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# Council Meeting Agenda

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26 February 2024 at 5.00pm



*One month to go until Warbirds Over Scone 2024*

To All Councillors

*You are hereby notified that the next meeting of the Upper Hunter Shire Council will be held on Monday, 26 February 2024 in the COUNCIL CHAMBERS, SCONE commencing at 5.00PM, for the purpose of transacting the undermentioned business.*

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

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

**GREG MCDONALD  
GENERAL MANAGER**

1. PRAYER
2. ACKNOWLEDGEMENT OF COUNTRY
3. STATEMENT OF ETHICAL OBLIGATIONS

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

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

4. APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK
5. APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

An application for leave of absence has been received from Cr Belinda McKenzie for the May ordinary Council meeting.

6. PUBLIC PARTICIPATION
7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on 29 January 2024
- Extraordinary Council Meeting held on 9 February 2024

8. DISCLOSURES OF INTEREST

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**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON  
MONDAY 29 JANUARY 2024 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 5.00PM**

**PRESENT:**

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

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Mathew Pringle (Director Environmental & Community Services), Mr Rag Upadhyaya (Director Infrastructure Services), Mr Wayne Phelps (Manager Finance) and Ms Karen Boland (Governance & Executive Support Officer).

**PRAYER**

**ACKNOWLEDGEMENT OF COUNTRY**

**STATEMENT OF ETHICAL OBLIGATIONS**

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

Nil

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

Application for leave of absence received from Cr James Burns.

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

**PUBLIC PARTICIPATION:**

Nil

**CONFIRMATION OF MINUTES:**

24/001

**RESOLVED**

**That the minutes of the ordinary Council meeting held on 18 December 2023 be adopted.**

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

**DISCLOSURES OF INTEREST:**

Nil

## DEVELOPMENT REPORTS

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### D.01.1 **DEVELOPMENT APPLICATION 53/2023 - COMMUNITY NURSERY**

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

**AUTHOR:** Matt Clarkson - Manager Planning, Building & Regulatory Services

24/002

**RESOLVED**

**That Council approve Development Application 53/2023 for a community nursery at Lots 236 and 237 DP 750942, Hacketts Road Merriwa, subject to the recommended conditions of consent in Attachment 1 to the report.**

Moved: Cr L Watts      Seconded: Cr R Campbell      CARRIED UNANIMOUSLY

## FINANCE REPORTS

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### F.01.1 **PROPOSED SPECIAL RATE VARIATION**

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

**AUTHOR:** Wayne Phelps - Manager Finance

24/003

**RESOLVED**

**That Council notify IPART of Council's intention to apply for a Special Rate Variation in 2025/2026.**

Moved: Cr A McPhee      Seconded: Cr A Williamson      CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
<b>Total (7)</b>	<b>Total (1)</b>

## GENERAL ADMINISTRATION REPORTS

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### G.01.1 **GOULBURN RIVER SOLAR FARM PROJECT - DRAFT PLANNING AGREEMENT**

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

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

24/004

**RESOLVED**

**That Council:**

- 1. endorse the draft planning agreement between Upper Hunter Shire Council and Goulburn River Fund Pty Ltd as trustee for the Goulburn River Trust in respect of the Goulburn River Solar Farm Project.**
- 2. place the draft planning agreement on public exhibition for 28 days in accordance with Section 7.5 of the Environmental Planning and Assessment Act 1979.**

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

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**G.01.2** **REQUESTS FOR DONATIONS**

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

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

24/005

**RESOLVED**

**That Council provide a \$200 donation to go towards the running costs of the Lake Glenbawn Family Carp Muster event to be held on 24 February 2024 which requires the funds to be deposited into the Lake Glenbawn Family Carp Musters event or community group bank account.**

Moved: Cr L Watts      Seconded: Cr R Campbell      CARRIED UNANIMOUSLY

**POLICY MATTERS**

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**H.01.1** **PRIVACY MANAGEMENT PLAN**

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

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

24/006

**RESOLVED**

**That Council adopt Council's revised Privacy Management Plan.**

Moved: Cr T Clout      Seconded: Cr R Campbell      CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
<b>Total (7)</b>	<b>Total (1)</b>

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**H.01.2** **POLICIES FOR REVIEW**

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

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

24/007

**RESOLVED**

**That Council adopt the policy Records Management for Councillors.**

Moved: Cr A McPhee      Seconded: Cr T Clout      CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
<b>Total (7)</b>	<b>Total (1)</b>

## INFRASTRUCTURE REPORTS

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### I.01.1 **WATER SERVICE CONNECTION TO WINGEN SHOWGROUNDS**

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

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

24/008

#### **RESOLVED**

**That Council further investigate grant funding for the connection to the Wingen Showground through the village reticulation funding and provide response from the funding body.**

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

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### I.01.2 **TENDER 06/2023 SUPPLY OF SERVICES - ADDITIONAL SUPPLIERS**

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

**AUTHOR:** Gavin McKenzie - Project Manager

24/009

#### **RESOLVED**

**That Council accept one additional contractor (ADW Johnson Pty Ltd) for the supply of services (Tender 06/2023) for the period from 1 February 2024 to 30 August 2024.**

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

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## RESPONSES TO COUNCILLOR QUESTIONS

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### QWN.01.1 **RESPONSES TO COUNCILLOR QUESTIONS**

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

**AUTHOR:** Robyn Cox - Executive Assistant

**That Council note the response to the question on Mojo Power.**

## CLOSED COUNCIL

24/010

#### **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 B McKenzie    Seconded: Cr A McPhee    CARRIED UNANIMOUSLY

## CONFIDENTIAL REPORTS

### CR.01.1 **TENDER 01/2024 AGRN987 FLOODWORKS DESIGN AND CONSTRUCTION PACKAGE - TENDER RECOMMENDATION**

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

**AUTHOR:** Rag Upadhyaya - Director Infrastructure 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 (i) prejudice the commercial position of the person who supplied it.*

24/011

**RESOLVED**

**That Council:**

1. **accept Tender 01/2024 from Civilwise Pty Ltd for the AGRN 987 Flood Recovery Works Design & Construction Package for \$1,164,121;**
2. **delegate authority to the General Manager to approve variations to the contract within the TfNSW approved budget; and**
3. **delegate authority to the General Manager to conduct all relevant functions under the contract**

Moved: Cr A McPhee

Seconded: Cr T Clout

CARRIED

FOR	AGAINST
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
<b>Total (7)</b>	<b>Total (1)</b>

### CR.01.2 **RESPONSE TO CR FLAHERTY'S PREVIOUS QUESTION**

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

**AUTHOR:** Robyn Cox - Executive Assistant

*This matter is considered to be confidential under Section 10A(2) (d ii) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.*

24/012

**RESOLVED**

**That Council note the response to the question on Mojo Power.**

Moved: Cr R Campbell

Seconded: Cr L Watts

CARRIED UNANIMOUSLY

## RETURN TO OPEN MEETING

24/013

**RESOLVED**

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

Moved: Cr T Clout

Seconded: Cr B McKenzie

CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.29PM



**MINUTES OF THE EXTRAORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON FRIDAY 9 FEBRUARY 2024 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 11.00AM**

**PRESENT:**

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

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Mathew Pringle (Director Environmental & Community Services), Mr Rag Upadhyaya (Director Infrastructure Services), Mr Wayne Phelps (Manager Finance), Mrs Amanda Catzikiris (Manager Community Services) and Mrs Robyn Cox (Executive Assistant).

**PRAYER**

**ACKNOWLEDGEMENT OF COUNTRY**

**STATEMENT OF ETHICAL OBLIGATIONS**

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

Nil

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

24/014

**RESOLVED** that the apology received from Cr Allison McPhee be accepted.

Moved: Cr Campbell

Seconded: Cr Watts

CARRIED UNANIMOUSLY

**PUBLIC PARTICIPATION:**

Nil

**DISCLOSURES OF INTEREST:**

Nil

**CLOSED COUNCIL**

24/015

**RESOLVED**

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

Moved: Cr J Burns

Seconded: Cr B McKenzie

CARRIED UNANIMOUSLY

**CR.02.1** **COMMERCIAL BUSINESS PROPOSAL**

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

**AUTHOR:** Mathew Pringle - Director Environmental & 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 (i) prejudice the commercial position of the person who supplied it.*

**MOTION**

That Council postpone the motion for seven days so that all Councillors have the appropriate time to review the document.

Moved: Cr E Flaherty

The motion was lost due to the lack of a seconder.

24/016

**RESOLVED**

**That Council:**

- 1. adopt Option 1 outlined in the report;**
- 2. retain confidentiality of this matter in accordance with the confidentiality agreement signed by Council.**

Moved: Cr J Burns      Seconded: Cr R Campbell      CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Burns	Councillor Flaherty
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor Watts	
Councillor Williamson	
<b>Total (7)</b>	<b>Total (1)</b>

**RETURN TO OPEN MEETING**

24/017

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

Moved: Cr T Clout      Seconded: Cr B McKenzie      CARRIED

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

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.21AM.

**General Manager's Unit**

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**STANDING COMMITTEE REPORTS**

**SCR.02.1                      *INFRASTRUCTURE SERVICES COMMITTEE***

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

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

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**RECOMMENDATION**

That Council:

1. adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 13 February 2024; and
2. in relation to the Sewer Main Relining – Scone and Aberdeen:
  - a. approve the allocation of \$316,788 from the Sewer Reserve Funds to undertake Stage 2 relining works;
  - b. engage the services of Abergeldie as the contractor for the additional Stage 2 works as an extension to the existing contract.

**BACKGROUND**

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

A meeting of the Infrastructure Services Committee was held on Tuesday, 13 February 2024. A copy of the minutes is attached.

**REPORT/PROPOSAL**

The Infrastructure Services Committee considered reports on the following items:

**ISC.02.1    *WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER AND SEWER***

The KPIs for Water and Sewer are on track.

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

- Scone Water Treatment Plan (Joint with Muswellbrook Shire Council)
- Scone Sewage Treatment Plant (STP)
- Sewer Relining Program
- Water Main Renewal Work
- Integrated Water Cycle Management Plan
- Village Water Supply – Parkville/Wingen/Blandford
- Scone to Murrurundi Pipeline – Easements
- Glenbawn Dam Pipework Discharge
- Murrurundi Dam
- Miscellaneous Repair Works

**ISC.02.2    *WORKS PROGRAM - INFRASTRUCTURE SERVICES – WORKS DELIVERY***

The KPIs were reported to the Committee, all three (3) of the KPIs being slightly off track for the reportable year.

## General Manager's Unit

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### **ISC.02.3 STRATEGIC AND CAPITAL WORKS UPDATE**

Strategic and Capital Works Delivery Update was reported.

### **ISC.02.4 LOCAL ROADS INITIAL SEAL - PROJECT UPDATE**

An update was provided on the three major roads projects:

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

### **ISC.02.5 MR358 WILLOW TREE ROAD UPGRADE**

An update was provided on the MR358 Willow Tree Road Upgrade as of 31 January 2024.

#### **Progress since previous report**

- Contract awarded on 18 December 2023 to Daracon Contractors Pty Ltd.
- Councils Project team confirmed (NSW Public Works & Transport for NSW).
- Pre-start meeting with all key stakeholders on 22 January 2024.

#### **Upcoming activities**

- Submission of project management plans (WHS, Quality and Environmental) 16 Feb 2024.
- Contractor to commence procurement – precast stormwater items, concrete subcontractors, gabion cages, quarry material, guardrail and HDPE pipes - 18 Jan 2024.
- Procurement of gabion cages complete (critical path activity) 19 March 2024.
- Soft start construction activities such as catch drains, clearing and grubbing to commence 19 February 2024.

### **ISC.02.6 SEWER MAIN RELINING – SCONE AND ABERDEEN**

A report was provided to inform the Committee to endorse the recommendation to Council for providing additional funding of \$316,788 to undertake Stage 2 sewer relining works beyond the current allocated budget of \$960,212. A copy of the confidential tender assessment is provided under separate cover.

### **ISC.02.7 SCONE CBD REVITALISATION PROJECT**

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

### **ISC.02.8 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.

## **ATTACHMENTS**

1 [↓](#) Draft Minutes - Infrastructure Services Committee meeting - 13 February 2024

2 Sewer Main Relining - Confidential Tender Assessment

Excluded

**MINUTES OF THE INFRASTRUCTURE SERVICES COMMITTEE OF UPPER HUNTER SHIRE  
COUNCIL HELD ON TUESDAY 13 FEBRUARY 2024 IN THE COUNCIL CHAMBERS  
COMMENCING AT 12.30PM**

**PRESENT:**

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

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Rag Upadhyaya (Director Infrastructure Services), Mr Jeff Bush (Manager Strategic Assets), Mr Grahame Wilson (Manager Water & Sewer) and Ms Karen Boland (Governance & Executive Support Officer).

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

Nil

**APOLOGIES:**

Nil

**DISCLOSURES OF INTEREST:**

Nil

**PUBLIC PARTICIPATION:**

Nil

**INFRASTRUCTURE SERVICES REPORTS**

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**ISC.02.1** ***WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER AND SEWER***

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

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

**RESOLVED**

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

Moved: Cr T Clout

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

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**ISC.02.2** ***WORKS PROGRAM - INFRASTRUCTURE SERVICES - WORKS DELIVERY***

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

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

**RESOLVED**

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

Moved: Cr A McPhee

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

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**ISC.02.3 STRATEGIC AND CAPITAL WORKS UPDATE**

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

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

**RESOLVED**

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

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

**COUNCILLOR QUESTIONS**

Cr Campbell requested an update on the grant funded project for the transfer stations at Merriwa and Murrurundi

*Response: Director Environmental & Community Services to provide an update to Councillors.*

Cr Campbell requested clarification of what Merriwa School of Arts – Sound System is. (Ref line item # 132 of CAPEX report)

*Response: Taken on Notice.*

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**ISC.02.4 LOCAL ROADS INITIAL SEAL - PROJECT UPDATE**

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

**AUTHOR:** Chris Agosto - Project Manager

**RESOLVED**

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

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

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**ISC.02.5 MR358 WILLOW TREE ROAD UPGRADE**

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

**AUTHOR:** Jeff Bush - Manager Strategic Assets

**RESOLVED**

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

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

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**ISC.02.6 SEWER MAIN RELINING - SCONE AND ABERDEEN**

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

**AUTHOR:** Gavin McKenzie - Project Manager

**RESOLVED**

**That the Committee:**

1. endorse the allocation of \$316,788 from the Sewer Reserve Funds to undertake Stage 2 relining works;
2. endorse the services of Abergeldie as the contractor for the additional Stage 2 works for the extension of the existing contract; and
3. endorse providing delegation to the General Manager for an additional \$316,788 within the Stage 2 contract works.

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

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**ISC.02.7** ***SCONE CBD REVITALISATION PROJECT***

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

**AUTHOR:** Allan Greer - Project Manager

**RESOLVED**

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

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

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**ISC.02.8** ***RESPONSES TO PREVIOUS QUESTIONS***

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

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

**RESOLVED**

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

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

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Being no further business the meeting was declared closed at 1:01pm

**Corporate Services**

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**SCR.02.2**

**CORPORATE SERVICES COMMITTEE**

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

**AUTHOR:** Wayne Phelps - Manager Finance

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**RECOMMENDATION**

That Council adopt the:

1. minutes of the Corporate Services Committee meeting held on 16 February 2024; and
2. proposed budget variations as provided in attachment 2 to the report.

**BACKGROUND**

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

**REPORT/PROPOSAL**

A meeting of the Corporate Services Committee was held on Friday, 16 February 2024. A copy of the minutes of the meeting is attached. The following reports were considered:

**CORP.02.1 Quarterly 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 (RAO) advising that the projected financial position as at 30 June 2024 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 will be 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 RAO's Statement includes a statement of compliance of investments in accordance with regulatory requirements and Council's policies, a statement on the reconciliation of cash with bank statements as well as a statement of satisfaction with Council's financial position, or remedial action to be taken (Clause 203(2)) of the Local Government (General) Regulations 2005.

The Loan Schedule provides an overview of Council's borrowing facilities and current outstanding balances at the reporting date.

The Key Performance Indicators (KPIs) summary provides an overview on the delivery of services and organisation measures as adopted in the Delivery Program and Operation Plan. These indicators are gauged against the actual performance of each business service activity and are measured using a traffic light monitor with commentary provided by managers and/or budget holders.



## Corporate Services

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### **CORP.02.2 Operational Report**

The budget review provides a detailed overview of the actuals to budget for the year to date, together with proposed variations and previously approved variations to the original budget. The effect on the originally adopted budget for these proposed and approved variations is shown in the revised end of year budget position for both the fund and service activity. Commentary is provided by managers and/or budget holders to inform details or reasons of why variances between actuals to budget exist or why proposed variations have been requested.

### **CORP.02.3 Contractors & Expenses Report**

The Contractors Listing provides details of any contracts Council has entered into for the period which exceed the value of \$50,000 in accordance with Office of Local Government requirements. The Consultants, Legal and other Expenses Report will show expenditure year to date for consultancies and legal services.

### **CORP.02.4 Property Update**

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

### **CORP.02.5 Airport Management Committee**

This report provides an update of items discussed at the last Airport Management Committee meeting held on 24 January 2024. Items included current projects, financial and performance management. The minutes of the Airport Management Committee meeting were adopted by the Corporate Services Committee.

### **CORP.02.6 White Park Management and Development Committee**

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

The aim of the Committee is to make recommendations to Council on the management and future development of White Park. The minutes of the White Park Management and Development Committee meeting held 7 February 2024 were adopted by the Corporate Services Committee.

### **CORP.02.7 Notice of Motion – Proposed Change to Meeting Time**

Cr Flaherty proposed the following motion:

*“I’d like to propose a new meeting time for Corporate Services Committee of half an hour earlier, so I can fulfil my representative functions”.*

The Committee RESOLVED:

*“That the Corporate Services Committee members discuss options for bringing forward the meeting time and / or change of day of the Corporate Services Committee to allow Cr Flaherty time to fulfil her representative functions as a Councillor”.*

### **CORP.02.8 Responses to Previous Questions**

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

## **ATTACHMENTS**

- [1↓](#) Corporate Services Committee - 16 February 2024 - Minutes - Draft
- [2↓](#) Finance Budget Variation Requests - December 2023

**MINUTES OF THE CORPORATE SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL  
HELD ON FRIDAY 16 FEBRUARY 2024 IN THE COUNCIL CHAMBERS COMMENCING AT  
9.00AM**

**PRESENT:**

Cr Adam Williamson (Chair), Cr James Burns, Cr Elizabeth Flaherty, Cr Belinda McKenzie and Cr Maurice Collison.

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Wayne Phelps (Manager Finance) and Ms Karen Boland (Governance & Executive Support Officer).

**APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK**

Nil

**APOLOGIES:**

Nil

**PUBLIC PARTICIPATION:**

Nil

**DISCLOSURES OF INTEREST:**

Nil

**FINANCE COMMITTEE REPORTS**

**CORP.02.1**

***QUARTERLY FINANCIAL SUMMARY & INVESTMENT REPORT***

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

**AUTHOR:** Wayne Phelps - Manager Finance

**RESOLVED**

**That the Committee:**

- 1. 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 Loan Schedule and balances outstanding;**
- 5. note the Capital Works Expenditure Report;**
- 6. note the Key Performance Indicators (KPIs); and**
- 7. adopt the proposed budget variations.**

Moved: Cr J Burns      Seconded: Cr B McKenzie      CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Burns	Councillor Flaherty
Councillor McKenzie	
Councillor Williamson	
Councillor Collison	
<b>Total (4)</b>	<b>Total (1)</b>

**Councillor Questions:**

Cr Flaherty requested the amount of debt recovery received by Council over the last 3 years for a comparison to see what trend exists since the effects of COVID-19.

*Response: Manager Finance advised Council engages a debt collection service for these tasks and these numbers can be provided to Councillors.*

Cr Flaherty requested a copy of the original business case for Campbells Corner.

*Response: Taken on notice for the Manager Finance to provide.*

Cr Burns reported he had received a number of reports from community members that their kerbside bin had not been collected and requested if this could be investigated.

*Response: Taken on notice for the Manager Waste and Waste Coordinator to investigate claims and report back through the Environmental and Community Services Committee.*

Cr Williamson requested if the KPI for *processing of times of Development Applications (DA)* could be broken down into different DA zoning to see if delays in processing times are due to more complex individual DA rather than a normal residential DA.

*Response: General Manager advised data using building categories rather than zoning would provide better statistics. This can be investigated and reported back through the Environmental and Community Services Committee.*

---

**CORP.02.2 OPERATIONAL REPORT**

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

**AUTHOR:** Wayne Phelps - Manager Finance

**RESOLVED**

**That the Committee:**

- 1. note the comments on the budget review by the managers/budget holders; and**
- 2. adopt the requested variations as detailed in the budget review.**

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

**Councillor Questions:**

Cr Burns enquired whether the parking area wheel stops within the new section of Kelly Street will prevent the street sweepers from cleaning efficiently the kerb and gutter in front of business houses?

*Response: Taken on notice.*

Cr Williamson requested an update on the Rural Fire Service shed located at Bow Creek?

*Response: Taken on notice.*

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**CORP.02.3 CONTRACTORS & EXPENSES REPORT**

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

**AUTHOR:** Wayne Phelps - Manager Finance

**RESOLVED**

**That the Committee:**

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

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

**Councillor Questions:**

Cr Burns enquired what legal and other costs have been incurred by Council in relation to the DA matter regarding the helipad at Merriwa?

*Response: Taken on notice.*

---

**CORP.02.4** *PROPERTY UPDATE*

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

**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

**RESOLVED**

**That the Committee note the report and actions undertaken to date on the property strategy.**

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

---

**CORP.02.5** *AIRPORT MANAGEMENT COMMITTEE*

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

**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

**RESOLVED**

**That the Committee adopt the minutes of the Airport Management Committee meeting held on 24 January 2024.**

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

**Councillor Questions:**

Cr Flaherty requested a breakdown of the visitor numbers to the Hunter Warbirds facility that itemises entries to the museum, previously run café and function centre.

*Response: Taken on notice.*

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**CORP.02.6** *WHITE PARK MANAGEMENT AND DEVELOPMENT COMMITTEE*

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

**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

**RESOLVED That the Committee endorse the minutes of the White Park Management & Development Committee meeting held on 7 February 2024.**

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

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**CORP.02.7** *NOTICE OF MOTION - PROPOSED CHANGE TO MEETING TIME*

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

**AUTHOR:** Robyn Cox - Executive Assistant

**RESOLVED**

**That the Corporate Services Committee members discuss options for bringing forward the meeting time and / or change of day of the Corporate Services Committee to allow Cr Flaherty time to fulfil her representative functions as a Councillor.**

Moved: Cr E Flaherty    Seconded: Cr A Williamson    CARRIED UNANIMOUSLY

---

**CORP.02.8**

**RESPONSES TO PREVIOUS QUESTIONS**

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

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

**RESOLVED**

**For notation only.**

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

**Councillor Question:**

Cr Flaherty referred to her question asked at the December 2023 Corporate Services Committee meeting, *can the catering at Hunter Warbirds be reported as a separate business item*. Cr Flaherty sought an update of when she will see the breakdown, suggesting that this could be done with costs as a percentage based on Council expenses for a function at the facility using external caterers versus a function where Council provides the catering in house.

*Response: Finance Manager sought clarity of the question as with the current data available, to identify the catering business solely as a separate business item is a difficult process and an estimation only. This is due primarily to staff and costs involved actually undertaking multiple business activities within the facility as well as costs incorporated into a package deals, such as a function or meeting involving catering. To dissect the information would be an onerous and time consuming use of Council's limited resources. Finance Manager agreed to have a look to see if this can be done and will report back to the committee.*

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

Budget Service Area	Account Type	Account Description	VARIATION REQUEST		Details of Variation Request
			DR \$	CR \$	
<b>GENERAL FUND</b>					
Asset Management	Operating Revenue	Grant Funding	30,000		Reduce funding allocation for Road Safety Officer due to vacant position
Asset Management	Operating Revenue	Contributions received	30,000		Reduce funding allocation for Road Safety Officer due to vacant position
Asset Management	Operating Expenditure	Road Safety Officer		60,000	Reduce costs associated with employment of Road Safety Officer due to long term vacancy
Family Day Care	Operating Revenue	Grant Funding		21,400	New funding received for Business model to enhance service
Family Day Care	Operating Expenditure	FDC - Business Marketing Project	21,400		Costs associated with initial business model work to enhance FDC service
Town Planning	Operating Expenditure	Scone Flood Mgmt Plan Review		23,510	Transfer funding from Scone to Aberdeen Flood Mgmt Plan review
Town Planning	Operating Expenditure	Aberdeen Flood Mgmt Plan Review	23,510		Transfer funding from Scone to Aberdeen Flood Mgmt Plan review
Local Roads	Non-Operating Revenue	Barrington Forest Stage 1 RA	2,000,000		Return funding to RA due to delay in project caused by extension of Moonan Brook Road works
Local Roads	Capital Expenditure	Barrington Forest Stage 1		2,000,000	Return funding to RA due to delay in project caused by extension of Moonan Brook Road works
Local Roads	Non-Operating Revenue	Barrington Forest Stage 2 RA	1,000,000		Return funding to RA due to delay in project caused by extension of Moonan Brook Road works
Local Roads	Capital Expenditure	Barrington Forest Stage 2 RA		1,000,000	Return funding to RA due to delay in project caused by extension of Moonan Brook Road works
<b>WATER SUPPLY</b>					
	NIL				
<b>SEWERAGE SERVICES</b>					
	NIL				
		<b>Total Variations</b>	<b>3,104,910</b>	<b>3,104,910</b>	
		<b>Net Variation to Operating Result</b>			<b>-</b>
<b>Abbreviation notes</b>					
		RA = Restricted Assets			
		R2R = Roads to Recovery			
		STP = Sewer Treatment Plant			
		SPS = Sewer Pump Station			

**Environmental & Community Services**

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**COMMITTEE/DELEGATES REPORTS**

**C.02.1**

***FLOODPLAIN MANAGEMENT COMMITTEE***

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

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

---

**RECOMMENDATION**

That Council adopt the minutes of the Floodplain Management Committee meeting held on 5 February 2024.

***BACKGROUND***

The Floodplain Management Committee is a Section 355 Committee of Council which considers reports, advice and recommendations of management regarding issues associated with floodplain management and development within any areas deemed to be impacted or potentially impacted by flood or other waters. The Committee subsequently makes recommendations to Council in relation to such matters.

A meeting of the Floodplain Management Committee was held on Monday, 5 February 2024.

***REPORT/PROPOSAL***

The Committee received an update on the review of the Aberdeen Floodplain Risk Management Study and Plan and a presentation from Worley on the review and update of the Scone Floodplain Risk Management Study and Plan.

A copy of the minutes is attached.

***ATTACHMENTS***

- [1](#) Minutes of Floodplain Management Committee meeting - 5 February 2024

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**MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE  
MEETING - MONDAY 5 FEBRUARY 2024 - 11.00am**

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**PRESENT:** Cr Adam Williamson (Chair), Cr Tayah Clout, Les Parsons

**IN ATTENDANCE:** Cr Maurice Collison (Mayor), Greg McDonald (General Manager), Mathew Pringle (Director Environmental & Community Services), Matt Clarkson (Manager Planning, Building and Regulatory Services), Richard Murphy (Department of Climate Change, Energy, Environment and Water), Chris Thomas (Worley)

*The Director Environmental & Community Services opened the meeting as a Chairperson was yet to be appointed by the committee.*

**1. APOLOGIES**

**RECOMMENDATION**

That the apologies received from Cr Allison McPhee be accepted.

**Moved:** Cr Adam Williamson

**Seconded:** Les Parsons

**2. DISCLOSURE OF INTEREST**

Nil.

**3. PREVIOUS MINUTES**

The minutes of the Floodplain Management Committee meeting held on 25 February 2021, as circulated, were noted by the Committee.

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil.

*The Director Environmental & Community Services called for nominations for the position of Chairperson. Cr Adam Williamson was nominated by Cr Tayah Clout and seconded by Les Parsons. As no other nominations were received, Cr Williamson was appointed as Chairperson.*

**5. AGENDA ITEMS**

**FMC.02.1 Review and Update of Aberdeen Floodplain Risk Management Study and Plan**

**PURPOSE**

The purpose of this report is to provide the Committee with an update on the Aberdeen Floodplain Risk Management Study and Plan.

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This is Page 1 of 2 of Minutes of the Floodplain Management Committee meeting of the Upper Hunter Shire Council held on Monday 5 February 2024.



The Director Environmental & Community Services provided the committee with an update on the review and update of the Aberdeen Floodplain Risk Management Study and Plan. The committee noted that the study and plan are unable to be finalised and adopted until funding for the Aberdeen levy upgrade has been secured by the Hunter Valley Flood Mitigation Scheme.

Committee members posed a number of questions in relation to the cost of the Aberdeen levy upgrade and the effect of increased vegetation in waterways on flood behaviour.

**RESOLVED**

That the Committee note the report.

**Moved:** Cr Tayah Clout

**Seconded:** Les Parsons

**CARRIED**

**FMC.02.2                      Review and Update of Scone Floodplain Risk Management Study and Plan**

**PURPOSE**

The purpose of this report is to provide the Committee with an update on the review of the Scone Floodplain Risk Management Study and Plan.

Chris Thomas from Worley (formerly Advisian) gave a presentation to the committee on the review and update of the Scone Floodplain Risk Management Study and Plan. A number of comments were made, and questions asked, by committee members in relation to funding for flood mitigation works, insurance implications, flood levels at the Scone Sewage Treatment Plant and flood impacts on the Scone CBD.

**RESOLVED**

That the Committee receive a presentation from Worley on the review and update of the Scone Floodplain Risk Management Study and Plan.

**Moved:** Cr Tayah Clout

**Seconded:** Les Parsons

**CARRIED**

**6.    ACTION SHEET**

Nil.

**7.    CORRESPONDENCE**

Nil.

**8.    GENERAL BUSINESS**

Nil.

**9.    NEXT MEETING**

TBC

*The meeting was declared closed at 1.10pm.*

**General Manager's Unit**

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**C.02.2** *UPPER HUNTER COUNTY COUNCIL (WEEDS)*

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

**AUTHOR:** Robyn Cox - Executive Assistant

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**RECOMMENDATION**

That Council note the minutes of the Upper Hunter County Council meeting held on 15 February 2024.

**BACKGROUND**

The Upper Hunter County Council was established for the control of noxious weeds within the Shires of Muswellbrook, Singleton and Upper Hunter.

**REPORT/PROPOSAL**

A meeting of the Upper Hunter County Council was held on 15 February 2024 at the Loxton Room, Administration Centre, Muswellbrook. Council was represented by Councillors Ron Campbell, Tayah Clout and Maurice Collison. A copy of the minutes is attached.

**ATTACHMENTS**

- 1 [↓](#) Upper Hunter County Council (Weeds) - Minutes - 15 February 2024

**MINUTES OF THE ORDINARY MEETING OF THE UPPER HUNTER COUNTY COUNCIL  
HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, CAMPBELL'S CORNER,  
62-86 MAITLAND STREET, MUSWELLBROOK ON THURSDAY 15 FEBRUARY, 2024  
COMMENCING AT 4.00PM.**

**PRESENT:** Cr A. McNamara (Chair) Cr R. Campbell, Cr T. Clout,  
Cr M. Collison, Cr G. McNeill, Cr D.E. Marshall and Cr S. Moore.

**IN ATTENDANCE:** Mr D Campbell (General Manager), Mrs M. Sandell-Hay (Governance  
Officer (VC)).

**1. Acknowledgement of Country**

The Acknowledgement of Country was read by Cr T. McNamara.

**2. Application to Attend via Audio Visual Link**

Nil

**3. Apologies and Leave of Absence**

Nil

**4. Confirmation of Minutes of Previous Meeting**

**4.1. Confirmation of Minutes**

35 RESOLVED on the motion of Cr M. Collison and Cr D. Marshall that:

The Minutes of the Ordinary Meeting held on **30 November, 2023** a copy of  
which has been distributed to all members, be taken as read and confirmed as  
a true record.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill,  
Cr D. Marshall and Cr S. Moore.

Against: Nil.

**5. Disclosure of any Pecuniary or Non-Pecuniary Interests**

Nil.

**6. Chair Minute**

Nil

**7. Business**

Nil



## 8. General Manager's Report

### 8.1. Adoption of 2022/2023 General Purpose Financial Reports and Auditors Report

36 RESOLVED on the motion of Cr G. McNeill and Cr S. Moore that:

The General Purpose Financial and Auditors Reports for the financial year ended 30 June, 2023 be ADOPTED and formally presented to the public meeting to be held at 5.00pm at the Muswellbrook Shire Administration Centre on the 26 February, 2024.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.

### 8.2. 2022-2026 Delivery Plan September, 2023 Review

37 RESOLVED on the motion of Cr S. Moore and Cr T. Clout that:

The Operational Plan review for the period ending 31 December, 2023 be ADOPTED.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.

### 8.3. 2024-2025 Council Contributions

38 RESOLVED on the motion of Cr S. Moore and Cr G. McNeill that:

1. Constituent Council Contributions for 2024/25 be set at:
  - Upper Hunter Shire Council - \$175,205 plus GST
  - Muswellbrook Shire Council - \$96,474 plus GST
  - Singleton Shire Council - \$96,474 plus GST
2. A further contribution be made to the County Council, for the purpose of implementing community-based weed control programs. This addition contribution is set at a maximum combine additional contribution of \$60,000, with each Constituent Council contributing as per their current percentage of the existing annual contribution.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.



#### **8.4. Management Plans**

39 RESOLVED on the motion of Cr S. Moore and Cr R. Campbell that:  
The Draft 2024/25 Operational Plan be authorised for placement on public exhibition for a period of 28 days.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.

#### **8.5. General Manager's Report**

40 RESOLVED on the motion of Cr D. Marshall and Cr G. McNeill that:  
The information contained in this report be noted.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.

### **9. Bio-Security Officer's Report**

#### **9.1. Muswellbrook Bio-Security Officer's Report**

41 RESOLVED on the motion of Cr G. McNeill and Cr D. Marshall that:  
The information contained in this report be noted.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.

#### **9.2. Singleton Bio-Security Officer's Report**

42 RESOLVED on the motion of Cr Moore and Cr M. Collison that:  
The information contained in this report be noted.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill, Cr D. Marshall and Cr S. Moore.

Against: Nil.



**9.3. Scone Bio-Security Officer's Report**

43 RESOLVED on the motion of Cr T. Clout and Cr S. Moore that:  
The information contained in this report be noted.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill,  
Cr D. Marshall and Cr S. Moore.

Against: Nil.

**9.4. Merriwa Bio-Security Officer's Report**

44 RESOLVED on the motion of Cr M. Collison and Cr R. Campbell that:  
The information contained in this report be noted.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill,  
Cr D. Marshall and Cr S. Moore.

Against: Nil.

**9.5. Inspection and Treatment Maps**

45 RESOLVED on the motion of Cr M. Collison and Cr R. Campbell that:  
The information contained in this report be noted.

In Favour: Cr T. McNamara, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr G. McNeill,  
Cr D. Marshall and Cr S. Moore.

Against: Nil.

**10. Questions Without Notice**

Nil

**11. Adjournment into Closed Council**

**12. Closed Council**

Nil

**13. Resumption of Open Council**



## 14. Closure

The meeting was declared closed at 4.40pm.

**THE MINUTES OF THE MEETING (PAGES 1 to 5 WERE CONFIRMED AT THE UPPER HUNTER COUNTY COUNCIL MEETING HELD ON 17 MAY, 2024 AND ARE A FULL AND ACCURATE RECORD OF PROCEEDINGS OF THE MEETING HELD ON 15 FEBRUARY, 2024.**

.....  
Mr D. Campbell  
**General Manager**

.....  
Cr T. McNamara  
**Chairperson**

**General Manager's Unit**

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**GENERAL ADMINISTRATION REPORTS**

**G.02.1 REQUESTS FOR DONATIONS**

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

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

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**PURPOSE**

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

**RECOMMENDATION**

That Council not provide a donation to Merriwa Senior Citizens Pensioners Association for the Merriwa Seniors Home Day as unfortunately, their function does not meet the criteria for funding outlined in policy *Programs – Section 356 General Donations*.

**BACKGROUND**

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

**REPORT/PROPOSAL**

Council has received a request from Barbara Cronin on behalf of the Merriwa Senior Citizens Pensioners Association requesting financial assistance to cover the cost of prizes for the Merriwa Seniors Home Day to be held on 15 March 2024. The Merriwa Seniors Home Day is a celebration of Seniors Week and attended by approximately thirty (30) members of the Merriwa Seniors club. The luncheon is held at the Merriwa RSL where the members pay their own way. Council has previously supported this annual event through a cash donation to assist with the running costs however the request does not fit within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire*.

It is recommended to not provide a donation.

**OPTIONS**

1. Not provide a donation
2. Provide a donation
3. Provide an alternative donation amount

**CONSULTATION**

- General Manager
- Manager Finance

**STRATEGIC LINKS**

**a. Community Strategic Plan 2032**

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



## General Manager's Unit

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### 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

### IMPLICATIONS

#### a. Policy and Procedural Implications

Nil

#### b. Financial Implications

Council has set aside funds in the annual budget for the 2023/24 financial year for granting donations and contributions. The total donations and contributions provided for this financial year has been \$3,984.10.

#### c. Legislative Implications

Nil

#### d. Risk Implications

Nil

#### e. Other Implications

Nil

### CONCLUSION

Council has received a request for financial assistance from Merriwa Senior Citizens Pensioners Association to cover the cost of prizes for the Merriwa Seniors Home Day. Council has previously supported this annual event through a cash donation to assist with the running costs however the request does not fit within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire*.

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 [↓](#) Merriwa Seniors



# SENIOR CITIZENS

Pensioners Association.

[REDACTED]  
Merriwa  
30th January.

Upper Hunter Shire Council,  
Mrs Tash Taffe.

Merriwa Seniors would like to thank you for your previous support for our home days.

This years home day will be held on the 15th March, and we would appreciate it if you could support us again this year. to help us cover the cost of prizes etc.

Thanking you.  
Barbara Cronin

[REDACTED]

Corporate Services

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**G.02.2**

***GUIDELINES FOR RISK MANAGEMENT AND INTERNAL  
AUDIT IN NSW COUNCILS***

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

**AUTHOR:** Wayne Phelps - Manager Finance

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**PURPOSE**

To inform Council how the role of the head of Council's internal audit function will be carried out when the regulations that will give effect to the guidelines for risk management and internal audit in NSW Councils become law from 1 July 2024.

**RECOMMENDATION**

That Council notes that after considering the guidelines for risk management and internal audit in NSW Councils, the role of Internal Audit Coordinator will be combined with that of the Governance and Risk Advisor.

**BACKGROUND**

At its meeting on 18 December 2023, Council considered a report on the guidelines for risk management and internal audit in NSW Councils.

In that report it was explained that staff were assessing how the organisation could best arrange for the head of the internal audit function to be carried out. Council subsequently resolved at the December 2023 meeting, inter alia, to:

*“Note that Council staff are currently assessing the best option to provide for the carrying out of the role of the head of Council's internal audit function, which will be the subject of a further report to Council.”*

**REPORT/PROPOSAL**

In December 2023, Council received advice from the OLG that the title of the head of a council's internal audit function shall be Internal Audit Coordinator.

This matter was discussed at the deferred ARIC meeting on 23 January 2024. During that meeting, the point was made by the General Manager that the preference would be to appoint Ian Roberts, currently occupying the position of Governance & Risk Management Advisor as the Internal Audit Coordinator, however the Guidelines provide that the internal audit coordinator role should not be combined with the role of General Manager, Chief Financial Officer or risk management function. It is noted that Mitchell Morley, independent ARIC member, suggested that there is provision in the Guidelines to waive the restrictions and to appoint Ian Roberts as internal audit coordinator provided appropriate safeguards are in place, viz. that any matters that affected him personally would be declared and be handled by a different officer.

Given the fact that Mr Roberts possesses several years' experience in undertaking internal audit work for a number of Riverina councils, it is felt that after considering the provisions of the Guidelines, the view is held that combining the roles of internal audit coordinator and governance and risk advisor provides the best fit for Council.

## Corporate Services

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In this regard, it is understood that both the Chair and independent members of the Council's ARIC have no issues with this approach.

### **OPTIONS**

It is considered that the above approach represents the best option for Council.

### **CONSULTATION**

This matter has been discussed by Council staff and the members of the ARIC.

### **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.

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

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

#### **c. Other Plans**

Nil

### **IMPLICATIONS**

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

It should be noted that where a council is not able to comply with the requirements relating to the audit, risk and improvement committee, risk management framework or internal audit function, the Regulation exempts councils from compliance in certain circumstances. Where this occurs, the council must notify the OLG of the failure to comply.

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

Nil

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

Nil

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

Nil

## Corporate Services

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e. **Sustainability Implications**

Nil

f. **Other Implications**

Nil

### **CONCLUSION**

Council is required to appoint an Internal Audit Coordinator by 1 July 2024. The guidelines apply to all councils regardless of size and financial capacity and while it is considered that larger councils will have no difficulty complying with the principles many smaller councils will find it difficult to do so. However ARIC members have proposed a solution that is favoured by management as well.

It is considered that appointing Ian Roberts as the Internal Audit Coordinator, notwithstanding that he holds the position of Governance & Risk Advisor, provides the best result for Council and is therefore recommended. It should also be noted that this approach is supported by the ARIC.

### **ATTACHMENTS**

There are no enclosures for this report

Corporate Services

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**G.02.3** ***DISCLOSURES OF PECUNIARY INTEREST AND OTHER MATTERS***

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

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

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**PURPOSE**

The purpose of this report is to table *Disclosure of Interests and Other Matters* returns, in accordance with Part 4 of the Code of Conduct and section 440AAB of the Local Government Act 1993.

**RECOMMENDATION**

That Council note the *Disclosure of Pecuniary Interests and Other Matters* returns, as tabled in the meeting.

**BACKGROUND**

Part 4 of Council's Code of Conduct (the Code) requires Councillors and designated persons to complete a written *Disclosure of Pecuniary Interests and Other Matters* return.

Designated persons are defined by the Code as:

- a) the General Manager
- b) other senior staff of the council for the purposes of section 332 of the Local Government Act 1993
- c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

Section 440AAB(2) of the Local Government Act 1993 states that returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged.

**REPORT/PROPOSAL**

*Disclosure of Pecuniary Interests and Other Matters* returns have been completed by those designated persons upon becoming a designated person and are tabled at the current meeting, in accordance with the requirements of Part 4 of the Code of Conduct and section 440AAB of the Local Government Act 1993.

## Corporate Services

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Staff holding positions that have been identified as designated persons and have lodged their written return for the first time are listed below:

- Manager Planning, Building & Regulatory Services
- Building Surveyor (temporary officers)

### **OPTIONS**

That Council note the written *Disclosure of Interests and Other Matters* returns, as tabled in the meeting.

### **CONSULTATION**

N/A

### **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.

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

- A system where policies and procedures are reviewed on a regular basis
- A system where policies and procedures are reviewed on a regular basis

#### **c. Other Plans**

Nil

### **IMPLICATIONS**

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

This report is prepared in the discharge of obligations under the Code of Conduct.

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

Nil

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

Council's Code of Conduct has been adopted in accordance with the prescribed Model Code of Council, which is prescribed under sections 440-440AA of the Local Government Act 1993.

## Corporate Services

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Section 440AAB(2) of the Local Government Act 1993 states that returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgment, or if the code does not specify a day, as soon as practicable after the return is lodged.

### d. Risk Implications

The non-provision of Disclosures of Pecuniary Interest Returns may affect the Council transparent decision making process.

### e. Sustainability Implications

Nil

### f. Other Implications

Nil

## CONCLUSION

*Disclosure of Pecuniary Interests and Other Matters* returns have been completed by those designated persons upon becoming designated persons and are tabled at the current meeting, in accordance with the requirements of the Code of Conduct and section 440AAB of the Local Government Act 1993.

## ATTACHMENTS

Nil.



## General Manager's Unit

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### POLICY MATTERS

H.02.1

#### ***POLICIES FOR REVIEW***

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

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

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#### **PURPOSE**

To review the policies provided in the attachment to this report.

#### **RECOMMENDATION**

That Council adopt the policy *Grants and Subsidies - Programs - Section 356 General Donations*.

#### **BACKGROUND**

All new and revised policies of Council are endorsed by the Senior Management Group, and then put to Council for consideration and adoption, in accordance with the Controlled Documents operational policy.

#### **REPORT/PROPOSAL**

The policy *Grants and Subsidies - Programs - Section 356 General Donations* is due for review and is provided for consideration in attachment 1.

Council workshopped the policy at its strategy day in September 2023 and again participated in a briefing in January 2024 with the General Manager where a number of options regarding refinement to this policy were considered. The main areas for review were:

1. Eligibility of schools to be awarded donations given they already have a specific allocation.
2. Groups raising funds for charities will be considered the same as charities
3. Removing sporting allocations to individuals
4. Clarifying the eligibility for events that receive donations and
5. Ensuring recipients recognise Council's donations in any promotional material generated.

These have been incorporated into the attached reviewed policy. In addition, the threshold amount for donations for events has been increased from \$200 to \$400 however limited to one event per year per organisation.

#### **OPTIONS**

Council may adopt, amend or revoke the draft policy provided, as it sees fit.

#### **CONSULTATION**

- Senior Management Group

## General Manager's Unit

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### **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.

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

- Advice and policy development that supports decision making

#### **c. Other Plans**

Nil

### **IMPLICATIONS**

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

The Controlled Documents operational policy identifies Council's process for creating, reviewing and revoking Council policies.

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

Nil

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

Legislative references for each policy are provided in the policy details, as relevant.

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

Current and accurate policies support Council in managing risks and help to ensure consistency of service.

#### **e. Sustainability Implications**

Nil

#### **f. Other Implications**

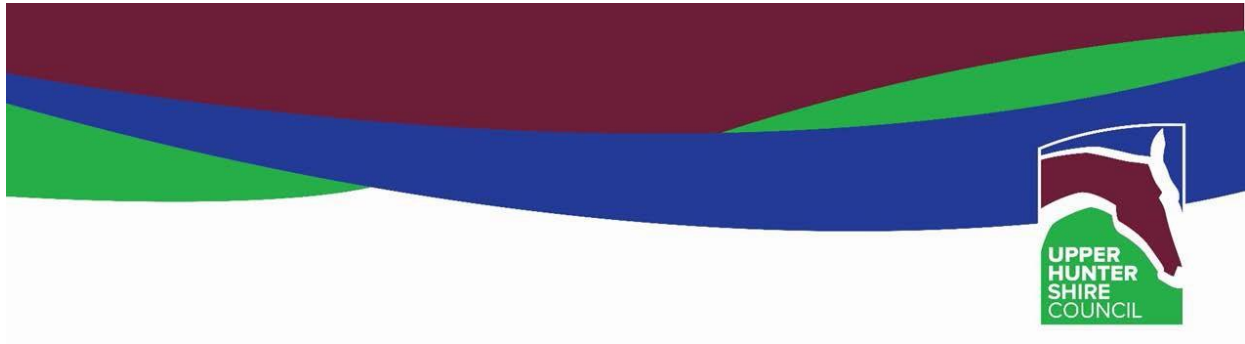
Nil

### **CONCLUSION**

The attached policies have been reviewed by the Senior Management Group and are provided to Council for consideration in accordance with the Controlled Document operational policy.

### **ATTACHMENTS**

- 1 [↓](#) DRAFT - Grants and Subsidies - Programs - Section 356 General Donations



## POLICY

### GRANTS AND SUBSIDIES – Programs – Section 356 General Donations

Date adopted by Council	28 November 2022
Minute number	H.11.1.1.e.
Endorsed by	Council Senior Management Group
CM Ref	CD-61/22
Due for review	November 2026
Related documents	GRANTS AND SUBSIDIES – POLICY - PROGRAMS – Section 356 Rental Subsidies.
Responsible officer	Manager Finance
Department/Section	Corporate Services
Category	Governance
Community Strategic Plan goal	A Connected Community <b>1.5</b> Advocate for, support and provide services and facilities for the community

Policy: GRANTS AND SUBSIDIES – Programs – Section 356 General Donations



## Policy Statement

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

## Objective

To provide transparency and accountability and to cover issues such as:

- Forms of application for financial assistance
- Assessment processes, including, where applicable, obtaining supporting information to establish the bona fides of applications
- Procedures for ensuring public notice is given and for dealing with any public submissions
- Establishing clear and transparent criteria for the assessment of applications for financial assistance
- A procedure for ensuring financial assistance is used by the recipient for the specified purpose.

The policy has sufficient flexibility to ensure that Council strikes an appropriate balance between prudent financial management and its ability to effectively meet meritorious requests for financial assistance.

## Scope

This policy enables the framework around the process and procedure for Council to provide contributions, donations and support for tourism, festivals, Shire promotion, creative arts and individual representation by residents within the Shire.

## Policy Details

### 1. Form of application

A person will make application for financial assistance in writing to Council.

Applications may be considered for approval by Council:

- As part of the adoption of the annual Delivery Program and Operational Plan; or,
- By submission of a business paper to Council.

### 2. Assessment process

The General Manager will review applications on an individual basis in relation to the functions of Council, its Vision, Mission and Charter.

Council will consider applications submitted to it by the General Manager or his/her delegate.

Policy: GRANTS AND SUBSIDIES – Programs – Section 356 General Donations



### 3. Public notice

In relation to section 356 (2) of the Act (refer to Reference no 2), Council will provide at least 28 days' public notice of the council's proposal to pass the necessary resolution.

Public notice is not required if:

- the assistance is part of a specific program which has been included in Council's Delivery Program and Operational Plan;
- the program's budget does not exceed 5% of Council's income from ordinary rates for the year; and
- the program is uniformly available to all or a significant group of persons within the area.

### 4. Assessment criteria

The General Manager and Council will assess the application in relation to the following criteria:

- ~~(a)~~ Residents (individual and teams) representing the Shire;
- ~~(b)~~(a) Events which promote the towns of Aberdeen, Merriwa, Murrurundi and/or Scone;
- ~~(c)~~(b) Events which promote the Upper Hunter and the Shire; and
- ~~(d)~~(c) The rental subsidy that may be provided to a community service organisation which occupies a Council building or property as a tenant.  
(Refer to **GRANTS AND SUBSIDIES – POLICY - PROGRAMS – Section 356 Rental Subsidies**)

### 5. Review of Financial Assistance

Following approval of the application by Council, the responsible officer will prepare a "Payment Request" form and a letter requesting the recipient of the financial assistance to confirm that the funds have been used for the specified purpose.

### 6. Section 356 Contributions Assessed when preparing the annual Delivery Program and Operational Plan

Council will determine the contribution within the annual budget.

- (a) Community Halls and Facilities (ratable): to the value of the rates for the Bunnan Public Hall, Timor Community Hall, Wingen School of Arts and Cassilis Guild Hall.
- (b) School and TAFE Prizes: to the value of \$200 per primary, secondary and tertiary institution per annum, for educational purposes or prizes.
- (c) School Achievement Awards: one achievement award for each of the four secondary schools in the Upper Hunter Shire, up to the value of \$1,000 per secondary school per annum.
- (d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$2400 per event ~~per annum~~ limited to one per year and in accordance with the below criteria.
- ~~(e)~~ Resident representation at Regional, State and National Events for Upper Hunter

Policy: GRANTS AND SUBSIDIES – Programs – Section 356 General Donations



Shire residents who have been selected by a regional (eg Hunter), state or national body to participate in a recognised sporting or cultural event, up to \$2,000 per annum.

	Individual Up To	Team or Group Up To
Regional event (held within NSW)	\$100	\$200
National event (held within Australia)	\$250	\$500
International event (held within Australia or overseas)	\$500	\$1,000

~~(f)~~(e) Local Cultural Organisations: for the support of cultural activities within the Upper Hunter Shire.

~~(g)~~(f) Creative Arts Excellence Awards: to celebrate the young people in the Shire by recognising their achievements and supporting their further education in the creative arts. One award up to the value of \$1,000 per secondary school per annum and \$1,000 scholarship to the Upper Hunter Conservatorium of Music.

~~(h)~~(g) Young Citizen of the Year Awards: one in each town (4) and for the Shire.

~~(i)~~(h) Young Endeavour Scheme: dinner and berths (6).

~~(j)~~(i) Events and Festivals which Promote Towns within the Upper Hunter Shire.

~~(k)~~(j) Local Chamber, Development or Progress Associations within the Upper Hunter Shire.

~~(l)~~(k) Australia Day

As determined from time to time by the Council and provided in the annual budget to assist various groups which assist Council to celebrate Australia Day or which provide events for the celebrations. For example:

- Scone and Upper Hunter Historical Society, provides the venue for Council to hold its Australia Day function together with the combined Hunter McLoughlin Citizenship Award and Naturalization Ceremonies. Members of the Society provide morning tea, seating and shade for all guests.
- The Scone and Aberdeen Scouts and Guides provide a 'guard of honour' for the Australia Day Ambassador, Mayor and dignitaries at the commencement of the Australia Day function. They also raise the Australian flag, help with the setting up and removal of chairs, shade etc.
- RSL Pipes & Drums entertain guests prior to the arrival of dignitaries, play or pipe national anthem and provide music at the conclusion of the ceremony.

~~(m)~~(l) Charitable Organisations: no contributions are provided unless by resolution of Council as it is the individual choice of the ratepayers to make donations and Council is of the opinion it should not contribute. [Groups raising money on behalf of charitable organisations will likewise be excluded from eligibility for contributions.](#)

~~(n)~~(m) [Fund raising committees for school activities, including schools, P&C / P&F associations or other school affiliated groups will not be eligible. Council recognises the benefits our schools play in the community and allocates funds for student achievement prizes but it is not appropriate for rate payer funds to be spent supporting education programs or school sporting and events that the state government should fund.](#)



**Policy: GRANTS AND SUBSIDIES – Programs – Section 356 General Donations**

~~(m)~~(n) [Small community groups seeking waivers for use of Council facilities will be considered on a case by case basis and Council support will generally extend to a discounted or waived fee, noting that many of Council's fees and charges are already heavily discounted for non profit organisations.](#)

~~(m)~~(o) [Non-Rateable Properties: consideration given to services provided to crown land managed by community trusts who provide benefits to the community as a whole.](#)

**7. Criteria to be met for sections 6 (d) and (i)**

[In order to be eligible for contributions for sections 6\(d\) and \(i\), applicants will need to demonstrate that their event promotes the towns or shire in at least one of the following ways and is subject to the Council's discretion.](#)

- [I. The event should be advertised outside of the shire and demonstrate that persons outside of the shire will be attending for 1 or more days.](#)
- [II. The event is open to all shire and non-shire residents.](#)
- [III. The event will positively promote the Upper Hunter Shire, its towns and region.](#)

**7.8. Section 356 Contributions: Rental Subsidies**

Council will provide a rental subsidy to a community service organisation which occupies a Council building or property as a tenant. Refer to **GRANTS AND SUBSIDIES – POLICY - PROGRAMS – Section 356 Rental Subsidies.**

**Responsibilities**

**Councillors**

Councillors will approve those donations as adopted in the Delivery Program and Operational Plan or adopted individual requests as received throughout the year.

**Senior Management Group**

The Senior Management Group will provide recommendation for the adoption of donations requested.

**Particular/relevant Manager**

The Finance Manager will facilitate the payment of the donations as adopted.

**Receiving Community Group**

[Community groups successful in receiving Council grant funding will promote the Council in their event advertising and promotion material.](#)

**References and Related Legislation**

1. Department of Local Government circular to councils 06 – 32, 18 May 2006 "Provision of Financial Assistance under section 356 of the Local Government Act - Developing A Financial Assistance Policy".
2. Local Government Act 1993 section 356 Can a council financially assist others?
  - (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.



**Policy: GRANTS AND SUBSIDIES – Programs – Section 356 General Donations**

- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
  - (a) the financial assistance is part of a specific program, and
  - (b) the program's details have been included in the council's draft management plan for the year in which the financial assistance is proposed to be given, and
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
  - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- 3. Council's Vision, Mission and Charter (refer to the current Delivery Program and Operational Plan)
- 4. GRANTS AND SUBSIDIES – POLICY - PROGRAMS – Section 356 Rental Subsidies

**Version History**

Version No.	Date	CM Ref#	Reason for Review
1.	07/11/2014	INT-12237/14	
2.	31/10/2016	CD-59/21	Policy expiry date due for review.
3.	28/11/2022	CD-61/22	Policy expiry date due for review. Update to new template.



## Infrastructure Services

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### INFRASTRUCTURE REPORTS

**I.02.1** ***TENDER 06/2023 SUPPLY OF SERVICES - ADDITIONAL SUPPLIERS***

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

**AUTHOR:** Chris Agosto - Project Manager

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#### **PURPOSE**

The purpose of this report is to recommend three additional suppliers for inclusion in Tender 06/2023 for the supply of electrical, mechanical and concreting services.

#### **RECOMMENDATION**

That Council accept three additional contractors for the supply of electrical, mechanical and concreting services (Tender 06/2023) for the period from 27 February 2024 to 30 August 2024:

- NOTUSE Pty Ltd, T/A Allday Concrete,
- Briken Group Servies, and
- OPMI Power.

#### **BACKGROUND**

##### **Previous Council reports**

This report follows:

- Council Report 29 August 2022 CR.08.05 where Council approved 111 contractors for the supply of services during the period from 29 August 2022 to 30 August 2024,
- Council Report 19 December 2022 CR.12.3 where Council approved an additional 2 contractors to this list,
- Council Report 29 May 2023 CR.05.3 where Council approved an additional 3 contractors to this list, and
- Council Report 31 July 2023 I.07.2 where Council approved an additional 3 contractors to this list, and
- Council Report 29 January 2024 I.01.2 where Council approved one additional contractor to this list.

##### **Background to the process**

Tenders were invited for the supply of services to allow companies to supply its good or service through a competitive and transparent procurement process.

The Tenders are a formal offer to supply specified services and a statement of the price that the tendering company will charge.

From the Tender process UHSC has a list of preferred suppliers.

UHSC warrants or gives no guarantees as to the amount or frequency of orders any listed Service Provider may receive during the contract period.

UHSC is not bound to hire exclusively from the Service Provider listed on the list. UHSC may in its absolute discretion hire from any other Service Provider.

## Infrastructure Services

### REPORT/PROPOSAL

UHSC has received three additional offers from suppliers seeking to join the preferred supplier list. The supply of concrete to construction sites is in high demand and is used in most infrastructure projects. This contractor has provided concrete to construction sites at competitive rates for Council over many years. They are the only supplier based in the immediate area that can regularly supply concrete to Council's remote construction sites and also to jobs that require only small amounts of concrete. Likewise, Briken has offered mechanical services to Council previously and would be important for some minor mechanical and electrical works in the upcoming UV Disinfectant plant installation project. OPMI can work as an ASP contractor and their people have done a lot of work for Hunter Water pump stations that could be very handy to Council's Water & Sewer Operations.

### Tender Scope

The Tendered scope includes:

- Period of contract
- Pricing
- Insurance
- Work Health and Safety Management

The additional suppliers and the services they supply are:

Company	Services Offered
NOTUSE Pty Ltd T/A Allday Concrete	Supply and delivery of concrete
Briken Group Services	Electrical and mechanical services
OPMI Power	Electrical services

### Assessment

A Council officer has assessed these offers as providing value to Council. There is benefit in this supplier being added to the preferred suppliers list.

### Engagement

When Council engage a supplier, Council will check that the supplier meets the criteria outlined in the Tender and that all relevant documentation submitted is compliant and current before any supply of service commences. Council will monitor and manage this continuously throughout the life of the Tender 06/2023.

### STRATEGIC LINKS

#### a. Community Strategic Plan 2032

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

#### 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.
- 4.3 Provide safe and reliable water and sewerage services to meet the demands of current and future generations.
- 4.4 Upgrade and maintain the road network and bridges.

## Infrastructure Services

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### b. Delivery Program

The report addresses the following objectives for works up to 30 June 2024 as described in the 2022/23 and 23/24 DPOP:

- The development and management of major capital projects
- Purchasing and contracts to ensure most cost effective results are obtained
- Encouragement for the sustainable economic development in the Upper Hunter Shire
- Road/driveway maintenance and construction activities.

### c. Other Plans

Nil

## IMPLICATIONS

### a. Policy and Procedural Implications

This Tender has been prepared under the requirements of Council's Procurement Policy, Local Government Act 1993 Tendering Provisions and the Local Government (General) Regulations 2005.

### b. Financial Implications

The Tenders aim to obtain services at a value for money price. Prices are fixed for this period.

### c. Legislative Implications

The Tenders meet the requirements of:

- Local Government Act 1993 Tendering Provisions.
- Local Government (General) Regulation 2005.

### d. Risk Implications

The Tender requirements call for Tenderers to detail:

- Insurances
- Work Health & Safety Management
- Quality Assurance.

### e. Other Implications

Nil

## CONCLUSION

This report recommends Allday Concrete, Briken, and OPMI as additional suppliers for Tender 06/2023, highlighting Allday Concrete's competitive pricing, Briken's prior experience in mechanical services, and OPMI's expertise in ASP contracting, particularly beneficial for Water & Sewer Operations.

## ATTACHMENTS

Nil.



**Infrastructure Services**

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**CONFIDENTIAL REPORTS**

**CR.02.1** ***TENDER 20/2023 - SCONE UV SYSTEM - TENDER EVALUATION***

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

**AUTHOR:** Gavin McKenzie - 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.*

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**PURPOSE**

The purpose of this report is to outline the process that has been followed for tender number 20/2023 for Scone UV and to make a recommendation to award the tender.



**Infrastructure Services**

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**CR.02.2**

***TENDER EVALUATION ON BELLMAN HANGAR AND  
ASSOCIATED WORKS AT SCONE MEMORIAL AIRPORT***

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

**AUTHOR:** Jeff Bush - Manager Strategic Assets

*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.*

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**PURPOSE**

The purpose of this report is to outline the process that has been followed for the evaluation of tenders for the Bellman Hangar and associated works (Tender No. 29/2024) and to make a recommendation for a resolution by Council.



**Corporate Services**

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**CR.02.3**

***T452324HUN - PROVISION OF ROAD SAFETY BARRIER SYSTEMS***

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

**AUTHOR:** John Reijn - Stores and Purchasing Supervisor

*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.*

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**PURPOSE**

Council participated in a Panel Source tender for the Provision of Road Resurfacing with a number of other Hunter Council participants that was facilitated by Regional Procurement. The tender period will be for a 24 month period from 1 April 2024 to 31 March 2026 with a further twelve (12) month option available based on satisfactory performance of the successful tenderers. The value of acquisitions to the Upper Hunter Shire Council is unknown as it is dependent on infrastructure requirements over the period of the tender.