

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

PRESENT:

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

IN ATTENDANCE:

Mr Greg McDonald (General Manager), Mr Mathew Pringle (Director Environmental & Community Services), Mr Rag Upadhyaya (Director Infrastructure Services), Mr Wayne Phelps (Manager Finance) and Mrs Robyn Cox (Executive Assistant).

PRAYER

ACKNOWLEDGEMENT OF COUNTRY

STATEMENT OF ETHICAL OBLIGATIONS

APPLICATIONS FOR ATTENDING MEETING VIA VIDEO LINK:

Nil

APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS:

24/064

RESOLVED that the apology received from Cr Elizabeth Flaherty be accepted.

Moved: Cr A Williamson Seconded: Cr J Burns

CARRIED UNANIMOUSLY

PUBLIC PARTICIPATION:

Nil

CONFIRMATION OF MINUTES:

24/065

RESOLVED that the minutes of the ordinary Council meeting held on 25 March 2024 be adopted.

Moved: Cr R Campbell Seconded: Cr B McKenzie

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST:

Nil

STANDING COMMITTEE REPORTS

SCR.04.1

INFRASTRUCTURE SERVICES COMMITTEE

RESPONSIBLE OFFICER: Rag Upadhyaya - Director Infrastructure Services

AUTHOR: Anna Brennan - Infrastructure Support Officer

MOTION

That Council:

1. adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 9 April 2024;
2. endorse the recommended treatment to cover the amenities block and signage to be placed under the mural at 133 Kelly Street, Scone; and,
3. contribute \$15,000 this financial year to support the Scone Memorial Pool infrastructure upgrade works.

Moved: Cr L Watts

Seconded: Cr T Clout

AMENDMENT TO THE MOTION

That Council:

1. adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 9 April 2024;
2. endorse the recommended treatment to cover the amenities block and signage to be placed under the mural at 133 Kelly Street, Scone;
3. have a storyboard underneath the mural in 133 Kelly Street, Scone that states the following:

The Niagara Café operated from this site from the early 1920s until the 1980s. Operated by the Coroneo family, early immigrants from Greece, the mural was painted in 1957. In a post WWII era where everything American culture was popular the scene appears to depict the iconic showman figure of Buffalo Bill who performed in shows that displayed frontier themes.

The mural was covered as the business changed hands, operating as a sports store by the Manning family from 198 until it was purchased by Upper Hunter Shire Council in 2017. When the mural was uncovered it was restored fully. This was completed in 2023.*

4. contribute \$15,000 this financial year to support the Scone Memorial Pool infrastructure upgrade works.

Moved: Cr J Burns

Seconded: Cr R Campbell

THE AMENDMENT BECOMES THE MOTION:

24/066

RESOLVED

1. **adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 9 April 2024;**
2. **endorse the recommended treatment to cover the amenities block and signage to be placed under the mural at 133 Kelly Street, Scone;**
3. **have a storyboard underneath the mural in 133 Kelly Street, Scone that states the following:**

The Niagara Café operated from this site from the early 1920s until the 1980s. Operated by the Coroneo family, early immigrants from Greece, the mural was painted in 1957. In a post WWII era where everything American culture was popular the scene appears to depict the iconic showman figure of Buffalo Bill who performed in shows that displayed frontier themes.

The mural was covered as the business changed hands, operating as a sports store by the Manning family from 198 until it was purchased by Upper Hunter Shire Council in 2017. When the mural was uncovered it was restored fully. This was completed in 2023.*

4. contribute \$15,000 this financial year to support the Scone Memorial Pool infrastructure upgrade works.

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

SCR.04.2 **CORPORATE SERVICES COMMITTEE**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

24/067

RESOLVED

That Council:

1. adopt the minutes of the Corporate Services Committee meeting held on 19 April 2024, with an amendment to include Cr Williamson's question regarding the \$72,500 consultancy fee on succession planning; and,
2. adopt the proposed budget variations as provided in attachment 2 to the report.

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

COMMITTEE/DELEGATES REPORTS

C.04.1 **AUDIT, RISK AND IMPROVEMENT COMMITTEE**

RESPONSIBLE OFFICER: Wayne Phelps - Manager Finance

AUTHOR: Ian Roberts - Governance & Risk Advisor

24/068

RESOLVED

That Council endorse the minutes of the Audit, Risk and Improvement Committee meeting held on Monday 18 March 2024.

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

FINANCE REPORTS

F.04.1 **DRAFT DELIVERY PROGRAM 2021/2022 - 2024/2025 AND OPERATIONAL PLAN 2024/2025**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

24/069

RESOLVED

That Council:

G.04.4 ***HUNTER JOINT ORGANISATION BOARD - REGIONAL MOTIONS FOR ALGA 2024 NATIONAL GENERAL ASSEMBLY***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

24/073

RESOLVED

That Council endorse the motions presented by the Hunter Joint Organisation Board for submission to the ALGA 2024 National General Assembly as outlined in Attachment 1 to the report.

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

G.04.5 ***INQUIRIES INTO COUNCIL FUNDING AND FINANCIAL SUSTAINABILITY***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Wayne Phelps - Manager Finance

24/074

RESOLVED

That Council note the proposed submissions to two parliamentary inquiries into local government funding and financial sustainability to deliver infrastructure and services.

Moved: Cr R Campbell

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

G.04.6 ***NEWCASTLE CITY COUNCIL - MEMORANDUM OF UNDERSTANDING***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Robyn Cox - Executive Assistant

24/075

RESOLVED

That Council:

- 1. endorse the Memorandum of Understanding with City of Newcastle as shown in Attachment 1 to the report.**
- 2. delegate authority to the Mayor and General Manager to sign the document on its behalf.**

Moved: Cr A Williamson

Seconded: Cr L Watts

CARRIED UNANIMOUSLY

POLICY MATTERS

H.04.1 ***POLICIES FOR REVIEW***

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Karen Boland - Governance & Executive Support Officer

24/076

RESOLVED

That Council adopt the following policies:

1. **Quality – RMCC Works;**
2. **Community Relations - Awards (Prizes) - Australia Day Awards;**
3. **Community Relations - Awards (Prizes) - Creative Arts Excellence;**
4. **Community Relations - Acknowledgement of Country, with the following amendment:**

Change paragraph titled Ceremonial Event under Definitions from "Where the Mayor of his/her delegate preside in a public forum" to the following:

Where the event is deemed of cultural importance to the First Nations people of Australia and the Mayor or his/her delegate preside in a public forum. Examples of such events are smoking ceremonies, Reconciliation Week and Flag raising ceremonies where the Aboriginal or Torres Strait Islander flags are being raised.

5. **Community Services - Service Provision - Housing - Low Income Units, Merriwa; and,**
6. **Sustainability, with an amendment to replace Sustainability Advisory Committee under Responsibilities to the Environmental & Community Services Committee.**

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED

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

INFRASTRUCTURE REPORTS

I.04.1

MURRURUNDI WATER STRATEGY

RESPONSIBLE OFFICER: Rag Upadhyaya - Director Infrastructure Services

AUTHOR: Grahame Wilson - Manager Water & Sewer

24/077

RESOLVED

That Council:

1. **continue with the Scone to Murrurundi Pipeline, reservoirs and chlorine dosing systems as the only source of potable water for Murrurundi;**
2. **endorse the de-prescription of the Murrurundi Dam as a town water source including modification of dam wall, lowering to provide 1 metre of water, decommissioning of the Litree Water Filtration Plant and associated tanks and pumps;**
3. **endorse the disposal of two redundant reservoirs at Doughboy Street and Paradise Lane and the pipeline/easement from the Upper Pages River to Murrurundi Dam;**
4. **prepare a Masterplan for the entire land parcel where the dam currently exists for the purpose of creating a recreational space with provision for wetland; and**
5. **seek grant funding with the intent of implementing the Masterplan.**

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

NOTICES OF MOTION

NM.04.1

NOTICE OF MOTION - FUNDING FOR RENEWABLE ENERGY ASSESSMENTS

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Community Services

24/078

RESOLVED

That Council write a letter to the NSW Minister for Energy, EnergyCo and the EnergyCo Advisory Committee (EAC) seeking funding to support Council in the assessment of renewable energy projects, responding to consultation processes and undertaking planning arising from the roll out of the Central-West Orana, Hunter and New England Renewable Energy Zones (REZs).

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

CLOSED COUNCIL

24/079

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 R Campbell Seconded: Cr B McKenzie CARRIED UNANIMOUSLY

CONFIDENTIAL REPORTS

CR.04.1

REPLACEMENT OF SHOP AWNING - 20 BRANKSOME STREET, CASSILIS

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Community Services

This matter is considered to be confidential under Section 10A(2) (b)(g) of the Local Government Act, as it deals with the personal hardship of any resident or ratepayer; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

24/080

RESOLVED

That Council:

- 1. enter into a Deed of Agreement with the property owner of 20 Branksome Street, Cassilis to allow Council to undertake awning rectification works and recover the cost of the works.**
- 2. delegate authority to the General Manager to sign the Deed of Agreement.**
- 3. accept the quotation from D.E. Brown & Sons (Coolah) Pty Ltd for the contract sum of \$40,254.50 inclusive of GST to carry out rectification works to the awning at 20 Branksome Street, Cassilis.**

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

CR.04.2 **COMMERCIAL BUSINESS PROPOSAL**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Community Services

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

24/081

RESOLVED

That Council note the report.

Moved: Cr T Clout

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

CR.04.3 **ACQUISITION OF LAND FOR COMMUNITY RECREATION PURPOSES**

RESPONSIBLE OFFICER: Greg McDonald - General Manager

AUTHOR: Mathew Pringle - Director Environmental & Community Services

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

24/082

RESOLVED

That Council:

- 1. accept the offer from Transport for NSW for Council to acquire Lots 4 and 5 DP1228077 and Lot 6 in Section 4 DP758898 (22 Kingdon Street, Scone) for community purposes at a purchase price of \$35,000 (excluding GST) with a 15 year community use restriction on title.**
- 2. delegate authority to the General Manager to execute all associated documents.**

Moved: Cr L Watts

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

RETURN TO OPEN MEETING

24/083

RESOLVED That the meeting move back into Open Council.

Moved: Cr B McKenzie

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

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

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.49PM.