

**MINUTES OF THE ORDINARY MEETING OF UPPER HUNTER SHIRE COUNCIL HELD ON MONDAY 24 JUNE 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 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:**

24/084

**RESOLVED** that the apology received from Cr Lee Watts be accepted.

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

**PUBLIC PARTICIPATION:**

**SCR.06.1      Environmental & Community Services Committee  
ECSC.06.2 DA No. 158/2023 – Multi-Dwelling Housing Development**

Peter Stone      Representing himself  
Against the recommendation

Denny Alevizos      Representing Teacher Housing Authority of NSW  
For the recommendation

**F.06.1      Delivery Program 2022-2025 and Operational Plan 2024-2025**

Ronald (Jeff) Esdaile      For the recommendation

Warwick Clydsdale      Against the recommendation

**CONFIRMATION OF MINUTES:**

24/085

**RESOLVED**

**That the minutes of the ordinary Council meeting held on 27 May 2024 be adopted.**

Moved: Cr J Burns      Seconded: Cr B McKenzie      CARRIED UNANIMOUSLY



---

**SCR.06.2** ***INFRASTRUCTURE SERVICES COMMITTEE***

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

**AUTHOR:** Anna Brennan - Infrastructure Support Officer

24/090

**RESOLVED**

**That Council adopt the minutes of the Infrastructure Services Committee meeting held on Tuesday, 11 June 2024.**

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

---

**SCR.06.3** ***CORPORATE SERVICES COMMITTEE***

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

**AUTHOR:** Wayne Phelps - Manager Finance

24/091

**RESOLVED**

**That Council adopt the:**

- 1. minutes of the Corporate Services Committee meeting held on 14 June 2024; and**
- 2. proposed budget variations as provided in attachment 2 to the report.**

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

---

**COMMITTEE/DELEGATES REPORTS**

---

**C.06.1** ***COMMUNITY ADVISORY COMMITTEE - ABERDEEN DISTRICT***

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

**AUTHOR:** Yolanda Wynn - Community Services Officer

24/092

**RESOLVED**

**That Council:**

- 1. adopt the minutes of the Community Advisory Committee – Aberdeen District meeting held on 14 May 2024, provided as attachment 1 to the report.**
- 2. replace the plaque on the anchor statue at Taylor Park, Aberdeen with a new plaque containing the wording outlined in the report (in the absence of the original wording).**

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

---

**C.06.2** ***COMMUNITY ADVISORY COMMITTEE - MERRIWA DISTRICT***

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

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

24/093

**RESOLVED**

**That Council:**

- 1. endorse the minutes of the Community Advisory Committee – Merriwa District meeting held on 21 May 2024.**

2. provide a response to Merriwa District Progress Association to support their request to TfNSW to assess the potential need for a bypass/alternative heavy vehicle route for Merriwa including the socio-economic impacts.

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

---

**C.06.3**

***COMMUNITY ADVISORY COMMITTEE - MURRURUNDI DISTRICT***

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

**AUTHOR:** Yolanda Wynn - Community Services Officer

24/094

**RESOLVED**

**That Council:**

1. endorse the minutes of the Community Advisory Committee – Murrurundi District meeting held on 28 May 2024, provided as attachment 1 to the report with an amendment that Cr McKenzie was an apology.
2. endorse the scope variation to the Murulla Street causeway project.

Moved: Cr T Clout

Seconded: Cr J Burns

CARRIED UNANIMOUSLY

---

**C.06.4**

***UPPER HUNTER COUNTY COUNCIL (WEEDS)***

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

**AUTHOR:** Robyn Cox - Executive Assistant

24/095

**RESOLVED**

**That Council note the minutes of the Upper Hunter Country Council meeting held on Thursday, 16 May 2024.**

Moved: Cr R Campbell

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

---

**FINANCE REPORTS**

---

**F.06.1**

***DELIVERY PROGRAM 2022-2025 AND OPERATIONAL PLAN 2024-2025***

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

**AUTHOR:** Wayne Phelps - Manager Finance

24/096

**RESOLVED**

**That Council:**

1. adopt the amended Delivery Program 2022-2025 and Operational Plan 2024-2025 as per the tables attached to the report with the Saleyards fees amended to remove the incentive table and to show full fees reduced from \$25.50 to \$23.62 being a reduction in vendor fees from \$19.75 to \$18.25 and reduce the agent fee from \$5.75 to \$5.37 per head;
2. take the cost of additional subsidy of \$67,000 (excl GST) to the Saleyards from gravel road maintenance; and,
3. give consideration to reducing community consultation meetings in 2025 due to the lack of participation by members of the community.

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

---

**F.06.2** ***MAKING THE RATES AND ANNUAL CHARGES 2024/2025***

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

**AUTHOR:** Wayne Phelps - Manager Finance

24/097

**RESOLVED**

The Delivery Program & Operational Plan for 2024/2025 adopted by Council incorporates the rates and annual charges that are proposed to be levied for the year commencing 1 July 2024. 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.

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED UNANIMOUSLY

---

**F.06.3** ***DETERMINATION OF MAYOR AND COUNCILLOR FEES FOR 2024/2025***

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

**AUTHOR:** Wayne Phelps - Manager Finance

**MOTION**

That Council:

1. fix the councillor fee for 2024/2025 financial year at \$18,340;
2. fix the mayoral fee for 2024/2025 financial year at \$39,350 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.

Moved: Cr J Burns

Seconded: Cr A McPhee

**FORESHADOWED MOTION**

That Council retain the current 2023/24 Councillor fee and 2023/24 Mayoral Fee.

24/098

**RESOLVED**

That Council:

1. fix the councillor fee for 2024/2025 financial year at \$18,340;
2. fix the mayoral fee for 2024/2025 financial year at \$39,350 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.

Moved: Cr J Burns

Seconded: Cr A McPhee

CARRIED

<b>FOR</b>	<b>AGAINST</b>
Councillor Burns	Councillor Campbell
Councillor Clout	Councillor Williamson
Councillor McKenzie	Councillor Collison
Councillor McPhee	
<b>Total (4)</b>	<b>Total (3)</b>

---

**F.06.4** ***INTERNAL LOAN FROM WATER AND SEWERAGE FUNDS***

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

**AUTHOR:** Wayne Phelps - Manager Finance

24/099

**RESOLVED**

**That Council:**

1. adopt the following internal loans due to delay in recovery of both State & Federal Government Capital grant funds outstanding:
  - Up to \$5 million from Water Fund;
  - Up to \$5 million from Sewerage Fund;
2. the internal loans are to be replenished by 30 June 2025; and
3. make a formal application for the loan approval to the Office of Local Government.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

---

**GENERAL ADMINISTRATION REPORTS**

---

**G.06.1** ***ESTABLISHMENT OF ABERDEEN INVESTMENT COMMITTEE***

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

**AUTHOR:** Mathew Pringle - Director Environmental & Community Services

24/100

**RESOLVED**

**That Council:**

1. delegate authority to the General Manager to execute the Community Funding Deed in attachment 1 to the report.
2. establish an Aberdeen Investment Committee in accordance with the Community Funding Deed in the new term.
3. appoint two (2) Council representatives to the committee (Councillors or employees);
4. call for expressions of interest from Aberdeen residents to be appointed to the committee as a Community Representative.
5. adopt the committee charter in attachment 2 to the report.

Moved: Cr A McPhee

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

---

**G.06.2** ***RURAL HALLS REJUVENATION GRANTS 2024***

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

**AUTHOR:** Yolanda Wynn - Community Services Officer

24/101

**RESOLVED**

**That Council provide a total of \$4,750 under the Rural Halls Rejuvenation Grants Program to Abbotsford Park Trust- Wingen Community Hall.**

Moved: Cr T Clout

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

---

G.06.3

***LIVERPOOL RANGE WIND FARM - PLANNING AGREEMENT OFFER***

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

**AUTHOR:** Mathew Pringle - Director Environmental & Community Services

24/102

**RESOLVED**

**That Council**

1. accept the offer from Tilt Renewables to enter into a new planning agreement in respect of the Liverpool Range Wind Farm based on an annual contribution of \$1,050 per MW installed on land within the Upper Hunter Shire LGA (indexed to CPI);
2. establish a 355 committee to administer the funds.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

**INFRASTRUCTURE REPORTS**

---

I.06.1

***COMPULSORY ACQUISITION OF LAND ADJACENT TO MERRIWA SEWAGE TREATMENT PLANT***

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

**AUTHOR:** Grahame Wilson - Manager Water & Sewer

24/103

**RESOLVED**

**That Council:**

1. endorse the compulsory acquisition of an easement at 1 Halls Rd Merriwa, Lot 1 DP 782234; and
2. delegate authority to the General Manager to conduct all legal functions of the land transaction.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

**NOTICES OF MOTION**

---

NM.06.1

***NOTICE OF MOTION - ON-CALL BOOKING SYSTEM FOR BULKY WASTE COLLECTION***

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

**AUTHOR:** Robyn Cox - Executive Assistant

24/104

**RESOLVED**

**That Council instruct the General Manager to investigate the feasibility of changing Council's annual bulky waste collection service to an on-call booking system.**

Moved: Cr J Burns

Seconded: Cr T Clout

CARRIED

FOR	AGAINST
Councillor Burns	Councillor Williamson
Councillor Campbell	
Councillor Clout	
Councillor Collison	
Councillor McKenzie	
Councillor McPhee	
<b>Total (6)</b>	<b>Total (1)</b>

## CLOSED COUNCIL

24/105

### RESOLVED

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

Moved: Cr T Clout

Seconded: Cr B McKenzie

CARRIED UNANIMOUSLY

## CONFIDENTIAL REPORTS

CR.06.1

### ***CONTRACT 05/2018. KERBSIDE RECYCLABLES COLLECTION AND PROCESSING CONTRACTOR CHARGES***

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

**AUTHOR:** John Wisniewski - Manager Sustainability

*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.*

### **PURPOSE**

To advise Council of a provision in Contract 05/2018 for the renegotiation of fees for the kerbside recyclables collection, and a recommended approach going forward.

24/106

### RESOLVED

That Council:

1. acknowledge that the recyclables collection and processing portion of the kerbside collection Contract (05/2018) runs for a fourteen (14) year term ending on 3 July 2032, in alignment with the kerbside garbage, kerbside food organics/garden organics and annual bulky waste collections.
2. note that recyclables collection and processing pricing to apply from 1 July 2025 to 3 July 2028 will not vary from the current contracted rates (pursuant to rise and fall provisions in Contract 05/2018).
3. participate in a biennial review of recyclables collection and processing pricing with JR Richards to ensure a fair and reasonable processing rate for recycling is achieved.

Moved: Cr J Burns

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

---

CR.06.2

**TENDER NO. 12/2024 - KERBSIDE FOOD ORGANICS/GARDEN ORGANICS PROCESSING - TENDER EVALUATION**

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

**AUTHOR:** John Wisniewski - Manager Sustainability

*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.*

**PURPOSE**

The purpose of this report is to consider Tender No. 12/2024 for the processing of Upper Hunter Shire Council's kerbside collected Food Organics/Garden Organics (FOGO).

24/107

**RESOLVED**

**That Council**

1. **accept Tender No. 12/2024 from Loop Organics Pty Ltd for the processing of kerbside collected Food Organics/Garden Organics at the rate per tonne specified in the report for a period of four (4) years with the option for two, 2 year extensions (at Council's discretion).**
2. **delegate authority to the General Manager to execute all associated documents and perform all relevant functions of the Contract.**

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

---

CR.06.3

**PROVISION OF HYGIENE SERVICES - RFQ012425HUN**

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

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

*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.*

**PURPOSE**

Council participated in a selective Single Source Request for Quotation (RFQ) as a result of discussions with Participating Councils in the Hunter Region regarding requirements for the Provision of Hygiene Services. This contract will run for 36 months from 1 July 2024 to 30 June 2027. A 12-month option may be taken up based on satisfactory performance by the contractor/s.

24/108

**RESOLVED**

**That Council:**

1. **award this contract to Flick Anticimex Pty Ltd as the Single Source supplier for the period 1 July 2024 to 30 June 2027; and,**
2. **delegate authority to the General Manager to extend the contract 12 months based on satisfactory supplier performance, which may take this contract through to 30 June 2028.**

Moved: Cr A Williamson

Seconded: Cr B McKenzie

CARRIED UNANIMOUSLY

**RESPONSIBLE OFFICER:** Wayne Phelps - Manager Finance**AUTHOR:** John Reijn - Stores and Purchasing Supervisor

*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.*

**PURPOSE**

Council participated in an open Panel Source Tender for the Provision of Labour Hire with a number of other Hunter Council participants that was facilitated by Regional Procurement. The tender period will be for a 36 month period from 1 July 2024 to 30 June 2027 with a further twelve (12) month option available based on satisfactory performance of the successful tenderers. The value of acquisitions to the Upper Hunter Shire Council is unknown as it is dependent on infrastructure requirements over the period of the tender.

24/109

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

1. **award the contract to the following tenderers, representing best value for Category 1, labouring and physical services, as the Panel Source supplier for the period 1 July 2024 to 30 June 2027:**
  - a. **CBD Plant & Labour Pty Ltd**
  - b. **CGH Services Pty Ltd t/a Corestaff and Beilby Downing Teal**
  - c. **DOB Enterprises Pty Ltd t/a MBC Recruitment and also Macquarie Labour Hire**
  - d. **ICombined360 Services Group P/L**
  - e. **Labour Cooperative Ltd t/a LabourCo, CREWhunter**
  - f. **Newada Pty Ltd t/a Men and Women at Work**
  - g. **Rarekind People**
  - h. **Programmed Skilled Workforce Pty Ltd t/a Programmed Skilled Workforce**
  - i. **Workforce Infrastructure Australia Pty Ltd**
  - j. **Workforce Recruitment and Labour Services t/a Workforce Recruitment and Labour Services Pty Ltd**
  
2. **award the contract to following tenderers, representing best value for Category 2, technical and professional services, as the Panel Source supplier for the period 1 July 2024 to 30 June 2027:**
  - a. **CGH Services Pty Ltd t/a Corestaff and Beilby Downing Teal**
  - b. **DOB Enterprises Pty Ltd t/a MBC Recruitment and also Macquarie Labour Hire**
  - c. **GWG Recruitment t/a GWG Partners Pty Ltd**
  - d. **Hays Specialist Recruitment (Australia) Pty Limited**
  - e. **ICombined360 Services Group P/L**
  - f. **Labour Cooperative Ltd t/a LabourCo, CREWhunter**
  - g. **Newada Pty Ltd t/a Men and Women at Work**
  - h. **Randstad Pty Ltd, Randstad Digital Pty Ltd, Digby Morgan Pty Ltd**
  - i. **Rarekind People**
  - j. **Programmed Skilled Workforce Pty Ltd t/a Programmed Skilled Workforce**
  - k. **Workforce Infrastructure Australia Pty Ltd**
  - l. **Workforce Recruitment and Labour Services t/a Workforce Recruitment and Labour Services Pty Ltd;**
  
4. **award contract to tenderers representing best value for Category 3 (a) and (b), Placement Services, as the Panel Source supplier for the period 1 July 2024 to 30 June 2027;**

- a. CGH Services Pty Ltd t/a Corestaff and Beilby Downing Teal
- b. DOB Enterprises Pty Ltd t/a MBC Recruitment and also Macquarie Labour Hire
- c. GWG Recruitment t/a GWG Partners Pty Ltd
- d. Hays Specialist Recruitment (Australia) Pty Limited
- e. ICombined360 Services Group P/L
- f. Labour Cooperative Ltd t/a LabourCo, CREWhunter
- g. Randstad Pty Ltd, Randstad Digital Pty Ltd, Digby Morgan Pty Ltd
- h. Rarekind People
- i. Programmed Skilled Workforce Pty Ltd t/a Programmed Skilled Workforce
- j. Workforce Infrastructure Australia Pty Ltd

4. allow provision of a 12 month extension based on satisfactory supplier performance for Category 1, Category 2 and Category 3 for the period 1 July 2027 to 30 June 2028.

Moved: Cr J Burns

Seconded: Cr R Campbell

CARRIED UNANIMOUSLY

**CR.06.5**

***TENDER 14/2024 FY25 WATER MAIN RENEWAL - TENDER AWARD***

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

**AUTHOR:** Mick Doran - Project Manager

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

**PURPOSE**

The purpose of this report is to outline the process that has been followed for the evaluation of Tender No. 14/2024 FY25 Water Main Renewals, to make a recommendation to award the tender, and to confirm the project budget.

24/110

**RESOLVED**

**That Council:**

1. accept Tender No. 14/2024 from Demand Plumbing & Excavations Pty Ltd for water main renewal for a contract sum of \$1,717,114.94 inclusive of GST.
2. delegate authority to the General Manager to approve variations within 50% of the project budget so that any additional water mains identified within the 12 months construction period can be replaced by this contractor, and;
3. delegate authority to the General Manager to conduct all relevant functions under the contract.

Moved: Cr R Campbell

Seconded: Cr T Clout

CARRIED UNANIMOUSLY

---

CR.06.6

**TENDER 6/2024 - SCONE CBD REVITALISATION STAGE 2 -  
TENDER EVALUATION**

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

**AUTHOR:** Allan Greer - Project Manager

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

**PURPOSE**

The purpose of this report is to outline the process that has been followed for the evaluation of Tender 6/2024 for the Scone CBD Revitalisation Stage 2. The report recommends to decline all tenders and commence negotiations with the preferred Tenderer and other providers for reducing scope to meet the current available budget.

24/111

**RESOLVED**

**That Council:**

- 1. decline to accept tenders for Tender No. 6/2024 as per Clause 178 (1)(b) of Part 7: Division 4 of the Local Government (General) Regulation 2005, as tender was significantly higher than the project budget;**
- 2. not invite fresh tenders as the current market pricing for the tendered scope is significantly higher than the project budget;**
- 3. negotiate with the tenderers and any other providers to arrive at an adjusted scope within the funding budget;**
- 4. report back to Council on construction options as well as possible scope variation, phasing of works and the use of other contractors (including Council's Works Department) undertaking portions of the work.**

Moved: Cr J Burns

Seconded: Cr A Williamson

CARRIED UNANIMOUSLY

**RETURN TO OPEN MEETING**

24/112

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

Moved: Cr B McKenzie

Seconded: Cr T Clout

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 6.21PM.