

**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON
MONDAY 29 JANUARY 2024 IN THE COUNCIL CHAMBERS, SCONE COMMENCING AT 5.00PM**

PRESENT:

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

IN ATTENDANCE:

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

PRAYER

ACKNOWLEDGEMENT OF COUNTRY

STATEMENT OF ETHICAL OBLIGATIONS

APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK:

Nil

APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS:

Application for leave of absence received from Cr James Burns.

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

PUBLIC PARTICIPATION:

Nil

CONFIRMATION OF MINUTES:

24/001

RESOLVED

That the minutes of the ordinary Council meeting held on 18 December 2023 be adopted.

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

DISCLOSURES OF INTEREST:

Nil

DEVELOPMENT REPORTS

D.01.1 *DEVELOPMENT APPLICATION 53/2023 - COMMUNITY NURSERY*

RESPONSIBLE OFFICER: Mathew Pringle - Director Environmental & Community Services

AUTHOR: Matt Clarkson - Manager Planning, Building & Regulatory Services

24/002

RESOLVED

That Council approve Development Application 53/2023 for a community nursery at Lots 236 and 237 DP 750942, Hacketts Road Merriwa, subject to the recommended conditions of consent in Attachment 1 to the report.

Moved: Cr L Watts

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

FINANCE REPORTS

F.01.1 *PROPOSED SPECIAL RATE VARIATION*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

24/003

RESOLVED

That Council notify IPART of Council's intention to apply for a Special Rate Variation in 2025/2026.

Moved: Cr A McPhee

Seconded: Cr A Williamson

CARRIED

FOR	AGAINST
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
Total (7)	Total (1)

GENERAL ADMINISTRATION REPORTS

G.01.1 **GOULBURN RIVER SOLAR FARM PROJECT - DRAFT PLANNING AGREEMENT**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Community Services

24/004

RESOLVED

That Council:

1. endorse the draft planning agreement between Upper Hunter Shire Council and Goulburn River Fund Pty Ltd as trustee for the Goulburn River Trust in respect of the Goulburn River Solar Farm Project.
2. place the draft planning agreement on public exhibition for 28 days in accordance with Section 7.5 of the Environmental Planning and Assessment Act 1979.

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

G.01.2 **REQUESTS FOR DONATIONS**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Karen Boland - Governance & Executive Support Officer

24/005

RESOLVED

That Council provide a \$200 donation to go towards the running costs of the Lake Glenbawn Family Carp Muster event to be held on 24 February 2024 which requires the funds to be deposited into the Lake Glenbawn Family Carp Musters event or community group bank account.

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

POLICY MATTERS

H.01.1 **PRIVACY MANAGEMENT PLAN**

RESPONSIBLE OFFICER: Wayne Phelps - Manager Finance

AUTHOR: Ian Roberts - Governance & Risk Advisor

24/006

RESOLVED

That Council adopt Council's revised Privacy Management Plan.

Moved: Cr T Clout Seconded: Cr R Campbell CARRIED

FOR	AGAINST
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
Total (7)	Total (1)

H.01.2 ***POLICIES FOR REVIEW***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Karen Boland - Governance & Executive Support Officer

24/007

RESOLVED

That Council adopt the policy Records Management for Councillors.

Moved: Cr A McPhee Seconded: Cr T Clout CARRIED

FOR	AGAINST
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
Total (7)	Total (1)

INFRASTRUCTURE REPORTS

I.01.1 ***WATER SERVICE CONNECTION TO WINGEN SHOWGROUNDS***

RESPONSIBLE OFFICER: Rag Upadhyaya - Director Infrastructure Services

AUTHOR: Grahame Wilson - Manager Water & Sewer

24/008

RESOLVED

That Council further investigate grant funding for the connection to the Wingen Showground through the village reticulation funding and provide response from the funding body.

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

I.01.2 ***TENDER 06/2023 SUPPLY OF SERVICES - ADDITIONAL SUPPLIERS***

RESPONSIBLE OFFICER: Rag Upadhyaya - Director Infrastructure Services

AUTHOR: Gavin McKenzie - Project Manager

24/009

RESOLVED

That Council accept one additional contractor (ADW Johnson Pty Ltd) for the supply of services (Tender 06/2023) for the period from 1 February 2024 to 30 August 2024.

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

RESPONSES TO COUNCILLOR QUESTIONS

QWN.01.1 *RESPONSES TO COUNCILLOR QUESTIONS*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

That Council note the response to the question on Mojo Power.

CLOSED COUNCIL

24/010

RESOLVED

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

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

CONFIDENTIAL REPORTS

CR.01.1 *TENDER 01/2024 AGRN987 FLOODWORKS DESIGN AND CONSTRUCTION PACKAGE - TENDER RECOMMENDATION*

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Rag Upadhyaya - Director Infrastructure Services

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

24/011

RESOLVED

That Council:

1. accept Tender 01/2024 from Civilwise Pty Ltd for the AGRN 987 Flood Recovery Works Design & Construction Package for \$1,164,121;
2. delegate authority to the General Manager to approve variations to the contract within the TfNSW approved budget; and
3. delegate authority to the General Manager to conduct all relevant functions under the contract

Moved: Cr A McPhee Seconded: Cr T Clout CARRIED

FOR	AGAINST
Councillor Campbell	Councillor Flaherty
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
Councillor Watts	
Councillor Williamson	
Total (7)	Total (1)

CR.01.2

RESPONSE TO CR FLAHERTY'S PREVIOUS QUESTION

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

This matter is considered to be confidential under Section 10A(2) (d ii) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

24/012

RESOLVED

That Council note the response to the question on Mojo Power.

Moved: Cr R Campbell

Seconded: Cr L Watts

CARRIED UNANIMOUSLY

RETURN TO OPEN MEETING

24/013

RESOLVED

That the meeting move back into Open Council.

Moved: Cr T Clout

Seconded: Cr B McKenzie

CARRIED UNANIMOUSLY

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.29PM