

MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON MONDAY 27 MARCH 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 5.00PM

PRESENT:

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

Cr Adam Williamson attended via video link.

IN ATTENDANCE:

Mr Greg McDonald (General Manager), Mr Wayne Phelps (Acting Director Corporate & Community Services), Mr Mathew Pringle (Director Planning & Infrastructure Services) and Mrs Robyn Cox (Executive Assistant).

PRAYER

ACKNOWLEDGEMENT OF COUNTRY

STATEMENT OF ETHICAL OBLIGATIONS

APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK:

An application has been received from Cr Adam Williamson.

23/064

RESOLVED that the application received from Cr Adam Williamson to attend the meeting via video link be accepted.

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

APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS:

There were no apologies.

PUBLIC PARTICIPATION:

I.03.1 Renaming of Roads - Scone Racing Precinct

Steven Keene, CEO Scone Race Club – for the recommendation.

CONFIRMATION OF MINUTES:

23/065

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

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

DISCLOSURES OF INTEREST:

G.03.1 Requests for Donations

Cr Lee Watts declared a non-pecuniary interest / non-significant conflict for the reason that she is the Manager of Scone Neighbourhood Resource Centre where a donation is recommended to be made. Cr Watts advised that she would leave the Chamber and take no part in discussion or voting.

CR.03.2 General Manager's Performance Review

Mr Greg McDonald, General Manager, declared a pecuniary interest / significant conflict for the reason that the item discusses his performance review and contract. Mr McDonald advised that he and the other staff would leave the meeting during discussion of the matter.

MAYORAL MINUTES

A.03.1 **RECOGNITION OF LENGTH OF SERVICE - MICHELLE WALSH**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

23/066

RESOLVED

That Council recognise Michelle Walsh for her 20 years' service to Council.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

STANDING ORDERS SUSPENDED

23/067

RESOLVED that Council suspend Standing Orders to deal with Item I.03.1.

Moved: Cr R Campbell

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

I.03.1

RENAMING OF ROADS - SCONE RACING PRECINCT

RESPONSIBLE OFFICER: Jeff Bush - Manager Strategic Assets

AUTHOR: Jamie Catzikiris - Survey Design Engineer

23/068

RESOLVED

That Council determine whether to support the permanent renaming of the following roads within the Scone Racing Precinct:

<u>Current Name</u>	to	<u>Proposed Name</u>
Flemington Drive		Everest Drive
Moonee Valley Close		Golden Eagle Close
Caulfield Place		Golden Slipper Place

Moved: Cr J Burns

Seconded: Cr L Watts

CARRIED UNANIMOUSLY

Standing Orders were resumed.

STANDING COMMITTEE REPORTS

SCR.03.1

ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

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

23/069

RESOLVED

That Council:

1. adopt the minutes of the Environmental & Community Services Committee meeting held on 14 March 2023.
2. ESC.3.1 – approve Development Application No. 188/2021 for a telecommunications facility at 78 Bettington Street Merriwa (Lot 31 DP 837789) subject to the conditions of consent in Attachment 2.

Moved: Cr L Watts

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

SCR.03.2**INFRASTRUCTURE SERVICES COMMITTEE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services**23/070****RESOLVED****That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday 14 March 2023.**

Moved: Cr R Campbell Seconded: Cr T Clout CARRIED

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

SCR.03.3**CORPORATE SERVICES COMMITTEE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Wayne Phelps - Acting Director Corporate & Community Services**23/071****RESOLVED****That Council adopt the:**

- 1. minutes of the Corporate Services Committee meeting held on 17 March 2023 and their recommendations; and**
- 2. proposed budget variations as provided in attachment 2**

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

COMMITTEE/DELEGATES REPORTS**C.03.1****MERRIWA AGED HOSTEL COMMITTEE****RESPONSIBLE OFFICER:** Amanda Catzikiris - Manager Community Services**AUTHOR:** Tash Taaffe - Community Services Officer**23/072****RESOLVED****That Council adopt the minutes of the Merriwa Aged Hostel Committee meeting held on 16 February 2023.**

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

C.03.2 **COMMUNITY ADVISORY COMMITTEE - MERRIWA DISTRICT**
RESPONSIBLE OFFICER: Wayne Phelps - Acting Director Corporate & Community Services
AUTHOR: Tash Taaffe - Community Services Officer

23/073

RESOLVED

That Council:

1. adopt the minutes of the Community Advisory Committee - Merriwa District meeting held on 21 February 2023.
2. endorse the proposal developed by Merriwa Landcare following the completion of community consultation for the Merriwa Community Nursery.

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

C.03.3 **COMMUNITY ADVISORY COMMITTEE - MURRURUNDI DISTRICT**
RESPONSIBLE OFFICER: Wayne Phelps - Acting Director Corporate & Community Services
AUTHOR: Heather Ranclaud - Community Services Officer - Murrurundi

23/074

RESOLVED

That Council adopt the minutes of the Community Advisory Committee – Murrurundi District meeting held on 9 February 2023.

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

ENVIRONMENT/HEALTH REPORTS

E.03.1 **RETURN & EARN - REVERSE VENDING MACHINE - MERRIWA**
RESPONSIBLE OFFICER: Greg McDonald - General Manager
AUTHOR: Mathew Pringle - Director Planning & Infrastructure Services

23/075

RESOLVED

That Council:

1. support the establishment of a Return and Earn reverse vending machine at the former driver reviver site in Merriwa (48 King George V Avenue, Merriwa, Lot 257 DP 750942) subject to favourable community consultation and all approvals being met.
2. receive a further report on the outcome of community consultation should any objections be received.
3. investigate the possibility of relocating the covered picnic table to Hacketts Lane opposite the Silo Art if practical.

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

GENERAL ADMINISTRATION REPORTS

G.03.1

REQUESTS FOR DONATIONS

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Karen Boland - Governance & Executive Support Officer

DISCLSOURE OF INTEREST

Cr Lee Watts declared a non-pecuniary interest / non-significant conflict for the reason that she is the Manager of Scone Neighbourhood Resource Centre where a donation is recommended to be made. Cr Watts left the meeting and took no part in discussion or voting.

23/076

RESOLVED

That Council provide a donation to:

- 1. Andrew Driffield for \$500.00 if selected to represent Australia at the Virtus Global Games in France from 4 to 10 June 2023;**
- 2. Valley Team Penning for \$200.00 to go towards hire fees of the Merriwa Showground for their fund raising event for the VRA Merriwa Rescue Squad; and**
- 3. Robert Thurgood for \$134.00 for waiving of hire fees of the Barry Rose Room for his workshop in April 2023.**

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

Cr Watts returned to the meeting.

POLICY MATTERS

H.03.1

POLICIES FOR REVIEW - PLANNING & INFRASTRUCTURE SERVICES

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Karen Boland - Governance & Executive Support Officer

23/077

RESOLVED

That Council:

- 1. adopt the policy Waste Management - Disposal of Waste at Council Landfills and Transfer Station; and,**
- 2. revoke the policy Environmental Management - Single Use Plastic Free Events.**

Moved: Cr A McPhee Seconded: Cr J Burns CARRIED

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

NOTICES OF MOTION

NM.03.1

NOTICE OF MOTION - COUNCIL CODES OF CONDUCT AND MEETING PRACTICE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

23/078

RESOLVED

That Council:

1. reaffirm its adoption of the Code of Conduct as set out in the Local Government Act 1993. This Code of Conduct applies to Councillors. It is based on the Model Code of Conduct for Local Councils in NSW (“the Model Code of Conduct”) which is made under section 440 of the Local Government Act 1993 (“LGA”) and the Local Government (General) Regulation 2005 (“the Regulation”).
2. reaffirm its adoption of the Code of Meeting Practice as set out in the Local Government Act 1993. This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021 (the Regulation).

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

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

CORRESPONDENCE

CORR.03.1

CORRESPONDENCE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

23/079

RESOLVED

That Council note the following correspondence received from the Hon Barnaby Joyce – response to Council in relation to support for small businesses.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

Cr Williamson left the meeting at 5.21pm due to having an unstable connection.

CLOSED COUNCIL

23/080

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

Moved: Cr A McPhee

Seconded: Cr L Watts

CARRIED UNANIMOUSLY

CONFIDENTIAL REPORTS

CR.03.1 **TENDER 19/2023 - SEWER RELINING PROGRAM - TENDER EVALUATION**

RESPONSIBLE OFFICER: Mathew Pringle - Director Planning & Infrastructure Services

AUTHOR: Gavin McKenzie - Project Manager

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.

23/081

RESOLVED

That Council:

- 1. accept Tender No. 19/2023 from Abergeldie Rehabilitation for Sewer relining for an estimated sum of \$768,169.60 inclusive of GST;**
- 2. delegate authority to the General Manager to approve variations to the contract to the value of 25% for the current scope and / or minor additions to scope; and,**
- 3. delegate authority to the General Manager to conduct all relevant functions under the contract.**

Moved: Cr T Clout

Seconded: Cr A McPhee

CARRIED

FOR

Councillor Burns
Councillor Campbell
Councillor Clout
Councillor Collison
Councillor McKenzie
Councillor McPhee
Councillor Watts

Total (7)

AGAINST

Councillor Flaherty

Total (1)

CR.03.2 **GENERAL MANAGER'S PERFORMANCE REVIEW**

RESPONSIBLE OFFICER: Mayor Maurice Collison

AUTHOR: Robyn Cox - Executive Assistant

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

DISCLOSURE OF INTEREST

Mr Greg McDonald declared a pecuniary interest / significant conflict for the reason that the item discusses his performance review and contract. Mr McDonald and all other staff left the meeting during discussion of the matter.

23/082

RESOLVED

That Council accept the Review Panel's evaluation of the General Manager as meeting or exceeding expectations in all aspects reviewed by the panel.

Moved: Cr A McPhee

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

The General Manager and staff returned to the meeting.

RETURN TO OPEN MEETING

23/083

RESOLVED That the meeting move back into Open Council.

Moved: Cr T Clout

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

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

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.28PM.