
Council Meeting Agenda

19 December 2022 at 5.00pm



Twilight Christmas Carnival at Murrurundi

To All Councillors

You are hereby notified that the next meeting of the Upper Hunter Shire Council will be held on Monday, 19 December 2022 in the SCONE COUNCIL CHAMBERS 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
6. OATH / AFFIRMATION OF OFFICE FOR NEW COUNCILLOR
7. PUBLIC PARTICIPATION
8. CONFIRMATION OF MINUTES
 - Ordinary Council Meeting held on 28 November 2022
9. DISCLOSURES OF INTEREST

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MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON MONDAY 28 NOVEMBER 2022 IN THE COUNCIL CHAMBERS COMMENCING AT 5.00PM

PRESENT:

Cr Maurice Collison (Mayor), Cr James Burns (Deputy Mayor), Cr Ron Campbell, Cr Tayah Clout, Cr Liz Flaherty, 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 Infrastructure & Planning Services), and Mrs Robyn Cox (Executive Assistant).

APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK:

Nil

APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS:

Nil

PUBLIC PARTICIPATION:

SCR.11.1 Environmental & Community Services Committee - ESC.11.1

Aristo Drakoulis – representation self – against the recommendation

G.11.2 Annual Presentation – Scone Neighbourhood Resource Centre

Lee Watts, Manager Scone Neighbourhood Resource Centre

I.11.1 Sale of Road – Killoe Road, Merriwa

Heidi & Tony Inder – representing themselves – for the recommendation

CONFIRMATION OF MINUTES:

RESOLVED that the Minutes of the Ordinary Council Meeting held on 31 October 2022 be adopted.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST:

G.11.2 Annual Presentation – Scone Neighbourhood Resource Centre

Cr Lee Watts declared a pecuniary interest / significant conflict for the reason that she is the manager of the Scone Neighbourhood Resource Centre. Cr Watts advised that she would leave the meeting and take no part in discussion and voting.

H.11.1 Request for Donations

Cr James Burns declared a non-pecuniary interest / significant conflict for the reason that he is a Council of UHSC and on the executive of the Chamber of Commerce. Cr Burns advised that he would leave the meeting and take no part in discussion and voting.

I.11.1 Sale of Road – Killoe Road, Merriwa

Cr Ron Campbell declared that he had no conflict of interest in this matter as his property does not join the subject road. Cr Campbell would remain in the meeting and take part in discussion and voting.

MAYORAL MINUTES

A.11.1 **RESIGNATION OF COUNCILLOR**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

RESOLVED

That Council:

1. note the resignation received from Sue Abbott as Councillor of Upper Hunter Shire Council;
2. recognise the contributions Sue made during her time with Council.

Moved: Cr L Watts

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

STANDING COMMITTEE REPORTS

SCR.11.1 **ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

RESOLVED

That Council:

1. adopt the minutes of the Environmental & Community Services Committee meeting held on 11 November 2022.

Moved: Cr R Campbell

Seconded: Cr L Watts

CARRIED UNANIMOUSLY

2. ESC.11.1 – refuse Development Application No. 105/2022 for the subdivision of 1 lot into 2 lots at Lot 810 DP 1061912, 3 Caulfield Place, Scone for the reasons given in Attachment 2.

Moved: Cr A McPhee

Seconded: Cr L Watts

AMENDMENT

That Council defer Development Application No. 105/2022 for the subdivision of 1 lot into 2 lots at Lot 810 DP 1061912, 3 Caulfield Place, Scone for the reasons given in Attachment 2.

Moved: Cr J Burns

Seconded: Cr L Watts

CARRIED

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

With the votes being equal the Mayor used a casting vote and voted for the amended recommendation.

The amendment becomes the motion:

RESOLVED

That Council defer Development Application No. 105/2022 for the subdivision of 1 lot into 2 lots at Lot 810 DP 1061912, 3 Caulfield Place, Scone for the reasons given in Attachment 2.

FOR	AGAINST
Councillor Burns	Councillor Campbell
Councillor Clout	Councillor McPhee
Councillor Collison	Councillor Williamson
Councillor Flaherty	
Councillor Watts	
Total (5)	Total (3)

3. **ESC.11.2 – refuse Development Application No. 183/2021 for a multi-dwelling housing development on Lot 1 DP 611620, No. 51 Barton Street, Scone, for the reasons in Attachment 3.**

Moved: Cr Watts Seconded: Cr Burns CARRIED UNANIMOUSLY

4. **ESC.11.3 – approve Development Application No. 120/2022 for a dwelling and shed at 6 Camp Street Gundy (Lot 2 DP 758490) subject to the conditions of consent in Attachment 4.**

Moved: Cr Watts Seconded: Cr Burns CARRIED UNANIMOUSLY

SCR.11.2 *INFRASTRUCTURE SERVICES COMMITTEE*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

RESOLVED

That Council:

1. **adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday 8 November 2022;**
2. **adopt the Drought and Emergency Response Management Plan (DERMP); and**
3. **not proceed with the implementation of a sewerage scheme for Cassilis at this time and ‘Abandon’ the Deed for RNSW819 – Cassilis Sewerage Upgrade.**

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

SCR.11.3 *CORPORATE SERVICES COMMITTEE*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

RESOLVED

That Council adopt the minutes of the Corporate Services Committee meeting held on 18 November 2022.

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

COMMITTEE/DELEGATES REPORTS

C.11.1 *ABERDEEN DISTRICT COMMUNITY ADVISORY COMMITTEE*

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Amanda Catzikiris - Community Services Officer

RESOLVED

That Council

1. adopt the minutes of the Community Advisory Committee meeting held on 11 October 2022, provided as attachment 1 to the report,
2. accept the nomination from Shane Lloyd for membership on the Australia Day Subcommittee – Scone and Aberdeen District.

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

C.11.2 *MURRURUNDI DISTRICT COMMUNITY ADVISORY COMMITTEE*

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Heather Ranclaud - Community Services Officer - Murrurundi

RESOLVED

That Council adopt the minutes of the Murrurundi District Community Advisory Committee meeting held on 10 November 2022.

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

C.11.3 *2023 AUSTRALIA DAY AWARDS NOMINATIONS*

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Amanda Catzikiris - Community Services Officer

RESOLVED That Council:

1. move into Closed Council to consider nominations;
2. endorse the nominees for 2023 Australia Day Awards;
3. adopt the recommendations made by the Australian Day Sub-committees for the 2023 Australia Day Awards to be announced on 26 January 2023;
4. determine the following Upper Hunter Shire Australia Day Awards, to be announced on 26 January 2023:
 - a. Upper Hunter Shire Citizen of the Year
 - b. Upper Hunter Shire Young Citizen of the Year

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

GENERAL ADMINISTRATION REPORTS

G.11.1 *DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

RESOLVED

That Council note the tabled Disclosures of Pecuniary Interests and Other Matters return completed by Cr Flaherty and former Cr Abbott.

Moved: Cr T Clout Seconded: Cr L Watts CARRIED UNANIMOUSLY

G.11.2

**ANNUAL PRESENTATION - SCONE NEIGHBOURHOOD
RESOURCE CENTRE**

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Robyn Cox - Executive Assistant

DISCLOSURE OF INTEREST

Cr Lee Watts declared a pecuniary interest / significant conflict for the reason that she is the manager of the Scone Neighbourhood Resource Centre. Cr Watts left the meeting and took no part in discussion or voting.

RESOLVED

That Council receive a presentation from the Scone Neighbourhood Resource Centre.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

FOR

Councillor Burns
Councillor Campbell
Councillor Clout
Councillor Collison
Councillor McPhee
Councillor Watts
Councillor Williamson
Total (7)

AGAINST

Councillor Flaherty

Total (1)

Cr Watts returned to the meeting.

G.11.3

REQUESTS FOR DONATIONS

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

DISCLOSURE OF INTEREST

Cr James Burns declared a non-pecuniary interest / significant conflict for the reason that he is a Councillor of UHSC and on the executive of the Chamber of Commerce. Cr Burns remained in the meeting.

RESOLVED

That Council provide the following donations:

1. **\$85 to Aberdeen Lions Club to assist with the costs of their 'Lap the Map for Diabetes' held on 13 November 2022.**
2. **\$500 to Scone Tidy Towns Committee to assist with the costs of members attending the 'Keep Australia Beautiful Tidy Towns Awards' in Singleton from 3 to 5 March 2023.**
3. **\$500 to Murrurundi Landcare Tidy Town Group to assist with the costs of members attending the 'Keep Australia Beautiful Tidy Towns Awards' in Singleton from 3 to 5 March 2023.**
4. **\$200 to the Koori Kids to assist with the printing and distribution costs for their 2023 NAIDOC Week School Initiatives program**

Moved: Cr L Watts

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

POLICY MATTERS

H.11.1 ***POLICIES FOR REVIEW - GENERAL MANAGER'S UNIT***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

RESOLVED

That Council:

1. adopt the following policies:
 - a. Financial Management – Debtors – Water Usage from Undetected Leaks
 - b. Financial Management – Borrowings
 - c. Plant, Equipment & Stores – Replacement & Disposal – Plant, Equipment & Vehicles - with the following amendments:
 - Objective
 - A fifth point under “The aim of the Plant and Vehicle Replacement Policy is to:”
Support local businesses where possible.
 - Sustainable Fleet Replacement
 - Second paragraph
That Council applies its local buying policy where possible up to 5% or \$2500 whichever is less.
 - d. Grants and Subsidies – Programs – Section 356 Rental Subsidies
 - e. Grants and Subsidies – Programs – Section 356 General Donations
2. amend the review period for policies adopted within the last 12 months to four (4) years.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

INFRASTRUCTURE REPORTS

I.11.1 ***SALE OF ROAD - KILLOE ROAD, MERRIWA***

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Sam Wooden - Manager Works Delivery

RESOLVED

That Council:

1. undertake community consultation for the permanent closure of Killoe Road as described below under Division 3 Part 4 of the Roads Act 1993 and for the disposal of the land comprising the former public road by sale to the adjoining land owner;
2. obtain a valuation of the land to be disposed.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

CLOSED COUNCIL

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 J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

CR.11.1 TENDER EVALUATION ON MOONAN BROOK ROAD

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Chris Agosto - Project Manager

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RESOLVED

That Council:

1. not award a contract to construct the Moonan Brook Road Initial Seal;
2. obtain approval from the funding bodies to reduce the scope to a length of 3,500m;
3. undertake the works internally as part of Council's road construction program.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

FOR	AGAINST
Councillor Burns	Councillor Flaherty
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
Total (7)	Total (1)

CR.11.2 MURRURUNDI WASTE TRANSFER STATION - LAND ACQUISITION

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RESOLVED

That Council:

1. delegate authority to the General Manager to negotiate the withdrawal of the Aboriginal Land Claims over Part Lots 199 and 200 DP 728353 (Crown Reserve 87624) and to offer compensation to the claimant up to the value nominated in Option 1 of the report.
2. proceed with the compulsory acquisition of Part Lots 199 and 200 DP 728353 (Crown Reserve 87624) for the purpose of a waste transfer station in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
3. undertake community consultation in relation to the establishment of a new waste transfer station on the land.

Moved: Cr J Burns

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

CR.11.3

PROPOSED ACQUISITION OF LOT 1 DP 1275541 - 54A BARTON STREET, SCONE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RESOLVED

That Council:

1. provide delegated authority to the General Manager to negotiate to acquire the land at a maximum purchase price disclosed in Option 1 of the Council report;
2. provide delegated authority to the General Manager to execute all associated documents;
3. authorise the placement of an advertisement indicating Council's intention that the land will be classified as Operational Land in accordance with the provisions of the Local Government Act 1993. Subject to no objections being received within the 28-day statutory period, Lot 1 DP 1275541 as described in this report will be classified as Operational Land.

Moved: Cr T Clout

Seconded: Cr J Burns

CARRIED UNANIMOUSLY

CR.11.4

ACQUISITION OF LAND FOR MERRIWA CYCLEWAY PROJECT

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Tegan Annas - Graduate Water Engineer

This matter is considered to be confidential under Section 10A(2) (c)(d)(i) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

RESOLVED

That Council:

1. accept the offer from the owner of Lot 11 in DP1098130, 1 Vennacher Street, Merriwa in relation to the acquisition of land by Council for the Merriwa Cycleway project.
2. delegate authority to the General Manager to negotiate the final agreement with the land owner.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

CR.11.5

GUMMUN PLACE HOSTEL UPDATE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Kristian Enevoldson - Director Corporate & Community Services

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 prejudice the commercial position of the person who supplied it.

RESOLVED

That this matter remain confidential.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

CR.11.6

2023 AUSTRALIA DAY AWARDS NOMINATIONS

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Amanda Catzikiris - Community Services Officer

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

RESOLVED

The award recipients remain confidential until 26 January 2023.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

CR.11.7

CODE OF CONDUCT MATTER

RESPONSIBLE OFFICER: Kristian Enevoldson - Director Corporate & Community Services

AUTHOR: Kristian Enevoldson - Director Corporate & Community Services

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

The Mayor advised Cr Flaherty that she has the right to address Council before leaving the room. Cr Flaherty addressed Council then left the meeting.

RESOLVED

That Council:

1. not adopt the recommendation of the independent investigator;
2. note the reasons for the breach identified in the Independent Investigation Report namely that between 1 June 2022 and 31 July 2022 Cr Flaherty engaged in inappropriate conduct by bullying and harassing staff, including the General Manager of Upper Hunter Shire Council, and other inappropriate interactions with Council staff;
3. in accordance with clause 7.58 (c)(i) of the Procedures for Administration of The Model Code of Conduct, formally censure Councillor Flaherty for the breaches of the Code of Conduct for Councillors under section 440G of the Local Government Act;
4. in accordance with clause 7.58 (c)(ii) of the Procedures for Administration of The Model Code of Conduct, refer the matter to the Office of Local Government for further action under the misconduct provisions of the Local Government Act;
5. in accordance with clause 7.60 of the Procedures for Administration of The Model Code of Conduct, advise the Office of Local Government that the reason for not adopting the investigator's recommendation was because Council believes the breach was serious enough to be forwarded to the Office of Local Government for their investigation as it not only contained bullying and harassing behaviour but the behaviour also clearly demonstrates a lack of basic understanding of conflicts of interest and the responsibility of a Councillor in this regard, is ongoing, and demonstrates a lack of respect for both Council staff and fellow Councillors alike.

Moved: Cr A McPhee

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

RETURN TO OPEN COUNCIL

RESOLVED That the meeting move back into Open Council.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

The meeting was adjourned for a period of time due to a medical emergency.

Cr Flaherty left the Council Chambers and did not return to the meeting when Open Council resumed.

Upon resuming Open Council, and in accordance with Council's Code of Meeting Practice, the General Manager provided a summary of six of the seven resolutions and the Manager Governance and Risk provided the seventh resolution passed in Closed Council.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6.55PM.

Corporate & Community Services

STANDING COMMITTEE REPORTS

SCR.12.1 ***CORPORATE SERVICES COMMITTEE***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Acting Director Corporate & Community Services

RECOMMENDATION

That Council:

1. adopt the minutes of the Corporate Services Committee meeting held on 9 December 2022;
2. note the Fund and Function Summary Report;
2. note the Cash and Investment Report;
3. note the Responsible Accounting Officer's Statement on the Investments;
4. note the Capital Works Expenditure Report;
5. endorse and support the Hunter Joint Organisation's campaign on Section 88 contributions for the EPA; and
6. make representations to Member for Upper Hunter Mr Dave Layzell and Minister for Environment and Water the Hon Tanya Plibersek MP about Section 88.

BACKGROUND

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

REPORT/PROPOSAL

A meeting of the Corporate Services Committee was held on Friday, 9 December 2022. A copy of the minutes of the meeting are attached. The following reports were considered:

CORP.12.1 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 October 2022 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

Corporate & Community Services

Council's financial position, or remedial action to be taken (Clause 203(2)) of the Local Government (General) Regulations 2005.

CORP.12.2 Questions With Notice

There were no questions with notice received.

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.

At the Corporate Services Meeting on 18 November 2022 there were no questions taken on notice.

ATTACHMENTS

- [1](#) Corporate Services Committee - 9 December 2022 - Minutes - Draft

Councillor Questions:

Cr Flaherty requested in reference to the summary figures provided in the report whether a more detailed breakdown could be provided each month to include revenue and costs on business operations within Council.

Response: Acting Director Corporate and Community Services advised that a full breakdown of revenue and costs of Council's business operations are reported in the quarterly reporting but if requested by Councillors, a more detailed report can be provided at the alternate meetings. Cr Burns requested the additional staff hours to produce a more detailed report be calculated and reported back to the Committee. Taken on notice by Acting Director Corporate and Community Services to provide a hybrid version of the report in early January 2023 as a template for the Committee to consider.

CORP.12.2

QUESTIONS WITH NOTICE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

The Committee noted the report.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.30AM.

Planning & Infrastructure Services

SCR.12.2

ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Lisa Betts - Administrative Assistant - Environmental & Customer Services

RECOMMENDATION

That Council:

1. adopt the minutes of the Environmental & Community Services Committee meeting held on 13 December 2022.
2. ESC.12.1 – approve Development Application No. 50/2022 for the subdivision of one (1) lot into two (2) lots and the erection of a dwelling-house at Lot 14 DP 249726, 97 Tullong Road, Scone, subject to the conditions of consent in Attachment 2.
3. ESC.12.2 – approve Development Application No. 143/2019 to regularise the use of a dwelling-house at 9843 Golden Highway Cassilis (Lot 1 DP 1289109), subject to the conditions of consent in Attachment 3.
4. ESC.12.3 –
 - a) approve Development Application No. 142/2021 for a boundary adjustment, demolition of sheds, dwelling house, two secondary dwellings and a garage at Lots 2 and 3 DP 1190179, 88 and 90 Satur Road, Scone subject to the conditions of consent in Attachment 4.
 - b) release the restriction on the use of land numbered 2 in the Section 88B instrument associated with Deposited Plan 1190179 in respect of Lots 2 and 3 DP 1190179.
5. ESC.12.4 – approve Development Application No. 163/2022 for commercial alterations and additions at Lot 100 DP 1008166, 98 Kelly Street, Scone subject to the conditions of consent in Attachment 5.
6. ESC.12.5 – approve Development Application No. 151/2021 for a boundary adjustment at Lots 11 & 12 DP 1165451, 1746 Stewarts Brook Road, Stewarts Brook subject to the conditions of consent in Attachment 6.

BACKGROUND

The Environmental and Community Services Committee is a Standing Committee of Council that considers reports, advice and recommendations of management regarding strategic land use planning, development applications, environmental, health, building, waste management, sustainability and community services related matters. The Committee subsequently makes recommendations to Council in relation to such matters.

A meeting of the Environmental & Community Services Committee was held on Tuesday, 13 December 2022.

REPORT/PROPOSAL

The Committee unanimously supported the following recommendations:

- ESC.12.1 approve Development Application No. 50/2022 for the subdivision of one (1) lot into two (2) lots and the erection of a dwelling-house at Lot 14 DP 249726, 97 Tullong Road, Scone, subject to the conditions of consent in Attachment 2.
- ESC.12.2 – approve Development Application No. 143/2019 to regularise the use of a dwelling-house at 9843 Golden Highway Cassilis (Lot 1 DP 1289109), subject to the conditions of consent in Attachment 3.

Planning & Infrastructure Services

- ESC.12.3 –
 - approve Development Application No. 142/2021 for a boundary adjustment, demolition of sheds, dwelling house, two secondary dwellings and a garage at Lots 2 and 3 DP 1190179, 88 and 90 Satur Road, Scone subject to the conditions of consent in Attachment 4.
 - release the restriction on the use of land numbered 2 in the Section 88B instrument associated with Deposited Plan 1190179 in respect of Lots 2 and 3 DP 1190179.
- ESC.12.4 – approve Development Application No. 163/2022 for commercial alterations and additions at Lot 100 DP 1008166, 98 Kelly Street, Scone subject to the conditions of consent in Attachment 5.
- ESC.12.5 – approve Development Application No. 151/2021 for a boundary adjustment at Lots 11 & 12 DP 1165451, 1746 Stewarts Brook Road, Stewarts Brook subject to the conditions of consent in Attachment 6.

ATTACHMENTS

- [1](#) ↓ Minutes - Environmental & Community Services Committee - 13 December 2022
- [2](#) ↓ DA 50/2022 - Recommended Conditions of Consent
- [3](#) ↓ DA 143/2019 - Recommended Conditions of Consent
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MINUTES OF THE ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL HELD ON TUESDAY 13 DECEMBER 2022 IN THE COUNCIL CHAMBERS COMMENCING AT 10.30AM

PRESENT:

Cr Lee Watts (Chair), Cr Ron Campbell, Cr Allison McPhee and Cr Maurice Collison (from 10.40am).

APOLOGIES:

Nil

ABSENT:

Cr Liz Flaherty

IN ATTENDANCE:

Cr Tayah Clout, Mr Greg McDonald (General Manager), Mr Paul Smith (Senior Environmental Planner) and Lisa Betts (Administration Officer).

ADOPTION OF MINUTES:

Resolved to adopt the minutes of the Environmental & Community Services Committee meeting held on 8 November 2020.

Moved: A McPhee Seconded: R Campbell CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST:

Nil

PUBLIC PARTICIPATION:

Nil

DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE REPORTS:

ECSC.12.1 *DEVELOPMENT APPLICATION NO. 50/2022 SUBDIVISION OF LAND AND DWELLING HOUSE*

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Paul Smith - Senior Environmental Planner

RECOMMENDED that Council approve Development Application No. 50/2022 for the subdivision of one (1) lot into two (2) lots and the erection of a dwelling-house at Lot 14 DP 249726, No. 97 Tullong Road, Scone, subject to the conditions of consent in Attachment 1.

Moved: A McPhee Seconded: R Campbell CARRIED UNANIMOUSLY

ECSC.12.2 *DEVELOPMENT APPLICATION NO. 143/2019 - REGULARISE THE USE OF A BUILDING AS DWELLING-HOUSE*

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Paul Smith - Senior Environmental Planner

RECOMMENDED that Council approve Development Application No. 143/2019 to regularise the use of a dwelling-house at No. 9843 Golden Highway Cassilis (Lot 1 DP 1289109), subject to the conditions of consent in Attachment 1.

Moved: A McPhee Seconded: R Campbell CARRIED UNANIMOUSLY

ECSC.12.3 *DEVELOPMENT APPLICATION NO.142/2021 - BOUNDARY ADJUSTMENT, DWELLING HOUSE, SECONDARY DWELLINGS AND GARAGE*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

RECOMMENDED that Council:

1. approve Development Application No. 142/2021 for a boundary adjustment, demolition of sheds, dwelling house, two secondary dwellings and a garage at Lots 2 and 3 DP 1190179, 88 and 90 Satur Road, Scone subject to the conditions of consent in Attachment 1.
2. release the restriction on the use of land numbered 2 in the Section 88B instrument associated with Deposited Plan 1190179 in respect of Lots 2 and 3 DP 1190179.

Moved: A McPhee Seconded: R Campbell CARRIED UNANIMOUSLY

ECSC.12.4 *DEVELOPMENT APPLICATION NO. 163/2022 - COMMERCIAL ALTERATIONS AND ADDITIONS*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

RECOMMENDED that Council approve Development Application No. 163/2022 for commercial alterations and additions at Lot 100 DP 1008166, 98 Kelly Street, Scone subject to the conditions of consent in Attachment 1.

Moved: R Campbell Seconded: A McPhee CARRIED UNANIMOUSLY

ECSC.12.5 *DEVELOPMENT APPLICATION NO. 151/2021 - BOUNDARY ADJUSTMENT*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

RECOMMENDED that Council approve Development Application No. 151/2021 for a boundary adjustment at Lots 11 & 12 DP 1165451, 1746 Stewarts Brook Road, Stewarts Brook subject to the conditions of consent in Attachment 1.

Moved: A McPhee Seconded: R Campbell CARRIED UNANIMOUSLY

The meeting concluded at 10.42am

DA 50/2022 – Recommended Conditions of Consent

Identification of approved plans:

1. The development must be carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects, 31 March 2022 except where amended by the conditions of consent.

PLAN TITLE/JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
Elevation/ Section 134-21	1	A	PB Eveleigh Plan Service	16.11.2021
Location Plan 134-21	2	C	PB Eveleigh Plan Service	22.07.2022
Part Site Plan 134-21	3	C	PB Eveleigh Plan Service	22.07.2022
Part Site Plan 134-21	-	-	PB Eveleigh Plan Service	16.11.2021
Proposed Lot Layout 90776-1	1	3	Fyfe	06.07.2022
Proposed Lot Layout 90776-1	2	3	Fyfe	06.07.2022
Proposed Lot Layout 90776-1	3	3	Fyfe	06.07.2022
Proposed Driveway and Subdivision Ref: AL21044	01-11	C	AL Civil Design	31.10.2022

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

Operational conditions imposed under the environmental planning and assessment act and regulations and other relevant legislation:

2. All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

3. Home Building Act Requirements
- (1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifier for the development to which the work relates:
- (a) in the case of work to be done by a licensee under that Act:
- i. has been informed in writing of the licensee's name and contractor licence number, and
 - ii. is satisfied that the licensee has complied with the requirements of the Home Building Act, or
- (b) in the case of work to be done by any other person:

- i. has been informed in writing of the person's name and owner-builder permit number, or
- ii. has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was Gazetted, that amount was \$10,000. As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Note: Insurance thresholds are set out in Clause 53 of the Home Building Regulation 2014, stating that for the purposes of sections 92 (3) and 96 (3) (e) of the Act, the amount of \$20,000 (inclusive of GST) is prescribed.

- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

(Reason: Prescribed by legislation)

Ancillary matters to be completed prior to the issue of the construction certificate:

- 4. Prior to the issue of any Construction Certificate for the dwelling the person acting on the consent must submit evidence showing that proposed Lot 142 has been registered with NSW Land and Property Services as a separate title.

(Reason: To ensure that a dwelling-house occupies a separate lot in accordance with development permitted with consent under the Upper Hunter Local Environmental Plan 2013.)

- 5. Pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of \$1,471.00 is required to be paid to Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

Documentary evidence shall be submitted to the Principal Certifier confirming that the contribution has been paid prior to determination of the application for Construction Certificate where applicable.

(Reason: To ensure that the proposed development makes an appropriate contribution to facilities in the Upper Hunter Local Government Area)

6. Prior to the issue of a Construction Certificate, a full set of construction plans demonstrating compliance with the National Construction Code Series shall be submitted to the Principal Certifier.

(Reason: Prescribed by legislation.)

Conditions that must be addressed prior to commencement:

7. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control, or a suitable and effective alternative method.

All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

8. Site facilities
- (a) If the development involves building work or demolition work it is recommended that the work site be fully enclosed by a temporary security fence (or hoarding) before work commences. Any such hoarding or fence is to be removed when the work has been completed.
 - (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees.
 - (c) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
 - (d) Adequate toilet facilities must be provided on the work site. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or an approved temporary chemical closet.

The provision of toilet facilities must be completed before any other work is commenced.

The installation of the site facilities shall be approved by the Principal Certifier prior to further commencement of site works and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

9. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited;
 - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and

(c) showing the name, address and telephone number of the Principal Certifier for the work.

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

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: Statutory requirement)

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

(Reason: Prescribed – Statutory)

Conditions that must be complied with during demolition and building work:

11. Any person acting on this consent shall ensure that:-

(a) building construction activities are only carried out during the following hours:

- i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
- ii. on a Saturday—8.00am to 5.00pm;

(b) building construction activities must not be carried out on a Sunday or a public holiday;

(c) demolition and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm;

unless prior written approval has been obtained from Council.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

12. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred to the public)

13. The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development.

(Reason: To ensure the protection of existing public infrastructure)

Conditions which must be complied with prior to the issue of any occupation certificate:

14. Prior to the issue of any Occupation Certificate the person acting upon this consent must apply to Upper Hunter Shire Council and receive written confirmation of the allocated street address(es) or house number(s) for the completed project and shall be permanently displayed at the property in accordance with the provisions of AS4819.

(Reason: To ensure that Council records are accurate, and that house numbering complies with the requirements of the Australian Standards. Proper house numbering also assists emergency services in readily locating properties.)

15. The development shall be connected to the on-site sewage management system in accordance with the S68 approval and AS3500. In addition a current Approval to Operate will also be

required prior to the issue of any Occupation Certificate.

Note: Any application to install an On-site Sewage Management System is to be made online via the NSW Planning Portal.

(Reason: To ensure compliance with the Australian Standard & Local Authority requirements.)

16. All identified matters relating to bushfire protection shall be addressed and implemented prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with Planning for Bushfire Protection)

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

Note: Any application for an Occupation Certificate is to be made online via the NSW Planning Portal.

(Reason: Prescribed - Statutory.)

Conditions that must be complied with at all times:

18. At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks, shall be collected and disposed of by way of properly constructed stormwater lines to an appropriately constructed discharge point located a minimum distance of 6m clear of the proposed building, any adjoining buildings, any internal driveways or vehicular parking areas.

The discharge point shall be stabilised in a manner that will prevent the erosion of adjacent soils and shall disperse stormwater in a controlled manner, with such water being retained within the subject property.

(Reason: To ensure the suitable disposal of stormwater generated by the development)

Conditions that must be complied with prior to the issue of any Subdivision Works Certificate:

19. The stormwater system as shown in the "Proposed Driveway and Subdivision" plans shall be constructed to an appropriate standard in compliance with the Upper Hunter *Engineering Guidelines for Subdivisions and Developments*.

Detailed engineering drawings of the proposed stormwater drainage system including swale drains, check dams and energy dissipaters shall be submitted to and approved by the Certifying Authority prior to the release of the Subdivision Works Certificate.

(Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties and public infrastructure)

20. The access road within the access handle designed for all-weather two-wheel drive access in accordance with Upper Hunter Engineering Guidelines for Subdivisions and Developments, and the following:

- Formation width: 4 metres
- Pavement width: 3 metres
- Material: Minimum two coat bitumen seal
- Length: 189 metres

Detailed engineering drawings shall be submitted to and approved by the Certifying Authority prior to the release of the Subdivision Works Certificate.

(Reason: To ensure provision is made for access to the lot)

Conditions that must be complied with prior to the commencement of any Subdivision Works:

21. No works shall commence on site until such time as a Subdivision Works Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works in must cover the works being undertaken onsite.

(Reason: Prescribed – Statutory)

22. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum, control techniques are to be in accordance with *Soils and Construction* (Landcom, 4th Edition, March 2004) provisions on Erosion and Sediment Control, or a suitable and effective alternative method.

All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

The installation is to be approved by the Certifying Authority prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

23. Unless an existing stabilised site access is utilised, stabilised site access consisting of at least 200mm of aggregate at 30–60mm in size be a minimum of 3m in width and must be provided from the road edge to the front of the building being constructed. The stabilised access must be fully maintained and removed from the site when a permanent driveway has been constructed.

The installation must be approved by the Principal Certifier authority prior to the commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

24. Site facilities

- (e) The work site must be fully enclosed by a temporary safety/security fencing before work commences. Any such fence is to be removed when the work has been completed.
- (f) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees.
- (g) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (h) Adequate toilet facilities must be provided on the work site. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer

is not available, to an on-site effluent disposal system approved by the council, or an approved temporary chemical closet.

The provision of toilet facilities must be completed before any other work is commenced.

The installation of the site facilities shall be approved by the Principal Certifier prior to further commencement of site works and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

25. A sign must be erected in a prominent position on any subdivision work is being carried out:
- (d) stating that unauthorised entry to the work site is prohibited;
 - (e) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (f) showing the name, address and telephone number of the Principal Certifier for the work.

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

The installation of the sign must be approved by the Principal Certifier prior to further commencement of site works.

(Reason: To ensure sufficient information is available about the activities being carried out on the site so that relevant persons are known and contactable.)

CONDITIONS THAT MUST BE COMPLIED WITH DURING SUBDIVISION WORK

26. The applicant shall not enter or undertake any work within adjoining public lands (i.e. Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction Management Plan.

(Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land)

27. During subdivision work the person acting on this consent must ensure that:-

- (a) materials must not be burnt on the site.
- (b) vehicles entering and leaving the site with soil or fill material must be covered.
- (c) dust suppression measures (such as water spraying) must be carried out to minimise wind-borne emissions in addition odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.
- (d) work should cease should prevailing wind result in dust generation that is being transported off-site.

(Reason: To protect the environment and the amenity of the surrounding area)

28. Any person acting on this consent shall ensure that:-

- (d) building construction activities are only carried out during the following hours:
 - iii. between Monday to Friday (inclusive)—7.00am to 5.00pm,
 - iv. on a Saturday—8.00am to 5.00pm.
 - (e) building construction activities must not be carried out on a Sunday or a public holiday unless prior approval has been obtained
 - (f) demolition and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.
- (Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

29. In the event that any objects of cultural heritage significance are unearthed outside or within the immediate areas during construction, site works must cease and the NSW Office of Environment and Heritage (OEH) EnviroLine (phone 131 555), must be informed immediately. The site is to be recorded and management strategies put in place for protection before any further work can commence in the area.

(Reason: To there is provision for the unexpected finding of objects of cultural heritage significance.)

Conditions that must be complied with prior to the issue of any strata subdivision or subdivision certificate:

30. Notification of arrangements to connect services and utilities to each LOT shall be provided to the Certifying Authority with the Subdivision certificate:-

- (a) telecommunication services
- (b) electrical reticulation

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

(Reason: To ensure adequate servicing of the development.)

31. Prior to issuing any Subdivision Certificate for the subdivision, the person acting upon this consent must apply to Upper Hunter Shire Council and receive written confirmation of the allocated street names and addresses (house number) and unit numbers for the building and any approved allotments within the completed project. These are the street names and numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2003 – Geographic information – Rural and urban addressing.

To assist Council when applying for street name and number allocations, a draft proposal for street naming and numbering within development should be submitted for concurrence to Council at an early stage of construction, as these numbers will be used to maintain Council's property and mapping database, and the proposed street names must be formally agreed and adopted by Council.

(Reason: To ensure that Council records are accurate, and that building and unit numbering complies with the requirements of Council's House Numbering Policy. Proper building and unit numbering also assists emergency services in readily locating properties.)

32. Prior to the issue of a Subdivision Certificate the access to proposed Lot 141 and Lot 142 shall be constructed or if necessary upgraded in accordance with Council's Rural Property Access specifications (as detailed in Council's Standard Drawing No. RPA-001 (as amended)).

Note: approval under Section 138 of the Roads Act 1993 is required prior to the commencement of any works within the road reserve.

(Reason: To ensure that appropriate access is provided to the lot)

33. Prior to the issue of any Subdivision Certificate of subdivision works an appropriately qualified and practising Civil Engineer must provide written certification to the Principal Certifier that the stormwater drainage system has been constructed in accordance with the approved plans.

(Reason: To ensure compliance with the conditions of consent.)

34. Prior to the issue of any Subdivision Certificate the person acting on this consent must submit a report/certificate from a Bushfire Planning and Design (BPAD) Accredited Practitioner or the consultant who prepared the Bushfire Threat Assessment Report (Bushfire Consultant, 16 March 2022) to confirm compliance with the General Terms of Approval.

(Reason: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.)

General terms of approval pursuant to section 91a of the environmental planning and assessment act 1979 (as amended):

35. NSW Rural Fire Service

Asset Protection Zones

Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the commencement of building works or the issue of a subdivision certificate, whichever comes first, the site must be maintained as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019* as follows:

- for 50 metres or property boundary (whichever comes first) around the existing dwelling on the proposed lot 141; and
- for 22 metres or property boundary (whichever comes first) around the proposed dwelling on the proposed lot 142.

When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity,
- trees at maturity should not touch or overhang the building,
- lower limbs should be removed up to a height of 2m above the ground,
- tree canopies should be separated by 2 to 5m,
- preference should be given to smooth-barked and evergreen trees,
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings,
- shrubs should not be located under trees,
- shrubs should not form more than 10% ground cover,
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation,
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height), and
- leaves and vegetation debris should be removed.

2. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

Construction Standards

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

3. Construction of the proposed dwelling on proposed lot 142 must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

4. Fences and gates must comply with Section 7.6 of *Planning for Bush Fire Protection 2019*. New fences and gates are to be made of either hardwood or non-combustible material. Where a fence or gate is constructed within 6m of a dwelling or in areas of BAL-29 or greater, they must be made of non-combustible material only.

Access – Property Access

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

5. Property access roads must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*;

- property access roads are two-wheel drive, all-weather roads;
- the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly indicate load rating;
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available;

- at least one alternative property access road is provided for individual dwellings or groups of dwellings that are located more than 200 metres from the public through road;
- minimum 4m carriageway width;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- property access must provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the cross fall is not more than 10 degrees; and
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community-style development.

Water and Utility Services

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

6. The provision of water must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- a 20,000 litre static water supply for the proposed dwelling on lot 142 & if not already existing, a 10,000 litre static water supply for the existing dwelling on proposed lot 141 must be provided on-site,
- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure (5-20 metres),
- 65mm Storz connection with a ball valve is fitted to the outlet,
- the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material,
- underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank,
- a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole,
- above-ground tanks are manufactured from concrete or metal,
- raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
- unobstructed access can be provided at all times,
- underground tanks are clearly marked,
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,
- all exposed water pipes external to the building are metal, including any fittings,
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack,
- any hose and reel for firefighting connected to the pump shall be 19mm internal diameter,
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
- A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
 - Markers must be fixed in a suitable location to be highly visible, and
 - Markers should be positioned adjacent to the most appropriate access for the water supply.

7. The provision of electricity must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- where practicable, electrical transmission lines are underground,
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas, and

- no part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.

8. The provision of gas must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used,
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side,
- connections to and from gas cylinders are metal,
- polymer-sheathed flexible gas supply lines are not used, and
- above-ground gas service pipes are metal, including and up to any outlets.

DA 142/2018 – Recommended Conditions of Consent**Identification of approved plans:**

1. The development must be carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated October 2019 (deWitt Consulting) except where amended by the conditions of consent.

JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
Site Plan Ref: 6840	-	-	deWitt Consulting	17.06.2022
Elevations Ref: 105.15	3	B	Preferred Design and Drafting	08.09.2016
Elevations – Granny Flat/Carport Ref: 105.16	5	B	Preferred Design and Drafting	08.09.2016
Sections Ref: 105.16	4	B	Preferred Design and Drafting	08.09.2016
Floor Plan Ref: 105.16	1	B	Preferred Design and Drafting	08.09.2016
Ceiling Plan Ref: 105.16	6	B	Preferred Design and Drafting	08.09.2016

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

Conditions that must be complied within certain timeframes:

3. Pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of \$2,800.00 is required to be paid within 28 days of the date of operation of the consent. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

(Reason: To ensure that the proposed development makes an appropriate contribution to facilities in the Upper Hunter Local Government Area)

4. Within 28 days of the date of operation of the consent, certification from an appropriately qualified BPAD accredited practitioner must be submitted to the Consent Authority that all recommendations set out in Bushfire Assessment Report prepared by Newcastle Bushfire Consulting Pty Ltd and dated 10/02/2017, and any relevant requirements in Planning for Bush Fire Protection 2019 have been implemented and complied with.

(Reason: To ensure appropriate bushfire protection measures are implemented to the development.)

Conditions that must be complied with at all times:

5. At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks, shall be collected and disposed of by way of properly constructed stormwater lines to an appropriately constructed discharge point located a minimum distance of 6m clear of the proposed building, any adjoining buildings, any internal driveways or vehicular parking areas.

The discharge point shall be stabilised in a manner that will prevent the erosion of adjacent soils and shall disperse stormwater in a controlled manner, with such water being retained within the subject property.

(Reason: To ensure the suitable disposal of stormwater generated by the development)

6. Smoke alarms shall be installed and maintained in the dwelling in accordance with the requirements of the Building Code of Australia.

(Reason: To ensure the dwelling-house satisfies the Building Code of Australia.)

DA 142/2021 – Recommended Conditions of Consent**Identification of approved plans:**

1. The development must be carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated 17 September 2021 except where amended by the conditions of consent.

JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
040-21	100-103	-	MLS	12/04/2021
040-21	13	A	MLS	04/01/2022
040-21	1,3-11	A	MLS	24/09/2021
040-21	2	B	MLS	30/09/2021

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifier.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

Operational conditions imposed under the environmental planning and assessment act and regulations and other relevant legislation:

3. All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

4. Home Building Act Requirements

- (1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifier for the development to which the work relates:

- (a) in the case of work to be done by a licensee under that Act:
- i. has been informed in writing of the licensee's name and contractor licence number, and
 - ii. is satisfied that the licensee has complied with the requirements of the Home Building Act, or
- (b) in the case of work to be done by any other person:
- i. has been informed in writing of the person's name and owner-builder permit number, or
 - ii. has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any

information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was Gazetted, that amount was \$10,000. As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Note: Insurance thresholds are set out in Clause 53 of the Home Building Regulation 2014, stating that for the purposes of sections 92 (3) and 96 (3) (e) of the Act, the amount of \$20,000 (inclusive of GST) is prescribed.

- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

(Reason: Prescribed by legislation)

Ancillary matters to be completed prior to the issue of the construction certificate:

5. Prior to the issue of a Construction Certificate for House 1 and House 3, the Restriction on the Use of Land (B) vide DP1190179 burdening Lots 2 and 3, shall be removed from the relevant land titles. Documentary evidence demonstrating compliance with this condition shall be submitted to the Principal Certifier prior to the issue of a Construction Certificate.

(Reason: To ensure the development does not conflict with restrictions on title)

6. Prior to the issue of a Construction Certificate for House 1 and/or the detached garage, documentary evidence of registration of the plan of subdivision associated with the boundary adjustment shall be submitted to the Principal Certifier.

(Reason: To ensure the development is carried out in accordance with the approved plans)

7. The foundations for building structures and walls adjacent to the sewer and stormwater drainage easement are to be constructed in such a manner that does not affect the integrity of the sewer and stormwater main drainage lines. Locations of foundations shall be in accordance with Council's policy for *building near water and sewer services*. Details demonstrating compliance with this condition shall be submitted to, and approved by, the Principal Certifier prior to the release of the Construction Certificate.

(Reason: To allow maintenance to vital infrastructure without affecting the integrity of the adjacent structure and public assets)

8. Prior to the issue of a Construction Certificate, a contribution pursuant to the provisions of Section 64 of the *Local Government Act, 1993* shall be made to Council in accordance with the Upper Hunter Development Servicing Plan for Water Supply and Sewerage 2017, and Council's Fees and Charges applicable at the time of payment.

Documentary evidence shall be submitted to the Principal Certifier confirming that the contribution has been paid prior to determination of the application for a Construction Certificate.

Note: The contributions applicable in the 2022-23 financial year are as follows:

Contribution type	Contribution calculation
Water	\$7,784.36 per ET
Sewerage	\$9,009.37 per ET

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

9. Pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of \$13,420.19 is required to be paid to Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

Documentary evidence shall be submitted to the Principal Certifier confirming that the contribution has been paid prior to determination of the application for Subdivision Certificate, where applicable.

(Reason: To ensure that the proposed development makes an appropriate contribution to facilities in the Upper Hunter Local Government Area)

10. Under clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. Details and plans demonstrating compliance with these requirements shall be submitted to, and approved by the Certifying Authority prior to the release of the Construction Certificate.

In this condition:

- (a) relevant BASIX Certificate means:
- i. a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - ii. if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- (b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.

(Reason: To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)

11. The recommendations contained in the Aircraft Noise Intrusion Assessment prepared by SLR and dated February 2022 shall be incorporated into the development. Drawings submitted with the Construction Certificate application shall be in accordance with the requirements of the noise intrusion assessment.

(Reason: To ensure that occupants are not unreasonably affected by aircraft noise)

Conditions that must be addressed prior to commencement:

12. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control, or a suitable and effective alternative method.

All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

13. Site facilities
- (a) If the development involves building work or demolition work it is recommended that the work site be fully enclosed by a temporary security fence (or hoarding) before work commences. Any such hoarding or fence is to be removed when the work has been completed.
 - (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees.
 - (c) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
 - (d) Adequate toilet facilities must be provided on the work site. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or an approved temporary chemical closet.

The provision of toilet facilities must be completed before any other work is commenced.

The installation of the site facilities shall be approved by the Principal Certifier prior to further commencement of site works and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

14. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited;
 - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifier for the work.

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

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: Statutory requirement)

15. A water meter as issued and installed by Upper Hunter Shire Water & Waste department must be connected to the town's reticulated water supply prior to any commencement.

The installation is to be confirmed by the Principal Certifier prior to further commencement of site works.

(Reason: To ensure an adequate supply of potable water is provided to the site)

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

(Reason: Prescribed – Statutory)

Conditions that must be complied with during demolition and building work:

17. Any person acting on this consent shall ensure that:-

- (a) building construction activities are only carried out during the following hours:
 - i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
 - ii. on a Saturday—8.00am to 5.00pm;
- (b) building construction activities must not be carried out on a Sunday or a public holiday;
- (c) demolition and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm;

unless prior written approval has been obtained from Council.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

18. Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from Council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(Reason: To ensure public safety and amenity on public land)

19. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred to the public)

20. The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development.

(Reason: To ensure the protection of existing public infrastructure)

21. Approval must be obtained from Upper Hunter Shire Council prior to the use of any cranes or other plant that has the potential to penetrate the Obstacle Limitation Surface map for Scone Airport.

(Reason: To ensure the safety of aviation operations)

22. Any person acting on this consent must ensure that:-
- (a) Demolition must be carried out in accordance with AS 2601–1991, *Demolition of structures*.
 - (b) Demolition materials must not be burnt or buried on the work site.
 - (c) A person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials have their loads covered and do not track soil or waste material onto the road.
 - (d) If demolition work obstruct or inconvenience pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to council to enclose the public place with a hoarding or fence.
 - (e) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site and must be maintained in a functional condition throughout the construction activities until the site is stabilised.
 - (f) The work site must be left free of waste and debris when work has been completed.

(Reason: To ensure that work is undertaken in a professional and responsible manner and to protect adjoining property and persons from potential damage)

23. In order to ensure compliance with approved plans, a Survey Certificate, prepared to Australian Height Datum, shall be prepared by a Registered Surveyor showing the following:
- (a) prior to placement of concrete at the ground floor level, showing the level of the form work and its relationship to boundaries including relevant footpath and roadway levels;
 - (b) prior to roofing, or completion of the highest point of the building showing the anticipated level of the completed work and its relationship to the boundary;

Progress certifications in response to points (a) through to (e) shall be provided to the Principal Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveals discrepancies between the approved plans and the proposed works.

(Reason: To ensure compliance with approved plans)

Conditions which must be complied with prior to the issue of any occupation certificate:

24. Prior to the issue of any Occupation Certificate the person acting upon this consent must apply to Upper Hunter Shire Council and receive written confirmation of the allocated street address(es) or house number(s) for the completed project and shall be permanently displayed at the property in accordance with the provisions of AS4819.

(Reason: To ensure that Council records are accurate, and that house numbering complies with the requirements of the Australian Standards. Proper house numbering also assists emergency services in readily locating properties.)

25. The premises shall be connected to the sewer system in accordance with the Australian Standard 3500. A works as executed plan on Department of Fair Trading Sewer Service Diagram is to be submitted to Council within seven (7) days following the final drainage inspection and prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with the Australian Standard & Local Authority requirements.)

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

Note: Any application for an Occupation Certificate is to be made online via the NSW Planning Portal.

(Reason: Prescribed - Statutory.)

27. Prior to the issue of an Occupation Certificate a works as executed plan drawn on Department of Fair Trading approved template detailing the layout and location of the sewer and stormwater pipe work is to be submitted to Upper Hunter Shire Council.

Note: The original copy of works as executed drawing must be submitted to Council.

(Reason: Prescribed – Statutory.)

28. All identified matters relating to bushfire protection shall be addressed and implemented prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with Planning for Bushfire Protection)

29. Prior to the issue of any Occupation Certificate a sealed driveway shall be constructed from the edge of bitumen to the property boundary in accordance with the profile on the approved plans.

The crossover and layback shall be constructed in accordance with Council's standard drawing number standard vehicle layback SVL-001.

Note: Approval under Section 138 of the Roads Act 1993 is required prior to the commencement of any works within the road reserve. All applications are to be made online via the NSW Planning Portal.

(Reason: To facilitate appropriate vehicular access to the site.)

30. Prior to the issue of any Occupation Certificate, the Principal Certifier shall be provided with a report by a suitably qualified acoustic consultant certifying that the dwelling has been constructed in accordance with the building construction requirements of the Aircraft Noise Intrusion Assessment.

(Reason: To ensure that occupants are not unreasonably affected by aircraft noise)

31. The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the Environmental Planning and Assessment Act 1979, and a Bush Fire Safety Authority, under section 100B of the Rural Fires Act 1997, are now issued subject to the following conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- a) At the commencement of building works or the issue of a subdivision certificate, whichever comes first, proposed lot 3 shall be managed as an Inner Protection Area (IPA) in

accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
 - trees at maturity should not touch or overhang the building;
 - lower limbs should be removed up to a height of 2m above the ground;
 - tree canopies should be separated by 2 to 5m;
 - preference should be given to smooth-barked and evergreen trees;
 - large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire
 - towards buildings;
 - shrubs should not be located under trees;
 - shrubs should not form more than 10% ground cover;
 - clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
 - grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
 - leaves and vegetation debris should be removed.
32. The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:
- New construction for proposed dwelling 1 must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 'Construction of buildings in bush fire-prone areas' or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of 'Planning for Bush Fire Protection 2019'.
33. Prior to the issuing of a construction or subdivision certificate, whichever comes first, a minimum 1.8 metre high radiant heat shield made of non-combustible materials shall be constructed along the western, eastern and southern external boundary's of proposed lot 3. All posts and rails shall be constructed of steel. The bottom of the fence is to be in direct contact with the finished ground level or plinth.

Conditions that must be complied with at all times:

34. At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks, shall be collected and disposed of by way of properly constructed stormwater lines to the kerb and gutter (piped). If concrete footpath exists; pipework is to be under bored to the existing kerb inlet.
- (Reason: To ensure the suitable disposal of stormwater generated by the development)
- Note: A separate approval under Section 68 of the Local Government Act 1993 is required for water supply, sewerage and stormwater drainage work.**
35. At all times, the mature height of any trees used in landscaping is not to intrude into the Obstacle Limitation Surface Map for the Scone Airport. Tree species that attract a significant amount of birdlife shall not be planted.
- (Reason: To ensure the safety of aviation operations)

36. At all times, structures (including rooftop aerials, antennas) must not intrude into the Obstacle Limitation Surface Map for the Scone Airport.

(Reason: To ensure the safety of aviation operations)

Conditions that must be complied with prior to the issue of any strata subdivision or subdivision certificate:

37. Notification of arrangements to connect services and utilities to each LOT shall be provided to the Certifying Authority with the Subdivision certificate:-

- (a) telecommunication services
- (b) electrical reticulation

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

(Reason: To ensure adequate servicing of the development.)

38. All easements, right-of-way, right-of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate are to be registered on the title of the relevant lots.

(Reason: To ensure proper management of land)

39. Prior to issuing any Subdivision Certificate for the subdivision, the person acting upon this consent must apply to Upper Hunter Shire Council and receive written confirmation of the allocated street names and addresses (house number) and unit numbers for the building and any approved allotments within the completed project. These are the street names and numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2003 – Geographic information – Rural and urban addressing.

To assist Council when applying for street name and number allocations, a draft proposal for street naming and numbering within development should be submitted for concurrence to Council at an early stage of construction, as these numbers will be used to maintain Council's property and mapping database, and the proposed street names must be formally agreed and adopted by Council.

(Reason: To ensure that Council records are accurate, and that building and unit numbering complies with the requirements of Council's House Numbering Policy. Proper building and unit numbering also assists emergency services in readily locating properties.)

DA 163/2022 – Recommended Conditions of Consent

Identification of approved plans:

- The development must be carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated 13 July 2022 except where amended by the conditions of consent.

JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
2202	100,102	2	Vibe Architects	01/11/2022
2202	101,103, 104-116	1	Vibe Architects	07/09/2022

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

- A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifier.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

Operational conditions imposed under the environmental planning and assessment act and regulations and other relevant legislation:

- All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

Ancillary matters to be completed prior to the issue of the construction certificate:

- Pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of **\$1,760.00** is required to be paid to Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

Documentary evidence shall be submitted to the Principal Certifier confirming that the contribution has been paid prior to determination of the application for Construction Certificate where applicable.

(Reason: To ensure that the proposed development makes an appropriate contribution to facilities in the Upper Hunter Local Government Area)

5. Prior to the issue of a Construction Certificate, a full set of construction plans demonstrating compliance with the National Construction Code Series shall be submitted to the Principal Certifier.

(Reason: Prescribed by legislation.)

6. Prior to the issue of any construction certificate for the development, approval pursuant to Section 68 of the Local Government Act 1993 shall be obtained from Council for all sewer, stormwater and water supply works.

Note: All applications are to be made online via the NSW Planning Portal.

(Reason: To ensure compliance with the provision of the Local Government Act 1993 and subordinate regulations)

Conditions that must be addressed prior to commencement:

7. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control, or a suitable and effective alternative method.

All required erosion and sedimentation techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

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

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

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

The installation is to be approved by the Principal Certifier prior to further commencement of site works.

(Reason: Statutory requirement)

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

(Reason: Prescribed – Statutory)

Conditions that must be complied with during demolition and building work:

10. Any person acting on this consent shall ensure that:-

- (a) building construction activities are only carried out during the following hours:
 - i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
 - ii. on a Saturday—8.00am to 5.00pm;
- (b) building construction activities must not be carried out on a Sunday or a public holiday;
- (c) demolition and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm;

unless prior written approval has been obtained from Council.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

11. Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from Council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(Reason: To ensure public safety and amenity on public land)

12. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred to the public)

13. The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development.

(Reason: To ensure the protection of existing public infrastructure)

14. During construction the following mitigation measure are to be implemented to minimise impact on the heritage values of the building:

Standard of Workmanship

All works to be undertaken in association with proposed works should be specified, supervised and carried out by people with knowledge, skills and experience appropriate to the work.

Archaeology

Should any substantial intact archaeological deposits whether artefacts, relics or occupation deposits be discovered or uncovered excavation and or disturbance of the site is to cease immediately and the consent authority and Heritage NSW are to be notified.

Additional archaeological assessment may be required prior to any work continuing in the affected areas based on the nature of the discovery.

Design Principals

- 1) Installation of walls – It is recommended that installation of walls be undertaken in a manner that involves minimal material affectation to the existing fabric, that is any anchor points should be limited to the mortar joints only or existing penetrations.
- 2) New Plumbing and Electricals – it is recommended that all new plumbing and electrical to be installed as part of the new ensuites be group neatly with new walls where possible to minimize penetration in significant fabric in existing floors.
- 3) Carpet – It is recommended that carpet be installed with tackles strips and thin nails around the perimeter of the room. Use of staples should be limited and the use of adhesive avoided to minimise impact on existing floors.

Salvaging of fabric

The modification of the building will involve material affectation to fabric and features which are of significance and importance to the building. Efforts shall be made to minimise impacts on the building as follows;

- 1) Works should adopt a cautious approach of the ICOMOS Burra Charter insofar as much necessary but as little as possible.
- 2) Utilising nib and partial remover over wholesale removal where appropriate
- 3) Salvaging of material such as bricks and original doors if recommended for potential reuse. Fabric should be stored on site in a safe and dry environment.

(Reason: To minimise potential adverse impact on the heritage values of the building)

Conditions which must be complied with prior to the issue of any occupation certificate:

15. The premises shall be connected to the sewer system in accordance with the Australian Standard 3500. A works as executed plan on Department of Fair Trading Sewer Service Diagram is to be submitted to Council within seven (7) days following the final drainage inspection and prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with the Australian Standard & Local Authority requirements.)

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

Note: Any application for an Occupation Certificate is to be made online via the NSW Planning Portal.

(Reason: Prescribed - Statutory.)

Conditions that must be complied with at all times:

17. At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks, shall be collected and disposed of by way of properly constructed stormwater lines to the existing stormwater drainage on site;

(Reason: To ensure the suitable disposal of stormwater generated by the development)

Note: A separate approval under Section 68 of the Local Government Act 1993 is required for water supply, sewerage and stormwater drainage work.

DA 151/2022 – Recommended Conditions of Consent

SCHEDULE A

In accordance with section 4.16(3) of the Act, the consent will not operate until the applicant has provided information to the satisfaction of the Council that the following conditions can be complied with. Upon receipt of written information from the applicant in relation to the conditions in this schedule the Council will advise in writing whether the information is satisfactory and, if so, will nominate the effective date for the commencement of the consent.

1. Prior to the commencement of the consent, the applicant must provide a plan prepared by a Registered Surveyor of the right of carriageway and its registration over Lot 71 DP 752476, Lot 60 DP 752453, and Lot 92 DP 752453 for the benefit of proposed Lot 110.

In accordance with Clause 95(3) of the regulation, a twenty four (24) month period is given from the date of the “deferred commencement” notice to lodge plans and evidence that satisfactorily address the required details. If not, then the “deferred commencement” will lapse and a new development application will be required.

SCHEDULE B

Identification of approved plans:

1. The development being carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated **5 May 2022** except where amended by the conditions of consent.

Job Reference No	Sheet No	Revision No	Drawn By	Date
Survey Plans- Proposed boundary adjustment Ref: 2021/186	1	Rev 1	RPA Surveying	14/09/2021
Bushfire Assessment Report	-	2	BEMC	14/05/2022

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

Conditions that must be complied with prior to the issue of any strata subdivision or subdivision certificate:

2. Prior to the issue of a Subdivision Certificate a Registered Surveyor shall provide certification that all services (e.g., electricity, telephone) as constructed are contained within each lot or within appropriate easements to accommodate such services. Alternatively, a letter from the relevant supply authorities stating the same may be submitted to satisfy this condition.

(Reason: To ensure access to services)

3. Prior to the issue of any Subdivision Certificate the person acting on this consent must submit a report/certificate from a Bushfire Planning and Design (BPAD) Accredited Practitioner or the consultant who prepared the Bushfire Assessment Report to confirm compliance with the General Terms of Approval.

(Reason: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.)

General terms of approval pursuant to section 91a of the environmental planning and assessment act 1979 (as amended):

4. Planning for Bushfire Protection

Access - Property Access

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

1. The Right of Carriageway to be established for proposed lot 110 must be a minimum of 6 metres in width.
2. A suitable mechanism, such as an instrument pursuant to section 88 of the Conveyancing Act, 1919 must be established over proposed lots 110 and 111 that requires the following:

Prior to a dwelling being constructed on the lot, a property access must be constructed within the dedicated Right of Carriageway that complies with the following:

- a. property access roads are two-wheel drive, all-weather roads;
- b. the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly, indicate load rating;
- c. minimum 4m carriageway width;
- d. in a forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay;
- e. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- f. curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- g. the minimum distance between inner and outer curves is 6m;
- h. the cross fall is not more than 10 degrees; and
- i. maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed.

In this regard, Council will be the authority empowered to release, vary or modify the instrument.

Water and Utility Services

Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

3. Any new, or modification to the existing electricity supply required in order to service the proposed subdivision, must comply with the following:
 - a. where practicable, electrical transmission lines are underground,
 - b. where overhead, electrical transmission lines are proposed as follows:
 - i. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas, and
 - ii. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.

4. Any new, or modification to the existing gas supply required in order to service the proposed subdivision, must comply with the following:
 - a. reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used,
 - b. all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side,
 - c. connections to and from gas cylinders are metal,
 - d. polymer-sheathed flexible gas supply lines are not used, and
 - e. above-ground gas service pipes are metal, including and up to any outlets.

Planning & Infrastructure Services

SCR.12.3

INFRASTRUCTURE SERVICES COMMITTEE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

RECOMMENDATION

That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday 13 December 2022.

BACKGROUND

The Infrastructure Services Committee provides policy and direction, along with an update on the planned program for roads, bridges, water and sewerage work, parks and buildings.

REPORT/PROPOSAL

The Infrastructure Services Committee considered reports on the following items:

ISC.12.1 WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER AND SEWER

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

- Merriwa Sewerage Treatment Plant (STP)
- Cassilis Sewerage Scheme
- 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)
- The Drought Emergency Response and Management Plan
- Village Reticulation – Parkville/Wingen/Blandford
- Scone Water Treatment Plant Stage 1 (Contract 35/2021)

Cassilis Sewerage Scheme

As per last month's Infrastructure report, Restart NSW was notified that the Cassilis Sewer system would not be proceeding due to insufficient funding. Council officers will continue to look for grant funding to implement the original sewerage scheme

ISC.12.2 WORKS PROGRAM - INFRASTRUCTURE SERVICES – WORKS DELIVERY

The KPIs were reported to the Committee, with seven (7) of the eighteen (18) KPIs being off track for the reportable year.

ISC.12.3 STRATEGIC AND CAPITAL WORKS UPDATE

Strategic and Capital Works Delivery Update was reported.

There are thirty four (34) major projects in progress that have been reported on. Seventeen (17) of these projects require budget or scheduling intervention.

Planning & Infrastructure Services

ISC.12.4 **MR358 WILLOW TREE ROAD UPGRADE**

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

Key activities next month:

- Locate suitable spoil areas for excess material removed from site
- Lobbying of Federal members of parliament requesting the early release of committed funding.
- Project Proposal Report to be submitted to the Federal Government via Transport for NSW.
(This report will include a request to release funding earlier than 2025.)
- Tender documentation for construction works to be released to the four pre-registered contractors.
- Tenders to close on Thursday 23 February 2023, to be assessed and awarded at the ordinary meeting of Council on 27 March 2023

ISC.12.5 **BILL ROSE SPORTS COMPLEX USER GROUP COMMITTEE**

The Bill Rose Sports Complex User Group is an advisory committee reporting to the Infrastructure Services Committee. The committee was established to discuss matters to assist in the formation of an appropriate plan for future development and the management of maintenance for Bill Rose Sports Complex. The Committee met on 29 November 2022, due to a quorum not being met, this meeting was held in an informal capacity and a record of proceedings were noted by the Infrastructure Services Committee at its meeting on 13 December 2022.

ISC.12.6 **RESPONSES TO PREVIOUS QUESTIONS**

At each Infrastructure 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.

ISC.12.7 **QUESTIONS WITH NOTICE**

Councillors are given an opportunity to provide questions that have not been included on the agenda to be answered prior to the agenda being sent out. Staff are given time to answer these requests and provide a response in a separate report to the Infrastructure Services Committee.

The following question with notice was received:

Cr Clout

When both flood fix up jobs and maintenance grading is being carried out by Council, is drainage work being prioritised? Furthermore, has there been an effort to check that the drainage is being adequately put in place?

Response: Council staff are currently undertaking repairs to road formation and are undertaking drainage work where practical subject to plant availability and road conditions. In some cases it is difficult to clean drains when they are saturated. In these instances the formation will be repaired utilising graders and the drainage work will be programmed when conditions allow.

Planning & Infrastructure Services

Council has received positive feedback from residents in response to recent works carried out on Stewarts Brook Road where maintenance grading and drainage work were carried out. As a result, Council will now be implementing the same practices using an excavator to maintain roadside drains.

ATTACHMENTS

- 1 [↓](#) Infrastructure Services Committee - 13 December 2022 - Minutes

ISC.12.3**STRATEGIC AND CAPITAL WORKS UPDATE****RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services**AUTHOR:** Sam Wooden - Manager Works Delivery**RESOLVED****That the Committee receive the report and note the information.**

Moved: Cr T Clout

Seconded: Cr M Collison

CARRIED UNANIMOUSLY

Councillor Questions:

Cr Campbell enquired if there has been a recent funding announcement for Merriwa Race Facility?

Response: Taken on Notice.

Cr Campbell enquired what is the total expenditure to date of the Cassilis Sewer Scheme project.

*Response: General Manager advised that the report provided in the meeting only has the YTD actuals. At it's meeting on 29 November 2022 Council resolved to not proceed with the implementation of a sewerage scheme for Cassilis at this time and 'Abandon' the Deed for RNSW819 – Cassilis Sewerage Upgrade. The total cost to date is \$545,958.66.***ISC.12.4****MR358 WILLOW TREE ROAD UPGRADE****RESPONSIBLE OFFICER:** Wayne Phelps - Acting Director Corporate Services**AUTHOR:** Jeff Bush - Manager Strategic Assets**RESOLVED****That the Committee receive the report and note the information.**

Moved: Cr T Clout

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

ISC.12.5**BILL ROSE SPORTS COMPLEX USER GROUP COMMITTEE****RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services**AUTHOR:** Sam Wooden - Manager Works Delivery**RESOLVED****That the Committee note the Record of Proceedings of the Bill Rose Sports Complex User Group Meeting held on 29 November 2022.**

Moved: Cr A McPhee

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

ISC.12.6

RESPONSE TO PREVIOUS QUESTIONS

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Karen Boland - Governance & Executive Support Officer

RESOLVED

That the committee note the responses to previous questions.

Moved: Cr T Clout

Seconded: Cr M Collison

CARRIED UNANIMOUSLY

ISC.12.7

QUESTIONS WITH NOTICE

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Leah Moore - Infrastructure Support Officer

RESOLVED

That the committee note the question with notice.

Moved: Cr T Clout

Seconded: Cr M Collison

CARRIED UNANIMOUSLY

The meeting was declared closed at 1.10pm

Planning & Infrastructure Services

COMMITTEE/DELEGATES REPORTS

C.12.1 *COMMUNITY ADVISORY COMMITTEE - SCONE DISTRICT*

RESPONSIBLE OFFICER: Wayne Phelps - Manager Finance

AUTHOR: Amanda Catzikiris - Community Services Officer

RECOMMENDATION

That Council

1. adopt the minutes of the Scone District Community Advisory Committee meeting held on 19 October 2022;
2. accept the nominations received from Des Collison, Margaret Cooper, Charlotte Boss and Patricia Taylor for membership on the Australia Day Subcommittee – Scone and Aberdeen District;
3. accept the nominations received from Caroline Carter, Lynda Posa, Lynne Ring, Leanda Nutt and Ian Judd for membership on the Scone Tidy Towns Subcommittee.

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 will meet every 3 months in Murrurundi, Scone, Aberdeen and Merriwa.

REPORT/PROPOSAL

The Expression of Interest for membership of the Australia Day Subcommittee - Scone and Aberdeen District and the Scone Tidy Towns Committee has closed. These subcommittees have an important role in planning community activities in the local area.

Committee discussion included updating the Scone map to include access features at all facilities, distributing information about the CRM process to the outlying villages and safety concerns about the low lying water over the cycle-way at Parson's Gully.

ATTACHMENTS

- 1 [↓](#) Community Advisory Committee - Scone District - 19 October 2022 - Minutes

**MINUTES OF THE SCONE DISTRICT COMMUNITY ADVISORY
COMMITTEE MEETING - WEDNESDAY 19 OCTOBER 2022 -**



PRESENT: Cr Lee Watts (Chairperson), Cr James Burns, Jillian Reid, Lynda Posa, Patricia Taylor, Virginia Timmins and Matt Clarke.

IN ATTENDANCE: Kristian Enevoldson (Director Corporate & Community Services), Amanda Catzikiris (Acting Manager Community Services).

1. ACKNOWLEDGMENT OF COUNTRY

2. APOLOGIES

RESOLVED

That the apologies received from Christine Robinson be accepted.

Moved: Cr James Burns

Seconded: Patricia Taylor

3. DISCLOSURE OF INTEREST
Standing disclosure was noted.

4. PUBLIC PARTICIPATION
Nil

5. PREVIOUS MINUTES

RESOLVED

That the minutes of the Scone District Community Advisory Committee Meeting held on 21 July 2022, as circulated, be taken as read and confirmed as a correct record.

Moved: Patricia Taylor

Seconded: Virginia Timmons

6. BUSINESS ARISING FROM PREVIOUS MINUTES
Nil

7. AGENDA ITEMS

SCAC1.10.1 Action Sheet - Update

PURPOSE

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

Actions were noted.

RECOMMENDATION

That the Committee note the issue and response listed in the Action Sheet.

Moved: Patricia Taylor

Seconded: Virginia Timmons

ACTION FOR COMMITTEE: Nil

This is Page 1 of 4 of Minutes of the **Community Advisory Committee – Scone** meeting of the Upper Hunter Shire Council held on 19 October 2022.

SCAC1.10.2 Capital Works Projects - Scone

PURPOSE

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

The committee discussed concerns regarding;

- condition of road from Moonan Flat to Glenrock
- weed control on the side of local roads in the area
- pot holes and routine upgrade work

Community members are encouraged to complete CRMs regarding actions for Council. This can be done via the Council website or completion of paper forms at any administration office.

Committee discussed making these forms available in the outlying areas where internet access is not available.

RECOMMENDATION

For notation only.

Moved: Patricia Taylor

Seconded: Virginia Timmons

ACTION FOR COMMITTEE:

Deliver CRM forms to the Moonan Flat Post office and Ellerston for local residents who have limited internet access – Amanda Catzikiris

SCAC1.10.3 Membership for the Australia Day Sub-Committee - Scone and Aberdeen District

PURPOSE

Review and accept the nominations for membership for the Australia Day Subcommittee – Scone and Aberdeen District.

Membership was sought through an EOI process promoted through Council. Cr Lee Watts will be the Councillor representative from the CAC - Scone.

RECOMMENDATION

That Council accept the nomination from Des Collison, Margaret Cooper, Charlotte Boss and Patricia Taylor for membership on the Australia Day Subcommittee – Scone and Aberdeen District.

Moved: Cr James Burns

Seconded: Matt Clarke

ACTION FOR COMMITTEE: Nil

SCAC1.10.4 Membership for the Scone Tidy Towns Sub-Committee

PURPOSE

Review and accept the nominations for membership for the Scone Tidy Towns Sub-committee.

Membership was sought through an EOI process promoted through Council.

This is Page 2 of 4 of Minutes of the **Community Advisory Committee – Scone** meeting of the Upper Hunter Shire Council held on 19 October 2022.

RECOMMENDATION

That Council accept the nomination from Caroline Carter, Lynda Posa, Lynne Ring, Leanda Nutt and Ian Judd for membership on the Scone Tidy Towns Sub-committee.

Moved: Virginnia Timmons

Seconded: Cr James Burns

ACTION FOR COMMITTEE: Nil

SCAC1.10.5 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 Scone District Community Advisory Committee (CAC).

- I. Cr Lee Watts requested an update on the number of visitors at the Warbirds Museum, to consider any trends in attendance. Details were provided, with further discussion regarding promoting the site as a school excursion destination and the possibility of incorporating an interactive exhibition.
- II. Cr Lee Watts asked if we can update and revise the Scone Town map to include features such as access to water for RV users and accessible toilets. The Communications Team advised that this can be part of the new Council website with a dedicated map for inclusive amenities. Further discussion about the RV park indicated that park users must be self-sufficient and there is no water available on-site.
- III. Cr Lee Watts discussed the access issues at the toilets at Elizabeth Park. The new facility at 113 Kelly St is accessible but the pram ramp at the rear access is quite steep for a person in a wheelchair.

RECOMMENDATION

That the Committee review the items listed in the report.

Moved: Virginia Timmons

Seconded: Cr James Burns

ACTION FOR COMMITTEE: Nil

8. ACTION SHEET

- Deliver CRM forms to the Moonan Flat Post office and Ellerston for local residents who have limited internet access – Amanda Catzikiris
- Request residents to submit photos to show the water damage, to enable Council to build a campaign to advocate to State Government to realign the footpath to fix the drainage.

9. CORRESPONDENCE

Nil

10. GENERAL BUSINESS

- Wingen water tanks – Patricia Taylor advised there is a natural water course and, as a result of this, there will be excess water. There is evidence of water flowing through sheds. Request that Council staff visit the site.
- Water over the cycle-way at Parson's Gully – Matt Clarke noted that people should be discouraged from using the cycle-way when there is water flowing. It can be slippery and dangerous. There was further discussion about long term management of this issue.

This is Page 3 of 4 of Minutes of the **Community Advisory Committee – Scone** meeting of the Upper Hunter Shire Council held on 19 October 2022.

ACTION

Request residents to submit photos to show the water damage, to enable Council to build a campaign to advocate to State Government to realign the footpath to fix the drainage.

Moved: Matt Clarke

Seconded: Cr James Burns

- Dog park / off leash area – the committee discussed suitable locations and requested more information. Information was provided that it would sit in the Bill Rose Sports Complex masterplan until a more suitable location could be identified. This project will likely require funding.
- Bulky goods pick-up – the committee discussed what plans Council has to deal with the excess rubbish that is left at the front of properties following the pick-up. Information was provided about the waste that would be picked up and other options for dealing with scrap metal, mattresses electronics. This information is available on the Council website.
- Scone Tidy Towns Committee – Lynda Posa advised that Scone has been nominated for the Keep Australia Beautiful Awards and judging occurred last month. Award announcements will be made at the ceremony in Singleton in March 2023. A Garden Ramble will be held 20 October with a small entry fee. All proceeds will go to the Community Garden project.

11. NEXT MEETING – February 2023

The meeting was declared closed at 6.35pm.

Planning & Infrastructure Services

C.12.2 COMMUNITY ADVISORY COMMITTEE - MERRIWA DISTRICT

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

AUTHOR: Tash Taaffe - Community Services Officer

RECOMMENDATION

That Council:

1. adopt the minutes of the Merriwa District Community Advisory Committee meeting held on 21 November 2022;
2. support the position of Council's Communication team not to share UHSC Facebook posts pertaining to Merriwa and Cassilis to social media community noticeboards – Merriwa Connect and Cassilis Community pages;
3. extend the EOI for sub-subcommittees of the Merriwa CAC until 31 January 2023.
4. accept nominations received from Bryan Baker, Shirley Hunt, Deirdre Peebles, Margaret Wright, Julia Hardy, Dale Wesley, Kay Burgess and Jan Cronin to the Australia Day Subcommittee – Merriwa District;
5. adopt establishment of the Merriwa community nursery at Lots 236 and 237, Hacketts Road, Merriwa and proceed to consultation with relevant user groups.

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 3 months in Murrurundi, Scone, Aberdeen and Merriwa.

REPORT/PROPOSAL

The Merriwa Community Advisory Committee met on 21 November 2022 to discuss capital works, the Cassilis Sewerage Scheme, Merriwa community nursery, sub-committee nominations, improving communications and the Merriwa Reserve Fund.

The Committee would like to be kept informed and be given an opportunity to provide feedback as required regarding the Merriwa solar projects, transmission lines, microgrid and CBD garbage collection services.

At its meeting, the Committee recommended that Council share UHSC Facebook posts pertaining to Merriwa and Cassilis to social media community noticeboards – Merriwa Connect and Cassilis Community pages. This recommendation is not supported by Council's Communication team for the following reasons:

- Keeping things on Council's page *only* creates an expectation for the community that they need to follow us for Council related news. If we are inconsistent, people will expect information in areas we cannot always guarantee. It is pivotal that Council channels are seen as the source of truth.
- As we do not administer community pages, sharing content adds a layer of risk as we cannot ensure the community comments align with our social media policy and social media guidelines. There is the risk that comments could be deleted and/or modified or that conversation can become off-topic, vexatious, etc. If these things occur on Council's page, we can censor comments that do not align to our policy and guidelines.



Planning & Infrastructure Services

- Council does not have the resources in place to monitor pages outside of our own.
- All of our posts are sharable, and community members are more than capable to share our content on Community pages, which they currently do.

ATTACHMENTS

- 1 [↓](#) Community Advisory Committee - Merriwa District - 21 November 2022 - Minutes

**MINUTES OF THE COMMUNITY ADVISORY COMMITTEE -
MERRIWA MEETING - MONDAY 21 NOVEMBER 2022**



PRESENT: Cr Tayah Clout (Chair), Cr Ron Campbell, Carlita McConnell, Jane Hegarty (via Zoom), Ben Sullivan (via Zoom), Neil Hunt, Patrick Ryan, Sarah Thompson and Robert Tindall.

IN ATTENDANCE: Greg McDonald (General Manager), Mathew Pringle (Director Planning & Infrastructure) and Tash Taaffe (minutes)

Community – Paul Melehan – Upper Hunter Landcare

1. **APOLOGIES** - There were no apologies.

2. **DISCLOSURE OF INTEREST** - nil

3. **PREVIOUS MINUTES**

RECOMMENDATION

That the minutes of the Community Advisory Committee - Merriwa Meeting held on 15 August 2022, as circulated, be taken as read and confirmed as a correct record.

Moved: R Tindall

Seconded: S Thompson

CARRIED

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

5. **AGENDA ITEMS**

CAC-M.11.1 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 Merriwa District Community Advisory Committee (CAC).

Subcommittees:

R. Tindall summarised the Merriwa Showground Users meeting held on 14 November. Three user groups were represented. The committee is preparing a grant application to the Crown Reserves Fund in March 2023, more details to follow at the next MCAC meeting.

P. Ryan said the Merriwa Racecourse Users group are considering a grant application of \$150k to the same fund for an upgrade to the food service area. The group will also approach the Flagg's Road Solar project proponents for a contribution towards this project.

P. Ryan requested an extension of the EOI to end of January 2023 to attract more users to join the Merriwa Oval User Group sub-committee. R. Tindall requested same for the Merriwa Tourism sub-committee.

Communication:

S Thompson requested UHSC Facebook posts pertaining to Merriwa and Cassilis be shared to Merriwa Connect and Cassilis Community Page. Staff to liaise with the Communications team.

Merriwa Reserve Fund:

P. Ryan sought clarification on the process for accessing the Merriwa Reserve Fund. The General Manager said community groups could make a submission to Council or the MCAC requesting funds for a particular project. J. Hegarty said the initial set up of the Fund was \$450k from the sale of infrastructure in the old Merriwa Shire. The General Manager said \$120k has already been spent on the footpath in the main street, \$6k was used by Merriwa Progress Association for a report on the proposed Merriwa wool processing plant. C. McConnell for more details from Council outlining the funds expended from its creation until 2013 (start date in the report submitted to the MCAC). C. McConnell would like to see some funds used on the Merriwa footpath. The General Manager said Council was reluctant to do this as could set a precedent for residents in other parts of the Shire.

RECOMMENDATION

That Council:

- (i) UHSC Facebook posts pertaining to Merriwa and Cassilis are shared to the social media community noticeboards – Merriwa Connect and Cassilis Community Page.
- (ii) Extend EOI for sub-committees of the Merriwa CAC until 31 January 2023.

Moved: S Thompson Seconded: Cr R Campbell CARRIED

ACTION FOR COMMITTEE: *Encourage new members to join the MCAC subcommittees.*

CAC-M.11.2 Capital Works Projects

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.

RECOMMENDATION

For notation only

Moved: P Ryan Seconded S Thompson

ACTION FOR COMMITTEE: Nil

CAC-M.11.3 Membership for the Australia Day Sub-Committee - Merriwa District

PURPOSE

Review and accept the nominations for membership for the Australia Day Subcommittee – Merriwa District.

RECOMMENDATION

That Council accept the nomination from Bryan Baker, Shirley Hunt, Deirdre Peebles, Margaret Wright, Julia Hardy, Dale Wesley, Kay Burgess and Jan Cronin for membership to the Australia Day Subcommittee – Merriwa District.

Moved: Cr R Campbell Seconded: Cr T Clout

ACTION FOR COMMITTEE: Nil

CAC-M.11.4 Items Raised by the Community - Merriwa Community Nursery

PURPOSE

The purpose of this report is to consider a request from Merriwa Landcare for the establishment of a community nursery at Lots 236 and 237 DP 750942, Hacketts Road, Merriwa. The community nursery will be used to support the 'Greenthumbs' partnership project which is affiliated with Merriwa Landcare with assistance provided by Council, Upper Hunter Landcare, Department of Primary Industries and Hunter Local Land Services.

P. Ryan said this proposal would ideally be presented to the Merriwa Sports Oval User group. S. Thompson suggested that as this group has not yet been established, a letter be forwarded to the current user groups of the ovals requesting their feedback.

RECOMMENDATION

That the Committee consider the proposal for a community nursery at Lots 236 and 237 DP 750942, Hacketts Road, Merriwa and provide comments.

Move to adopt 11.4 and for Council to proceed with consultation with relevant user groups.

Moved: P. Ryan Seconded S Thompson

ACTION FOR COMMITTEE: Consult with relevant user groups.

CAC-M.11.5 Cassilis Sewerage Scheme Update

PURPOSE

The purpose of the report is to provide an update on the proposed Cassilis Sewerage System.

The Director Planning & Infrastructure Services summarised report outlining the costs which are prohibitive without additional funding. The General Manager said Council will continue to lobby for grant funding. J. Hegarty advised some residents have already invested in sewerage upgrades. N. Hunt asked if Council had investigated other alternative effluent management systems. P. Ryan asked if the grant was going to be given back or could be repurposed. The General Manager advised the grant funding was not able to be redirected and would need to be returned.

RECOMMENDATION

That the Committee receive the report and note the information.

Moved: S Thompson Seconded: J Hegarty

ACTION FOR COMMITTEE:

- (i) The Director Planning & Infrastructure Services to investigate if the system could be upgraded to reduce the risk and improve efficiency. The Director Planning & Infrastructure Services to retrieve report of other effluent management systems used in the Shire.
- (ii) The Director Planning & Infrastructure Services to report back with possible options available to Council for the sewerage land purchased.

CAC-M.11.6 Late Agenda Item:
Australia Day Merriwa District Committee

PURPOSE

The purpose of the report is to provide an update on the preparations for the 2023 Australia Day event to be held in Merriwa.

S Thompson noted committees request for an additional committee member.

RECOMMENDATION

That the Committee receive the report and note the information.

Moved: Cr R Campbell Seconded: Cr T Clout

ACTION FOR COMMITTEE:

T. Taaffe to forward a Committee Nomination form to the Committee.

6. ACTION SHEET – actions to be added to CAC Action Sheet – T. Taaffe

7. CORRESPONDENCE

7.1 *INCOMING Merriwa Progress Association – S.Gowlland –invitation to attend public forum in Merriwa on Saturday 5 November 2022.*

7.2 *OUTGOING 26.10.22 Merriwa Progress Association invitation emailed to Committee.*

8. GENERAL BUSINESS

8.1 **Merriwa Microgrid** - newsletter circulated and Committee invited to attend workshops being held at the end of November.

8.2 **Merriwa Progress Association Forum** – Cr R Campbell, J. Hegarty, and R. Tindall attended public forum held on 5 November. Approximately forty people attended. R Tindall advised the group are still collating responses.

8.3 **Transmission Lines** – J. Hegarty asked if EnergyCo had sought Council feedback with regard to social impacts The Director Planning & Infrastructure said Council has provided some feedback.

8.4 **Weeds** – S Thompson said St Johns' Wort weed issues have escalated across the district due to wet weather. The General Manager advised Council take direction from the Weeds Authority. S Thompson asked if Council could address small pockets of St John's Wort along highway roadsides and to avoid slashing until sprayed.

ACTION: Staff to check who is responsible for spraying of Wort alongside roadsides

8.5 **Untidy Dwellings** – S Thompson concerned about state of a property in Cassilis. The General Manager said Council can issue a Clean Up Order for overgrown vegetation, public health or safety concerns. The Director Planning & Infrastructure said put in a CRM identifying the property and request it remain anonymous.

8.5 **Merriwa Solar Projects** – The General Manager said the projects are state significant and unlikely to involve Council. There will be opportunities for comment. J Hegarty said lack of accommodation and limited medical services to service the workforce are a concern. P Ryan said the projects require better roads than currently available. B Sullivan said as a police officer, patrol cars have to slow down eg. on Ulan Road as the potholes are hazardous. The General Manager said the MCAC can collate peoples thoughts on the projects and provide a report through the committee. P Ryan would like to see a community fund as part of this project.

J Hegarty said heavy loads will increase through the main street of Merriwa, are there alternative routes for wide loads. The General Manager said this is a low priority, Transport NSW will utilise existing roads not a bypass. J Hegarty asked Council to lobby for overtaking lanes on Golden Highway.

ACTION: The Director Planning & Infrastructure to advise MCAC if the comment period for these projects falls outside of meeting dates and arrange a separate meeting.

8.6 CBD Garbage collection – C McConnell reported the garbage collection services for businesses in the CBD is not working. The Director Planning & Infrastructure is sending out a letter to all businesses for additional services at a cost to the business this week. It will be up to businesses whether they buy additional bins or request additional pickups.

9. NEXT MEETING – Tuesday 21 February 2023 at 6pm

The meeting was declared closed at 7.59pm

Infrastructure Services

C.12.3

SCONE TOWN REVITALISATION COMMITTEE

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

AUTHOR: Chloe Leake - Strategic Projects Support Officer

RECOMMENDATION

That Council

1. adopt the minutes of the Scone Town Revitalisation Committee meeting held on 22 November 2022;
2. support the four shortlisted artists to submit a detailed concept design for Public Art at 133 Kelly Street, Scone; and
3. confirm the final artist selection will be made by Council through the recommendation of the Scone Town Revitalisation Committee (not via public consultation process).

BACKGROUND

The Scone Town Revitalisation Committee was established to discuss matters and provide recommendations on the Scone CBD Revitalisation project.

REPORT/PROPOSAL

A meeting of the Scone Town Revitalisation Committee was held on 22 November 2022. A copy of the minutes is attached.

The Scone Town Revitalisation Committee reviewed the submissions and make a recommendation to Council to support the four shortlisted artists to submit a detailed concept proposal for public art at 133 Kelly Street, Scone. Once the final detailed concept is received, it is recommended to Council the final artist selected will be made by Council through the recommendation of the Scone Town Revitalisation Committee, not via public consultation process.

The final four shortlisted EOI applications for Public Art are provided under separate cover in Attachment 2.

ATTACHMENTS

- | | | |
|---|--|----------|
| 1 | Town Revitalisation Committee - Scone - 22 November 2022 - Minutes | |
| 2 | Confidential - Public Art EOIs - Recommended Shortlist | Excluded |

MINUTES OF THE TOWN REVITALISATION COMMITTEE - SCONE MEETING - TUESDAY 22 NOVEMBER 2022 - 6PM



PRESENT: Cr Elizabeth Flaherty (Chair), Ms Patricia Taylor, Ms Prue Robertson, Ms Virginia Timmins

IN ATTENDANCE: Grahame Wilson (Manager Strategic Projects), Chloe Leake (Strategic Projects Support Officer), John O'Brien (Arts Upper Hunter)

1. WELCOME

2. APOLOGIES

Two apologies received and noted for Cr James Burns and Ms Lynda Posa.

3. DISCLOSURE OF INTEREST

Standing disclosure noted for Ms Prue Robertson.

4. PREVIOUS MINUTES

RECOMMENDATION TO COUNCIL :

That the minutes of the Town Revitalisation Committee - Scone Meeting held on 13 September 2022, as circulated, be taken as read and confirmed as a correct record.

Moved: V Timmins

Seconded: P Robertson

CARRIED UNANIMOUSLY

5. ACTION SHEET

ACTION	RESPONSIBILITY	STATUS
Review of Tree Selection and Council's Tree Policy	Ms L Posa and Ms P Robertson	Outstanding action. Ms Posa and Ms Robertson to provide comments. Strategic Projects Support Officer to print hardcopy and deliver to Ms Prue Robertson. Ms Prue Robertson and Ms Lynda Posa to review and provide feedback by end of next week
Research on lighter coloured road surfaces	Ms V Timmins	Reflective surfaces email received from Ms Timmins 14 September 2022. Manager Strategic Projects noted research provided does not give any information on how to make the road lighter, the focus is on energy and heat. It was noted unable to make work but thanked Ms Timmins for providing research. Action complete
Update on status of Horse Capital Australia application	Director Corporate & Community Services	Notification received 24 October that the ACCC has initially approved the application for the Horse Capital of Australia Trade mark. We expect that the certification mark will become registered in the near future. Action complete
Contact Committee members to create dot point brief for shortlisted artists for Public Art at 133 Kelly Street	Cr Elizabeth Flaherty	New action added

This is Page 1 of 3 of Minutes of the **Scone Town Revitalisation** Committee meeting of the Upper Hunter Shire Council held on 22 November 2022.

Notify successful and unsuccessful artists	Strategic Projects Support Officer	New action added
Print Mara Landscape Plans and Tree Policy and deliver to Ms P Robertson	Strategic Projects Support Officer	New action added

6. AGENDA ITEMS

6.1 PROJECT STATUS

Manager Strategic Projects advised the CBD tender has closed. Currently have insufficient funds to award however, negotiations underway with tenderer to award. Manager Strategic Projects continuing to work on process of securing \$8M Federal grant funding. Ms Robertson questioned what the approach is moving forward with Manager Strategic Projects advising the approach is to award portion of the works however, that has challenges with traffic light alignment, also looking to not touch the medians in the short term which will affect parking. Currently looking at budget and scope. Ms Robertson queried if the community could be asked to donate a tree or seat. Manager Strategic Projects advised looking at not doing centre medians, saving approx. \$1.6M. Not moving medians will result in one lane of traffic that will be wide however, not wide enough for reverse parking. 6 parking spaces will be lost. Road levels will be correct so medians and parking can be carried out at a later date when funding becomes available.

6.2 PUBLIC ART – 133 KELLY ST EOI

John O'Brien joined the meeting via Zoom.

Manager Strategic Projects welcomed John O'Brien, Arts Upper Hunter into the meeting and gave an introduction. A rubric was presented to the Committee which was created by John as a tool to assess EOI applications to shortlist 3 (Note: This tool was not used).

Refer to confidential attachment for EOI applications and shortlist.

John O'Brien declared a conflict of interest with one of the applicants prior to assessment of applications.

The Committee reviewed and assessed each EOI submission. After discussions, it was requested to shortlist 4 artists instead of 3. Manager Strategic Projects concurred to shortlist 4 artists. Each Committee member voted for their top 3. The 4 artists to be shortlisted as voted by the Committee are provided in the confidential attachment.

Cr Flaherty raised concerns around the brief and the lack of emphasis on the old Niagara Café mural and the space as a whole. It was agreed that Cr Flaherty is to contact each Committee member to create a dot point detailed brief and will forward to Manager Strategic Projects and Strategic Projects Support Officer. This brief to be passed on to the shortlisted artists to consider for their detailed concept. Strategic Projects Support Officer will notify unsuccessful artists and request permission for their EOI submission to be kept on file at Arts Upper Hunter for any future mural projects, at the request of John O'Brien. The Committee was happy to support John's request. Successful artist will be notified and advised detailed brief to be provided in a couple of week for artists to create their concept design.

RECOMMENDATION TO COUNCIL :

That the Council support the Committee's recommendation to shortlist the four applicants provided in the confidential report to submit a detailed concept for public art at 133 Kelly Street, Scone

Moved: Cr E Flaherty

Seconded: P Taylor

CARRIED UNANIMOUSLY

John O'Brien left the meeting.

This is Page 2 of 3 of Minutes of the **Scone Town Revitalisation** Committee meeting of the Upper Hunter Shire Council held on 22 November 2022.

7. GENERAL BUSINESS

Equine Walk of Fame horse plaque for Winx was presented to the Committee. Cr Flaherty raised concerns walking over plaque with heels (tripping hazard) and if it was slippery. Manager Strategic Projects advised the plaque was ordered to assess and test if suitable for footpath. Cr Flaherty asked if the horses chosen are bred in the Upper Hunter or have a connection. Manager Strategic Projects confirmed yes, noting the list was collated by experts.

The meeting was declared closed at 7:36pm.

This is Page 3 of 3 of Minutes of the **Scone Town Revitalisation** Committee meeting of the Upper Hunter Shire Council held on 22 November 2022.

General Manager's Unit

C.12.4 COMMITTEE MEMBERSHIP

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

PURPOSE

The purpose of this report is to appoint newly elected Councillor Belinda McKenzie to Council Committees.

RECOMMENDATION

That Council appoint newly elected Councillor Belinda McKenzie to the following committees which have vacancies following the resignation of former Councillor Sue Abbott:

- Corporate Services Standing Committee
- Murrurundi District Community Advisory Committee
- Audit, Risk & Improvement Committee

BACKGROUND

Former Councillor Sue Abbott tendered her resignation in November 2022, leaving vacancies on three committees; Corporate Services Committee, Murrurundi District Community Advisory Committee and Audit, Risk & Improvement Committee.

REPORT/PROPOSAL

Following the resignation of former Councillor Sue Abbott, a countback of votes cast at the 2021 Local Government Elections was conducted which resulted in Belinda McKenzie being elected to Council.

Vacancies on the Corporate Services Standing Committee, Murrurundi District Community Advisory Committee and Audit, Risk & Improvement Committee are required to be filled.

The present committee representation is detailed in table 1 and shows the vacancies resulting from former Cr Abbott's resignation.

Committee	Membership
Corporate Services (<i>One vacancy</i>)	Crs Abbott, Burns, Flaherty and Williamson
Environmental & Community Services	Crs Campbell, Flaherty, McPhee and Watts
Infrastructure Services	Crs Campbell, Collison, Clout and McPhee
Community Advisory Committee – Scone District	Crs Burns, Flaherty & Watts
Community Advisory Committee – Aberdeen District	Crs McPhee & Williamson
Community Advisory Committee – Merriwa District	Crs Campbell & Clout
Community Advisory Committee – Murrurundi District (<i>One vacancy</i>)	Crs Abbott, Burns & Flaherty
General Manager's Performance Review Committee	As required
Upper Hunter Shire Traffic Committee	Cr Collison Cr Campbell (alt)
Merriwa Aged Hostel Committee	Cr Campbell

General Manager's Unit

Bill Rose Management Committee	Crs Burns & McPhee
Floodplain Management Committee	Crs Clout, McPhee & Williamson
Scone Airport Management Committee	Crs Collison & Williamson
Scone & Upper Hunter Regional Saleyards Committee	Crs Collison, McPhee & Williamson
White Park Management & Development Committee	Cr Clout, McPhee & Watts
Upper Hunter & Kia-Ora Youth Music Committee	General Manager to delegate
Merriwa Showground Management Committee	Cr Campbell
Scone Town Revitalisation Committee	Crs Burns & Flaherty
Audit Risk & Improvement Committee (<i>One vacancy</i>)	Crs Abbott & McPhee. Cr Williamson (alt)

Table 1 – Council committee representatives

OPTIONS

1. Cr McKenzie can fill the vacancies from Cr Abbott's appointments to the Corporate Services, Murrurundi Community Advisory and Audit, Risk & Improvement committees (recommended);
2. Council could declare all committee positions vacant and reappoint all Councillors to the committees.

CONSULTATION

- General Manager
- Councillors

STRATEGIC LINKS

a. Community Strategic Plan 2032

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

Responsible Governance

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

- 5.1 Effectively and efficiently management the business of Council, while encouraging an open and participatory Council with an emphasis on transparency, community engagement, action and response.
- 5.5 Community is effectively engaged, can provide opinion and contribute to decisions that plan for the present and future of the Upper Hunter Shire.

b. Delivery Program

- Leadership that reviews Council operations and Council wide continuous service improvement

c. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Nil

General Manager's Unit

b. Financial Implications

Nil

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Sustainability Implications

Nil

f. Other Implications

Nil

CONCLUSION

Vacancies on Council Committees created by former Councillor Sue Abbott's resignation are required to be filled to allow the Committees to perform their functions.

ATTACHMENTS

There are no enclosures for this report

Corporate & Community Services

GENERAL ADMINISTRATION REPORTS

G.12.1 ***CODE OF CONDUCT COMPLAINTS STATISTICS REPORT
2022***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Ian Roberts - Acting Manager Governance & Risk

PURPOSE

Council is required to submit an annual statistical report to the Office of Local Government in regard to Code of Conduct Complaints for the 12 months ending 31 August each year.

RECOMMENDATION

That Council note the Code of Conduct Complaint Statistics Report 2022

BACKGROUND

Under the Model Code of Conduct Framework, the Complaints Coordinator must report on a range of complaints statistics to the Council and to the Office of Local Government within three months of the end of September each year.

The current reporting period is 1 September 2021 to 31 August 2022. Council's designated Complaints Coordinator is the Manager Governance & Risk.

REPORT/PROPOSAL

A copy of the report is attached. Three complaints were received during the period.

OPTIONS

For Council notation only.

CONSULTATION

Nil.

STRATEGIC LINKS

a. Community Strategic Plan 2032

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

Responsible Governance

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

- 5.1 Effectively and efficiently management the business of Council, while encouraging an open and participatory Council with an emphasis on transparency, community engagement, action and response.

Corporate & Community Services

b. Delivery Program

- Ensuring regulatory and statutory compliance.

c. Other Plans

Council's Code of Conduct.

IMPLICATIONS

a. Policy and Procedural Implications

Council's Code of Conduct and Statement of Business Ethics.

b. Financial Implications

The cost of Code of Conduct investigations during the reporting period was \$6,067.

c. Legislative Implications

Statutory requirement to lodge Code of Conduct Statistics Report with OLG by 31 December each year.

d. Risk Implications

Nil

e. Sustainability Implications

Nil

f. Other Implications

Nil

CONCLUSION

Statistical information about code of conduct complaints is required to be reported annually to the Council and the Office of Local Government.

ATTACHMENTS

- 1 [↓](#) Code of Conduct Complaint Statistics

Office of Local Government

Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2021 - 31 August 2022

Date Due: **31 December 2022**

Survey return email address: codeofconduct@olg.nsw.gov.au

Council Name:	Upper Hunter Shire Council
---------------	----------------------------

Contact Name:	Ian Roberts
Contact Phone:	0417 423 776
Contact Position:	Manager Governance & Risk
Contact Email:	iroberts@upperhunter.nsw.gov.au

All responses to be numeric.

Where there is a zero value, please enter 0.

Enquiries: Performance Team
Office of Local Government
Phone: (02) 4428 4100
Enquiry email: olg@olg.nsw.gov.au

Model Code of Conduct Complaints Statistics Upper Hunter Shire Council			
Number of Complaints			
1	a	The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct	3
	b	The total number of complaints finalised in the period about councillors and the GM under the code of conduct	2
Overview of Complaints and Cost			
2	a	The number of complaints finalised at the outset by alternative means by the GM or Mayor	2
	b	The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0
	c	The number of code of conduct complaints referred to a conduct reviewer	1
	d	The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0
	e	The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	0
	g	The number of finalised complaints investigated where there was found to be no breach	0
	h	The number of finalised complaints investigated where there was found to be a breach	0
	i	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0
	j	The number of complaints being investigated that are not yet finalised	1
	k	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	6,067
Preliminary Assessment Statistics			
3		The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
	a	To take no action (clause 6.13(a) of the 2020 Procedures)	0
	b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	0
	c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	0
	d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	0
	e	To investigate the matter (clause 6.13(e) of the 2020 Procedures)	0

Investigation Statistics	
4	The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:
a	That the council revise its policies or procedures <input type="text" value="0"/>
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures) <input type="text" value="0"/>
5	The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:
a	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures) <input type="text" value="0"/>
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures) <input type="text" value="0"/>
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures) <input type="text" value="0"/>
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures) <input type="text" value="0"/>
6	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures) <input type="text" value="0"/>
Categories of misconduct	
7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:
a	General conduct (Part 3) <input type="text" value="0"/>
b	Non-pecuniary conflict of interest (Part 5) <input type="text" value="0"/>
c	Personal benefit (Part 6) <input type="text" value="0"/>
d	Relationship between council officials (Part 7) <input type="text" value="0"/>
e	Access to information and resources (Part 8) <input type="text" value="0"/>
Outcome of determinations	
8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation <input type="text" value="0"/>
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG <input type="text" value="0"/>

General Manager's Unit

OPTIONS

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

CONSULTATION

- General Manager
- Acting Director Corporate & Community Services

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

c. Other Plans

Nil

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 contribution provided for this financial year has been \$17,292 leaving a remaining balance of \$16,708.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Other Implications

Nil

General Manager's Unit

CONCLUSION

Council has received requests for financial assistance from Lions Club of Murrurundi, Cassilis Rodeo and St Joseph's Primary School.

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 [↓](#) Request for Donation - Lions Club of Murrurundi
- 2 [↓](#) Request for Sponsorship - Cassilis Rodeo
- 3 [↓](#) Cassilis Rodeo - Sponsorship Package
- 4 [↓](#) Request for Donation - St Joseph's Primary School
- 5 [↓](#) Community Aquatics Quote - St Joseph's Primary School



We Serve

Lions Club of Murrurundi Inc.

PO Box 54
Murrurundi NSW 2338

President: Beverly Shoobert
Treasurer: Larry Norton
Secretary: Barbara Morgan

ABN: 9008050473

2nd September 2022

The General Manager
Upper Hunter Shire Council
Liverpool Street
Scone NSW 2337

Dear Sir

The Lions Club of Murrurundi Inc in association with the Murrurundi Public School are holding a Carols by Candlelight on 17th December 2022 in the School grounds and we are asking Council for a donation towards the cost of the evening.

Council has generously over the years donated \$750 towards the evening and this enables Lions to provide a free evening for families.

Lions provide a BBQ, purchase battery operated Christmas candles for children to hold, arrange a Santa Claus visit and assist with the cost of the sound systems.

Your assistance for this community function would be very much appreciated.

Yours kindly

Barbara Morgan
Secretary

██████████

Robyn Cox

From: Cassilis Rodeo <cassilisrodeo@gmail.com>
Sent: Wednesday, 23 November 2022 8:15 PM
To: Cassilis Rodeo
Subject: External: Cassilis Rodeo 2023
Attachments: Cassilis Rodeo 2023.pdf

Dear Sir/Madam

The Cassilis Rodeo Committee invites you to sponsor the Cassilis Rodeo in 2023

The Cassilis rodeo is a significant event in the small town of Cassilis. It benefits several organisations and businesses, as well as providing local community groups with a platform to fundraise. The Cassilis Rodeo aims to grow and improve every year. Our goal is to continuously look for ways to help support our community. To a small town of 100-300 residents, the Cassilis Rodeo brings 1200-1500 people, amongst spectators and competitors, into the community. With this magnitude of people, the Cassilis Rodeo Committee is able to continue acting upon our goal by using funds to support our local community groups and people.

Organisations that have benefitted from fundraised moneys include:

- Cassilis Public School
- Cassilis Bushmens Carnival
- Cassilis District Development Group – Spring Ball
- Cassilis, Country Music, Camping & Campfire – the CCCC's
- St Columbas Church
- St Josephs Catholic Church
- Cassilis War Memorial Park Trust

There are still a number of projects for upgrading local facilities on the plan and with this in mind we are seeking your participation as a sponsor for the 2023 Cassilis Rodeo. As a sponsor, benefits include frequent mentions on the Facebook page with a reach of over 10,000 people per post, media coverage in advertising in both local papers and local radio stations and frequent announcement on Rodeo day. Please see the attached form for a full list of sponsor benefits specific to each package.

We hope you are able to support the Cassilis Community by sponsoring the event. If you can assist, please reply with the attached form and submit payment to the Cassilis Rodeo Committee. A tax receipt for your donation will be sent upon receipt of your sponsorship.

If you have any further queries, please contact:

Mr Tim Richardson – 0427 927 925

Mrs Jocelyn Richardson – 0404 866 772

Miss Tayla Constable – 0402 439 729

Yours sincerely,

Cassilis Rodeo Committee

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.



Sponsorship Packages 28th January 2023

Gold Buckle Sponsorship \$3000.00

Only One Available!

- Exclusive naming rights to the 2023 'your company' Cassilis Rodeo
- One professional colorbond advertising sign across the walkway
- Your logo represented on the shirts of all bullfighters and pick up men
- Named in the event programme & poster/leaflet advertising for the Rodeo
- Loudspeaker announcements throughout the Rodeo and event
- 15 complimentary Rodeo tickets

Chute Sponsorship \$1500.00

- Exclusive naming rights to one chute for the entirety of the 2023 Rodeo
- One professional colorbond advertising sign on the chute gate
- Named in the event programme & poster/leaflet advertising for the Rodeo
- Loudspeaker announcements throughout the Rodeo and event
- 10 complimentary Rodeo tickets

Open Event Sponsorship \$1200.00

- Exclusive naming rights to your chosen event
- Loudspeaker announcements throughout the Rodeo
- Named in the event programme
- 5 complimentary Rodeo tickets

Novice Event Sponsorship *from* \$300.00-\$600.00

- Exclusive naming rights to your chosen event
- Loudspeaker announcements throughout the Rodeo
- Named in the event programme
- 3 complimentary Rodeo tickets

Junior Event Sponsorship \$200.00

- Exclusive naming rights to your chosen event
- Loudspeaker announcements throughout the Rodeo
- Named in the event programme

General Sponsorship *from* \$100.00

- Name in rodeo programme
- Loudspeaker announcements throughout the rodeo

Chute and event sponsorship will be on a first in best dressed basis. The Rodeo Committee will be in contact to offer an alternative should your chosen event be unavailable.



Sponsorship Form 28th January 2023

****Please complete and return this form by email to cassilisrodeo@gmail.com to secure your sponsorship****

Please tick your preferred choice of event

- Gold Buckle Sponsorship \$3,000
 Chute Sponsorship \$1,500
- Open Event Sponsorship**
- Open Saddle Bronc Ride \$1,200
 Open Bare Back \$1,200
 Open Bull Ride \$1,200
 Steer Wrestling \$1,200
 Rope and Tie \$1,200
 Team Roping \$1,200
 Ladies Breakaway Roping \$1,200
 Ladies Barrel Race \$1,200
 Ladies Steer Undecorating \$1,200
- General Sponsorship \$_____

- Novice Event Sponsorship**
- Novice Saddle Bronc \$600
 Novice Bull Ride \$600
 Novice Bare Back \$600
 Novice Steer Wrestling \$300

- Junior Event Sponsorship**
- U11 Mini Bulls \$200
 U14 Mini Bulls \$200
 14-U18 Bull Ride \$200
 Junior Breakaway Roping \$200
 U11 Barrel Race \$200
 U14 Barrel Race \$200
 U18 Barrel Race \$200

Please confirm your contact details

Company name: _____

Contact person: _____

Preferred email: _____

Ticket collection: At gate (on the day of event) or Posted (prior to event)

If posted, please provide postal address: _____

Total Paid \$_____

Please quote your transfer reference: _____

Payment Options

1. Direct Payment to:
Regional Australia Bank – Cassilis Rodeo Committee
BSB 932-000 A/C No 734285
Reference: your full name or business name
2. Cheque, made out to:
Cassilis Rodeo Committee
Posted, with this form to Tayla Constable, 'Old Turee' 1951 Vinegaroy Road, Coolah 2843

Chute and event sponsorship will be on a first in best dressed basis. The Rodeo Committee will be in contact to offer an alternative should your chosen event be unavailable.

If you have any queries regarding this form, please contact: Paige Marsh - 0432570741



St Joseph's Primary School

ABN: 79 469 343 054

4 Marquet Street
MERRIWA NSW 2329

Phone: (02) 6548 2035

Email: admin@merriwa.catholic.edu.au

4 November 2022

Mr Maurice Collison
Upper Hunter Shire Council
P O Box 208
SCONE NSW 2337

Dear Mr Collison

Over the past 20 years students at St Joseph's Merriwa have participated in a Learn to Swim / School Swimming program and then an annual Swimming Carnival. Upper Hunter Shire Council has generously contributed in previous years to the extremely high costs of holding such events for our students.

In 2022 we are seeking a donation from Upper Hunter Shire Council to cover the cost of the Pool Carnival Hire \$180.00 and the Pool Lifeguard hire charges \$462.00, totalling \$642.00. These amounts will be passed on to us by Community Aquatics due to the reduced pool opening hours and the company needing to employ staff to open for our lessons and carnival.

We are extremely grateful for your support in previous years and hope for a positive outcome again.

Learning to swim is an important part of the school curriculum for several reasons at St Joseph's Merriwa.

- The only opportunity for some rural students to attend swimming lessons, three of our staff are qualified Aust swim teachers
- Life skills
- Reducing the risk of rural students in drowning accidents
- As a small school of 45 students we are unable to afford these fees without the assistance of council as we are a non-for-profit organisation
- Curriculum requirements

Thank you for consideration

Regards

A handwritten signature in cursive script that reads 'Anne Marie Peebles'.

Anne Marie Peebles
Principal

Empowering and challenging students to become lifelong learners

Quote



CLIENT INFORMATION				
Name: ST Joseph's Merriwa				
Person Responsible for Activity / Booking: Anne Marie Peebles				
Person Responsible for Payment (Accounts Dept.): Anne Marie Peebles				
Address: ---		Suburb: Merriwa		Postcode:
Email: annemarie.peebles@mn.catholic.edu.au			Reference / Purchase Order #:	
Phone: Mobile 0427642108		Office 65482035		
EVENT / ACTIVITY DESCRIPTION				
Facility Name: Merriwa				
Event / Activity Overview Summary: School Sport				
Date	Description	Unit Cost	Total Cost	Client Initial
23/11 – 9/12/22	Pool Entry for students 270 entries	\$2.90	\$783	
9/12/22	Pool Carnival Hire	\$180	\$180	
25/11/22	Pol Lifeguard Hire / 2 hrs	\$66p/h	\$132	
2/12/22	Pol Lifeguard Hire / 2 hrs	\$66p/h	\$132	
9/12/22	Pol Lifeguard Hire / 3 hrs	\$66p/h	\$198	
TOTAL AMOUNT \$			\$1425	
FACILITY STAFF USE ONLY - At Completion of Activity				
1) Summarised and Confirmed with Client BY - Staff Member:				
Name: _____ Signed: _____ Dated: _ _ / _ _ / _ _				
2) This invoice is scheduled for payment by <input type="checkbox"/> At Facility Reception <input type="checkbox"/> Via Xero/ Accounts Dept				
Staff Comments (if Required): _____				

Staff Notes:				
– As required, detail are to be entered on facility event calendar				
– This form can replace Invoice Request form as need-be				

Corporate & Community Services

G.12.3

MERRIWA FOOTPATH & CYCLEWAY

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Acting Director Corporate & Community Services

PURPOSE

To consider funding options for the Merriwa footpath.

RECOMMENDATION

That Council continue to apply the resident contribution fees to properties that front the Merriwa footpath and cycleway.

BACKGROUND

At the July 2021 Ordinary Council meeting, Council resolved to continue to seek contributions for funding from residents fronting the Merriwa footpath and cycleway in accordance with Council's footpath contributions policy.

During the consultation for the DPOP Council received comments on the resident contributions and in November 2022 received a further letter from the Merriwa Progress Association (attachment 1) requesting Council not apply the cycleway and footpath resident contribution amount per the policy but instead fund it through the Merriwa reserve fund within Council internal restrictions.

REPORT/PROPOSAL

Council levies fees to property owners to meet the cost of footpath construction in accordance with the Roads Act 1993. The Act (s 217) allows Council to recoup the cost of kerb and guttering and footpath works undertaken the first time up to a maximum of 50% of the costs. Council's policy (attachment 2) limits this further by only seeking 47.5% of the cost of an equivalent 1.2m wide path (which is calculated at \$155 / linear metre of pathway) and only 25% when it is on a side boundary and further caps the contribution to \$4,000 which is the equivalent of a 25.8m frontage.

When Council made the application for the \$922,674 grant to fund the footpath and cycleway, it advised the funding body that it would be seeking \$60,000 in contributions from the adjoining property owners in accordance with our policy. The grant was successful based on this funding mix. During the design of the footpath and cycleway Council consulted with the former council run committee, the Merriwa Economic, Development and Tourism committee with the design agreed by those consulted with at the meeting and on site.

In the last 4 years the following footpaths have been constructed across the shire and the footpath contribution has been applied to every single one of these projects.

Corporate & Community Services

Street or Road Name	2018/19	2019/20	2020/21	2021/22
Moobi Rd, Scone	\$9,546			\$33,208
Main St, Scone	\$4,016			
Kingdon St, Scone	\$982			
Graeme St, Aberdeen			\$8,833	
Segenhoe St, Aberdeen				\$26,734

In addition, Council will be invoicing contributions in the 2022/23 year for works recently completed at Segenhoe St, Aberdeen and Waverley St, Scone.

During the DPOP briefings for the adoption of the 2022/2023 budget, Council received submissions from Merriwa residents in regard to the sharing of the contribution across all residents or using the Merriwa Reserve funds. Letters have been sent to community groups who have raised this over the last 6 months.

The options put forward by the community are discussed below.

Sharing of the contribution across all residents

The extent of sharing the costs is undefined and there are multiple ways to approach this, all of which could be challenged as not equitable. The method of sharing could be by a set distance from the works, a set radius from the main street, by land rating or some other means. Regardless of the decision chosen, Council has no legal means of sharing the contribution to properties that don't front the footpath. The Roads Act is clear that the contribution can only be charged to properties fronting the works. Previous advice has been provided to the Merriwa community that they can raise funds to offset the resident contribution but they'd need to provide those funds to the individuals who are being charged and it is foreseen that this would likely be difficult from an administrative perspective for the community to arrange.

Utilising the Merriwa Reserve

The Merriwa Reserve was established by previous Councils and consists of a cash reserve from the sale of houses in the former Merriwa local government area. The present balance is \$272,920. The intent of the reserve is to provide benefit to the whole Merriwa community through improvements to infrastructure and facilities. No reserve exists for any other areas of the shire and it is not normal practice to isolate funds in an amalgamated Council for one locality only. Council could choose to utilise the funds from this reserve to pay contributions that are lawfully due to be paid by residents, however Council should be aware that it does not have other reserves to allow it to make the same decision in other areas of the shire. It would need to be mindful of how future requests for resident contributions would be dealt with given this may provide an uneconomical precedent within the Shire for the delivery of future resident type infrastructure works to be completed.

Other Councils have footpath policies similar to the Upper Hunter Shire. Muswellbrook and Singleton however do not apply the footpath contribution charges as outlined in the Roads Act. These councils typically have a much more developed area and higher rating income so in effect do spread the cost across residents through this mechanism. By comparison, the average residential house block in Merriwa pays \$590 per annum in general rates but an average residential house block in Muswellbrook and Singleton pay \$937 and \$921 respectively (based on \$100,000 value).

Corporate & Community Services

Councillors would also be aware from the report that went to Council in November 2022 advising that the largest contributor to the footpath through contributions was the Catholic Church who have agreed to the process. They also do not pay rates.

OPTIONS

1. continue to apply the resident contribution fees to properties that front the Merriwa cycleway and footpath
2. Not apply the resident contribution fees to properties that front the Merriwa cycleway and footpath
3. utilise funds held within the Merriwa Reserve fund for the contribution fees

CONSULTATION

- General Manager
- Director Infrastructure & Planning
- Manager Works Delivery
- 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.

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

Quality Infrastructure

Maintaining and developing our infrastructure network to meet the ongoing needs of our population.

- 4.1 Provide for replacement, improvement and additional Community and open space infrastructure through investment, best practice and risk management.

b. Delivery Program

- Well maintained cycleways, paved and unpaved footpaths

c. Other Plans

NIL

IMPLICATIONS

a. Policy and Procedural Implications

Council is applying the resident contributions in accordance with the Roads Act 1993.

Corporate & Community Services

b. Financial Implications

Not applying the resident contributions may provide an uneconomical precedent for Council in the delivery of future footpath and cycleway infrastructure works.

c. Legislative Implications

Nil

d. Risk Implications

Possible recovery action from residents who have historically been invoice and paid resident contributions for footpaths and cycleways.

e. Sustainability Implications

NIL

f. Other Implications

NIL

CONCLUSION

Council has a policy to seek contributions from properties that front footpaths and kerb and gutter and this policy is in accordance with the Roads Act. Requests to pay contributions only in Merriwa from funds held in reserve are not in accordance with this policy and are not considered an equitable process to apply to only one sector of the community. Some councils have moved away from this but they have a greater means of funding this as they have higher rating incomes and access to developer contributions.

ATTACHMENTS

- [1↓](#) MDPA - Request to fund cycleway and footpath through Merriwa reserve funds



PO Box 144
 Merriwa 2329
 ABN: 59 244 901 419
 (merriwaprogress@gmail.com)
 mdpa.org.au

Mr G McDonald
 General Manager
 Upper Hunter Shire Council
 PO Box 208
 Scone NSW 2337

Monday, 28 November 2022

Meeting the Co-contribution for the Merriwa Cycleway and Walking Path

Dear Greg

The Merriwa District Progress Association Inc. (MDPA) would like to ask Council to seriously consider utilising a small proportion of the Merriwa Reserved Fund (MRF) to offset the required co-contribution from land owners towards the cost of the Merriwa Cycleway and Walking Path (the cycleway).

We wrote to Council on 21 May 2022 with this same request (a copy of which is attached), but have not received a formal written response. We were told the matter was considered as part of the many submissions in response to the draft Upper Hunter Shire Council's Delivery Program 2017/2018 - 2021/2022 and Operational Plan 2021/2022 (DPOP 2022), even though it was not a DPOP submission. There is no evidence to indicate that the option to use the MRF was considered.

In a document produced by Council that collated public submissions, one entry relating to offsetting the co-contribution was listed, but only referred to levying all land holdings in Merriwa and NOT utilising the MRF, as an extract of that document below shows.

Submission No	Item #	Summary of Submission
50	1	Suggestion for the \$60k co-contribution for Merriwa Cycleway & Walking Path to be invoiced to all land parcels within the Merriwa township.

Issues	General Manager & Directors Response to Submission
Merriwa Cycleway	Council has adopted the policy "Financial Management – Debtors - Debt Recovery – New Kerbing, Guttering & Paving for Footpaths and Cycleways" that provides details of Council requesting co-contributions from residents. This policy is a public document and available if requested.

Therefore, we once again ask Council to agree to using part of the MRF (often referred to by Council as the Former Merriwa Assets) as the co-contribution to the cycleway instead of levying adjacent land owners. Affected land owners did not request the cycleway to be built and were not consulted about the project. Although the concept of the cycleway was raised by a few interested residents and endorsed by Council's Merriwa Tourism and Promotion Committee, there was no suggestion of a co-contribution being required from land owners until funding for the project had been approved.

The cycleway is currently under construction, and will be a marvellous asset for the district in terms of health and fitness, pedestrian access and tourism. However, it is a community generated asset that will benefit the whole community and should therefore be paid for by the community as a whole. It should not be a burden to individual land owners.

MDPA meets third Wednesday of each month at 6:00 PM at Merriwa RSL Club. Guests welcome.

The MRF was established to hold funds realised from the sale of various assets owned by the former Merriwa Shire Council (MSC). Those assets, mostly in the form of housing, were purchased by the MSC from rates paid by the Merriwa district community. Therefore, the community has effectively contributed to the MRF, which should rightly be used to meet the co-contribution for this community asset.

Greg, at our meeting on 15 November 2022, you indicated that Council had earmarked the MRF to pay for Council's legal costs in the event that the applicant for Development Application DA 30/2022 at 4 King George V Avenue Merriwa, appealed to the Land and Environment Court in respect of Council refusing that DA. It must be made very clear to you that the MRF is only to be used for improvements to community facilities and the local amenity of Merriwa, Cassilis and surrounding district, and NOT to finance Council's administrative actions or to defend determinations made by Council in respect to development applications. It would be reasonable to assume that Council has made adequate provision to defend legal challenges to unpopular determinations, which would be utilised in the case of a legal challenge for a DA within any part of the Shire. Therefore, those funds should be used to defend any appeal in the Land and Environment Court in respect of an appeal against DA 30/2022.

We do not believe that Council is obliged to levee adjacent land owners for a contribution towards the cost of the cycleway. Section 217 of the *Roads Act 1993* states that "Roads authority may recover cost of paving, kerb and guttering footways". We acknowledge that Council has a policy, entitled *New Kerbing, Guttering & Paving for Footpaths and Cycleways*, which provides for Council to invoice adjoining land owners a proportion of the actual cost of new paving works. This policy was adopted by Council on 14 December 2020, six weeks after the Merriwa cycleway and walking path was designed and costed by Council, but approximately four months after the cycleway was first proposed by the Merriwa Tourism and Promotion Committee. It would appear that the policy was developed specifically to deal with the Merriwa cycleway project, which could be considered prejudicial.

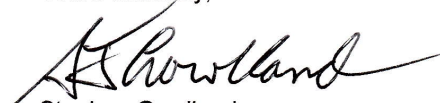
We respectfully ask that Council relax that policy in the particular case of the Merriwa cycleway and walking path. The MDPA has offered an alternative means of Council meeting the co-contribution for the cost of the cycleway, therefore there is no financial burden to Council by agreeing to this request.

You have indicated that some landholders in other parts of the Upper Hunter Shire have threatened to not pay their contribution to the cost of a footpath adjacent their properties if the MRF is used for that purpose in Merriwa. However, Merriwa is unique in that no other parts of the Shire have a community fund like the MRF. Those areas have not had valuable assets sold off by Council that they had previously financed through rates payments. Therefore, their situation is different to Merriwa and cannot be compared under the same terms.

It has been suggested to MDPA that expenditure from the MRF should have the support of the community in general. Prior to the replacement of footpaths in the Merriwa CBD community support was gained endorsing that expenditure. More recently, at a public meeting in Merriwa on 5 November 2022 hosted by the MDPA, attendees were asked if they supported the use of the MRF to offset the co-contribution towards the cost of the cycleway instead of private land owners bearing the cost. Of the 45 representative and respected residents present, 40 (89%) voted that the MRF should be used for this purpose, giving this request overwhelming public support.

Therefore, in accordance with the intentions of the MRF being used for community purposes, we again ask that the matter be put to a meeting of Councillors and that Council agree to utilise the MRF to meet the co-contribution of the Merriwa cycleway and walking path instead of billing land owners adjacent the pathway.

Yours sincerely,



Stephen Gowlland
President

Cc: Mayor M Collison;
All UHSC Councillors

General Manager's Unit

G.12.4 COMMITTEE FOR THE HUNTER - MEMBERSHIP

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Greg McDonald - General Manager

PURPOSE

To consider the benefits of joining the Committee for the Hunter as a Silver member.

RECOMMENDATION

That Council join the Committee for the Hunter for 12 months at the Silver member rate of \$5,000.

BACKGROUND

This matter has not been previously considered by Council.

REPORT/PROPOSAL

Representatives of the Committee for the Hunter met with the Mayor, Deputy Mayor and Senior Management in November to present the benefits of membership of the Committee for the Hunter.

The Committee for the Hunter consists of 60 organisations representing employers and institutions from across the Hunter region.

They have representation across all three levels of government and also represent both private and community sectors.

They play an advocacy role and were successful in getting increased investment into the Newcastle Airport, funding for social and crisis housing, economic growth and jobs growth.

There are different levels of membership ranging from Patron (\$50,000), Gold (\$15,000), Silver (\$5,000) and Bronze (\$1,000). Silver membership provides full access to all research publications and eligibility for election to the board. It also allows participation in branding and taskforce involvement. The main advantage would be the improved advocacy on matters affecting our region specific to industries in the Upper Hunter Shire. Areas where the Upper Hunter Shire Council may benefit include event promotion, tourism opportunities and promotion, agribusiness, clean energy, construction and health.

Attachment 1 provides a prospectus for consideration by Council.

OPTIONS

1. The option of joining is at Council's discretion. It can choose not to join.

CONSULTATION

- The Mayor and Deputy Mayor were briefed by the executives of the Committee for the Hunter.

General Manager's Unit

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.

- 1.4 Enhance partnerships to maintain a safe community.
- 1.5 Advocate for, support and provide services and facilities for the community.

Responsible Governance

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

- 5.11 To participate and encourage regional coordination and planning between councils and other organisations.

b. Delivery Program

- Relationships with key stakeholders to enhance economic development activities within the Shire

c. Other Plans

NIL

IMPLICATIONS

a. Policy and Procedural Implications

NIL

b. Financial Implications

The annual cost would be \$5,000 per annum

c. Legislative Implications

NIL

d. Risk Implications

NIL

e. Sustainability Implications

NIL

f. Other Implications

NIL

General Manager's Unit

CONCLUSION

The Committee for the Hunter has presented to the Mayor, Deputy Mayor and senior staff and have advised that Council would be welcome to join. Silver membership is probably the most beneficial level of membership and provides council with the greatest value for money.

ATTACHMENTS

- 1 [↓](#) Committee for the Hunter - Membership Prospectus



MEMBERSHIP PROSPECTUS

JOIN US AND GIVE THE HUNTER A LOUDER
VOICE

2022



MEMBERSHIP

ABOUT THE COMMITTEE FOR THE HUNTER

OUR MISSION

The Committee is an independent and inclusive champion for the people of the Greater Hunter and their enterprises. Representing over 60 organisations, including some of the largest employers and institutions in the region, we provide a unified voice for the Hunter.

Our members are drawn from the private and community sectors and all three levels of government. We come together with a shared interest and commitment to work together to build a sustainable, prosperous and equitable future for our region.

The Committee delivers on that promise through advocacy, thought leadership and providing a platform for collaborative action.

OUR VALUES

- A champion for the whole region of the Greater Hunter
- A strategic voice with a long-term focus
- Non-partisan
- Recognises and engages with all sectors
- Collaborative, working to achieve results across disparate interests
- Evidence-based advocacy
- Inclusive growth, sharing the benefits of development across communities and the region

For membership enquiries, please contact info@hunter.org.au or +61 490 688 125.

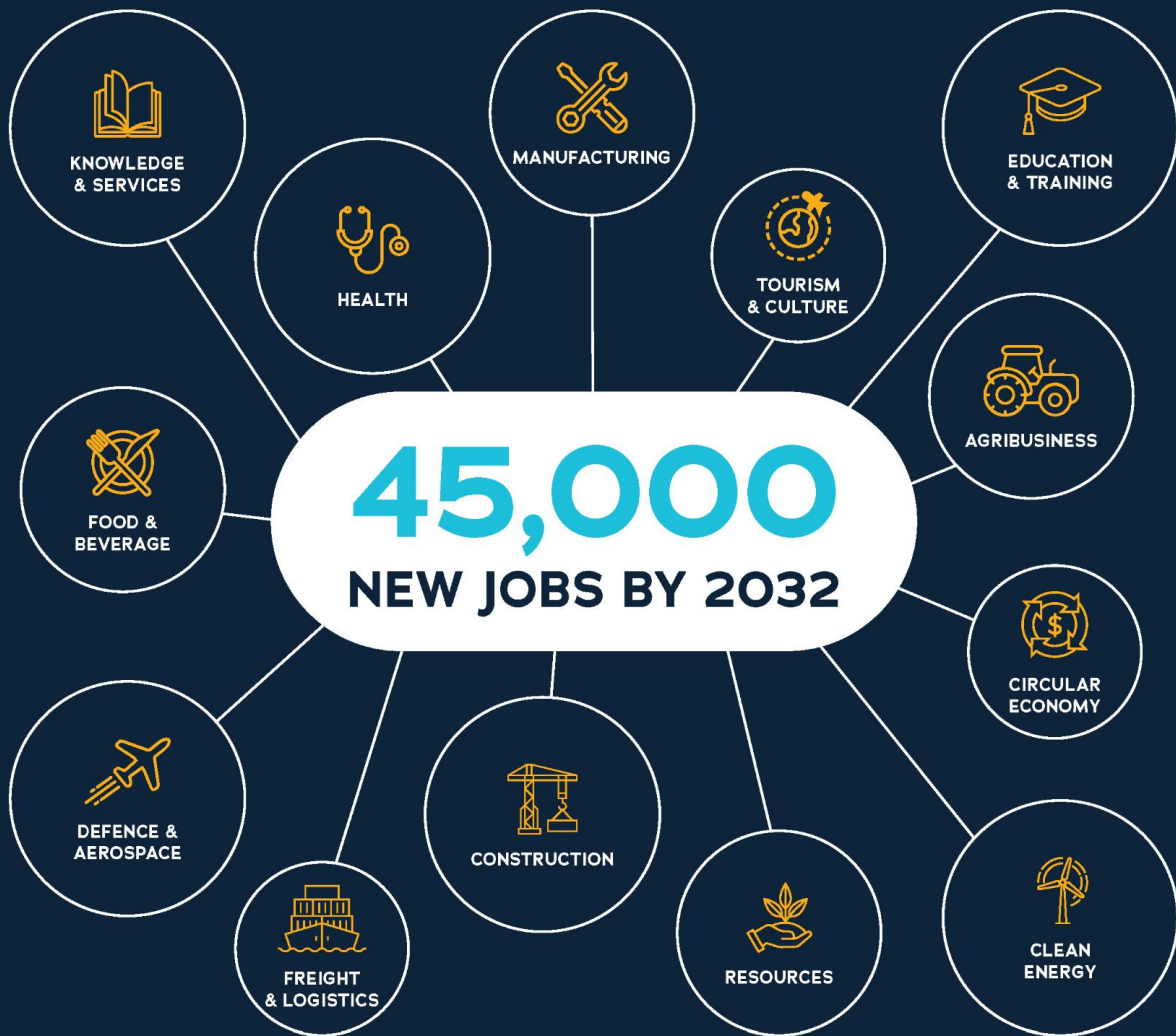


OUR VISION FOR THE HUNTER

Triple the number of local jobs currently occupied by coal mining and energy in a diverse range of sectors over the next decade

Position the Hunter as a global centre for **Net Zero & clean energy**

Bring the **socio-economic outcomes** of Hunter communities on parity with Greater Sydney



DELIVERING FOR THE REGION

With the support of our growing membership, the Committee for the Hunter has increased our impact, profile and team since establishment in 2018.

We have achieved important advocacy wins, including investment in the Newcastle Airport runway upgrade, funding for social and crisis housing, and commitment to Hunter Park planning and development. Our promotion of the Hunter's energy capabilities and work on hydrogen has contributed to strong focus and funding from the NSW and the Australian governments. Our advocacy has helped secure bi-partisan commitment to improve rail between Newcastle and Sydney.

We continue to advocate for a joined-up plan to support Hunter communities and businesses through economic change. The Committee has identified an ambitious vision for jobs growth, clean energy and higher living standards as our economy transforms. Our advocacy, including through budget submissions, focuses on the actions and investments that will unlock this vision and address issues that are getting in the way.

The Committee has called for more sophisticated approaches to planning and infrastructure investment in the Hunter and regional governance. Legislation was passed bringing the Lower Hunter and Greater Newcastle into a new city region under the Greater Cities Commission. We are at the table shaping implementation so that infrastructure decisions are tied to long-term plans and our vision for the Hunter.

We have set out an ambitious agenda for 2022 in our [Strategic Plan](#). Your support, including through membership fees and participation, helps increase the capacity of the Committee to deliver for the Hunter.

WHY JOIN

As a member, you join with other entities to give our region a stronger, louder, voice.

You will be part of exciting discussions on the big issues facing the Hunter and help influence the priorities and decisions that will shape our future.

Your participation means we can leverage the collective expertise, experience and resources across our members to collectively solve some of the most pressing challenges we face and seize opportunity.

It is an opportunity to promote your organisations strengths and capabilities through collaborative projects, advocacy, events and our regular newsletter.

As part of a powerful network, you will share knowledge and gain a better understanding of the forces and trends affecting our region to help position your organisation to benefit from change.

You will have access to networking opportunities and briefings with engaging leaders and decision makers, including senior government representatives

Most importantly, as a member you will be part of a proud movement working to raise ambitions for the region's development and secure the partnerships and investment that will benefit the Hunter and your organisation.

MEMBERSHIP OPTIONS

OPPORTUNITY	PATRON \$50 000*	GOLD \$15 000*	SILVER \$5 000*	BRONZE \$1 000*#
Immediate access to research publications	YES	YES	YES	YES
Eligibility for election to the Board	YES	YES	YES	YES
Branding	All platforms	All platforms	Agreed platforms	Website
Taskforce involvement (as approved by the Board)	Chair/ Participate	Chair/ Participate	Participate	Participate
Opportunity to host Board events and member-only events	YES	YES	By application	By application
High-level engagements (Chair's events, stakeholder briefings, Ministerial visits)	Priority access to high level & member events	Access to high level & member events	Member events	Member events
Opportunity to sponsor membership for not-for-profit, community or charity organisations	1 Silver 1 Bronze	1 Bronze	NO	NO
Recognition at all events for regional leadership as Patron member	YES	NO	NO	NO

*Excluding GST

Not for profits, individuals and micro-business < 5 employees



CONTACT

info@hunter.org.au

0490 688 125

Corporate & Community Services

G.12.5

2021/2022 ANNUAL REPORT

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Acting Director Corporate & Community Services

PURPOSE

The purpose of this report is to present the final published Annual Report for 2021/2022 to Council.

RECOMMENDATION

That Council note the final published Annual Report for 2021/2022.

BACKGROUND

Council is required to prepare and publish an Annual Report, regarding the implementation of the Delivery Program and Operational Plan, in accordance with the Local Government Act 1993 and the Integrated Planning and Reporting Guidelines.

REPORT/PROPOSAL

A copy of the final published Annual Report for 2021/2022 is provided under separate cover and has been available to the public on Council's website since 30 November 2022.

OPTIONS

Council has a statutory responsibility to produce an Annual Report by 30 November each year.

CONSULTATION

This Annual Report is reporting on the progress of the Community Strategic Plan 2027, Delivery Program 2018/2019-2021/2022 and Operational Plan 2021/2022. These documents were put on public exhibition and detailed Community engagement was carried out as detailed in these reports.

STRATEGIC LINKS

a. Community Strategic Plan 2032

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

Responsible Governance

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

5.3 Effective financial and asset management to ensure Council's long-term sustainability.

5.6 Develop and maintain effective reporting systems that enable Council to measure and report on performance.

Corporate & Community Services

b. Delivery Program

- Effective and efficient statutory reporting systems
- Reporting systems to ensure "Fit for the Future" benchmarks and any improvement program instigated are maintained for Council's financial sustainability

c. Other Plans

The Audited Annual Financial Statements are incorporated in the Annual Report. Currently the Annual Report contains the draft annual financial statements as Council has an extension to 31 January 2023 for signing of the annual audit.

IMPLICATIONS

a. Policy and Procedural Implications

Nil.

b. Financial Implications

The Annual Report gives the community and other users of Council's services detailed information of the financial position at the end of each financial year, as well as other statutory and non-statutory information.

c. Legislative Implications

Section 482 of the Local Government Act requires Council to produce an Annual Report each year.

d. Risk Implications

Nil.

e. Sustainability Implications

Nil.

f. Other Implications

Nil.

CONCLUSION

The Annual Report is one of the key points of accountability between a council and its community and focuses on the implementation of the Delivery Program and Operational Plan

ATTACHMENTS

There are no enclosures for this report

Planning & Infrastructure Services

G.12.6 ***SCHOOL ACHIEVEMENT AND CREATIVE ARTS
EXCELLENCE AWARDS***

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

AUTHOR: Amanda Catzikiris - Community Services Officer

PURPOSE

The purpose of this report is to determine the recipients of the Upper Hunter Shire School Achievement Awards to be presented at the 2023 Australia Day ceremony.

RECOMMENDATION

That Council present the Upper Hunter Shire School Achievement and Creative Arts Excellence Awards on Australia Day to up to eight nominees, as determined by the four Shire High Schools, that meet the selection criteria in the guidelines.

BACKGROUND

The Upper Hunter Shire School Achievement Awards recognise all round excellence in academic achievement and involvement in services to the community both inside and outside school hours.

The Upper Hunter Shire Creative Arts Excellence Awards recognise all round excellence in creative arts and involvement in services to the community both inside and outside school hours.

The Principals of the four high schools in the Upper Hunter Shire are invited to nominate a year 12 student from the current academic year as a suitable candidate for each award as per the guidelines and criteria. The Award is \$1,000 to assist with the costs associated with further study.

REPORT/PROPOSAL

Council is a major employer in the Upper Hunter Shire and plays a key role in land use, social planning and developing social, recreational and cultural opportunities for its residents. The School Achievement Awards and Creative Arts Excellence Awards provide an opportunity for Council to encourage and assist young people in the Shire to pursue further educational qualifications.

The guidelines (Attachment 1) outline the selection criteria that each school principal needs to consider when selecting the best student for the awards. All schools nominated a student for each award with the exception of Merriwa Central School who did not have a suitable candidate for the Creative Arts Excellence award.

The presentation of these awards by Upper Hunter Shire Council formally acknowledges students of the Shire who are pursuing further education. The selected recipients of the awards are listed in confidential Attachment 2.

Planning & Infrastructure Services

OPTIONS

1. Endorse the nominations for these Awards provided by the four Shire High Schools.
2. Reject one or more of the nominations for these Awards provided by the four Shire high schools based on the selection criteria.

CONSULTATION

- Merriwa Central School Principal
- Scone Grammar School Principal
- Scone High School Principal
- St Joseph's High School Principal

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

- Facilitation and management of community cultural events and activities

c. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Council has allocated funds of \$1,000 for each award recipient within its Operational Plan budget for 2022/2023.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Sustainability Implications

Nil

Planning & Infrastructure Services

f. Other Implications

Nil

CONCLUSION

Nominations have been received from the four high schools in the Upper Hunter for School Achievement and Creative Arts Excellence with the exception of Merriwa Central School who only has a nomination for the School Achievement award. The nominees are highly appropriate and meet the selection criteria.

ATTACHMENTS

- 1 [↓](#) Guidelines and Nominations Forms - School Achievement Awards and Creative Arts Excellence Awards
- 2 Nominees for School Achievement Awards and Creative Arts Excellence Awards Excluded



SCHOOL ACHIEVEMENT AWARD

Guidelines 2022



INTRODUCTION

Council celebrates the young people in the Shire by recognising their outstanding achievements and valuable contribution to this community.

The School Achievement Award acknowledges the academic efforts of students with the presentation of a certificate and financial assistance of \$1,000 for use with their tertiary education. This award is a significant part of the Upper Hunter Shire Australia Day Awards presented at ceremonies throughout the Shire to celebrate a diverse range of achievements by local residents.

AWARDS

Every year there are four (4) individual awards comprising of one (1) award for each participating secondary school - Merriwa Central School, Scone High School, Scone Grammar School and St Joseph's High School.

The school Principal will be requested to use the selection criteria below to nominate one (1) student from their school using the attached nomination form. The nominee must be a resident of the Upper Hunter Shire.

CRITERIA

The four (4) secondary schools will be invited to participate in this award each year.

There will be one (1) award for a student of each participating school.

Criteria for selection of the student are:

Academic – the award will be given to a Year 12 student who has completed the HSC, consistently achieved in assessable tasks throughout the year and is likely to achieve an ATAR of greater than or equal to 75. (Final HSC results are **not** required).

Dedication – overall application throughout the student's school years.

Citizenship – the student's involvement in community related projects.

The award is given for use on tertiary education at any institution.

The award is for one year only.

Confidentiality will be an issue in this selection process and is the responsibility of the school involved.

Each participating school will provide the name of their nominee to Council **before 30 November 2022**, by completing the attached nomination form. These awards will be presented at the Australia Day Celebrations in each students' area on Thursday, 26 January 2023.



SCHOOL ACHIEVEMENT AWARD Nomination Form



Student Details:

Name of student (*please print*):

Postal address of student:

Phone number where the student can be contacted in January:

Email address where the student can be contacted in January:

School Details:

Nominating School:

Contact Name:

Contact Phone Number:

Email Address:

Mobile Phone Number:

Brief biography of student: (*this information will be used during the Australia Day Ceremony*)

Nominated by:

Position:

Signature:

Date:



CREATIVE ARTS EXCELLENCE AWARD

Guidelines 2022



INTRODUCTION

Council celebrates the young people in the Shire by recognising their outstanding achievements and valuable contribution to this community.

The Creative Arts Excellence Award acknowledges the creative efforts of students with the presentation of a certificate and financial assistance of \$1,000 for use with their tertiary education. The creative arts are defined as including the visual arts, drama and / or music. This award is a significant part of the Upper Hunter Shire Australia Day Awards presented at ceremonies throughout the Shire to celebrate a diverse range of achievements by local residents.

AWARDS

Every year there are four (4) individual awards comprising of one (1) award for each participating secondary school - Merriwa Central School, Scone High School, Scone Grammar School and St Joseph's High School.

The school Principal will be requested to use the selection criteria below to nominate one (1) student from their school using the attached nomination form. The nominee must be a resident of the Upper Hunter Shire.

CRITERIA

The four (4) secondary schools will be invited to participate in this award each year.

There will be one (1) award for a student of each participating school.

The award will be given to a Year 12 student who has completed the HSC, consistently achieved over the preceding one to two years in their chosen creative arts field and is intending to further their education in this field (ie attend a conservatorium or institute of the arts).

Criteria for selection of the student may also include the following:

Dedication – overall application throughout the student's school years.

Citizenship – the student's involvement in community related activities.

The award is given for use on tertiary education at any institution.

The award is for one year only.

Confidentiality will be an issue in this selection process and is the responsibility of the school involved.

Each participating school will provide the name of their nominee to Council **before 30 November 2022**, by completing the attached nomination form. These awards will be presented at the Australia Day Celebrations in each students' area on Thursday, 26 January 2023.



CREATIVE ARTS EXCELLENCE AWARD Nomination Form



Student Details:

Name of student (*please print*): _____

Postal address of student: _____

Phone number where the student can be contacted in January: _____

Email address where the student can be contacted in January: _____

School Details:

Nominating School: _____

Contact Name: _____

Contact Phone Number: _____

Email Address: _____

Mobile Phone Number: _____

Brief biography of student: (*this information will be used during the Australia Day Ceremony*)

Nominated by: _____

Position: _____

Signature: _____

Date: _____

General Manager's Unit

NOTICES OF MOTION

NM.12.1

***SUPPORT THE COMMONWEALTH POSTAL SAVING BANK
BILL***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

The following notice of motion was received from Cr James Burns:

MOTION

That Council:

1. note that:
 - a. bank branch and ATM closures are leaving many communities without access to financial services, especially in regional Australia.
 - b. since 1975 the number of bank branches in regional Australia has fallen by more than 60 per cent, and there are more than 1,500 communities across Australia with no bank branches at all.
 - c. a large proportion of the population, including the elderly, disabled, small businesses and local schools and charities will always have a need for face-to-face financial services despite advances in technology.
 - d. for hundreds of communities, their only access to cash and financial services is through Bank@Post at their community Post Office.
 - e. Bank@Post is an essential service to all communities but is vulnerable to commercial decision-making by the banks, which can choose to withdraw their participation.
2. call on the Commonwealth Parliament to pass the Commonwealth Postal Savings Bank Bill to establish a post office people's bank, fully guaranteed by the Commonwealth, as a dedicated postal savings bank, operating exclusively through Australia Post's corporate and licensed post offices, which will ensure basic banking services—including deposit-taking, business and personal lending, and access to cash—are available to all Australians, and will contribute to Australia's national economic development.
3. write and make representations to the Hon Mr Barnaby Joyce MP Member for New England and call upon him to support the bill in the Federal Parliament called the Commonwealth Postal Savings Bank Bill when introduced by Mr Bob Katter MP.

Rationale:

As Councillors would be aware Aberdeen and Murrurundi have no face-to-face banking facilities and Merriwa is down to one bank in the Regional Australia Bank. This has disadvantaged many people and businesses and charity groups in our Shire. While Scone has four Banks all but one run very obscure and inconvenient hours and business. Life and all other things do not always fit into the timeslots allotted for these branches. To be clear, this is not a motion about the staff of those outlets, it is a motion about the safeguarding of the regions to be able to bank and receive trusted advice from a friendly face.



Infrastructure Services

CONFIDENTIAL REPORTS

CR.12.1 ***BILL ROSE SPORTS COMPLEX USER GROUP COMMITTEE -
ADDITIONAL MEMBERSHIP NOMINATION***

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Sam Wooden - Manager Works Delivery

This matter is considered to be confidential under Section 10A(2)(a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

PURPOSE

The purpose of this report is to consider an additional nomination received from a Community member to join the Committee.



Corporate & Community Services

CR.12.2

***STATUS UPDATE ON UPPER HUNTER SHIRE COUNCIL
COMMERCIAL BUSINESS OPTIONS***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Acting Director Corporate & Community
Services

This matter is considered to be confidential under Section 10A(2)(c)(d)(i) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

PURPOSE

The purpose of this report is to provide a status update on the progress of the Expressions of Interest sought by Council through our consultants Colliers.



Infrastructure Services

CR.12.4

***TENDER RFT-10048551 - SCONE CBD REVITALISATION
STAGE 1 - TENDER UPDATE***

RESPONSIBLE OFFICER: Wayne Phelps - Acting Director Corporate Services

AUTHOR: Grahame Wilson - Manager Water & Sewer

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 prejudice the commercial position of the person who supplied it.

PURPOSE

This report is to update the Council on the Scone CBD Revitalisation Stage 1 tender process.

This will be a late report due to currently waiting on last minute pricing from the tenderer.