhile prizes such as grocery, meat, and fuel vouchers. There are many opportunities for major sponsors to be recognised, including:

- Business name and logo printed on all raffle tickets.
- Business name and logo displayed on all materials and flyers promoting the Raffle and the Bloom Markets within our school community as well as within the wider Upper Hunter community.
- An opportunity to erect signage and advertising at the Bloom Markets.

[WOULD YOUR BUSINESS OR ORGANISATION BE INTERESTED IN HELPING US ACHIEVE OUR FUNDRAISING GOALS FOR BLOOM MARKETS 2023? WE'VE ATTACHED A SPONSORSHIP PROPOSAL FOR YOUR CONSIDERATION.](#)

Any sponsorship or other contribution will be greatly appreciated as it will ultimately assist with the success of our event and will increase the amount of funds which we are able to direct into our wonderful school. We would be grateful if you would consider supporting us to make Bloom Markets 2023 a successful and enjoyable event for our school and community.

If you would like to discuss the Bloom Markets or the goals of our P&C further, please contact our Bloom Markets organiser Brittany Davis on [REDACTED] or email [REDACTED]

We look forward to hearing from you and thank you for your consideration of supporting us.

Kind regards, Scone Public School P&C Association



# SCONE PUBLIC SCHOOL P&C BLOOM MARKETS 2023 SPONSORSHIP PACKAGES

Package	PLATINUM	GOLD	SILVER	BRONZE	DONATION
Cost	\$3,000	\$1,000	\$500	\$250	\$50+ value
No. of Packages available per category	1	2	4	unlimited	unlimited
Sponsorship right to the event The event will be known as “Bloom Markets 2022 proudly sponsored by (Your Company)”					
Exclusive rights to the event No direct competitor of the platinum sponsor can take up any other sponsorship offer eg: Only 1 bank or real estate etc.					
Acknowledgement as the Platinum Sponsor on all advertising/printed material for the event					
A central marquee at the event. Put up banners and have a stall					
Acknowledgement on raffle tickets to be sold for the event including online raffle tickets					
Acknowledgement as a Gold Sponsor on all advertising/printed material for the event					
Acknowledgement as a Silver Sponsor on all advertising/printed material for the event					
Signage opportunities at the event					
Acknowledgement as a Bronze Sponsor within the school community in the lead up to the event					
Acknowledgement on the Scone Public School P&C Facebook page, the Bloom Markets Facebook page and your ad placed on the Bloom Markets Event page					
Acknowledgement in the Scone Public School weekly newsletter and Sentral app					

**Environmental & Community Services**

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**G.05.3 PLANNING AGREEMENT OFFER - GOULBURN RIVER  
SOLAR FARM PROJECT**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Mathew Pringle - Director Environmental & Community Services

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**PURPOSE**

The purpose of this report is to consider a revised offer from Lightsource bp to enter into a Planning Agreement in respect of the Goulburn River Solar Farm project.

**RECOMMENDATION**

That Council accept the offer from Lightsource bp to enter into a planning agreement in respect of the Goulburn River Solar Farm Project whereby Lightsource bp will be required to:

1. pay an annual monetary contribution towards a community enhancement fund and a road maintenance fund of:
  - (a) \$346 (indexed to CPI) x the number of MW installed on the land as at the due date for payment; or
  - (b) \$190,000 (indexed to CPI), whichever is the greater, and
2. seal and widen 4.7km of unsealed road on Wollara Road up to the Goulburn River National Park boundary (valued at \$4.4 million).

**BACKGROUND**

Council, at its meeting held on 24 April 2023, considered a report in relation to an offer made by Lightsource bp to enter into a planning agreement. The report made the following recommendation:

*That Council accept the offer from Lightsource bp to enter into a planning agreement in respect of the Goulburn River Solar Farm Project based on an annual contribution of:*

- (a) \$529 (indexed to CPI) x the number of MW installed on the land as at the due date for payment; or
- (b) \$291,000 (indexed to CPI), whichever is the greater.

Staff recommended an increased cash contribution in lieu of road upgrades to ensure the greatest long term benefit to the greater Merriwa community.

Council resolved the following:

*That Council defer this matter until staff have had time to go back to Lightsource bp and negotiate a better settlement.*

**REPORT/PROPOSAL**

The Goulburn River Solar Farm Project consists of a 550MWdc solar farm and battery energy storage system (BESS), to be located between Wollar and Merriwa, on Wollara Road. The project involves the installation of approximately 1 million solar panels across 800 hectares of land on a 2,000 hectare site and will generate enough power to meet the energy needs of 180,000 households or 4% of the average New South Wales energy demand.

## **Environmental & Community Services**

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Lightsource bp will construct and operate the project and deliver renewable energy to Australia's grid. The project will include operation and maintenance buildings, civil works, and electrical infrastructure required to connect to the existing electricity network.

If approved, construction is set to begin in 2024 and the project will have an operational life of at least 40 years.

The proponent has undertaken consultation with the local community and Council and is in the final stages of preparing an Environmental Impact Statement (EIS). The project will be assessed under the NSW State Significant Development (SSD) planning process and will require approval from the Commonwealth Department of Agriculture, Water and the Environment (DAWE). It is anticipated that the EIS will be lodged with the NSW Department of Planning and Environment in the coming weeks.

Following the last Council meeting, the proponent met with residents of Wollara Road who naturally preferred that work on Wollara Road be completed instead of work being spread across all roads in the 30km radius of the project. The proponent subsequently made a revised offer to Council to enter into a planning agreement whereby the proponent would be required to:

1. pay an annual monetary contribution towards a community enhancement fund and a road maintenance fund of:
  - (a) \$346 (indexed to CPI) x the number of MW installed on the land as at the due date for payment; or
  - (b) \$190,000 (indexed to CPI), whichever is the greater.
2. seal and widen 4.7km of unsealed road on Wollara Road up to the Goulburn River National Park boundary (valued at \$4.4 million)

The development contribution includes an administration allowance of \$20,000 to cover the costs incurred by Council associated with administering the agreement, including the establishment and operation of a Section 355 Committee. After subtracting the administration allowance, 47.4% of the net balance (\$80,580) would be allocated to a community enhancement fund while 52.6% (\$89,420) would be allocated to a road maintenance fund.

The total value is increased by \$10,000 over the alternative offer considered at the April 2023 Council meeting. This increase is to address the additional cost to maintain the extra sealed road network.

The community enhancement fund would be used for community projects and would be administered by a Section 355 committee.

Contributions and works proposed under the planning agreement would be contingent on the following:

- Agreement and execution of a planning agreement between Lightsource bp and Council.
- Favourable determination of the project by the NSW Independent Planning Commission or the Minister for Planning and Public Spaces (or delegate) and DAWE.
- Lightsource bp taking up the development consent.

The offer is equivalent to 1.6% of the Capital Investment Value (CIV) of the project (\$750 million with a project life of 40 years).

The proposed contributions would provide a reasonable level of funding for the provision of public infrastructure and services that directly benefit the Upper Hunter Shire, specifically Merriwa and the surrounding area.

## Environmental & Community Services

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Council's acceptance of the offer would be in the best interests of the Merriwa community to ensure that contributions and works are secured if the development application is approved.

Should the development application be approved, the proponent and Council will prepare a draft planning agreement in accordance with Section 7.4 of the *Environmental Planning and Assessment Act 1979* (Act). The draft agreement will be the subject of a further report to Council and will be placed on public exhibition in accordance with Section 7.5 of the Act.

### OPTIONS

1. accept the offer from Lightsource bp to enter into a planning agreement in respect of the Goulburn River Solar Farm Project whereby Lightsource bp will be required to:
  - a) pay an annual monetary contribution towards a community enhancement fund and a road maintenance fund of:
    - i) \$346 (indexed to CPI) x the number of MW installed on the land as at the due date for payment; or
    - ii) \$190,000 (indexed to CPI), whichever is the greater.
  - b) seal and widen 4.7km of unsealed road on Wollara Road up to the Goulburn River National Park boundary (valued at \$4.4 million)
2. accept the offer from Lightsource bp to enter into a planning agreement in respect of the Goulburn River Solar Farm Project whereby Lightsource bp will be required to:
  - a) pay an annual monetary contribution towards a community enhancement fund and a road maintenance fund of:
    - i) \$346 (indexed to CPI) x the number of MW installed on the land as at the due date for payment; or
    - ii) \$180,000 (indexed to CPI), whichever is the greater, and
  - b) pay an additional annual monetary contribution towards a road maintenance fund of \$110,000 (indexed to CPI):
3. decline the offer from Lightsource bp and do not enter into a planning agreement.

### CONSULTATION

- General Manager
- Finance Manager
- Manager Strategic Assets

### STRATEGIC LINKS

#### a. Community Strategic Plan 2032

This report links to the Community Strategic Plan 2032 as follows:

#### Protected Environment

Ensuring the ongoing protection of our environment and natural resources.

- 2.1 Advocate for, facilitate and support programs that protect and sustain our diverse environment for future generations.

#### Responsible Governance

Providing efficient and responsible governance in order to effectively serve the community.

- 5.12 Provide timely and effective advocacy and leadership on key community issues and priorities.

## Environmental & Community Services

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### b. Delivery Program

- Facilitate and support programs that protect and sustain our environment

### c. Other Plans

Sustainability Action Plan

## **IMPLICATIONS**

### a. Policy and Procedural Implications

Nil

### b. Financial Implications

If the Goulburn River Solar Farm is approved, the total value of contributions payable under the planning agreement would be \$12 million (in today's dollars over the project life).

### c. Legislative Implications

Lightsource bp has offered to enter into a planning agreement with Council in accordance with Section 7.4 of the *Environmental Planning and Assessment Act 1979*.

### d. Risk Implications

The offer to enter into a planning agreement is voluntary on the proponent's behalf, and if negotiations fail there is no legislated requirement for them to provide a contribution at all.

### e. Sustainability Implications

The contributions payable under the planning agreement will provide funding for community and infrastructure projects that contribute to the social, economic and environmental sustainability of the Upper Hunter Shire.

### f. Other Implications

Nil

## **CONCLUSION**

The developer of the Goulburn River Solar Farm project, Lightsource bp, has made a revised offer to Council to enter into a planning agreement based on the payment of development contributions towards a community enhancement fund and a road maintenance fund as well as the sealing and widening of 4.7km of unsealed road on Wollara Road up to the Goulburn River National Park boundary (valued at \$4.4 million). The contributions and works proposed under the planning agreement would directly benefit the Upper Hunter Shire, specifically Merriwa and the surrounding area.

Council could consider making a counter-offer to Lightsource bp consisting of an increased cash contribution in lieu of road upgrades to ensure the greatest long term benefit to the greater Merriwa community.

## **ATTACHMENTS**

There are no enclosures for this report

## Infrastructure Services

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### INFRASTRUCTURE REPORTS

**I.05.1** ***ST AUBINS TOWN SQUARE - RECOGNITION OF MARK HEANLY***

**RESPONSIBLE OFFICER:** Rag Upadhyaya - Director Infrastructure Services

**AUTHOR:** Chloe Leake - Strategic Projects Support Officer

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#### **RECOMMENDATION**

That Council recognise Mark Heanly for his contribution to the community in St Aubins Town Square, with a tree planted and marked accordingly in his honour.

#### **BACKGROUND**

This matter has not previously been considered by Council.

#### **REPORT/PROPOSAL**

Upper Hunter Shire Council has been approached from local community members to recognise the late Mark Heanly in the newly created St Aubins Town Square as part of the Scone CBD Revitalisation project.

In accordance with Council's Naming of Community Facilities Policy, Council will consider the naming of community facilities to honour persons. Naming of facilities in honour of a person or persons who may be living or deceased and who the Council believes has either:

- made a contribution over and above what might be reasonably expected through paid employment;
- demonstrated achievement at a high level;
- made a voluntary contribution to the community and stands out from others who may have also made a valuable contribution;
- where it can be established that a significant link can be made between the person or persons and the location.

Council believes that Mark Heanly's contributions fit with the third dot point as an active member of the Scone CBD Revitalisation Committee. Suitable options for recognition were discussed by staff and include the following:

- A garden
- A tree
- A bench seat with plaque

In consultation with Mark's family, a tree has been suggested as a suitable memorial in recognition of his contribution to the community.

As part of the redevelopment landscaping a suitable tree will be identified and marked accordingly to recognise Mark's contribution to the main street revitalisation.

#### **ATTACHMENTS**

- 1  Brian Hill - Village Green email correspondence

**Chloe Leake**

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**Subject:** FW: External: " Village Green "

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**From:** Brian Hill <[REDACTED]>  
**Sent:** Monday, March 27, 2023 12:15:21 PM  
**To:** Mayor Maurice Collison <[mayor@upperhunter.nsw.gov.au](mailto:mayor@upperhunter.nsw.gov.au)>  
**Subject:** External: " Village Green "

Hi Maurice

In regard to our conversation regarding the possibility of naming the new park area on the corner of Kelly St and St Aubins St.

I have taken the opportunity to canvas as many people as possible regarding the possibility of recognising Mark Heanly in this space, with an overwhelmingly positive response.

As you would be aware Mark was a great advocate for Scone and always took the time and the opportunity to be involved in community committees where he thought he could be of some value. Outside his many years with the Grammar School Council, he was also involved with the Main Street Committee and the Chamber of Commerce. Behind the scenes, Mark had empathy for people who found themselves in financial difficulty and always made himself available, to assist and advise pro bono. A strength of character that was seen but not spoken about.

He and Jenny took a huge leap of faith when they developed the Building on the said corner. Upgrading an aging building and bringing modern office space into the Scone community along with the street-level cafe. This is one of the very few developments that has been undertaken by an individual in Kelly Street for many years and gives the street a positive commercial vibe when entering from the North.

Mark was a go-to person for many people and recognising his love for Scone and Community in this way would fitting to say the least.

I hope you consider this suggestion worthy enough to present it to the Council.

Kindest Regards

Brian Hill  
[REDACTED]



**Caution:** This email was sent from outside our organisation. Be cautious, particularly with links and attachments unless you recognise the sender and know the content is safe.

**General Manager's Unit**

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**QUESTIONS WITH NOTICE**

**QWN.05.1**

**QUESTIONS WITH NOTICE**

**RESPONSIBLE OFFICER:** Greg McDonald - General Manager

**AUTHOR:** Robyn Cox - Executive Assistant

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**RECOMMENDATION**

That Council note the questions received and responses provided.

**REPORT**

The following questions with notice have been received. Responses to each question are provided below.

**Cr Flaherty**

1. Why does Council's drug and alcohol policy include AS4308:2008, which conflicts with the recommended guidelines of Local Government Industry in NSW, and is the only Council in NSW to do so?

*Response: Council has had a system that incorporates both oral fluid and urine testing for quite some time now and the reasoning for this is that we feel that this provides the best safeguard for our staff and the public in relation to managing alcohol and other drugs in the workplace. Both methods of testing have their pros and cons that need to be managed effectively, thus utilising combined methods of testing allowing a more robust and accurate system. This benefits all involved.*

*To clarify in relation to the industry guidelines, Council has, and will always, meet the minimum requirements outlined in the non-binding industry guidelines that are mentioned above. Our policy is not in breach or conflict with these guidelines, it simply contains additional control measures to assist in ensuring the safety of our staff.*

2. Why does Council's current policy specify random selection of testing method?

*Response: Council undertakes testing by either urine or saliva to ensure full coverage of all drug types. Each time a test is undertaken the method is chosen randomly. The method of testing for that round of testing is then utilised for all members who are randomly selected for testing on that day. Therefore we do not reject either method of testing but effectively utilise both readily available methods.*

3. Has Council ever expressed the belief that there is a significant benzodiazepine abuse problem in our community, which is the basis of the divergent policy, and what evidence does Council have to support such a claim?

*Response: Council has not at any time expressed a belief that there is a significant benzodiazepine abuse problem in our community. This is not the basis of Council's policy, however inappropriate use and abuse of benzodiazepines is a risk in any workplace and needs to be considered when implementing an Alcohol & Other Drugs policy, just as managing the risks associated with the use and abuse of the other drug classes is taken into consideration.*

## General Manager's Unit

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4. Why does this Council not acknowledge, by name, the first-nations people on whose land we operate? To be clear, Scone is Wonnarua land and should be appropriately acknowledged as part of the statement we read before meetings in Scone.

*Response: Council adopted the policy 'Community Relations – Acknowledgement of Country' at its meeting on 14 December 2020. The policy states that at any Council ceremonial event or ordinary Council meeting the Chair, Master of Ceremonies or invited delegate will commence the event with a brief formal acknowledgement to Country.*

*On the Australian Government website it states there are three types of Acknowledgement of Country and it is considered that the Generic type would be the most suitable acknowledgement to make at a Council meeting given that these meetings are covering the whole Shire which includes more than one group of First Nations people. The three types of acknowledgments are outlined below:*

**Generic** — this should be used if you don't know the name of the people on whose land you are gathered, or if there are disputes about the land (multiple Aboriginal peoples identify as Traditional Custodians for that area). The words are:

'I begin today by acknowledging the Traditional Custodians of the land on which we <gather/meet> today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.'

**Specific** — this should be used where there are no disputes and you know the name of the people on whose land you are gathered. The words are:

'I begin today by acknowledging the <insert name of people here (e.g. Ngunnawal)> people, Traditional Custodians of the land on which we <gather/meet> today, and pay my respects to their Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.'

**General (Australia wide – webinar / website / printed material)** - The words are:

'In the spirit of reconciliation the [organisation] acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.'

*While it is known which traditional owners are associated with various parts of our Shire, our Council meetings are Shire wide and as such the generic version has been used. Councillors can move to change this if they wish.*

## ATTACHMENTS

Nil.

## General Manager's Unit

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### CORRESPONDENCE ITEMS

**COR.05.1**

**CORRESPONDENCE**

**RESPONSIBLE OFFICER:** *Greg McDonald - General Manager*

**AUTHOR:** *Robyn Cox - Executive Assistant*

#### **Correspondence**

The following correspondence has been received:

1. Member for Upper Hunter, Mr Dave Layzell – response to Council’s resolution in relation to access into the Scone Lawn Cemetery from the highway.
2. Office of Local Government – providing contact details for Minister for Local Government, Hon Ron Hoenig MP
3. Minister for Regional Transport and Roads, Hon Jenny Aitchison MP – letter of introduction and sharing the new NSW Government’s commitment to ensuring better roads and transport for people in regional communities across our state.

Copies of the correspondence are attached.

#### **RECOMMENDATION**

That Council note the correspondence received from:

1. Member for Upper Hunter, Mr Dave Layzell – response to Council’s resolution in relation to access into the Scone Lawn Cemetery from the highway.
2. Office of Local Government – providing contact details for Minister for Local Government, Hon Ron Hoenig MP
3. Minister for Regional Transport and Roads, Hon Jenny Aitchison MP – letter of introduction and sharing the new NSW Government’s commitment to ensuring better roads and transport for people in regional communities across our state.

#### **ATTACHMENTS**

- 1↓ Member for Upper Hunter - regarding access into the Scone Lawn Cemetery
- 2↓ OLG - providing contact details for Minister for Local Government
- 3↓ Hon Jenny Aitchison MP - Minister for Regional Transport and Roads

**From:** Upper Hunter <[upperhunter@parliament.nsw.gov.au](mailto:upperhunter@parliament.nsw.gov.au)>  
**Sent:** Thursday, 20 April 2023 11:02 AM  
**To:** Karen Boland <[KBoland@upperhunter.nsw.gov.au](mailto:KBoland@upperhunter.nsw.gov.au)>  
**Subject:** External: Improved Access to Scone Cemetery

Good Morning

We wish to advise that Dave Layzell MP has made representations on behalf of Upper Hunter Shire Council to the Regional Minister for Roads and Transport, The Hon. Jennifer Aitchison MP, in relation to improved access to the Scone Cemetery and Council's request for funding for the upgrade to be considered.

We shall be in touch once we have further advice from the Minister.

Regards  
Jacie

**The Office of Dave Layzell MP**  
Member for Upper Hunter

**upperhunter@parliament.nsw.gov.au**  
20 Bridge Street, Muswellbrook NSW 2333  
📞 02 6543 1065    📘 DaveLayzell

**THE NATIONALS**  
*for Regional NSW*



Office of  
Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference:  
Contact:  
Phone:

A859073  
Client Services  
02 4428 4100

Mr Greg McDonald  
General Manager  
Upper Hunter Shire Council  
gmcDonald@upperhunter.nsw.gov.au

Clr Maurice Collison  
Mayor  
Upper Hunter Shire Council  
mayor@upperhunter.nsw.gov.au

4 May 2023

Dear Mr McDonald and Clr Collison

As you would know, on 5 April 2023, the Hon. Ron Hoenig MP was appointed as Minister for Local Government. Contact details for Minister Hoenig's Office have been published on the Parliament of NSW website and are:

Ministerial Office: Suite 1603,  
52 Martin Place,  
Sydney NSW 2000

Parliament House: Suite 811, Parliament House,  
Macquarie Street,  
Sydney NSW 2000

Postal: GPO Box 5341,  
Sydney NSW 2001

Email address: office@hoenig.minister.nsw.gov.au

Telephone: 02 7225 6150

These details can also be accessed on the Parliament of NSW website at [www.parliament.nsw.gov.au/members/Pages/Member-details.aspx?pk=97](http://www.parliament.nsw.gov.au/members/Pages/Member-details.aspx?pk=97).

I look forward to continuing to work with you and the broader local government sector to create thriving communities for the people of NSW.

Yours sincerely

**Brett Whitworth**  
Deputy Secretary, Local Government

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468



The Hon Jenny Aitchison MP  
Minister for Regional Transport and Roads



Ref: JA23/001

5 May 2023

**Mr Greg McDonald**  
**General Manager**  
**Upper Hunter Shire Council**  
**PO Box 208**  
**SCONE NSW 2337**  
**Via email: [council@upperhunter.nsw.gov.au](mailto:council@upperhunter.nsw.gov.au)**

Re: Regional transport and roads in NSW

Dear Mr McDonald,

As Minister for Regional Transport and Roads, one of my first priorities is to reach out to all regional councils and MPs to introduce myself, and share the new NSW Government's commitment to ensuring better roads and transport for people in regional communities across our state.

Before being elected to Parliament in 2015, I was a tour and transport operator, and an active member of industry organisations across the regional, tourism and transport sectors for nearly twenty years. I am excited to have this unique and privileged opportunity of working with you to improve our roads and public transport options across NSW.

Having well-functioning road and public transport networks in regional, remote and rural NSW is vital to ensuring our communities thrive. Roads and transport are social determinants of health, education, opportunity and jobs.

As an elected representative of a regional community, I understand and feel the challenges faced by our people after the repeated natural disasters of the past few years. We must make our network more resilient in the face of natural disasters and build back better when necessary.

During previous natural disasters, I have been a strong advocate for impacted communities, individuals and businesses, particularly local farmers, tourism operators and other small business owners. Residents in my own community of Maitland have faced isolation for over a week at a time twice in the last ten years.

I understand there are complex funding models for Local Government to improve the local roads people use every day. I will be working closely with my Ministerial colleagues to ensure these funding opportunities are clearer, simpler and available across all NSW regional councils.

Having met with many regional Mayors, Councillors and Local Government representatives while in Opposition, I am very aware of the frustration over the former Government's failed and unfunded Regional Road Transfer and Reclassification election commitment. I also want to address the funding disparity under the Regional and Local Roads Repair Program (RLRRP) that saw metropolitan councils receive five times the funding per kilometre compared to regional councils.

OFFICIAL

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001

02 7225 6220  
[nsw.gov.au/ministeraitchison](http://nsw.gov.au/ministeraitchison)

1

The new NSW Government will provide an additional \$390 million over the next two years, as part of our new Regional Emergency Road Repair Fund. This commitment is an increase on the former Government's RLRRP, of which \$280 million went to regional councils. It will accelerate the vital work of repairing our regional roads. This will bring the total funding to \$670 million for emergency road repair in regional, rural and remote communities and towns, over the next two years.

The Independent Panel's final report on reclassification took over four years to deliver. The former Minister failed to release the report, despite it sitting with him for months prior to the election. Given the failure of the former Government to deliver on its 2019 election commitment, the new Labor Government will provide funding for councils to fix the roads our communities use every day.

Ensuring regional commuters get their fair share of transport projects is important to the NSW Government. In my first week in the role, I joined with the Federal Assistant Minister for Infrastructure, Senator the Hon Carol Brown, the Member for Parkes, Mr Andrew Gee MP, the Member for Orange, Mr Phil Donato MP, the Mayor and councillors from Orange City Council to turn the sod for Stage 4 of the Southern Feeder Road in Orange. This is an important road project, funded by all levels of government, including a grant of \$4.5 million from the NSW Government. It is vital all levels of government work together on roads and transport solutions.

I have a vision for strategic regional Integrated Transport Plans that consider how people can connect better in all aspects of their lives, and move safely and effectively around our regions. The Minns Government will be reviewing rail and bus timetables and services across the state to ensure we are encouraging active and public transport, reducing our reliance on cars, and improving productivity and efficiency. I hope you will join with me in ensuring the bespoke needs of your community are considered, participate in consultation, and proactively provide your feedback at every opportunity.

I have always advocated for better outcomes for roads and transport users in the regions. This includes the restoration of over \$80 million for the Fixing Country Roads Program after it was reallocated away from the program in 2019. I pushed for a better deal to support regional taxi plate owners to assist in continuity of point-to-point services for taxi users in rural and remote areas, particularly the most vulnerable in our communities.

In my first week as Minister, I launched the Regional rollout of the Sunflowers of Hope Lanyards, with the Minister for Families, Communities and Disability Inclusion, the Hon Kate Washington MP. This is a program which will ensure people with hidden disabilities are more easily able to access services on our regional TrainLink services. There is more to do, and I look forward to working with you to achieve better outcomes across regional transport and roads.

If you need further information on any roads or transport issues in your local government area, please reach out to your normal contact at Transport for NSW. They will be able to provide further details about projects in your area.

Of course, my Ministerial team and I are also available to assist you with any issues or concerns. Please contact my office by email: [office@aitchison.minister.nsw.gov.au](mailto:office@aitchison.minister.nsw.gov.au) or by phone on 02 7225 6220.

I thank you for your service in your role. I look forward to working with you in the coming years.

Sincerely,



**Jenny Aitchison MP**  
Minister for Regional Transport and Roads

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**Infrastructure Services**

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**CONFIDENTIAL REPORTS**

**CR.05.1** ***TENDER 39/2021 COULSONS CREEK ROAD (MR358)  
CONSTRUCTION REHABILITATION***

**RESPONSIBLE OFFICER:** Rag Upadhyaya - Director Infrastructure Services

**AUTHOR:** Gavin Newton-Smith - Asset Engineer

*This matter is considered to be confidential under Section 10A(2) (d i) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*

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**PURPOSE**

The purpose of this report is to outline the process that has been followed for the evaluation of Tender No. 39/2021 for the Coulsons Creek Road (MR358) Construction Rehabilitation and to make a recommendation to accept a tender.

