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# Council Meeting Agenda

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28 November 2022 at 5.00pm



*The Mayor and General Manager at Coulsons Creek Road with  
Minister for Local Government, the Hon Catherine King and  
Member for Hunter, Mr Dan Repacholi MP*



To All Councillors

*You are hereby notified that the next meeting of the Upper Hunter Shire Council will be held on Monday, 28 November 2022 in the COUNCIL CHAMBERS commencing at 5.00PM, for the purpose of transacting the undermentioned business.*

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

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

**GREG MCDONALD  
GENERAL MANAGER**

1. PRAYER

2. ACKNOWLEDGEMENT OF COUNTRY

3. STATEMENT OF ETHICAL OBLIGATIONS

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

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

4. APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK

5. APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

6. PUBLIC PARTICIPATION

7. CONFIRMATION OF MINUTES

- Ordinary Council Meeting held on 31 October 2022

8. DISCLOSURES OF INTEREST

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**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON MONDAY 31 OCTOBER 2022 IN THE COUNCIL CHAMBERS COMMENCING AT 5.00PM**

**PRESENT:**

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

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Kristian Enevoldson (Director Corporate & Community Services), Mr Mathew Pringle (Director Planning & Infrastructure), Mr Wayne Phelps (Finance Manager), Mr Grahame Wilson (Manager Water & Sewer) 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:**

No apologies were received. It was noted that Cr Abbott is still on leave of absence.

**PUBLIC PARTICIPATION:**

Nil

**CONFIRMATION OF MINUTES:**

**RESOLVED that the minutes of the ordinary Council meeting held on 26 September 2022 be adopted.**

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

**DISCLOSURES OF INTEREST:**

**G.10.1 Request for Donations**

Cr Lee Watts declared a non-pecuniary interest / non significant conflict in parts 1 & 2 for the reason that she is the manager of the Scone Neighbourhood Resource Centre. Cr Watts advised that she would leave the meeting and take no part in discussion and voting.

**G.10.7 RSL Sub-Branch Installation of Two Flag Poles at Scone Memorial Swimming Pool**

Cr James Burns declared a non-pecuniary interest / significant conflict for the reason that he is a member of the Scone RSL Sub-branch. Cr Burns advised that he would leave the meeting and take no part in discussion and voting.

**CR.10.2 Scone Chamber of Commerce Rental Subsidy/Donation Request**

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

## PRESENTATIONS:

### LGNSW Service Awards to Councillors:

Member for Upper Hunter, Dave Layzell MP, presented Mayor Maurice Collison with a Local Government NSW Certificate of Service for his 10 years' service with Upper Hunter Shire Council.

Mayor Maurice Collison presented Local Government NSW Certificates of Service to Cr Lee Watts for her 17 years' service with Upper Hunter Shire Council and Cr Ron Campbell for his 10 years' service with Upper Hunter Shire Council.

### Westpac Rescue Helicopter Service

The General Manager presented an Award from Westpac Rescue Helicopter Service to Mayor Maurice Collison on behalf of the staff for their contributions to the service over the past 20 years totalling over \$60,000.

## MAYORAL MINUTES

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### **A.10.1** *RECOGNITION OF LENGTH OF SERVICE - JAMES DAVIS*

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

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

#### **RESOLVED**

**That Council recognise James Davis for his 20 years' service to Council.**

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

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### **A.10.2** *BEERSHEBA DAY*

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

**AUTHOR:** Robyn Cox - Executive Assistant

#### **RESOLVED**

**That Council hold a minute silence in memory of the Australian 4<sup>th</sup> Light Horse Brigade who fought in the Battle of Beersheba.**

Moved: Cr M Collison      CARRIED UNANIMOUSLY

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## STANDING COMMITTEE REPORTS

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### **SCR.10.1** *INFRASTRUCTURE SERVICES COMMITTEE*

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

#### **RESOLVED**

**That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday 11 October 2022.**

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

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**SCR.10.2** **ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE**

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**RESOLVED**

**That Council:**

1. adopt the minutes of the Environmental & Community Services Committee meeting held on 11 October 2022.
2. ESC.10.1 – approve Development Application No. 17/2022 for a Workshop/Shed at Lot 42 DP 846091, 10 Walter Pye Avenue, Scone, subject to the conditions of consent in Attachment 2.
3. ESC.10.2 –
  - a) endorse the draft Upper Hunter Development Control Plan.
  - b) place the draft Upper Hunter Development Control Plan on public exhibition for a period of 28 days.

Moved: Cr T Clout

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

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**SCR.10.3** **CORPORATE SERVICES COMMITTEE**

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

**AUTHOR:** Wayne Phelps - Manager Finance

**RESOLVED**

**That Council adopt the minutes of the Corporate Services Committee meeting held on 21 September 2022.**

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

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

**COMMITTEE/DELEGATES REPORTS**

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**C.10.1** **NSW RFS LIAISON COMMITTEE - MEMBERSHIP NOMINATIONS**

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**RESOLVED**

**That Council nominate Mayor Maurice Collison for appointment to the NSW Rural Fire Service Liverpool Range Zone Liaison Committee.**

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

## GENERAL ADMINISTRATION REPORTS

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### G.10.1 *REQUESTS FOR DONATIONS*

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

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

#### DISCLOSURE OF INTEREST

Cr Lee Watts declared a non-pecuniary interest / non significant conflict in parts 1 & 2 for the reason that she is the manager of the Scone Neighbourhood Resource Centre. Cr Watts left the meeting and took no part in discussion or voting.

**RESOLVED** That Council provide a donation to the following:

1. **\$200 to Scone Neighborhood Resource Centre for their annual Christmas Party in the Park**

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

2. **\$700 to Scone Neighborhood Resource Centre to waive fees for the Christmas Party in the Park**

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

Cr Watts returned to the meeting

1. **\$100 to Merriwa Country Education Foundation to waive fees for their 20-year Anniversary dinner.**

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

2. **\$200 to Murrurundi Arts Council for their annual Halloween event.**

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

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### G.10.2 *DISCLOSURES OF PECUNIARY INTEREST AND OTHER MATTERS*

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

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

#### RESOLVED

**That Council note the tabled annual Disclosure of Interests and Other Matters returns for 30 June 2022.**

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

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### G.10.3 *EV CHARGING STATIONS - CAMPBELLS CORNER*

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

#### RESOLVED

**That Council:**

1. **approve the installation of six (6) Tesla electric vehicle (EV) charging station stalls within the Campbell's Corner car park, Scone.**

2. enter into a licence agreement with Tesla for a five year term with two, five year options.
3. delegate authority to the General Manager to negotiate the terms of, and execute, the licence agreement and conduct all relevant functions under the agreement.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

**G.10.4**

***COUNCIL SUBMISSION TO IPART RATE CAPPING ISSUES PAPER***

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

**AUTHOR:** Greg McDonald - General Manager

**RESOLVED**

**That Council:**

1. make a submission to the IPART Rate Capping Issues Paper in accordance with the draft document in attachment 3 that supports the abolition of rate capping and provides feedback on the present rate capping issues; and,
2. advise the United Services Union of this resolution.

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED

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

**G.10.5**

***DARTBROOK COAL MINE - DRAFT VOLUNTARY PLANNING AGREEMENT***

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**RESOLVED**

**That Council:**

1. endorse the draft Voluntary Planning Agreement between Upper Hunter Shire Council and AQC Dartbrook Management Pty Ltd in respect of Dartbrook Coal Mine.
2. place the draft Voluntary Planning Agreement on public exhibition for 28 days in accordance with Section 7.5 of the Environmental Planning and Assessment Act 1979.

Moved: Cr R Campbell

Seconded: Cr A McPhee

CARRIED

FOR	AGAINST
Councillor Burns	Councillor Clout
Councillor Campbell	Councillor Flaherty
Councillor Collison	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
<b>Total (6)</b>	<b>Total (2)</b>



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G.10.6

***GRAEME STREET ABERDEEN - RECTIFICATION OF ROAD ENCROACHMENTS***

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**RESOLVED**

**That Council:**

1. endorse the proposed classification of land known as Proposed Lots 1 - 7 in the part road closure of Graeme Street, Aberdeen from Campbell Street eastwards to the eastern boundary of 83A Graeme Street (Lot 402 DP 1143419) as 'Operational Land'.
2. give public notice of a proposed resolution to classify the land in accordance with Section 34 of the Local Government Act 1993.
3. subject to no objections being received, classify the land known as Proposed Lots 1 - 7 in the part road closure of Graeme Street, Aberdeen from Campbell Street eastwards to the eastern boundary of 83A Graeme Street (Lot 402 DP 1143419) as 'Operational Land'.
4. enter into contracts of sale with the adjoining land owners that have expressed an interest in acquiring the proposed allotments.
5. delegate authority to the General Manager to execute the contracts of sale.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

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G.10.7

***RSL SUB-BRANCH INSTALLATION OF TWO FLAG POLES AT SCONE MEMORIAL SWIMMING POOL***

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**DISCLOSURE OF INTEREST**

Cr James Burns declared a non-pecuniary interest / significant conflict for the reason that he is a member of the Scone RSL Sub-branch. Cr Burns left the meeting and took no part in discussion or voting.

**RESOLVED**

**That Council:**

1. install two (2) flagpoles in the vicinity of the Cenotaph outside the Scone Memorial Swimming Pool for use during commemorative ceremonies.
2. accept the offer of a contribution from the Scone RSL sub branch towards the cost of the works.

Moved: Cr L Watts

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

Cr Burns returned to the meeting.

**CLOSED COUNCIL**

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

Moved: Cr A McPhee

Seconded: Cr J Burns

CARRIED UNANIMOUSLY

## CONFIDENTIAL REPORTS

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### **CR.10.1** **TENDER NO. 18/2022 - SEVEN BRIDGES - TENDER EVALUATION**

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Chris Agosto - Project Manager

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

#### **RESOLVED**

**That Council:**

1. accept Tender No. 18/2022 from Saunders Civilbuild Pty Ltd, for the design and construction of the replacement of Bobialla Bridge and Dartbrook Bridge for a total lump sum of \$2,159,160 inclusive of GST, subject to a satisfactory finding from a financial capacity report and success in gaining additional funding from the grant body, and;
2. accept Tender No. 18/2022 from Waeger Constructions Pty Ltd, for the design and construction of the replacement of Albano Bridge, Ashford Bridge and Lapstone Gully Bridge for a total lump sum of \$2,497,000 inclusive of GST, subject to a satisfactory finding from a financial capacity report and success in gaining additional funding from the grant body, and;
3. provide delegated authority to the General Manager to approve variations to the contract to the value of 20% above the lump sum without Council approval, and;
4. provide delegated authority to the General Manager to conduct all relevant functions under the contract.

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

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### **CR.10.2** **SCONE CHAMBER OF COMMERCE RENTAL SUBSIDY/DONATION REQUEST**

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

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

*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.*

#### **DISCLOSURE OF INTEREST**

Cr James Burns declared a non-pecuniary interest / significant conflict for the reason that he is a Councillor and on the executive of the Chamber of Commerce. Cr Burns left the meeting and took no part in discussion or voting.

#### **RESOLVED**

**That Council:**

1. provide a 50% rental subsidy to the Scone Chamber of Commerce in accordance with Council Policy – GRANTS AND SUBSIDIES – Section 356 Rental Subsidies as a category 3 for the Responsibilities of Tenant; and,
2. enter into a 12 month lease.

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

Cr Burns returned to the meeting.

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**CR.10.2**

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

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Grahame Wilson - Manager Strategic Projects

*This matter is considered to be confidential under Section 10A(2) (d i) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*

**RESOLVED**

**That Council:**

- 1. note the information contained in this report; and**
- 2. approve the continuing negotiation with Daracon to confirm the best price for a reduced scope.**

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

**RETURN TO OPEN MEETING**

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

Moved: Cr T Clout

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

Upon resuming Open Council, and in accordance with Council's 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 5.48PM.

**General Manager's Unit**

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**MAYORAL MINUTES**

**A.11.1**                                        ***RESIGNATION OF COUNCILLOR***

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

**AUTHOR:**                                        Robyn Cox - Executive Assistant

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***RECOMMENDATION***

That Council:

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

***REPORT/PROPOSAL***

Sue Abbott submitted her resignation as Councillor to the General Manager on 1 November 2022, effective immediately.

Sue commenced her role as Councillor after being elected at the September 2016 Local Government elections. Council thanks Sue for her contributions to the Community and wishes her and her family all the best for the future.

Advice of the resignation has been provided to the Electoral Commission and they are coordinating the process of electing a Councillor to fill the vacancy.

***ATTACHMENTS***

There are no enclosures for this report

## Planning & Infrastructure Services

### STANDING COMMITTEE REPORTS

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

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

#### **RECOMMENDATION**

That Council:

1. adopt the minutes of the Environmental & Community Services Committee meeting held on 11 November 2022.
2. ESC.11.1 – refuse Development Application No. 105/2022 for the subdivision of 1 lot into 2 lots at Lot 810 DP 1061912, 3 Caulfield Place, Scone for the reasons given in Attachment 2.
3. ESC.11.2 – refuse Development Application No. 183/2021 for a multi-dwelling housing development on Lot 1 DP 611620, No. 51 Barton Street, Scone, for the reasons in Attachment 3.
4. ESC.11.3 – approve Development Application No. 120/2022 for a dwelling and shed at 6 Camp Street Gundy (Lot 2 DP 758490) subject to the conditions of consent in Attachment 4.

#### **BACKGROUND**

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

A meeting of the Environmental & Community Services Committee was held on Tuesday, 11 November 2022.

#### **REPORT/PROPOSAL**

In relation to item ECSC.11.1, the Committee unanimously supported the recommendation to refuse Development Application No. 105/2022 for the subdivision of 1 lot into 2 lots at Lot 810 DP 1061912, 3 Caulfield Place, Scone for the reasons given in Attachment 2.

In relation to item ECSC.11.2, the Committee unanimously supported the recommendation to refuse Development Application No. 183/2021 for a multi-dwelling housing development on Lot 1 DP 611620, No. 51 Barton Street, Scone, for the reasons in Attachment 3.

In relation to item ECSC.11.2, the Committee unanimously supported the recommendation to approve Development Application No. 120/2022 for a dwelling and shed at 6 Camp Street Gundy (Lot 2 DP 758490) subject to the conditions of consent in Attachment 4.

#### **ATTACHMENTS**

- 1↓ [Minutes - Environmental & Community Services Committee - 8 November 2022](#)
- 2↓ [DA 105/2022 - Reasons for refusal](#)
- 3↓ [DA 183/2022 - Reasons for refusal](#)
- 4↓ [DA 120/2022 - Recommended conditions of consent](#)

**MINUTES OF THE ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL HELD ON TUESDAY 8 NOVEMBER 2022 IN THE COUNCIL CHAMBERS COMMENCING AT 10.33AM**

**PRESENT:**

Cr Maurice Collison (Mayor), Cr Lee Watts (Chair), Cr Ron Campbell, Cr Liz Flaherty and Cr Allison McPhee.

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Mathew Pringle (Director Planning & Infrastructure Services), Mr Paul Smith (Senior Environmental Planner) and Mrs Lisa Betts (Administration Officer).

**APOLOGIES:**

Nil

**ADOPTION OF MINUTES:**

RESOLVED to adopt the minutes from the Environmental & Community Services Committee Meeting held on Tuesday 11 October 2022.

Moved: A McPhee

Seconded: A Campbell

CARRIED UNANIMOUSLY

**DISCLOSURES OF INTEREST:**

Nil

**PUBLIC PARTICIPATION:**

Nil

**DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE REPORTS**

**ECSC.11.1**

***DEVELOPMENT APPLICATION NO. 105/2022 - SUBDIVISION OF 1 LOT INTO 2 LOTS***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

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

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

Moved: A McPhee

Seconded: R Campbell

CARRIED UNANIMOUSLY

**ECSC.11.2**

***DEVELOPMENT APPLICATION NO. 183/2021 - MULTI-HOUSING DEVELOPMENT***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

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

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

Moved: A McPhee

Seconded: R Campbell

CARRIED UNANIMOUSLY

ECSC.11.3

***DEVELOPMENT APPLICATION NO. 120/2022 - DWELLING AND  
SHED***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

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

**RECOMMENDED that Council grant consent to Development Application No. 120/2022 for a dwelling and shed at 6 Camp Street Gundy (Lot 2 DP 758490) subject to the conditions of consent in Attachment 1.**

Moved: A McPhee

Seconded: R Campbell

CARRIED UNANIMOUSLY

The meeting concluded at 10.44am.

**DA 105/2022 – Reasons for Refusal**

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 4.1 of the Upper Hunter Local Environmental Plan 2013 as Proposed Lots 8100 and 8101 are each 2,300m<sup>2</sup> and do not comply with the minimum lot size of 1 hectare.
2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not adequately justify an exception to a development standard under Clause 4.6 of the Upper Hunter Local Environmental Plan 2013.
3. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 6.10 of the Upper Hunter Local Environmental Plan 2013 as the consent authority is not satisfied that adequate arrangements are in place for the provision of reticulated water and sewer being from a private system.



**DA 183/2021 – Reasons for Refusal**

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 6.10 of the Upper Hunter Local Environmental Plan 2013 as the consent authority is not satisfied that adequate arrangements have been made for stormwater drainage and suitable vehicular access.
2. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the Upper Hunter Development Control Plan 2015 with respect to stormwater management and the driveway and access is not considered to be of a standard that allows for the safe and convenient manoeuvring of vehicles.
3. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development is likely to have adverse impacts on adjoining properties with respect to stormwater run-off. The proposed reliance on an infiltration trench in this landscape is likely to result in rising groundwater that has salinity impacts on other properties, downstream land uses or ecosystems.
4. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the development is not in the public interest as it leads to unsustainable stormwater management practices.

**DA 120/2022 – Dwelling & Shed – Recommended Conditions of Consent****Identification of approved plans:**

1. The development must be carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated 24 June 2022 except where amended by the conditions of consent.

JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
Architectural Plans - Dwelling (Job No: M5939mk)	1 to 5	C	MET-KIT Homes Pty Ltd	18/07/22
BASIX Certificate (Certificate: 1303760S_02)	1 to 7	2	Leading Energy ESD	16/06/22
Elevation Plan – Shed (Job No: 1817113519)	2 of 7	-	Emerald Design & Construction	21/04/22

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

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

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

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

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

(Reason: Prescribed by legislation)

4. Home Building Act Requirements

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

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

information or declaration previously given under either of those paragraphs.

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

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

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

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

(Reason: Prescribed by legislation)

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

5. Pursuant to Upper Hunter Shire Council Section 94A Development Contribution Plan 2008, a contribution of **\$3,151.50** is required to be paid to Council. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Section 94A Development Contributions Plan.

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

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

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

(Reason: Prescribed by legislation.)

#### Conditions that must be addressed prior to commencement:

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

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

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

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

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

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

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

9. Site facilities

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

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

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

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

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

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

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

(Reason: Statutory requirement)

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

(Reason: Prescribed – Statutory)

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

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

- (a) building construction activities are only carried out during the following hours:
- i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
  - ii. on a Saturday—8.00am to 5.00pm;

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

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

unless prior written approval has been obtained from Council.

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

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

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

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

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

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

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

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

16. The development shall be connected to the on-site sewage management system in accordance with the S68 approval and AS3500. In addition a current Approval to Operate will also be required prior to the issue of any Occupation Certificate.

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

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

17. Prior to the issue of an Occupation Certificate vehicle access as a minimum from the boundary to the proposed development shall be constructed in a base course comprising compacted fine crushed rock and metal material to a minimum depth of 200mm to allow all weather access by a two (2) wheel drive vehicle.

(Reason: To provide all weather vehicle access to site.)

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

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

(Reason: Prescribed - Statutory.)

#### Conditions that must be complied with at all times:

19. At all times nothing in this consent shall authorise the use of the shed for commercial or industrial activities.

(Reason: To ensure use is compatible with classification of building.)

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

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

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

21. At all times, vehicular access to the garage shall be via the internal driveway. Access to the garage is not permitted directly from Riley Street.

(Reason: To avoid potential traffic conflict and obstruction of the road reserve)

**Planning & Infrastructure Services**

**SCR.11.2**

**INFRASTRUCTURE SERVICES COMMITTEE**

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

**RECOMMENDATION**

That Council:

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

**BACKGROUND**

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

**REPORT/PROPOSAL**

The Infrastructure Services Committee considered reports on the following items:

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

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

- Merriwa Sewerage Treatment Plant (STP)
- Cassilis Sewerage Scheme
- CCTV to inform the sewer re-lining program
- Water Main Renewal Work (Contract 1/2022)
- Sewer main repair works
- Aberdeen River Pump Station Improvements (Contract 42/2021)
- The Drought Emergency Response and Management Plan
- Village Reticulation – Parkville/Wingen/Blandford
- Scone Water Treatment Plant Stage 1 (Contract 35/2021)

**Cassilis Sewerage Scheme**

With no current additional funding and costs currently sitting in excess of \$3M for the lowest priced option, the Cassilis Sewerage System is not viable at this point in time.

Decentralised Water Consulting were engaged to provide a different hybrid solution and have provided a draft report detailing other possible options. All options except option 5 exceed the current budget allocation.

Option 5 however is not considered viable from an operating perspective as the discharge from the systems remains within the township on private land. None of the options raised in the De-centralisation Water Consulting report are considered more viable than the existing GHD Design.

## Planning & Infrastructure Services

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Therefore, it is proposed to not progress with the implementation of any sewer system upgrade at this time.

### **Drought Emergency Response and Management Plan (DERMP)**

In response to questions concerning water restriction levels, staff confirm that the proposed trigger levels are based on modelling of historical water storage levels and are intended to reduce the number of restriction levels and provide consistency across LGAs in the Upper Hunter region.

With respect to the water use timeframes, the current restrictions are considered to be confusing due to the different watering time frames between seasons and the various methods of water application to lawns and gardens (eg drip irrigation, hand watering, spray irrigation etc). Furthermore, the current restrictions are difficult to regulate and enforce. Accordingly, the restrictions have been simplified in the DERMP to make it easier for consumers to follow and to enable improved regulation and enforcement.

### **ISC.11.2 WORKS PROGRAM - INFRASTRUCTURE SERVICES – WORKS DELIVERY**

The KPIs were reported to the Committee, with eleven (11) of the eighteen (18) KPIs being off track for the reportable year.

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

Strategic and Capital Works Delivery Update was reported.

There are thirty five (35) major projects in progress that have been reported on. Twenty seven (27) of these projects require budget or scheduling intervention.

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

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

#### **Key activities next month:**

- Locate suitable spoil areas for excess material removed from site
- Lobbying of both State and Federal members requesting the early release of committed funding

### **ISC.11.5 BILL ROSE SPORTS COMPLEX USER GROUP COMMITTEE**

The Bill Rose Sports Complex User Group is an advisory committee reporting to the Infrastructure Services Committee. The committee was established to discuss matters to assist in the formation of an appropriate plan for future development and the management of maintenance for Bill Rose Sports Complex. Meetings were held on 30 August and 27 September 2022 and minutes were adopted by the Infrastructure Services Committee.

### **RESPONSES TO PREVIOUS QUESTIONS**

At each Infrastructure Services Committee meeting, the Councillors ask questions relating to items included on the agenda. Some questions require further investigation, actions to be made and a report is provided back to the Committee at the next meeting. There were no questions taken on notice at the October Infrastructure Services Committee.



## Planning & Infrastructure Services

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### ***QUESTIONS WITH NOTICE***

Councillors are given an opportunity to provide questions that have not been included on the agenda to be answered prior to the agenda being sent out. Staff are given time to answer these requests and provide a response in a separate report to the Infrastructure Services Committee. There were no questions with notice from the committee for this meeting.

### ***ATTACHMENTS***

- [1](#)  Draft - Infrastructure Services Committee - 8 November 2022 - Minutes

**MINUTES OF THE INFRASTRUCTURE SERVICES COMMITTEE OF UPPER HUNTER SHIRE  
COUNCIL HELD ON TUESDAY 8 NOVEMBER 2022 IN THE SCONE COUNCIL CHAMBERS  
COMMENCING AT 12.30PM**

**PRESENT:**

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

**APOLOGIES:**

Nil

**IN ATTENDANCE:**

Greg McDonald (General Manager), Mat Pringle (Director Planning & Infrastructure), Kristian Enevoldson (Director Corporate & Community Services), Jeff Bush (Manager Strategic Assets), Grahame Wilson (Manager Water & Sewer), Chris Agosto (Project Manager), Nilakshi Fernando (Engineer Water & Sewer) and Karen Boland (Infrastructure Services Support Officer).

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

Nil

**PUBLIC PARTICIPATION:**

Nil

**DISCLOSURES OF INTEREST:**

Nil

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**INFRASTRUCTURE SERVICES REPORTS**

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

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Grahame Wilson - Manager Strategic Projects

**RESOLVED that the Committee:**

1. receive the report and note the information;
2. adopt the Drought and Emergency Response Management Plan (DERMP); and
3. note the Decentralised Wastewater Scoping Study for Cassilis.

Moved: Cr Collison

Seconded: Cr Clout

CARRIED UNANIMOUSLY

**Councillor Questions:**

Cr McPhee requested with regard to the Drought and Emergency Response Management Plan, can reference be made to the different levels of water restrictions and what they mean, eg: watering time frames.

*Response: Taken on notice by the Manager Water and Sewer.*

## ISC.11.2

**WORKS PROGRAM - INFRASTRUCTURE SERVICES - WORKS DELIVERY****RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services**AUTHOR:** Sam Wooden - Manager Works Delivery**RESOLVED that the Committee receive the report and note the information.**

Moved: Cr Clout

Seconded: Cr McPhee

CARRIED UNANIMOUSLY

**Councillor Questions:**

Cr Campbell noted the deterioration of Ringwood Road and Flight Springs Road, Merriwa and requested they be inspected for repair.

*Response: Taken on notice by the Director Planning and Infrastructure.*

Cr Campbell enquired with regard to the recent funding announcement from NSW Government aimed at fixing potholes on regional roads, what portion of the \$50M will be allocated to UHSC?

*Response: General Manager advised that funding is based on the length of road network. An application has been submitted and is awaiting approval. Funding amount at this stage is unknown. A copy of the current UHSC Reseal Program can be distributed to the committee. Staff are currently investigating funding through the Betterment Program.*

Cr Campbell enquired if there is going to be a pipe installed under the road at the eastern end of Hacketts Lane, Merriwa as he was of the understanding that a concrete causeway was proposed.

*Response: The Director Planning and Infrastructure advised that he believed a low flow pipe was to be installed, however he would take the question on notice and confirm that this was the case.*

## ISC.11.3

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

Moved: Cr Clout

Seconded: Cr McPhee

CARRIED UNANIMOUSLY

**Councillor Questions:**

Cr Clout enquired if high pressure hoses are being used to water trees as it has been reported that the use of them is causing damage to the trees.

*Response: Taken on notice by the Director Planning and Infrastructure to investigate the practices of tree watering.*

## ISC.11.4

**MR358 WILLOW TREE ROAD UPGRADE****RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services**AUTHOR:** Jeff Bush - Manager Strategic Assets**RESOLVED that the Committee receive the report and note the information.**

Moved: Cr Collison

Seconded: Cr McPhee

CARRIED UNANIMOUSLY

ISC.11.5

***BILL ROSE SPORTS COMPLEX USER GROUP COMMITTEE***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Sam Wooden - Manager Works Delivery

**RESOLVED that the Committee adopt the minutes of the Bill Rose Sports Complex User Group held on:**

1. 30 August 2022; and,
2. 27 September 2022.

Moved: Cr Clout

Seconded: Cr McPhee

CARRIED UNANIMOUSLY

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The meeting was declared closed at 1.00pm.

**Corporate & Community Services**

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**SCR.11.3**

***CORPORATE SERVICES COMMITTEE***

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

**AUTHOR:** Wayne Phelps - Manager Finance

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***RECOMMENDATION***

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

***BACKGROUND***

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

***REPORT/PROPOSAL***

A meeting of the Corporate Services Committee was held on Friday, 18 November 2022. A copy of the minutes of the meeting are attached. The following reports were considered:

**CORP.10.1 Financial Summary & Investment Report**

A monthly Financial Summary including details and levels of investments was provided for the Committee's information together with a statement from the Responsible Accounting Officer advising that the projected financial position as at 30 September 2022 was satisfactory.

The Financial Summary Reports provide an overview of Council's operations shown in a high-level position in both fund and function. The summary reports incorporate details of requested and approved variations.

The capital expenditure report presented included a full list of projects with any proposed variations. An overview of the associated reasons for the requests is provided such as council delay, contractor delay or pending grant funding.

The Cash and Investment Report provides a bank reconciliation of cash and details of Council's investments and rates of return. These rates of returns can be compared to the average benchmark BBSW 90-day cash rate provided at the base of the investment table.

The Responsible Accounting Officer's (RAO) Statement includes a statement of compliance of investments in accordance with regulatory requirements and Council's policies, a statement on the reconciliation of cash with bank statements as well as a statement of satisfaction with Council's financial position, or remedial action to be taken (Clause 203(2)) of the Local Government (General) Regulations 2005.

**CORP.11.2 Operational Report**

The budget review provides a detailed overview of the actuals to budget for the year to date, together with proposed variations and previously approved variations to the original budget. The effect on the originally adopted budget for these proposed and approved variations are shown in the revised end of year budget position for both the fund and service activity.

Commentary is provided by managers and/or budget holders to inform details or reasons of why variances between actuals to budget exist or why proposed variations have been requested.

## Corporate & Community Services

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Key Performance Indicators (KPIs) are included within the body of the operations report for each respective service activity as adopted in the Delivery Program and Operation Plan these indicators are gauged against the actual performance of each service activity and are measured using a traffic light monitor with commentary provided by managers and/or budget holders.

### **CORP.10.3 Contractors & Expenses Report**

The Contractors Listing provides details of any contracts Council has entered into for the period which exceed the value of \$50,000 in accordance with Office of Local Government requirements.

The Consultants, Legal and other Expenses Report will show expenditure year to date for consultancies and legal services.

### **CORP.10.4 White Park Management and Development Committee**

The White Park Management & Development Committee is an advisory committee of Council. The Committee comprises representatives of the various users of the White Park facility. The aim of the Committee is to make recommendations to Council on the management and future development of White Park.

### **CORP.10.5 Questions With Notice**

The following question with notice was received:

#### **Cr Williamson**

With the deterioration of the eastbound Merriwa road from Murdering Hut Gully to Halls Creek is there funding available for the repair of this section of road before its scheduled date?

*Response: Currently Council is in the process of preparing designs for the rehabilitation of the deteriorating road section. Once the designs have been completed a costing will be prepared. Council has included the section of road in its Roads to Recovery program, however due to the length of road funding will only be available to complete the more severe safety areas of the road in the first instance. Further funding will be sought from the Government to undertake further rehabilitation works into the future.*

### **RESPONSES TO PREVIOUS QUESTIONS**

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

At the Council meeting on 31 October 2022, Cr Flaherty asked why her questions in the previous Corporate Services Committee meeting had not been minuted. The General Manager took this on notice and reported via email to all Councillors that a number of questions had been asked in the Corporate Services Committee and as is our practice only questions that cannot be answered in the meeting are taken on notice. Responses are provided at the next Committee meeting out of session. For questions answered in the meeting Councillors can view the meeting webcast.

### **ATTACHMENTS**

- [1↓ Corporate Services Committee - 18 November 2022 - Minutes](#)

**MINUTES OF THE CORPORATE SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL  
HELD ON FRIDAY 18 NOVEMBER 2022 IN THE COUNCIL CHAMBERS COMMENCING AT  
9.00AM**

**PRESENT:**

Cr Adam Williamson (Chair) and Cr James Burns (via video link).

Cr Flaherty was absent from the meeting.

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

**RESOLVED that Cr Burns attend the meeting via video link.**

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

**APOLOGIES:**

There were no apologies.

**IN ATTENDANCE:**

Mr Greg McDonald (General Manager), Mr Kristian Enevoldson (Director Corporate & Community Services), Mr Mathew Pringle (Director Planning & Infrastructure Services), Mr Wayne Phelps (Manager Finance) and Mrs Robyn Cox (Minutes).

**DISCLOSURES OF INTEREST:**

Nil

**PUBLIC PARTICIPATION:**

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 Capital Works Expenditure Report; and**
- 5. adopt the proposed budget variations**

Moved: A Williamson    Seconded: J Burns                      CARRIED UNANIMOUSLY

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**CORP.11.2                      OPERATIONAL REPORT**

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

**AUTHOR:** Wayne Phelps - Manager Finance

**RESOLVED**

**That the Committee:**

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

Moved: J Burns

Seconded: A Williamson

CARRIED UNANIMOUSLY

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**CORP.11.3                      CONTRACTORS & EXPENSES REPORT**

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Wayne Phelps - Manager Finance

**RESOLVED**

**That the Committee:**

1. Note the Contractors Listing for the period;
2. Note the Consultancy and Legal Expenses report for the period.

Moved: A Williamson

Seconded: J Burns

CARRIED UNANIMOUSLY

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**CORP.11.4                      WHITE PARK MANAGEMENT AND DEVELOPMENT COMMITTEE**

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

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

**RESOLVED**

**That the Committee endorse the minutes of the White Park Management and Development Committee meeting held on 9 November 2022.**

Moved: J Burns

Seconded: A Williamson

CARRIED UNANIMOUSLY

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**CORP.11.5                      QUESTIONS WITH NOTICE**

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

**AUTHOR:** Robyn Cox - Executive Assistant

**The committee noted the question with notice.**

Before the meeting closed Cr Burns noted it was Kristian Enevoldson’s last meeting with Council and gave a vote of thanks for his hard work and efforts over the past 4 years.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.15AM.



## Planning & Infrastructure Services

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### COMMITTEE/DELEGATES REPORTS

#### C.11.1 **ABERDEEN DISTRICT COMMUNITY ADVISORY COMMITTEE**

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Amanda Catzikiris - Community Services Officer

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#### RECOMMENDATION

That Council

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

#### BACKGROUND

The purpose of Council's Community Advisory Committees (CAC) is to advise Council on the needs or issues of a particular community and to inform Council's decision making and work relating to these communities. These committees will meet every 3 months in Murrurundi, Scone, Aberdeen and Merriwa.

#### REPORT/PROPOSAL

The Expression of Interest for membership of the Australia Day Subcommittee - Scone and Aberdeen District has closed. The subcommittee will have a role in the planning of Australia Day activities across the shire and assessing nominations for the awards.

Committee discussion included safety concerns at the entrance to Valley Fair, potential for a lighting project at the Grain Corp silo site and opportunities for improve signage and enhance the community.

#### ATTACHMENTS

- 1 [↓](#) Minutes - Aberdeen District Community Advisory Committee Meeting - 11 October 2022

**MINUTES OF THE COMMUNITY ADVISORY COMMITTEE -  
ABERDEEN MEETING - TUESDAY 11 OCTOBER 2022 -**



**PRESENT:** Cr Allison McPhee (Chairperson), Andrew Lane, Sue Milton, Shane Lloyd, Helen Irving.

**IN ATTENDANCE:** Greg McDonald (General Manager), Mathew Pringle (Director Planning & Infrastructure Services), Kristian Enevoldson (Director Corporate & Community Services), Amanda Catzikiris (Acting Manager Community Services)

**1. ACKNOWLEDGEMENT OF COUNTRY**

**2. APOLOGIES**

**RESOLVED**

**That the apologies received from Cr Adam Williamson and Jodie Mayall be accepted.**

Moved: Andrew Lane

Seconded: Sue Milton

**3. DISCLOSURE OF INTEREST**

Nil

**4. PUBLIC PARTICIPATION**

Nil

**5. PREVIOUS MINUTES**

**RESOLVED**

**That the minutes of the Community Advisory Committee - Aberdeen Meeting held on 12 July 2022, as circulated, be taken as read and confirmed as a correct record.**

Moved: Andrew Lane

Seconded: Sue Milton

**6. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

**7. AGENDA ITEMS**

**CAC-M.10.1 Membership for the Australia Day Sub-Committee - Scone and Aberdeen District**

**PURPOSE**

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

Membership was sought through an EOI process promoted through Council. Cr Allison McPhee will be the Councillor representative from the CAC - Aberdeen.

**RECOMMENDATION**

That Council accept the nomination from Shane Lloyd for membership on the Australia Day Subcommittee – Scone and Aberdeen District.

Moved: Sue Milton

Seconded: Andrew Lane

This is Page 1 of 3 of Minutes of the **Community Advisory Committee – Aberdeen** meeting of the Upper Hunter Shire Council held on 11 October 2022.

**ACTION FOR COMMITTEE:** Nil

**CAC-M.10.2 Items Raised by the Community**

**PURPOSE**

The purpose of this report is for the Committee to review and consider items submitted by committee members of the Aberdeen District Community Advisory Committee (CAC).

- I. Shane Lloyd raised concerns regarding the traffic issues at Aberdeen Valley Fair. Mathew Pringle advised that there was a development application with consent that includes traffic lights but it hasn't been progressed. The committee discussed options;
  - representation to Transport NSW for an pedestrian crossing including half block crossing on the highway and improve signage
  - entrance via Perth St to eliminate highway traffic
  - move or widen the existing entrance
  - letter to Valley Fair to consider improving the driveway and resurface the carpark.
- II. Shane Lloyd proposed improved signage at north and south entrances to town. In conjunction with Tourism and Events section, Council is investigating opportunities for branding across the LGA. Other options include tree planting and celebrating Aberdeen as the gateway to the shire.
- III. Cr Adam Williamson is looking at interest in project to enhance / light up the Aberdeen silos. There will be a presentation of the project brief at the next meeting. The committee discussed the increased activity of young people climbing the silo and the risk to Grain Corp. It was determined that a letter be written to Grain Corp raising these concerns. A lighting project may increase safety at the site.

**RESOLVED**

**That the Committee review the items listed in the report.**

Moved: Shane Lloyd

Seconded: Helen Irving

**ACTION FOR COMMITTEE:**

See action sheet.

**CAC-M.10.3 Action Sheet - Update**

**PURPOSE**

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

As per the last action sheet, planning and maintenance schedules were provided to the committee for their information. These details are also available on the Council website. Amanda Catzikiris will send a link to members.

**RESOLVED**

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

Moved: Shane Lloyd

Seconded: Helen Irving

**ACTION FOR COMMITTEE:**

See action sheet.

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This is Page 2 of 3 of Minutes of the **Community Advisory Committee – Aberdeen** meeting of the Upper Hunter Shire Council held on 11 October 2022.

**CAC-M.10.4 Capital Works Projects - Aberdeen**

**PURPOSE**

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

Details have been distributed to the committee.

**Noted**

Moved: Andrew Lloyd

Seconded: Shane Lloyd

**ACTION FOR COMMITTEE:**

Nil

**8. ACTION SHEET**

- Prepare a letter to Aberdeen Valley Fair regarding the community concerns for safety and low visibility of the driveway access – Mathew Pringle.
- Prepare a letter to Grain Corp regarding safety concerns at the Aberdeen silo – Mathew Pringle.
- Email link to CAC members for Council website planning documents and reports – Amanda Catzikiris
- Review progress on the lighting at McKinnon oval – Cr Allison McPhee
- Determine ownership of the abandoned skip bin on Macqueen St – Mathew Pringle.

**9. CORRESPONDENCE**

Nil

**10. GENERAL BUSINESS**

- Jefferson Park Masterplan – quotes are being sought through an EOI process for a project consultant. A subcommittee of the CAC – Aberdeen will be established. Additional funds will then be sourced to implement the masterplan.
- Lighting upgrade to McKinnon Oval and the athletics field – review the action to date. Cr Allison McPhee will follow-up these actions.
- Macquarie Energy has offered \$250 000 to spend on projects for the Aberdeen community. More details will be provided at future meetings.
- Australian Pacific Coal has received approval to modify the existing mining approval to recommence underground mining operations at Dartbrook coal mine. The voluntary planning agreement includes a cash contribution of \$110 000 to support the group to establish a positive presence in the Aberdeen community.
- A yellow skip bin (Theiss) has been abandoned on the vacant block in Macqueen St. The content of the bin is unknown. Mathew Pringle will investigate who is responsible.
- Garden area adjacent to Willow Grove is overgrown and limiting footpath access. Council is responsible for maintenance of the road reserve area.
- Investigate opportunity for a toilet facility in Lions Park – this park is adjacent to the railway station. Noted for further discussion.

**11. NEXT MEETING**

17 January 2023

*The meeting was declared closed at 5.50pm.*

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This is Page 3 of 3 of Minutes of the **Community Advisory Committee – Aberdeen** meeting of the Upper Hunter Shire Council held on 11 October 2022.

**Planning & Infrastructure Services**

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**C.11.2** ***MURRURUNDI DISTRICT COMMUNITY ADVISORY COMMITTEE***

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Heather Ranclaud - Community Services Officer - Murrurundi

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**RECOMMENDATION**

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

**BACKGROUND**

The purpose of Council's Community Advisory Committees (CAC) is to advise Council on the needs or issues of a particular community and to inform Council's decision making and work relating to these communities. These committees meet every 3 months in Murrurundi, Scone, Aberdeen and Merriwa.

**REPORT/PROPOSAL**

The Murrurundi Community Advisory Committee meeting was held on 10 November 2022. A copy of the minutes is attached.

The Committee adopted the minutes of the meeting held on 21 September 2022 and acknowledged the resignation of Cr Sue Abbott, a former member of the Committee, from Council. A report on the capital works in the Murrurundi district was presented, with discussion around the bridge replacement program and the Murulla St causeway.

A number of items were discussed at the committee, including:

1. It was noted that the Suspension Bridge at Murulla Street needs attention due to rotting timber and rusty wire.
2. The Committee has requested that Council advocate for fluoride in the water supply.
3. A new form will be provided in order to have a format to table business discussed at any out-of-session meeting the Committee may conduct between the formal meetings.
4. In terms of the Murrurundi Town Center Masterplan, the Committee will prepare a prioritised schedule of works, as identified in the Plan, noting that \$70k is currently available. Any future funding would have to be included in the 2022/23 annual budget
5. Twilight markets will be held 10 December 2022.

Other items discussed are noted in the attached minutes.

**ATTACHMENTS**

- 1 [↓](#) Minutes - Murrurundi Community Advisory Committee meeting - 10 November 2022

**MINUTES OF THE MURRURUNDI COMMUNITY ADVISORY  
COMMITTEE MEETING - THURSDAY 10 NOVEMBER 2022 –  
5.05pm**



**PRESENT:** Cr James Burns (Chair), Cr Elizabeth Flaherty, Peter McGill, Philip Morgan, Sandra Coffey, Janie Jordon, Gerard Howard, Ray Hynes,

**IN ATTENDANCE:** Kristian Enevoldson, Heather Ranclaud (minutes)

**1. APOLOGIES**

There were no apologies.

**2. DISCLOSURE OF INTEREST- Nil declared**

Nil declared

**3. PREVIOUS MINUTES**

**RESOLVED**

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

Moved: Ray Hynes      Seconded: Peter McGill      CARRIED

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

**4.1 Signage**

Members were advised that the signage policy was adopted by Council.  
Ray Hynes requested his vote of thanks to Council be noted.

**Action:** Kristian Enevoldson to follow up regarding re-instatement of Golf Club signage.

**4.2 Murulla Street crossing**

Depth marker has survived flood. Road barriers are damaged.

**Action:** Community Services officer to follow up with a CRM

Note: members were advised by the Chair, that any requests can be lodged directly with Council.

**5. AGENDA ITEMS**

**MCAC1.11.1 Capital Works Projects**

**PURPOSE**

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

Members raised concerns about the Murulla causeway, curb and gutters washed out and the condition of the road.

Motion: that the suspension bridge needs attention due to rotting timber and rusty wire.

Moved: Ray Hynes      Seconded: Janie Jordon      CARRIED

This is Page 1 of 3 of Minutes of the **Murrurundi Community Advisory** Committee meeting of the Upper Hunter Shire Council held on 10 November 2022.

Members also suggested an upgrade of the old showground and police paddock.

**RECOMMENDATION**

For notation only

Noted.

**ACTION FOR COMMITTEE:**

**MCAC1.11.2 Action Sheet - Update**

**PURPOSE**

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

The Committee noted the issue and response listed in the Action Sheet.

**ACTION FOR COMMITTEE:**

Members agreed to meet within two weeks (outside formal meetings) to discuss town revitalisation, prioritise available funding and discuss "safe places to walk and ride"

**6. ACTION SHEET**

- 6.1 Follow up re-instatement of Golf Club signage
- 6.2 Re-vitalisation funding to be an agenda item for the next meeting.
- 6.3 CSO to arrange CRMs for Murulla St signage and overgrown premises.

**7. CORRESPONDENCE**

**8. GENERAL BUSINESS**

**8.1 Matters raised by members:**

- The possibility of installing a picket fence at Wilson Memorial Oval
- Phone number confusion- suggest an audit of Council phone numbers be completed
- 2023 Festival 31 March, 1,2 April theme "the art of the kite" Suggest the Riverwalk be included.
- Discussion regarding opportunities for a rail turntable. Suggest a proposal to ARTC.
- Flouridation of the town water supply.
- The Old Theatre facade has parts falling off and the premises are overgrown.
- Twilight Markets will be held on 10 December from 5pm.
- Style guide for Murrurundi to be circulated by email. Ray Hynes advised he has a copy.

Note: The style guide has not been endorsed by the community. The CAC will review and make a recommendation.

Note: Ray Hynes thanked Council for providing funding to support the event.

**Action:** Community Services officer to submit a CRM regarding overgrown premises.

Note: members were reminded that they can report these issues directly to Council.

**Motion:**

**That the resignation of Cr Sue Abbott be noted and condolences extended.**

Moved: Peter McGill      Seconded: Janie Jordon      CARRIED

**Motion:**

**That Upper Hunter Shire Council advocate for fluoride in the water supply.**

Moved: Gerard Howard      Seconded: Cr Elizabeth Flaherty      CARRIED

**9.    *NEXT MEETING Thursday 9 February 2023 at 5pm.***

*The meeting was declared closed at 6.15pm*

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This is Page 3 of 3 of Minutes of the ***Murrurundi Community Advisory*** Committee meeting of the Upper Hunter Shire Council held on 10 November 2022.



**Planning & Infrastructure Services**

**C.11.3**

**2023 AUSTRALIA DAY AWARDS NOMINATIONS**

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Amanda Catzikiris - Community Services Officer

**RECOMMENDATION**

That Council:

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

**BACKGROUND**

Nominations for the 2023 Australia Day Awards were received until 11 November 2022. Nominations were considered by the Murrurundi District Subcommittee on 8 November, Merriwa District Sub-committee on 9 November and Scone & Aberdeen Districts Subcommittee on 15 November 2022.

Since 1976 the Scone Citizen of the Year Award has been named in recognition of the achievements of long-standing Councillor, President and Vice-President of the former Scone Shire Council, Hunter McLoughlin. Twice President of Scone Shire, he served as a Councillor for seventeen years in total, until his death on 9 July 1976 at the age of 55.

**REPORT/PROPOSAL**

The Committees are able to give special Australia Day Special Awards to any nominee who displayed excellence in any particular category.

All nominees and their nominators will be invited to attend their district Awards Ceremonies on Australia Day, Thursday, 26 January 2023.

Council will determine the Upper Hunter Shire Citizen and Young Citizen of the Year from the recipients of the district Citizen and Young Citizen Awards.

Recommendations from the district subcommittees and details of nominations are provided to Councillors in a confidential report.

Council staff have considered various formats for the Awards ceremonies with recommendations to the Committees to consider a single event to bring the entire Shire together to celebrate Australia Day. Discussions with the various Committees have led to a preference of two events, one in Merriwa and one in Scone. Staff will commence arrangements for these two events.

**ATTACHMENTS**

- 1 Australia Day Award Recommendations Excluded

**General Manager's Unit**

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**GENERAL ADMINISTRATION REPORTS**

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

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

**AUTHOR:** Robyn Cox - Executive Assistant

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**PURPOSE**

The purpose of this report is to table the completed Disclosures of Pecuniary Interests and Other Matters return received from Cr Elizabeth Flaherty and former Cr Sue Abbott.

**RECOMMENDATION**

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

**BACKGROUND**

At its meeting on 31 October 2022, Council noted the tabled annual *Disclosure of Interests and Other Matters* returns completed by Councillors and designated staff for 30 June 2022.

At the time of the meeting returns had not been received from Cr Flaherty and former Cr Abbott.

**REPORT/PROPOSAL**

Since the October Council meeting, Cr Flaherty and former Cr Abbott have submitted their completed *Disclosure of Interests and Other Matters* returns and these will be tabled at this meeting.

**OPTIONS**

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

**CONSULTATION**

- General Manager
- Director Corporate & Community Services

**STRATEGIC LINKS**

**a. Community Strategic Plan 2032**

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

**Responsible Governance**

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

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

## General Manager's Unit

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### b. Delivery Program

- Ensuring regulatory and statutory compliance

### c. Other Plans

Nil

## IMPLICATIONS

### a. Policy and Procedural Implications

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

### b. Financial Implications

Nil

### c. Legislative Implications

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

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

### d. Risk Implications

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

### e. Sustainability Implications

Nil

### f. Other Implications

Nil

## CONCLUSION

*Disclosure of Interests and Other Matters* returns for 30 June 2022 have now been completed by all Councillors and all designated persons in accordance with the requirements of the Code of Conduct and section 440AAB of the Local Government Act 1993.

## ATTACHMENTS

There are no enclosures for this report

**General Manager's Unit**

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**G.11.2 ANNUAL PRESENTATION - SCONE NEIGHBOURHOOD  
RESOURCE CENTRE**

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Robyn Cox - Executive Assistant

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**PURPOSE**

The purpose of this report is for Council to receive a presentation from the Scone Neighbourhood Resource Centre.

**RECOMMENDATION**

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

**BACKGROUND**

Council has in the past provided support to the Scone Neighbourhood and Resource Centre either through donations for events and use of grounds and facilities or in-kind support from time to time.

In August 2015 Council resolved:

1. *That Council delegate to the General Manager to enter into a sub-lease agreement with the Scone Neighbourhood Resource Centre;*
2. *That Council provide a Category 2 rental subsidy under GRANTS AND SUBSIDIES – POLICY – Programs – Section 356 Rental Subsidies;*
3. *That Council provide a donation to the Scone Neighbourhood Resource Centre of \$5,000 (reviewed annually) under the GRANTS AND SUBSIDIES – POLICY – Programs – Section 356 General Donations in lieu of revenue previously received.*
4. *That Recommendations 2 & 3 are subject to Scone Neighbourhood Resource Centre providing an annual Business Plan and presentation to Council including audited Financial Statements.*

**REPORT/PROPOSAL**

As per Council's resolution, the Scone Neighbourhood Resource Centre (SNRC) will be making a presentation to Council outlining their planned activities for 2022/23. Council has continued to support the SNRC over many years either through joint initiatives, funding assistance (donations) for events and programs or through in-kind support.

The SNRC continues to provide a significant range of programs and events to the community along with many other community services that may otherwise fall on other organisations and/or Council should the SNRC not exist. Organisations such as the SNRC are therefore considered an invaluable resource and an important contributor to the community's wellbeing.

The SNRC has provided a copy of their Business Plan and an audited financial statement for the year ending 30 June 2022. These documents are provided under separate cover.

It is the view of staff that this request satisfies the criteria in the policy (s356 General Donations) and the donation has been budgeted under our s356 Contribution allocation.

## General Manager's Unit

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### **OPTIONS**

Nil

### **CONSULTATION**

- General Manager
- Director Corporate & Community Services

### **STRATEGIC LINKS**

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

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

#### **Responsible Governance**

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

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

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

- Ensuring regulatory and statutory compliance

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

Nil

### **IMPLICATIONS**

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

This report is consistent with Council's Policy, *Grants and Subsidies – Programs – Section 356 General Donations*.

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

There are no financial implications from this report. The funding has already been set aside in the 2022/23 budget subject to Council approval.

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

S356 of the Local Government Act 1993.

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

Nil

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

Nil



## General Manager's Unit

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### f. Other Implications

Nil

### **CONCLUSION**

Council acknowledges the important role that the SNRC plays in the community and notes the results articulated in the annual report.

### **ATTACHMENTS**

- |   |   |          |
|---|---|----------|
| 1 | SNRC - Business Plan                                    | Excluded |
| 2 | SNRC - Financial Statements for Year Ended 30 June 2022 | Excluded |

**General Manager's Unit**

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**G.11.3**

**REQUESTS FOR DONATIONS**

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

**AUTHOR:** Robyn Cox - Executive Assistant

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**PURPOSE**

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

**RECOMMENDATION**

That Council provide the following donations:

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

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

The requests received from Scone Tidy Towns Committee and Murrurundi Landcare Tidy Town Group fit in the category of *6(e) National event* within Council's policy, which is limited to \$250 per individual or \$500 per group. All other requests fit within *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire*, and are limited to \$200 per event per annum.

The requests received from Scone Tidy Towns Committee and Murrurundi Landcare Tidy Town Group state that the Keep Australia Beautiful Tidy Towns Awards would be held early in November however the event has been postponed to early March 2023 due to the recent flooding events occurring around the area.

## General Manager's Unit

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At its meeting on 26 September 2022 Council resolved to provide \$115 to Aberdeen Lions Club to waive the fees for McKinnon Oval to hold their 'Lap the Map for Diabetes' day. They have contacted Council subsequent to the meeting clarifying that their request was for both a donation and a waiver and for Council to reconsider. Council could provide a donation of \$85 to bring the total financial contribution to the policy limit of \$200.

None of the other organisations requesting financial assistance have previously received any donations from Council in the current financial year.

### **OPTIONS**

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

### **CONSULTATION**

- General Manager
- Director Corporate & Community Services
- 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
- Community social and physical infrastructure to support community activities Other Plans

Nil

### **IMPLICATIONS**

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

Nil

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

Council has set aside \$34,000 in the annual budget for the 2022/23 financial year for the granting donations and contributions. The total donations and contribution provided for this financial year has been \$6,546 leaving a remaining balance of \$27,454.



## General Manager's Unit

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**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Other Implications**

Nil

### **CONCLUSION**

Council has received requests for financial assistance from Aberdeen Lions Club, Scone Tidy Towns Committee, Murrurundi Landcare Tidy Towns Group and Koori Kids 2023 School Initiatives program.

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

### **ATTACHMENTS**

- [1](#) Request for Donation - Aberdeen Lions Club - Lap the Map for Diabetes Day
- [2](#) Request for Donation - Scone Tidy Towns Committee
- [3](#) Request for Donation - Murrurundi Landcare Tidy Towns Group
- [4](#) Request for Donation - Koori Kids 2023 School Initiatives Program



Lions Club of Aberdeen Inc.  
Secretary Bob Dixon

  
aberdeenlions@outlook.com

Mr Greg McDonald General Manager Upper Hunter Shire Council

Dear Sir

I am writing this letter on behalf of Aberdeen Lions Club.  
On Monday the 14<sup>th</sup> November is National Diabetes Day.  
Aberdeen Lions Club would like to hold Lap The Map for  
Diabetes on Sunday the 13<sup>th</sup> November at Mckinnon Oval  
Aberdeen. This event would take place between 9am – 1pm  
On the 13<sup>th</sup> November. We would require access from 7-30 am  
To set up. This event will operate under lions Club Insurance.  
Basically what happens people come and register with Lions  
And make a gold coin donation and walk laps of the oval and  
this is recorded with other Lions Clubs involved in this event  
and hopefully will exceed 25,700 kms which is the circumference  
of Australia. Participants will receive at no cost water, fruit,  
sausage sizzle, all proceeds from the day go towards Diabetes  
Awareness, prevention and research.  
Aberdeen Lions Club would be delighted if Upper Hunter Shire  
Council would be willing to make a donation towards the day and  
Also, waiver the council booking fees.

Thanking You Regards



Bob Dixon  
Secretary Aberdeen Lions Club

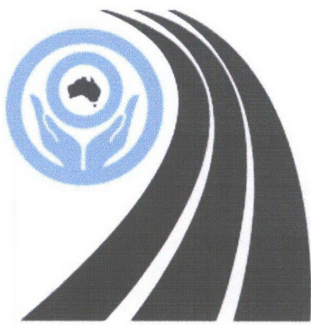


# Lions Australia



## LAP THE MAP 2022

**Join your local Lions Club in raising awareness, having fun, and contributing to raise funds for Diabetes Awareness.**



**LAP THE MAP**

On the 13<sup>th</sup> of November 2022,  
Donate a gold coin and walk  
alongside your friends, family and  
fellow Lions.

**Aberdeen Lions Club INC.**

### Risk Assessment for Lap the map for Diabetes Awareness

- This event is walking laps of the oval out in the sun.
  - We will advise participants to where a HAT and SUNSCREEN
  - Lions club will supply WATER to participants
  - SUNSCREEN will be available if needed
- Participants will start walking laps at staged times
- Trip hazards
  - As this is a walking event the likelihood of people tripping or falling is possible but unlikely to occur
- Government regulations
  - We will comply with regulations at time of the event

**From:** ian judd [REDACTED]  
**Sent:** Wednesday, 19 October 2022 6:12 PM  
**To:** Council Internet Mail <[council@upperhunter.nsw.gov.au](mailto:council@upperhunter.nsw.gov.au)>; Lynda Posa [REDACTED]  
Lynne Ring <[REDACTED]>; Shane Roberts <[REDACTED]>  
Amanda Catzikiris <[ACatzikiris@upperhunter.nsw.gov.au](mailto:ACatzikiris@upperhunter.nsw.gov.au)>  
**Subject:** External: Scone Tidy Towns Awards Weekend Singleton

Attention: General Manager

It is with great pleasure that I inform Council that Scone has been nominated for Overall town in the 2022 Tidy Towns awards. Members of Scone Tidy Towns would like to represent Scone at the awards ceremony and Amanda Cazikiris informed us that we could seek assistance to cover the cost of people attending.

We will have 3 people attending the awards on the 4-6 November in Singleton for the whole weekend at a cost of \$210 per person and 6 people attending the Saturday evening overall towns award presentation at a cost of \$80 per person. Total cost for the weekend for the 9 people to attend would be \$1120. Scone has entered a total of 7 categories plus overall town. Fingers crossed that we are victorious. Many thanks and we appreciate any support Council may give us.

Ian Judd for Scone Tidy Towns.



**MURRURUNDI LANDCARE TIDY TOWNS GROUP**  
**PO Box 24**  
**Murrurundi NSW 2338**

The General Manager  
Upper Hunter Shire Council  
PO Box 208  
SCONE NSW 2337

5<sup>th</sup> October 2022

Att: Greg McDonald

Dear Sir,

**RE: KEEP AUSTRALIA BEAUTIFUL TIDY TOWNS AWARDS NOVEMBER 2022**

The Keep Australia Beautiful Tidy Towns Awards are on again 4<sup>th</sup> to 6<sup>th</sup> November 2022 and Singleton is hosting the event this year.

Murrurundi has 5 entries in the Awards and are in the finals again this year.

Murrurundi Landcare Tidy Towns Group would like to attend the awards and we are seeking help from Upper Hunter Shire Council to help four of our members to be able to represent our town.

We are happy to pay our own accommodation and fuel to get there but are seeking assistance for Registration fees which are \$230 per person to attend for 3 days which will be a total cost of \$920.

We would appreciate if the Upper Hunter Shire Council could assist us with Registration fees to attend and await your reply.

Yours sincerely

Robyn Orman  
Chairperson



**NAIDOC WEEK 2023**  
**School Initiatives**  
**PROPOSAL DOCUMENT**

**Dylan Williams**  
 Executive Director



**Thank you for your continued support**





## NAIDOC WEEK 2023 – 2<sup>ND</sup> – 9<sup>TH</sup> July

Firstly, we would like to convey our appreciation for the support that has been provided the initiatives in previous years. It is only through the dedicated partnerships that we can receive such a vast and creative response to the initiatives from students across the LGA.

The 2022 NAIDOC Week School initiatives have again proven to be an overwhelming success. The positive feedback received from many principals and teachers was overwhelming; *“Thank you for providing the opportunity for the students to engage in the 2022 NAIDOC School Initiatives”, “It is enlightening for our students to participate and gain further knowledge through the NAIDOC School Initiatives”*.

The initiatives annually bring out the best creativity of school students. We are taking the opportunity through our *secondary creative initiative this year to ask students to design a poster for a local newspaper advertising a NAIDOC event in their own community, that could involve either their local council, Aboriginal Land Council, or other Indigenous organisation.*

The NAIDOC Week School Initiative Competitions bring a coordinated educational component to the week-long celebrations. The competitions have been overwhelmingly successful and last year was no exception which produced over 201,111 entries from schools who participated in a variety of competitions, and we are delighted to announce the “2023 NAIDOC Week” Colouring-in/short story and Creative/Essay writing Competitions. Entry is open to all primary and secondary school students in communities.



The aim of these initiatives is to provide our kids with a greater understanding on the importance of friendship and cultural diversity. The competitions reflect Aboriginal ancestry and promote the growth of positive attitudes in all students towards Aboriginal people. They are broadly based around each year’s national NAIDOC theme. The colouring-in/ Short-Story competitions are open to all primary school students and the Creative Art / Essay Writing competitions are open to all secondary students. **The winning students are each year awarded prizes and or NAIDOC Medals of Excellence.**

As part of National NAIDOC Week celebrations Koori Kids coordinates, with the support of various government departments and local councils an educational component to provide a link of cultural diversity to our kids with the NAIDOC Week School Initiative Competitions. These competitions have been a successful part of NAIDOC Week and to date we have received over 3,240,142 entries which include colouring-in, short story, creative art, and essay writing. As a result, we have awarded over 605 major prizes including Computers,

Televisions, Mountain Bikes, Xbox consoles, DVD Players, MP3 Players, Mini Stereos, and Encyclopaedia's. We have presented some 6650 encouragement awards including CDS, DVDS, Movie Tickets and certificates to all participants

This year our highlighted Indigenous role models include a broader spectre recognising Indigenous talent in entertainment and sport and their contribution to the national identity **Jessica Mauboy (Indigenous Singer) and Josh Ado Carr (Indigenous sportsman)**. Our message this year is that education is knowledge and knowledge is **GOLD**

The logistics of the initiatives involve packages being sent to all school principals inviting students to participate in the competitions. Prizes will be awarded to the winning students along with the "NAIDOC Medal of Excellence" The Prime Minister has annually provided a message of support for the initiatives encouraging students to participate. "The wonderful work of student winners – and indeed all entrants – gives me great confidence for the future and our ability to forge a more united, harmonious and respectful future together in the spirit of reconciliation. We can draw inspiration from their idealism and creativity, and their instinctive sense of possibility and openness to change. That is why I am so delighted to be associated with the successful NAIDOC Week School Initiatives"

The judging of entries last year was adjudicated by a panel including our patron, Aboriginal Elders and Sponsoring agency delegates. The judging this year will take a similar precedent. At an awards presentation held during NAIDOC Week the Minister praised the competitions and their purpose *"The initiative we are here to celebrate today provides a perfect illustration of how public awareness has been raised around these issues in recent times. The NAIDOC School Initiative competitions are a perfect opportunity to bring Australians together. They have clearly done so"*.

We acknowledge and appreciate the support of the council last year and seek your involvement again to maintain this year's competitions. **We are asking that you assist this year by preparing a report to council and continuing your support to the initiative with a \$450.00 contribution towards printing and distribution for students within councils LGA.** Support last year was recognised by the Prime Minister and Minister – Indigenous Affairs at the NAIDOC Awards presentation held during NAIDOC Week. Logo was displayed on all materials sent to both principals and student's across council's LGA and a proof of the 2023 competition entry forms for your information is attached. Support was also recognised in all media which included the Advertiser, National Indigenous Times, ABC Radio, Local media and ABC TV's Message Sticks.





Presentation of NAIDOC Medals of Excellence were presented to the winning students were held at special school assemblies and were where possible by Elders, Executive Director, NAIDOC Week School Initiatives, Director, Social Wellbeing & Community – Koori Kids, local Mayor or representatives, Regional Director of Schools, Delegates from the Department of Education, NSW Aboriginal Land Council's, and Australia Post. I would particularly like to acknowledge; **Hon. Sarah Mitchell MLC – Minister for Education & Early Childhood Learning, Ms Sharon Cooke (Catholic Schools NSW), Local Mayors and Mayoral Representatives; Northern Beaches Council, City of Canada Bay, Sutherland Shire Council, Canterbury-Bankstown Council, Waverley Council, Lachlan Shire Council, Newcastle City Council, Bayside Council, Gunnedah Shire Council, Upper Hunter Shire Council, Ryde City Council, Inner West Council, Wagga Wagga City Council, Fairfield City Council, Liverpool City Council, Mid-Western Council, Blacktown City Council, Port Macquarie-Hastings Council, Blue Mountains City Council, and Representatives of the Aboriginal Land Council** for taking time out of their schedules to attend the school presentations.

Warm Regards

Dylan Williams  
Executive Director  
NAIDOC Week Initiatives





## ANNEXURE

### NAIDOC Week 2023 School Initiatives

#### Koori Kids – Request for financial partnership

Mayor,  
 Chief Executive Officer  
 CC: Director: Community Services

#### REPORT IN BRIEF

Koori Kids is a community organisation that engages young people in a range of school initiatives to promote education and awareness of Aboriginal & Torres Strait Islander culture. Each year Koori Kids conducts the NAIDOC Week School Initiative Competitions for school aged children. This is broken up into primary and secondary school categories being colouring-in, short story writing and creative and essay writing. Koori Kids is seeking continued support from council and request consideration of council to be an associate partner with a **\$450** towards the program

#### Purpose

The purpose of this annexure to the proposal is to inform council of the Koori Kids 2023 School Initiatives program. The initiatives are coordinated in partnership with the Department of Education, Skills & Employment, NSW Department of Education, Department of Health, Transport for NSW, NSW Health, Catholic Schools NSW, and Department of Premier & Cabinet.

Koori Kids has provided a proposal and draft entry forms for the 2023 initiatives. The contribution sought (**\$450**) will be utilised towards the costs for printing and distribution of information packs, posters, and entry forms to schools across councils LGA. These initiatives are designed to educate all students on cultural diversity and involve a whole of community approach in the spirit of reconciliation and bringing us 'all together as one community'.

Costing	Description	Cost
Printing	Entry forms – (LGA Schools)	<b>325.00</b>
Distribution	Postage and Delivery	<b>125.00</b>

#### Summary

This worthwhile established cross-cultural initiative has been operating very successfully and is aligned with NAIDOC Week, celebrated in July each year. Hundreds of entries are received each year from schools within councils LGA, and the success of the program is due to the support of councils and partner organisations.



### Strategic

Strategic Plan – People and Culture

- A harmonious community based on respect and responsibility, where everyone is valued
- Recognition of Aboriginal & Torres Strait Islander heritage
- Cultural and community activity encouraging harmony and reconciliation

### Environmental

The initiatives will enable participants to explore concepts linking environmental; and social/ cultural issues and foster harmony in the community.

### Social

The initiatives enable a diverse range of children to benefit from discussion and curriculum topics focused on the development of NAIDOC Week and the broader history of Indigenous culture.

### Recreation

Each year at some of the winning schools Koori Kids host some 'Healthy Lifestyle Clinics' with visiting celebrity sports persons the aim of these clinics is to encourage an active lifestyle, including nutrition, sportsmanship and skill development. All Students participating are provided a T-Shirt, Water Bottle and Ball.

### Council Acknowledgement

Council is acknowledged through logo inclusion as an associate partner on information packs sent to schools throughout councils LGA. If there is a winner from a school within council LGA, an invitation for the Mayor and or a representative is invited to attend the school, along with Executive Director, NAIDOC Week Initiatives, Director, Social Wellbeing and other dignitaries to make special presentation of the NAIDOC Medal of Excellence and the student's prize. (30+ NAIDOC Medals of Excellence are issued across the state). Media release for the winning school is prepared in consultation with council's media officer. Council is also forwarded a final report.

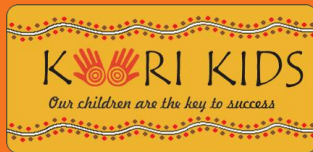
### Conclusion

The NAIDOC Week School Initiatives are the only activity throughout NAIDOC Week that provides students with an educational component to NAIDOC Week and Indigenous culture and heritage. Our research and statistics confirm that schools within councils LGA are participating in the initiatives with increased participation from both state and catholic-independent schools.





# NAIDOC WEEK 2023



**Thank you for your continued support**



## General Manager's Unit

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### POLICY MATTERS

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

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

**AUTHOR:** Robyn Cox - Executive Assistant

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#### **PURPOSE**

To review and adopt the policies provided in the attachment/s to this report.

#### **RECOMMENDATION**

That Council:

1. adopt the following policies:
  - a. Financial Management – Debtors – Water Usage from Undetected Leaks
  - b. Financial Management – Borrowings
  - c. Plant, Equipment & Stores – Replacement & Disposal – Plant, Equipment & Vehicles
  - d. Grants and Subsidies – Programs – Section 356 Rental Subsidies
  - e. Grants and Subsidies – Programs – Section 356 General Donations
2. amend the review period for policies adopted within the last 12 months to four (4) years.

#### **BACKGROUND**

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

#### **REPORT/PROPOSAL**

The following policies are attached for adoption by Council:

- a. Financial Management – Debtors – Water Usage from Undetected Leaks
- b. Financial Management – Borrowings
- c. Plant, Equipment & Stores – Replacement & Disposal – Plant, Equipment & Vehicles
- d. Grants and Subsidies – Programs – Section 356 Rental Subsidies
- e. Grants and Subsidies – Programs – Section 356 General Donations

It is also recommended that the review period for policies adopted within the last 12 months be amended to four (4) years to align with the election cycle and allow each new Council to review policies once in their term.

#### **OPTIONS**

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

#### **CONSULTATION**

- Senior Management Group

## General Manager's Unit

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### **STRATEGIC LINKS**

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

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

#### **Responsible Governance**

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

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

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

- Advice and policy development that supports decision making

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

Nil

### **IMPLICATIONS**

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

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

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

Nil

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

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

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

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

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

Nil

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

Nil

### **CONCLUSION**

The attached policies have been reviewed by the Senior Management Group, and are provided to Council for consideration to adopt, amend or revoke.

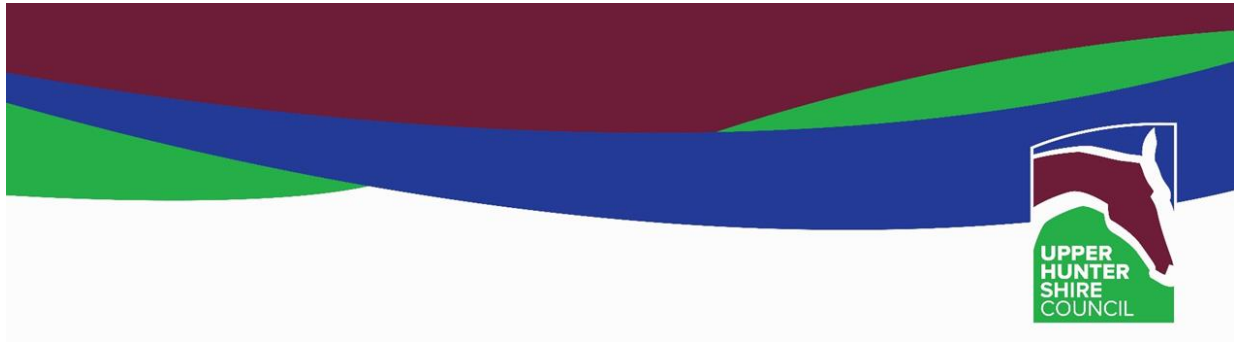
**General Manager's Unit**

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**ATTACHMENTS**

- 1 [↓](#) Draft Policy - Financial Management - Debtors - Water Usage from Undetected Leaks
- 2 [↓](#) Draft Policy - Financial Management - Borrowings
- 3 [↓](#) Draft Policy - Plant, Equipment & Stores - Replacement & Disposal - Plant, Equipment & Vehicles
- 4 [↓](#) Draft Policy - Grants and Subsidies - Programs - Section 356 Rental Subsidies
- 5 [↓](#) Draft Policy - Grants and Subsidies - Programs - Section 356 General Donations





## POLICY

### Financial Management – DEBTORS – Water Usage from Undetected Leaks

Date adopted by Council	<del>22 February 2021</del>
Minute number	<del>H-02.1</del>
Endorsed by	Council
CM Ref	CD-31/21
Due for review	<del>September 2022</del> <a href="#">November 2026</a>
Related documents	INT-26238/16
Responsible officer	Manager Finance
Department/Section	Corporate Services
Category	Financial & Asset Management
Community Strategic Plan goal	<p><a href="#">Responsible Governance</a>  <del>Goal 8 Provide Community leadership</del></p> <p><del>CS 35-5.1 Effectively and efficiently manage the business of Council while encouraging an open and participatory Council with an emphasis on transparency, community engagement, action and response.</del> <a href="#">Ensure long-term financial sustainability through short, medium and long term financial planning</a></p>

**Policy: Financial Management – DEBTORS – Water Usage from Undetected Leaks**



## Policy Statement

This Policy is intended to provide some financial relief for customers who have experienced a sudden increase in water consumption due to circumstances that were not reasonably foreseeable.

Financial relief under this policy would only be available under certain circumstances where all the criteria has been satisfied.

The policy is also intended to serve as a means of good public relations by providing 'one off' assistance where a significantly higher quarterly usage has occurred beyond the landowner's/occupier's control.

Council has adopted this policy as there is no provision ~~is relevant~~ in the Local Government Act 1993 to reduce water accounts due to water leaks in private water services.

The policy only applies to water consumption and sewer usage charges, which are based on water consumption.

## Objective

The objective of this policy is to provide financial relief under certain circumstances to the owner/occupier of a property, in situations where high quarterly water consumption has been registered through the meter, due to circumstances judged by Council to be beyond the control of the land owner/occupier to detect.

## Scope

This policy applies to ~~the~~ providing financial relief to eligible owner/occupiers of a property that have experienced an unexpected excessive increase in water usage for no apparent reason due to undetected water leakages.

## Definitions

All terms used in this policy have the standard dictionary definition.

## Policy Details

The following procedures and criteria must be satisfied when assessing the eligibility for financial relief for excessive water usage:

### Procedural Fairness

This policy applies to a narrow set of criteria, and should not be enacted in cases where a landholder could reasonably have detected and repaired a water leak on premises before incurring an increased water charge.

The allowance is a 'one off' concession.

Adopted Date: ~~22 February 2024~~

Status: ~~Current~~ Draft

page 2 of 5

**Policy: Financial Management – DEBTORS – Water Usage from Undetected Leaks**



Other Notes

High readings are checked by the meter readers with photographic evidence of the reading, high consumption is also checked by the revenue officer during the billing run. If a reading is incorrect the account is adjusted and a new bill is issued. If a functional problem with the meter is suspected it is replaced. Customers can have their meter tested at their costs, which is refundable if the meter is found to be faulty.

Criteria

Council will give consideration to adjusting a high water account under the following circumstances:

- a. The defect causing the high reading was not readily visible or apparent and could be reasonably judged by Council as not being detectable. If leakage is visible as ground surface moisture, dampness, lush grass or water flow, it is detectable and ineligible for financial relief.  
An undetectable leak which is not visible, is defined as a pipeline or connection break in the ground or under concrete slabs, between the Council meter and the main building, it does not include leaks from internal building service lines, appliances or irrigation systems.
- b. The leak was not due to the neglect of obvious defects in the private water line.
- c. The leak was not caused by any type of construction or earthworks being carried out.
- d. The quarterly consumption is more than double the average consumption for the same period over the previous three years and there has been no identifiable change in water use on the property such as that resulting from the installation of a swimming pool, spa or irrigation system.
- e. The applicant must be the owner or part owner or the person liable for the water charges for which the application applies.
- f. The application for adjustment must be received prior to any further water consumption bills being issued.
- g. Only a one-off concession will be granted in perpetuity of ownership of the property.
- h. In order to be eligible for the account adjustment, the property owner/occupier shall make best efforts to:

**Policy: Financial Management – DEBTORS – Water Usage from Undetected Leaks**



- i. Advise Council about the issue and problem identified
- ii. Provide evidence that immediate and effective action has been taken to rectify the problem
- iii. Provide a written statement stating the reason why the leak was not detected or could not have been detected and action taken to rectify
- i. This policy does not apply to leaks from private water pipelines that occur outside the property boundary.
- j. If Council notifies an owner/occupier about any leakage, such leakage is considered detectable and ineligible for financial relief under this policy, unless the owner is absent from the property.
- k. ~~The property has been vacant for an extended period.~~

The adjustment will be made by calculating the average daily consumption for the same period over the last 3 years. This average will be used to calculate the new total consumption for the billing period in question. No adjustment will be made if there are any outstanding amounts owing for water or sewer usage.

Applying the policy

The General Manager or Director of Corporate and Community Services are authorised to approve applications for financial relief under this policy.

Claims must be made in writing.

Where financial assistance is granted the applicant will be advised in writing and a new account will be issued. Payment of the amended account will be due within 30 days of the date of the advice.

If financial assistance is not granted the applicant will be advised in writing and be given a further 30 days from the date of the advice to pay the account or make a suitable arrangement for payment of the account.

## Responsibilities

### Council Standing Committee

Council will review and endorse the Policy.

### Director

The Director Corporate & Community Services will act as per Delegations of Authority.

### Manager

The Manager Finance will adhere to the Policy.

### Coordinators and Supervisors

The Senior Revenue Officer and Revenue Officer will adhere to the Policy.

Policy: Financial Management – DEBTORS – Water Usage from Undetected Leaks



## References and Related Legislation

1. Previously adopted policy by Council dated September 2016

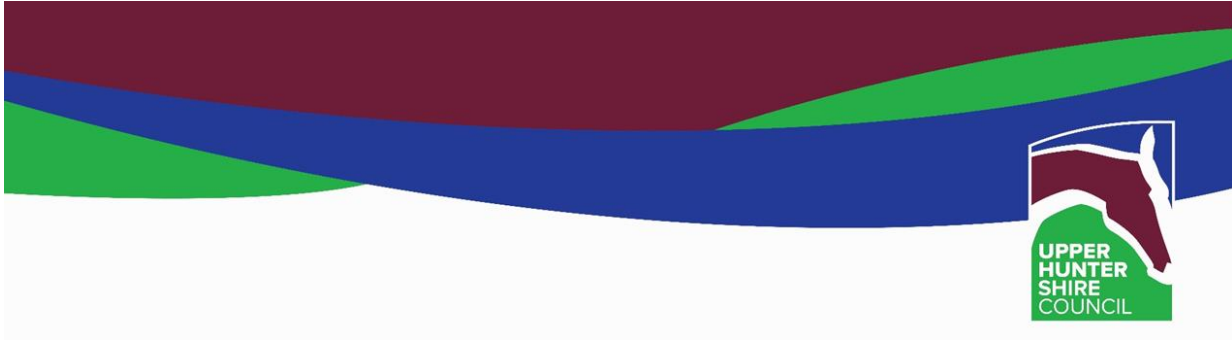
## Version History

Version No.	Date	Reason for Review
1	01/02/21	Policy expiry date due for review.

Adopted Date: ~~22 February 2021~~

Status: ~~Current~~ Draft

page 5 of 5



## POLICY

### Financial Management - Borrowings

Date adopted by Council	<del>14 December 2020</del>
Minute number	<del>H.12.3</del>
Endorsed by	<del>Corporate Services Committee.</del>
CM Ref	CD-216/20
Due for review	October 202 <del>6</del> <sup>2</sup>
Related documents	INT-29089/16 INT-29087/16
Responsible officer	Manager Finance
Department/Section	Corporate Services
Category	Financial & Asset Management
Community Strategic Plan goal	<del>Goal 8 Provide Community leadership</del> <b>Responsible Governance</b>  <del>CS37 Ensure long-term financial sustainability through short, medium and long term financial planning.</del> <b>5.3 Effective financial and asset management to ensure Council's long-term sustainability</b>

## Policy: Financial Management - Borrowings



### Policy Statement

This Policy provides for the responsible financial management of loan funding requirements to undertake infrastructure capital projects whilst ensuring the level of Council indebtedness is within acceptable limits to Council, its ratepayers and interested external parties.

### Objective

Council will manage its cash on a holistic basis within the constraints of its overall financial strategies and targets. Through this cash management approach, Council must have regard to:

- the regulatory requirements of the Local Government Act 1993, Local Government (General) Regulations 2005 and the Minister's Borrowing Order (Revised 29 May 2009).
- borrowings are entered into in accordance with the needs set out in Council's Delivery Program and Operational Plan (DPOP) and Long Term Financial Plan (LTFP).
- If Council is required to increase its proposed borrowings or change the purpose of the initial borrowings as set out in the DPOP and LTFP, a council resolution must be adopted prior drawing down of any funds.
- due process and consideration being given to the appropriate borrowing options available in order to minimise Council's net interest costs over the term of the borrowing and mitigate interest rate movement risks.

### Scope

This policy applies to the provision of loan borrowings from financiers to facilitate the future capital expansion of Council's infrastructure and to acquire strategic assets, as and when required in the interest of the Community.

### Definitions

<b>Act</b>	Local Government Act 1993 (NSW)
<b>Borrowings</b>	Funds obtained from financiers
<b>DPOP</b>	Delivery Program and Operational Plan
<b>Fixed</b>	Pre-determined number, percentage or period
<b>Interest</b>	Cost of funds borrowed or return on funds invested
<b>LTFP</b>	Long Term Financial Plan
<b>Reserves</b>	Funds available for disbursement on Council operations and projects
<b>Vested</b>	In control and/or ownership of Council

### Policy Details

Council recognises that loan borrowings for capital works are an important funding source for Local Government and that the full cost of infrastructure should not be borne entirely by present-day ratepayers, but be contributed to by future ratepayers who will also benefit. Whilst

### Policy: Financial Management - Borrowings



recognising the importance of loan borrowings, Council shouldn't place undue reliance upon loans as a normal course of revenue stream.

Council will restrict all borrowings to identified capital projects that are considered to be of the highest priority and would be detrimental to Council's operations if funded from operating revenue and/or cash reserves (as identified by the adopted budget). Under no circumstances should Council borrow funds for recurrent expenditure.

Borrowing will only be considered as an appropriate funding source in the following circumstances:

- in the context of the strategic objectives of Council
- in the context of long term financial forecasts and objectives
- as an alternative funding source for asset additions
- as a method of spreading the cost of long life (intergenerational) assets.

With Council's diverse operations, the basis in determining whether it is appropriate for Council to obtain borrowings for capital works projects will be guided by the following protocols:

- Capital projects for a service provided by Council that receive user fees and charges, such as water supply, sewerage and waste services etc, should reflect the operating costs of providing the service plus the loan servicing costs in its assessment of user fees and charges for the service provided.
- Capital projects for business enterprises provided by Council that receives user fees and charges, such as saleyards, aerodromes and commercial properties etc, should reflect the operating costs of providing the enterprise plus the loan services costs in its assessment of user fees and charges for the enterprise.
- Other specific capital projects which will not be funded in full or part by user fees and charges such as bridges, community centres, aerodromes etc, should only be considered for loan funding where the specific project is considered by Council to be beneficial to the majority of ratepayers.
- The term of any borrowing should not exceed the expected life of the capital project's asset being funded.

Council's management of its borrowing portfolio will be determined from its net debt position. Consequently sound cash management practices will dictate that Council will not borrow at higher interest rates when cash reserves funds are invested at lower interest rates. When surplus funds exist, Council will consider applying these funds against planned borrowings however this will be subject to the consideration of maintaining adequate funds for day-to-day management and possible emergency situations faced by Council. It should be noted that Management shall not speculate on interest rate movements when extinguishing planned borrowings from cash reserves.

The risks attached to future movements in interest rates are uncertain in direction, timing and magnitude. To minimise this risk Council will utilise various borrowing mechanisms such as:

- i. ~~fixed interest borrowings (A loan for a fixed term with regular repayments comprising principal and interest, such that at the end of the period the total principal borrowings would have been repaid) and~~
- ii. ~~interest only borrowings)~~



## Policy: Financial Management - Borrowings



Upper Hunter Shire Council loan portfolio is based on fixed interest rates only so as to have certainty over future budgeted cash flow requirements to service loan borrowings. In order to spread its exposure to interest rate movements, Council will aim to have a variety of maturity dates on its borrowings. ~~Council will be mindful of these issues when making borrowing decisions and will consider the mix of fixed and variable interest rates and loan items.~~

### Authority to Borrow

The authority to obtain loan facilities is vested with Council by virtue of the Local Government Act. No officer of Council is authorised to undertake the establishment of a new loan facility without the authorisation of Council. All borrowings must be approved by Council resolution.

### Borrowing Principles

The following principles are to be applied when considering undertaking borrowings or other asset financing:

1. Operating Expenditure - Council will not borrow funds to meet operating expenditure. This type of expenditure should be funded through operating revenue streams such as rates, fees and charges or operating grants.
2. Recurrent Capital Expenditure - Council will not borrow money to fund the acquisition, replacement or renewal of assets that is expected to occur on an annual or similar basis at approximately the same level each year, i.e. recurrent capital works such as road resurfacing, regular plant replacement etc. This type of expenditure shall be funded through operating revenue streams such as rates and user fees and charges.
3. Borrowing Term - The term of the borrowing shall be set having due regard to the economic life of the asset being acquired or constructed.
4. Borrowing Limitations - Prior to undertaking any borrowing, Council shall assess its capacity to repay and ensure that the community is not burdened with unnecessary risk. Council shall then reassess its capacity to repay on an annual basis as part of its budgeting process. As part of this assessment, the following borrowing limitations apply:
  - total unrestricted debt servicing costs must not exceed 2% of annual general revenue
  - the term for all new borrowings shall be matched, where appropriate, to the life of the asset to which it relates, however no loan term shall exceed a period of ~~23~~30 years
  - borrowings shall only be obtained from Australian sources and in Australian currency so as to ensure Council is not exposed to foreign currency risks
  - any borrowing activities will be conducted in accordance with relevant statutory requirements as contained in the Local Government Act 1993 and the Local Government (General) Regulations 2005.
5. Determining the appropriate Lending Institution - Three written quotations shall be sought, or a loan tender called, in order to determine the appropriate lending institution for any loan borrowings. Determination of the appropriate institution will be based on the interest rate and loan costs offered, the terms and conditions of the loan and the financial stability of the lender.

### Bank Overdraft

Council maintains an overdraft limit for its main working account held at the Westpac Bank.

The bank overdraft facility may be utilised during the course of the financial year only as a cash management tool to smooth out seasonal or temporary fluctuations in cash flows.

**Policy: Financial Management - Borrowings**

The bank overdraft facility is a form of borrowing that is a high cost alternative relative to other forms of funding. The bank overdraft facility shall be limited to minimal use under the authorisation of the Director of Corporate & Community Services and / or Finance Manager.

It is not appropriate for overdraft facilities to be used for medium or long term financing purposes (for example, to purchase assets) and not to be used as an alternative to borrowing.

At no time is the overdraft facility to be used as an outgoing debt facility or to fund anything except short-term cash flow.

The Manager Finance is responsible for monitoring and managing the day to day cash flow requirements of Council and also for ensuring the cash flows are managed in such a way as to minimise the use of the overdraft facility.

Details of any use of overdraft facilities are to be included in Council's monthly finance reporting.

**Responsibilities****Council Standing Committee**

The Corporate Services Committee will review and endorse the Policy.

**Particular/relevant Director**

The Director Corporate Services will act as per Delegations of Authority.

**Particular/relevant Manager**

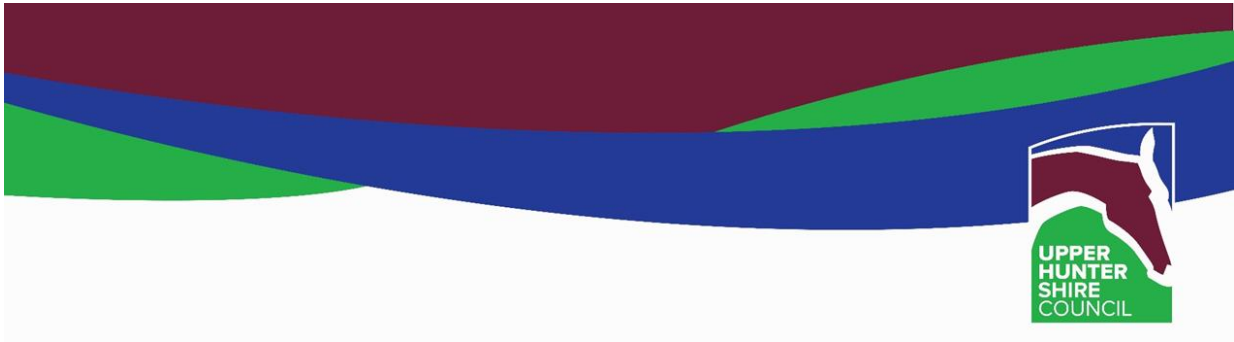
The Manager Finance will adhere to the Policy.

**References and Related Legislation**

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Ministers Borrowing Order – Revised 29 May 2009

**Version History**

Version No.	Date	Reason for Review
1	08/12/2020	Policy expiry date due for review.



## POLICY

### PLANT, EQUIPMENT & STORES - POLICY - REPLACEMENT & DISPOSAL - Plant, Equipment & Vehicles

Date adopted by Council	<date>
Minute number	<#>
Endorsed by	Type here.
CM Ref	CD-149/21
Due for review	<date>November 2026
Related documents	Type here.
Responsible officer	Finance Manager
Department/Section	Corporate Services
Category	Choose an item.
Community Strategic Plan goal	<b>Goal &lt;#&gt;</b> <Goal heading> <b>Responsible Governance</b>
	<b>CS&lt;#&gt;</b> <Goal wording> <b>5.3 Effective financial and asset management to ensure Council's long-term sustainability</b>

Adopted <date>

page 1 of 7

Policy: [PLANT, EQUIPMENT & STORES – Replacement & Disposal – Plant, Equipment & Vehicles](#)



## Policy Statement

This policy applies to all Council owned plant, equipment and vehicles that Council has direct responsibility for and control over including (but not limited to):

- Plant and Machinery
- Equipment
- Heavy Vehicles
- Light Utility Vehicles
- Passenger Vehicles

## Objective

Council owns, controls, manages and maintains an extensive fleet of plant, equipment and vehicles.

The objective of the Plant & Vehicle Replacement Policy is to:

- Provide the desired level of service from Council's plant & vehicle fleet in the most effective and efficient manner for present and future needs.
- Provide equipment to enable affordable services.
- Manage and maintain a modern, efficient and safe plant and vehicle fleet.

The aim of the Plant and Vehicle Replacement Policy is to:

- Service potential or future plant and vehicle requirements.
- To manage the assets of the fleet to ensure the appropriate asset value is maintained.
- To optimize plant and vehicle replacement to ensure value for money while maintaining appropriate asset value.
- To manage Plant and Vehicle Fleet replacement in such a manner as to not place unreasonable burden on the Council forward budgets.

## Scope

Type here

## Definitions

<term>	<definition>
<term>	<definition>
	<add more rows as required>

## Policy Details

The following plant replacement schedule has been created using information from various sources which include the current resale values, past trade trends, whole of life costs, maintenance costs and dealer information. This information has been collated to provide an optimal replacement timeframe for plant and fleet vehicles to give the best economic turnover result for Council while satisfying Council's operational requirements.

Adopted Date:

Status: Draft

page 2 of 7

Policy: [PLANT, EQUIPMENT & STORES – Replacement & Disposal – Plant, Equipment & Vehicles](#)



Exceptions to this schedule may occur on a case by case basis under the following circumstances:

- changes to operational requirements;
- excessive wear/exceptional circumstances; ~~and~~
- favourable marketing conditions;
- plant location;
- budget requirements;
- condition of auxiliary systems on truck mounted units, etc;
- certain items of plant with low utilisation rates (when compared to accepted industry standards) required in areas for daily operational use. (e.g. Backhoe required for water supply repairs in small town). In these cases such items of plant, which may be scheduled for replacement, may be transferred to those locations that leave the oldest items of plant in the lower utilisation areas whilst always keeping the newest item of plant in higher utilisation areas.

All such exceptions shall be investigated by the Fleet and Workshop Coordinator, Finance Manager and the Director of Corporate and Community Services and assessed prior to budget preparation to ensure optimum fleet utilisation and best value for money and where necessary reported to the Council.

In general, replacement times for plant, equipment and vehicles should be:

Plant / Vehicle Type	Replacement Criteria
Petrol/Diesel Passenger sedans, wagons and SUV Type vehicles	Up to 80,000 km / 3 years
Diesel 2WD Utilities and Dual Cabs	Up to 90,000 km / 4 years
Diesel 4WD Utilities and Dual Cabs	Up to 90,000 km / 4 years
Backhoes	8,000 hrs / 8 years
Dozers	10,000 hrs / 12 years
Excavators (<15 tonne)	10,000 hrs / 10 years
Excavators (>15 tonne)	8,000 hrs / 8 years
Graders	10,000 hrs / 10 years
Loaders	10,000 hrs / 10 years
Skid Steer Loaders	8,000 hrs / 10 years
Landfill Compactors	10,000 hrs / 15 years
Miscellaneous Plant (site/lunch vans, other trailers, crushing plants, motorbikes – ATV's, small ride-on mower, etc.)	Assessed & investigated on an organisational needs basis
Mowers – Large Ride-On	3,000 hrs / 4 years
Quarry Trucks - Dump	15,000 hrs / 10 years
Rollers	8,000 hrs / 8 years
Rubber Tyres Rollers	10,000 hrs / 10 years
Tractors	8,000 hrs / 8 years
Trailers – Semi	20 - 30 years
Dog Trailers	10 years
Trucks – Heavy (including body & dogs)	8 years
Trucks – Light	8 years
Trucks – Medium	8 years
Trucks - Prime Movers	10 years

Adopted Date:

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**Policy: PLANT, EQUIPMENT & STORES – Replacement & Disposal – Plant, Equipment & Vehicles**



Trucks – Road Patching	6 years
Trucks – Street sweepers	6 years
<u>Electric vehicles</u>	<u>4 years</u>

To maintain a reliable plant/vehicle fleet, it is necessary that a programmed replacement policy be adhered to.

A ten (10) year replacement program is to be maintained for all of Council's plant and reviewed on an annual basis along with plant hire rates to ensure an appropriate annual revenue return. These reviews are the responsibility of the Fleet Supervisor, Finance Manager and the Director Corporate and Community Services.

When determining the most economical time to replace plant/vehicles, consideration is given to the type of machine/vehicle, hours/kilometres, repairs (past and required) and current value.

When determining the most suitable replacement item of plant/vehicles, consideration shall be given to the resale value, suitability for purpose, performance/profitability, backup parts and service, maintenance and operator preference.

**Criteria for Vehicles provided by Council**

The type, standard and value of vehicles to be provided by Council for various administrative functions and approved personal lease-back opportunities to applicable employees guided by the following:

<b>OFFICER</b>	<b>VEHICLE TYPE AND STANDARD</b>	<b>VALUE OF VEHICLE (INCL GST &amp; LCT)</b>
Mayor	Large luxury passenger vehicle but with the discretion of the Mayor to select the type/style of vehicle	<u>Up to \$80,000</u> <del>\$55,000 to \$70,000</del>
General Manager	Large luxury passenger vehicle but with the discretion of the General Manager to select the type/style of vehicle	<u>Up to \$80,000</u> <del>\$55,000 to \$70,000</del>
Directors	Large deluxe standard passenger vehicle with the discretion of the Director to select type/style of vehicle	<u>Up to \$70,000</u> <del>\$45,000 to \$60,000</del>
Manager	Large or medium passenger vehicle	<u>Up to \$60,000</u> <del>\$35,000 to \$50,000</del>
Works Supervisors	4WD Utility	<u>Up to \$55,000</u> <del>\$30,000 to \$40,000</del>
Coordinators	Medium or small passenger vehicle or 4WD/2WD Utility	<u>Up to \$45,000</u> <del>\$30,000 to \$40,000</del>

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Policy: [PLANT, EQUIPMENT & STORES – Replacement & Disposal – Plant, Equipment & Vehicles](#)



Pool Vehicles	Medium or small passenger vehicle suitable for work functionality	Up to \$45,000 <del>\$20,000 to \$35,000</del>
---------------	---	--

GST = Goods & Services Tax

LCT = Luxury Car Tax

**Procedure for Acquisition and Replacement**

All plant, equipment and vehicles shall be purchased in accordance with the provisions of the Council's Procurement Policy.

In preparation for Council's Annual Budget an assessment and review shall made of future plant and vehicle replacement requirements. Such review will accommodate the following:

- Review of future requirements of each service area of Council and recommend changes as required.
- Discuss with the relevant Manager of each Service area their future requirements and replacement cycles of existing plant and vehicles.
- Discuss and review technical specifications required for any new and/or replacement plant and vehicles with relevant Manager and Operators to ensure that the item will provide optimum benefit to Council's activities and operators satisfaction
- Plant/vehicle budget to be assessed and developed as per Plant and Vehicle Replacement Policy, operational requirements and budget by the Fleet Manager, Finance Manager and Director Corporate and Community Services for adoption by the Council.
- Tenders/Quotes for plant and vehicle replacement will be prepared at regular intervals throughout the financial year at a time to suit individual plant and vehicle replacement needs and as per Council's adopted Procurement Policy
- Tender/Quote documents are to be developed by the Fleet Supervisor and Finance Manager using specifications received by personnel in all regional areas including managers, coordinators, supervisors, operators and workshop staff.
- Any new fleet acquisitions shall have a minimum five (5) star vehicle safety rating as prescribed by the Australian New Car Assessment Program (ANCAP).
- For non-passenger vehicles Council's Work Health & Safety Officer shall assess the plant item for suitability in regard to safety and ergonomics.

**Sustainable Fleet Replacement**

Consideration will be given for alternative powered options for future fleet acquisitions. This will involve the review of available electric and hybrid category vehicles and equipment. Review will entail the economic benefits and cost for replacement of existing fleet items as and when they become due for replacement.

**Procedure for Disposal**

Existing plant, equipment and vehicles are to be disposed of by one of the following methods:

- Trade-in on a replacement plant item
- Public auction houses including larger internet auction sites such as 'Grays Online'
- Tender advertised in a local or regional newspaper

**Delegations**

The Finance Manager has the delegated authority to:

Policy: [PLANT, EQUIPMENT & STORES – Replacement & Disposal – Plant, Equipment & Vehicles](#)



- Accept tenders/quotes for the purchase and replacement of plant, equipment and vehicles subject to budget provisions up to \$50,000 (incl GST) in value.
- Authorise disposal of plant, equipment and vehicles that are:
  - Scheduled replacement items;
  - Items that are considered surplus to Council's requirements; and
  - Determine the most appropriate method of disposal for these items
- Authorise any amendments to plant, equipment and vehicles types in order to best suit the operational requirements for Council.

The Director Corporate and Community Services has the delegated authority to:

- Accept tenders/quotes for the purchase and replacement of plant, equipment and vehicles subject to budget provisions up to \$100,000 (incl GST) in value.

The General Manager has the delegated authority to:

- Accept tenders/quotes for the purchase and replacement of plant, equipment and vehicles subject to budget provisions up to \$425,000 (incl GST) in value.

All tenders over \$425,000 (incl GST) in value are to be approved by Council.

## Responsibilities

### Councillors (policy template only)

Councillors will [consider any acquisitions above the tender value of \\$250,000](#).

### Senior Management Group

[The General Manager and/or relevant Director will approve any acquisitions required to be made under their delegation.](#)

### Particular/relevant Director

~~The \*\*\* Director will:~~

### All Managers

~~All Managers will...~~

### Particular/relevant Manager

The ~~\*\*\* Finance~~ Manager will [approve any acquisitions required to be made up to their delegation...](#)

### All Coordinators and Supervisors

All Coordinators and Supervisors will....

### Particular/relevant Coordinators and Supervisors

The ~~\*\*\* Fleet~~ Coordinator ~~and Supervisor~~ will...[prepare and provide quotes for acquisitions to be approved above their delegation.](#)

Adopted Date:

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Policy: [PLANT, EQUIPMENT & STORES – Replacement & Disposal – Plant, Equipment & Vehicles](#)



**All Staff**

All staff will...

**Particular/relevant staff**

The \*\*\* will...

**References and Related Legislation**

- [Previous Policy – Plant, Equipment & Stores – Replacement & Disposal, adopted September 2016.](#)

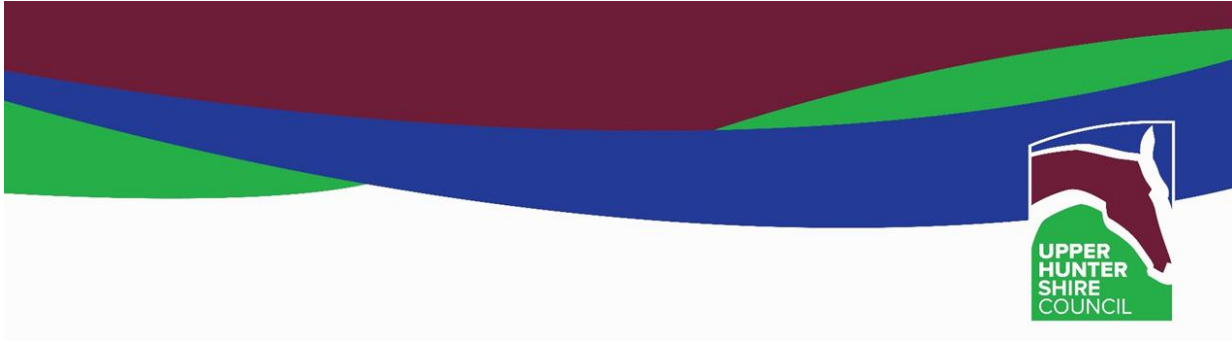
**Version History**

Version No.	Date	CM Reference	Reason for Review
1	26/09/2016	CD-89/21	New policy
2	Draft	CD-149/21	Timed review

Adopted Date:

Status: Draft

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# POLICY

## GRANTS AND SUBSIDIES – Programs – Section 356 Rental Subsidies

Date adopted by Council	<date>
Minute number	<#>
Endorsed by	<del>Type here.</del> Council
CM Ref	<#>
Due for review	<del>&lt;date&gt;</del> November 2026
Related documents	Type here.
Responsible officer	Type here.
Department/Section	Type here.
Category	Choose an item.
Community Strategic Plan goal	<del>Goal &lt;#&gt;</del> <Goal heading>A Connected Community
	<del>CS&lt;#&gt;</del> <Goal wording>1.5 Advocate for, support and provide services and facilities for the community

Adopted <date>

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## Policy Statement

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

The rental subsidy (section 356 contribution) that may be provided to:

- 1) A community service organisation which occupies a Council building or property (tenant) will be determined in accordance with the principles in this policy document.
- 2) A medical practitioner in Merriwa or Murrurundi for assistance to either rental accommodation for either living or business purposes.

## Objective

To define in general terms:

- the basis for any rental subsidy that may be provided to a tenant or medical practitioner; and
- the responsibilities (including financial) of community service organisations (CSOs) which tenant a Council building or property and the form of assistance to medical practitioners working in Merriwa or Murrurundi.

## Scope

[This policy provides the framework for the process and procedure to enable the provision of rental subsidies to eligible users of Council properties within Upper Hunter Shire.](#)

## Definitions

<term>	<definition>
<term>	<definition>
	<add more rows as required>

## Policy Details

### 1. Community Service Organisations

Council acknowledges the partnership between it and the various community service organisations within the Shire and Upper Hunter which assist Council to achieve its mission to "... enhance the well being of the community ..."

Council may, in accordance with a resolution of Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions (s356 Local Government Act 1993). However, Council must bear in mind that it is the custodian and trustee of public assets and that it must effectively account for and manage the assets for which it is responsible (s8 Local Government Act 1993).

Policy: GRANTS AND SUBSIDIES – Programs – Section 356 Rental Subsidies



The General Manager will refer to:

- Table 1 ~~below~~, to determine the most appropriate category for the community service organisation; and
- Table 2 ~~below~~, when preparing a lease document for the community service organisation.

The lease document will be based on the net commercial rent.

## 2. Medical Practitioners

Council acknowledges from time to time financial assistance is required to attract new medical practitioners to the smaller townships of Merriwa and Murrurundi. Council will provide financial assistance to new medical practitioners in the form of:

- a) Financial assistance to rental accommodation for up to twelve (12) months for medical practitioners residing in Merriwa or Murrurundi up to a value of \$100 per week; or
- b) Financial assistance to premises rental for up to twelve (12) months for medical practitioners practices within Merriwa or Murrurundi up to a value of \$100 per week.

Each application will be reviewed on a case by case basis.

## Responsibilities

### Councillors ~~(policy template only)~~

Councillors will ~~adopt the provision of rental subsidy...~~

### Senior Management Group

The Senior Management Group will ~~recommend the provision of rental subsidy to Council for consideration...~~

### ~~All Directors~~

~~All Directors will...~~

### ~~Particular/relevant Director~~

~~The \*\*\* Director will...~~

### ~~All Managers~~

~~All Managers will...~~

### ~~Particular/relevant Manager~~

The ~~\*\*\*Finance~~ Manager will ~~facilitate the allowance of the adopted provision within the receivables invoice...~~

### ~~All Coordinators and Supervisors~~

~~All Coordinators and Supervisors will...~~

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**Particular/relevant Coordinators and Supervisors**

The \*\*\* Coordinator and Supervisor will...

**All Staff**

All staff will...

**Particular/relevant staff**

The \*\*\* will...

**References and Related Legislation**

1. Office of Local Government circular to councils 06 – 32, 18 May 2006 “Provision of Financial Assistance under section 356 of the Local Government Act - Developing A Financial Assistance Policy”.
2. Local Government Act 1993 section 356 Can a council financially assist others?
  - (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
  - (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days’ public notice of the council’s proposal to pass the necessary resolution has been given.
  - (3) However, public notice is not required if:
    - a) the financial assistance is part of a specific program, and
    - b) the program’s details have been included in the council’s draft Delivery Program for the year in which the financial assistance is proposed to be given, and
    - c) the program’s proposed budget for that year does not exceed 5 per cent of the council’s proposed income from the ordinary rates levied for that year, and
    - d) the program applies uniformly to all persons within the council’s area or to a significant group of persons within the area.
3. Council’s Vision, Mission and Charter (refer to the current Delivery Program and Operational Plan)
4. Related policy: **GRANTS AND SUBSIDIES – POLICY - PROGRAMS – Section 356 General**
5. This policy was adopted by Council at its meeting on 27 February 2017. It replaces a policy of the same title, adopted on 24 November 2014 TRIM INT-21006/08, INT-1957/13

**Version History**

Version No.	Date	Reason for Review
1	<date>	
2	<date>	
3	<e.g. DRAFT>	

Adopted Date:

Status: Draft

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Policy: GRANTS AND SUBSIDIES – Programs – Section 356 Rental Subsidies




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Policy: GRANTS AND SUBSIDIES – Programs – Section 356 Rental Subsidies



**Table 1: Categories of Community Service Organisations**

	Category 1	Category 2	Category 3	Category 4
Level of funding from State or Federal Govt	Nil	Wages only; little or no running costs	Fully funded (80-100%) for operating costs	For profit private venture
Income generating ability	Fundraising only source of income	No growth funding available. Fundraising only source of income. No fee for service.	Some growth funding opportunities. Moderate to high ability to raise extra funds beyond fundraising, including fee for service.	Business venture with associated risks
Financial or in-kind support from Council	Heavy reliance on support	Some reliance on support	little to no reliance on support	none
Geographic area covered	L.G.A. or smaller	L.G.A. or smaller	Sub-regional	various
Target population	specific group eg., cancer support	broad cross-section, including the disadvantaged	defined target in the region, including the disadvantaged	various

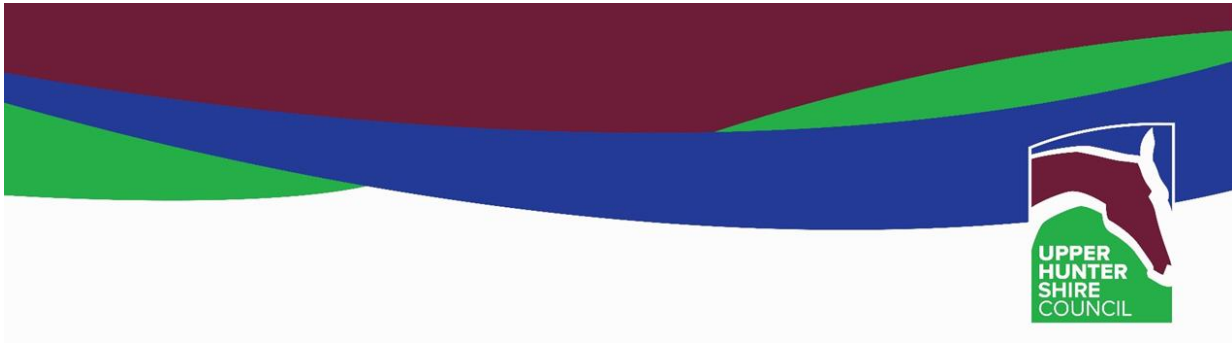
**Table 2: Lease Document to include the following Responsibilities of Tenant**

	Category 1	Category 2	Category 3	Category 4
Rates	Council	Council	Council	Tenant
Water usage	Council	By negotiation	By negotiation	Tenant
Electricity	By negotiation	By negotiation	Tenant	Tenant
Telephone	Tenant	Tenant	Tenant	Tenant
Insurance – contents	Tenant	Tenant	Tenant	Tenant
Insurance – building	Council	Council	Council	Tenant
Insurance - public liability (property)	Council	Council	Council	Tenant
Maintenance – major (eg painting, floor resurfacing, roofing, air-con.)	Council	Council	Council	Tenant
Maintenance – minor (eg tap washers, light bulbs, damage)	Tenant	Tenant	Tenant	Tenant
Maintenance – grounds	By negotiation	By negotiation	By negotiation	Tenant
Cleaning minor (eg vacuum floor)	Tenant	Tenant	Tenant	Tenant
Cleaning major (eg carpets)	Council	By negotiation	Tenant	Tenant
Rental arrangement	Nil rent	Contribution	Reduced rent	Commercial rent
Subsidy	95%	85%	50%	0%

Adopted Date:

Status: Draft

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## POLICY

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

Date adopted by Council	<date>
Minute number	<#>
Endorsed by	<a href="#">Council</a> Type here.
CM Ref	<#>
Due for review	<date> <a href="#">November 2026</a>
Related documents	Type here.
Responsible officer	Type here.
Department/Section	Type here.
Category	Choose an item.
Community Strategic Plan goal	<del>Goal &lt;#&gt;</del> <Goal heading> <a href="#">A Connected Community</a>
	<del>CS &lt;#&gt;</del> <Goal wording> <a href="#">1.5 Advocate for, support and provide services and facilities for the community</a>

Adopted <date>

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## Policy Statement

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

## Objective

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

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

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

## Scope

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

## Definitions

<term>	<definition>
<term>	<definition>
	<add more rows as required>

## Policy Details

### 1. Form of application

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

Applications may be considered for approval by Council:

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



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

## **2. Assessment process**

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

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

## **3. Public notice**

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

Public notice is not required if:

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

## **4. Assessment criteria**

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

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

## **5. Review of Financial Assistance**

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

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

Council will determine the contribution within the annual budget.

- (a) Community Halls and Facilities (ratable): to the value of the rates for the Bunnan Public Hall, Timor Community Hall, Wingen School of Arts and Cassilis Guild Hall.
- (b) School and TAFE Prizes: to the value of \$200 per primary, secondary and tertiary

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



institution per annum, for educational purposes or prizes.

- (c) School Achievement Awards: one achievement award for each of the four secondary schools in the Upper Hunter Shire, up to the value of \$1,000 per secondary school per annum.

- (d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200 per event per annum.

- ~~• Muswellbrook & Upper Hunter Eisteddfod (\$300)~~
- ~~• Upper Hunter Regional Show & Expo (\$200)~~
- ~~• Otherwise, sponsorship to the value of \$200 per event per annum.~~

- (e) Resident representation at Regional, State and National Events: for Upper Hunter Shire residents who have been selected by a regional (eg Hunter), state or national body to participate in a recognised sporting or cultural event, up to \$2,000 per annum.

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

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

- ~~• Murrurundi Arts Council (\$150 for electricity at the Railway Station)~~
- ~~• Upper Hunter Regional Arts Project, as annually determined in the Delivery Program and Operational Plan.~~
- ~~• Cultural Activities Grant Program: to assist community organisations to provide cultural activities in the Shire as annually determined in the Delivery Program and Operational Plan.~~

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

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

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

- (j) Events and Festivals which Promote Towns within the Upper Hunter Shire:

- ~~• Aberdeen Highland Games (\$6,000)~~
- ~~• Merriwa Festival of the Fleeces (\$5,000)~~
- ~~• Merriwa Show donation to the value of fees payable and in-kind support)~~
- ~~• Murrurundi King of the Ranges (\$4,000 plus in-kind support)~~
- ~~• Scone Horse Festival (\$8,000)~~

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~~• Other small Festivals (\$1,000)~~

- (k) Local Chamber, Development or Progress Associations: [within the Upper Hunter Shire.](#)

- Merriwa District Progress Association (\$500)
- Murrurundi Chamber of Commerce (\$500)
- Scone Chamber of Commerce and Industry Inc (\$1,700)

- (l) Australia Day

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

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

- (m) Charitable Organisations: no contributions are provided unless by resolution of Council as it is the individual choice of the ratepayers to make donations and Council is of the opinion it should not contribute.

- (n) Non-Rateable Properties: no contributions are provided.

## 7. Section 356 Contributions: Rental Subsidies

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

## Responsibilities

### Councillors (policy template only)

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

### Senior Management Group

The Senior Management Group will [provide recommendation for the adoption of donations requested.](#)

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



**All Directors**

All Directors will...

**Particular/relevant Director**

The \*\*\* Director will...

**All Managers**

All Managers will...

**Particular/relevant Manager**

The \*\*\* Finance Manager will [facilitate the payment of the donations as adopted...](#)

**All Coordinators and Supervisors**

All Coordinators and Supervisors will...

**Particular/relevant Coordinators and Supervisors**

The \*\*\* Coordinator and Supervisor will...

**All Staff**

All staff will...

**Particular/relevant staff**

The \*\*\* will...

**References and Related Legislation**

1. Department of Local Government circular to councils 06 – 32, 18 May 2006 “Provision of Financial Assistance under section 356 of the Local Government Act - Developing A Financial Assistance Policy”.
2. Local Government Act 1993 section 356 Can a council financially assist others?
  - (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
  - (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at

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



least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.

- (3) However, public notice is not required if:
  - (a) the financial assistance is part of a specific program, and
  - (b) the program's details have been included in the council's draft management plan for the year in which the financial assistance is proposed to be given, and
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
  - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.

3. Council's Vision, Mission and Charter (refer to the current Delivery Program and Operational Plan)

4. GRANTS AND SUBSIDIES – POLICY - PROGRAMS – Section 356 Rental Subsidies

~~5. This policy was adopted by Council at its meeting on 31 October 2016. It replaces the policy of the same title, adopted on 27 October 2014.~~

~~INT-29109/16~~

~~CD-~~

### Version History

Version No.	Date	Reason for Review
1	<date>	
2	<date>	
3	<e.g. DRAFT>	

Adopted Date:

Status: Draft

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## Infrastructure Services

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### INFRASTRUCTURE REPORTS

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

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Sam Wooden - Manager Works Delivery

---

#### **PURPOSE**

To consider the permanent closure and sale of Killoe Road as identified in the report.

#### **RECOMMENDATION**

That Council:

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

#### **BACKGROUND**

Council has not considered this matter previously.

#### **REPORT/PROPOSAL**

Council has been approached by the property owner of Rockwell, Killoe Road, Merriwa requesting to purchase approximately 4kms of Killoe Road from Council.

The sale of any portion of road reserve is dependent on an official road closure procedure taking place. This includes consultation with the public, neighbouring properties in the immediate area and government authorities and agencies who may have an interest in the road. All road closures are subject to the approval of the elected Council.

A plan showing the subject section of Killoe Road is provided in Attachment 1.

The road is a Class 4 Rural road and currently provides access to three (3) properties, two of which are owned by the interested party. A fourth property adjoins the road but is accessed off Flight Springs Road. The property owner has requested to purchase the road so that they can maintain as an access road to their adjoining property. The road currently is dry weather access only and therefore the permanent closure will have a limited impact on current traffic movements and will have minimal impact on the community. Photographs showing the condition of the road are provided in Figures 1 and 2 below.

One property has frontage and access to the road but is not owned by the applicant. Alternative access may be available from Ringwood Road. This would need to be determined and considered during the consultation process.

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Figure 1



Figure 2

In accordance with Division 3 Part 4 of the *Roads Act 1993* consultation will be undertaken to advise of the proposed road closure in the following notifications:

- Publish in local newspapers and on Council's website calling for submissions;
- All owners of land adjoining the road;
- All notifiable authorities; and
- All local Aboriginal Groups.



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The notice will advise that the following consultation period (28 days), and subject to a Council resolution:

- Council proposes to close the road;
- Council intends to sell the lands to the adjoining landowner; and
- Any interested persons were invited to make submissions within the 28 day consultation period.

Following this consultation, the statutory notification requirements of Division 3 Part 4 of the *Roads Act 1993*, specifically s38A, 38B and 38C will have been met.

### **OPTIONS**

1. Undertake consultation as a requirement of the Statutory notification requirements of Division 3 Part 4 of the *Roads Act 1993* for the purpose of the closure and sale of Killoe Road
2. Council does not resolve to undertake consultation and permanently close Killoe Road as outlined in the report.

### **CONSULTATION**

Consultation is proposed to be undertaken as mentioned in the report/proposal.

### **STRATEGIC LINKS**

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

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

#### **Quality Infrastructure**

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

4.4 Upgrade and maintain the road network and bridges.

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

- Increase effectiveness of preventative maintenance work as part of maintenance management works practices

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

NIL

### **IMPLICATIONS**

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

NIL

## Infrastructure Services

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### b. Financial Implications

All costs associated with the proposed closure are the responsibility of the purchaser. In accordance with s43 of the *Roads Act 1993*, money received from the proceeds of the sale of the lands is to be set aside and only used for acquiring land for public roads or for carrying out road works on public roads.

### c. Legislative Implications

All statutory processes of the proposed road closure have been and will be undertaken in accordance with Division 3 Part 4 of the *Roads Act 1993*.

### d. Risk Implications

Council as the road authority is acting within its powers under the *Roads Act 1993*. Council has acted in accordance with and met the statutory requirements as outlined in Division 3 Part 4 of the *Roads Act 1993*.

### e. Sustainability Implications

NIL

### f. Other Implications

NIL

## CONCLUSION

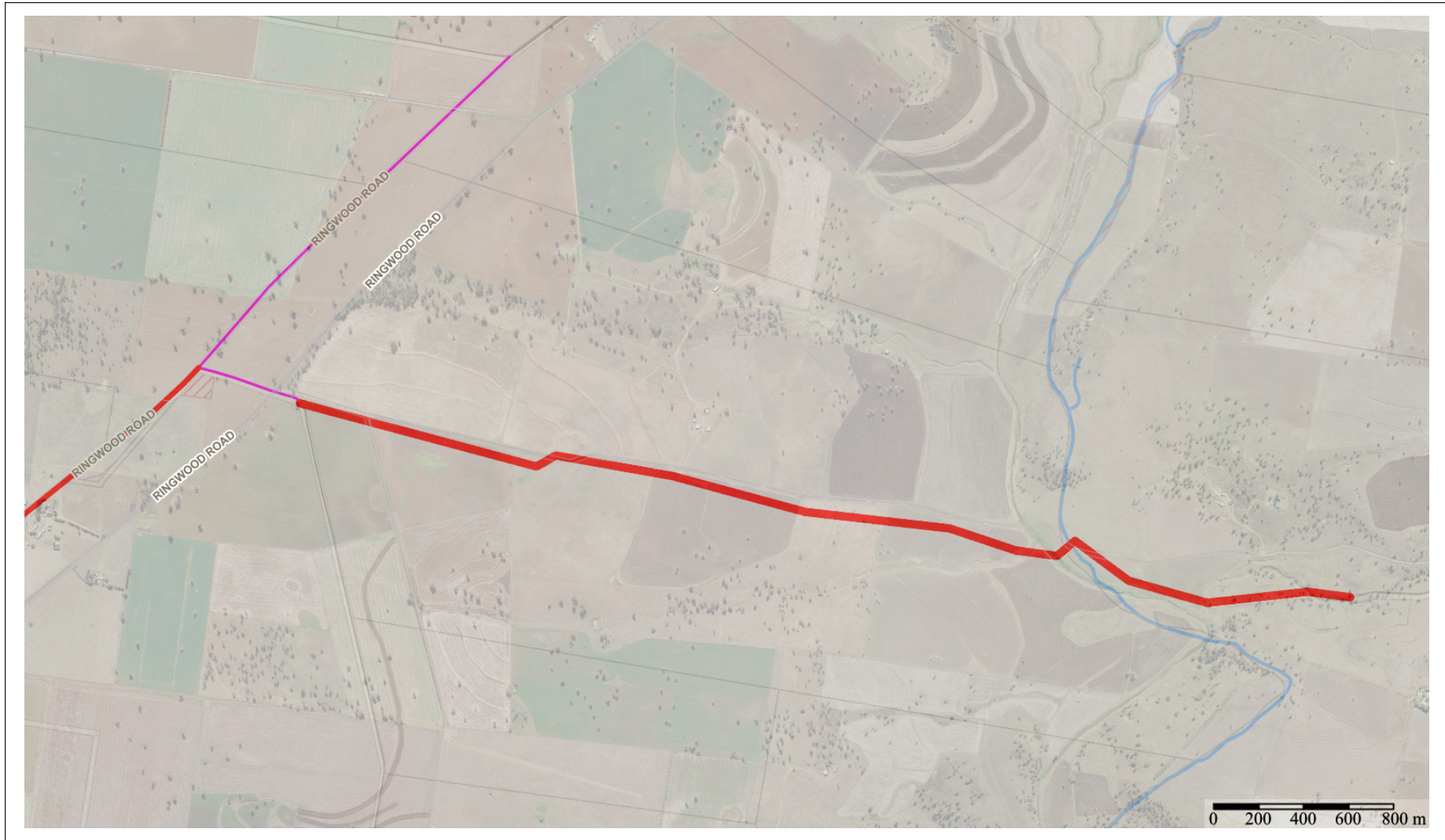
Council has been approached by the property owner of Rockwell, Killoe Road, Merriwa requesting to purchase approximately 4kms of Killoe Road from Council.

The sale of a section of Killoe Road will require official closure of the road which will be subject to consultation with the public, neighboring properties in the immediate area, government authorities and agencies who may have an interest in the road.

The request to close a section of Killoe Road is worthy of Council's consideration as the road provides minimal benefit to the community, will reduce Council's liability and road maintenance costs.

## ATTACHMENTS

- [1](#) Attachment 1 - Killoe Road Proposed Sale Section Plan



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**Important Notice!**

**This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.**

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Projection: WGS 84 / Google Web Mercator

Date: 16/11/2022

Drawn By: Sam Wooden

### Killoe Road Proposed Sale Section

Map Scale: 1:23259 at A4



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**CONFIDENTIAL REPORTS**

**CR.11.1**

***TENDER EVALUATION ON MOONAN BROOK ROAD***

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Chris Agosto - Project Manager

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

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**PURPOSE**

The purpose of this report is to outline the process that has been followed for the negotiation with the lowest price tenderer of Tender No. 10/2022 for the construction of Moonan Brook Road – Initial Seal and to make a recommendation to not award the contract and undertake the work internally.



**Planning & Infrastructure Services**

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**CR.11.2** ***MURRURUNDI WASTE TRANSFER STATION - LAND ACQUISITION***

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

**AUTHOR:** Mathew Pringle - Director Planning & Infrastructure Services

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

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**PURPOSE**

The purpose of this report is to consider the compulsory acquisition of Part Lots 199 and 200 DP 728353 (Crown Reserve 87624) for the purpose of a waste transfer station in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.



**Corporate & Community Services**

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**CR.11.3** ***PROPOSED ACQUISITION OF LOT 1 DP 1275541 - 54A  
BARTON STREET, SCONE***

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

**AUTHOR:** Wayne Phelps - Manager Finance

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

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**PURPOSE**

The purpose of this report is for Council to be updated on the resolution to acquire Lot 1 DP 1275541 - 54A Barton Street Scone (previously noted as Part of Lot 331 DP 1182157, 46 Barton Street Scone) and provide solutions to the issues that have arisen with access to water infrastructure assets.



**Infrastructure Services**

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CR.11.4

***ACQUISITION OF LAND FOR MERRIWA CYCLEWAY  
PROJECT***

**RESPONSIBLE OFFICER:** Mathew Pringle - Director Planning & Infrastructure Services

**AUTHOR:** Tegan Annas - Graduate Water Engineer

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

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***PURPOSE***

The purpose of this report is to consider an offer by the owner of Lot 11 in DP1098130, 1 Vennacher Street, Merriwa in relation to the acquisition of land for the Merriwa Cycleway project.



**Corporate & Community Services**

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**CR.11.5**

***GUMMUN PLACE HOSTEL UPDATE***

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

**AUTHOR:** Kristian Enevoldson - Director Corporate & Community Services

*This matter is considered to be confidential under Section 10A(2) (d i) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*

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***PURPOSE***

The purpose of this report is to provide Council with an update in relation to future management options for the Gummun Place Hostel ("the Hostel") in Merriwa.





**Planning & Infrastructure Services**

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**CR.11.6**

***2023 AUSTRALIA DAY AWARDS NOMINATIONS***

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Amanda Catzikiris - Community Services Officer

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

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**Corporate & Community Services**

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**CR.11.7**

***CODE OF CONDUCT MATTER***

**RESPONSIBLE OFFICER:** Kristian Enevoldson - Director Corporate & Community Services

**AUTHOR:** Kristian Enevoldson - Director Corporate & Community Services

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

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***PURPOSE***

The purpose of this report is to consider a code of conduct investigation.