
Council Meeting Agenda

26 June 2023 at 5.00pm



The running of the sheep at this year's Merriwa Festival of the Fleeces

To All Councillors

You are hereby notified that the next meeting of the Upper Hunter Shire Council will be held on Monday, 26 June 2023 in the COUNCIL CHAMBERS, SCONE commencing at 5.00PM, for the purpose of transacting the undermentioned business.

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

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

**GREG MCDONALD
GENERAL MANAGER**

1. PRAYER
2. ACKNOWLEDGEMENT OF COUNTRY
3. STATEMENT OF ETHICAL OBLIGATIONS
The Mayor and Councillors are reminded that they remain bound by the Oath or Affirmation of Office made at the beginning of the Council term to undertake their civic duties in the best interests of the people of the Upper Hunter Shire community and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their ability and judgement.
Council Officials are also reminded of the requirement to declare and appropriately manage any conflicts of interest they may have in relation to matters considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.
4. APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK
5. APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS
6. PUBLIC PARTICIPATION
G.06.1 Return & Earn Reverse Vending Machines – Scone & Merriwa
Jon Stanley - TOMRA
7. CONFIRMATION OF MINUTES
 - Ordinary Council Meeting held on 29 May 2023
 - Extraordinary Council Meeting held on 9 June 2023
8. DISCLOSURES OF INTEREST

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Environmental & Community Services

STANDING COMMITTEE REPORTS

SCR.06.1

ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE

RESPONSIBLE OFFICER: Mathew Pringle - Director Environmental & Community Services

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

RECOMMENDATION

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

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.

REPORT/PROPOSAL

The Environmental & Community Services Committee meeting scheduled for Tuesday, 13 June 2023 did not convene as a quorum was not met.

A record of proceedings has been attached (attachment 1).

The report for DA 37/2022, an application for subdivision of one lot into three lots, has been referred directly to Council for consideration.

ATTACHMENTS

- [1](#) Record of Proceedings - Environmental & Community Services Committee - 13 June 2023

RECORD OF PROCEEDINGS OF THE MEETING OF THE ENVIRONMENTAL & COMMUNITY SERVICES COMMITTEE OF UPPER HUNTER SHIRE COUNCIL HELD ON TUESDAY 13 JUNE 2023 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 10.30AM

PROCEEDINGS:

At 10.35am it was determined that a quorum was not met. The Director Environmental & Community Services advised that the agenda items contained in the Committee agenda would be referred directly to Council for consideration.

PRESENT:

Cr Allison McPhee

APOLOGIES:

Apologies were received from Cr Lee Watts and Cr Ron Campbell.

ABSENT:

Cr Elizabeth Flaherty

IN ATTENDANCE:

Mr Mathew Pringle (Director Environmental & Community Services), Mr Paul Smith (Senior Environmental Planner), Lisa Betts (Administration Officer), Danielle Brown (Administration Officer) and Paige Heusler (Administration Officer).

Infrastructure Services

SCR.06.2

INFRASTRUCTURE SERVICES COMMITTEE

RESPONSIBLE OFFICER: Rag Upadhyaya - Director Infrastructure Services

AUTHOR: Leah Moore - Infrastructure Support Officer

RECOMMENDATION

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

BACKGROUND

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

A meeting of the Infrastructure Services Committee was held on Tuesday, 13 June 2023. A copy of the minutes is attached.

REPORT/PROPOSAL

The Infrastructure Services Committee considered reports on the following items:

ISC.06.1 WORKS PROGRAM - INFRASTRUCTURE SERVICES - WATER AND SEWER

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

- Scone Water Treatment Plan (Joint with Muswellbrook Shire Council)
- Scone Sewerage Treatment Plant (STP)
- Merriwa Sewerage Treatment Plant (STP)
- Sewer Relining Program
- Water Main Renewal Work
- Manhole Repair Works
- Aberdeen River Pump Station Improvements (Contract 42/2021)
- Integrated Water Cycle Management Plan
- Village Water Supply – Parkville/Wingen/Blandford
- Scone to Murrurundi Pipeline – Easements
- Glenbawn Dam Pipework Discharge
- Murrurundi Dam

ISC.06.2 WORKS PROGRAM - INFRASTRUCTURE SERVICES – WORKS DELIVERY

The KPIs were reported to the Committee, with three (3) of the eighteen (18) KPIs being off track for the reportable year.

Infrastructure Services

ISC.06.3 *STRATEGIC AND CAPITAL WORKS UPDATE*

Strategic and Capital Works Delivery Update was reported.

There are fifty five (55) major projects in progress that have been reported on. Ten (10) of these projects require budget or scheduling intervention.

ISC.06.4 *MR358 WILLOW TREE ROAD UPGRADE*

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

Key activities:

- Evaluation of the tenders went to May Council meeting with preferred tenderer subject to funding deed.
- Evaluation of proposed project management teams.

ISC.06.5 *LOCAL ROADS INITIAL SEAL - PROJECT UPDATE*

An update was provided on the three major roads projects, being:

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

ISC.06.6 *SCONE CBD REVITALISATION PROJECT*

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

ATTACHMENTS

- 1 [↓](#) Minutes - 13 June 2023

Corporate Services

SCR.06.3

CORPORATE SERVICES COMMITTEE

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

RECOMMENDATION

That Council adopt the minutes of the Corporate Services Committee meeting held on 16 June 2023 and their recommendations.

BACKGROUND

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

REPORT/PROPOSAL

A meeting of the Corporate Services Committee was held on Friday, 16 June 2023. A copy of the minutes of the meeting is attached. The following reports were considered:

CORP.6.1 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 April 2023 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.6.2 White Park Management and Development Committee

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

The aim of the Committee is to make recommendations to Council on the management and future development of White Park. The minutes of the White Park Management and Development Committee meeting held 1 June 2023 were adopted by the Corporate Services Committee.

Corporate Services

CORP.6.3 Property Update

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

CORP.6.4 Responses to Previous Questions

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

ATTACHMENTS

- [1](#) Corporate Services Committee - 16 June 2023 - Minutes

CORP.06.2 **WHITE PARK MANAGEMENT AND DEVELOPMENT COMMITTEE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

23/146

RESOLVED**That the Committee adopt the minutes of the White Park Management & Development Committee meeting held on 7 June 2023.**

Moved: Cr J Burns Seconded: Cr B McKenzie CARRIED

FOR	AGAINST
Councillor Burns	Councillor Flaherty
Councillor McKenzie	
Total (2)	Total (1)

CORP.06.3 **PROPERTY UPDATE****RESPONSIBLE OFFICER:** Greg McDonald - General Manager**AUTHOR:** Karen Lee - Senior Administration Officer - Business Services

23/147

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

Moved: Cr E Flaherty Seconded: Cr B McKenzie CARRIED UNANIMOUSLY

CORP.06.4 **RESPONSES TO PREVIOUS QUESTIONS****RESPONSIBLE OFFICER:** Wayne Phelps - Manager Finance**AUTHOR:** Karen Boland - Governance & Executive Support Officer

23/148

RESOLVED**For notation only.**

Moved: Cr B McKenzie Seconded: Cr E Flaherty CARRIED UNANIMOUSLY

COUNCILLOR QUESTIONS:

Cr Flaherty requested clarification if leftover excavated material from the Golden Hwy was used instead of locally sourced gravel on a road in Merriwa as it has been reported to her that the repairs were sub-standard.

Response: General Manager advised that leftover excavated material from the Golden Hwy can be used if deemed suitable but would require clarification of the actual road in question so that staff can investigate further.

Update: Still await clarification from Cr Flaherty regarding the road in question.

Councillor Clarification: Cr Flaherty advised the road in question was Forest Reserve Road.

Cr Flaherty requested a breakdown of grant funding and loan borrowings pertaining to the airport project (air site and museum), Merriwa MR358, Scone Saleyards, White Park, Campbell's Corner and the Scone Golf Course.

Response: Taken on notice.

Cr Flaherty enquired with regard to the 2022-2023 DPOP, what were the anticipated loan funded projects that Council intended to borrow \$8.87M, and why did the loan funding not progress. What is the current plan for those specific projects?.

Response: Taken on notice.

Cr Flaherty enquired with regard to the DPOP, what do loans of \$19.6M in 2023 budget and \$17.39M in the 2024 budget pertain to?

Response: Taken on notice.

Cr Flaherty enquired with regard to the operating performance ratio in 2022 of (20.21%), a five fold increase in a 4 year time frame from 4.04%, the report notes the trajectory is expected to continue. Does Council have projections of benchmarks for the 2023 and 2024 financial years.

Response: Taken on notice.

Cr Flaherty enquired if a breakdown of the Hunter Warbirds Café revenue and expenditure could be provided.

Response: Taken on notice.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9.31am

Environmental & Community Services

DEVELOPMENT REPORTS

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

RESPONSIBLE OFFICER: Mathew Pringle - Director Environmental & Community Services

AUTHOR: Paul Smith - Senior Environmental Planner

PURPOSE

On 13 March 2022 Council received Development Application No. 37/2022 for the subdivision of one lot into three lots at No. 65-67 Vennacher Street Merriwa (Lot 7 Section 1 DP 976986). The application is being referred to Council as two submissions have been received objecting to the development.

RECOMMENDATION

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

BACKGROUND

Council has not had previous dealings with this development application.

REPORT/PROPOSAL

Applicant: Anja Carruthers
Owner: Anja Carruthers
Location: No. 65-67 Vennacher Street Merriwa (Lot 7 Section 1 DP 976986),
Proposal: Subdivision of one lot into three lots
Zone: R1 General Residential

Development Application No. 37/2022 was submitted on 13 March 2022. Following an initial review and site inspection there was some uncertainty about the history of the site and this triggered the request for a contaminated land investigation which identified a contaminated 'hotspot'. The applicant was also requested to address issues related to the provision of stormwater drainage to proposed Lot 3.

The development site comprises an existing residential zoned lot with an area of 4,507m² and an 40m frontage to Vennacher Street. The development application proposes to subdivide the land to create three lots. Proposed Lot 1 and 2 will each have areas of 1,018m² and proposed Lot 3 will have an area of 2,489m². Proposed Lot 3 is a "battle-axe" shaped lot with access via a 5m wide and 58m long access corridor. There is an existing sewer main within the site that runs close to the southern boundary (within the proposed access corridor). The development involves the construction of a stormwater drainage line for proposed Lot 3 and the remediation of a contaminated area in proposed Lot 1. The plans for the development are provided in Attachment 3.

Assessment of the application took much longer than expected due to delays in receiving necessary additional information from the applicant.

The application is being referred directly to Council for consideration as a quorum was not met

Environmental & Community Services

for the Environmental & Community Services Committee meeting scheduled for 13 June 2023.

OPTIONS

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

CONSULTATION

Surrounding properties were notified of the development proposal between 30 March 2022 and 13 April 2022. An advertisement was placed in the Hunter Valley News on 30 March 2022. Two submissions were received objecting to the development due to the reduced lots widths (not complying with the 20m width development control), proposed Lot 3 not having direct frontage, noise and privacy issues and water and stormwater (refer to Attachment 4 for the submissions).

STRATEGIC LINKS

a. Community Strategic Plan 2032

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

Protected Environment

Ensuring the ongoing protection of our environment and natural resources.

- 2.5 Provide efficient and effective advisory, assessment and regulatory services focused on being customer 'friendly', responsive and environmentally responsible.

b. Delivery Program

- Assessment of planning applications

c. Other Plans

Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 provides that in determining a development application, a consent authority is to take into consideration a development control plan. The development application is considered to satisfy the outcomes of the Upper Hunter Development Control Plan 2015 (UHDCP).

In relation to Lot Size, Shape and Orientation the design guidelines require that each lot should have a minimum width of 20m at the building line. Proposed Lots 1 and 2 will have widths of 17.5m and 17.6m and as such do not comply. Notwithstanding the plan provided by the applicant demonstrates that a 20m x 10m dwelling could be placed on each lot with adequate side setbacks and provision for vehicular access, infrastructure and good solar access. Such frontage widths is also consistent with other residential lots along Vennacher Street. Accordingly the non-compliance with the UHDCP is acceptable.

IMPLICATIONS

a. Policy and Procedural Implications

Environmental & Community Services

Nil

b. Financial Implications

Development application fees of \$577.00 have been paid.

c. Legislative Implications

An assessment of the development application has been undertaken pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (see Attachment 1).

d. Risk Implications

Council determinations of development applications and modifications in relation to local development can be appealed by the applicant in the Land and Environment Court where they are not satisfied with the outcome of a determination. There is a risk that the applicant may appeal the determination.

Council determinations of development applications and modifications in relation to local development can be appealed by a third party in the Land and Environment Court in circumstances where incorrect legal process has been applied.

e. Sustainability Implications

Nil

f. Other Implications

Nil

CONCLUSION

The application has been assessed as satisfactory against Section 4.15 of the Environmental Planning and Assessment Act 1979, Upper Hunter Local Environmental Plan 2013 and the Upper Hunter Shire Development Control Plan 2015.

The proposal is in keeping with the site context, is an appropriate form of development for the site and is unlikely to result in any significant adverse impacts.

Accordingly, it is recommended that the application be approved subject to appropriate conditions of consent for the following reasons:

- *The proposal complies with the Upper Hunter Local Environmental Plan 2013*
- *The development satisfies Clause 4.6 (1)(b) of State Environmental Planning Policy (Hazards and Resilience) 2021 as the land is contaminated, but will be suitable, after remediation for the purpose for which the development is proposed to be carried out, and*
- *The proposal complies with the Upper Hunter Development Control Plan 2015*
- *The proposal has been assessed as satisfactory against Section 4.15 of the Environmental Planning & Assessment Act 1979*
- *Will not have an adverse impact on the surrounding locality*

Environmental & Community Services

ATTACHMENTS

- 1 [↓](#) DA 37/2022 - Section 4.15 Assessment
- 2 [↓](#) DA 37/2022 - Recommended Conditions of Consent
- 3 [↓](#) DA 37/2022 - Plan
- 4 [↓](#) DA 37/2022 - Submissions

REPORT ON DEVELOPMENT APPLICATION CLASS 2 - 9 BUILDINGS AND SUBDIVISIONS

Including assessment in accordance with Section 4.15
Environmental Planning and Assessment Act 1979



ADDRESS: LOT: 7 SEC: 1 DP: 976986
65-67 Vennacher Street Merriwa

APPLICATION No: DA 37-2022 (PAN-202880)

PROPOSAL: Subdivision of Land - 1 Lot into 3 Lots

PLANS REF:

DRAWINGS NO.	DRAWN BY	DATE	RECEIVED
PLANNING RELATED DRAWINGS / INFO			
Plan of Subdivision Ref: 21/0699 Revision 2	Monteath Powys	07.02.2022	7.03.2022

OWNER: Ms A E Carruthers

APPLICANT: Ms A E Carruthers
C/- Monteath Powys
125 Bull Street
NEWCASTLE WEST NSW 2302

AUTHOR: Paul Smith

DATE LODGED: 13 March 2022

AMENDED:

ADD. INFO REC'D: Remediation Action Plan – Qualtest (11 July 2022)

DATE OF REPORT: 15 May 2023

SUMMARY OF FACTS

ISSUES: Site contamination, stormwater, streetscape

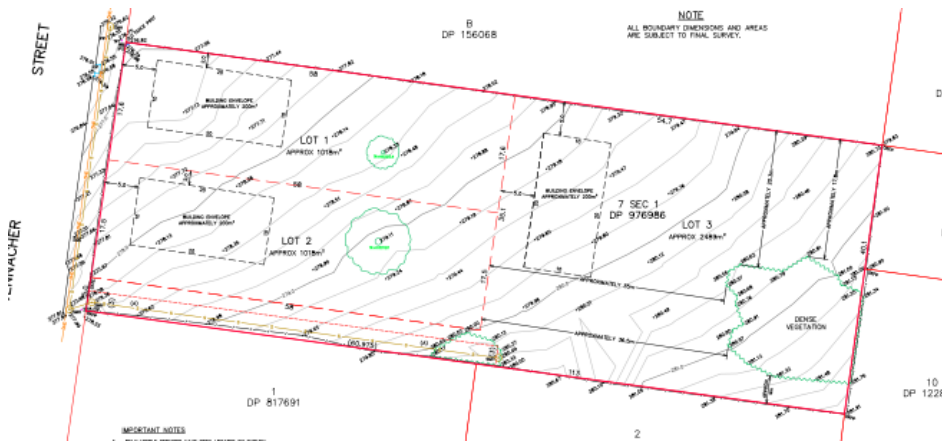
SUBMISSIONS: Two submissions were received

RECOMMENDATION: Approval subject to conditions of consent

LOCATION MAP



PROPOSED SUBDIVISION



DESCRIPTION OF PROPOSAL

The development site comprises an existing residential zoned lot with an area of 4,507m² and an 40m frontage to Vennacher Street. The development application proposes to subdivide the land to create three lots. Proposed Lot 1 and 2 will each have areas of 1,018m² and proposed Lot 3 will have an area of 2,489m². Proposed Lot 3 is a “battle-axe” shaped lot with access via a 5m wide and 58m long access corridor. There is an existing sewer main within the site that runs close to the southern boundary (within the proposed access corridor). The development involves the construction of a stormwater drainage line for proposed Lot 3 and the remediation of a contaminated area in proposed Lot 1.

RELEVANT HISTORY

The land has been a vacant residential lot for an unknown time.

REFERRALS

- Water & Waste

The development application was referred to the Water and Sewer section which requested:

1. Modify the drawings to show existing water and sewer assets running through this property (Information is not sufficient)
2. Create & show easements on the drawings for both water and sewer assets
3. Show all the proposed water meter connection locations in the map.

- Heritage Advisor

The development application was referred to the heritage advisor who made the following recommendations:

1. *More detailed assessment is required in the Statement of Heritage Impact. The Statement of Heritage Impact should include:*
 - *Assessment of impact on the historical subdivision pattern of the conservation area and in particular the subject street and surrounding streets.*
 - *Assessment of the pattern of lot sizes, location of driveways, size of street frontage and pattern of setbacks.*
 - *Based on this assessment of the subdivision pattern advise on impacts of the subdivision and mitigative impacts that may include reduced number of lots and configuration of lots.*
2. *The Upper Hunter DCP 2015 requires that a statement of heritage impact is prepared by a professional heritage consultant as included in the directory on the Heritage NSW website:*

<https://www.heritage.nsw.gov.au/search-for-heritage/directory-of-heritage-professionals/>
3. *I have attached a copy of the assessment of significance for the amended draft Merriwa Conservation Area, which has been exhibited. The subject site will remain within the proposed new conservation area.*

Planning Comments: The applicant has submitted a Statement of Heritage Impacts (SoHI) and is not prepared in accordance by a professional heritage consultant. Furthermore it does not specifically address the issues that have been raised above. This section of Vennacher Street is dominated by lots with areas averaging 2,000m², with depths of approximately 100m, oriented in an east-west direction. The established dwelling houses directly front the street with reduced front setbacks of 2m-5m. Overall the subdivision pattern creates a distinct streetscape appearance. The proposed subdivision unusually for this location not only creates smaller lots, but a 'battle-axe' configured lot (proposed Lot 3) which creates the potential for a dwelling to be built. This would alter the streetscape by giving the appearance of a dwelling with a setback of more than 50m from the Vennacher Street frontage and potentially a solid fence. This would impact on the streetscape until dwellings are constructed on proposed Lot 1 and 2. In the absence of a professionally prepared SoHI it is suggested that as part of the subdivision to mitigate excessive setback and appearance of a fence landscaping with appropriate tree and shrub species should be applied.

- Engineering/Stormwater Drainage

The development application was referred to Infrastructure Services (Assets) which advises: *plans approved - all roof water discharged into 225dia inter-allotment stormwater reticulation pipe.*

SUBMISSIONS

Surrounding properties were notified of the development proposal between 30 March 2022 and 13 April 2022. An advertisement was placed in the Scone Advocate on 30 March 2022.

Two (2) submissions were received with the main issues raised being summarised below.

Name & Address of Submitter	Basis of Submissions
Mr Christopher Wood and Dr Natalie Gillam 69-73 Vennacher Street, Merriwa, NSW, 2329	<p>This submission is objecting to the proposed subdivision. The basis of the objection is:</p> <ul style="list-style-type: none"> • Lots 1 and 2 do not satisfy the design guidelines in the Upper Hunter Development Control Plan 2015 that each lot should have a minimum width of 20m at the building line. • Lot 3 which will not have direct frontage to a public road and there are no identified merits in the creation of this Lot to consider. • Noise and privacy - Given the higher ground level at Lot 3, the future dwelling will also have clear views into the proposed houses on Lots 1 and 2, the two existing neighbouring houses on Vennacher Street (63 and 69) and one on Collins street. • Reticulated water and stormwater
Mr Philip Klaunzer 2 Collins Street, Merriwa, NSW, 2329	<p>This submission is objecting to the proposed subdivision. The basis of the objection are the same as above.</p>

CONSIDERATION

The relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act* 1979, are assessed under the following headings:

ENVIRONMENTAL PLANNING INSTRUMENTS

UPPER HUNTER LOCAL ENVIRONMENTAL PLAN 2013	
	COMMENT
Land Use Table	
Zoning classification	R1 General Residential Zone
Zoning objectives	<ul style="list-style-type: none"> • <i>To provide for the housing needs of the community.</i> • <i>To provide for a variety of housing types and densities.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> <p>The development application for the subdivision is considered to be consistent with the zone objectives. It will result in two additional residential lots to provide for the housing needs of the community.</p>
Zoning permissibility	Subdivision of land is permitted under Clause 2.6 with development consent.
Clauses (Part 4)	
Minimum Subdivision Lot Size (Clause 4.1)	The minimum lot size development standard in this area is 800m ² . Proposed Lot 1 and 2 will each have areas of 1,018m ² and proposed Lot 3 will have an area of 2,489m ² . In this regard the development complies.
Minimum Subdivision Lot Sizes Community Title (Clause 4.1AA)	Not applicable.
Minimum Subdivision Lot Sizes Strata Plan Schemes (Clause 4.1A)	Not applicable.

Exceptions to minimum lot sizes for certain residential development (Clause 4.1B)	Not applicable.
Minimum subdivision lot sizes in certain split zones Allotments (Clause 4.1C)	Not applicable.
Boundary Adjustments (Clause 4.1D)	Not applicable.
Rural Subdivision (Clause 4.2)	Not applicable.
Exceptions to minimum subdivision lot sizes for certain rural subdivisions (Clause 4.2A)	Not applicable.
Erection of dwelling-houses on land in certain rural zones (Clause 4.2B)	Not applicable.
Erection of rural workers' dwellings in Zone RU1 (Clause 4.2C)	Not applicable.
Height of buildings (Clause 4.3)	Not applicable.
Floor space ratio (Clause 4.4 and 4.5)	Not applicable.
Exceptions for development standards (Clause 4.6)	Not applicable.
Part 5 – Miscellaneous provisions	
Development near zone boundaries (Clause 5.3)	Not applicable.
Controls relating to miscellaneous permissible uses (Clause 5.4)	Not applicable.
Architectural roof features (Clause 5.6)	Not applicable.
Conversion of fire alarms (Clause 5.8)	Not applicable.
Preservation of tree or vegetation (Clause 5.9)	Not applicable.
Trees or vegetation not prescribed by a development control plan (Clause 5.9AA)	Not applicable.
Heritage conservation (Clause 5.10)	<p>The land to which the development application applies is in the Merriwa Conservation Area. This clause –cl 5.10(2)(f) requires development consent for subdividing land of relevance located or that is within a heritage conservation area. The applicant has submitted a basic Statement of Heritage Impact that was not prepared by a heritage consultant. This points out that:</p> <p><i>The subject site is surrounded by existing residential dwellings which are constructed with a range of different materials and colours, and</i></p> <p><i>In consideration that proposed development is for the subdivision of land only and is not located near a local heritage item it is unlikely that the proposed</i></p>

	<p><i>subdivision would have an adverse impact on the heritage significance of the Merriwa Conservation Area.</i></p> <p>It is noted that the subdivision will result in two lots with 17.5m and 17.6m frontages to Vennacher Street. This is approximately consistent with some of the existing frontages of residential allotments in Vennacher Street. The rear lot will have a 5m frontage associated with the access handle. Overall the proposed subdivision itself it unlikely to impact on the heritage conservation area. However by creating proposed Lot 3 it creates the potential for a future dwelling to be on this lot first and consequently detract from the existing streetscape pattern where dwellings predominantly have approximately 5m front setbacks (Note: the landowner is intending to submit a DA for a dwelling on proposed Lot 3).</p>
Eco-tourism facilities (Clause 5.13)	Not applicable.
Part 6 – Additional Local Provisions	
Earthworks (Clause 6.1)	Earthworks are proposed as part of the Remediation Action Plan. These earthworks involve the excavation of the surface soils in the north-west corner of the site (predominantly proposed Lot 1). Fill material may be imported to replace the contaminated soil.
Flood Planning (Clause 6.2)	Not applicable
Terrestrial Biodiversity (Clause 6.3)	Not applicable
Groundwater vulnerability (Clause 6.4)	Not applicable
Drinking water catchments (Clause 6.5)	Not applicable
Riparian land and watercourses (Clause 6.6)	Not applicable
Airspace operations (Clause 6.7)	Not applicable
Development in areas subject to aircraft noise (Clause 6.8)	Not applicable
Events permitted without development consent (Clause 6.9)	Not applicable
Essential Services (Clause 6.10)	<p><i>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</i></p> <p><i>(a) the supply of water,</i> <i>(b) the supply of electricity,</i> <i>(c) the disposal and management of sewage,</i> <i>(d) stormwater drainage or on-site conservation,</i> <i>(e) suitable vehicular access.</i></p> <p>There is provision connect to the relevant essential services – water supply, sewer, stormwater and electricity. Direct access from a public road (Vennacher Street) is available.</p>
Location of sex services premises (Clause 6.11)	Not applicable

STATE ENVIRONMENTAL PLANNING POLICIES

SEPP (Transport and Infrastructure) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	<p>4.6 Contamination and remediation to be considered in determining development application</p> <p>(1) A consent authority must not consent to the carrying out of any development on land unless—</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>The site is currently a vacant residential lot. The site inspection carried out identified sites of land disturbance. Information provided to Council suggested that a dwelling house once present on the site. In this regard there was sufficient uncertainty about the site that a Site Investigation Report was requested to provide greater clarification on the contamination status of the land.</p> <p>A Preliminary & Detailed Contamination Assessment (PDCA) for the site, ref: NEW22P-0099-AA dated 22 June 2022 (Qualtest, 2022). The PDCA identified contamination in the form of bonded Asbestos Containing Materials (ACM) and lead in surface soils in the north-west portion of the site. The applicant also submitted a Remediation Action Plan (RAP) (Qualtest, 11 July 2022).</p> <p>The RAP requires:</p> <p><i>The objective of the RAP is to provide guidance on the remediation and management activities to be undertaken in order to ensure the site can be made suitable for the future residential development.</i></p> <p><i>The proposed remediation method is excavation of contaminated soils and disposal to an appropriately licensed waste facility, followed by validation of the resulting excavation.</i></p> <p><i>Implementation of the RAP by appropriately qualified remediation/earthworks contractor and environmental consultant, who would conform to the strategies and procedures outlined in this RAP, would mitigate the potential risk of environmental impacts (from contaminated soil) during remediation and bulk earthworks.</i></p> <p>In this regard it is recommended a condition of consent be imposed that requires the completion of the remediation works and the submission of a Site Remediation and Validation Report prepared in accordance with <i>Consultants reporting on contaminated land</i> (EPA, 2020 and the Upper Hunter Contaminated Lands Policy prior to the issue of a subdivision certificate.</p>
SEPP No. 65 – Design Quality of Residential Flat Development	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable

SEPP (Resources and Energy) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	Not applicable

REGIONAL ENVIRONMENTAL PLANNING POLICIES

There are no REP's applicable to the site.

DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft EPI's applying to the land.

DEVELOPMENT CONTROL PLANS

<i>Development control plan</i>	<i>Considered?</i>	<i>Comment (only if necessary)</i>
Upper Hunter Development Control Plan 2015	YES	<p>The development application has been considered in relation to Part 3 of the UHDCP. Overall the proposed development complies with the Outcomes and design guidelines.</p> <p>In relation to lot size, shape and orientation the design guidelines require that each lot should have a minimum width of 20m at the building line. Proposed Lots 1 and 2 will have widths of 17.5m and 17.6m and as such do not comply. Notwithstanding the plan provided by the applicant demonstrates that a 20m x 10m dwelling could be placed on each lot with adequate side setbacks and provision for vehicular access, infrastructure and good solar access. Such frontage widths is also consistent with other residential lots along Vennacher Street. Notwithstanding it may be appropriate to have proposed Lot 2 using the access handle (ie creating a right of carriageway) which would help to increase the frontage area available for other purposes such as landscaping. The applicant has declined this as an option.</p> <p>Stormwater – the applicant submitted a servicing strategy and stormwater drainage plan showing how stormwater will be drained from proposed Lot 3 – via a pipe/easement over proposed Lot 1 to the stormwater system in Vennacher Street.</p>
Section 94A Levy Contributions Plan 2008	NA	
Upper Hunter Section 94 Contributions Plan 2017	NA	
Upper Hunter Servicing Plan for Water Supply and Sewerage	YES	<p>The development application for the subdivision of land creates two additional lots and as such water and sewerage contributions are applicable as follows:</p> <p>Water - \$7,784.36 per lot Sewer - \$2,556.56 per lot</p> <p>Payment of these contributions will be required prior to the issue of a subdivision certificate.</p>

PLANNING AGREEMENTS

There are no planning agreements relevant to the proposal.

REGULATIONS

There are no provisions in the regulations relevant to the proposal.

LIKELY IMPACTS OF THE DEVELOPMENT

Context and Setting

The site is in a section of Vennacher Street where the streetscape is dominated by single story dwellings that are positioned towards the front of the lot with front setbacks ranging from 5-10m. The development is for the subdivision of land and is unlikely to impact directly on the streetscape, however as discussed the creation of proposed Lot 3 creates the potential for a dwelling house to be erected such as to break up the dominant streetscape pattern. This would only be a temporary situation until dwellings were constructed on proposed Lot 1 and 2, however it could be some time before dwellings are placed on these lots. In this regard it would be appropriate to incorporate landscaping along the rear section of proposed Lots 1 and 2 to provide a landscape screen in the interim period.

Access, Transport and Traffic

The subdivision will create two additional lots and as such has the potential to have a minor impact on traffic generation. Access to proposed Lot 3 will require the construction of driveways across the road reserve. The 5m wide and 58m long access handle to proposed Lot 3 is considered sufficient for access to a single dwelling, however if the future development of proposed Lot 3 involves more dwelling units, then the width unlikely to be sufficient. Given the area of proposed Lot 3 of 2,489m², it is possible that DAs may be submitted in future for multi-dwelling housing.

Heritage

As discussed the land is in a heritage conservation area, however it is considered unlikely that the subdivision will have an adverse impact.

Flora and Fauna

The development is unlikely to adversely impact on critical habitats, threatened species, populations, ecological communities or their habitats and other protected species. There are existing trees and dense vegetation on the land, however these are unlikely to be impacted as a result of the subdivision.

Waste

The implementation of the remediation actions in the RAP is likely to generate contaminated waste material. In relation to the handling of waste material the RAP proposes:

The excavation and disposal of the asbestos contaminated/impacted surface soils around BH02 and BH06, located in the north-western portion of the site is anticipated to comprise:

- *Mark out of the area requiring excavation, based on the PDCA results (see Figure 4, Appendix A), and visual observations prior to excavation;*
- *Classification of the material in accordance with NSW EPA (2014) Waste Classification Guidelines. See below for waste classification procedure;*
- *Excavate the surface soils to a depth of 0.2m;*
- *Disposal of the material to an appropriately licensed waste facility, and docket retained for inclusion in the validation report.*

It is recommended that appropriate conditions of consent are imposed in relation to waste management and disposal.

Noise & Vibration

The remediation work is likely to involve the use of earthmoving machinery that has the potential to generate noise. It is recommended that an appropriate condition of consent be imposed that requires time limitations on the carrying out of remediation work.

SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The site attributes are conducive to the proposed development. The site provides sufficient space for future dwelling, including the provision of private open space, landscaping, setbacks and off-street car parking. The Preliminary and Detailed Site Investigation report have identified a contaminated "hotspot" in the north-western portion of the site. Provided this area is appropriately remediated in accordance with the Remediation Action Plan, the site should be suitable for the development.

The site is directly accessible from Vennacher Street and all utility services are available. The site is not constrained by any natural or technological hazards that would preclude the development.

THE PUBLIC INTEREST

There are no known policy statements from the Federal or State Governments that have relevance to this proposal. There are no known relevant planning studies and strategies. There is no known management plan, advisory document or credible research findings. There are no known covenants or easements. No public meeting has been held in relation to the proposal. There is no known risk to public health and safety. No public authorities were consulted in regard to the application.

SUMMARY OF LIKELY IMPACTS OF THE DEVELOPMENT

All likely impacts of the proposed development have been considered within the context of this report.

ENVIRONMENTAL APPRAISAL		CONSIDERED
1	Statutory controls	YES
2	Policy controls	YES
3	Design in relation to existing building and natural environment	YES
4	Landscaping/open space provision	YES
5	Traffic generation and car parking provision	YES
6	Loading and servicing facilities	NA
7	Physical relationship to and impact upon adjoin development (views, privacy, overshadowing, etc.)	YES
8	Site Management issues	YES
9	All relevant S4.15 considerations of Environmental Planning and Assessment Act 1979	YES

CONSISTENCY WITH THE AIMS OF PLAN

It is considered that the development is consistent with the specific aims of the plan and the objectives of the zone and of the controls.

As such, consent to the development may be granted.

SUBMITTORS CONCERNS

The issues raised in the submissions are addressed as follows, if they have not already been addressed in the body of this report:

- Lots 1 and 2 do not satisfy the design guidelines in the Upper Hunter Development Control Plan 2015 that each lot should have a minimum width of 20m at the building line.

Planning Comment: This issue has been previously discussed. While compliance with the design guidelines is desirable, variations are possible provided the development still achieves the Outcomes.

- Lot 3 which will not have direct frontage to a public road and there are no identified merits in the creation of this Lot to consider.

Planning Comment: Proposed Lot 3 is considered to satisfy the objectives of the R1 General Residential Zone and satisfies the subdivision general purpose and considerations in the UHDCP. Lot 3 will have 5m of direct frontage to Vennacher Street.

- Noise and privacy - Given the higher ground level at Lot 3, the future dwelling will also have clear views into the proposed houses on Lots 1 and 2, the two existing neighbouring houses on Vennacher Street (63 and 69) and one on Collins street.

Planning Comment: At this stage the development application is for the subdivision of land. The privacy related impacts of any future buildings would be considered as part of the relevant development application.

- Reticulated water and stormwater

Planning Comment: As discussed, reticulated water is available to the development. The applicant has provided a stormwater drainage plan that shows the land has sufficient fall to the drainage system in Vennacher Street to allow for stormwater drainage.

CONCLUSION

The development application was lodged on 13 March 2022. Following an initial review and site inspection there was some uncertainty about the history of the site and this triggered the request for a contaminated land investigation which identified a contaminated 'hotspot'. The applicant was also requested to address issues related to the provision of stormwater drainage to proposed Lot 3. Following the submission of a servicing plan the application has been assessed as satisfactory against Section 4.15 of the Environmental Planning and Assessment Act 1979, Upper Hunter Local Environmental Plan 2013 and the Upper Hunter Shire Development Control Plan 2015.

The proposal is in keeping with the site context, is an appropriate form of development for the site and is unlikely to result in any significant adverse impacts.

Accordingly, it is recommended that the application be approved subject to appropriate conditions of consent.

RECOMMENDATION

PURSUANT TO SECTION 4.16/4.17 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT Council, as the consent authority, grant consent to Development Application No. 37/2022 subject to the attached conditions.

REASONS FOR RECOMMENDATION

- *The proposal complies with the Upper Hunter Local Environmental Plan 2013.*
- *The development satisfies Clause 4.6 (1)(b) of State Environmental Planning Policy (Hazards and Resilience) 2021 as the land is contaminated, but will be suitable, after remediation for the purpose for which the development is proposed to be carried out, and*
- *The proposal complies with the Upper Hunter Development Control Plan 2015.*
- *The proposal has been assessed as satisfactory against Section 4.15 of the Environmental Planning & Assessment Act 1979.*
- *Will not have an adverse impact on the surrounding locality.*

PAUL SMITH
SENIOR ENVIRONMENTAL PLANNER

DA 37/2022 – Recommended Conditions of Consent

SCHEDULE A

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 by Monteath Powys (ref: 21/0699) dated 1 March 2022 except where amended by the conditions of consent.

JOB REFERENCE NO	SHEET No	REVISION No	DRAWN BY	DATE
Proposed Subdivision Ref: 21/0699	1	2	Monteath Powys	07.02.2022
Plan of proposed lot layout and servicing strategy Ref: 223111	1	-	MM Hyndes Bailey and Co	27.04.2023
Heritage Impact Statement Ref: 21/0699	-	-	Monteath and Powys	07.03.2022
Preliminary and Detailed Contamination Assessment Ref: NEW22P-0099-AA	-	-	Qualtest	22.06.2022
Remediation Action Plan Ref: NEW22P-0099-AB	-	-	Qualtest	11.07.2022

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

Conditions that must be complied with prior to the issue of a subdivision works certificate:

2. The sewer main shall be extended to proposed Lot 2 and constructed in accordance with the requirements of the Upper Hunter Shire Council's Infrastructure Services (Water and Sewer). The applicant shall liaise with Council regarding the submission of design and construction details for all works associated with the sewer infrastructure. The work shall comply with WSAA Gravity Sewerage Code of Australia Hunter Water Division v2.1, and *Upper Hunter Engineering Guidelines for Subdivision and Development*.

Plans and design details demonstrating compliance with the requirements of the Infrastructure Services (Water and Sewer) shall be submitted to, and approved by the Certifying Authority prior to the issue of a Subdivision Works Certificate.

(Reason: To ensure satisfactory arrangements are in place for the disposal of sewage.)

3. A 'Notice of Requirements' under the Water Management Act 2000 must be obtained, prior to the issue of a Subdivision Works Certificate, detailing water and sewer extensions to be built and charges to be paid by the applicant. Any charges identified in the 'Notice of Requirements' as requiring payment are to be paid prior to the issue of a Subdivision Certificate.

Details demonstrating compliance with any requirements for works by Upper Hunter Shire Council's Water & Sewer Department are to be provided with the Subdivision Works Certificate application.

The final compliance certificate must be submitted to the Principal Certifier prior to release of the Subdivision Certificate.

4. Prior to the issue of any Subdivision Works Certificate a landscaping plan must be submitted to the Consent Authority for approval for the provision of landscaping adjacent to the eastern boundary of proposed Lots 1 and 2. The plan must show and provide details of:

- a) suitable native tree or shrub species of local provenance;
- b) a minimum of two rows of plantings with sufficient spacing between rows to facilitate healthy plant growth;
- c) mature heights ranging as follows: Row 1 – being closest to the boundary comprising of shrub species which grow to a mature height of four (4) metres; Row 2 – comprising of mid story plants with a mature height of four (4) metres to six (6) metres to establish an effective screen;
- d) plantings in a mosaic pattern such as to provide full landscape screening when that plants are at mature height; and
- e) ground preparation and on-going maintenance.

(Reason: To minimise the visual impact of the development on the streetscape prior to proposed Lots 1 and 2 being developed.)

Conditions that must be complied with prior to the commencement of subdivision works:

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

(Reason: Prescribed – Statutory)

6. Implementation of Remedial Action Plan

- a) Prior to the commencement of works, the site must be remediated in accordance with the:
 - i. Approved Remediation Action Plan;
 - ii. Council's Contaminated Land Policy;
 - iii. State Environmental Planning Policy No (Resilience and Hazards) 2021;
 - iv. National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and
 - v. The guidelines in force under the Contaminated *Land Management Act 1997* (if applicable).
- b) The applicant must engage an appropriately qualified and experienced supervising environmental consultant to supervise all aspects of site remediation and validation. The environmental consultant must supervise all aspects of the remediation and validation works in accordance with the approved Remedial Action Plan.
- c) Any reports relating to contamination must be prepared, or reviewed and approved by an appropriately qualified and certified environmental consultant, certified by one of the schemes identified in Section 8.3 of the Upper Hunter Contaminated Land Policy. The front cover of the report must include the details of the consultant's certification.
- d) Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to Council and the Principal Certifying Authority in writing.
- e) Any variations to the approved Remediation Action Plan must be prepared, or reviewed and approved by an appropriately qualified and certified environmental consultant, and submitted to the Consent Authority prior to the commencement of such work.
- f) All contaminated site reports provided to Council must exempt Council from any claim for copyright that may restrict Council's ability to provide information to the public in accordance with the *Government Information (Public Access) Act 2009*.
- g) If the Duty to Report contamination to the NSW Environment Protection Authority under Section 60 of the *Contaminated Land Management Act 1997* is triggered, Council must be notified within 7 days of the notification to the NSW Environment Protection Authority.

7. Validation Report
- a) Prior to commencement of subdivision works, the proponent must submit a detailed Validation Report to Council and the Certifying Authority.
 - b) The Validation Report must be prepared in accordance with:
 - i. Upper Hunter Contaminated Land Policy 2017
 - ii. NSW Contaminated Land Planning Guidelines (1998)
 - iii. Relevant EPA Guidelines, noting in particular the NSW EPA (2020) Guidelines for Consultants Reporting on Contaminated Sites
 - iv. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013)
 - c) The Validation Report must be prepared, or reviewed and approved by an appropriately qualified and certified environmental consultant, certified by one of the schemes identified in Section 8.3 of Council's Contaminated Land Policy. The front cover of the report must include the details of the consultant's certification.
 - d) The Validation Report must verify that the land is suitable for the proposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remedial Action Plan.
 - e) The contaminated site report(s) provided to Council must be accompanied by a report summary, presenting (as a minimum) project background, scope, objectives, key issues, investigation findings, conclusions and recommendations.

Conditions that must be complied with during Subdivision Work:

8. The applicant shall not enter or undertake any work within adjoining public lands (i.e. Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of A Construction Management Plan.
- (Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land)
9. During subdivision work the person acting on this consent must ensure that:-
- (a) materials must not be burnt on the site.
 - (b) vehicles entering and leaving the site with soil or fill material must be covered.
 - (c) dust suppression measures (such as water spraying) must be carried out to minimise wind-borne emissions in addition odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.
 - (d) work should cease should prevailing wind result in dust generation that is being transported off-site.
- (Reason: To protect the environment and the amenity of the surrounding area)
10. 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 unless prior approval has been obtained

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

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

11. In the event that any objects of cultural heritage significance are unearthed outside or within the immediate areas during construction, site works must cease and the NSW Office of Environment and Heritage (OEH) EnviroLine (phone 131 555), must be informed immediately. The site is to be recorded and management strategies put in place for protection before any further work can commence in the area.

(Reason: To there is provision for the unexpected finding of objects of cultural heritage significance.)

Conditions that must be complied with prior to the issue of any strata subdivision or subdivision certificate:

12. Works-as-Executed (WAE) drawings demonstrating that all subdivision works have been completed in accordance with the approved engineering drawings shall be submitted to and approved by the Certifying Authority prior to the issue of a Subdivision Certificate for the subdivision. The WAE drawings must be certified suitably qualified and accredited civil engineer who is eligible for membership of Engineers Australia.

(Reason: To ensure subdivision works have been completed in accordance with the approved drawings.)

13. Prior to the issue of a Subdivision Certificate, the applicant shall submit to Council one set of electronic file in both Portable Document Format (.pdf) and in CAD Drawing (.dwg) format (MGA co-ordinates), of the works as executed plans for the sewer infrastructure, including man holes & connections installed.

Each sheet is to include a bar scale or scales adjacent to the title block showing the scale (the works as executed is to be scaled at 1:500) and each sheet is to be properly signed and dated by the person responsible for the carrying out of those works. Further, the works are to comply with Upper Hunter Shire Council's Engineering Guidelines for Subdivision and Development.

Note: The provision of a table on the works as executed plan which details: the distance from the centre of the downstream manhole to each sideline, house connection, and dead end; the depths to invert; and the length of such sidelines.

(Reason: So that Council may ensure that the construction is in accordance with Council's requirements.)

14. Notification of arrangements to connect services and utilities to each LOT shall be provided to the Certifying Authority with the Subdivision certificate:-

- (a) telecommunication services
- (b) electrical reticulation

All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

(Reason: To ensure adequate servicing of the development.)

15. Prior to issuing any Subdivision Certificate for the subdivision, the person acting upon this consent must apply to Upper Hunter Shire Council and receive written confirmation of the allocated street names and addresses (house number) and unit numbers for the building and any approved allotments within the completed project. These are the street names and numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2003 – Geographic information – Rural and urban addressing.

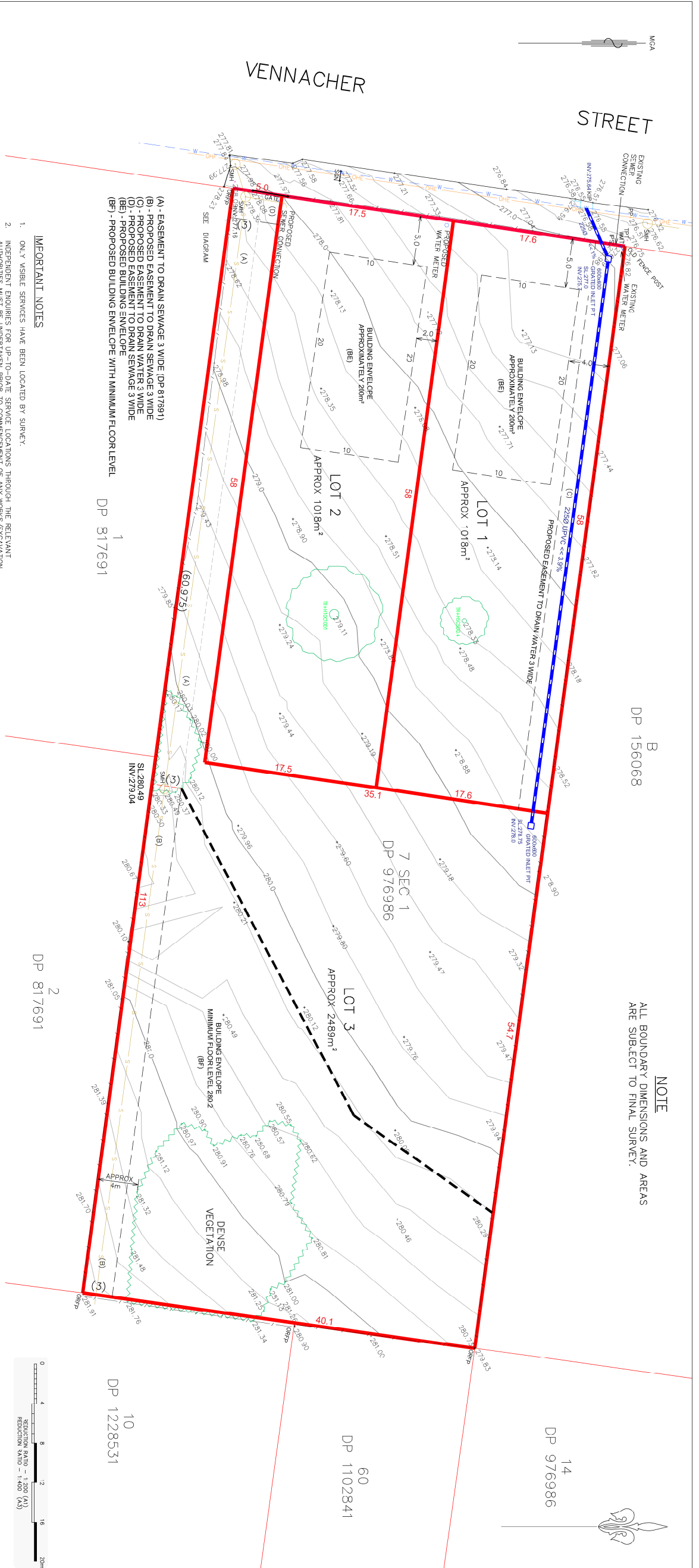
To assist Council when applying for street name and number allocations, a draft proposal for street naming and numbering within development should be submitted for concurrence to Council at an early stage of construction, as these numbers will be used to maintain Council's property and mapping database, and the proposed street names must be formally agreed and adopted by Council.

(Reason: To ensure that Council records are accurate, and that building and unit numbering complies with the requirements of Council's House Numbering Policy. Proper building and unit numbering also assists emergency services in readily locating properties.)

16. Prior to the issue of a Subdivision Certificate, the landscaping must be completed in accordance with the approved landscape plan.

(Reason: to manage the adverse impacts of two vacant lots on the streetscape.)

17. The final compliance certificate for water supply and sewerage works is to be obtained from Upper Hunter Shire Council's Water & Sewer Department and a copy must be submitted to the Principal Certifier prior to release of a Subdivision Certificate.
18. All easements, right-of-way, right-of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate are to be registered on the title of the relevant lots, naming Upper Hunter Shire Council as the sole authority empowered to release or modify the same.



NOTE
ALL BOUNDARY DIMENSIONS AND AREAS ARE SUBJECT TO FINAL SURVEY.

- (A) - EASEMENT TO DRAIN SEWAGE 3 WIDE (DP 817891)
- (B) - PROPOSED EASEMENT TO DRAIN SEWAGE 3 WIDE
- (C) - PROPOSED EASEMENT TO DRAIN WATER 3 WIDE
- (D) - PROPOSED EASEMENT TO DRAIN WATER 3 WIDE
- (E) - PROPOSED BUILDING ENVELOPE
- (F) - PROPOSED BUILDING ENVELOPE WITH MINIMUM FLOOR LEVEL

IMPORTANT NOTES

1. ONLY VISIBLE SERVICES HAVE BEEN LOCATED BY SURVEY.
2. INTERFERENT ENGINEERS FOR UP-TO-DATE SERVICE LOCATIONS THROUGHOUT THE RELEVANT EXACT SERVICE POSITIONS SHOULD BE ESTABLISHED BY APPROPRIATE MEANS, RECOMMEND PROFESSIONAL SERVICE LOCATORS.
3. THE BOUNDARIES SHOWN ON THIS PLAN ARE BASED ON OUR FIELD SURVEY, TO FORMALISE THESE DIMENSIONS, WE WOULD RECOMMEND THE PREPARATION OF A REDEFINITION PLAN, SUITABLE FOR LODGEMENT AND REGISTRATION WITH NSW LAND REGISTRY SERVICES.
4. NO FIELD SURVEY HAS BEEN UNDERTAKEN TO DETERMINE THE ACCURACY OF THE BOUNDARIES AS SHOWN, DUE TO THE AGE OR COMPLETED NATURE OF THE DEPOSITED PLANS USED, THESE DIMENSIONS COULD BE OUT OF DATE AND INCORPORATED BY MODERN STANDARDS.
5. THE TITLE TO THE SUBJECT PROPERTY IS LIMITED IN NATURE, THEREFORE SUBSEQUENT REGISTERED SURVEYS AND OCCUPATION MAY AFFECT THE BOUNDARIES SHOWN ON THIS PLAN. INVESTIGATION AND A PLAN OF REDEFINITION BE CARRIED OUT OVER THE SUBJECT PROPERTY.
6. THIS PLAN SHOULD NOT BE USED FOR BUILDING WORKS CLOSE TO OR ON THE BOUNDARY, OR TO PROSCRIBE SET-BACKS WITHOUT FURTHER SURVEY INVESTIGATION.
7. CRITICAL LEVELS (E.G. FLOOR LEVELS) AND CRITICAL LOCATIONS (E.G. STRUCTURES) THAT HAVE NOT BEEN SHOWN MUST BE VERIFIED BY FURTHER SURVEY PRIOR TO FINAL DESIGN.
8. NO EXCAVATIONS HAVE BEEN MADE TO DETERMINE THE EXTENT TO WHICH ANY SUBJECT WALLS, FOUNDATIONS OR FOOTINGS MAY ENROACH UPON ADJOINING LAND.
9. NO EXCAVATIONS HAVE BEEN MADE TO DETERMINE THE EXTENT TO WHICH ANY ADJOINING WALLS, FOUNDATIONS OR FOOTINGS MAY ENROACH UPON ADJOINING LAND.
10. ALL TREE DIMENSIONS, HEIGHT (T), CANOPY (C) AND TRUNK DIAMETER (D) HAVE BEEN ESTIMATED, IF ACCURATE DIMENSIONS ARE REQUIRED FOR DESIGN PURPOSES, FURTHER SURVEY SHOULD BE UNDERTAKEN.
11. CONTOURS SHOWN REPRESENT THE TOPOGRAPHY, CONTOURS DO NOT REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT, EXCEPT AT SPOT LEVELS SHOWN.
12. THIS PLAN MUST REMAIN UNALTERED AS ISSUED BY MONTFATH & POWERS, ALTERING ANY PART OF THIS PLAN DESTROYS THE INTEGRITY OF THE PLAN, ANY REVISIONS REQUESTED MUST BE ISSUED BY MONTFATH & POWERS.
13. THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN, REPRODUCTION OF THIS PLAN OR OF THE INFORMATION SHOWN ON SUCH REPRODUCTION INVALID AND NOT SUITABLE FOR USE.

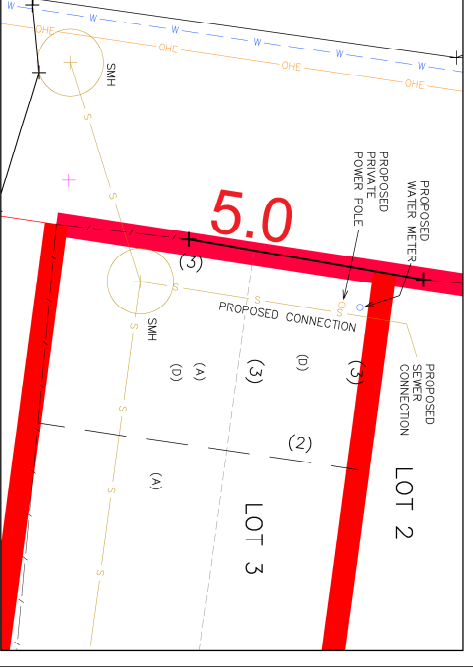


- LINE TYPES**
- OHE DENOTES CERAMIC ELECTRICITY CABLE
 - S DENOTES SEWER MAIN
 - W DENOTES WATER MAIN (OBWD)
 - D DENOTES EDGE OF TREE LINE

SURVEY INFORMATION

1. THE SURVEY IS ON GROUND CO-ORDINATES.
- MGA CO-ORDINATES: 56471, 453
- GDA 2020 ZONE 56
- SOURCE OF CO-ORDINATES: SCMS
- DATE: 03/02/2022
2. ALL REDUCED LEVELS ARE ON AUSTRALIAN HEIGHT DATUM (A.H.D)
- ORIGIN OF LEVELS: SSM 81184, R1282699
- SAID OF REDUCED LEVELS: 03/02/2022
3. CONTOUR INTERVAL IS 0.2m.
4. MGA AND ISG CO-ORDINATE SYSTEMS ARE BASED ON A MATHEMATICAL EARTH MODEL AND SUBJECT TO VARIABLE SCALE FACTORS, DISTANCES CALCULATED FROM CO-ORDINATES WILL DIFFER FROM GROUND MEASUREMENTS. IF FURTHER CLARIFICATION IS REQUIRED CONTACT MONTFATH & POWERS.

IMPORTANT NOTE
THIS PLAN IS PREPARED FOR ANVA CARRUTHERS FOR DEVELOPMENT APPLICATION PURPOSES ONLY AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. DETAIL SURVEY AND BOUNDARIES SHOWN ON THIS PLAN WERE PREPARED BY MONTFATH & POWERS. THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.



MM HYNDES BAILEY & Co.
REGISTERED SURVEYORS - TOWN PLANNING - CIVIL DESIGN
Surveying the Hunter since 1920



PLAN OF PROPOSED LOT LAYOUT AND SERVICING STRATEGY
LOT 7 SEC 1 IN DP976986
66-67 VENNACHER STREET, MERRIWA

H:SCALE	DATE	FILE
1:200 (A1)	27/04/2023	223111_SMBALBY
V:SCALE	DATE	FILE
CONTOUR INTERVAL	223111_SMBALBY	

CLIENT: ANVA CARRUTHERS

LG: UPPER HUNTER	SHEET
PARRISH: MERRIWA	1
COUNTY: BRISBANE	1
	223111

Mr Christopher Wood and Dr Natalie Gillam
69-73 Vennacher Street,
Merriwa, NSW, 2329

Dear General Manager,
Attention: Paul Smith,

Regarding: Objection to Development Application (37/2022 - 1) - Subdivision of Land - 1 Lot into 3 Lots

We are writing to oppose the development application 37/2022-1 on the grounds that it does not meet the Upper Hunter Development Control Plan 2015 - Part 3 subdivision for the following reasons.

1. Outcome C lot size, shape and orientation Zone R1 - stating *each lot within the proposal should have a minimum width of 20m at the building line*. The subdivision proposal does not meet this minimum requirement as both Lot 1 and Lot 2 in Appendix A have lot widths of 17.6m and 17.5m respectively. This requirement has not been addressed in the DA submission but clearly does not comply. The DA should not be approved on these grounds alone.
2. Outcome K access to lots from public roads. *General - all urban lots should have direct frontage to a public road and should not rely solely on an easement or right of way access. However individual applications will be considered on their merits*. We object to the creation of Lot 3 which will not have direct frontage to a public road and there are no identified merits in the creation of this Lot to consider. The creation of Lot 3 will place a dwelling with direct frontage to proposed Lots 1 and 2 and will share a boundary with no less than 7 surrounding properties if approved. This is unacceptable and obtrusive. The dwelling proposed at Lot 3 will overlook the private backyards space of six existing homes and we object to this proposal on the basis of noise and privacy. Given the higher ground level at Lot 3, the future dwelling will also have clear views into the proposed houses on Lots 1 and 2, the two existing neighbouring houses on Vennacher Street (63 and 69) and one on Collins street. In our dwelling on 69 Vennacher Street this is a direct view into bedroom and bathroom windows and our back courtyard. We do not believe the creation of Lot 3 has any merit to waive the general requirement of direct frontage to a public road included in Outcome K.
3. Outcome P- In addition, while reticulated water and stormwater drains are available on Vennacher Street, the DA has not addressed how these services will be utilised for Lot 3, particularly for stormwater, as a block at a higher ground level than the public road it is stated to drain to. The contour map suggests a ground level difference of up to 3.5m from the dwelling location to the gutter on Vennacher Street- located over 60m away in distance. Without information on stormwater runoff management from the 3 lots, and Lot 3 in particular, the DA is insufficient to identify how it meets the requirements of Outcome P - stormwater management.

We kindly request that the DA is not approved as it does not meet the UHSC development control plan requirements for subdivision. We are disappointed to see one of the last remaining large residential blocks be proposed to be subdivided in such an obtrusive and non complaint manner - to the detriment of the existing neighbours.

We would also like to note with council at this time that an electrical connection has already been installed at the site with an apparent meter/power box installed at the boundary of the proposed Lot 3. We understand that without an approved DA in place, the cost of this install is at the owners own risk.

We would also be happy to further discuss our objections with you.

Kind Regards,

Mr Christopher Wood and Dr Natalie Gillam

Mr Philip Klaunzer
2 Collins Street,
Merriwa, NSW, 2329

Dear General Manager,
Attention: Paul Smith,

Regarding: Objection to Development Application (37/2022 - 1) - Subdivision of Land - 1 Lot into 3 Lots

I write to oppose the development application 37/2022-1 on the grounds that it does not meet the Upper Hunter Development Control Plan 2015 - Part 3 subdivision for the following reasons.

1. Outcome C lot size, shape and orientation Zone R1 - stating *each lot within the proposal should have a minimum width of 20m at the building line*. The subdivision proposal does not meet this minimum requirement as both Lot 1 and Lot 2 in Appendix A have lot widths of 17.6m and 17.5m respectively. This requirement has not been addressed in the DA submission but clearly does not comply. The DA should not be approved on these grounds alone.
2. Outcome K access to lots from public roads. *General - all urban lots should have direct frontage to a public road and should not rely solely on an easement or right of way access. However individual applications will be considered on their merits.* I object to the creation of Lot 3 which will not have direct frontage to a public road and there are no identified merits in the creation of this Lot to consider. The creation of Lot 3 will place a dwelling with direct frontage to proposed Lots 1 and 2 and will share a boundary with no less than 7 surrounding properties if approved. This is unacceptable and obtrusive. The dwelling proposed at Lot 3 will overlook the private backyards space of six existing homes and we object to this proposal on the basis of noise and privacy. Given the higher ground level at Lot 3, the future dwelling will also have clear views into the proposed houses on Lots 1 and 2. It will have a clear view into our living room and kitchen windows and our back verandah in our house at 2 Collins Street as well as the two existing neighbouring houses on Vennacher Street (63 and 69). In the dwelling on 69 Vennacher Street this is a direct view into bedroom and bathroom windows and back courtyard. We do not believe the creation of Lot 3 has any merit to waive the general requirement of direct frontage to a public road included in Outcome K.
3. Outcome P- In addition, while reticulated water and stormwater drains are available on Vennacher Street, the DA has not addressed how these services will be utilised for Lot 3, particularly for stormwater, as a block at a higher ground level than the public road it is stated to drain to. The contour map suggests a ground level difference of up to 3.5m from the dwelling location to the gutter on Vennacher Street- located over 60m away in distance. Without information on stormwater runoff management from the 3 lots, and Lot 3 in particular, the DA is insufficient to identify how it meets the requirements of Outcome P - stormwater management.

I kindly request that the DA is not approved as it does not meet the UHSC development control plan requirements for subdivision. I am disappointed to see one of the last remaining large residential blocks be proposed to be subdivided in such an obtrusive and non complaint manner - to the detriment of the existing neighbours.

I would also like to note with council at this time that an electrical connection has already been installed at the site with an apparent meter/power box installed at the boundary of the proposed Lot 3. I understand that without an approved DA in place, the cost of this install is at the owners own risk.

I would also be happy to further discuss my objections with you.

Kind Regards,
Mr Philip Klaunzer

Environmental & Community Services

GENERAL ADMINISTRATION REPORTS

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

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Community Services

PURPOSE

The purpose of this report is to consider the outcome of community consultation undertaken in relation to the establishment of Return and Earn reverse vending machines (RVMs) on Council owned land in Scone and Merriwa.

RECOMMENDATION

That Council:

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

BACKGROUND

Council, at its meeting held on 24 April 2023, considered two separate reports in relation to the establishment of Return and Earn RVMs at the following locations:

- (a) Lot 21 DP 1134921, Lawrence Lane, Scone (behind the Coles Complex).
- (b) the road reserve adjoining Lot 6 DP 244849, 46 King George V Avenue, Merriwa

In relation to the Scone site, Council resolved the following:

That Council:

1. *support the establishment of a Return and Earn reverse vending machine at Lot 21 DP 1134921, Lawrence Lane, Scone (behind the Coles Complex) subject to favourable community consultation and all approvals being met.*
2. *receive a further report on the outcome of community consultation should any objections be received.*

Environmental & Community Services

In relation to the Merriwa site, Council resolved the following:

That Council:

- 1. support the establishment of a Return and Earn reverse vending machine within the road reserve adjoining Lot 6 DP 244849, 46 King George V Avenue, Merriwa subject to available funding, favourable community consultation and all approvals being met.*
- 2. receive a further report on the outcome of community consultation should any objections be received.*

REPORT/PROPOSAL

In response to community consultation, Council received 12 submissions in relation to the proposed RVM facility in Scone and 6 submissions in relation to the proposed facility in Merriwa.

A summary of the submissions received is provided in the table below:

	Score	Merriwa
Supportive of proposed location	6	3
Not supportive of proposed location	6	1
Other (question asked about change of location)	0	2
TOTAL	12	6

Merriwa

Three submissions specific to the proposed Merriwa site provided unqualified support.

One submission opposed the proposed Merriwa site and specified litter, parking, maintenance of unsealed road surface and increased traffic as negative impacts. The unavailability of an electricity connection for the proposed site was also cited as an issue. Alternative Merriwa locations suggested included “old driver reviver” site, Merriwa Showground, Merriwa Caravan Park and the “old netball courts” at the Oval.

Two (2) submissions requested further information regarding the proposal and/or raised issues for Council’s consideration.

In response to the issues raised by the Merriwa Sports Club, TOMRA has agreed to move the proposed RVM kiosk closer to King George V Avenue, while still maintaining a safe distance from the road.

Scone

Six (6) submissions specific to the proposed Scone site provided unqualified support.

Six (6) submissions opposed the proposed Scone site citing noise, litter, increased traffic, loss of parking (while Kelly Street is being upgraded) and access to property (Portman House apartments) as issues.

Environmental & Community Services

Proposed alternative locations included the:

- Basketball courts
- Golf club
- Same carpark but nearer to Kingdon St or nearer to Liverpool Street
- Carpark behind Campbells Corner
- Bill Rose Sports Complex
- White Park
- Not in CBD but on outskirts of town

In response to the issues raised by Portman House, TOMRA has agreed to move the proposed RVM kiosk further to the north, away from the entrance to Portman House, if practicable.

A summary of the issues raised in the submissions including staff responses is provided in Attachment 1.

Despite the issues raised, it is considered that the proposed locations of the facilities are suitable and any potential impacts on surrounding properties will be appropriately managed through operational measures (eg limiting hours of operation, regular site maintenance). Conditions will be included in the licence agreements to ensure that the operational measures are implemented and maintained for the term of the contract.

OPTIONS

1. Approve the installation of a Return and Earn reverse vending machine at each of the following locations:
 - (a) Lot 21 DP 1134921 and/or Lawrence Lane, Scone (behind the Coles Complex).
 - (b) the road reserve adjoining Lot 6 DP 244849, 46 King George V Avenue, Merriwa
2. Not approve the installations.

CONSULTATION

The proposals were placed on public exhibition for a period of 14 days from 22 May 2023 to 5 June 2023. Notification letters were sent directly to adjoining landowners and public notices were placed on Council's website and on social media. A total of 18 submissions were received in response to the public exhibition.

STRATEGIC LINKS

a. Community Strategic Plan 2032

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

Protected Environment

Ensuring the ongoing protection of our environment and natural resources.

- 2.1 Advocate for, facilitate and support programs that protect and sustain our diverse environment for future generations.
- 2.7 Provide efficient and effective waste and recycling services and support improved waste minimisation and recycling practices.

Environmental & Community Services

b. Delivery Program

- Services that promote community education in regard to waste reduction, reuse and recycling, including resource recovery.
- Involvement in regional initiatives for waste reduction and improved recycling and collection facilities.

c. Other Plans

Sustainability Action Plan

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

The cost of establishing the RVMs will be borne by TOMRA. TOMRA will be required to enter into licence agreements and make rental payments to Council for the use of the sites.

In relation to the Merriwa facility, TOMRA has requested that Council contribute to the project by constructing and sealing the car park, the cost of which could be in the order of \$30,000. There is currently no budget allocation for this work so it is intended to fund the work from the Merriwa Reserve Fund. The reserve fund will be reimbursed from the income generated by the licence fees.

c. Legislative Implications

The proposed facilities are exempt development pursuant to Section 2.23 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

d. Risk Implications

Nil

e. Sustainability Implications

The establishment of the proposed RVMs aligns with the principles of sustainability as it promotes recycling and the reduction of waste and litter.

f. Other Implications

Nil

CONCLUSION

In response to community consultation regarding the proposed RVMs in Merriwa and Scone, Council received a total of 18 submissions. Various concerns were raised in some of the submissions in relation to noise, access, maintenance, litter, parking and access to electricity.

Environmental & Community Services

Despite the issues raised, it is considered that the proposed locations of the facilities are suitable and any potential impacts on surrounding properties will be appropriately managed through operational measures.

The proposed facilities will promote recycling and the reduction of waste and litter in the local community and therefore should be supported.

ATTACHMENTS

- 1 [↓](#) Scone and Merriwa - Proposed Return & Earn Reverse Vending Machines - Summary of Submissions

PROPOSED TOMRA RETURN & EARN REVERSE VENDING MACHINE – MERRIWA
SUMMARY OF SUBMISSIONS

ISSUE	COMMENT DETAILS	STAFF COMMENT
Condition/ suitability of access road	The existing access road has been used for many years as an unformed car park and has not been maintained by Council. The road is likely to deteriorate with heavy Cleanaway trucks driving over it daily. Please advise whether Council's commitment includes armouring and sealing the area surrounding the RVM, as the strength of the roadway was a concern for the Cleanaway trucks emptying the kiosks.	It is noted that heavy vehicles accessing adjoining properties already use the site. Nevertheless, the road will be assessed to determine if upgrade works are required while maintenance will be undertaken as needed to ensure suitable access to the RVM and sports club at all times. Council will fund the construction and sealing of the carpark and RVM site.
Impacts on other road users	The increased heavy traffic is likely to impact the sports club if elderly patrons are not able to use the car park due to trucks being parking in the way.	Given the width of the access road, it is unlikely that patrons will be unable to access the car park.
Increased litter and rubbish at site	Rubbish and litter left behind by customers using the service will be unsightly and may be blown onto nearby golf course and bowling green. Who is responsible for cleanup and rubbish collection.	TOMRA employs contract cleaners in regional towns to ensure that kiosks are safe, clean and to a high standard for use. The frequency of these cleans can be increased based on a number of factors like volume etc however TOMRA is prepared to ensure more cleans are carried out each day from the very beginning.
Visual impacts	RVM will not fit into natural landscape. Suggest moving machine closer to the road.	TOMRA has agreed to move the RVM closer to the road, while still maintaining a safe distance from the road.
Access to power	RVM should be located where power is readily available (eg former driver reviver site, Merriwa showground, Merriwa Caravan Park),	It is standard practice for TOMRA to enter into an arrangement with the landowner or adjoining landowners in relation to accessing power. TOMRA has spent a considerable amount of time assessing sites throughout Merriwa and the current proposal is considered to be the most suitable location.
Change in location from Rotary Park	Why was the proposed location changed?	TOMRA carried out further investigations of the former driver reviver location at 48 King George V Avenue, Merriwa and its suitability for the establishment of a Return and Earn Reverse Vending Machine. A number of issues were identified in relation to the cost of development, proximity to residential properties and the access point being close to an existing intersection.

		TOMRA identified the alternative site adjoining 46 King George V Avenue, Merriwa as a safer, more cost effective and more suitable location than the former driver reviver site.
Impact on Sports Club	If the RVM cannot be relocated to the eastern boundary of the unnamed road, the armouring and sealing of the whole roadway would partially offset the inconvenience and potential property devaluation imposed upon the Sports Club.	Funds are not available to upgrade and seal the entire roadway accessing the site.
Maintenance responsibility	The responsibility for cleaning, maintenance and site management should lie with TOMRA as part of their entrepreneurial investment.	TOMRA will be responsible for cleaning, maintenance and site management. Council is simply providing the site.
Type of unit	Can Council confirm that a double unit / kiosk (S2) is to be installed?	TOMRA is proposing the larger S2 kiosk.
Frequency of emptying	Has Council been advised an estimate as to the frequency of the kiosk/s being emptied?	TOMRA estimates the frequency of emptying to be 1-2 times per week. This could fluctuate with spikes in volume.
Redemption partner	Has Council been advised whether TOMRA has secured a 'redemption partner' where payment vouchers can be redeemed?	TOMRA is currently working on securing a redemption partner in Merriwa, preferably the IGA.
Fixtures at former driver reviver site	Fixtures from the former driver reviver site have been removed from that site. We seek Council's reassurance that these assets are relocated within Merriwa for the benefit of the local community.	It is proposed to relocate the table and seats to an area in front of the silos. The portable building has been relocated to the Council depot and is being used for storage.

PROPOSED TOMRA RETURN & EARN REVERSE VENDING MACHINE – SCONE
SUMMARY OF SUBMISSIONS

ISSUE	COMMENT DETAILS	STAFF COMMENT
Noise impacts on adjoining property	Objection to proposed location due to potential noise impacts on Portman House. Suggest relocating the machine further toward Liverpool Street or Kingdon Street away from Portman House.	The site adjoins the railway line that runs directly behind Portman House. The railway line is used throughout the day and night by large coal trains that generate significant levels of noise. Portman House is already exposed to high levels of background noise from these trains and the noise levels generated by the RVM will be significantly less than the train noise. TOMRA has confirmed that it can place restricted operating hours on the kiosk of 8am – 6pm 7 days a week as well as placing servicing curfews on Cleanaway to ensure that they do not service the kiosks early in the morning or late in the evening. In addition, TOMRA has agreed to move the RVM kiosk further to the north, away from the entrance to Portman House, if practicable.
Access to adjoining properties	Those parking to use the machine are likely to adversely affect access to and egress from the rear gate of Portman House.	TOMRA has agreed to move the RVM kiosk further to the north, away from the entrance to Portman House, if practicable. There will be adequate space between the proposed RVM kiosk site and the entry to Portman House to ensure that access will not be obstructed. Signage and line marking will be provided to further minimise the potential for vehicles to park in areas that could obstruct access.
RVM location	The RVM should be located at the basketball courts or golf club and make 24/7 operation. The RVM should be located behind Campbells Corner Why can't the RVM be installed on a vacant block on the edge of town? Do not agree with proposed location in Coles car park as the area is already busy. White Park or Bill Rose Sports Complex would be more suitable.	The proposed RVM site is centrally located within Scone to provide convenient access and is in an area with plenty of car parking and activity to ensure some passive surveillance. The site is relatively flat, sealed, has access to power and is close to retail premises where vouchers can be redeemed. The alternative sites suggested do not have all of these features.
Loss of parking	The site should be left as parking until completion of the upgrade in Kelly Street.	The Kelly Street upgrade could take up to 18 months to complete. It would be undesirable to wait this long for a new RVM in Scone.

Increased litter and rubbish at site	A waste bin and Council Ranger need to be present to prevent littering and rubbish build up.	A waste bin is typically provided with the RVM kiosks. Regular cleaning and maintenance undertaken by TOMRA will ensure that any litter and rubbish is removed promptly.
Vouchers	Vouchers should be redeemable at Coles	TOMRA is currently working on securing a redemption partnership with Scone Coles.
Visual Impacts	The RVM directly at the entrance to Portman house will be unsightly and is not a good look for guests visiting Scone.	TOMRA has agreed to move the RVM kiosk further to the north, away from the entrance to Portman House, if practicable. Regular cleaning and maintenance will ensure that the RVM kiosk and surrounding area will not become unsightly.

Corporate Services

G.06.2 ***DELIVERY PROGRAM 2022/2023-2024/2025 AND
OPERATIONAL PLAN 2023/2024***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

PURPOSE

The purpose of this report is to outline the proposed amendments to the draft Delivery Program 2022/2023-2024/2025 and Operational Plan 2023/2024 in order for it to be adopted by Council.

RECOMMENDATION

That Council:

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

BACKGROUND

Local Governments in NSW are required to undertake their planning and reporting activities in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005. In 2009 the Local Government Act was amended to create an Integrated Planning and Reporting (IP&R) requirement. A greater emphasis is placed on longer term planning with key elements including a Community Strategic Plan setting out the strategic directions (minimum of 10 years), Delivery Program outlining how Council will deliver on these directions and an annual Operational Plan. As at 30 June 2012 NSW Councils are required to be working within the IP&R Framework.

The IP&R guidelines require that the Delivery Program details the principal activities to be undertaken by the Council to implement strategies established by the Community Strategic Plan. The Operational Plan details the activities to be engaged in by the Council during the year and the annual budget.

It is necessary for Council to put the draft Delivery Program and Operational Plan on public notice for a period of at least 28 days and seek submissions from the public in regard to the service activities and the proposed revenue plan. Council must take into consideration any submissions before it adopts the Delivery Program and Operational Plan for the following year.

REPORT/PROPOSAL

The Operational Plan details the activities to be undertaken by Council in 2023/2024 and the annual budget, including the 2023/2024 Fees and Charges.

On 24 April 2023 Council adopted the draft Delivery Program 2022/2023-2024/2025 and Operational Plan 2023/2024 (DPOP) for public exhibition. Public notice was made on radio, social media and on Council's website. Leaflets were placed in strategic locations frequented by residents within the Shire and available at the Community Consultation meetings. The draft Plans were placed on public exhibition from Friday, 28 April 2023 until Monday, 29 May 2023.

Corporate Services

The details of the Community engagement and consultation undertaken is detailed in the consultation section of this report.

There were 17 external submissions received direct via Council which included 15 eligible submissions, 1 not related to the DPOP and 1 late submission not considered. A workshop was held with Councillors on Wednesday, 14 June 2023 to discuss submissions and staff comments provided.

Following the review of submissions, community consultation and staff comments/corrections a number of revisions, inclusions and amendments were applied to the final DPOP.

There are three (3) attachments to this Report:

- Attachment 1: Summary of Submissions – this includes details of response, budgetary impact and/or incorporated changes.
- Attachment 2: Proposed amendments to the DPOP. This includes minor corrections and changes to fees and charges.
- Attachment 3: Summary of budget changes for DPOP. This includes proposed amendments to the budget in the DPOP.

As noted in the DPOP Budget Overview Council has highlighted the anticipated requirements to seek a Special Rate Variation (SRV) within the next 12 to 24 months. This was also flagged at the DPOP Community consultation meetings held during May 2023 through its budget presentation. Although a small sample size, the community sentiment did not overwhelmingly dismiss the possibility of the SRV. For long term financial modelling purposes Council has used the assumption of a 7.5% SRV cumulative over a 4 year period commencing from the 2025/2026 financial year. As the process involves an extensive community consultation requirement it is recommended that Council commence the initial engagement of the community to facilitate a potential application to the Independent Pricing and Regulatory Tribunal (IPART).

OPTIONS

Council is required to have an endorsed Delivery Program and Operational Plan. The options are as follows:

1. Accept the recommendation and modifications to the draft DPOP.
2. Amend the recommendation and modifications to the draft DPOP.
3. Include other modifications to the draft DPOP.

CONSULTATION

S405 of the Local Government Act 1993 requires Council to put the draft Delivery Program & Operational Plan on public exhibition for a period of at least 28 days and seek submissions from the public with regards to the exhibited documents.

The draft DPOP was placed on public exhibition between Friday, 28 April 2023 and Monday, 29 May 2023.

Corporate Services

Community engagement occurred during May 2023, with public meetings and attendance records as follows:

Location	Date	Councillor Attendance									Staff Attendance	Community Attendance
		Cr Collison	Cr Burns	Cr Campbell	Cr Clout	Cr Flaherty	Cr Mckenzie	Cr McPhee	Cr Watts	Cr Williamson		
Aberdeen	8/05/2023	✓	✗	✗	✓	✗	✗	✓	✗	✓	4	1
Cassilis	9/05/2023	✓	✓	✓	✓	✗	✗	✗	✗	✗	4	12
Merriwa	9/05/2023	✓	✓	✓	✓	✗	✗	✗	✗	✓	4	13
Scone	15/05/2023	✓	✗	✗	✗	✗	✓	✓	✓	✓	5	6
Murrurundi	17/05/2023	✗	✗	✗	✗	✗	✗	✗	✗	✓	4	11
Moonan Flat	22/05/2023	✓	✗	✗	✗	✗	✗	✗	✗	✗	3	16
		5	2	2	3	0	1	2	1	4	24	59

Council provided the community with a brochure summarising details of the budget and major projects at these meetings. All documents were available on Council's website and publicised on social media and radio.

Councillors and staff were also consulted during the process.

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

- Annual Delivery Program and Operational Plan including the Annual Budget and Revenue Policy
- Leadership that reviews Council operations and Council wide continuous service improvement

c. Other Plans

This will link directly to the IP&R Framework, as this is the Delivery Program and Operational Plan.

Council has met its requirements to date consistent with the IP&R Framework and will revise required documents as needed through this process.

Corporate Services

IMPLICATIONS

a. Policy and Procedural Implications

Council has met its requirements to date consistent with the IP&R Framework.

b. Financial Implications

Council is unable to levy rates and apply fees & charges if not resolved by Council to do so.

c. Legislative Implications

Legislative responsibilities will be met consistent with the planning and reporting activities in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005.

d. Risk Implications

Minimise risks by meeting the Integrated Planning and Reporting (IP&R) framework.

e. Sustainability Implications

The DPOP has climate change provisions consistent with what Council has endorsed and are considered adequate within our financial means. An incorporated action in the document is that Council has finalised its corporate greenhouse gas inventory which will result in detailed science based actions moving forward.

f. Other Implications

Nil

CONCLUSION

Council is required to consider submissions to the Public Exhibition of a draft Delivery Program and Operational Plan and then adopt the final documents to meet the Integrated Planning and Reporting requirements.

Submissions were reviewed by Council's Senior Manager Group with recommendations and responses to submissions provided. A Council workshop was held on 14 June 2023 to consider these recommendations and provide Councillors the opportunity to seek confirmation from staff on any matters listed.

ATTACHMENTS

- 1 [↓](#) Summary of Delivery Program and Operational Plan 2023/2024 Submissions
- 2 [↓](#) Proposed amendments to Delivery Program and Operational Plan - DPOP 2023/2024
- 3 [↓](#) Summary Budget Adjustments - DPOP 2023/2024

Summary of Delivery Program and Operational Plan Submissions

Submission No	Date of Submission	Item #	Summary of Submission	Category	Area/Road	Response to Submission
1	13-Mar-23	1	What is the plan for rehabilitation, repair and resealing of Gummun Lane, Merriwa.	Roads - Urban	Gummun Lane, Merriwa	Design and reconstruction works scheduled for FY 23/24 with budget allocation \$250,000
		2	Intersection of Gummun Lane and Scone Road, unsafe due to restricted visibility.	Roads - Urban	Gummun Lane & Scone Road, Merriwa	Design and reconstruction works scheduled for FY 23/24 with budget allocation \$250,000
2	08-May-23	1	Opposed to increase in pool fees. Feels that the fees are too expensive for families and asking for a reduction in the fees.	Fees & Charges		Pool fees have increased by a conservative CPI increment to assist with the cost of operating the pool services conducted by our contracted pool operator. A family pass at \$322.90 equates to less than \$2 per day during the pool season for a whole family. Council will round down the family pass from \$322.90 to \$320.00.
3	22-May-23	1	Request the painting of centre lines on Barton and Susan Streets to reduce speed of traffic	Traffic Safety	Barton & Susan Streets, Scone	This matter has been raised previously. The traffic volumes on Barton Street are low and do not require centre line marking.
		2	Requesting Barton and Susan Streets to have 50km/h signs @ 200m distance	Traffic Safety	Barton & Susan Streets, Scone	This is the default speed limit of the town and there is no compliance requirement to provide these road signs as per Australian Standards.
		3	Support to upgrading the gully at the northern end of Barton Street. Apparently Council is NOT applying for State Govt grants. New Development DP 230/2022 for 38 Barton Street is quoted as saying that they are to provide some money to the upgrade.	Roads - Urban	Barton Street	The upgrade of the Figtree Gully crossing in Barton Street will be considered as part of the future subdivision to the east of Scone township.
		4	Request the levelling of Stafford Street (between Birrell and Liverpool Streets). It has been on the 'May Happen List' since 2017	Roads - Urban	Stafford Street, Scone	This project is not considered high priority. It will remain on a potential projects list but is not prioritised for this DPOP
		5	Request upgrade to Barton Street kerb & gutter; corner of Birrell (southern side) and Barton (western side) Streets. The area seems to edge an area adjacent to the hospital helipad.	Kerb & Gutter	Barton & Birrell Streets, Scone	Council is aware of water flow issues in this area with investigations underway. It will remain on a potential projects list but is not high priority for 2023/24 DPOP.
		6	Items from previous DPOP submission that submitter would like answered:		Barton & Birrell Streets, Scone	Considered in items 6a to 6c
		6a	Requesting an upgrade to the Barton Street gully.	Roads - Urban	Barton Street, Scone	The upgrade of the Figtree Gully crossing in Barton Street will be considered as part of the future subdivision to the east.
		6b	Requesting replacement of the Barton/Birrell Street water pipes (number 4219). Please supply timeline for replacement and where was it in the 2022-23 budget	Water & Sewer	Barton & Birrell Streets, Scone	Barton St water distribution lines are being replaced currently (between Birrell and Susan Street). Completion is expected in early July 2023. Barton Street replacement was included in the water main replacement program, it was not a separate line item in the budget.
6c	Please supply timeline for replacement of Barton Street water pipes and where was it in the 2022-23 budget	Water & Sewer	Barton Street, Scone	Replacement due for completion in early July 2023. Barton Street replacement was included in the water main replacement program, it was not a separate line item in the budget		
4	18-May-23	1	Support for Shire initiative to build affordable housing in Scone. Feels that professionals wanting to move to the area for employment are unable to do so due to affordable housing / rental properties.	Affordable housing	Scone	Council is currently undertaking a review and update of the Upper Hunter Land Use Strategy. The updated strategy will include a Local Housing Strategy to address issues such as housing affordability. In addition, Council is seeking expressions of interest for the development of Council owned land to facilitate new housing.
5	26-May-23	1	Requesting a separate line item in the budget for the Cliftlands Road Survey & Design works starting July 2023 and also a separate line item listed for continued sourcing of grant funding or other budgetary means.	Roads - Urban	Cliftlands Road	Survey and design for Cliftlands Road commenced May 2023. Funding applications under fixing country roads & other suitable programs will continue to be submitted.
		2	Requesting a separate line item in the budget for the continuation of urgent road repairs for Muffett Street between Philip and Sherwood Streets and for continued sourcing of grant funding or other budgetary means.	Roads - Urban	Muffett Street	Council agrees with suggestion and will be included in future DPOP budget considerations beyond 2023/2024. Council will also pursue with application for grant funding opportunities to accelerate the delivery of the project.
		3	Supports the continued protection of critical industry and agricultural land within the Shire to support the wellbeing of the land, family, business, employment opportunities and the natural environment. Need to protect agriculture from land use conflicts and urban encroachment.	Development		Council has a number of strategic plans that include measures to protect critical industries and agricultural land within the Shire. Issues such as land use conflict are considered in the assessment of planning proposals and development applications where there may be an impact on agricultural land.

Submission No	Date of Submission	Item #	Summary of Submission	Category	Area/Road	Response to Submission
5		4	Opposed to the 3.7% rate rise and a further special rate variation to follow as it puts increased pressure on agriculture, small business & family budgets within the Shire.	Rates		IPART recommended increase of 3.7% is approx. 60% of the current inflation rate of 6.8%. To ensure that Council deliver the services to the community an increase in general rating income is required to meet the costs of delivering these services.
		5	Why have the Muffett Street planned road works ceased, and what is the timeframe for the remaining works to be completed? Recommendation: Are the Scone Saleyard Development Contribution Fees still available that were to be used within 5 years of the development and were to be used to upgrade Muffett Street and the owner contributions for the recent new gutter installation along the vacant blocks of Philip Street. These contributions would deliver unfinished roadworks urgently needed between Philip and Sherwood Streets.	Roads - Urban	Muffett Street	Council agrees with suggestion and will be included in future DPOP budget considerations beyond 2023/2024. Council will also pursue with application for grant funding opportunities to accelerate the delivery of the project.
		6	Why have the Cliftlands Road Survey and Design works been stalled repeatedly year after year and had previously been included in the Survey & Design Program as others that have moved forward? Funded Survey & Design work to start in the 22/23 year now planned to start in July 2023. Further completion in January 2024.	Roads - Urban	Cliftlands Road	Survey and design for Cliftlands Road commenced May 2023.
6	13-May-23	1	Request rectification of Haynes awning so footpath can be opened again within next 6 months	Footpath	Cassilis	Council is working with the property owner to rectify the Haynes awning. It is anticipated that work will commence in the coming months (subject to contractor availability).
		2	Request a footpath to connect Post Office to School	Footpath	Cassilis	Further investigations and community consultation will be undertaken for this potential project which currently is not included in the 2023/2024 DPOP and remains unfunded. Council will consult with the school and community to determine need.
		3	Request lighting / realignment of intersection of Golden Hwy & Uarby Street, Cassilis	Roads - Regional	Golden Hwy	This is a Transport for NSW (Transport for NSW) responsibility. Council has already submitted a letter to Transport for NSW in support of this project.
		4	Support of going ahead with Cassilis Sewerage System.	Water & Sewer	Cassilis	Council has undertaken a number of reviews for the project in order to deliver a suitable cost effect sewerage system for the Cassilis community. After all reviews the project still remains unaffordable without Council obtaining full grant funding for the project. A series of Sewer treatment ponds has been investigated to be the best option and the design is shovel-ready at a cost of in excess of \$5 million. Grant funding opportunities will continue to be investigated.
		5	Request more maintenance of infrastructure in Cassilis such as roads, kerb & guttering, lighting and building maintenance. Suggest for Council to use a more proactive approach to ask residents to tidy up yards to avoid fire hazards and vermin/pests living in buildings.	Infrastructure	Cassilis	Regular maintenance works to be programmed and undertaken as per 2023/24 budget allocations. Council supports residents taking a proactive approach to property maintenance.
		6	Object to the contributions from citizens of Cassilis not meeting the ratio of capital works programed to the area.	Ratio	Cassilis	Council does not distribute funds on a perceived ratio of income. This is a flawed logic and can not be sustainable. Expenditure is based on asset needs, growth and service requirements. Some years additional funds will be spent in areas where low rate income is generated and vice-versa.
		7	Object to the inequity of current DPOP with respect to citizens living west of the Krui River in the Council region. This area represents 18% of the area and contributes more than \$1m (2018/19 figures) in rates.			Majority of Council's roads infrastructure capital expenditure is reliant on grant funding received which predominantly determines the locality for delivery.
		8	Disappointed the only nominated expenditure in the DPOP was the rehabilitation of Comialla Road.			Council maintains a road priority hierarchy which determines the schedule of infrastructure works which do not receive specific capital grant funding. For the 2023/2024 year only Comialla Road was regarded as critical for capital upgrade however other roads within the Cassilis area are included in the maintenance grading program.
		9	Request more roads from west of Krui River be on the re-sheeting program.			Hampshire and Yallambie Roads are programmed for 2023/24
		10	Object to the current classification of some roads in the region. e.g.. Racecourse Road			Council reviews the road classification every 5-10 years unless there is a significant residential/ commercial development in that region. The traffic count is calculated based on annual average daily traffic and not particular to any specific event. A review of road hierarchy classification is scheduled to commence 2023/24 following completion of condition assessment and revaluation of both sealed and unsealed networks.

Submission No	Date of Submission	Item #	Summary of Submission	Category	Area/Road	Response to Submission
6		11	Requesting maintenance such as; re-sheeting, unblocking culverts, fixing of culverts with holes and maintenance grades be more frequent than every 18 months to all wet weather access roads like Racecourse & Darkwood Roads. Residents need to drive off road for oncoming traffic, dodge rocks and fix gutters themselves after rainfall.			Maintenance will be scheduled by the Works Delivery Team in FY23/24 and works to be undertaken as per program.
		12	Disappointed the Two Mile Causeway on the Llangollen Rd did not receive any allocation of money for causeway and bridge upgrades.			This will be considered in future programs
		13	Believes that Cassilis is a reasonably self-sufficient community maintaining 2 cemeteries, War Memorial Park and War Memorial Gates without Council expenditure from the DPOP	Parks & Facilities		Council appreciates any support that the community can provide to assist in maintaining the community's infrastructure. Council will continue with its normal maintenance programs throughout the 2023/2024 year.
7	28-May-23	1	Disappointed that the DPOP has already been decided before the community sessions. Consultation should be earlier in the year. For several years the Merriwa District Progress Association and ratepayers have provided feedback with absolutely no response to - and certainly no inclusion of - their suggestions or comments in the DPOP.	Community Consultation	Merriwa	Consultation occurs throughout the year through the Community Advisory Committee but most capital works are driven by asset management practices rather than community desire and wish lists. We note that the Merriwa Progress Association does not have representation on the Community Advisory Committee which is recommended. This may assist to put forward potential infrastructure works.
		2	Disappointed that none of the suggestions from the Merriwa District Progress Association consultation forum on 5 Nov 2022 were included in the DPOP. Suggestions were:			Refer below comments 2a to 2l
		2a	Request for distinctive overhead lights in the main street.	Street lighting		The Merriwa District Community Advisory Committee and Council have already agreed to under tree lighting rather than overhead lighting. Under tree lighting was requested by Merriwa District Progress Association in a letter to Council dated January 2022.
		2b	Request for the Civic Centre be painted or rendered.	Beautification		This has been considered and is not supported.
		2c	Request to paint a sepia mural on the Bow Street wall of the RSL Club	Beautification		This is a privately owned building. Council recommends that the Merriwa Progress Association approach the Merriwa RSL if they wish to pursue the request.
		2d	Request a new unit (kiosk) for street stalls.	Beautification		Council will further investigate request for a multi-purpose pop up street stall for the Merriwa community. Funding to be assessed when quotes are obtained.
		2e	Request solar powered lighting to illuminate the new mural in the Rotary playgrounds	Beautification		Community consultation will be undertaken to gauge the support for the lighting at Rotary Park with quotes to be obtained if there is positive community support for the project.
		2f	Request to beautify the Merriwa River frontage areas to make the river part of the town	Beautification		Review of suggestions by the Merriwa District Community Advisory Committee and possible grant funding solutions for the project
		2g	Request a few flower pots in the main street	Beautification		For consideration by the Merriwa District Community Advisory Committee in the overall CBD street beautification project.
		2h	Requesting exercise stopping points (with equipment) on the shared pathway.	Parks & Facilities		Exercise equipment is already along the pathway at the skatepark. Additional stopping points could be considered for future cycleway enhancements however, project not presently funded. Council will investigate possible active sports/wellbeing funding options.
		2i	Requesting a fenced -in dog park within town	Infrastructure		Council is investigating possible sites for an off-leash dog park in the Merriwa area.
		2j	Request for Council to hold more courses to improve literacy. e.g.; courses in running committees, insurance literacy, etc.	Community Services		Council will investigate through their Community Service department to advocate for the provision of courses.
2k	Request to locate defibrillators around Merriwa with 24 hour access.			Currently reviewing possible funding options for defibrillator points across all townships and village locations within the shire.		
2l	Request for more art murals and sculptures	Beautification		Council recommends that this request for more art mural and sculptures with the township should be raised at the Community Advisory Committee to provide recommendations through to Council for consideration.		

Submission No	Date of Submission	Item #	Summary of Submission	Category	Area/Road	Response to Submission
7		3a	Request the DPOP be more user friendly. DPOP document difficult to interpret by average person. Items listed are cryptic in their nature, only to be understood by the author and selected Council executive. The document is not user-friendly, and does not provide the type of useful information of most interest to residents. EG: local residents are interested to know details about local capital projects, staffing levels, assets and plant distribution across the Shire.	Communication		Enhancement and simplification of the DPOP for the end user is always in Council's objectives. Will review for 2024/25 document.
		3b	Request for more hands-on outdoor staff. MPDA considers UHSC has too many employees engaged in administrative tasks instead of providing hands-on services. Merriwa staffing numbers in road crews and parks & facilities are below traditional levels. Use of contractors for works should be limited in favour of using local Council employees where appropriate.			It would be good to have additional staff in Merriwa however reality is that Council has advertised continually for new employees based in Merriwa without any success hence the requirement for contractors to fill the void. Council remains committed to employing additional outdoor staffing in the future. It should be noted that Council seeks at all times to engage the local business operators for contract works which assist in-directly with the local economy.
		4	Request for better community consultation. The community believe the UHSC DPOP community session cannot be considered as consultation - only presentations and that Council's focus is delivering a "balanced budget". Suggest the following:	Community Consultation		Consultation occurs throughout the year at the quarterly Community Advisory Committee or when required. Most of Council's capital works programs are driven by asset management practices rather than community desire and wish lists. However, if community demand for a project is received through the yearly consultation processes of the CAC then Council will ensure that it will receive due consideration in future budget preparations. Council makes no apology for focusing on a balanced budget.
		4a	Request to develop a strategic plan to enhance employment opportunities			Further investigation and clarification required. It would be advantageous for the submitter to provide more information on the purpose, content and perceived benefit of the plan.
		4b	Request to identify potential infrastructure projects as part of a long-term strategic plan	Infrastructure		Information available in all Asset Management Plans
		4c	Request for a balanced capital expenditure across the Shire instead of in and around Scone	Ratio		Majority of Council's capital expenditure is reliant on grant funding received which determines the locality for delivery.
		4d	Request to simplify the DPOP so it can be understood easily by the ratepayers	Communication		Enhancement and simplification of the DPOP for the end user is always in Council's objectives. Will review for 2024/25 document.
		4e	Request to adopt a program of resheeting and resealing rural roads	Roads - Rural		Council has a program and this is published monthly in the Infrastructure Services Committee agenda.
		4f	Request to extend the operating hours of the Merriwa VIC to 9am to 5pm, 7 days per week.	VIC		Review of operations in currently under consideration which includes the proposed operating hours.
		4g	Request to resume using tangible communication for residents who do not use social media	Communication		Council primarily uses digital driven communication mechanisms to communicate to the community which is the most cost effective and environmentally friendly method of communication. Council will however consider an increase in the pamphlet style drops at community centres in future consultation periods.
		4h	Request to plan and construct bridges over Bow River and Kiloe Creek	Bridges	Bow River & Kiloe Creek	This forms part of the VPA with Lightsource bp.
		4i	Request for equitable upgrading of local and regional roads across the shire	Ratio		Majority of Council's roads infrastructure capital expenditure is reliant on grant funding received which predominantly determines the locality for delivery.
		4j	Request to address the apparent failure to meet Strategic Objectives listed in the DPOP			Council is not aware of any failure to meet its Strategic Objectives listed in the Delivery Program and Operational Plan.
		5	Positives:			
		5a	Supportive of the allocation of funds for maintaining essential services such as water & sewer.			Noted
		5b	Support the increase in annual contribution to the Merriwa District Progress Association towards administrative costs.			Noted
	5c	Support the allocation of \$450k for rehabilitation of Comialla Road			Noted	
	5d	Support the ongoing repairs to the Scone / Merriwa Road (Murdering Hut Gully)			Noted	

Submission No	Date of Submission	Item #	Summary of Submission	Category	Area/Road	Response to Submission
7		5e	Support the roadworks within the township of Merriwa (Gummun Lane, Bow Street, intersection of Bow Street and Sollys Lane.			Noted
		6a	Support the rehabilitation works on regional roads in the Merriwa district for the 2024/25 year (Idaville & Cullingral Roads)	Roads - Rural	Merriwa / Cassilis	Noted
		6b	Object to no budget for regional roads in the Merriwa / Cassilis district for the 2023/24 year which is in stark contrast to allocations for regional roads in the Scone district (Moonan Brook, Hunter & Moobi Roads)			MR62 Halls Creek To Murdering Hut is on the schedule of works for 2023/2024.
		7	Object to repairs to MR358 being considered 'a bonus for Merriwa'			We note that the MPA doesn't consider the major repairs to the MR358 project as a bonus to the Merriwa community.
		8	Request the project for lighting over Vennacher Street pedestrian crossing be completed ASAP. First reported to Council in 2018.			Council has been investigating options for the project over the last couple of years and will deliver the project in the 2023/2024 year.
		9	How many gravel pits were activated from the \$100k expenditure in the 2022/23 year	Gravel Pits		The funds were used for the expansion of Cuan Gravel pit
		10	Grateful for the \$200k grant Council received for Merriwa town revitalisation. Will work with Sam Wooden to scope out the project of footpath engraving and tree up lighting with advice and cooperation from Merriwa Chamber of Commerce and Merriwa CAC.			The project will be managed internal by Council Infrastructure Services Works Delivery Engineer.
		11	Supportive of the \$60k that has been taken from Merriwa Reserved Fund to go towards the Merriwa shared pathway so that residents do not have to pay the footpath contribution.	Footpath		The \$60k reduction in the Merriwa reserve fund was incorrectly included as a typographical error and should not be assumed as funding the footpath.
		12	Object to allocation of funds for the Road Safety Officer (Item 0446, Page 26). Dissatisfied with the effectiveness of this position in relation to 3 matters listed below that MDPA have lodged with Council:	Road Safety Officer		Road Safety Officer does an excellent job but they are unable to implement changes to the State Road network. See below in response to each
		12a	* Safety of pedestrians - zebra crossing over Bettington Street between Royal Hotel and VIC.	Traffic Safety	Bettington Street, Merriwa	There is a pedestrian crossing at this location. Further clarification to be obtained for what is being requested.
		12b	* Reducing the speed limit to 50km/h on the eastern approach to Merriwa on the Golden Highway (before the driver reviver)	Traffic Safety	Golden Hwy	It is Transport for NSW's responsibility to set speed limits based on factual evidences.
		12c	* Safety of pedestrians - zebra crossing over Vennacher Street - poor visibility at night.	Street lighting	Vennacher Street, Merriwa	Council has been investigating options for the project over the last couple of years and will deliver the project in the 2023/2024 year.
		13	Request for Council to consider applying for a grant to construct the additional 6 to 8 beds to make the facility more self funding.	Community Services	Gummun Place	Gummun Place already struggles to maintain 100% occupancy due to insufficient demand. Increasing the number of beds will not make the facility more self-funding.
		14	Request for Council to plan, design and budget for capital works to improve the safety of campers in the Merriwa Caravan Park. Relocate the entrance to the park into Dutton Street & erect fence on southern & eastern boundaries.	Economic Affairs	Merriwa Camping Ground	Review and consideration of suggestion will be undertaken with appropriate grant funding applications considered.
		15	Request to allocate funds for ground preparation for the Reverse Vending Machine in Merriwa	Waste Management	Reverse Vending Machine, Merriwa	Council will be funding the ground preparation for the RVM in Merriwa from the Merriwa Reserve Fund. The income generated from the licence fee will be allocated to the Reserve fund.
		16	Request for Council to begin planning for a new subdivision in Merriwa, such as that in Collins Street	Town Planning	Merriwa	Council is currently seeking expressions of interest for the development of Council owned land in Merriwa.
		17	Request for Council to reinstate the opening hours of the Merriwa VIC of 9am to 5pm seven days per week.	Economic Affairs	Merriwa VIC	Review of operations currently under consideration
		18	Can Council identify where the \$1.94M federal funded repair works will be carried out. Announced on NBN News on 3/5/2023	Infrastructure		Council has not received \$1.94M for repair works from the Federal government. Need further clarification whether it is distributed for all upper hunter councils. However, Council is undertaking other road repair works that are being programmed and managed internally. Further information on our maintenance and capital works will be available in Council and Infrastructure Committee reports.

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7		19	Request a regular public transport service between Scone and Cassilis via Merriwa. MDPA note that current bus transport connections to Merriwa offered by Sid Fogg, Osbornes and TransCare do not provide satisfactory timetables to fulfil the needs of tourist trade and backpacker workforce as they operate around school hours only.	Transport	Cassilis / Merriwa / Scone	Council has already investigated the public transport between town localities. Council's Road Safety Officer has made enquiries and identified that school buses travelling between Merriwa and Scone can be used for public transport. Any other bus transport outside those trips are at the discretion of the bus companies which are privately owned and would require constant demand to ensure that it would be economically viability.
		20	Request for Council to allocate budget for matching grant funding should installation of Cassilis Sewer Scheme go ahead.	Water & Sewer	Cassilis	The project is only affordable if full funding is received.
		21	Request for distribution of Capital Projects to be fair across all areas of the Shire. It appears heavily biased towards Scone. Allocation for MR358 should not be classed as Merriwa.	Ratio		Majority of Council's capital expenditure is reliant on grant funding received which determines the locality for delivery.
8	28-May-23	1&2	Request Council meet with Hunter New England Health to advocate for a regular podiatry service in Murrurundi. Council to be attended by one elected Councillor and a relevant staff member.	Health	Murrurundi	Council will raise this matter with Hunter New England Health.
		3	Request an upgrade to the surface of the Murrurundi Tennis Court.	Infrastructure	Murrurundi	Western outside court proposed to be upgraded to multi purpose use court. In the interim, maintenance to be undertaken under a regular program for the other two tennis courts to be funded from within current budget allocations and could be included in Youth facilities upgrade.
		4	Request Council implement the Tuning into Teens, or similar parenting program in Murrurundi with a view to expansion across the shire	Community Services		Council will investigate implementing a program.
		5	Request Council implement a parenting program for new dads in Murrurundi	Community Services		Council will investigate implementing a program.
		6	Request Council fully assist and resource an ongoing playgroup either at the Murrurundi library or another venue for parents with children 0-5 years of age should the current trial of a playgroup in the Murrurundi library be successful.	Community Services		Council will investigate implementing a program.
		7	Request the cost of programs in recommendations for 4 to 7 years, including child care where relevant be added to the existing draft budget allocation for Community Services within the draft DPOP	Community Services		Council will investigate implementing a program.
		8	Request Council budget for tree plating and maintenance of such trees along the old stock route between Murrurundi and Blandford to promote the potential of a scenic recreational walking path which can continue potentially to Wingen & beyond.	Parks & Facilities		Council does not agree to tree planting in stock route due to the existing water pipeline. Council allocates \$5,000 for community tree planting and could be planted in Council Road Reserves however it would be subject to community caring for the infant trees.
9	28-May-23	1	Request for funding of \$10k to deliver another Murrurundi Festival with the popular key components (Kite Festival & Fairy Picnic). Believe the festival in 2023 was successful and the community would benefit through the continuation of the event.	Donations		Council can assist with some grant funding applications to other bodies for the festival.
10	29-May-23	1	Opposed to the budget favouring the Scone community. The amalgamation was not to advantage one community over the other. Merriwa was not a bankrupt shire at the time.	Ratio		Amalgamation is predominantly driven by the State Government and is undertaken to provide the best outcomes for the overall community. With the amalgamation that occurred in 2004 the whole of Scone Shire Council, approx. 50% of Murrurundi Shire Council and 90% of Merriwa Shire Council were joined to form Upper Hunter Shire Council. Council does not favour one locality over the other but base decisions on the Community service requirements that is driven predominately by the population of the locality which in essence see more funds spent in the Scone locality to other localities within the Shire. With regards to capital works as highlighted in the community consultation presentations for the 2023/2024 DPOP many of these projects are grant funded and spending occurs in alignment with the grant terms.

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10		2	Opposed to Scone being considered the 'regional centre' and having the regional facilities. Merriwa should be the 'regional centre'. Scone residents can access many facilities by taking a short drive down the New England Hwy or catching a train. Merriwa occupies a strategic position on the Golden Hwy.	Deamalgamation		Although council recognises the importance of the Merriwa township linkage to the west of the State via the Golden Highway, Scone holds a strategic position along the New England Highway which links the West to the North and South of the State. In addition Scone has a substantially larger population, commercial centre and a greater number of facilities and services to meet the community needs and is considered the primary urban area in the shire. Council continues to support duplicate services at Merriwa and other centres to ensure ease of access to members of the community in these localities.
		3	Opposed to the budget. DPOP doesn't reflect the business base of the community (agriculture community). Agriculture contributes 52% of the rates collected in the shire	Ratio		It is correct Agricultural community provides a substantial portion to the General rate for Council however it also received the majority of expenditure with maintenance and renewals of the rural road networks. In addition, the farming community also benefit from the facilities and services within the townships when entering those localities for supplies and services, which also comes at a cost to Council.
		4	Request for a bus service between Scone and Merriwa and out along the Golden Hwy so that backpackers, students and travellers can access their community.	Transport	Cassilis / Merriwa / Scone	Council has already investigated the public transport between town localities. Council's Road Safety Officer has made enquiries and identified that school buses travelling between Merriwa and Scone can be used for public transport. Any other bus transport outside those trips are at the discretion of the bus companies which are privately owned and would require constant demand to ensure that it would be economically viability.
		5	Request to divert B Doubles around the town and not down the main street (Golden HIGHWAY). Merriwa runs east west and at different times of the day the many truck and car drivers who pass through Merriwa are blinded by the setting sun causing a safety hazard for pedestrians crossing the road and cars reverse parking into 45degree angle parking. Worried a B Double will miss corner and drive into caravan park.	Traffic	Merriwa	Council does not support diverting heavy vehicles onto local roads. A fully constructed bypass is the responsibility of Transport for NSW and is not a priority for them at this stage.
		6	Request for more consultation with the community (not merely quarterly with handpicked group of residents). DPOP consultation 12 months before.	Community Consultation		Council has engaged the Community Advisory Committees as a form of regular consultation with the community. These meetings are held at least quarterly with other meetings arranged as required. These meetings are open to all members of the community to attend and Council encourages attendance.
		7	What is the expected completion date for the Bow Brigade RFS fire shed? The project is taking too long.	Infrastructure	Merriwa	Council is working with the RFS to identify a new site for the Bow Brigade shed as the proposed site on the Golden Highway is not suitable.
11	26-May-23		Allan Cunningham Road:			Refer below comments 1 to 4
		1	Request for upgrade to Allan Cunningham Road: culvert crossings, pavement cracking & storm water management. Multiple road culverts have subsided causing significant dips. Whilst attempts to maintain these, defects remain and pose a hazard to traffic. Inlets and outlets require maintenance with water unable to get into or away from stormwater pipes. In rain events the intersection at Clifflands Road holds water causing one lane to be covered. Rutting in road also holds water.	Roads - Urban	Allan Cunningham Road	Maintenance program to be undertaken within 2023/24 budget allocations.
		2	Request for Allan Cunningham Road to be widened. The road does not allow two vehicles to pass safely, particularly in dealing with the school bus or garbage truck. It requires passing vehicles to drive partly on the road verge or pull over into a driveway. This act is not safe with the road having steep embankments, multiple culvert crossings and multiple driveways with culverts, all having sheer drop offs either side.	Roads - Urban	Allan Cunningham Road	Further investigations required to develop design criteria and scope of works. Survey & design plans to be developed for inclusion in future road widening priority list.
3	Request for upgrade to Cul-de-sac head on Allan Cunningham Road. The Cul-de-sac head is insufficient and does not comply with minimum standards for turning templates. Does not allow for the school bus or garbage truck to safely complete the turning manoeuvre and are currently using private driveways or grass verges to turn around.	Roads - Urban	Allan Cunningham Road	This project could be considered in a future year's budget.		

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11		4	Request to extend the water main on Allan Cunningham Road to the cul-de-sac and provide a loop for the service. The water main extends down both sides of the road but does not service the last four lots. Water NSW considers dead ends are not the best practice as they: reduce fire flows, lead to the deterioration of water quality, cause corrosion, reduce water pressure, require routine flushing operations, impact water services during main repair and maintenance works.	Water & Sewer	Allan Cunningham Road	It is Council's practice to have residents pay for the extension of the Council's water reticulation system to feed new lots which should have occurred when the cul-de-sac was created. Council has in the past consulted with the residents about extending the water main with a need for each resident to contribute. It is understood that one of six residents were willing to make a payment which was unviable. Council will reconsider extending the mains if the residents are willing to agree to pay for the water main extension. Therefore, it has not been included in any future work schedules as a priority.
12		1	Request for footpath off Graeme St (southern side) Aberdeen between Walker and Mount Streets	Footpath	Graeme Street	Currently included on the priority list for Aberdeen and included in the 2023/2024 DPOP with an estimated length of 200 metres to be delivered.
		2	Request for the beautification of St Andrews Reserve and preservation of Hunter River and surrounds in that area	Parks & Facilities	St Andrews Reserve	Council will liaise with other regulatory authorities regarding the preservation of the Hunter River along the St Andrews Reserve and surrounding areas. Regarding beautification of St Andrews Reserve Council recommends that suggestions be raised through the Community Advisory Committee for consideration.
13		1	Request for Council to advocate for improved health services in Murrurundi.	Health	Murrurundi	Council will continue to advocate for improved health services in Murrurundi.
		2	Request the cleaning of the third tennis court at Murrurundi. Feels the surface is in poor condition.	Infrastructure	Murrurundi Tennis Courts	Western outside court proposed to be upgraded to multi purpose use court. In the interim, maintenance to be undertaken under a regular program for the other two tennis courts to be funded from within current budget allocations and could be included in Youth facilities upgrade.
		3	Request for more programs for teenagers, new dads, playgroup, more input into teens, childcare and parenting programs.	Community Services		Council will investigate implementing programs.
		4	Request for more information about healthy eating and healthy living.	Community Services		Council will investigate implementing programs.
14		1	Request for funding for the Murrurundi Festival as an ongoing annual event.	Funding		Council can assist with some grant funding applications to other bodies for the festival.
15		1	Request for upgrade to Kyuga Street, Aberdeen. Drive way has been ripped up by rubbish truck. Road is too dangerous for anyone to ride a scooter on.	Roads - Urban	Kyuga Street Aberdeen	Works to be scheduled under the maintenance program.

Proposed Amendments to the Draft Delivery Program 2022/2023-2024/2025 and Operational Plan 2023/2024

An analysis of the submissions received during Public Exhibition of the Draft Delivery Program 2022/23-2024/2025 and Operational Plan 2023/2024 was carried out on the 16 external submissions and staff corrections. The proposed amendments to the draft document are detailed under the headings external submissions and staff corrections.

Please note that minor spelling and grammatical error are not listed below as these are regarded as having an immaterial impact on the intent of the document.

1. External Submissions - proposed amendments

The proposed amendments are listed below and the respective submission number they relate to:

Direct Submission

Submission 2: Proposed amendment for the annual family pass for pool season.

Amend the annual family pass for pool season in the DPOP appendix to reflect:

- Reduce proposed fee of \$325.00 to \$320.00

Submission 7: Error in reduction of Merriwa Reserve fund

Typographical error including reduction of \$60,000 in Merriwa Reserve fund.

2. Staff Change/Corrections

The staff submissions, changes and corrections are detailed below and whether they resulted in an amendment.

Revenue Policy & Fees and Charges Amendments, following review by staff

Proposed Document Amendments

Fees & Charges

Aerodrome (scone)

Shire Based Aircraft Charge

For the shire based landing fees combined the weight classes of 0-599kg together with 600-1599kg to form one overall weight class and fee structure.

Removed Shire based landing fee for aircraft with weight class of 0-599kg	\$5.00
Removed Shire based landing fee for aircraft with weight class of 600-1,599kg	\$5.00
Insert shire based landing fee for aircraft with weight class of 0-1599kg	\$5.00

Non-Shire Based Aircraft Charge

For the non-shire based landing fees combined the weight classes of 0-599kg together with 600-1599kg to form one overall weight class and fee structure.

Removed Shire based landing fee for aircraft with weight class of 0-599kg	\$10.00
Removed Shire based landing fee for aircraft with weight class of 600-1,599kg	\$10.00
Insert shire based landing fee for aircraft with weight class of 0-1599kg	\$10.00

Airport Annual Licence Agreement

Note inserted stipulating that "no additional parking fees are payable by the holder of an annual licence agreement for aircraft parked on the grassed areas"

Proposed Amendments to the Draft Delivery Program 2022/2023- 2024/2025 and Operational Plan 2023/2024 (cont.)

Certificates

Amended fee for planning certificates from \$156.00 to \$167.00

As per statutory fee advised by the Environmental Planning and Assessment Regulations 2001

Amended fee for rating certificates from \$89.50 to \$95.00

As per statutory fee advised by the Office of Local Government in circular 23-02 on 8 may 2023.

Rating Enquires

Amend overdue interest rate on rates and charges (including water usage charges) from 6.0% to 9.0%.

As per statutory fee advised by the Office of Local Government in circular 23-02 on 8 may 2023.

Saleyards

Amend the saleyard fees and charges in the DPOP appendix to reflect dissection of cattle sold fees to vendor and agent with overall fee remaining constant:

- Vendor fee to be \$17.25
- Agent fee to be \$5.25.

As per recommendation from the Scone & Upper Hunter Regional Saleyards Committee.

Childcare Services

Family Day Care Educator Remuneration

Amendments required to reflect market industry fees and omissions.

- a. Increase the minimum charge from \$8.70 to \$10.00 for the following fee categories:
 - Standard Core Hours
 - Casual Hours
 - Out of Core Hours
 - Weekend
 - Public Holiday
- b. Increase the maximum charge for Standard Core Hours from \$17.00 to \$20.00.
- c. Include missing fees for Prospective educator registration/stand-alone relief educator registration \$115.00 to \$425.00
- d. Delete Dual/relief registration as no longer required.

Early Learning Centre (ELC)

Increase daily fee charges for the following categories to reflect market industry fees:

- a. Daily Fees Nursery (Rainbows) Increased from proposed \$122.85 to \$125.00
- b. Daily Fees Pre-Kindy (Moonbeams) Increased from proposed \$118.40 to \$124.00
- c. Daily Fees Preschool (Starbrights) Increased from proposed \$104.50 to \$120.00

Proposed Amendments to the Draft Delivery Program 2022/2023-2024/2025 and Operational Plan 2023/2024 (cont.)

Development Applications

As per attached appendix 1 increase of proposed fees based on statutory increases under the Environmental Planning and Assessment Regulation 2021.

Waste Management Facilities

As per attached appendix 2 increase of proposed fees based on the statutory increases imposed by the State Government for the Waste Levy. Increase in Waste Levy per tonne from \$87.30 to \$94.00, which is an increase of \$6.70 per tonne or 7.67%.

Amended increase to fees and charges of an additional 2.00% on the conservative CPI used of approximately 5.00% in the proposed fees for 2023/2024 to recovery the increase in Waste Levy to be remitted direct to the State Government.

Revenue Policy Amendments

General Rates

Update to ad valorem values for rating classes following update of the land values.

New rating table included in Revenue Policy at Appendix 3.

Water Usage Fees

Consumption charges amended due to minor omissions and typographical errors:

Scone Abattoirs/Saleyards Fee	from n/a to \$1.76
Murrurundi Pipeline	included at \$1.30
Scone Well No.5	included at \$0.32

Sewerage User Fees

Consumption charges amended due to minor omissions and typographical errors:

Discharge fees	from \$1.15 to \$1.26
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Waste Facilities Annual Charges

Inclusion of additional waste collection annual options and typographical error:

Additional General Waste service (all towns)	from \$396 to \$166
Additional Recycling service (all town)	from \$156 to \$166
Additional FOGO service (all towns)	included at \$396
Weekly General Waste service (Scone, Merriwa & Aberdeen)	included at \$523
Weekly Recycling service (Scone, Merriwa & Aberdeen)	included at \$142
Weekly Waste Collection (Murrurundi)	included at \$1,075
Weekly Recycling Collection (Murrurundi)	included at \$620

**APPENDIX 1
UPPER HUNTER SHIRE COUNCIL
DEVELOPMENT APPLICATION
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

		Fee based on Statutory Regulations 2023/24 \$	Initial Proposed 2023/24 \$
DEVELOPMENT APPLICATIONS			
<i>(for development involving the erection of a building other than a dwelling house, the carrying out of work or the demolition of a work or a building)</i>			
Up to \$5000		138.00	129.00
\$5,000 - \$ 50,000	plus an additional \$3 for each \$1,000 (or part of \$1,000) of the estimated cost.	212.00	198.00
\$50,001 - \$250,000	plus an additional \$3.64 for each \$1,000 (or part of \$1,000) of the estimated cost.	442.00	412.00
\$ 250,001 - \$ 500,000	plus an additional \$2.34 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$250,000.	1,455.00	1,356.00
\$ 500,001 - \$ 1,000,000	plus an additional \$1.64 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$500,000.	2,190.00	2,041.00
\$ 1,000,001 - \$ 10,000,000	plus an additional \$1.44 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$1,000,000.	3,281.00	3,058.00
More than \$ 10,000,000	plus an additional \$1.19 for each \$1,000 (or part of (\$1,000) by which the estimated cost exceeds \$10,000,000.	19,917.00	18,565.00
Rainwater tanks up to 25,000 litres in capacity for existing dwellings		FREE	FREE
Department of Planning fee for DAs exceeding \$50,000			
<i>P=0.64 x E - 5 / 1,000, where P represents the \$ to be set aside, expressed in \$ rounded down to the nearest \$, and E represents the estimated cost of development expressed in \$ rounded up to the nearest thousand.</i>			
Erection of a dwelling house with an estimated value of \$100,000 or less		571.00	532.00
Other, for example, not involving the erection of a building, the carrying out of work or the subdivision of land.		357.00	333.00

**UPPER HUNTER SHIRE COUNCIL
DEVELOPMENT APPLICATION
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

		Fee based on Statutory Regulations 2023/24 \$	Initial Proposed 2023/24 \$
Advertising signs	for 1 sign only	357.00	333.00
	for each additional sign (if any)	93.00	93.00
Subdivisions/Consolidations/Boundary Adjustment			
<i>for development involving the subdivision of land</i>			
New roads		834.00	777.00
plus each additional lot		65.00	65.00
No new roads		414.00	386.00
plus each additional lot		53.00	53.00
Strata title		414.00	386.00
plus each additional lot		65.00	65.00
Advertising			
Development Application advertising/notification fee		152.50	152.50
Notice fees - when required for the development	Advertised development (Nominated intergated development, threatened species development or Class 1 aquaculture development)	1,386.00	1,292.00
	Designated development	2,785.00	2,596.00
	Prohibited development	1,386.00	1,292.00
Other development when the Community Participation Plan requires notice to be given.		1,386.00	1,292.00
In addition to any other fees payable, a maximum fee of \$1,076 is payable for designated development.		1,154.00	1,076.00
<i>Additional fee for development application that is referred to design review panel for advice.</i>		3,763.00	3,508.00
Integrated Development			

**UPPER HUNTER SHIRE COUNCIL
DEVELOPMENT APPLICATION
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

	Fee based on Statutory Regulations 2023/24 \$	Initial Proposed 2023/24 \$
Fee payable to consent authority - per approval body	176.00	164.00
Fee payable to approval body - per approval body.	401.00	374.00
Development requiring Concurrence		
Fee payable to consent authority - per concurrence authority	176.00	164.00
Fee payable to approval body - per concurrence authority	401.00	374.00
<i>What if two or more fees are applicable to a single development application? If two or more fees are applicable to a single development application (such as to subdivide land and erect a building on one or more lots created by the subdivision), the maximum fee payable for the development is the sum of those fees.</i>		
Modification of a consent for local development		
Application under s4.55 (1) EP&A Act (maximum)	89.00	83.00
Application under s4.55 (1A) or S4.56 (1) EP&A Act, \$754 or, 50% of original DA fee, whichever is the lesser	809.00	754.00
Application under s4.55(2) or s4.56(1) EP&A Act:		
(a) if the fee for the original application was less than \$100, 50 per cent of that fee, or		
(b) if the fee for the original application was \$100 or more-		

**UPPER HUNTER SHIRE COUNCIL
DEVELOPMENT APPLICATION
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

		Fee based on Statutory Regulations 2023/24 \$	Initial Proposed 2023/24 \$
(i) in the case of an application that does not involve the erection of a building, the carrying out of a work or the demolition of a work or building, 50 per cent of the fee for the original development application, and			
(ii) in the case of an application that involves the erection of a dwelling-house with an estimated cost of construction of \$100,000 or less:		238.00	222.00
(iii) In all other cases:			
Up to \$5,000		69.00	64.00
\$5,001 - \$ 250,000	plus an additional \$1.50 for each \$1,000 (or part of \$1,000) of the estimated cost	106.00	99.00
\$ 250,001 - \$ 500,000	plus an additional \$0.85 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$250,000	628.00	585.00
\$ 500,001 - \$ 1,000,000	plus an additional \$0.50 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$500,000	894.00	833.00
\$ 1,000,001 - \$ 10,000,000	plus an additional \$0.40 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$1,000,000	1,238.00	1,154.00
More than \$ 10,000,000	plus an additional \$0.27 for each \$1,000 (or part of (\$1,000) by which the estimated cost exceeds \$10,000,000	5,943.00	5,540.00
Additional fee for modification application if notice of application is required to be given under the Act, section 4.55(2) or 4.56(1)		835.00	778.00
Additional fee for modification application that is accompanied by statement of qualified designer		954.00	889.00

**UPPER HUNTER SHIRE COUNCIL
DEVELOPMENT APPLICATION
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

	Fee based on Statutory Regulations 2023/24 \$	Initial Proposed 2023/24 \$
Additional fee for modification application that is referred to design review panel for advice.	3,763.00	3,508.00
Submitting modification application under the Act, section 4.55(1A) or (2) on the NSW Planning Portal	43.00	40.00
Request for a review of a determination under Section 8.2 of the Act		
In the case of a development that does not involve the erection of a building, the carrying out of a work or the demolition of a work or building, 50% of that fee, or	50% of DA fee	50% of DA fee
In the case of a development application that involves the erection of a dwelling house of \$100,000 or less	238.00	222.00
In all other cases:		
Up to \$5000	69.00	64.00
\$5001 - \$ 250,000 plus an additional \$1.50 for each \$1,000 (or part of \$1,000) of the estimated cost	107.00	100.00
\$ 250,001 - \$ 500,000 plus an additional \$0.85 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$250,000.	628.00	585.00
\$ 500,001 - \$ 1,000,000 plus an additional \$0.50 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$500,000.	894.00	833.00
\$ 1,000,001 - \$ 10,000,000 plus an additional \$0.40 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$1m.	1,238.00	1,154.00
More than \$ 10,000,000 plus an additional \$0.27 for each \$1,000 (or part of (\$1,000) by which the estimated cost exceeds \$10m	5,943.00	5,540.00

**UPPER HUNTER SHIRE COUNCIL
DEVELOPMENT APPLICATION
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

	Fee based on Statutory Regulations 2023/24 \$	Initial Proposed 2023/24 \$
<i>NB an additional amount of not more than \$725 if notice of the application is required under s8.2 of the Act. Council will refund so much of the additional amount as is not spent in giving the notice under s8.2 of the Act.</i>		
Request for a Review of a Determination Under Section 8.2 (1)(c) of the Act		
If the estimated costs of the development is less than \$100,000	69.00	64.00
If the estimated costs of the development is \$100,000 or more and less than or equal to \$1,000,000	188.00	175.00
If the estimated costs of the development is more than \$1,000,000	313.00	292.00
Appeal against determination of modification application under the Act, section 8.9	50% of fee that was payable for the application the	50% of fee that was payable for the application the
Notice of application for review of a determination under the Act, section 8.3	778.00	725.00
Application for a site compatibility certificate under SEPP (Housing) 2021 plus an additional \$42 for each dwelling up to a maximum of \$626, including the base fee and additional fee	333.00	310.00
Application for a site compatibility certificate under SEPP (Transport and Infrastructure) 2021 plus an additional \$265 for each hectare, or part hectare, of area of land up to a maximum fee of \$626, including the base fee and additional fee	333.00	310.00
Application for site verification certificate under SEPP(Resources and Energy) 2021	4,693.00	4,375.00
Application for traffic certificate under SEPP(Transport and Infrastructure) 2021	470.00	438.00

APPENDIX 2
UPPER HUNTER SHIRE COUNCIL
WASTE MANAGEMENT FACILITY
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024

		Fee based on State Government increase in Waste Levy 2023/24 \$	Initial Proposed 2023/24 \$
RURAL WASTE DISPOSAL TICKETS - for use at Transfer Stations (Aberdeen, Cassilis, Merriwa & Murrurundi)			
Maxi Rural Waste Disposal Ticket - 52 x MGB's/Car (Vehicle A) + two trailers (Vehicle B) - domestic waste only (expires 30 June 2023)		550.00	550.00
Medium Rural Waste Disposal Ticket - 26 x MGB's/Car (Vehicle A) + one trailers (Vehicle B) - domestic waste only (expires 30 June 2023)		330.00	330.00
Mini Rural Waste Disposal Ticket -13 x MGB's/Car (Vehicle A) - domestic waste only (expires 30 June 2023)		170.00	170.00
SCONE AND ABERDEEN WASTE MANAGEMENT FACILITIES			
<i>Includes State Government Waste Levy (Waste from outside UHSC LGA will not be accepted)</i>			
Domestic and Commercial Waste	Minimum charge	10.00	10.00
	General Mixed Waste/Treated Timber	332.35	326.15
	Green Waste/Tree prunings/ Clean Untreated Timber/ ≤ Weighbridge/Per Tonne	182.45	179.05
	Clean Bricks / Tiles / Concrete	263.25	258.30
	Clean Soil	95.00	95.00
	Animals/Livestock		
	Dead Animals - Small (dog/cat)	30.20	29.65
	Dead Animals - Medium (dog/sheep/goat/pig)	50.45	49.55
	Dead Animals - Large size (horse/cattle) ONLY accepted at Aberdeen	285.20	279.85
	After Hours Callout for burial & cover	307.10	301.35
Other Wastes	Mattresses	40.00	40.00
	Refrigerators/Air-conditioners with degassing certificate	8.40	8.25
	Refrigerators/Air-conditioners with no degassing certificate	39.20	38.45
	Commercial cardboard (per Tonne)	35.00	35.00
	Solar Panel (each)	10.00	10.00
	Tyres - Car	20.00	20.00
	Tyres - 4WD/Small truck	44.80	43.95
	Tyres - Truck	67.15	65.90

**APPENDIX 2
UPPER HUNTER SHIRE COUNCIL
WASTE MANAGEMENT FACILITY
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

		Fee based on State Government increase in Waste Levy 2023/24 \$	Initial Proposed 2023/24 \$
	Tyres - Tractor (Sml. 0-1m)	111.90	109.80
	Tyres - Tractor (Lrg. 1-2m)	173.30	170.05
Asbestos	Weighbridge/Per Tonne ONLY accepted at Aberdeen	300.00	300.00
<i>Must be double wrapped and sealed, booking required</i>			
Recyclables			
	Glass/Paper/Cardboard/Plastic Bottles & Containers/Cans	FREE	FREE
	E-Waste	FREE	FREE
	Scrap Metal	FREE	FREE
	Car Bodies	FREE	FREE
	Household Hazardous Waste	FREE	FREE
	Domestic Only	FREE	FREE
	Household chemicals/paints	FREE	FREE
	Motor Oil	FREE	FREE
	Batteries	FREE	FREE
	Gas bottles/Fire extinguishers	FREE	FREE
	Drum Muster items	FREE	FREE
	Mobile phones	FREE	FREE
	Fluorescent tubes & smoke detectors	FREE	FREE
Recycled Goods Shop	Sale of Items	As marked	As marked
Food Organics & Garden Organics (FOGO) Replacements			
	Roll of compostable kitchen tidy bags	17.70	17.35
MERRIWA AND MURRURUNDI WASTE TRANSFER STATIONS			
<i>Fees charged includes State Government Waste Levy (Waste from outside UHSC LGA will not be accepted)</i>			
Domestic and Commercial Waste	A - Car/Station Wagon	17.85	17.50
	B - Van/Ute/Trailer	67.15	65.90
	MGB's - per bin	17.85	17.50
	C - Single rear axle, two rear wheels (or 4 small rear)	206.50	202.60
Green Waste/Tree prunings/Clean Untreated Timber/ Straw			

**APPENDIX 2
UPPER HUNTER SHIRE COUNCIL
WASTE MANAGEMENT FACILITY
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

		Fee based on State Government increase in Waste Levy 2023/24 \$	Initial Proposed 2023/24 \$
Clean Soil	A - Car/Station Wagon	12.40	12.15
	B - Van/Ute/Trailer	33.60	33.00
	MGB's - per bin	12.40	12.15
	C - Single rear axle, two rear wheels (or 4 small rear)	117.95	115.75
Other Wastes	A - Car/Station Wagon	7.90	7.75
	B - Van/Ute/Trailer	34.70	34.05
	MGB's - per bin	7.90	7.75
	Trucks - price on application (testing may be required)	POA	POA
	Mattresses	53.25	40.00
	Refrigerators/Air-conditioners with degassing certificate	8.40	8.25
	Refrigerators/Air-conditioners with no degassing certificate	39.50	38.45
	Tyres - Car	28.00	20.00
	Tyres - 4WD/Small truck	44.80	43.95
	Tyres - Truck	67.15	65.90
Recyclables	Tyres - Tractor (Sml. 0-1m)	112.50	109.80
	Tyres - Tractor (Lrg. 1-2m)	173.30	170.05
	Glass/Paper/Cardboard/Plastic Bottles & Containers/Cans	FREE	FREE
	E-Waste	FREE	FREE
	Scrap Metal	FREE	FREE
	Car Bodies	FREE	FREE
	Houshold Hazardous Waste Domestic Only	FREE	FREE
	Household chemicals/paints	FREE	FREE
	Motor Oil	FREE	FREE
	Batteries	FREE	FREE
Gas bottles/Fire extinguishers	FREE	FREE	

**APPENDIX 2
UPPER HUNTER SHIRE COUNCIL
WASTE MANAGEMENT FACILITY
AMENDED FEES AND CHARGES SCHEDULE
1 JULY 2023 TO 30 JUNE 2024**

		Fee based on State Government increase in Waste Levy 2023/24 \$	Initial Proposed 2023/24 \$
	Drum Muster items	FREE	FREE
	Mobile phones	FREE	FREE
	Fluorescent tubes & smoke detectors	FREE	FREE
Recycled Goods Shop	Sale of Items	As marked	As marked
CASSILIS WASTE TRANSFER STATION			
<i>Domestic Waste Only with other types of waste not accepted at Cassilis Waste Transfer Station. Fees charged includes State Government Waste Levy (Waste from outside UHSC LGA will not be accepted)</i>			
Domestic Waste	A - Car/Station Wagon	17.90	17.50
	B - Van/Ute/Trailer	67.20	65.90
	MGB's - per bin	17.90	17.50
Green Waste/Tree prunings/Clean Untreated Timber/ Straw	A - Car/Station Wagon	12.40	12.15
	B - Van/Ute/Trailer	33.60	33.00
	MGB's - per bin	12.40	12.15
Recyclables	Glass/Paper/Cardboard/Plastic Bottles & Containers/Cans	FREE	FREE
	Scrap Metal (when advertising)	FREE	FREE

**APPENDIX 3
UPPER HUNTER SHIRE COUNCIL
GENERAL RATES REVENUE
RE-MODELLING AMENDMENT AFTER LAND VALUE RECONCILIATION
1 JULY 2023 TO 30 JUNE 2024**

Proposed 2023/2024				SUB-CATEGORY	CATEGORY	Revised 2023/2024			
RATE (CENTS IN THE \$)	BASE RATE \$	ESTIMATED YIELD	% YIELD			RATE (CENTS IN THE \$)	BASE RATE	ESTIMATED YIELD	% YIELD
0.0020390	100	6,405,071	51.80		Farmland	0.0020388	100	6,406,282	51.77
0.0033055	200	523,016	4.23	Aberdeen	Residential	0.0033104	200	523,049	4.23
0.0053979	200	26,865	0.22	Cassilis		0.0055710	200	26,652	0.22
0.0036025	200	332,230	2.69	Merrriwa		0.0036099	200	332,017	2.68
0.0027685	200	295,580	2.39	Murrurundi		0.0027770	200	295,847	2.39
0.0044585	200	2,530,814	20.47	Scone		0.0044610	200	2,529,799	20.44
0.0027100	200	1,287,207	10.41	Ordinary		0.0027090	200	1,291,174	10.43
0.0045130	200	44,921	0.36	Aberdeen	Business	0.0045125	200	44,917	0.36
0.0045059	200	45,742	0.37	Merrriwa		0.0045053	200	45,737	0.37
0.0032946	200	34,924	0.28	Murrurundi		0.0032942	200	34,921	0.28
0.0061740	200	452,687	3.66	Scone		0.0062170	200	457,472	3.70
0.0025832	200	245,870	1.99	Ordinary		0.0025835	200	247,358	2.00
0.0033055	200	472	0.00	Aberdeen		0.0033104	200	472	0.00
0.0036025	200	407	0.00	Merrriwa	Mixed Residential	0.0036099	200	407	0.00
0.0027685	200	389	0.00	Murrurundi		0.0027770	200	389	0.00
0.0044585	200	-	0.00	Scone		0.0044610	200	-	0.00
0.0045130	200	687	0.01	Aberdeen		0.0045125	200	687	0.02
0.0045059	200	543	0.00	Merrriwa	Mixed Business	0.0045053	200	543	0.00
0.0032946	200	381	0.00	Murrurundi		0.0032942	200	381	0.00
0.0061740	200	-	0.00	Scone		0.0062170	200	-	0.00
0.0056884	200	137,290	1.11			Mining	0.0056877	200	137,274
Total Estimated Notional Yield - \$12,365,096						Total Estimated Notional Yield - \$12,375,378			

Summary of Budget Changes to Delivery and Operational Plan

Budget Movements	Reason	Year			
		23/24	24/25	25/26	25/26
GENERAL FUND					
	Net (Surplus) Deficiency as per draft DPOP on Public Exhibition	(1,211)	9	2,453	1,217
Rate, Grant & Interest Income - Financial Assistance Grant	Prepaid 100% of 2023/2024 Funding Allocation	3,831,286			
Rates, Grant & Interest Income - Transfer from FAG RA	Prepaid 100% of 2023/24 Funding Allocation	(3,831,286)			
Rate, Grant & Interest Income - Financial Assistance Grant	Prepaid 50% of 2024/25 to 2026/27 Funding Allocation	(1,992,268)	(76,692)	(72,518)	(75,057)
Rates, Grant & Interest Income - Transfer to FAG RA	Prepaid 50% of 2024/25 to 2026/27 Funding Allocation	1,992,268	76,692	72,518	70,057
Roads - Grants - Financial Assistance Grant	Prepaid 100% of 2023/2024 Funding Allocation	2,379,911			
Roads - Transfer from FAG RA	Prepaid 100% of 2023/24 Funding Allocation	(2,379,911)			
Roads - Grants - Financial Assistance Grant	Prepaid 50% of 2024/25 to 2026/27 Funding Allocation	(1,237,553)	(49,503)	(45,048)	(46,623)
Roads - Transfer to FAG RA	Prepaid 50% of 2024/25 to 2026/27 Funding Allocation	1,237,553	49,503	45,048	46,623
Rate, Grant & Interest Income - Interest Received	Increase in investment & Overdue interest rates %	(56,000)	(56,500)	(57,000)	(57,500)
Councillor Allowances	Increase in allowances per Local Government Remuneration Tribunal Annual Determination	56,000	56,500	57,000	57,500
Footpaths - Capital Works - Graeme St Aberdeen	Identified Capital Works Project	120,000			
Footpaths - Capital Works - Extension of Footpath/Cycleway	Identified Capital Works Project	(120,000)			
Local Roads - Main Street Scone Reconstruction	New project post Kelly Street revitalisation		250,000	250,000	
Local Roads - Roads to Recovery project	New project post Kelly Street revitalisation		(250,000)	(250,000)	
Regional Roads - Capital Works - Coulsens Creek Rehab	Adjust timing of project delivery	(10,000,000)	5,000,000	5,000,000	
Regional Roads - Capital Grand Funding	Adjust timing of project delivery	10,000,000	(5,000,000)	(5,000,000)	
	Net (Surplus) Deficiency of Final DPOP	(1,211)	9	2,453	(3,783)
SEWER FUND					
	Net (Surplus) Deficiency as per draft DPOP on Public Exhibition	0	0	0	0
	No Amendments Required				
	Net (Surplus) Deficiency of Final DPOP	0	0	0	0
WATER FUND					
	Net (Surplus) Deficiency as per draft DPOP on Public Exhibition	0	0	0	0
	No Amendments Required				
	Net (Surplus) Deficiency of Final DPOP	0	0	0	0

Corporate Services

G.06.3 MAKING THE RATES AND ANNUAL CHARGES 2023/2024

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

PURPOSE

The Delivery Program & Operational Plan for 2023/2024 adopted by Council incorporates the rates and annual charges that are proposed to be levied for the year commencing 1 July 2023. Council has a statutory requirement to separately adopt the making of the rates and annual charges following the adoption of the Delivery Program & Operational Plan.

RECOMMENDATION

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

1. Rates

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

Category	Sub Category	Ad-valorem Amount Cents in \$	Base Rate \$
Farmland		0.0020388	100.00
Residential	Aberdeen	0.0033055	200.00
	Cassilis	0.0055710	200.00
	Merriwa	0.0036099	200.00
	Murrurundi	0.0027770	200.00
	Scone	0.0044610	200.00
	Ordinary	0.0027090	200.00
Business	Aberdeen	0.0045125	200.00
	Merriwa	0.0045053	200.00
	Murrurundi	0.0032942	200.00
	Scone	0.0062170	200.00
	Ordinary	0.0025835	200.00
Mixed Development Residential	Aberdeen	0.0033104	200.00
	Merriwa	0.0036099	200.00
	Murrurundi	0.0027770	200.00
	Scone	0.0044610	200.00
Mixed Development Business	Aberdeen	0.0045125	200.00
	Merriwa	0.0045053	200.00
	Murrurundi	0.0032942	200.00
	Scone	0.0062170	200.00
Mining		0.0056877	200.00

Corporate Services

2. Water Charges

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

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

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

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

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

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

Corporate Services

3. Sewer

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

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

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

i) Residential Sewer Charges

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

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

ii) Non-Residential Sewerage Charges

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

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

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

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

Corporate Services

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

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

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

iii) Capital Contributions

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

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

iv) Trade Waste Charges

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

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

4. Waste Charges

Domestic Waste Management Charges

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

Corporate Services

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

*Minimum 15 bins required to implement service

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

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

Non-Domestic Waste Management Charges

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

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

Corporate Services

*Minimum 15 bins required to implement service

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

Waste Facility Contribution

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

Waste Facility Contribution	
Waste Facility Contribution	\$55.00

Stormwater Management Services Charges

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

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

Onsite Sewage Management System – Approval to Operate Fee

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

Onsite Sewage Management Charge per assessment	\$72.00
--	---------

Interest on Overdue rates and Charges

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

Corporate Services

Hunter Local Land Services

Council in accordance with Clauses 36 and 40, Part 4, of the Local Land Services Regulation 2014 and as advised by Hunter Local Land Services, levy a Hunter Catchment Contribution in 2023/2024 financial year a rate of 0.01046 (zero point zero one zero four six) of a cent in the dollar on the current land value of the land within the Council area. By virtue of these provisions Council is authorised, empowered and required to levy the said Catchment contribution on the land.

BACKGROUND

The Delivery Program & Operational Plan for the period 1 July 2023 to 30 June 2024 incorporates the revenue policies for rates and charges to be levied for the 2023/2024 financial year. Council is required to separately make the rates and charges for the financial year commencing 1 July 2023 in accordance with Sections 497, 498, 499, 534, 535, 538 & 548 of the Local Government Act 1993.

REPORT/PROPOSAL

Council's Delivery Program & Operational Plan for 2023/2024 financial year which includes the budget and revenue statements for both ordinary and special rates and annual charges to be levied, was resolved to be placed on public exhibition by Council at its ordinary meeting on 24 April 2023 and following public submissions and review by Council was adopted on 26 June 2023.

In accordance with Sections 497, 498, 499, 534, 535, 538 & 548 of the Local Government Act 1993, Council is required to make the rates and charges for the financial year commencing 1 July 2023.

Extracts of the relevant sections of the Act are reproduced below for Councils information.

Section 497 What is the structure of a rate?

A rate, whether an ordinary rate or a special rate, may, at a council's discretion, consist of:

- (a) an ad valorem amount (which may, in accordance with section 548, be subject to a minimum amount of the rate), or*
- (b) a base amount to which an ad valorem amount is added.*

Section 498 The ad valorem amount

- (1) The ad valorem amount of a rate is an amount in the dollar determined for a specified year by the council and expressed to apply:
 - (a) in the case of an ordinary rate--to the land value of all rateable land in the council's area within the category or sub-category of the ordinary rate, or*
 - (b) in the case of a special rate--to the land value of all rateable land in the council's area or such of that rateable land as is specified by the council in accordance with section 538.**
- (2) The ad valorem amount of a rate is to be levied on the land value of rateable land, except as provided by this or any other Act.*

Corporate Services

- (3) *An ad valorem amount specified for a parcel of land may not differ from an ad valorem amount specified for any other parcel of land within the same category or subcategory unless:*
- (a) *the land values of the parcels were last determined by reference to different base dates, and*
 - (b) *the Minister approves the different ad valorem amounts.*

Section 499 The base amount

- (1) *A council may, in a resolution making a rate, specify a base amount of the rate, or a base amount for a category or sub-category of an ordinary rate.*
- (2) *The base amounts so specified may be the same or different amounts.*
- (3) *The appropriate base amount so specified is to form part of the rate levied on each separate parcel of rateable land subject to the rate.*
- (4) *A base amount specified for a parcel of land may not differ from a base amount specified for any other parcel of land within the same category or subcategory unless:*
- (a) *the land values of the parcels were last determined by reference to different base dates, and*
 - (b) *the Minister approves the different base amounts.*

Section 534 Rate or charge to be made for a specified year

Each rate or charge is to be made for a specified year, being the year in which the rate or charge is made or the next year.

Section 535 Rate or charge to be made by resolution

A rate or charge is made by resolution of the Council.

Section 538 Form of resolution for special rate

- (1) *In the resolution that makes a special rate, the council must state whether the special rate is to be levied on all rateable land in the council's area or on only a part of that land.*
- (2) *If the special rate is to be levied on only a part of that land, the council must specify in the resolution the part on which it is to be levied.*

OPTIONS

Council's ordinary rates and annual charges that have been included in this report are made following the adoption by Council of its Delivery Program & Operational Plan 2023/2024 on 26 June 2023.

These ordinary rates and charges are in accordance with Council's Revenue Policy which have been discussed and consulted with the Councillors and the Community before finalisation of the adopted Delivery Program & Operational Plan 2023/2024 on 26 June 2023.

As the making of the rates and annual charges are a legislative requirement adoption of this report is required.

Corporate Services

If Council has resolved to alter any of the advertised Ordinary and Special Rates and Annual Charges, then the appropriate change to the rate or charge will need to be adopted prior to making the rate.

CONSULTATION

- Councillors
- General Manager
- Directors
- Managers
- Community

STRATEGIC LINKS

a. Community Strategic Plan 2027

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.
- 5.3 Effective financial and asset management to ensure Council's long-term sustainability.

b. Delivery Program

- Effective and efficient statutory reporting systems
- Reporting systems to ensure "Fit for the Future" benchmarks and any improvement program instigated are maintained for Council's financial sustainability

c. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

The Delivery Program & Operational Plan adopted on 26 June 2023 included budgetary allocations for financial year 2023/2024 and the levying of rates and charges provides a significant portion of the required funds for Council's operations. Delay in making of the rates will provide significant cashflow pressure on Council's finances.

c. Legislative Implications

The making of the rates and charges for the year commencing 1 July 2023 satisfies legislative obligations under Sections 534, 535, 538 & 548 of the Local Government Act 1993.



Corporate Services

d. Risk Implications

There is a financial risk Council does not adopt this report as Council has already approved the Delivery Program & Operational Plan 2023/2024. Levying of the rates for the financial year 2023/2024 has been included in its budgetary calculations which form a significant portion of Council's revenues which, with the resolution of Council to 'make the rates' for the financial year 2023/2024 crystalizes.

e. Sustainability

Nil

f. Other Implications

Not applicable

CONCLUSION

The making of the rates and annual charges for the financial year commencing 1 July 2023 satisfies legislative obligations under Sections 534, 535, 538 & 548 of the Local Government Act 1993 and ensures Council's rates levied in 2023/24 are legally raised and issued.

ATTACHMENTS

Nil.

Corporate Services

G.06.4 ***DETERMINATION OF MAYOR AND COUNCILLOR FEES FOR 2023/2024***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

PURPOSE

To fix the mayor and councillor fees for the 2023/2024 financial year.

RECOMMENDATION

That Council:

1. fix the councillor fee for 2023/2024 financial year at \$17,680;
2. fix the mayoral fee for 2023/2024 financial year at \$37,925 in addition to the councillor fee noted in point 1; and,
3. pay superannuation on the mayoral and councillor fees set in accordance with the Superannuation Guarantee (Administration) Act 1992.

BACKGROUND

Section 241 of the Local Government Act 1993 (the Act) requires that the Local Government Remuneration Tribunal (the Tribunal) make an annual determination regarding the minimum and maximum fees that apply to mayors and councillors of NSW general purpose and county councils.

Under sections 248 and 249 of the Act, Council must either fix an annual fee in accordance with the Tribunal's determination, or pay the appropriate minimum fees as determined by the Tribunal.

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review. Accordingly, the revised categories of general purposes councils are determined as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

Upper Hunter Shire Council has been classified by the Tribunal as "Rural - Large" which is described as follows:

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Corporate Services

Other features may include:

- **one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre**
- **a limited range of services, facilities and employment opportunities compared to Regional Rural councils**
- **local economies based on agricultural/resource industries.**

REPORT/PROPOSAL

The Local Government Remuneration Tribunal released its annual determination of the minimum and maximum fees that apply to Mayors and Councillors (Attachment 1). The Tribunal determined a 3.0% increase in the minimum and maximum fees applicable to each category.

For the new categories, the Tribunal has determined fees having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils are recategorised into a higher existing category or placed in a new category. The Upper Hunter Shire was listed in the new Category "Rural – Large" from the previous "Rural" categorisation.

The effect of this reclassification results in an increase to the maximum fee for Councillors and Mayoral allowance higher than the 3.0%. The actual increase in maximum fees from those in the 2022/2023 year equates to Councillors 39.76% and Mayor 37.41%. For reference purposes the below table shows the annual fees for both Rural and Rural Large councils commencing 1 July 2023.

The 2023/2024 determination applicable to Upper Hunter Shire Council is:

Category	Councillor annual fee		Mayor additional fee	
	Minimum	Maximum	Minimum	Maximum
Rural	\$9,850	\$13,030	\$10,490	\$28,430
Rural Large	\$9,850	\$17,680	\$15,735	\$37,925

Payment of superannuation for Mayors and Councillors is in accordance with Section 254B of the legislation and is not compulsory, therefore a resolution of Council is required for the continuation of payment.

The level of Superannuation payable will be per the Superannuation Guarantee (Administration) Act 1992 of 11.0% for the 2023/2024 financial year.

OPTIONS

1. That Council accept the recommended annual fees for the mayor and councillors in accordance with the determination of the Tribunal.
2. That Council accept the recommendation to pay Superannuation as per the Superannuation Guarantee (Administration) Act 1992.
3. That Council not accept the recommended annual fees for the mayor and councillors and determine another fee (the minimum fee determined by the Tribunal will apply)
4. That Council opt to not pay Superannuation as per the Superannuation Guarantee (Administration) Act 1992.

Corporate Services

CONSULTATION

The Local Government Remuneration Tribunal contacted all councils in December 2022 inviting submissions to inform the determination. Upper Hunter Shire Council did not make any submission.

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

- Reporting systems to ensure "Fit for the Future" benchmarks and any improvement program instigated are maintained for Council's financial sustainability

c. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

The draft 2023/2024 budget has adequate funds allocated for the maximum councillor and mayor fees.

c. Legislative Implications

The Annual Report and Determination of the Local Government Remuneration Tribunal (Attachment A1) is made in accordance with sections 239 and 241 of the Act.

Section 248 of the Local Government Act states:

248 Fixing and payment of annual fees for councillors

(1) A council must pay each councillor an annual fee.

(2) A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.

(3) The annual fee so fixed must be the same for each councillor.

(4) A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.

Corporate Services

Section 249 of the Local Government Act states:

249 Fixing and payment of annual fees for the mayor

- (1) A council must pay the mayor an annual fee.*
- (2) The annual fee must be paid in addition to the fee paid to the mayor as a councillor.*
- (3) A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (4) A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*
- (5) A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.*

d. Risk Implications

Nil.

e. Sustainability Implications

N/A

f. Other Implications

Nil.

CONCLUSION

The Local Government Remuneration Tribunal has released its annual determination of the minimum and maximum fees that apply to mayors and councillors in 2023/2024.

Council is required to fix an annual fee in accordance with the Tribunal's determination, or pay the appropriate minimum fees as determined by the Tribunal.

ATTACHMENTS

- [1↓](#) 2023/2024 Local Government Remuneration Tribunal Annual Determination of Mayor and Councillor Fees

**Local Government
Remuneration Tribunal**

Annual Determination

Report and determination under sections
239 and 241 of the Local Government Act
1993

27 April 2023



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Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.

In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review.

Accordingly, the revised categories of general purposes councils are determined as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural



Fees

The Tribunal determined a 3 per cent per annum increase in the minimum and maximum fees applicable to each category.

For the new categories, the Tribunal has determined fees having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils are recategorised into a higher existing category or placed in a new category.

Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2020.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. Natural disasters have a significant impact on the way mayors in particular work. There is an increase on time demands from the community, and media during these events as well as an increase in workloads. Whilst it is worth noting these issues, it is not within the Tribunal's authority to determine additional remuneration in recognition of the increasing demands on a mayor's time for these events.
6. The Tribunal's determination takes effect from 1 July each year.

Section 2 – 2022 Determination

7. In 2022, the Tribunal received eight (8) submissions, which included five (5) requests for recategorisation. Three of these requests sought the creation of new categories.
8. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate but noted that some councils may have a case for recategorisation at the next major review of categories in 2023.
9. The Tribunal determined that fees would increase 2 per cent in the minimum and maximum fees applicable to each category from 1 July 2022.

Section 3 – 2023 Review

2023 Process

10. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees, categorisation and any other general matters. The invitation noted that it is expected that submissions are endorsed by the respective council.
11. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
12. The Tribunal received 18 written submissions, of which 15 were from individual councils, 1 submission from LGNSW, 1 from Australian National University academic, Associate Professor Tanya Jakimow, and 1 from the United Services Union (USU).
13. The Tribunal notes that 12 of the 15 council submissions were endorsed by the representative councils.
14. The Tribunal acknowledges and thanks all parties for their submissions.
15. Noting its comments in its reports of 2021 and 2022, the Tribunal met Central NSW Joint Organisation member representatives in Orange, and Far South West Joint Organisation member representatives in Broken Hill. The Tribunal also gave an overview of its work to a meeting of the Country Mayors' Association in Newcastle. While in Broken Hill the Tribunal met with LGNSW representatives.
16. The Tribunal and Assessors met as required to discuss submissions, review category criteria and allocation of councils

Categories

17. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years. The Tribunal last reviewed the categories in 2020.
18. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in Section 240 of the LG Act:
- *the size of areas;*
 - *the physical terrain of areas;*
 - *the population of areas and the distribution of the population;*
 - *the nature and volume of business dealt with by each council;*
 - *the nature and extent of the development of areas;*
 - *the diversity of communities served;*
 - *the regional, national and international significance of the council;*
 - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
 - *such other matters as may be prescribed by the regulations.*
19. The 2020 Determination established the following categories:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Large	Regional Strategic Area
Metropolitan Medium	Regional Centre

Metropolitan Small	Regional Rural
	Rural

20. For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.
21. The Tribunal examined statistical and demographical data, with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data).
22. Having regard to section 239 of the LG Act, information examined and provided through submissions, the Tribunal has determined the categories of general purpose councils as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

23. In reviewing the current model, the Tribunal sought to improve consistency of criteria.
24. In examining the criteria for each of the categories, the Tribunal is of the view that non-resident population criteria should also be included for consistency in the following categories:

- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural

25. Three (3) councils will be reclassified as a result of meeting criteria thresholds into an existing category.
26. The Tribunal has determined the creation of two (2) new categories, being Metropolitan Major and Rural Large.
27. In determining the 2 new categories the Tribunal gave significant consideration to section 239 of the LG Act, statistical data, the existing categories and relativities between each category.
28. It was determined that the existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal also examined a range of data that it believes goes to the delivery of efficient and effective local government.
29. Hence a new category Rural Large is created. The determination is amended to reflect the new category and criteria that includes a population greater than ten thousand, and a councillor to resident ratio of 1 to 1200. The Tribunal notes there are a number of Rural councils on the cusp of this new category.
30. The revised category also shows more clearly the differences for large rural and remote councils. It is becoming apparent these councils require

different considerations regarding the role Mayors and Councillors in servicing the community across such large distances.

31. Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap.
32. The determination is amended to reflect a new category, Metropolitan Major, with a population criteria threshold of 400,000 (including non-resident).
33. Accordingly, the Tribunal has identified a number of councils that will be recategorised into these new categories.
34. Given the relativities in population threshold criteria, the Tribunal is of the view that the population criteria for Regional Strategic Area be adjusted from 200,00 down to 100,000.
35. As a result, three (3) councils will be reclassified as Regional Strategic.
36. Whilst the Tribunal did explore additional criteria points that may go to efficient and effective local government, within the bounds of statutory provisions no further changes to the criteria could be determined in this review.
37. The category County Councils remain unchanged, retaining the categories of Water and Other.

38. **Appendix 1 Criteria that apply to categories** has been amended to reflect changes outlined above.

Submissions Received – Categorisation

39. Nine (9) submissions received from councils requested recategorisation and five (5) of these requested the creation of new categories.
40. A summary of matters raised in submissions and the Tribunal's consideration of those matters is outlined below

Request for New Categories

41. Requests were received for the creation of new categories namely, Metropolitan Large Growth Area, Metropolitan Major, Metropolitan Medium Growth and Regional Growth.
42. Blacktown City Council again requested the creation of a new category, Metropolitan Large - Growth Area. Council stated its current categorisation in Metropolitan Large "*does not reflect the complexities of servicing their rapid rate of growth and economic influence*".
43. Blacktown City Council contends that a new category would allow a criteria to be set that reflects:
- Size
 - Rate of growth
 - Economic influence
 - Operational budget

- Complexities of remaining financially sustainable whilst maintaining services and providing new infrastructure

44. Penrith Council reiterated previous submissions, again requesting the creation of a new category, Metropolitan Large Growth Centre. Council argues they are unique compared to other similar sized councils, providing significant regional services to Greater Western Sydney.

45. Penrith Council contends its claim for creation and inclusion in a new category is enhanced through their leading role in the region demonstrating the exponential growth that will occur in the Penrith Local Government area. Council submits they are playing a leading role in several significant city-shaping projects and initiatives such as:

- Western Sydney Airport
- Western Sydney Priority Growth Area
- Penrith Health and Education Precinct
- The Greater Sydney Commission District planning process
- National Growth Areas Alliance
- Sydney Science Park
- Defence Industries Precinct and
- South Creek Corridor

46. While the Tribunal understands that areas of Western Sydney are developing rapidly, not least with the new airport and associated infrastructure it is not persuaded to create a new category, Metropolitan Large - Growth Area/Centre. These councils are experiencing growth and will in the future have populations of residents and non-residents that meet the thresholds for recategorisation. It is not within the Tribunal's legislative

remit to anticipate growth. However as dealt with earlier in this determination, the Tribunal acknowledges the need for a new Metropolitan category to reflect increasing population and bridge gap between current categories, Metropolitan Large and Major CBD.

47. Canterbury Bankstown Council proposed the creation of a new category, Metropolitan Major, that would sit in between current category of Metropolitan Large and Major CBD.
48. Council based its argument for a new category on the following grounds:
 - Categories need to have consistent criteria
 - A new category of Metropolitan Major would capture increased population and workloads post amalgamation process
 - New criteria should be based on population size and councillor to resident ratio
 - Councils size, with a current population of 372,322 across five wards
 - Population and distribution of population
 - Councils' area and physical terrain
 - Diversity of communities served
 - Nature and volume of business dealt with by Council
49. Council proposed a new criteria could include population threshold and councillor to resident ratio, with thresholds being 350,000 and 1 to 24,000.
50. The Tribunal considered the suggested criteria of a councillor to resident ratio for all categories. Whilst the Tribunal has included this criteria for

Rural Large category, it has not included it for all categories. It may warrant further consideration for other categories in future reviews.

51. The Tribunal is persuaded to include a new category, Metropolitan Major, with a population criteria threshold of 400,000 in the determination.
52. Camden Council's submission requests the creation of a growth category for Metropolitan Medium councils. They argue the proposed new category would allow criteria to be established to better reflect their growth rate, economic influence and complexities involved in servicing growth.
53. Council proposes the new category be called Metropolitan Medium – Growth Area. Council submits that its inclusion into this new category is based on the following:
 - Population growth
 - Development corridors
 - Growing assets and major infrastructure
 - Major services and institutions
54. The Tribunal has already determined a new metropolitan category, taking into account population and relatives in population between existing categories. It is not persuaded to include another new metropolitan category.
55. Maitland City Council requested the creation of a new category, Regional Growth Area to bridge the gap between Regional Centre and Regional Strategic.
56. Council based its argument for a new category on the following grounds:

- Maitland is the fastest growing regional city in NSW
- significant role in accommodation growth
- Council being an emerging health centre, with the \$470 million investment in the new Maitland Hospital
- Significant role in delivery of state goals, including Greater Newcastle Metropolitan Plan 2036 and a state partner in infrastructure delivery including roads and facilities

57. Council also contends the current categorisation model for non-metropolitan is inadequate. It argues that the application of the population criteria is flawed as increments initially rise by 20,000 before leaping up by 160,000.

58. The current population criteria thresholds for non-metropolitan councils are outlined in the table below:

Category	Population Criteria
Rural	<20,000
Regional Rural	>20,000
Regional Centre	>40,000
Regional Strategic Area	>200,000
Major Strategic Area	>300,000

59. The Tribunal has considered the issues raised in Council's submission but is not persuaded for reasons noted earlier for anticipation of growth versus actual population, to create a new category, Regional Growth Area.

60. The Tribunal acknowledges the point made in Council's submission regarding incremental increases for non-metropolitan categories population criteria.
61. As outlined earlier the Tribunal has determined to change the population criteria for Regional Strategic from 200,000 to 100,000. This will result in Maitland Council being reclassified.

Requests for Recategorisation

62. The Tribunal received four (4) requests for recategorisation. Liverpool, Byron, Tweed and Burwood Councils put forward individual cases for recategorisation for the Tribunal's consideration.
63. A summary of council's requests and the Tribunal's findings are outlined in the paragraphs below.
64. Liverpool Council requested to be reclassified from their current classification of Metro Large to Major CBD category. Liverpool Council's case to be included in Major CBD category is based on the following grounds:
- Population forecast to grow by 59.23% in the next 20 years from 242,817 to 386,646
 - A GDP estimated at \$13.03 billion, with 91,000 jobs in the LGA
 - Significant development in the LGA that includes new council offices and chambers, new city library, childcare facility, and the \$106 million Liverpool Quarter development consisting of retail, commercial, food and beverage spaces

- Liverpool being an integral part of Western Sydney Deal to deliver transformative change
- Liverpool being home to several significant infrastructure projects, including Western Sydney Airport, Western Sydney Infrastructure plan, Holsworthy Barracks and Liverpool Hospital upgrades
- Diversity of population

65. The Tribunal notes that the current criteria for Major CBD remains unchanged. It includes being a major provider of business and government services, and secondary CBD to metropolitan Sydney.
66. Having regard to section 239 of the LG Act, the criteria, the submission put forward, and for reasons outlined earlier in regard to anticipated growth versus actual growth, the Tribunal is not persuaded to include Liverpool Council in Major CBD category.
67. Byron Shire Council requested to be reclassified from their current category of Regional Rural into Regional Centre.
68. Council noted, based on ABS 2021 census data, with a population of 36,077, it is on the cusp of reaching the population threshold of 40,000 residents.
69. Council believes they meet several other additional criteria that supports their case for reclassification. Council's request is based on the following grounds:
- Non-resident population of 4,817 travel from surrounding locations to work in the LGA

- A population growth increase of 7.2% over the last 5 years, which is above the state increase of 5.3%
- Proximity to Gold Coast and Ballina/Byron airports
- Byron being home to internationally renowned Hinterland region
- Byron being home to a large number of festivals and events

70. As outlined earlier in this determination, the criteria for Regional Centre has been amended to include non-resident population as a criteria point.

71. This result is Byron Shire Council will be reclassified to Regional Centre.

72. Tweed Shire Council once again requested reclassification from Regional Centre to Regional Strategic Area on the following grounds:

- Proximity to Sydney via Gold Coast airport
- Proximity to Brisbane and Gold Coast
- Tweed being a major city centre and population centre for Northern Rivers Joint Organisation
- Tweed being the largest employer and strongest growth area in the Northern Rivers
- The construction of new state of the art Tweed Valley Hospital due to open in late 2023

73. Tweed Shire Council will be reclassified as a result of changes to Regional Strategic Area criteria outlined earlier in this determination.

74. Burwood Council requested to be reclassified from their current classification of Metropolitan Small to Metropolitan Medium. Council acknowledged that they do not currently meet the population criteria to be

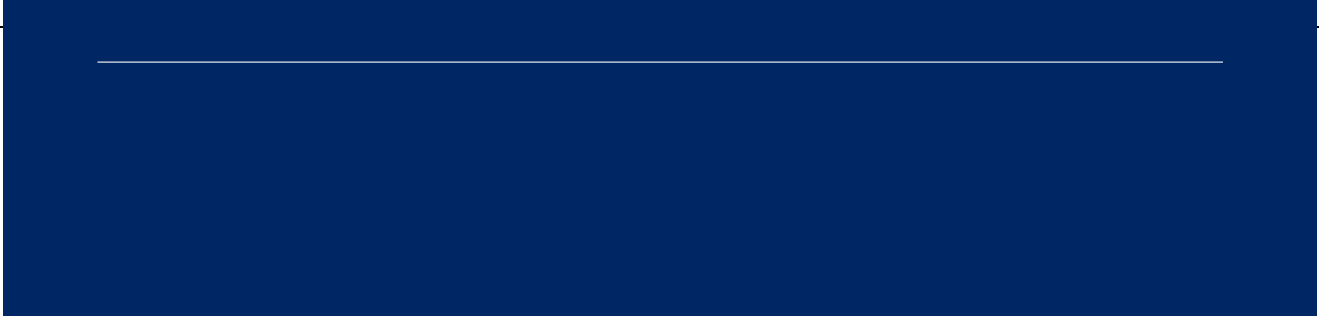
placed into the requested category. The criteria as outlined in the 2022 Determination, Appendix 1 of the criteria that apply to categories states

“Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.”

75. If Burwood Council’s non-resident working population was included, the total population would be 53,435 well short of exceeding the population threshold for Metropolitan Medium.
76. Further examination demonstrates that Burwood council does not meet the broader criteria for Metropolitan Medium. Accordingly, Burwood Council will remain in current classification of Metropolitan Small.
77. The matters raised generally in submissions of Berrigan, Cowra, Inner West, Kur-ring-gai, Singleton and Temora Councils are outside of the scope of the Tribunal statutory functions, but in the view of the Tribunal are worthy of further consideration. These matters relate to the current remuneration principles and structures that apply to mayors and councillors in NSW and the potential impacts of these constraints. These are discussed further below.

Section 4 – 2023 Fees

78. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
79. Pursuant to section 146C (1) (a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Regulation). The IR Regulation provides that public sector wages cannot increase by more than 3 per cent per annum and the tribunal therefore has the discretion to determine an increase of up to 3 per cent per annum.
80. Four (4) submissions received addressed the issue of the fees quantum increase. These submissions sought an increase of 2.5% or greater.
81. The LGNSW submission requested that the Tribunal increase fees by the maximum 3 per cent, but further argued that the maximum increase is *“inadequate and does not address the historic undervaluation of work performed by elected representatives and the substantial responsibility associated with local government.”*
82. LGNSW used economic and wage data to support their argument, that included:
- Consumer Price Index (CPI)
 - National and State Wage cases
 - Market comparability



83. LGNSW in their meeting with The Tribunal and Assessors, further emphasised that remuneration for Councillors and Mayors has been reduced in real terms due to impacts of inflation and capping of remuneration increases.
84. The Tribunal received a late submission from the USU, advocating for the maximum increase to be applied. The USU argued that all work carried out in local government needed to be fairly remunerated and reflect the rise in cost of living.
85. Whilst only five of the eighteen submissions received addressed the issue of quantum increase of fees, more than half of the submissions provided commentary on a range of remuneration issues.
86. Submissions suggested that the current remuneration structure is inadequate and requires further review. It has been suggested that the current remuneration structure does not adequately reflect:
- Role, responsibilities, and commitment required to perform functions successfully
 - Workloads
 - Complexity of role
 - Commitment and skills required
 - Fairness
87. Furthermore, it has been suggested that the low level of remuneration is a barrier to encouraging participation and diversity of candidates that reflects communities.

88. Associate Professor Jakimow of the Australian National University provided a detailed submission outlining the negative impacts of inadequate remuneration. The substance of the submission is that current remuneration levels do not adequately reflect the hours and complexity of work. Furthermore, low remuneration is a barrier to participation and diversity.
89. Associate Professor Jakimow argues that:
- “inadequate pay has significant negative consequences: low quality local democracy, an unacceptable burden on councillors and their families, and poor councillor diversity.”*
90. A number of submissions provided comparison data to demonstrate that the current remuneration principles and structure are not reflective of time, skills and competencies required to effectively perform the roles of councillor and mayor.
91. Comparisons were made to State and Federal parliamentary members, councillors and mayors in the Queensland and Victorian local government jurisdictions, average remuneration of a chairperson of a board, not for profit organisations and national minimum wage. The basis of the argument is that NSW mayor and councillors are paid below these organisations.
92. One submission noted that legislative change would be required to change remuneration model.
93. The Tribunal acknowledges issues raised in submissions regarding remuneration principles, structure and potential impacts. Many of these issues are worth serious consideration, they are however not currently

within the Tribunal's remit. The Tribunal concludes these matters should be given further investigation and consideration.

94. The Tribunal has considered key economic indicators, including the Consumer Price Index and Wage Price Index, and has determined that the full 3 per cent increase will apply to the minimum and maximum fees applicable to existing categories.
95. As an initial determination, the ranges for new categories are not subject to the wages policy. Future increases in those categories, as is the case for existing categories, will be subject to wages policy in accordance with section 242A(4) of the LG Act.
96. The minimum and maximum fees for the new categories have been determined having regard to the relativities of existing categories

Time for Fresh Thinking

97. Submissions made to the 2023 review and the Tribunal's own conclusions from evidence it has examined, suggest that there are significant issues underlying the concerns raised about mayor and councillor remuneration. It is apparent to the Tribunal that those issues which include a lack of diversity in representation, changing nature of work required to be undertaken and changed community expectations cannot be easily resolved under the existing framework. In the Tribunal's view, there would be merit in a comprehensive review of the framework for mayor and councillor remuneration.
98. The criteria under which the Tribunal makes these determinations has

been in existence since 1994 and at that time NSW had 177 Councils. Much has changed over the past 30 years, but the criteria has not.

99. As noted earlier in this determination the Tribunal and Assessors met with two Joint Organisation member representatives. While much of what was discussed has been dealt with in this determination it is worthy for the record to restate the view of LGNSW of the *“need for major reform”*.

100. Key themes and issues raised during discussions by mayors, councillors and general managers with the Tribunal and Assessors include:

- Changes to ways of working including expectations of increased use of social media and online platforms (“always on” expectations from constituents)
- Impacts of future development
- Impact of changes to legislation and regulation on workload
- Serving constituents in regional centres, country areas regional areas, rural and remote areas
- Remuneration principles
- Natural Disasters including floods, fires, mice, locusts and tragedies generally
- Confusion in roles and responsibilities – need for compulsory and consistent training of candidates prior to election and induction of those elected

- Popularly elected mayors and two-year mayoral terms and the role of the Deputy Mayor when a mayor is absent, as distinct from temporarily unavailable
- Questioning whether the guidelines by the Office of Local Government for the payment of expenses and the provision of facilities for mayors and councillors that were issued in 2009 are still fit for purpose. There appears to be significant variation in the interpretation of the guidelines and subsequent council policies
- The optional payment of superannuation being used for political purposes
- Paid parental leave for councillors
- Is remuneration holding back quality candidates or are behavioural issues – both in and out of meeting environment
- Parity in the payment differential in existing categories between councillors and mayors
- A possible alignment in categories of councillor to resident and ratepayer ratios and rateable property ratios
- Clarity in the payment of fees for chairpersons and voting members of Joint Organisations for additional workloads

101. Diversity was a strong theme heard by the Tribunal, both diversity of communities served and diversity of representation. We heard that

younger people, women, Aboriginal and Torres Strait Islander people and members of culturally and linguistically diverse communities among others, are underrepresented in many councils.


102. The Tribunal acknowledges that it is not within its authority to address many of the issues that were raised in submissions.
103. The Tribunal is not suggesting a fundamental review of the role of councillors and notes that people enter local government representation from a sense of civic service rather than for remuneration.

Conclusion

104. The Tribunal is of the view that a broader consideration is required of the matters raised in this determination. If the Minister decided to refer these matters under section 238 (2) of the LG Act the Tribunal would be willing to assist noting that it would require considerable consultation with the sector and access to suitable resources from Government.
105. The Tribunal's determinations have been made with the assistance of the Assessors Ms Kylie Yates, Gail Connolly PSM (in her role as Acting Deputy Secretary) and Mr Brett Whitworth.
106. It is the requirement of the Tribunal that in the future all submissions have council endorsement.
107. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
108. Determination 2 outlines the maximum and minimum fees paid to

councillors and mayors and members and chairpersons of county councils
as per section 241 of the LG Act.

109. The Tribunal acknowledges and thanks the secretariat for their excellent research and support in completing the 2023 determination.



Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023

General Purpose Councils – Metropolitan

Principal CBD (1)

- Sydney

Major CBD (1)

- Parramatta

Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

General Purpose Councils - Non-Metropolitan

Major Regional City (2)

- Newcastle
- Wollongong

Major Strategic Area (1)

- Central Coast

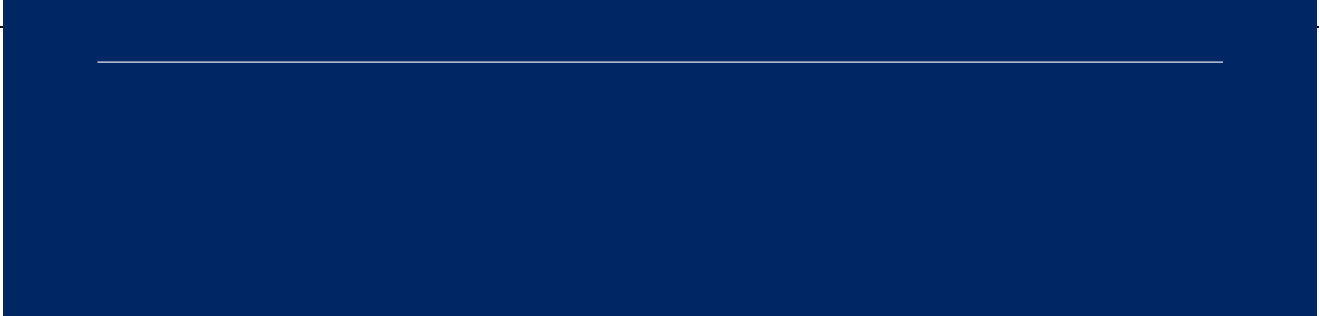
Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed

- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecarribee
- Wollondilly

**Regional Rural (12)**

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

Rural Large (18)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Hilltops
- Inverell
- Leeton
- Moree Plains
- Murray River
- Muswellbrook
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

Rural (38)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra

- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

County Councils

Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2023 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

General Purpose Councils – Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	29,610	43,440
Major CBD	19,760	36,590
Metropolitan Major	19,760	34,590
Metropolitan Large	19,760	32,590
Metropolitan Medium	14,810	27,650
Metropolitan Small	9,850	21,730

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	181,210	238,450
Major CBD	41,960	118,210
Metropolitan Major	41,960	106,960
Metropolitan Large	41,960	94,950
Metropolitan Medium	31,470	73,440
Metropolitan Small	20,980	47,390

General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	19,760	34,330
Major Strategic Area	19,760	34,330
Regional Strategic Area	19,760	32,590
Regional Centre	14,810	26,070
Regional Rural	9,850	21,730
Rural Large	9,850	17,680
Rural	9,850	13,030

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	41,960	106,960
Major Strategic Area	41,960	106,960
Regional Strategic Area	41,960	94,950
Regional Centre	30,820	64,390
Regional Rural	20,980	47,420
Rural Large	15,735	37,925
Rural	10,490	28,430



County Councils

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	1,960	10,870
Other	1,960	6,490

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	4,200	17,850
Other	4,200	11,860

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2))

Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development

- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

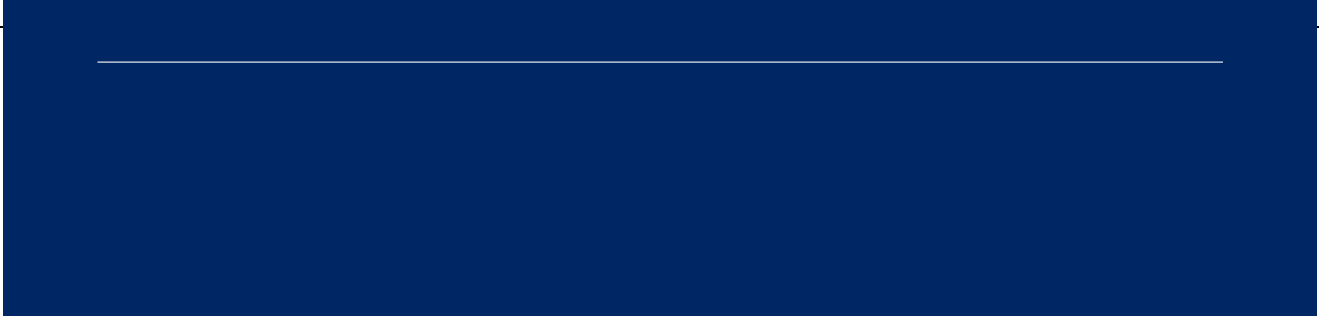
Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.



Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

Rural

Councils categorised as Rural will typically have a residential population less than 10,000.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015.

General Manager's Unit

G.06.5

REQUESTS FOR DONATIONS

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Karen Boland - Governance & Executive Support Officer

PURPOSE

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

RECOMMENDATION

That Council provide a donation to:

1. Scone Arts & Crafts for \$200.00 for sponsorship of the 2023 Scone Art Prize;
2. Scone Films Inc. for \$200.00 to assist with the costs of promoting the Scone Short Film Festival to be held on 16 September 2023;
3. Murrurundi & District Historical Society Inc. for \$200.00 to go towards funding for an additional edit of their "Twins at Pioneer Cottage" video project; and,
4. Cassilis District Development Group Inc for \$200.00 towards the costs of hiring Council's portable shower and toilet block for their Cassilis Country Music, Camping and Campfire function to be held on the October 2023 long weekend.
5. Gundy Soldier's Memorial Hall Centenary Committee for \$200.00 to assist with their costs in celebrating their Gundy Soldier's Memorial Hall Centenary Celebrations (1923 – 2023) from 28 to 30 July 2023.

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. Scone Arts & Crafts Committee for sponsorship of the 2023 Scone Art Prize.

Council has provided sponsorship for the Scone Art Prize for a number of years. The request from Scone Arts & Crafts Committee fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum.*

It is recommended a donation of \$200 be approved for sponsorship of the 2023 Scone Art Prize.

2. Scone Films have requested a donation of \$1,500.00 to assist with costs to promote the festival as well as financial assistance for accommodation and travel expenses of directors and actors attending the festival. The Scone Short Film Festival is the longest continually operating Short Film Festival in the region which will be held on Saturday, 16 September 2023.

The request for financial assistance from Scone Films fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum.*

General Manager's Unit

It is recommended a donation of \$200 be approved for sponsorship of the Scone Films Inc.

3. Murrurundi & District Historical Society Inc. for financial assistance of \$200 to go towards funding for an additional edit of their "Twins at Pioneer Cottage" video project.

Through the CASP Grant program, the Murrurundi Museum were successful in securing funding of \$3,000 to create a three-minute documentary highlighting local twins Gwen and Carmel, who have been conducting tours of Pioneer Cottage, dressed in authentic period costumes for numerous years. The purpose of the short video is to showcase their story on local websites, tourism platforms, the Council, and the upcoming Cultural Trail site by Arts Upper Hunter. During the filming, the videographer captured enough footage to produce an additional half-hour to an hour long video featuring the twins providing a complete tour of the Cottage. The cost of the additional edit is \$900.00. This extended video could be displayed at the Visitor Centre or within the Pioneer Cottage.

The request from Murrurundi & District Historical Society for funding fits within Council's policy under *6(f) Local Cultural Organisations; for the support of cultural activities within the Upper Hunter Shire.*

It is recommended a donation of \$200.00 be approved to Murrurundi & District Historical Society for financial assistance to to towards funding for an additional edit of their "Twins at Pioneer Cottage" video project.

4. Cassilis District Development Group Inc for \$200.00 towards the costs of hiring Council's portable shower and toilet block for their *Cassilis Country Music, Camping and Campfire* function to be held on the October 2023 long weekend.

The request for financial assistance from Cassilis District Development Group fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum.*

It is recommended a donation of \$200 be approved for financial assistance to the Cassilis District Development Group Inc.

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

The request for financial assistance from Gundy Soldiers Memorial Hall Centenary Committee fits within Council's policy under *6(d) Events which promote the Upper Hunter and the Upper Hunter Shire, to the value of \$200.00 per event per annum.*

It is recommended a donation of \$200 be approved for financial assistance to the Gundy Soldiers Memorial Hall Centenary Committee.

Copies of requests received are attached. It is noted that none of these organisations and committees have received any donations from Council in the current financial year.

General Manager's Unit

OPTIONS

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

CONSULTATION

- General Manager
- Manager Finance

STRATEGIC LINKS

a. Community Strategic Plan 2032

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

Connected Community

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

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

b. Delivery Program

- Community social and physical infrastructure to support community activities
- Community social and physical infrastructure to support community activities Other Plans

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 contributions provided for this financial year has been \$21,012 leaving a remaining balance of \$12,988.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Other Implications

Nil

General Manager's Unit

CONCLUSION

Council has received requests for financial assistance from Scone Arts & Crafts, Scone Films Inc, Murrurundi & District Historical Society Inc, Cassilis District Development Group Inc and Gundy Soldiers Memorial Hall Centenary Committee. All requests satisfy the selection criteria as outlined in Council's policy: Section 356 General Donations.

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 [↓](#) Scone Arts and Crafts
- 2 [↓](#) Scone Films Inc.
- 3 [↓](#) Murrurundi Museum Request
- 4 [↓](#) Cassilis District Development Group
- 5 Gundy Soldiers Memorial Hall Centenary Committee



20230531

U.H.S.C.
Director, Corporate & Community Affairs

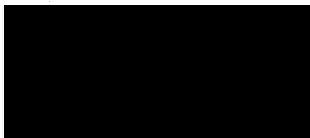
Dear Sir Madam

The Scone Arts & Crafts Committee are pleased to announce the return of the Scone Art Prize in 2023! And we are busy planning the 2023 art prize in a new environment.

In the past your organisation has sponsored the Scone Art Prize and we would like to express our gratitude and thank you for your sponsorship in the past. To this end we are contacting you to invite you to sponsor the prize to the same level as you did in 2022 in our last iteration of the art prize.

We look forward to a positive response and filling our community with wonderful works of art again... we can't wait, and our enthusiasm is almost boundless, we trust too that you will be excited by the prospect of a return of this great community event.

Your faithfully



Roger Skinner Secretary

Scone Films Inc.



UPPER HUNTER SHIRE COUNCIL
SCONE NSW 2337
council@upperhunter.nsw.gov.au

Date 13th June 2023

Dear Councillors,

Scone Films is a volunteer pop-up community cinema established in 2009 as a community service to screen films locally and promote the arts in the Upper Hunter Shire and surrounding districts.

The Scone Films Short Film Festival is the longest continually operating Short Film Festival in the region.

Our small but passionate volunteer committee continues servicing the community and plans to offer the Short Film Festival on Saturday 16th September 2023.

As always, the festival will be showcasing Australian short films and this year will be offering up to 10 films.

We are requesting support of \$1500 to aid in promoting the festival as well as a contribution towards accommodation and travel to enable film guests (Directors, actors etc) to attend and provide a personal insight into the film making process to the keen audience members. In particular we aim to attract younger members interested in the cinematic arts.

Upper Hunter Shire Council has been an avid supporter of Scone Films and we look forward to that continued partnership in promoting arts in the Upper Hunter and in the community in general.

I look forward to your response as well as welcoming members and employees of the council to this event and general monthly screenings.

Yours, sincerely



Eric Lengling

Secretary Scone Films Inc.

A not for profit, community organisation www.sconefilms.org.au www.facebook.com/sconefilms



[REDACTED]
[REDACTED]
12/6/23

Greg McDonald
General Manager
Upper Hunter Shire Council
135 Liverpool Street
Scone NSW 2337

Dear Greg,

Recently we were successful and fortunate enough to receive a CASP grant to fund the filming of the twins Gwen and Carmel of the Pioneer Cottage, Murrurundi.

For many years the twins Carmel and Gwen, who grew up in the immediate area, dressed up in period costume to compliment the setting and its news papered walls. They are of good age now, and have retired from presenting their tour of the cottage. Their presentation has never been officially documented until now. Jonathan Burrows came to film the Twins doing their tour, and we originally agreed for a three-minute short documentary to be housed on local websites which was quoted at \$3000. This also included filming local individuals being interviewed about the twins.

However, the film shoot was such a success that Jonathan said he could also give us another half hour to an hour video of the Twins doing the full tour. He is kind enough to quote us the small sum of \$900 to do this edit. We recognise this is a very good price but due to our small fund availability, it is hard for us to come up with this money.,

Hence why we are asking the Council if they could help preserve this bit of local history. Without this documentation a piece of history will be lost. With this piece of history preserved on video, we will be able to show tourists and the community the tour of the Pioneer Cottage presented by the Twins forever. This could be viewed either at the Visitor Centre or maybe in the cottage itself if possible.

About the Pioneers Heritage Cottage

Built around the 1889, the cottage was donated to the Murrurundi Community by the Musgrave Family and moved from Alston at Timor by the then Council and re-erected by the community in 1996. Painstakingly restored, the cottage features a collection of all things old and beautiful.

The cottage gives an excellent representation of the conditions endured by our pioneers during 1800s. Framed with rough-hewn hardwood felled on the property, the cottage features hardwood slab walls and contains the actual furniture from the hanging meat safe to the butter churns and grinders used in the early days. Even the single beds the children used sleeping one each end are resident in the cottage.

Thank you so much for hearing our request, and if the Council could help us fund the additional video cost it would be much appreciated by us and the community

Sincerely

[REDACTED]

Jenny Loasby, Secretary,
Murrurundi & District Historical Society Inc.,

arts UPPER HUNTER

Greg McDonald
General Manager
Upper Hunter Shire Council
135 Liverpool Street
Scone NSW 2337

13/6/2023

RE: Support for Murrurundi Museums request for funds – Pioneer Cottage Video Project

Dear Greg,

Arts Upper Hunter is delighted to announce its support for the funding request made by Murrurundi Museum. The museum is seeking additional funds to enhance their "Twins at Pioneer Cottage" video project.

Through our CASP Grant program, the Murrurundi Museum has already secured funding of \$3000. This grant will enable them to create a three-minute documentary highlighting the remarkable local Twins, Carmel and Gwen. These Twins have been conducting tours of the cottage, dressed in authentic period costumes, for numerous years. However, due to their age (now in their 90s), they will soon be unable to continue. The purpose of the short video is to showcase their story on local websites, tourism platforms, the Council, and the upcoming Cultural Trail site by Arts Upper Hunter.

During the video shoot, the videographer, Jonathan Burrows, exceeded expectations and captured enough footage to produce a half-hour to an hour-long video featuring the Twins providing a complete tour. This extended video could be displayed at the Visitor Centre or within the Pioneer Cottage itself. Remarkably, Jonathan has generously offered to create this additional content for an extra \$900. Considering the significant cost savings, as he would typically charge thousands for such a project, Jonathan is practically donating his time and expertise.

While the proposed price is reasonable, the Museum's limited funds make it challenging for them to accommodate this expense within their budget. Therefore, they are appealing to the upper Shire Council for financial assistance. Supporting their request would ensure the preservation of the Twins' tour through documentation, benefiting the Museum and the broader community by safeguarding local knowledge and valuable content.

We sincerely hope that the upper Shire Council will give due consideration to this request, recognizing its significance in preserving the cultural heritage of our community.

Yours Sincerely

John O'Brien
Executive Director



www.artsupperhunter.com



**Cassilis District Development Group
Incorporated**

PO Box 1
Cassilis NSW 2329
cassilisdistrictdevelopment@gmail.com

16th June 2023

Mr Greg McDonald
General Manager
Upper Hunter Shire Council 135 Liverpool St
SCONE NSW 2337

Dear Greg

I am writing on behalf of the community of Cassilis to seek Council's support for the Cassilis Country Music, Camping and Campfire (CCCC'S) function being held on the October long weekend 2023.

As you are aware our current septic system is unable to cope with the numbers of visitors to our local functions and we rely on portal toilets and showers for both the Rodeo and the CCCC's functions because of this.

The community was hoping that Council could support this function with the provision of your portable shower and toilet block for the long weekend function. The current cost in your Fees & Charges booklet for 2023 is \$377.00 with a security deposit of \$350.00. The community were hoping that you would be able to subsidise this cost for the weekend as we realise that you support other local functions held in the Shire with donations.

We realise that this matter would have to be raised at the next Council meeting to seek approval so we have provided sufficient time for this to occur so that we can have clarity around the cost of the portable complex for the weekend.

Also could you please let me know how we organise for this event to be advertised on the Council website. What details the council would require so that we can let the rest of the shire know about this event.

Thank you for your consideration and we look forward to your reply.

Kind regards

Jane Hegarty

From: A McPhee

Sent: Wednesday, 21 June 2023 12:49 PM

To: Greg McDonald

Subject: External: Gundy Soldier's Memorial Hall Centenary Celebrations (1923 - 2023)

Dear Greg

Gundy Soldier's Memorial Hall will be celebrating 100 years on the week-end of 28th,29th,30th July, 2023.

Expences relating to the celebration will consist of many of the following:

Showing of the film "Smiley" which was shot in Gundy and shows what the village would have looked like in the year it was made in the 1950s'.

The night will consist of a soup and damper dinner evening and the showing of the film.

The cost of the equipment to show film is approximately \$500. A further cost will be a revolving photo corner using many copies of the old historic photo's etc from over the last 100 years that have been kindly donated by residents from their family albums.

Boards are to be set up depicting different activities related to the hall and the village over the years. These boards will be on display for visitors to view. There will be a cost related to these boards, reprinted photos and newspaper clippings etc.

A further cost will be the commemorative plaque (around \$200) being made to be permanently displayed in the porch of the hall to mark this historic occasion.

With other incidental costs we would be requesting a donation from the Upper Hunter Shire Council of \$1,000.

The committee would appreciate your consideration in this matter.

Yours sincerely

Anne McPhee

Secretary

Gundy Soldier's Memorial Hall Centenary Committee

Email:

Phone

General Manager's Unit

CORRESPONDENCE ITEMS

COR.06.1

CORRESPONDENCE

RESPONSIBLE OFFICER: *Greg McDonald - General Manager*

AUTHOR: *Robyn Cox - Executive Assistant*

Correspondence

The following correspondence has been received:

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

RECOMMENDATION

That Council note the correspondence received from:

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

ATTACHMENTS

- 1↓ [Minister for Small Business - Hon Julie Collins](#)
- 2↓ [Carmel Donnelly, Chair, Independent Pricing and Regulatory Tribunal](#)



Julie Collins MP

**Minister for Housing
Minister for Homelessness
Minister for Small Business**

RECEIVED
- 9 MAY 2023

BY:

Ref: MC23-004833

The Hon Barnaby Joyce MP
Member for New England
PO Box 963
TAMWORTH NSW 2340

Dear Mr Joyce

Thank you for your representations on behalf of Mr Greg McDonald, General Manager of the Upper Hunter Shire Council, regarding support for rural and regional small business.

The Albanese Government understands that small businesses, especially those in rural and regional areas, are at the heart of Australian communities and the backbone of the economy. Small businesses employ millions of Australians and contribute more than \$430 million to our national economy each year.

The Albanese Government is committed to helping small business to build resilience and access the support they need to grow and plan for the future. Some of the steps we have taken to support small business include:

- providing \$15.1 million for small business owners across Australia to access free mental health and financial counselling support through the NewAccess for Small Business Owners and Small Business Debt Helpline programs;
- updating the Commonwealth Procurement Rules so small businesses get a bigger slice of the \$70 billion in contracts that the Australian Government spends every year, with a 20 per cent target;
- reviewing the *Payment Times Reporting Act 2020* to consider what other policy measures are necessary to achieve better payment terms and practices for small businesses;
- opening the first round of \$62.6 million in energy efficiency grants to eligible small to medium businesses to help address rising costs; and
- passing legislation to make unfair contract terms illegal so small businesses can negotiate fairer agreements with large partners.

Parliament House Canberra ACT 2600 Australia
Telephone: (02) 6277 7610

2

I would also encourage Mr McDonald and the Upper Hunter Shire Council to visit the whole-of-government grant and program finder available online at <http://business.gov.au/grants-and-programs> which identifies the grants and assistance programs which may be available to their local businesses.

The Government understands the unique challenges that rural and regional small businesses face and is committed to working across all levels of government, as well as with industry and businesses, local communities and representative groups, to uplift local economies.

I have copied this letter to my colleague the Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government.

Thank you again for your letter.

Yours sincerely



Julie Collins MP

215 / 2023

CC: the Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government



Our reference: 23/266

Contact Sheridan Rapmund
T (02) 9290 8430
E Sheridan_Rapmund@ipart.nsw.gov.au

5 June 2023

Cr Maurice Collison, Mayor
Upper Hunter Shire Council
135 Liverpool Street
Scone NSW 2337

via email – RCox@upperhunter.nsw.gov.au

Dear Cr Collison,

The Emergency Services Levy

Thank you for your recent letter highlighting the issues facing your council and the broader local government sector following the cessation of subsidies from the NSW Government for council contributions to the Emergency Services Levy (ESL).

We understand that this places pressure on councils' budgets for the upcoming financial year, especially as increases in ESL contributions have not been factored into the rate peg since the NSW Government began subsidising the increases.

As the rate peg for 2023-24 used IPART's current methodology, basing changes in the ESL costs on the year 2022-23, this meant ratepayers did not have to pay for increases in ESL through their rates. However, with the removal of the subsidy there will be changes in ESL costs that were not included in the calculation of some previous rate pegs and a need to include ESL changes in future rate pegs.

IPART is currently considering options for addressing these issues and will be in touch with councils to seek information.

As you would be aware, IPART is currently undertaking a [review of the rate peg methodology](#). As part of this review, we are considering ways we can improve the rate peg methodology to more closely reflect changes in ESL costs.

Throughout this review, we have consulted extensively with councils and other stakeholders on a number of issues, including council contributions to the ESL. We have heard from stakeholders about the importance of developing an appropriate mechanism to capture councils' ESL contributions in the rate peg methodology.

We will be releasing a Draft Report on our review of the rate peg methodology in June 2023 for consultation. This will include our draft decisions and recommendations on councils' ESL contributions. We encourage all interested stakeholders to make a submission to our Draft Report. We will also be providing opportunities for further consultation by holding a public hearing to enable stakeholders to express their views and concerns.

Office Address: Level 16, 2-24 Rawson Place, SYDNEY NSW 2000 **Postal Address:** PO Box K35, Haymarket Post Shop, NSW 1240
T (02) 9290 8400 **ABN** 49 202 260 878 **www.ipart.nsw.gov.au**

Our rate peg review team would like to contact an appropriate representative from the council to discuss its ESL contributions. In particular, we'd like to discuss:


- Whether your council and others in the same rural fire district have a zone/district agreement (or any other arrangements) in place to share the costs of the rural fire service (RFS) component of the ESL contribution that is billed to councils by Revenue NSW.
- If such arrangements exist, how are zone/district agreements or arrangements established, how do they work and what do these arrangements cover (including whether they cover matters other than RFS contributions)?
- Are there any cost sharing arrangements between councils that apply to the Fire and Rescue NSW and State Emergency Service components of the ESL bills received from Revenue NSW?

We will work with stakeholders to develop an appropriate mechanism to capture councils' ESL contributions in the rate peg methodology going forward.

IPART's contact officer for this matter is Sheridan Rapmund, Director – Pricing and Policy, contactable on (02) 9290 8430.

Yours sincerely

5/06/2023

X 

Signed by: Carmel Donnelly

Carmel Donnelly PSM
Chair