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# Council Meeting Agenda

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27 November 2023 at 5.00pm



Upper Hunter Shire Council wins the NSW Resilient Australia Award in the Local Government category!  
Congratulations and well done to all involved!

To All Councillors

You are hereby notified that the next meeting of the Upper Hunter Shire Council will be held on Monday, 27 November 2023 in the COUNCIL CHAMBERS, SCONE commencing at 5.00PM, for the purpose of transacting the undermentioned business.

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

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

**GREG MCDONALD  
GENERAL MANAGER**

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

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

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

4. APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK
5. APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS
6. PUBLIC PARTICIPATION
7. CONFIRMATION OF MINUTES
  - Ordinary Council Meeting held on 30 October 2023
8. DISCLOSURES OF INTEREST

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**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON  
MONDAY 30 OCTOBER 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 5.00PM**

**PRESENT:**

Cr Maurice Collison (Mayor), Cr Ron Campbell, Cr Tayah Clout, 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 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:**

Cr Elizabeth Flaherty is on approved leave until 1 November 2023.

23/198

**RESOLVED that the apology received from Cr James Burns be accepted.**

Moved: Cr L Watts

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

**PUBLIC PARTICIPATION:**

Nil

**CONFIRMATION OF MINUTES:**

23/199

**RESOLVED that the minutes of the ordinary Council meeting held on 25 September 2023 be adopted.**

Moved: Cr T Clout

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

**DISCLOSURES OF INTEREST:**

**G.10.4 Cultural Activity Grants**

Cr Lee Watts declared a non pecuniary interest / non significant conflict for the reason that she is the Manager of Scone Neighbourhood Resource Centre which has applied for a Cultural Activity Grant. Cr Watts advised that she would leave the meeting and take no part in discussion or voting.

## MAYORAL MINUTES

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### A.10.1 *2023 MAYOR FOR A DAY*

**RESPONSIBLE OFFICER:** Amanda Catzikiris - Manager Community Services

**AUTHOR:** Maurice Collison - Mayor

23/200

**RESOLVED**

**That Council welcome the school winners of the 2023 Mayor for a Day competition.**

Moved: Cr M Collison      CARRIED UNANIMOUSLY

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### A.10.2 *VOTE OF THANKS - EMERGENCY SERVICES*

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

**AUTHOR:** Maurice Collison - Mayor

23/201

**RESOLVED**

**That Council acknowledge our emergency services personnel and volunteers who have been battling fires in Scone to serve and protect our community.**

Moved: Cr M Collison      CARRIED UNANIMOUSLY

## STANDING COMMITTEE REPORTS

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### SCR.10.1 *ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE*

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

**AUTHOR:** Paige Heusler - Administrative Assistant - Environmental & Customer Service

23/202

**RESOLVED**

**That Council:**

1. **adopt the minutes of the Environmental & Community Services Committee meeting held on 10 October 2023;**

Moved: Cr Watts      Seconded: Cr Campbell      CARRIED UNANIMOUSLY

23/203

**RESOLVED**

**That Council:**

2. **ECSC.10.1 – defer the determination of Development Application No. 160/2022 for a dwelling house and strata subdivision at 99 Liverpool Street Scone (Lot 22 DP 558794) pending the submission of additional information to address the issues raised in the planning assessment report.**

Moved: Cr Watts      Seconded: Cr McPhee      CARRIED UNANIMOUSLY

23/204

**RESOLVED**

**That Council:**

3. **ECSC.10.2 - modify the development consent in respect of Development Application No. 154/2022 for demolition and construction of a new emergency services facility at Lot 1 Section 3 DP 758672, 70 Bettington Street Merriwa 2329 subject to the conditions of consent in Attachment 2 to the report.**

Moved: Cr Campbell      Seconded: Cr Watts      CARRIED UNANIMOUSLY



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**SCR.10.2** ***CORPORATE SERVICES COMMITTEE***

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

**AUTHOR:** Wayne Phelps - Manager Finance

23/205

**RESOLVED**

**That Council:**

1. adopt the minutes of the Corporate Services Committee meeting held on 20 October 2023 noting that Cr Williamson asked in the meeting to investigate the provision of a supply of water to the Wingen recreation ground to the current standpipe and report to the Infrastructure Services Committee; and
2. adopt the proposed budget variations as provided in attachment 2 to the report.

Moved: Cr B McKenzie    Seconded: Cr A Williamson    CARRIED UNANIMOUSLY

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**SCR.10.3** ***INFRASTRUCTURE SERVICES COMMITTEE***

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

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

23/206

**RESOLVED**

**That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 10 October 2023**

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

**COMMITTEE/DELEGATES REPORTS**

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**C.10.1** ***ARTS UPPER HUNTER***

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

**AUTHOR:** Robyn Cox - Executive Assistant

23/207

**RESOLVED**

**That Council note the minutes of the Arts Upper Hunter meeting held on 29 June 2023.**

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

**FINANCE REPORTS**

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**F.10.1** ***SIGNING OF THE ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023***

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

**AUTHOR:** Wayne Phelps - Manager Finance

23/208

**RESOLVED**

**That Council**

1. Delegate authority to the Mayor, Deputy Mayor, General Manager and Manager Finance (Responsible Accounting Officer) to sign the Annual Financial Statements on behalf of the Council for the year ended 30 June 2023, which include the:
  - General Purpose Financial Statements
  - Special Purpose Financial Statements



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**G.10.4*****CULTURAL ACTIVITY GRANTS 2023-24*****RESPONSIBLE OFFICER:** Amanda Catzikiris - Manager Community Services**AUTHOR:** Yolanda Wynn - Community Services Officer**DISCLOSURE 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 which has applied for a Cultural Activity Grant. Cr Watts left the meeting and took no part in discussion or voting.

23/212

**RESOLVED**

**That Council endorse the recommended Cultural Activity grants, totaling \$11,400, for the 2023/24 financial year as detailed in attachment 1 and subject to the following conditions:**

- 1. that any payment is conditional on receipt of completed acquittal document for outstanding grants prior to 30 November 2023.**
- 2. the grant recipient shall recognise Council in any promotion and/or event that is funded or partially funded by Council.**

Moved: Cr A McPhee    Seconded: Cr A Williamson    CARRIED UNANIMOUSLY

Cr Watts returned to the meeting.

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**G.10.5*****REGIONAL VISITOR ECONOMY GOVERNANCE MODEL*****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Bek Durietz - Creative Events, Facilities & Tourism Coordinator

23/213

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

- 1. a Tailored Alliance Model for the Upper Hunter Region to collectively grow and promote the visitor economy of Muswellbrook Shire and Upper Hunter Shire; and**
- 2. the appointment of the Mayor and General Manager, or proxy, to the Alliance Board.**

Moved: Cr A Williamson    Seconded: Cr B McKenzie    CARRIED UNANIMOUSLY

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**G.10.6*****PROPOSED FEES - GUMMUN PLACE*****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Mathew Pringle - Director Environmental & Community Services

23/214

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

- 1. endorse the proposed fees for the transportation of Gummun Place residents to appointments as set out in Table 1 of this report.**
- 2. place the proposed fees on public exhibition for 28 days.**
- 3. adopt the proposed fees for the remainder of the 2023-24 financial year if no objections are received in response to public exhibition.**

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

## POLICY MATTERS

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### H.10.1 *POLICY FOR REVIEW*

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

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

23/215

**RESOLVED**

**That Council adopt the policy Development and Building Controls – Assessment of Development Applications for Councillors and Designated Staff.**

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

## INFRASTRUCTURE REPORTS

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### I.10.1 *BILL ROSE SPORTS COMPLEX MASTERPLAN*

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

**AUTHOR:** Rag Upadhyaya - Director Infrastructure Services

23/216

**RESOLVED**

**That Council adopt the Bill Rose Sports Complex Masterplan.**

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

## QUESTIONS WITH NOTICE

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### QWN.10.1 *QUESTIONS WITH NOTICE*

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

**AUTHOR:** Robyn Cox - Executive Assistant

23/217

**RESOLVED**

**That Council note the responses to the questions with notice.**

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

## CORRESPONDENCE ITEMS

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### COR.10.1 *CORRESPONDENCE*

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

**AUTHOR:** Robyn Cox - Executive Assistant

23/218

**RESOLVED**

**That Council note the correspondence received from the office of the Hon Rose Jackson, Minister for Housing, in response to Council's request for a meeting to discuss the housing shortage in the Shire.**

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

## CLOSED COUNCIL

23/219

### 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 T Clout

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

## CONFIDENTIAL REPORTS

CR.10.1

### ***T372324 SUPPLY & DELIVERY OF ROAD BASE MATERIALS***

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

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

*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.*

23/220

### RESOLVED

**That Council:**

1. **accept the following tenders:**

- **Boral Resources (NSW) Pty Limited t/a Boral Construction Materials Group Limited**
- **Buttai Gravel Pty Ltd t/a Daracon Quarries**
- **Regional Quarries Australia Pty Ltd**

**as a Panel Source tender of suppliers, providing the best value to the Upper Hunter Shire Council for the period 1 January 2024 to 31 December 2025 for the supply and delivery of road base materials; and**

2. **subject to satisfactory performance, allow a further 12 month optional extension from 1 January 2026 to 31 December 2026.**

Moved: Cr T Clout

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

CR.10.2

### ***SELECTION OF BRANDING AGENCY FOR UPPER HUNTER REGIONAL BRAND IDENTITY PROJECT***

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

**AUTHOR:** Luke Tuxford - Communications & Customer Services Coordinator

*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.*

23/221

### RESOLVED

**That Council appoint "For the People" agency as the supplier for the Upper Hunter Regional Brand Identity Project.**

Moved: Cr L Watts

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

## RETURN TO OPEN MEETING

23/222

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

Moved: Cr L Watts

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

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

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.39PM.



**General Manager's Unit**

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**STANDING COMMITTEE REPORTS**

**SCR.11.1                                    *INFRASTRUCTURE SERVICES COMMITTEE***

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

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

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**RECOMMENDATION**

That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 14 November 2023

**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, 14 November 2023. A copy of the minutes is attached.

**REPORT/PROPOSAL**

The Infrastructure Services Committee considered reports on the following items:

**ISC.11.1    *WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER AND SEWER***

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

- Scone Water Treatment Plan (Joint with Muswellbrook Shire Council)
- Scone 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.11.2    *WORKS PROGRAM - INFRASTRUCTURE SERVICES – WORKS DELIVERY***

The KPIs were reported to the Committee, with two (2) of the three (3) KPIs being off track for the reportable year.

**ISC.11.3    *STRATEGIC AND CAPITAL WORKS UPDATE***

Strategic and Capital Works Delivery Update was reported.

## General Manager's Unit

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### **ISC.11.4 MR358 WILLOW TREE ROAD UPGRADE**

An update was provided on the MR358 Willow Tree Road Upgrade as of 14 November 2023.

#### **Key activities:**

- Outcome of the IIP 90-day review
- Letter from Minister Catherine King that project has been approved for funding
- Project Management Team to be sourced from TfNSW and PWA with assistance from Council staff

### **ISC.11.5 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.11.6 SCONE CBD REVITALISATION PROJECT**

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

## **ATTACHMENTS**

- 1 [↓](#) Draft - Infrastructure Services Committee - 14 November 2023 - Minutes

**MINUTES OF THE INFRASTRUCTURE SERVICES COMMITTEE OF UPPER HUNTER SHIRE  
COUNCIL HELD ON TUESDAY 14 NOVEMBER 2023 IN THE COUNCIL CHAMBERS, SCONE  
COMMENCING AT 12.38PM**

**PRESENT:**

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

**APOLOGIES:**

Nil

**IN ATTENDANCE:**

Cr Adam Williamson, Mr Rag Upudhyaya (Director Infrastructure Services), Mr Jeff Bush (Manager Strategic Assets), Mr Grahame Wilson (Manager Water & Sewer), Mr Chris Agosto (Project Manager), Mr Allan Greer (Project Manager) and Ms Karen Boland (Governance & Executive Support Officer).

**DISCLOSURES OF INTEREST:**

Nil

**PUBLIC PARTICIPATION:**

Nil

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**INFRASTRUCTURE SERVICES REPORTS**

**ISC.11.1                                      *WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER &  
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.11.2                                      *WORKS PROGRAM - INFRASTRUCTURE SERVICES - WORKS  
DELIVERY***

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

**AUTHOR:** Jenna Dowell - Trainee Engineer

**RESOLVED**

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

Moved: Cr M Collison                      Seconded: Cr T Clout                      CARRIED UNANIMOUSLY

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**ISC.11.3**

**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 saleyards replacement pumps & equipment (Ref # 63 Capex)

*Response: Taken on notice.*

Cr Campbell requested an update on the Horse Interpretive Centre (Ref # 68 Capex)

*Response: Taken on notice*

Cr Campbell enquired what is planned for the Aberdeen Waste Facility Expansion (Ref # 83 Capex)

*Response: Taken on notice*

Cr Campbell requested an update on the Merriwa & Murrurundi transfer stations (Ref # 84 & 85 Capex)

*Response: Taken on notice*

Cr Campbell enquired where is Council's main source of gravel now? (Ref # 105 Capex)

*Response: Taken on notice*

Cr Campbell enquired if the opening hours of the Merriwa Olympic Pool have been published yet?

*Response: Taken on notice*

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**ISC.11.4**

**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 M Collison      CARRIED UNANIMOUSLY

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**ISC.11.5** **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 M Collison      Seconded: Cr A McPhee      CARRIED UNANIMOUSLY

**COUNCILLOR QUESTIONS:**

Cr Campbell enquired if there have been any investigations of sourcing gravel from the quarry at the end of Tomalla Road?

*Response: Taken on notice*

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**ISC.11.6** **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 T Clout      Seconded: Cr A McPhee      CARRIED UNANIMOUSLY

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Being no further business the meeting was declared closed at 1:12pm

**Corporate Services**

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**SCR.11.2**

***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 17 November 2023; 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, 17 November 2023. A copy of the minutes of the meeting is attached. The following reports were considered:

**CORP.11.1 Financial Summary & Investment Report**

A monthly Financial Summary including details and levels of investments was provided for the Committee's information together with a statement from the Responsible Accounting Officer (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.11.2 Scone & Upper Hunter Regional Saleyards Committee**

The purpose of this report is to provide the committee with details relating to the operational management of the Saleyards, including WHS, current projects, financial and performance management. The minutes of the Scone & Upper Hunter Regional Saleyards Committee meeting held 26 October 2023 were adopted by the Corporate Services Committee.

### **CORP.13.3 Property Update**

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

### **CORP.11.4 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 - 17 November 2023 - Minutes
- 2 [↓](#) Budget Variation Requests - October 2023

**MINUTES OF THE CORPORATE SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL HELD ON FRIDAY 17 NOVEMBER 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 9.00AM**

**PRESENT:**

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

**APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK**

Nil

**APOLOGIES:**

**RESOLVED that the apology received from Cr James Burns be accepted.**

Moved: B McKenzie      Seconded: E Flaherty      CARRIED UNANIMOUSLY

**IN ATTENDANCE:**

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

**PUBLIC PARTICIPATION:**

Nil

**DISCLOSURES OF INTEREST:**

Nil

**FINANCE COMMITTEE REPORTS**

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**CORP.11.1      *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; and**
- 5. note the Capital Works Expenditure Report;**
- 6. note the Services High Level (Surplus) Deficiency Report; and**
- 7. adopt the proposed budget variations.**

Moved: B McKenzie      Seconded: E Flaherty      CARRIED UNANIMOUSLY

**COUNCILLOR QUESTIONS**

Cr Flaherty asked will the flood damage funding cover the cost of the damage done or is there likely to be a shortfall.

*Response: The General Manager advised that the funding typically does not cover the full cost due to Transport for NSW assessment process requiring considerable proof of road conditions prior to the event which most councils are unable to demonstrate.*

Cr Williamson asked whether Aberdeen Preschool in Bedford Street should be exempt from contribution payments because they are a not-for-profit organisation.

*Response: Taken on notice. Following the meeting advice was received that all public, private and religious enterprises are charged according to Council's policy and Aberdeen Preschool is not exempt from the contribution payments.*

**CORP.11.2 SCONE & UPPER HUNTER REGIONAL SALEYARDS COMMITTEE**

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

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

**RESOLVED**

**That the Committee adopt the minutes of the Scone & Upper Hunter Regional Saleyards meeting held on 26 October 2023.**

Moved: A Williamson      Seconded: B McKenzie      CARRIED

FOR	AGAINST
Councillor McKenzie	Councillor Flaherty
Councillor Williamson	
<b>Total (2)</b>	<b>Total (1)</b>

**CORP.11.3 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: B McKenzie      Seconded: E Flaherty      CARRIED UNANIMOUSLY

**COUNCILLOR QUESTION**

Cr Flaherty asked what the floor size is of the remaining empty shop in Campbell's Corner.

*Response: Taken on notice. Following the meeting staff put together the table below outlining the measurements of the floorplan of each shop in Campbell's Corner:*

Location	Area (m <sup>2</sup> )	Percentage of Total Space	Percentage of Commercial Leasable Space
Shop 1 - Library	698.7	11.65%	
<b>Community Space</b>	<b>698.7</b>	<b>11.65%</b>	
Shop 2	51.2	0.85%	2.74%
Shop 2A	32.3	0.54%	1.73%
Shop 3	95.0	1.58%	5.08%
Shop 4	50.2	0.84%	2.69%
Shop 5	135.2	2.26%	7.23%
Shop 6	50.0	0.83%	2.68%
Shop 7	30.6	0.51%	1.64%
Shop 8	200.8	3.35%	10.74%
Gym	535.1	8.93%	28.63%
Vacant Upstairs Space	688.7	11.49%	36.85%
<b>Leasable space</b>	<b>1869.1</b>	<b>31.18%</b>	<b>100%</b>
<b>Non leasable space including general space; basement, walkways, stairs and amenities</b>	<b>3427.2</b>	<b>57.17%</b>	
<b>Total Space</b>	<b>5995.0</b>		

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**CORP.11.4**

***RESPONSES TO PREVIOUS QUESTIONS***

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

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

**The responses to the previous questions were noted.**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.41AM.

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

Budget Service Area	Account Type	Account Description	VARIATION REQUEST		Details of Variation Request
			DR \$	CR \$	
<b>GENERAL FUND</b>					
State Emergency Service	Operating Revenue	Grant Funding In advance RA		60,000	Funding received in advance for project
State Emergency Service	Capital Expenditure	Scone EOC fitout	60,000		Funding received in advance for project
Aerodrome	Operating Revenue	Grant Funding		150,000	Finalisation of airport development funded by grant bodies
Aerodrome	Capital expenditure	Contributions received	150,000		Finalisation of airport development funded by grant bodies
<b>WATER SUPPLY</b>					
Scone Water	Non-Operating Revenue	Water Fund RA Balance		350,000	Transfer of funding from RA
Scone Water	Capital Expenditure	Purchase 54A Barton St Land	350,000		Additional works to complete Village standpipe project
<b>SEWERAGE SERVICES</b>					
	NIL				
		<b>Total Variations</b>	<b>560,000</b>	<b>560,000</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.11.1 AUSTRALIA DAY COMMITTEE - MERRIWA DISTRICT**

**RESPONSIBLE OFFICER:** Amanda Catzikiris - Manager Community Services

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

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**RECOMMENDATION**

That Council:

1. adopt the minutes of the Australia Day Committee – Merriwa District meeting held on 31 October 2023; and,
2. adopt the minutes of the Australia Day Committee – Merriwa District meeting held on 14 November 2023.

**BACKGROUND**

The Australia Day Committee – Merriwa District is an advisory committee of Council established to oversee the planning and provision of Australia Day activities in the Merriwa district. The Committee consists of Cr Ron Campbell, Cr Tayah Clout and community members and is supported by staff from Community Services.

**REPORT/PROPOSAL**

In October the Committee met to discuss the award category changes, nominations and commence planning for the 2024 event. In November the Committee voted with the recommendations to be provided to Council in a confidential report to the December meeting.

**ATTACHMENTS**

- 1 [↓](#) Australia Day Committee - Merriwa District - 31 October 2023 - Minutes
- 2 [↓](#) Australia Day Sub-Committee - Merriwa District - 14 November 2023 - Minutes



**MINUTES OF THE AUSTRALIA DAY COMMITTEE - MERRIWA DISTRICT MEETING - TUESDAY 31 OCTOBER 2023 - Merriwa Meeting Room**



**PRESENT:** Mr Bryan Baker (Chair), Mrs Shirley Hunt, Mrs Dale Wesley, Mrs Deirdre Peebles, Mrs Margaret Wright, Mrs Kay Burgess, Mrs Julia Hardy, Mrs Jan Cronin and Mrs Julie Wilton.

**IN ATTENDANCE:** Tash Taaffe (minutes) Community Services Officer

**1. APOLOGIES**

**RECOMMENDATION**

That the apologies received from Cr Ron Campbell, Cr Tayah Clout and Mrs Julia Hardy be accepted.

Moved: D. Peebles      Seconded: S. Hunt      CARRIED

**2. DISCLOSURE OF INTEREST - nil**

**3. PREVIOUS MINUTES**

**RECOMMENDATION**

That the minutes of the Australia Day Committee - Merriwa District Meeting held on 17 January 2023, as circulated, be taken as read and confirmed as a correct record.

Moved: M. Wright      Seconded: D. Peebles      CARRIED

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

(i) **New Committee Member – Following the February Council meeting, Mrs Julie Wilton's nomination to the Committee is accepted.**

**5. AGENDA ITEMS**

(a) **Award Category Changes** – Discussion took place regarding the 2024 categories with Young Achiever, Achiever, Environmental Achievement and Community Group replaced by the Local Champion award. The Committee were very disappointed they were not consulted prior to these changes taking place as the categories have been longstanding and are well supported in Merriwa.

(b) **Nominations** – Close Friday November 10. Previous nominees that didn't receive can be represented. The Committee asked if there could be more promotion in the lead up to nominations closing.

(c) **Planning for 2024** – Merriwa Sports Club confirmed as the venue. B. Baker noted that 2024 will be the 40<sup>th</sup> Australia Day awards celebration for Merriwa.

**6. ACTION SHEET- Circulated at meeting**

**7. CORRESPONDENCE - nil**

This is Page 1 of 2 of Minutes of the Australia Day Committee - Merriwa District meeting of the Upper Hunter Shire Council held on Tuesday 31 October 2023.

8. **GENERAL BUSINESS - nil**

9. **CONFIDENTIAL REPORTS - nil**

10. **NEXT MEETING - 14 November 2023 at 6pm (Voting) in the Merriwa Meeting Room**

*The meeting was declared closed at 7.01pm*

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This is Page 2 of 2 of Minutes of the Australia Day Committee - Merriwa District meeting of the Upper Hunter Shire Council held on Tuesday 31 October 2023.

**MINUTES OF THE AUSTRALIA DAY SUB-COMMITTEE - MERRIWA  
DISTRICT MEETING - TUESDAY 14 NOVEMBER 2023 - 6.00pm**



**PRESENT:** Mr Bryan Baker (Chair), Cr Tayah Clout, Mrs Shirley Hunt, Mrs Dale Wesley, Mrs Deirdre Peebles, Mrs Margaret Wright, Mrs Kay Burgess, Mrs Julia Hardy, Mrs Jan Cronin and Mrs Julie Wilton.

**IN ATTENDANCE:** Tash Taaffe (minutes) Community Services Officer

**1. APOLOGIES**

**RECOMMENDATION**

That the apologies received from Cr Ron Campbell be accepted.

Moved: D Peebles      Seconded: J. Hardy      CARRIED

2. **DISCLOSURE OF INTEREST** – Julia Hardy will leave the room during voting for the category she is nominated in. Cr Campbell nominated a nominee and is related to a nominee and will not vote for those categories.

**3. PREVIOUS MINUTES**

**RECOMMENDATION**

That the minutes of the Australia Day Sub-Committee - Merriwa District Meeting held on 31 October 2023, as circulated, be taken as read and confirmed as a correct record.

Moved: J Wilton      Seconded: S Hunt      CARRIED

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

**5. AGENDA ITEMS**

(i) **Nominations – Voting** – B Baker conducted a secret ballot, the results of which will be provided in a confidential report to Council.

(ii) **Planning for 2024** – Josie Porter to do photos, Tina Taylor a back-up. Accommodation booked for Ambassador at Golden Fleece.

6. **ACTION SHEET**- circulated and updated at meeting

7. **CORRESPONDENCE - nil**

8. **GENERAL BUSINESS - nil**

9. **CONFIDENTIAL REPORTS - nil**

10. **NEXT MEETING - 16 January 2024 at 6.00pm at the Merriwa Sports Club**

*The meeting was declared closed at 7.34pm.*

**Corporate Services**

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**GENERAL ADMINISTRATION REPORTS**

**G.11.1** *2022/2023 ANNUAL REPORT*

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

**AUTHOR:** Wayne Phelps - Manager Finance

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**PURPOSE**

The purpose of this report is to present the final published Annual Report for 2022/2023 to Council.

**RECOMMENDATION**

That Council note the final published Annual Report for 2022/2023.

**BACKGROUND**

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

**REPORT/PROPOSAL**

A copy of the final published Annual Report for 2022/2023 will be provided under separate cover and will be available to the public on Council's website by 30 November 2023.

**OPTIONS**

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

**CONSULTATION**

This Annual Report is reporting on the progress of the Community Strategic Plan 2032, Delivery Program 2022 - 2025 and Operational Plan 2023/2024. These documents were put on public exhibition and detailed Community engagement was carried out as detailed in these reports.

**STRATEGIC LINKS**

**a. Community Strategic Plan 2032**

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

**Responsible Governance**

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

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

**b. Delivery Program**

- Integrated Planning and Reporting framework that meets external requirements

## Corporate Services

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### c. Other Plans

The Audited Annual Financial Statements are incorporated in the Annual Report. Currently the Annual Report contains the draft annual financial statements as Council has an extension to 30 November 2023 for signing of the annual financial audit.

### **IMPLICATIONS**

#### a. Policy and Procedural Implications

Nil

#### b. Financial Implications

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

#### c. Legislative Implications

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

#### d. Risk Implications

Nil

#### e. Sustainability Implications

Nil

#### f. Other Implications

Nil

### **CONCLUSION**

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

### **ATTACHMENTS**

There are no enclosures for this report

**General Manager's Unit**

**G.11.2 REQUESTS FOR DONATIONS**

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

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

**PURPOSE**

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

**RECOMMENDATION**

That Council:

1. provide donations to:
  - a. St Mary's Primary School for \$200 for sponsorship of their Charity Golf Day held on 10 November 2023; and
  - b. Elaine Sparrow for \$200 to go towards hire fees of Merriwa School of Arts for the Merriwa History Book Launch on 3 December 2023.
2. not provide a donation to:
  - a. Gundy Crown Reserves Trust towards the Gundy Children's Christmas Party as it does not fit within Council's policy; and
  - b. Murravale Retirement Home for sponsorship of their Christmas Twilight Market as it does not fit within Council's policy.

**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 requests for financial assistance from the following:

1. St Mary's Primary School has requested course fees be waived for their Charity Golf Day that was held on Friday 10 November 2023. The day was organised to encourage members of the school and local community to come together to interact and build community spirit. Funds raised from the event will be used to purchase new furniture for their Stage 2 classrooms. The request fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum.*

It is recommended providing a donation of \$200.00

2. Community members; Elaine Sparrow, James Constable, Kay Teale and Kim Clydsdale have requested financial assistance with costs associated with publicity and hire fees of Merriwa School of Arts for the launch of the Merriwa History Book to be held on Sunday 3 December 2023. Details of the costs are as follows:

Merriwa School of Arts	\$216.30
Posters	\$74.25
	<u>\$290.55</u>



## General Manager's Unit

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The Merriwa History Book, 'Merriwa – Thru the Lens – 1824 – 2023' was compiled by Elaine Sparrow with assistance from researchers, James Constable, Kay Teale and Kim Clydsdale. The event celebrates the launch of the book as well as celebrating 200 years of the Merriwa community. Tickets for the lunch event are \$35.00pp. The request fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum.*

It is recommended providing a donation of \$200.00 to go towards the hire fee for Merriwa School of Arts.

3. Gundy Crown Reserve Trust has requested assistance to host their Gundy Children Christmas party on Saturday 9 December 2023. The Gundy Community Christmas Celebration started over 13 years ago and has become an annual tradition. Over 70 families from the village of Gundy and surrounding areas celebrate with an annual Tug "O" War between the adults of Gundy & Moonan / Belltrees. There is a BBQ, kids activities and a visit from Santa.

It is considered that this request does not fit within Council's policy as the event does not promote the Upper Hunter Shire, therefore it is recommended that no donation be provided. It is noted however, that Council has provided a donation for this event in previous years.

4. Murravale Retirement Home is seeding donations from Council to be raffled at the Christmas Twilight Market on Saturday 9 December 2023. Funds raised will go towards the purchase of new equipment for the facility.

It is considered that this request does not fit within Council's policy as the event does not promote the Upper Hunter Shire, therefore it is recommended that no donation be provided.

### **OPTIONS**

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

### **CONSULTATION**

- General Manager
- Manager Finance

### **STRATEGIC LINKS**

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

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

#### **Connected Community**

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

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

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

- Community social and physical infrastructure to support community activities

**General Manager's Unit**

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**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 \$2,784.10.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Other Implications**

Nil

**CONCLUSION**

Council has received requests for financial assistance from St Mary's Primary School, Elaine Sparrow, Gundy Crown Reserves Trust and Murravale Retirement Home. The requests from St Mary's Primary School and Elaine Sparrow satisfy the selection criteria as outline in Council's policy: Section 356 General Donations. Unfortunately, the requests from Gundy Crown Reserves Trust and Murravale Retirement Home do not meet the assessment criteria.

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](#) St Mary's Golf Day Fundraiser
- [2](#) Merriwa History Book Launch
- [3](#) Gundy Community Christmas Celebration Sponsorship Proposal 2023
- [4](#) Murravale Retirement Home



# ST MARY'S PRIMARY SCHOOL

12 Short St SCONE  
P.O. Box 235 SCONE NSW 2337

[admin@scone.catholic.edu.au](mailto:admin@scone.catholic.edu.au)

To whom it may concern,

Re: Course Fees waiver

On Friday 10<sup>th</sup> November, St Mary's Primary School are holding their Charity Golf Day. The day will be held in two parts at the Scone Golf Club starting from 12.30pm. Whilst the day is an opportunity to raise funds for our school, it will also create opportunities for the St Mary's community to connect and raise the profile of golf in our local area.

Throughout the term, students have been participating in golf lessons here at school with support from the Scone Golf Club and also Golf NSW. On the day of our Golf Day, they will travel to the Golf Course to play on the greens and put into action the skills they have been learning here at school. Then a 9 hole shot gun start tournament for parents and community members will begin at 3.30pm.

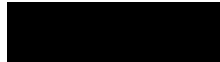
We believe the day we have organised is a great way to expose more people to the joys of golf and an event that encourages members of our school and local community to come together to interact and build community. The funds raised through the event will be used to purchase new 21<sup>st</sup> Century classroom furniture for our Stage 2 classrooms.

We are looking forward to our event and are hopeful that the Upper Hunter Shire Council will support us by sponsoring the course fees and associated costs at the Golf Club. In pursuit of making this event a truly community driven project and raising valuable funds, please support our application and this initiative.

Kind regards

Kim Wilson  
Principal

Elaine Sparrow

  
Merriwa NSW 2329

8<sup>th</sup> November, 2023

To : Mr Greg McDonald GM UHSC

Dear Mr McDonald

I am writing to you and the Upper Hunter Shire Council to ask if you may be able to waive two accounts (not yet presented) that I feel are in the community interests to be paid by council.

This is in regard to the Merriwa History Book / Launch to be held on Tuesday 2<sup>nd</sup> December, 2023 at the Merriwa School of Arts. The event is being organised by four private individuals, not through any organisations, being myself, James Constable, Kay Teale and Kim Clydsdale. We are the four historians who have put this history book together out of our own time and expenses.

To publicise this event we are having our Merriwa Community & Visitor Information Centre print some posters in A3 size, one being the cover of the book and the other being a poster saying, ... 'Merriwa, Happy 200<sup>th</sup> Year, 1824 – 2023. We plan to place these 200 year posters in all shops to advertise the fact that Merriwa is 200 years old at the end of this year. A very important part of our history for all to know and be proud of. These posters cost \$1.35 each to print. The Book cover posters we have ordered 15 and the 200 year posters we have ordered 40 to cater for all the businesses in town who will be helping us celebrate our 200 years by decorating their shops appropriately the week prior to our launch. The cost of the posters would be 55 @ \$1.35 = \$74.25.

The other big expense for the night is the cost of hiring the full School of Arts Hall, kitchen included, to cater for our Book Launch / Dinner.

We would very much appreciate it if council could waive these costs in the interest of a wonderful community celebration hosted by four individual community members who have had the HISTORY of our town, from Gummun Plains through to the Merriwa we have today, 200 years of stories and photos of our part of the Upper Hunter.

Waiting to hear from you on this matter.

Yours faithfully

*Elaine Sparrow, James Constable, Kay Teale and Kim Clydsdale.*



# Gundy Community Christmas Celebration

SPONSORSHIP PROPOSAL

9 December 2023



## About Us

Gundy Community Christmas Celebration started about over 13 years ago when a group of teenagers from the village decided to hold a Christmas disco at the Gundy Soldiers Memorial Hall for the children of Gundy. Over the years the celebration has expanded when the towns children population grew. In 2017 in the middle of the worst drought in many years, the great volunteers from Lions joined our cause and provided us with tremendous support. This support continued and a wonderful friendship was created over the years. During our regions hardest times, Lions were there to give us a helping hand. Until this day they are heavily involved with the cooking of the BBQ and serving of food.



2019 Christmas Celebration at Gundy

## OUR EVENT

The village of Gundy and surrounding areas celebrate Christmas and the year that has been with a Gundy Community Christmas Celebration at the Gundy Rec Grounds in December. In 2022, the date for the event is Saturday 17 December from 2pm. The afternoon turns into evening and along with a bbq, the 70 + families enjoy socialising, dancing, games and the annual Tug "O" "War between the adults of Gundy & Moonan/Belltrees. It is a true delight to see the comradery and friendships that are made and strengthened over the years.





The event has grown over the years due to the ongoing support from Lions and the many local businesses that have contributed. This event would not be able to go ahead if we didn't have this support. The afternoon starts with kids activities, dancing and sausage sizzle for the children. Then the most loved part of the afternoon is when the guy in the big red suit arrives on one of many modes of transport.

Santa hands out gifts which vary from lollies and books and then sits and has a chat to the children with opportunities for photos. The evening progresses with a BBQ dinner for the adults whilst the children dance and enjoy the rest of the evening. It is a wonderful community celebration and after the last few years we have been through, this year more than ever is what the community needs.

PAGE 2









**SPONSORSHIP**

Our sponsorship in the past has ranged from donation of drinks and bbq supplies to cash donations and presents.

It is with great pleasure that we can continue with this wonderful event and look forward to your business contributing in some way or another, the community of Gundy and most of all the children will thank you.

Each sponsorship and/or donation will be entitled to provide signage at the event, advertising on the Gundy Community Christmas Celebration & Gundy Community Page on Facebook. All advertisements handed out in the local community will have your business logo, as well as providing signage at the event.

Please complete the form below and return to Karen Lee [REDACTED] & Steven Tilse at [REDACTED]. Steven will then provide you with bank account details.

Name:.....

Organisation/Business: .....

Contact Ph: .....

Email: .....

Sponsorship Type

Monetary Donation:

\$200	\$500	\$1,000	Other amount \$
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Other Donation Type: (please circle) Disco/BBQ Supplies/Drinks/Lollies/Books/Jumping Castle

Signed :..... Date:.....

All sponsorship forms to be returned by email by 19 November 2023.



UPPER HUNTER SHIRE COUNCIL

15 NOV 2023

Referred to .....

For .....

Murravale Retirement Home  
6-10 Haydon Street  
Murrurundi NSW 2338  
8.11.23

Dear Local Business,

Murravale Retirement Home is seeking donations from local businesses to be raffled at the Christmas Twilight Market on Saturday 9<sup>th</sup> December 2023.

Funds are being raised to support the purchase of new equipment for the facility such as an ECG Machine and a Bladder Scanner. We use these pieces of diagnostic equipment during our consultation with our telehealth service, MyEmergencnyDr.

The money raised from the raffle will also be used for engagement opportunities in the local district and further afield. We appreciate what you can contribute and look forward to partnering with you to support our residents to live their best lives.

Warmest Regards,

*Sarah Wright*

Facility Manager/Registered Nurse



*Janifer Hemmingas  
Acting Facility Manager  
for Sarah Wright.*

**Address:** 6-10 Haydon Street, Murrurundi NSW 2338

**Phone:** [Redacted]

**Email:** [Redacted]

**Web:** <http://www.murravaleretirementhome.com.au>

**Facebook:** <https://www.facebook.com/profile.php?id=100068850110904&mibextid=LQOJ4d>

**General Manager's Unit**

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**G.11.3 LOCAL GOVERNMENT NSW - 2023 ANNUAL CONFERENCE**

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

**AUTHOR:** Robyn Cox - Executive Assistant

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**PURPOSE**

The purpose of this report is to provide Council with the outcome of the UHSC motions submitted to the Local Government NSW Conference held in November 2023.

**RECOMMENDATION**

That Council note the outcome of the UHSC motions submitted to the Local Government NSW Conference for consideration.

**BACKGROUND**

The 2023 Local Government NSW Annual Conference was held from 12 to 14 November 2023 and was attended by Deputy Mayor, Cr James Burns and General Manager, Greg McDonald.

Members were encouraged to submit motions to the Conference for consideration. At its meeting on 28 August 2023, Council resolved to submit the following motions to the Conference:

1. (a) *That LGNSW continue to lobby for increased assistance grants provided to councils;*  
(b) *That when LGNSW is successful in gaining a greater grant amount for Councils, that it lobby the Grants Commission to apply the method of distribution towards an increased amount to rural councils who have historically received less from the Grants Commission's present distribution formula.*
2. *That LGNSW lobby the NSW Government on the matter of drought declarations and ask the NSW Government to instruct the DPI to include all councils as a source of information on ground truthing in order to inform how areas are declared in drought.*
3. *That LGNSW lobby the Federal Government to create welfare reform around jobseeker recipient requirements to include 20 hours of work per week for the Local Government Area of the recipient. The areas of work that the people would serve can include groundskeeping, road maintenance and any other areas where the Local Government Area requires assistance that require no qualifications.*

**REPORT/PROPOSAL**

The Local Government NSW Conference this year covered the following areas:

- Discussion on the IPART review into rate pegging. IPART will continue to assess rate caps as they did last year based on Council size and population factors but will take into account current inflation rates rather than rates from 12 to 18 months prior. This should see more realistic rate cap values applied in coming years.



## General Manager's Unit

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- Discussion on the Grattan Institute report “Potholes and pitfalls” findings. It is pleasing to hear the Grattan institute have independently supported what Councils have been saying for many years in regard to the amount of Federal Assistance Grants being inadequate. It was especially pleasing to hear that they also supported my personal view that the distribution between regional and metro councils is not appropriate and that regional councils should be getting a larger piece of the funding pie as their ratio of road length to ratepayer numbers is significantly higher than our city based cousins. Under the Grattan Institute report they are recommending that an additional \$1 billion be provided across the nation. A full copy of the report can be found at this link <https://grattan.edu.au/wp-content/uploads/2023/11/Potholes-and-Pitfalls-How-to-fix-local-roads-Grattan-Report.pdf>
- There was of course discussion on housing and trends in population. The presenter from the Australian Bureau of Statistics showed some interesting trends in age increase with the average age of Australians continuing to increase meaning the ratio of retirees to workers will continue to increase. Good news if you're in the workforce as there will continue to be demand for workers, however the type of work is continuing to change with the future jobs being technology driven (even AI focused). Data on housing affordability shows Sydney has the highest cost of housing in the English speaking world measured as the ratio of house cost to income – and it is still increasing. Unfortunately neither government has solutions that will solve this and it appears Western Sydney is still the focus as that is where the jobs are.

Upper Hunter Shire Council submitted 3 motions for consideration. Motion 34 was listed for debate and motions X19 and X45 were listed as already passed as they were within the LGNSW policy framework.

### 34 Upper Hunter Shire Council

Welfare reform around JobSeeker recipient requirements.

- That Local Government NSW lobbies the Federal Government to create welfare reform around JobSeeker recipient requirements to include 20 hours of work per week for the council of the recipients local government area. The areas of work that the people would serve can include groundskeeping, road maintenance and any other areas where the local government area requires assistance that requires no qualifications.

Note from Council:

To ensure welfare is managed in the most efficient way. It is Councils belief that a mechanism be put in place to ensure applicants return the benefits of the welfare system through community service.

### X19 Upper Hunter Shire Council

Increased assistance grants

- That:
  1. Local Government NSW continues to lobby for increased assistance grants provided to councils;
  2. When Local Government NSW is successful in gaining a greater grant amount for councils, that it lobbies the Grants Commission to apply the method of distribution towards an increased amount to rural councils who have historically received less from the Grants Commission's present distribution formula.

## General Manager's Unit

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Note from Council:

Local government has not been getting its fair share of funding.

This motion seeks to increase the pool of funding and once increased, ensure that rural councils are adequately funded to address the discrepancy between metro and rural funding that exists at present.

### X45 Upper Hunter Shire Council

Drought declarations

- That Local Government NSW lobbies the NSW Government on the matter of drought declarations and ask the NSW Government to instruct the DPI to include all councils as a source of information on ground truthing in order to inform how areas are declared in drought.

Note from Council:

Declaration of droughts is being undertaken in an arbitrary manner without due consideration to Local Government. Consideration of the motion attempts to address this issue by ensuring Local Government input into drought declaration.

Motion 34 was debated with the Deputy Mayor UHSC moving it from the floor on the day. Debate around the matter was mixed with opposition mainly being focused on the argument that it was 'forced labour'. The motion when put was lost.

### **OPTIONS**

Nil

### **CONSULTATION**

- Councillors
- General Manager

### **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.

5.8 Develop leadership skills and build networks through a range of formal and informal opportunities.

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

- Support for the Mayor and Councillors to fulfil their respective roles
- Leadership that reviews Council operations and Council wide continuous service improvement

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

N/A

**General Manager's Unit**

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***IMPLICATIONS***

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

Nil

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Sustainability Implications**

Nil

**f. Other Implications**

Nil

***CONCLUSION***

The Deputy Mayor and General Manager attended the Annual Local Government NSW Conference from 12 to 14 November 2023 where the motions were submitted for consideration. Of the three motions, one was listed for debate and two motions were listed as already passed as they were within the LGNSW policy framework.

***ATTACHMENTS***

There are no enclosures for this report





## General Manager's Unit

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### b. Delivery Program

- Advice and policy development that supports decision making 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

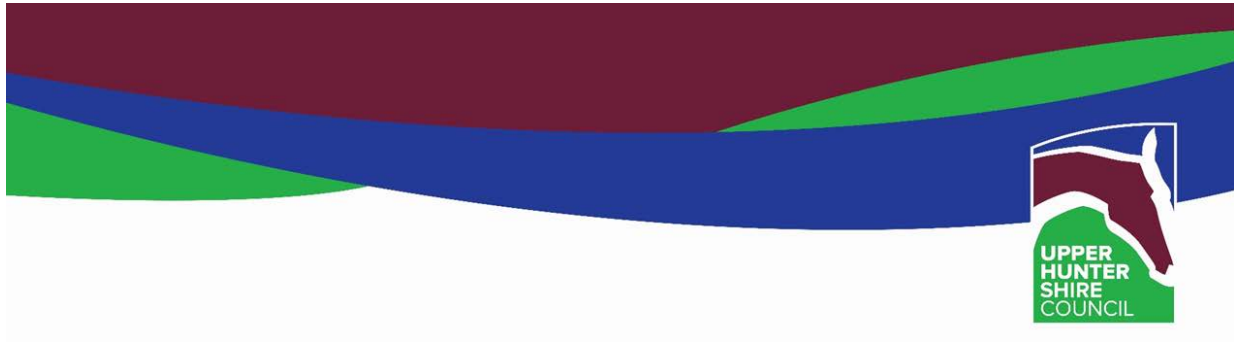
Nil

### **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 - Local Orders – Keeping of Animals in Upper Hunter Shire
- [2](#) Policy - Roads - Street Lighting - Signed 14/11/17



## POLICY

### Local Orders – Keeping of Animals **and Birds** in Upper Hunter Shire

Date adopted by Council	
Minute number	
Endorsed by	
CM Ref	CD-69/23
Due for review	<u>November 2027</u>
Related documents	Nil
Responsible officer	Manager Planning, Building & Regulatory Services
Department/Section	Environmental and Community Services
Category	Regulatory Compliance
Community Strategic Plan goal	<p><b>Goal 4</b> Plan for a sustainable future</p> <p><b>CS14</b> Provide efficient and effective advisory, assessment and regulatory services focused on being customer 'friendly', responsive and environmentally responsible</p>

Adopted

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~~Policy: Local Orders – Keeping of Animals and Birds in Upper Hunter Shire~~  
~~Local Orders – Keeping of Animals and Birds in Upper Hunter Shire~~



## Policy Statement

This policy seeks to inform the Upper Hunter Shire Council community of Council's regulatory powers concerning the keeping of animals in the Upper Hunter Shire Council area. The Orders Policy aims to:

- a. Minimise the incidence of nuisance being caused to persons
- b. Protect the welfare of companion and farm animals
- c. Protect the welfare and habitat of wildlife
- d. Minimise the disturbance of or damage to protected vegetation.
- e. Safeguard the environment.

It is well documented that the keeping of companion animals and/or pet animals is usually most beneficial to the wellbeing of people. Nevertheless, on occasions, complaints are made to Council where animals of an inappropriate kind or number are being kept, or where the animals and their accommodations are not being looked after properly.

It is not intended within this policy to completely regulate the manner in which animals should be kept. It is however necessary that this policy should inform the reasonable limits (both statutory and advisory) which apply concerning the maximum number of animals and the circumstances under which they may be kept on premises.

Responsible ownership is a very important component of nuisance control and this document also contains advice to the animal owner regarding their responsibilities to prevent a nuisance from occurring.

## Objective

[The purpose of the Local Orders Policy is to, in accordance with s159 of the Local Government Act, supplement provisions of the Act and the Local Government \(General\) Regulation 2021 by specifying the criteria which Council staff will consider in determining whether or not to give an Order under Section 124 of the Local Government Act. The Objectives are:](#)

- To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.
- To give guidance and advice to persons inquiring as to the keeping of animals for domestic purposes.
- To establish local standards, acceptable to the community, for the keeping of animals.
- To publicly notify the circumstances that the Council will consider in determining whether to serve an Order under Section 124 of the Local Government Act, 1993 to prohibit, restrict or in some other way, require things to be done regarding the keeping of animals.

**Policy: Local Orders – Keeping of Animals and Birds in Upper Hunter Shire** ~~Local Orders – Keeping of Animals and Birds in Upper Hunter Shire~~ 

## Scope

This policy applies to all land within the Upper Hunter Shire Council Local Government Area.

This policy applies to animals kept for domestic purposes, as companion animals, pets or for hobby interests, and certain native fauna subject to strict requirements.

The principles contained in the prescriptive requirements will also apply to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, racing, exhibiting, trading or selling. However, where it is intended to keep animals for any commercial purposes, it is necessary that a development application be submitted to council and planning consent obtained. Consent to the operation of commercial animal management establishments may not be permitted in certain land use zones, or where Council considers that the proposal would be harmful to the amenity of the locality.

This policy relates to Order Numbers 18 and 21 of Section 124 of the Local Government Act, 1993.

## Definitions

<u><b>Dwelling Act</b></u>	<u>A building or part of a building used as a place of residence.</u> <u>Means the Local Government Act 1993 and regulations made thereunder.</u>
<u><b>Adequate</b></u>	<u>Means equal to the requirement or occasion; fully sufficient, suitable or fit.</u>
<u><b>Clean and Sanitary</b></u>	<u>Means the provision of a healthy environment by the exclusion of dust, dirt, vermin, bacteria and waste.</u>
<u><b>Convenience</b></u>	<u>Means a state of affairs in which members of the community can enjoy a public place without aggravation, fear, annoyance or disruption from a source within private property.</u>
<u><b>Dwelling</b></u>	<u>A building or part of a building used as a place of residence.</u>
<u><b>Local Government Act</b></u>	<u>Means the Local Government Act 1993 (as amended) and includes subordinate legislation made thereunder.</u>
<u><b>Land</b></u>	<u>Includes allotments, tenements and hereditaments, corporeal and incorporeal, of any tenure or description and whatever may be the estate or interest therein.</u>
<u><b>Likely</b></u>	<u>Means probably or apparently going or destined to be.</u>
<u><b>Necessary</b></u>	<u>Means something that cannot be dispensed with.</u>
<u><b>Order</b></u>	<u>Means any order issued under s124 of the Act.</u>
<u><b>Safety</b></u>	<u>Means freedom from injury or danger.</u>

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## Policy Details

### Prescriptive Requirements

The number of animals that may be kept at premises should not exceed the number shown as appropriate to the kind of animal listed in the table included with this policy (Attachment1) in town and village areas. The maximum number of animals of a particular species may need to be reduced where multiple species of animals are kept at a premises.

~~The number of various animals kept in rural areas will, of course, vary from the table, and further information is provided in (d) of the notes on page 7.~~

The kind of animal that is suitable to be kept at any premises will be determined having regard for the size of the available yard area and the distance to the nearest dwelling or other prescribed building. Certain statutory requirements also apply as noted in the table. It should be noted, where necessary, the Upper Hunter Shire Council has made a resolution to increase the minimum distances that are specified in the Local Government Act.

It should not be assumed that animals of all kinds may be kept on premises, which are part of a multiple dwelling allotment. Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Body Corporate to be examined for requirements relevant to the keeping of animals.


Animals should be kept in a manner, which does not:

- Create unclean or unhealthy conditions for people or for the animals
- Attract or provide a harbourage for vermin
- Create offensive noise or odours
- Cause a drainage nuisance or dust nuisance
- Create waste disposal problems or pollution problems
- Create an unreasonable annoyance to neighbouring residents or fear for safety
- Cause nuisance due to proliferation of flies, lice, fleas or other insects.

Suitable shelter(s) should be provided for all animals. Certain kinds of animals are required to be kept in cages to prevent escape or attack by predators. Generally other animals are to be securely enclosed with adequate fencing to prevent escape.

Certain animal shelters should not be erected or located at premises without the prior approval of Council. Please contact Council's Environmental Services Department for further details.

Design guidelines for the size, layout and construction of animal shelters are produced by the various animal welfare organisations, Department of Agriculture, Water and the Environment and Department of Primary Industries. These may be adopted from time to time as supplements to this policy.

**Policy: Local Orders – Keeping of Animals and Birds in Upper Hunter Shire** ~~Local Orders – Keeping of Animals and Birds in Upper Hunter Shire~~ 

## Council's Powers to Control and Regulate the Keeping of Animals

Generally, Council's powers to control and regulate the keeping of animals are provided under Section 124 of the Local Government Act, 1993 and the Local Government (General) Regulation, 2021.

The Council may, in the appropriate circumstances, issue an Order to:

- prohibit the keeping of various kinds of animals
- restrict the number of various kinds of animals to be kept at a premises
- require that animals be kept in a specific manner.

The Council may also issue Orders requiring:

- demolition of animal shelters built without the prior approval of Council
- the occupier to do or refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

It is advised that Council can exercise further controls over animals under the following Acts:

- Companion Animals Act 1998
- Protection of the Environment Operations Act (POEO) 1997
- [Public Spaces Unattended Property Act 2021](#)
- [Impounding Act 1993](#)
- Food Act 2003 (prohibits animals to be kept where food is handled for sale)

## Giving of Orders by Council

Generally, where a problem is identified with the keeping of animals and it cannot be resolved by consultation, the Council will proceed to issue notice of its intention to serve an Order. Normally a person will be given the opportunity to make representations to Council prior to a formal Order being issued. In situations where urgency is required, an emergency Order may be issued without prior notice.

[In accordance with the Act, Council is required to observe certain procedures before giving Orders.](#)

[Listed in the Orders schedule are the types of orders that Council may give, the circumstances under which they may be given and the criteria that must be considered, if any. In areas where it is considered that the circumstances for the particular order are self-explanatory no additional criteria has been provided.](#)

[Note: The giving of an order is not mandatory and is at the discretion of the Council authorised investigating officer whether or not the circumstances meet the applicable criteria for that order. If a Council authorised investigating officer decides to give an order they are required to take the criteria listed in the orders schedule into consideration before giving the order \(Section 131 of the Act\)](#)

## Table of Requirements

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The table in Attachment 1 indicates the essential requirements and relevant considerations regarding the keeping of animals. The cumulative total of animals should not exceed the capacity of the premises to house those animals without resulting in overcrowding or impacts on the environment and public health. Accordingly, the maximum number specified for each kind of animal may need to be reduced where multiple species are kept at a premises.

Note: The information contained within this policy is provided as guidelines. Council will consider all aspects of the policy and the individual circumstances of the case when determining the appropriate form of action in response to any complaints received.

## Responsibilities

### Senior Management Group

The Senior Management Group will review and endorse this Policy.

### Manager Planning, Building & Regulatory Services

The Manager Planning, Building & Regulatory Services will review this Policy every two years or as required.

### Health, Building & Compliance Coordinator

The Health, Building and Compliance Coordinator will ensure the effective implementation of the Policy and ensure that all applicable staff are familiar with its contents.

## References and Related Legislation

Section 124 of the Local Government Act does not affect the power of a council to give an order (or a notice or direction) under the authority of another Act.

For example, some of those Acts and the orders (or notices or directions) that may be given include—

- Local Government Act 1993
- Companion Animals Act 1998
- Protection of the Environment Operations Act 1997
- Public Spaces Unattended Property Act 2021
- ~~Impounding Act 1993~~
- Food Act 2003

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Version No.	Date	CM Reference	Reason for Review
1	15/11/2017	INT-33984/17	Timed review, administrative changes only
2	28/10/2019	CD-65/21	Timed review, administrative changes only
3	31/01/2022	CD-182/21	Timed review, administrative changes only
<u>4</u>	<u>DRAFT</u>	<u>CD-69/23</u>	

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ATTACHMENT 1

TABLE OF REQUIREMENTS

KIND OF ANIMAL	MAXIMUM NUMBER (Excludes Offspring to 3 months of age)	LOT SIZING OF PROPERTY MINIMUM DISTANCE (from certain buildings) (see Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
Dogs	<p><u>2 maximum (4 with Approval)</u></p> <p><u>4 maximum</u></p> <p><u>5+ with Kennel Approval</u></p>	<p><u>At least 400m<sup>2</sup>, less than 4,000m<sup>2</sup></u></p> <p><u>4,000m<sup>2</sup> or greater</u></p> <p><u>Kennel - 400m<sup>2</sup> or greater</u></p>	
<u>Dangerous / Restricted Dogs</u>			<u>Refer to Annexure A for requirements for the keeping of dangerous / restricted dogs</u>
<u>Dangerous / Restricted Dogs</u>	-	-	<p><del>The Companion Animals Act, 1998 requires lifetime registration, micro-chipping and effective control of dogs at all times.</del></p> <p><del>More than 2 dogs will not be appropriate in many situations.</del></p> <p><del>Additional dogs may be appropriate where adequate yard size relative to the size and number of dogs, proper care and desexing can be demonstrated</del></p> <p><del>Refer to Annexure A for requirements for the keeping of dangerous / restricted dogs</del></p>
<u>Working dogs</u> <u>Cats</u>	-	-	<p><u>Primary producer</u></p> <ul style="list-style-type: none"> <li><u>• ABN number of business registration from the Tax Office identifying that the business is registered as a Primary Producer and showing that it is in the dog owner's name.</u></li> <li><u>• A Statutory Declaration from the person stating that the dog is a working dog (by definition in the Act).</u></li> </ul> <p><u>Employee of a primary producer</u></p> <ul style="list-style-type: none"> <li><u>• A letter from the business owner (on their business letterhead and ABN) confirming that the person is an employee of the business, that the business is registered as a primary producer</u></li> </ul>

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			<p><u>and that the employee is required to use a dog for the purposes of his duties.</u></p> <ul style="list-style-type: none"> <li><u>A Statutory Declaration from the person stating that the dog is a working dog (by definition in the Act)</u>The Companion Animals Act, 1998 requires lifetime registration, micro-chipping and effective control of cats at all times</li> </ul> <p>More than 2 cats will not be appropriate in many situations.</p> <p>Compliance with desexing, use of identity collars with multiple bells, proper care, restriction of access to outdoors at night will be relevant factors in determining whether more than 2 cats may be kept at a premises</p>
<p><u>Cats</u> Poultry, domestic and guinea fowl</p> <p>Poultry (other than fowls) including ducks, geese, turkeys, peafowl and other pheasants</p>	<p><u>2 maximum</u></p> <p><u>3 - (6 cats with approval)</u></p> <p><u>Up to 6 cats with approval</u></p> <p><u>7+ with Cattery Approval</u></p> <p>10</p>	<p><u>Under 400m<sup>2</sup></u></p> <p><u>At least 400m<sup>2</sup>, less than 4,000m<sup>2</sup></u></p> <p><u>4,000m<sup>2</sup> or greater</u></p> <p><u>Cattery - 400m<sup>2</sup> or greater</u></p> <p>4.5m</p> <p>30m</p>	<p><u>Local Government (General) Regulation, 2024 applies. Note that an Order under the Local Government Act 1993 can be served to increase this distance in individual circumstances.</u></p> <p><u>Roosters should not be kept where crowing will cause offensive noise.</u></p> <p><u>Hard paving must be provided under roosts in poultry houses if within 15.2 metres of a dwelling, public hall or school.</u></p> <p><u>Poultry yards must be enclosed to prevent escape of poultry.</u></p> <p><u>Yards must be kept free of rats and mice.</u></p>

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KIND OF ANIMAL	MAXIMUM NUMBER (Excludes Offspring to 3 months of age)	LOT SIZING OF PROPERTY MINIMUM DISTANCE (from certain buildings) (see Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
<p><del>Chickens and Quails</del> Pigeons</p> <p><del>NOTE: To establish the permissible number of pigeons by locality of premises, it will be necessary for Council Officers to assess the site conditions.</del></p>	<p><del>6 maximum</del></p> <p><del>12 maximum</del></p> <p><del>Not applicable As appropriate in the circumstances</del></p>	<p><del>Under 1,000m<sup>2</sup></del></p> <p><del>1,001m<sup>2</sup> to 4,000m<sup>2</sup></del></p> <p><del>Over 4,000m<sup>2</sup> 45m</del></p>	<p><del>Nuisance due to noise and also free flight of pigeons is to be minimised. Lofts must be constructed on hard paving of a smooth surface, graded to drain.</del></p> <p><del>Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly.</del></p> <p><del>Open lofts are not permitted.</del></p>
<p><del>Roosters, guinea fowl, ducks, geese, turkeys, peafowl and pheasants</del> Birds including canaries, budgerigars, quails, finches, and parrots.</p> <p><del>Sulphur crested cockatoo and long-billed corella</del></p>	<p><del>Not allowed</del></p> <p><del>Not applicable</del> 30</p> <p><del>30+</del></p> <p><del>2 portable cages</del></p> <p><del>4 aviary</del></p>	<p><del>Under 4,000m<sup>2</sup></del></p> <p><del>Over 4,000m<sup>2</sup> 25m</del></p> <p><del>40m</del></p> <p><del>45m</del></p> <p><del>30m</del></p>	<p><del>Cages and aviaries must be of appropriate size and regularly cleaned.</del></p> <p><del>National Parks and Wildlife permit is required to keep many native birds. Exemptions include budgerigar, zebra finch, galah and sulphur crested cockatoo.</del></p> <p><del>Noisy birds should be restricted in number.</del></p> <p><del>Sulphur crested cockatoo and long-billed corella are likely to be noisy if kept as single caged birds.</del></p>
<p><del>Cockatoo, Galah</del> Native mammals — general</p>	<p><del>1 maximum with approval Under 4,000m<sup>2</sup> Kept only for the purpose of rehabilitation and subsequent return to the wild.</del></p>	<p><del>1 maximum with approval Under 4,000m<sup>2</sup> 45m</del></p>	<p><del>National Parks and Wildlife Act, 1974 Fauna Protection regulations place a general prohibition on the keeping of native mammals by any person other than licensed keepers.</del></p> <p><del>Advice on the keeping of native mammals should be sought from the National Parks and Wildlife Service (NPWS) in all cases.</del></p> <p><del>Note that Council does not encourage the keeping of native animals.</del></p>
<p><del>Birds including canaries, budgerigars,</del></p>	<p><del>20 maximum (no approval required)</del></p>	<p><del>Under 4,000m<sup>2</sup></del></p>	<p><del>Aviaries must not be within 10 metres of any dwelling or premises used for the sale, preparation, handling or storage of food for</del></p>

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<del>finches and parrots. Native mammals – bats and flying foxes</del>	<del>Over 20 - Deemed Approval</del>  <del>Not applicable. Kept only for the purpose of rehabilitation and subsequent return to the wild. Maximum 10 (note that the maximum number includes bats and flying foxes less than 3mths old)</del>	<del>Under 4,000m<sup>2</sup></del>  <del>Over 4,000m<sup>2</sup> 45m</del>  <del>2m from any boundary</del>	<del>sale. National Parks and Wildlife Act, 1974 Fauna Protection regulations place a general prohibition on the keeping of native mammals by any person other than licensed keepers. Advice on the keeping of native mammals should be sought from the NPWS in all cases. Council may require cages to incorporate sound insulation features if unreasonable noise levels are generated. Cages to be provided with paved / impervious floor in residential area.</del>
<del>Pigeons</del>	<del>As appropriate in the circumstances</del>		<del>Pigeons must not be kept within 9 metres of any dwelling or premises used for the sale, preparation, handling or storage of food for sale.</del>  <del>NOTE: To establish the permissible number of pigeons by locality of premises, it will be necessary for Council Officers to assess the site conditions.</del>
<del>Native Animals</del>	<del>Kept only for the purpose of rehabilitation and subsequent return to the wild. Maximum 10 (note that the maximum number includes bats and flying foxes less than 3mths old)</del>		<del>National Parks and Wildlife Act, 1974 Fauna Protection regulations place a general prohibition on the keeping of native mammals by any person other than licensed keepers. Advice on the keeping of native mammals should be sought from the NPWS in all cases. Council may require cages to incorporate sound insulation features if unreasonable noise levels are generated. Cages to be provided with paved / impervious floor in residential area.</del>
<del>Rabbits</del>	<del>4 adult domestic rabbits may be kept at any one time</del>	<del>Under 2,500m<sup>2</sup></del>	<del>Rabbits being kept outside in urban areas must not be kept closer than 10 metres to a dwelling or a place that prepares, stores or handles food for sale.</del>

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KIND OF ANIMAL	MAXIMUM NUMBER (Excludes Offspring to 3 months of age)	LOT SIZING OF PROPERTY MINIMUM DISTANCE (from certain buildings) (see Note A)	APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS
<del>Rabbits</del>	<del>4</del>	<del>5m</del>	<del>Must be domestic breed and kept in a cage. Do not release into environment.</del>
Ferrets	-	-	The keeping of ferrets is not recommended, however where proper care (including appropriate secure cages) is available, the keeping of ferrets may be approved.
Pet rats, <del>Mice</del> and <del>Guinea pigs</del>	12 of each variety	<u>Under 2,500m<sup>2</sup></u> <del>5m</del>	Must be kept in appropriate cages and not released into the environment.
<del>Sheep, Goats, Alpacas, Llamas or similar. Sheep and goats</del>	<del>Not allowed</del>  <del>4 maximum (no approval required)</del>  <del>Over 4 - Deemed Approval</del>  <del>6 maximum (no approval required)</del>  <del>Over 6 - Deemed Approval</del>  <del>Not applicable (4 sheep per 2000m<sup>2</sup> as a general guide) (1 goat per 4000m<sup>2</sup> as a general guide)</del>	<del>Under 2,000m<sup>2</sup></del>  <del>2,001m<sup>2</sup> to 4,000m<sup>2</sup></del>  <del>2,001m<sup>2</sup> to 4,000m<sup>2</sup></del>  <del>4,001m<sup>2</sup> to 6,000m<sup>2</sup></del>  <del>4,001m<sup>2</sup> to 6,000m<sup>2</sup></del>  <del>Over 6,001m<sup>2</sup> 5m</del>	<del>Sheep, Goats, Alpacas, Llamas, may not be kept within 10 metres of a dwelling, school, shop, office, factory, workshop, church or other place of public worship, public hall or premises used for the manufacture, preparation or storage of food. Goats should not ordinarily be kept on residential premises. Restricted numbers only permitted on large residential or rural residential areas.</del>
Pigs	<del>Not allowed</del>  <del>2 maximum</del>  <del>Not applicable</del>	<del>Under 4,000m<sup>2</sup></del>  <del>4,001m<sup>2</sup> to 10,000m<sup>2</sup></del>  <del>Over 10,001m<sup>2</sup> 60m</del>	<del>Pigs must be kept in an enclosed pig proof fence. Such fences must be 60 metres from the side and rear boundaries of the property. Local Government (General) Regulation, 2021 applies to pigs. The keeping of pigs is not considered appropriate in residential areas.</del>
<del>Horse, Donkey, Cow, Camel or similar. Horses and Cattle</del>	<del>Not allowed</del>  <del>1 maximum</del>	<del>Under 2,500m<sup>2</sup></del>  <del>2,500m<sup>2</sup> - 4,000m<sup>2</sup></del>	<del>Horse, Donkey, Cow, and Camel must not be kept within 10 metres of an adjoining property boundary or a dwelling, school, shop, office, factory, workshop, church or other place of public worship, public hall or premises used for the manufacture, preparation or storage of food. This distance</del>

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<u>KIND OF ANIMAL</u>	<u>MAXIMUM NUMBER (Excludes Offspring to 3 months of age)</u>	<u>LOT SIZING OF PROPERTY</u>	<u>APPLICABLE REGULATIONS AND OTHER ADVISORY MATTERS</u>
	<p><u>2 maximum (no approval required)</u></p> <p><u>Over 2 - Deemed Approval</u></p> <p><u>Not applicable<sup>4</sup> (one animal per half hectare of pastured land as a general guide)</u></p>	<p><u>4,001m<sup>2</sup> to 10,000m<sup>2</sup></u></p> <p><u>4,001m<sup>2</sup> to 10,000m<sup>2</sup></u></p> <p><u>Over 10,000m<sup>2</sup></u></p>	<p><u>may be varied on application in areas zoned for stable/horse keeping purposes (refer to the Local Environmental Plan). Local Government (General) Regulation, 2021 applies. Note that an Order under the Local Government Act 1993 can be served to increase this distance in individual circumstances.</u></p> <p><u>The keeping of horses and cattle on residential properties is not considered appropriate.</u></p>
Reptiles and Amphibians	As appropriate in the circumstances	As appropriate in the circumstances	<p>National Parks and Wildlife Act, 1974 Fauna Protection regulations place a general prohibition on the keeping of reptiles and amphibians by any person other than licensed keepers. Advice on the keeping of reptiles and amphibians should be sought from the National Parks and Wildlife Service in all cases.</p> <p>All species must be adequately housed to prevent escape. The keeping of snakes may cause concern to neighbours.</p>
Fish, aquarium and pond	As appropriate in the circumstances	As appropriate in the circumstances	<p>Water is to be maintained clean and at sufficient levels.</p> <p>Ponds are not to provide a breeding ground for mosquitoes and other insects.</p> <p><u>Ponds are required to be made child proof with a fence. The fence must comply with Australian Standard 1926. Applies to ponds more than 300 millimetres in depth.</u></p>
<u>Bees</u>	<u>No more than two hives is permitted</u>	<u>In urban areas, where allotments are less than 2500m<sup>2</sup></u>	<u>All beekeepers must be registered with the NSW Department of Primary Industries</u>

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**NOTES:**

- a. The distances indicated in the ~~Fourth~~ column of the above table are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- b. Animal includes a mammal, bird, reptile, amphibian or fish. It does not include a human being (as defined by the Prevention of Cruelty to Animals Act).
- c. Schedule 2 of the Local Government (General) Regulation, 2005 specifies minimum standards for the keeping of animals. The distances specified (except in the case of pigs) may be varied by Council and notified in writing to the occupier of premises in a particular case.
- d. **Rural Areas:** Council is still concerned with ensuring that responsible ownership occurs in the rural areas of the shire. Many of the obligations and requirements stated within the policy are applicable to the rural situation. Council will assess any complaints and take appropriate action based on the circumstances of the particular case.

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### Dogs

• To encourage the satisfactory care and management of dogs in the Upper Hunter Shire Local Government Area;

• To ensure that the keeping of dogs does not adversely impact on the surrounding community or the environment; and

• To ensure that all dog owners comply with all relevant government legislation and regulations.

1. No attack-trained dog shall be held in a residential area unless managed by a registered owner/security company, Police service or other approved Government instrumentality.

2. Waste material, including litter and bedding, must be disposed of in an approved manner, which may include composting.

3. All noise, including barking, must be controlled.

4. All odours must be controlled.

5. The health of all dogs is to be regularly monitored and appropriate veterinary treatment obtained in the event of illness.

6. Wildlife must be protected from dogs.

7. Dog breeding and/or boarding kennels are subject to Council approval.

8. All provisions of the Companion Animals Act 1998 and the Companion Animals Amendment Act 2006 must be complied with, including:

a) Registration requirements; and

b) Micro-chipping requirements.

Note - Owners of dogs are encouraged to de-sex their dogs. Registration fees are cheaper for doing so.

Dog breeders may apply for permission from Council to vary the number of dogs permitted on any property.

### Cats

• To encourage the satisfactory care and management of cats in the Upper Hunter Shire Local Government Area;

• To ensure that the keeping of cats does not adversely impact on the community or the environment; and

• To ensure that all provisions of relevant legislation are complied with.

1. The health of all cats is to be monitored and appropriate veterinary treatment obtained in the event of illness.

2. Wildlife must be protected from cats.

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3. All provisions of the Companion Animals Act 1998 and the Companion Animals Amendment Act 2001 must be complied with, including:

- a) Registration requirements; and
- b) Micro-chipping requirements.

Note – Owners of cats are encouraged to de-sex their cats and keep them contained at night.

Registration fees are cheaper for desexed animals.

Chickens, Quails, Guinea fowl, Ducks, Geese, Turkeys, Peafowl and other Pheasants

- To ensure the satisfactory standard of care and management for the keeping of poultry in the Upper Hunter Shire Local Government Area;
- To ensure that the keeping of poultry does not adversely affect the community or the environment; and
- To ensure that poultry owners comply with relevant government legislation.

Poultry not to be a nuisance or health risk

1. Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.
2. Poultry yards must at all times be kept clean and free from offensive odours.
3. All food must be stored in sealed vermin proof containers and must not be left uncovered.
4. All offensive noise, odours, vermin and other pests must be controlled.
5. All poultry must be housed in purpose built facilities. Structures must satisfy the general area and development standards of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or have development consent from Council.
6. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
7. Outside runs must be free draining, not to discharge to neighbouring properties and not be allowed to become muddy.

**Roosters are not permitted in residential areas**

Pigeons

- To ensure the satisfactory care and management for the keeping of pigeons in the Upper Hunter Shire Local Government Area; and
- To ensure that the keeping of pigeons does not adversely affect the surrounding community or the environment.

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The keeping of domestic homing, show or fancy class pigeons by hobbyists and racing enthusiasts in the Upper Hunter Shire Local Government Area is permitted with the following control conditions applying:

1. A maximum 40 pigeons except as permitted for Racing Pigeons (see below) may be kept.
2. All pigeons must be housed in purpose built facilities. All aviaries/lofts and other built facilities for the keeping of caged birds including pigeons require prior Council development consent, except where aviaries/lofts do not exceed the following dimensions as prescribed by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Cl2.7.
3. The keeping of pigeons within unit or townhouse developments is not permitted.
4. Racing Pigeons: The maximum number of racing pigeons that may be kept on premises within an urban area is 150 birds, provided that the keeper is a certified member of a recognised pigeon racing club, federation or association is an active member of the sport and otherwise complies with other provisions of this local policy
5. Development Consent is required for any activity not considered a hobby including breeding pigeons for sale purposes.
6. Enclosed housing must use deep litter or other appropriate substrate.
7. Rodents other vermin and offensive odours must be vigorously controlled. All food must be stored in sealed vermin proof containers and must not be left uncovered.
8. Positioning of pigeon lofts must be such that the amenity of adjoining premises is preserved, with no in or nuisance resulting from this activity or from flying birds. The pigeons' owner or the occupier of those premises must control feral pigeons attracted to captive managed flocks.
9. Waste must be disposed of in an approved manner.
10. Liberation of Pigeons (General)

Note: This section relates to the practice commonly referred to as homing

- a) The uncontrolled release of pigeons (free lofting) in an urban residential area is not permitted.
- b) Free flight exercise must be conducted on a planned basis, with duration time typically from 30 to 90 minutes and performed no more than twice daily.
- c) Free non-flight time must be conducted under close supervision by the owner.
- d) The exit and entry of these birds from a loft, aviary or cage must be fully controlled. Provision must be made for all released birds to return through a one-way entrance that will not permit uncontrolled exit.
- e) Appropriate landing boards must be provided to encourage the uninterrupted return of birds to the loft, aviary or cage.

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f) Every reasonable attempt must be made to retrieve birds that do not return.

g) Birds must not be permitted to roost on neighbours' premises.

h) Birds must be appropriately conditioned in their behaviour to ensure rapid and voluntary return to their enclosure after liberation.

Birds including Canaries, Budgerigars, Finches Parrots, Cockatoo and Galah

• To encourage the individual aviculture enthusiast or hobbyist to manage their birds responsibly and correctly;

• To ensure that local and neighbouring residents are not affected visually by any aviculture structure;

• To ensure that the neighbours and the surrounding environment are not affected by noise, odour or vermin; and

• To ensure that the welfare of birds is maintained.

1. All aviaries and holding facilities must be constructed of appropriate materials and of a quality of construction and maintenance that is acceptable to Council, and designed to be vermin proof, well ventilated, have an impervious surface and not cause or be likely to cause injury to birds.

2. All aviaries and facilities must be well maintained by the owner so as to avoid escape and/or injury to birds.

3. Careful regard must be given to the amenity of neighbours, especially the avoidance of excessive noise and odour.

4. The Code of Ethics produced by the Associated Bird-Keepers of Australia Incorporated, approved by the Canary and Bird Federation of Australia, must be complied with at all times.

5. Where the owner operates a business from home related to the commercial trade or retail of birds or associated items, provisions of the Environmental Planning and Assessment Act 1997 may apply.

6. Extensive aviculture activities are required to submit aviary plans for development approval by Council.

7. Flooring must be constructed of an impervious material or in some external situations, sand or gravel with a rodent proof mesh underlay.

8. Enclosed buildings for the primary purpose of holding caged birds require Council consent.

9. An animal trade must not be conducted without prior consent.

10. Vermin proof food storage facilities must be provided.

11. An adequate rodent and pest control program must be in place.

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12. Excessive noise and odour must be controlled by the use of sound proofing materials, distance and choice of bird species.

#### Native Animals

- To ensure the satisfactory care and management of injured native wildlife;
  - To ensure that the keeping of injured native wildlife does not adversely affect the surrounding community or the environment; and
  - To ensure that the carers of injured native wildlife comply with relevant government legislation.
1. No native animal may be taken from the wild and kept as a pet.
  2. Carers of injured native wildlife must be a member of a licensed rehabilitation group and have completed the appropriate training courses for the caring of injured animals.
  3. Injured wildlife must not create a nuisance of any kind to the surrounding community.
  4. All offensive noise must be controlled.
  5. All odours must be controlled.
  6. Suitable facilities for the housing of injured animals must be available and used.
  7. The caring of injured native wildlife in townhouse or unit developments is not permitted.
  8. A Native Animal Keepers' licence is required to keep most native animals as pets (i.e. those bred in captivity). Contact the Office of Environment and Heritage's licencing unit for licencing requirements.

#### Rabbits

- To encourage the appropriate care and management of rabbits within the Upper Hunter Shire Local Government Area;
  - To ensure that rabbit owners comply with all relevant legislation; and regulations and;
  - To ensure that the keeping of rabbits does not adversely affect the surrounding community and environment.
1. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.
  2. Hutches and cages must be kept clean at all times.
  3. All odours must be controlled.
  4. Rabbits must not be bred for greyhound training.
  5. Rabbits must be protected from all predators.
  6. Rabbits kept must be a recognised domestic breed and be kept in a rabbit proof enclosure.

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Note – Owners of rabbits are encouraged to keep vaccinations for calicivirus current.

#### Ferrets

• To encourage the correct care and management of ferrets in the Upper Hunter Shire Local Government Area;

• To ensure that ferret owners comply with all relevant government legislation; and

• To ensure that the keeping of ferrets does not adversely affect the surrounding community and environment.

1. Hutches and cages must be kept clean at all times.

2. Odours must be vigorously controlled at all times. The scent secretions of these animals are particularly pungent and are likely to be found offensive by many people.

3. Protection for ferrets from extreme weather conditions must be provided.

4. Hutch or cage construction must be of a standard that will prevent escape.

5. Ferrets are not to be fed live food.

6. Sufficient food and drink must be provided at all times.

7. Ferrets must be caged and/or secured at all times and are not permitted to free range.

8. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

#### Guinea Pigs

• To encourage the appropriate care and management and care of guinea pigs within the Upper Hunter Shire Local Government Area; and

• To ensure that the keeping of guinea pigs does not adversely affect residents and the surrounding environment.

1. Hutches and cages must be kept clean at all times.

2. Protection from the natural elements must be provided (particularly extreme hot weather).

3. Protection from predators (dogs, cats, foxes) must be ensured through the provision of predator proof caging.

4. Sufficient food and drink must be provided at all times.

5. Odours must be vigorously controlled at all times.

6. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

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Rats and Mice

• To encourage the satisfactory care and management of companion rodents, rats and mice; and

• To ensure the keeping of rodents, rats and mice does not adversely affect the surrounding community and the environment.

1. The keeping of these animals is permitted as pet companion animals only. The keeping and breeding of rodents as food animals for reptile feeding is prohibited.

2. Only domesticated breeds of rats and mice are permitted to be kept.

3. Rodents, rats and mice must be confined within rodent proof cages or enclosures.

4. These animals must be protected from the predation of cats and dogs.

5. Any excess rodents must be disposed of in an appropriate and humane manner.

6. Odours must be vigorously controlled at all times.

7. Waste material, including litter and bedding, must be disposed of in an approved manner that may include composting.

Sheep, Goats, Alpacas, Lamas, or Similar

• To ensure that sheep and goats are kept in a satisfactory manner in the Upper Hunter Shire

Local Government Area;

• To ensure that the welfare of Sheep, Goats, Alpacas, Llamas, remains a priority;

• To ensure that the keeping of Sheep, Goats, Alpacas, Llamas, does not adversely affect nearby residents or property; and

• To ensure that the keeping of Sheep, Goats, Alpacas, Llamas, does not affect the surrounding environment.

1. Sheep, Goats, Alpacas, Llamas, and Camels are only permitted to be kept on land where suitable grazing exists.

2. The keeping of Sheep, Goats, Alpacas, Llamas, in townhouse or unit developments is not permitted.

3. No Sheep, Goats, Alpacas, Llamas, may be kept on a public place, including footpath areas and vacant allotments within the Upper Hunter Shire Local Government Area.

4. The slaughtering of Sheep, Goats, Alpacas, Llamas, is not permitted in urban areas unless within an approved facility.

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### Pigs

- To ensure the satisfactory standard of care for pigs (swine) in the Upper Hunter Shire Local Government Area;
  - To ensure that the keeping of pigs (swine) does not adversely affect the community or the environment; and
  - To ensure that the keeping of pigs (swine) complies with the relevant government legislation and regulations.
1. Pigs' dung and other waste must be disposed of in an approved manner on a daily basis.
  2. Keeping pigs within units or townhouse developments is not permitted
  3. Prior to the erection of any building or shed, a development application must be lodged to and approved by council.
  4. The flooring of the building, shed or enclosure in which pigs are kept, must be constructed of an impervious material such as concrete or litter of some kind.
  5. The building or shed that houses the pigs must be kept in good repair and in a clean and sanitary condition at all times.
  6. Feeding troughs must be used and the troughs must be constructed of an impervious material.
  7. All feed must be stored in vermin proof containers.
  8. Noise must be controlled at all times.
  9. All odours must be kept under control.

### Horses and Donkeys

- To ensure that the satisfactory care and management of horses is maintained in the Upper Hunter Shire Local Government Area;
  - To ensure that the keeping of equines does not adversely affect residents or the surrounding environment; and
  - To ensure that equines owners comply with relevant government legislation.
1. The floors of stables must be paved with concrete, mineral asphalt or other equally impervious material, and must be properly graded to an approved drain.
  2. Equines yards must be so enclosed as to prevent the escape of horses.
  3. Yarded equines must be provided with a loosebox or similar shelter.
  4. The provision of protection from sun, rain, wind and extremes of temperature should be provided.

The facilities must be of such a standard of construction and state of repair that prevents escape or injury to the equines. Yards and other holding facilities must be of post and rail or

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similar construction. Paddock held equines may use natural cover, but rugging and constructed shelters should also be considered.

5. All fences must be of such construction and standard of maintenance that will reasonably ensure that equines cannot escape and/or be injured.

6. No tethered equines may be on a roadway or public place, unless under the direct supervision of an adult.

7. Equines on busy roadways must be under the direct care of a responsible adult.

8. No equines may be taken onto a public reserve, unless permission to do so has been obtained from Upper Hunter Shire Council.

9. No equines may be kept on a public place or vacant allotment within the Upper Hunter Shire Local Government Area.

10. Any stabled equines must be exercised at least daily for a minimum of 30 minutes and the time out of stables must be in excess of 2 hours.

#### Cattle and Camels

• To ensure a satisfactory standard of care and management for the keeping of cattle and camels in the Upper Hunter Shire Local Government Area;

• Ensuring that the keeping of cattle and camels does not adversely affect the community or the environment; and

• To ensure that cattle and camel owners comply with relevant government legislation.

1. The floors of stables must be paved with concrete or mineral asphalt or other equally impervious material, and must be properly graded to drain.

2. Cattle and camel yards must be enclosed as to prevent the escape of cattle and camels.

3. All fences must be constructed and up to a standard of maintenance so that the cattle and camels cannot escape or be injured.

4. No cattle may be kept or taken onto a public reserve unless the permission of Council has been obtained.

5. The keeping of cattle and camels in townhouse or unit developments is not permitted.

#### Reptiles and Amphibians

• To ensure satisfactory standards of care and management are met in regards to the keeping of all reptiles in the Upper Hunter Shire Local Government Area;

• To ensure that the keeping of reptiles does not adversely affect the surrounding community and the environment; and

• To ensure that all relevant government legislation and regulations are complied with

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- [1. All provisions of the National Parks and Wildlife Act 1974 must be complied with. This includes obtaining a licence to keep reptiles.](#)
- [2. Advice regarding the keeping of reptiles must be obtained from the National Parks and Wildlife Service.](#)
- [3. It is prohibited to move a reptile from the natural environment.](#)
- [4. Reptiles must be housed in a manner that provides appropriate environmental conditions suited to the particular species.](#)
- [5. All reptiles must be housed in an adequate manner that prevents escape. Adequate housing includes, but is not limited to:](#)
- [6. All offensive odours must be controlled.](#)
- [7. All noise must be controlled.](#)
- [8. The breeding of rats, mice or other live animals for the purpose of feeding any reptile is not permitted.](#)
- [9. All reptiles must be protected from the predation of other animals.](#)
- [10. All reptiles must be kept in appropriate numbers.](#)

#### [Fish, Aquarium and Ponds](#)

- [• To ensure the satisfactory standard of care for aquatic organisms in the Upper Hunter Shire Local Government Area;](#)
  - [• To ensure that the keeping of fish, aquariums and ponds does not adversely affect the community or the environment; and](#)
  - [• To ensure that all relevant guidelines, regulations and Australian Standards are complied with.](#)
- [1. Water is to be maintained at clean and sufficient levels.](#)
  - [2. All noise from filtration pumps must not be used in a manner that creates a nuisance.](#)
  - [3. Ponds must contain shade of some kind. This may include aquatic plants.](#)
  - [4. Food must be made available that suits the species of aquatic organism\(s\). This may include aquatic plants.](#)
  - [5. Fish must be protected from predation. This may be done with fencing or a cover of some kind.](#)
  - [6. All fish and aquatic plants must be disposed of in a council approved manner. Council does not approve the dumping of fish and aquatic plants into any type of waterway, or anywhere that leads to one.](#)

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Bees

- To ensure that the welfare of bees remains a priority;
  - To ensure that the keeping of bees does not adversely affect nearby residents or property;  
and
  - To ensure that the keeping of bees does not affect the surrounding environment.
  - To ensure that the owners keeping bees comply with the relevant government legislation and regulations.
1. All beekeepers must be registered with the NSW Department of Primary Industries (NSW DPI) and must comply with the Apiaries Act 1985.
  2. All beehives must be identified by branding all brood boxes with their registration number.
  3. Beekeepers must notify the NSW DPI within 24 hours if they become aware that their hive/s are infected with a disease.
  4. The aims, objectives and husbandry procedures as defined in the Beekeeping Code of Practice must be complied with.
  5. Complaints about beehives are to be directed to the Director-General of the NSW DPI.
  6. Only docile strains of bees should be kept;
  7. Beekeeper must obtain permission from the owners of private lands or from the authority of government controlled lands before placing beehives on such lands;
  8. Hives should not be located within the vicinity of schools, child care centres, hospitals or other public facilities;
  9. Beehives should not be positioned in the front yard of houses.
  10. Swarming must be controlled. This may be achieved by re-queening regularly with a reduced swarming strain, population control or temporarily splitting into smaller hives.
  11. A permanent water source suitable for bees should be established within close proximity to the hive;
  12. The hive is not within 10 metres of any neighbouring swimming pool;
  13. Hive/s are regularly monitored for signs of disease; and
  14. The keeping of bees in unit and townhouse developments is not permitted.
- Note – Beekeepers are encouraged to increase and update their knowledge by attending training and/or belonging to a beekeeping association. In Order to keep more than two hives, development consent is required.
15. Wild Hives
- Wild hives must be controlled. Any person having a wild hive on their property must consult NSW Agriculture for advice.

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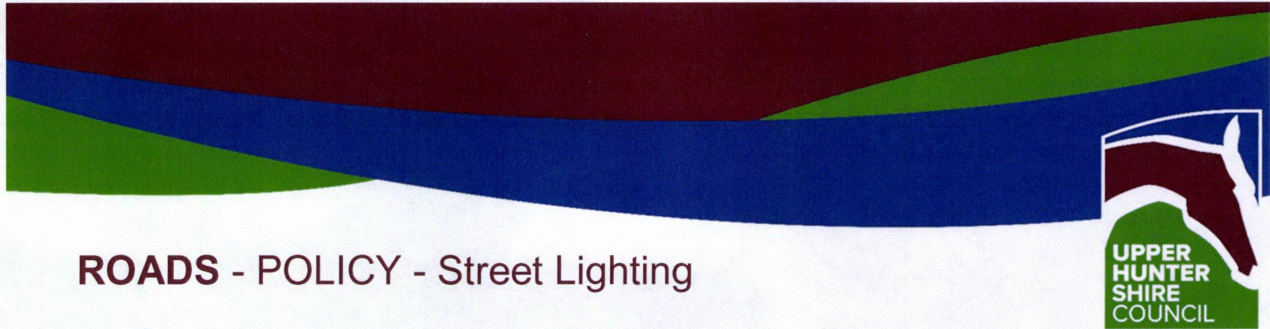
## ANNEXURE A

### COMPANION ANIMALS REGULATION 2018

#### Clause 32 Enclosure requirements for dangerous or restricted dogs

- (1) For the purposes of sections 51 (1) (c) and 56 (1) (a1) of the Act, the requirements set out in subclauses (2)–(4) are prescribed as the requirements that must be complied with in relation to an enclosure for a dangerous or restricted dog.
- (2) The enclosure must:
  - (a) be fully enclosed, constructed and maintained in such a way so that the dog is not able to dig or otherwise escape under, over or through the enclosure, and
  - (b) be constructed in such a way so that a person cannot have access to it without the assistance of an occupier of the property who is above the age of 18 years, and
  - (c) be designed to prevent children from having access to the enclosure, and
  - (d) not be located on the property in such a way so that people are required to pass through the enclosure to gain access to other parts of the property, and
  - (e) have a minimum height of 1.8 m and a minimum width of 1.8 m, and
  - (f) have an area of not less than 10 square metres for each dangerous or restricted dog kept on the property, and
  - (g) have walls that are fixed to the floor and constructed to be no more than 50 mm from the floor, and
  - (h) have walls, a fixed covering and a gate that are constructed of:
    - (i) brick, timber, iron or similar solid materials, or
    - (ii) mesh that complies with subclause (4), or
    - (iii) a combination of the materials referred to in subparagraphs (i) and (ii), and
  - (i) have a floor that is constructed of sealed concrete and graded to fall to a drain for the removal of effluent, and
  - (j) provide a weatherproof sleeping area of sufficient dimensions to enable each dangerous or restricted dog kept on the property to shelter from the weather.
- (3) Any gate to the enclosure must:
  - (a) contain a self-closing and self-latching mechanism that enables the enclosure to be securely locked when the dog is in the enclosure, and
  - (b) be kept locked when the dog is in the enclosure, and
  - (c) display the warning sign referred to in clause 33.
- (4) Mesh used in the construction of an enclosure must be:
  - (a) chain mesh manufactured from at least 3.15 mm wire to form a maximum mesh spacing of 50 mm, or
  - (b) weldmesh manufactured from at least 4 mm wire with a maximum mesh spacing of 50 mm.





## ROADS - POLICY - Street Lighting



### POLICY

Council will provide a consistent approach to the design, application and installation of public lighting throughout the Upper Hunter Shire Council area.

Council will adhere to AS/NZS 1158:2005 where possible with respect to maintaining adequate levels of street lighting on streets and footpaths within urban and village areas.

### Objective

The objectives of the Policy are to:

- Provide direction and consistency in the management of external public lighting across the Upper Hunter Shire.
- Improve equity in the distribution of public lighting across the Upper Hunter Shire Council area.
- Establish an appropriate level of lighting in residential streets and laneways, which adheres to the relevant Australian Standard.
- Improve the environmental performance of public lighting installations, particularly regarding the energy efficiency of the lighting types with respect to reducing greenhouse gas emissions.
- Ensure that all requests for public lighting are dealt with consistently and in a manner which has taken into account factors such as community expectations, relevant standards, costs and environmental, health and safety issues.

### Procedures/Practice

As detailed in the "Guidelines for Street Lighting Policy" adopted by Council in September 2013.

### References

This policy was adopted by Council at its meeting on 25 September 2017 and replaces the policy of the same title dated 22 February 2016.

### Review Date

September 2020 by Manager Works Delivery

Authorised by:

.....  
Waid Crockett, General Manager

14/11/17  
.....  
Date

**General Manager's Unit**

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**CORRESPONDENCE ITEMS**

***COR.11.1***

***CORRESPONDENCE***

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

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

***RECOMMENDATION***

That Council note the correspondence received from the Hon Tara Moriarty, Minister for Agriculture, Regional NSW & Western NSW, in response to Council's resolution in relation to drought conditions in the Upper Hunter Shire.

***Correspondence***

The attached correspondence has been received from the Hon Tara Moriarty, Minister for Agriculture, Regional NSW & Western NSW, in response to Council's resolution in relation to drought conditions in the Upper Hunter Shire.

***ATTACHMENTS***

1 [↓](#) Minister Tara Moriarty



OFFICIAL

**The Hon Tara Moriarty MLC**

Minister for Agriculture  
Minister for Regional New South Wales  
Minister for Western New South Wales



Ref: MF23/2354

Cr Maurice Collison  
Mayor  
Upper Hunter Shire Council  
PO Box 208  
SCONE NSW 2337  
  
rcox@upperhunter.nsw.gov.au

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Re: Drought in the Upper Hunter Shire

Dear Mayor,

Thank you for your letter of 17 August 2023 regarding dry conditions that are currently impacting the Upper Hunter Shire.

I welcome Council's resolution and the proactive approach taken to prepare your landholders and communities. I am aware that dry conditions continue to expand and intensify in some regions, including the Hunter. These conditions have developed over many months and signal the start of what is expected to be a hot, dry summer.

The NSW Government offers a range of support measures to rural landholders and councils. It is imperative that landholders are preparing early.

The Department of Regional NSW (the department) is currently implementing the Regional Drought Resilience Planning Program in partnership with councils. This program supports local government authorities to plan for drought in partnership with their communities. I understand the Upper Hunter Shire Council is partnering with Singleton Shire Council and Muswellbrook Shire Council, and together have submitted an application which is currently being assessed.

For landholders there are a range of drought support tools available on the NSW Drought Hub webpage, including the Combined Drought Indicator (CDI). This is an agronomic tool that provides primary producers with seasonal information to enable them to make management decisions in relation to drought. The CDI is not currently used by the NSW Government to declare drought or determine eligibility for programs.

The CDI tracks long term drought conditions and is not intended to reflect conditions over shorter time periods. The Department of Primary Industries (DPI) monitors climate conditions carefully and works closely with primary producers who provide on-ground reports. Farmers are encouraged to actively report current conditions via the Farm Tracker App.

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

02 7225 6120  
[nsw.gov.au/ministermoriarty](https://nsw.gov.au/ministermoriarty)

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The NSW Government will consider the changing circumstances for producers over the coming months to see what further assistance is needed.

If landholders in your region need additional support, they should contact Mr Simon Turpin, Manager Agriculture Production and Protection, with Hunter Local Land Services. Mr Turpin is available to provide detailed updates on the range of services being provided to landholders in the Upper Hunter. Mr Turpin can be contacted on (02) 4938 4900 or via email on [simon.turpin@lls.nsw.gov.au](mailto:simon.turpin@lls.nsw.gov.au).

I trust this information is of assistance.

Yours sincerely,



**Tara Moriarty MLC**  
Minister for Agriculture  
Minister for Regional New South Wales  
Minister for Western New South Wales

31/10/2023

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

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[nsw.gov.au/ministermoriarty](https://nsw.gov.au/ministermoriarty)

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**Environmental & Community Services**

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**CONFIDENTIAL REPORTS**

**CR.11.1** *UPPER HUNTER ABORIGINAL HERITAGE STUDY*

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*This matter is considered to be confidential under Section 10A(2) (h) of the Local Government Act, as it deals with information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

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**PURPOSE**

The purpose of this report is to present the Upper Hunter Aboriginal Heritage Study for adoption.