

**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON MONDAY 26 JUNE 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 5.00PM**

**PRESENT:**

Cr Maurice Collison (Mayor), Cr Ron Campbell, Cr Tayah Clout, Cr Elizabeth Flaherty and Cr Allison McPhee.

**Via Video Link:** Cr James Burns (Deputy Mayor).

**IN ATTENDANCE:**

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

**PRAYER**

**ACKNOWLEDGEMENT OF COUNTRY**

**STATEMENT OF ETHICAL OBLIGATIONS**

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

23/149

**RESOLVED**

**That the application received from Cr James Burns to attend the meeting via video link be accepted.**

Moved: Cr A McPhee

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

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

23/150

**RESOLVED**

**That the apology received from Cr Belinda McKenzie be accepted.**

Moved: Cr T Clout

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

Crs Adam Williamson and Lee Watts are currently on approved leave of absence.

**PUBLIC PARTICIPATION:**

**D.06.1 DA No. 37/2022 - Subdivision of one lot into three lots**

David Casson

**G.06.1 Return & Earn Reverse Vending Machines – Scone & Merriwa**

Jon Stanley – TOMRA

**G.06.2 Delivery Program and Operational Plan**

Ronald Esdaile

**CONFIRMATION OF MINUTES:**

23/151

**RESOLVED that the minutes of the ordinary Council meeting held on 29 May 2023 and the extraordinary Council meeting held on 9 June 2023 be adopted.**

Moved: Cr R Campbell

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

## DISCLOSURES OF INTEREST:

### G.06.5 Requests for Donations

Cr Allison McPhee declared a non-pecuniary interest / non-significant conflict for the reason that her mother is the signatory on the letter of request and is the Secretary of the Gundy Hall Committee to which a donation is recommended to be made. Cr McPhee advised that she would remain in the meeting but take no part in discussion or voting however, when the meeting reached the item Cr McPhee decided to leave the meeting so that her failure to vote was not taken to have voted against the motion.

## STANDING COMMITTEE REPORTS

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### SCR.06.1 *ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE*

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

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

23/152

#### RESOLVED

**That Council note the record of proceedings for the Environmental & Community Services Committee meeting scheduled for 13 June 2023.**

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

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### SCR.06.2 *INFRASTRUCTURE SERVICES COMMITTEE*

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

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

23/153

#### RESOLVED

**That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 13 June 2023.**

Moved: Cr R Campbell      Seconded: Cr T Clout      CARRIED

FOR	AGAINST
Councillor Burns	Councillor Flaherty
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McPhee	
<b>Total (5)</b>	<b>Total (1)</b>

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### SCR.06.3 *CORPORATE SERVICES COMMITTEE*

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

**AUTHOR:** Wayne Phelps - Manager Finance

23/154

#### RESOLVED

**That Council adopt the minutes of the Corporate Services Committee meeting held on 16 June 2023 and their recommendations with an amendment to include in the minutes the request from Cr Flaherty to present a breakdown to the next Committee meeting detailing the deferrals of projects and their associated budget.**

Moved: Cr J Burns      Seconded: Cr R Campbell      CARRIED

FOR	AGAINST
Councillor Burns	Councillor Flaherty
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McPhee	
<b>Total (5)</b>	<b>Total (1)</b>

## DEVELOPMENT REPORTS

### D.06.1 *DEVELOPMENT APPLICATION NO. 37/2022 - SUBDIVISION OF ONE LOT INTO THREE LOTS*

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

**AUTHOR:** Paul Smith - Senior Environmental Planner

23/155

#### RESOLVED

That Council approve Development Application No. 37/2022 for the subdivision of one lot into three lots at No. 65-67 Vennacher Street Merriwa (Lot 7 Section 1 DP 976986), subject to the conditions of consent in Attachment 2.

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

## GENERAL ADMINISTRATION REPORTS

### G.06.1 *RETURN & EARN REVERSE VENDING MACHINES - SCONE AND MERRIWA*

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

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

23/156

#### RESOLVED

That Council:

1. approve the installation of a Return and Earn reverse vending machine at each of the following locations:
  - (a) Lot 21 DP 1134921 and/or Lawrence Lane, Scone (behind the Coles Complex); and
  - (b) the road reserve adjoining Lot 6 DP 244849, 46 King George V Avenue, Merriwa.
2. enter into licence agreements with TOMRA for both sites subject to the following specific conditions:
  - (a) The hours of operation of the Scone RVM kiosk shall be restricted to 8am to 6pm 7 days a week.
  - (b) The hours of servicing/unloading of the Scone RVM kiosk shall be restricted to 8am to 6pm 7 days a week.
  - (c) The RVM kiosks shall be cleaned and maintained on a regular basis to ensure that any litter and rubbish is removed in a timely manner.
  - (d) Waste bins shall be provided and maintained at each site to discourage littering.

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

G.06.2

**DELIVERY PROGRAM 2022/2023-2024/2025 AND OPERATIONAL PLAN 2023/2024**

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

**AUTHOR:** Wayne Phelps - Manager Finance

23/157

**RESOLVED**

**That Council:**

1. adopt the amended Delivery Program 2022/2023-2024/2025 and Operational Plan 2023/2024 as per the attached tables
2. resolve to commence community consultation in regards to a proposed Special Rate Variation (SRV).

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Burns	Councillor Flaherty
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McPhee	
<b>Total (5)</b>	<b>Total (1)</b>

G.06.3

**MAKING THE RATES AND ANNUAL CHARGES 2023/2024**

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

**AUTHOR:** Wayne Phelps - Manager Finance

23/158

**RESOLVED**

**That Council make the following rates and charges for the financial year commencing 1 July 2023 to 30 June 2024:**

**1. Rates**

The following Ordinary Rates be now made for the year commencing 1 July 2023.

Category	Sub Category	Ad-valorem Amount Cents in \$	Base Rate \$
Farmland		0.0020388	100.00
Residential	Aberdeen	0.0033055	200.00
	Cassilis	0.0055710	200.00
	Merriwa	0.0036099	200.00
	Murrurundi	0.0027770	200.00
	Scone	0.0044610	200.00
	Ordinary	0.0027090	200.00
Business	Aberdeen	0.0045125	200.00
	Merriwa	0.0045053	200.00
	Murrurundi	0.0032942	200.00
	Scone	0.0062170	200.00
	Ordinary	0.0025835	200.00
Mixed Development Residential	Aberdeen	0.0033104	200.00
	Merriwa	0.0036099	200.00
	Murrurundi	0.0027770	200.00
	Scone	0.0044610	200.00

Mixed Development Business	Aberdeen	0.0045125	200.00
	Merriwa	0.0045053	200.00
	Murrurundi	0.0032942	200.00
	Scone	0.0062170	200.00
Mining		0.0056877	200.00

## 2. Water Charges

- i) A Water Service Availability Charge is charged for each service to the property in respect of land that is supplied with water from a water pipe of the Council and land that is situated within 225 metres of a water pipe of the Council (whether or not actually supplied with water from any water pipe of the Council). The Water Service Availability Charge is based on the service size of the connection to the water supply line.

The Water Service Availability Charges for the financial year commencing 1 July 2023 are as follows:

	Service Size	\$
Availability Charge (Not Connected)		187.00
Availability Charge (Connected)	20mm	242.00
	25mm	377.00
	32mm	620.00
	40mm	969.00
	50mm	1,514.00
	80mm	3,881.00
	100mm	6,065.00
	150mm	13,647.00
	200mm	24,260.00

- ii) A Consumption Tariff is to be charged per kilolitre for all water supplied. The water consumption tariffs for the financial year commencing 1 July 2023 are as follows:

Consumption Tariff	(\$/Kl)	\$
<b>Residential</b>	Step 1*	2.49
	Step 2*	3.84
Kidney Dialysis Users		1.24
<b>Non-Residential</b>		
Scone Saleyards		1.76
Scone Abattoir		1.76
Murrurundi Pipeline		1.30
Scone Well No.5		0.32
Council parks and gardens, cemeteries, pools, etc		1.00
Other		2.63

\*Step 1 allowance 75Kl for first two accounts in financial year then 100Kl for next two accounts.

## 3. Sewer

That Council hereby prescribes and orders under Section 501 of the Local Government Act 1993, the following sewer charges the financial year commencing 1 July 2023 are as follows:

An annual charge for sewer is applicable to each rateable assessment except:

- land which is more than 75 metres from a sewer of the Council and is not connected to the sewer; and
- land from which sewage could not be discharged into any sewer of the Council.

### i) Residential Sewer Charges

A Sewer Service Availability Charge is charged in respect of each Residential assessment for which the service is provided or is proposed to be provided. The Sewer Service Availability Charges for the financial year commencing 1 July 2023 are as follows:

Residential Sewer Availability Charge (Vacant)	\$508.00
Residential Sewer Charge (Occupied)	\$678.00

### ii) Non-Residential Sewerage Charges

Non-Residential Sewer Charges will be based on the following formula:

<b>SC = SDF x (AC + (C x UC))</b>	SC = Sewerage Charge
	SDF = Sewerage Discharge Factor
	AC = Availability Charge
	C = Total water consumption for meter
	UC = Sewer Usage Charge

The Sewer Service Availability Charges for the financial year commencing 1 July 2023 are as follows:

	Service Size	Charge \$
Availability Charge (Not Connected)		508.00
Availability Charge (Connected)	20mm	818.00
	25mm	985.00
	32mm	1,200.00
	40mm	1,647.00
	50mm	2,009.00
	80mm	3,291.00
	100mm	4,116.00
	150mm	6,024.00
	200mm	8,231.00

The Sewer Discharge Usage Charge for the financial year commencing 1 July 2023 are as follows:

Sewer Usage Charge	(\$/KI)
Non-Residential	\$1.26 per KI x discharge factor

Discharge Factors required for non-residential properties will be determined on an individual property basis.

### iii) Capital Contributions

Contributions to Morse Street Sewer - \$1,160 per annum.

Capital contributions for the extension of the Sewer System to Morse Street Scone area to be raised annually for seven properties for a 20-year period. Final payment is due 2025/26 and there are no CPI increases.

### iv) Trade Waste Charges

The Trade Waste Charges for the financial year commencing 1 July 2023 are as follows:

	<b>Charge \$</b>
Annual Charges	515.00
Multi installation (per equivalent tenement)	515.00
<b>Application Fee</b>	
Class 1 +2	107.00
Class 3	1,115.00
Re-inspection fee	148.00
Non Compliance fee (per Kl)	24.00
Excess Mass charge for Class 3 discharges (\$/kg)	Please refer to Attachment 1 Fees & Charges Schedule

#### 4. Waste Charges

##### Domestic Waste Management Charges

Council do hereby prescribe and order under Section 496 of the Local Government Act 1993 for rateable land categorised for rating purposes as residential or farmland and situated within the area in which a Domestic Waste Management Service is able to be provided, that the following Annual Waste Charges for the financial year commencing 1 July 2023 are as follows:

<b>Domestic Waste Management Charges Category</b>	<b>Per Annum \$</b>
Waste Facility Contribution	55.00
Waste Management Access Charge	50.00
Waste Management Service Charge	609.00
Additional Waste Service (Fortnightly)	166.00
Additional Recycling Service (Fortnightly)	166.00
Additional FOGO Service (Weekly)	396.00
Weekly General Waste Service (Scone, Merriwa & Aberdeen)	523.00
Weekly Recycling Service (Scone, Merriwa & Aberdeen)	142.00
Weekly General Waste Service (Murrurundi)*	1,075.00
Weekly Recycling Service (Murrurundi)*	620.00

\*Minimum 15 bins required to implement service

Domestic charges include rateable and non-rateable assessments. Pro-rata charges are applied.

1. Each premise is charged a contribution towards activities that are not part of normal waste collection and disposal
2. Each premise is charged an access charge for all rateable land situated within the area in which a Domestic Waste Management Service is able to be provided
3. Each premise is entitled to one approved mobile waste bin mixed waste service per week and one fortnightly collection of recyclable material for each Domestic Waste Management Service Charge.
4. Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Domestic Waste Management Service Charge.

##### Non-Domestic Waste Management Charges

Council do hereby prescribe and order under Section 501 of the Local Government Act 1993, for land not categorised for rating purposes as residential or farmland and situated within the area in which a Waste Management Service is able to be provided, that the following Annual Waste Charges for the financial year commencing 1 July 2023 are as follows:

<b>Non- Domestic Waste Management Service Charge Category</b>	<b>Per Annum \$</b>
Waste Facilities Contribution	55.00
Waste Management Access Charge	50.00
Waste Management Service Charge	609.00
Additional Waste Service (Fortnightly)	165.00
Additional Recycling Service (Fortnightly)	165.00
Additional FOGO Service (Weekly)	396.00
Weekly General Waste Service (Scone, Merriwa & Aberdeen)	523.00
Weekly Recycling Service (Scone, Merriwa & Aberdeen)	142.00
Weekly General Waste Service (Murrurundi)*	1,075.00
Weekly Recycling Service (Murrurundi)*	620.00

\*Minimum 15 bins required to implement service

- Each premise is charged a contribution towards activities that are not part of normal waste collection and disposal
- Each premise is charged an access charge for all rateable land situated within the area in which a Domestic Waste Management Service is able to be provided
- Each premise is entitled to one approved mobile waste bin mixed waste service per week and one fortnightly collection of recyclable material for each Waste Management Service Charge.
- Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Waste Management Service Charge.

### **Waste Facility Contribution**

Council do hereby order under Section 501 of the Local Government Act 1993 that land that is categorised for rating purposes as Farmland or Residential Other or Business Other will incur a charge to fund activities that are not part of normal waste collection and disposal and that the following Annual Waste Charges for the financial year commencing 1 July 2023 are as follows:

<b>Waste Facility Contribution</b>	
Waste Facility Contribution	\$55.00

### **Stormwater Management Services Charges**

Council do hereby prescribe and order under Section 496A of the Local Government Act 1993, for land situated within the designated stormwater area, that the following stormwater charges be now made for the financial year commencing 1 July 2023 are as follows:

Stormwater Charge	\$25.00
Stormwater Charge – Strata Lots	\$12.50

### **Onsite Sewage Management System – Approval to Operate Fee**

Council do hereby determine a charge for all ratepayers who have an onsite sewerage system on their property, that the following Annual Charge be made for the financial year commencing 1 July 2023 are as follows:

Onsite Sewage Management Charge per assessment	\$72.00
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### **Interest on Overdue rates and Charges**

In accordance with Section 566 of the Local Government Act 1993, if rates and charges are unpaid at the due date, the amount shall be increased by a sum calculated at nine percent (9.0%) per annum, simple interest, calculated daily for the period 1 July 2023 to 30 June 2024.





23/161

**RESOLVED**

**That Council provide a donation to:**

- 5. Gundy Soldier's Memorial Hall Centenary Committee for \$200.00 to assist with their costs in celebrating their Gundy Soldier's Memorial Hall Centenary Celebrations (1923 – 2023) from 28 to 30 July 2023.**

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

Cr McPhee returned to the meeting.

#### **CORRESPONDENCE ITEMS**

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***COR.06.1***

***CORRESPONDENCE***

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

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

23/162

**RESOLVED**

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

- 1. Minister for Small Business, Hon Julie Collins – response to Hon Barnaby Joyce, in relation to Council's resolution to seek support for small businesses.**
- 2. Carmel Donnelly, Chair, Independent Pricing and Regulatory Tribunal NSW – in response to Council's resolution regarding the Emergency Services Levy.**

Moved: Cr J Burns    Seconded: Cr T Clout    CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.41PM.