



## NOTICE OF MEETING

Notice is hereby given, in accordance with the provisions of the *Local Government Act 1993* that a **Meeting of Singleton Council** will be held in the **Council Chambers, Queen Street Singleton**, on **Tuesday 17 May 2022**, commencing after the Public Forum at **5.30PM**.

### **Emergency Evacuation - Council Chambers**

In case of an emergency, for example a fire, please evacuate the building via the marked exit doors (*Mayor points to the doors*). The order to evacuate may be signified by an alarm siren or by a Council officer or myself. Please proceed to the green "emergency assembly area" signs either near the cycleway on Queen Street (*Mayor points in direction of Queen Street*) or at the other side of the carpark towards the Gym & Swim (*Mayor points again*). An instruction to evacuate to a marked area should be followed without delay to assist Council in ensuring the Health and Safety of all staff and visitors.

### **Privacy/Webcasting**

In accordance with the *NSW Privacy & Personal Information Protection Act, 1998*, you are advised that all discussion held during the Open Council Meeting is public information. This will include any discussion involving the Mayor, a Councillor, staff member or a member of the public. All persons present or attending via audio-visual link should withhold from making public comments about another individual without seeking the consent of that individual in the first instance.

Please be aware that Council webcasts its Open Council Meetings via its website. All persons should refrain from making any remarks that could potentially be considered defamatory. Council accepts no liability for any defamatory remarks made during the course of the Council Meeting. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so.

### **General**

All persons present either in the Council Chambers or via audio-visual link are requested to turn their mobile devices to silent during the course of the Council Meeting. Any persons attending via audio-visual link are required to have their camera on at all times.

## 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 Singleton 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.

## AGENDA

## PAGE

### Opening of Meeting

### Acknowledgement of Country

*I would like to begin by paying my respects to Elders past and present of the Wanaruah, Wonnarua people and acknowledge their custodianship of the land on which we are meeting today. I also pay my respects to all Aboriginal people from other nations that are here today and live in Wanaruah, Wonnarua country.*

### Apologies and applications for a leave of absence by Councillors

### Confirmation of Minutes

1. 19 Apr 2022

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**Questions with Notice**

Jason Linnane  
**GENERAL MANAGER**

## MEETING PRINCIPLES

Council and Committee meetings should be:

- *Transparent:* Decisions are made in a way that is open and accountable.
- *Informed:* Decisions are made based on relevant, quality information.
- *Inclusive:* Decisions respect the diverse needs and interests of the local community.
- *Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- *Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- *Respectful:* Councillors, staff and meeting attendees treat each other with respect.
- *Effective:* Meetings are well organised, effectively run and skilfully chaired.
- *Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

**PR3/22. Singleton RSL Sub-Branch Memorial Award**

**FILE: 22/00009**

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Representatives of the Executive of the Singleton RSL Sub-Branch will attend the meeting to present the Singleton RSL Sub-Branch Memorial Award to Council in recognition of the many years of assistance with Commemorative Services in Singleton.

**DCCS20/22. March 2022 Quarterly Budget Review Statement****FILE: 03/0133**

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**Executive Summary**

The purpose of this report is to present to Council the March 2022 Quarterly Budget Review Statement (QBRS). Following this review, Council's Net Operating Result before capital items for the year shows a projected surplus of \$1.0 million compared to Council's original budget of a \$1.90 million surplus.

The operating result is an improvement of \$1.4 million in the March quarter due to several variations as identified in the Quarterly Review Statement.

An advanced payment of the 2022-23 Financial Assistance Grant (FAG) of approximately \$3.3 million was received in April. This represents 75% of the FAG payment for the 2022-23 period.

**RECOMMENDED** that Council adopt the recommended budgetary changes presented in the March 2022 Quarterly Budget Review Statement.

**Report**

The QBRS represents a summary of Council's financial position at the end of each quarter. It is the mechanism whereby Councillors and the community are informed of Council's progress against the Operational Plan along with recommended changes and reasons for major variances.

The QBRS provides information in relation to variations in income and expenditure which have been affected by several factors. These include decisions by other levels of government on grant programs, changing economic activity, the weather and decisions by Council.

Shown as **Attachment 1** is the March 2022 Quarterly Budget Review Statement.

**Community Strategic Plan**

The presentation of the QBRS addresses the following strategy contained within Council's adopted Community Strategic Plan:

**Our Leadership**

5.7 Infrastructure services, facilities and Council are managed in a financially sustainable way.

**Delivery Program/Operational Plan**

The adoption of the recommendation will meet the following outcomes of Council's Delivery Program and Operational Plan:

*Corporate and Commercial Services Report (Items Requiring Decision) - DCCS20/22*

5.7.3 Monitor and accurately report on Council's financial position in accordance with the *Local Government Act* requirements.

5.7.3.1 Three quarterly budget review statements submitted to Council.

### Council Policy/Legislation

Clause 203(1) of the *Local Government (General) Regulation, 2021* requires Council's Responsible Accounting Officer to prepare and submit a Quarterly Budget Review Statement to the governing body of Council. The QBRs must show, by reference to the estimated income and expenditure set out in the Operational Plan, a revised estimate of income and expenditure for the year.

### Financial Implications

The March 2022 QBRs shows a projected year end operating surplus of \$1.0 million before capital items, compared to Council's 2021/22 original Financial Year Budget of a \$1.90 million surplus. It includes a positive movement of \$1.4 million compared to the December QBR. The additional 25% or \$1.4 million in advanced 2022-2023 FAG has assisted Council projecting a \$1.0 million year end surplus. If Council had not received this additional funding then it would be a forecast deficit of \$400 thousand. Further, if this additional advance does not repeat in the 2022-2023 year (advance for the 2023-2024 year), then Council's operating result will be negatively impacted. The commentary explains the variations that are contained within the March 2022 QBRs as shown as **Attachment 1**.

A summary of significant budgetary changes includes:

- **User Fees** – have been revised down by \$1.03m due to reductions in water usage based on recent and expected rainfall this financial year \$1.06m.
- **Other Revenue** - have been revised down by \$337k, due to the removal of the reimbursement from Transport NSW for \$330k this financial year for the relocation of Water Works Land Depot.
- **Grants and Contributions (Operating)** – have been revised up by \$4.6m, primarily due to the advance payment of 75% of the 2022/2023 Financial Assistance Grant (FAG) for \$3.3m, and the receipt of February Flood Relief Grant \$1.0m and Regional NSW – Regional Events Acceleration Grant for Firelight – Firewalk Singleton – 14 Day Light Spectacular \$150k.
- **Grants and Contributions (Capital)** – have been revised down by \$2.6m, due to the delay of some major projects: Putty Valley Road \$1.2m and Gibbs Bridge \$900k. In addition, the removal of the Saleyards project original grant money for \$330k. The revised Saleyards project has been expanded and there has recently been an announcement for \$2.77m in grant funding. This project will commence in the next financial year.
- **Employee costs** – have been revised up by \$1.0m, due to the filling of a number of vacancies ahead of budget.
- **Materials and Services** – have been revised up by \$804k, with the largest contributor being the distribution of funds from the Singleton Community Economic Development Fund – Round 1 for \$329 to the community.; additional legal fees for the Redbank

## Corporate and Commercial Services Report (Items Requiring Decision) - DCCS20/22

matter of \$165k; and Firelight – Firewalk Singleton – 14 Day Light Spectacular \$150k, grant funded event.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Residual Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council will not comply with clause 203(1) of the <i>Local Government (General) Regulation 2021</i> which may lead to intervention from the Office of Local Government.	Low	Adoption of the recommendation.	Low	Yes
There is a risk that major budget variations are not reported to Council prior to the finalisation of annual accounts which may result in the community's perception of financial mismanagement.	Moderate	Adoption of the recommendation.	Low	Yes
There is a risk of Councilors and management not having a good oversight over the financial affairs of Council which may lead to reputational damage to Council.	Moderate	Adoption of the recommendation.	Low	Yes

**Options**

The following options are available to Council:

1. Adopt the recommended budgetary changes presented in the March 2022 Quarterly Budget Review Statement, or
2. Not adopt the recommended budgetary changes presented in the March 2022 Quarterly Budget Review Statement.

Option one is recommended.



*Corporate and Commercial Services Report (Items Requiring Decision) - DCCS20/22***Conclusions**

It is my opinion that the Quarterly Budget Review Statement for Singleton Council for the quarter ended 31 March 2022 indicates that Council's projected financial position at 30 June 2022 will be satisfactory at year end, having regard to the projected estimates of income and expenditure.

**Jeannie Hayes**

Responsible Accounting Officer

**Attachments**

**AT-1** [↓](#) MARCH 2021-22 Quarterly Budget Report - revised







































**DCCS21/22. Additional Special Rate Variation****FILE: 21/00620****Executive Summary**

The purpose of this report is to advise of the recently released guidelines on an Additional Special Variation (ASV) process for 2022/23 and to obtain an updated Council resolution to apply for an ASV under section 508(2) of the *Local Government Act, 1993*.

This report follows on from the report DCCS12/22 - Revenue Policy – Rating Policy, adopted at the Council meeting on 19 April 2022. IPART requires a more prescriptive council resolution to go with the ASV application that was recently lodged.

**RECOMMENDED** that Council:

1. Notes its previous resolution (DCCS12/22 – 19 April 2022) to apply for an Additional Special Variation of 2.00 percent.
2. Makes a *permanent* Additional Special Variation Application of 2.00 percent under section 508(2) of the *Local Government Act 1993*, being 1.30 percent higher than the IPART approved increase of 0.70 percent, which will generate an additional \$307,000 general rate income in the first year.
3. Can demonstrate financial need such that, in the absence of a special variation, Council would not have sufficient capacity to meet all its obligations as identified in its Financial Year 2021-22 LTFP as and when they fall due in Financial Year 2022-23.
4. Has considered the impact on ratepayers and the community in 2022-23 and will provide assistance using Council's Hardship Policy to ratepayers if required and that the amount of the increase is reasonable to ensure Council's long term financial viability.

**Report**

On 6 April 2022 the Office of Local Government (OLG) released Council Circular "22-07 Guidelines for Additional Special Variation Process for 2022-23". This circular contained details on the guidelines for an ASV Process for 2022/23.

All NSW councils are subject to rate pegging which sets the maximum allowable increase on rates each year as determined by the Independent Pricing and Regulatory Tribunal (IPART). In December 2021 IPART announced the rate peg for the 2022/23 financial year for Singleton Council was 0.70 percent, which was significantly lower than the 2.00 percent Council was anticipating and had used in the preparation of the Long Term Financial Plan (LTFP). Approximately, 35 percent of Council's revenue comes from general rates. A decrease from 2.00 percent to 0.70 percent equates to \$307,000 lost revenue per year than was previously forecast (in the 2021/22 LTFP) for 2022/23. The estimated impact across the next 10 years is \$3.4 million in lost rates revenue.

*Corporate and Commercial Services Report (Items Requiring Decision) - DCCS21/22*

The Independent Pricing and Regulatory Tribunal (IPART) has since advised that it will accept and process an additional round of 2022/23 ASV applications from councils via Council circular 22-07.

The one off 2022/23 ASV is a mechanism to allow councils that received a rate peg of less than 2.5 percent to apply for the difference between the rate peg they have been advised and the greater of a maximum rate peg of 2.5 percent or what was in their 2021/22 LTFP (2.0 percent for Singleton) for the 2022/23 financial year. The application can be a once off or permanent increase. A permanent increase would only be a one-off increase of 2.0 percent, but the revenue gained from this would be retained in the rate base as is the rest of Council's rate revenue, whereas a once off would be removed from the rate base in 2023/24. Council's application is recommended to be permanent.

The use of 2.5 percent is due to this being the recommended rate peg value that IPART recommend councils use for long term financial modelling. It is understood that most councils used between 2.0 percent and 2.5 percent for the rate peg forecast in their LTFPs. A rate peg lower than 2.0 percent will reduce the level of funding available for the maintenance of essential assets and the provision of community services.

IPART has stated that councils requesting an ASV will need to demonstrate that:

- Council has financial need such that, in the absence of a special variation, council would not have sufficient funds to meet its obligations as determined in its 2021-22 LTFP as and when they fall due in 2022/23 and
- Where councils are applying for a permanent special variation, in addition to the above criterion, the council has demonstrable financial need for the special variation to be retained in its rate base on an ongoing and
- Council's 2021-22 IP&R documentation budgeted for an income increase above the percentage specified for the council for 2022-23 under section 506 of the Act and
- Council has resolved to apply for the special variation under section 508(2) of the Act and that the resolution clearly states:
  - a) whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act and
  - b) the additional income that council will receive if the special variation is approved and
  - c) why the special variation is required; and that council has considered the impact on ratepayers and the community in 2022/23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.

To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for an ASV meets the application requirements.

Under this ASV round of applications:

- IPART will accept applications until 29 April 2022 (Council has applied to IPART on 26 April 2022)
- IPART will publish applications to enable community consultation for a period of at least three weeks and
- IPART will notify councils of its decision no later than 21 June 2022.

## Corporate and Commercial Services Report (Items Requiring Decision) - DCCS21/22

**Assessment**

Not applying for the ASV means missing the opportunity to keep funding for rate revenue at the level determined in Council's adopted LTFP and the subsequent impact on Council's key financial indicators such as operating performance ratio for General Fund.

As indicated earlier an ASV of 2.00 percent will generate an additional \$307,000 in rate revenue compared with the approved rate peg increase of 0.70 percent. The draft budget for 2022/23 (endorsed for exhibition at the April Council meeting) has a \$274k surplus. Hence, if the \$307,000 is not applied, Council will be in a deficit position, which will necessitate difficult decisions around levels of services and use of reserves. Further, eight of the next ten years in the draft 2022-23 LTFP have results lower than a \$307,000 surplus. This means the loss of the \$307,000 would result in eight on the next ten years being in deficit.

The impact of the ASV on the average rate per category/sub-category is shown in the table below:

**Impact on the Ratepayer: 0.70% vs 2.00%**

<b>Category</b>	<b>2.00%</b>	<b>0.70%</b>	<b>LV</b>	<b>\$ Increase</b>	<b>% Movement</b>
Residential Urban	\$1,177.97	\$1,162.98	138,080	<b>14.99</b>	<b>1.29%</b>
Residential Rural	\$1,661.37	\$1,640.55	272,536	<b>20.82</b>	<b>1.27%</b>
Residential Village					
Broke	\$ 784.64	\$ 774.71	115,480	<b>9.93</b>	<b>1.28%</b>
Jerrys Plains	\$ 784.64	\$ 774.71	115,480	<b>9.93</b>	<b>1.28%</b>
Residential Ordinary	\$1,201.84	\$1,186.08	358,585	<b>15.76</b>	<b>1.33%</b>
Business Singleton	\$3,201.90	\$3,164.90	254,976	<b>37.00</b>	<b>1.17%</b>
Business Mount Thorley	\$4,059.24	\$4,007.72	332,308	<b>51.52</b>	<b>1.29%</b>
Business Village					
Broke	\$1,393.73	\$1,376.11	110,752	<b>17.62</b>	<b>1.28%</b>
Jerrys Plains	\$1,393.73	\$1,376.11	110,752	<b>17.62</b>	<b>1.28%</b>
Business Ordinary	\$1,545.38	\$1,519.12	360,684	<b>26.26</b>	<b>1.73%</b>
Farmland Ordinary	\$2,469.31	\$2,437.65	738,959	<b>31.66</b>	<b>1.30%</b>

**Community Strategic Plan**

The Community Strategic Plan identifies the following strategies relevant to this matter:

**Our Leadership**

- 5.7 Infrastructure services, facilities and Council are managed in a financially sustainable way.

*Corporate and Commercial Services Report (Items Requiring Decision) - DCCS21/22***Delivery Program/Operational Plan**

The adoption of the additional special rate variation will meet the following outcomes of Council's Delivery Program and Operational Plan:

- 5.7.6 Develop annual Operational Plan budget and review the Long Term Financial Plan.
- 5.7.6.1 Develop the annual budget including Fees and Charges for adoption by Council by 30 June each year.

**Council Policy/Legislation**

Section 508(2) of the *Local Government Act 1993*, Special Variation.

Council's Hardship Policy is also relevant, as this policy provides financial assistance to ratepayers who are experiencing genuine financial hardship with the payment of rates and charges. Council continues to have very low levels of outstanding rates (3.21 percent at 30 June 2021 compared the OLG benchmark of 10 percent).

**Financial Implications**

If IPART approves the ASV, Council will generate \$24.1 million in general rate income to fund essential services, which are provided to the community along with funding to enable Council to maintain its infrastructure assets at the required level and to remain a financially sustainable entity.

**Consultation/Social Implications**

A Councillor briefing regarding the proposed rating structure as part of the Operational Plan 2022/23 was held on 1 March 2022 and a further Councillor briefing on rates and the ASV was held on 12 April 2022. Council adopted to place the Revenue Policy for Rating on public exhibition on 19 April 2022.

The draft 2022/23 Operational Plan has been placed on public exhibition on 20 April 2022 in accordance with the requirements of the *Local Government Act, 1993*.

**Environmental Consideration**

Nil.

**Risk Implications**

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk of not increasing rates this year by the additional special variation may	High	Adopt the recommendation	Low	Yes

## Corporate and Commercial Services Report (Items Requiring Decision) - DCCS21/22

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
lead to longer term financial impacts and the limit the ability of Council to provide services to the Community.				
There is a risk of community dissatisfaction with the level of rate increases at this moment which may lead to reputational damage to Council.	Medium	Develop communications plan to explain increases and advising of Council's Hardship Policy to assist ratepayers experiencing financial hardship.	Low	Yes

### Options

The following options are available to Council:

1. That Council makes a *permanent* Additional Special Variation Application of 2.00 percent under section 508(2) of the *Local Government Act 1993*, being 1.30 percent higher than the IPART approved increase of 0.70 percent, which will generate an additional \$307,000 general rate income in the first year.
  - a. Council can demonstrate financial need such that, in the absence of a special variation, Council would not have sufficient capacity to meet all its obligations as identified in its Financial Year 2021-22 LTFP as and when they fall due in Financial Year 2022-23.
  - b. Council has considered the impact on ratepayers and the community in 2022-23 and will provide assistance using Council's Hardship Policy to ratepayers if required and that the amount of the increase is reasonable to ensure Council's long term financial viability.
2. Council does not apply for an Additional Special Variation Application and adopts a 0.7 percent rates increase, which would have negative short and long term impacts.

Option one is recommended.

### Conclusions

Adopting an additional special variation to take up a 2.0 percent general rate increase in line with Council's previously adopted Long Term Financial Plan.

### Attachments

There are no attachments for this report.

**22. Draft Lease/Licence of Council Land and Buildings to Community Groups Policy****FILE:** 13/0633

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**Executive Summary**

The purpose of this report is to present the draft updated Lease/Licence of Council Land and Buildings to Community Groups Policy to Council for consideration and adoption.

**RECOMMENDED** that Council:

1. Adopt POL/25041.4 Lease/Licence of Council Land and Buildings to Community Groups Policy.
2. Rescind POL/25041.3 Lease/Licence of Council Land and Buildings to Community Groups Policy.

**Background**

The Lease/Licence of Council Land and Buildings to Community Groups Policy is in place to provide Council with a framework for the equitable, and effective leasing and licencing of its land and building assets to community groups.

Singleton Council's land and building assets are managed by a variety of Business Units across Council. It is important to have an open and transparent policy that relates to all Council owned/managed land and building assets used or to be used by community groups under lease and license arrangements.

This policy provides the framework for the assessment of leases and licenses of Council owned/managed land and buildings to community groups following an expression of interest process prior to consideration of the matter by Council. It establishes the requirement for all community groups to demonstrate the community benefit arising from their use of the Council owned/managed land and buildings and sets out reporting requirements to ensure accountability to Council and recognition of Council's contributions. The policy sets out terms and conditions to be used as the basis for negotiating leases and licenses.

This policy has recently been reviewed and updated to reflect current legislation and Council processes. There have been only minor changes (relating to changes in position titles and some minor formatting changes) to the current policy, which was last adopted by Council on 25 November 2019. Changes are shown in yellow highlight in the attached draft policy.

The draft Lease/Licence of Council Land and Buildings to Community Groups Policy is provided as **Attachment 1**.



**Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:

**Our Leadership**

5.6 To lead, govern and regulate in an ethical, equitable and transparent way.

**Delivery Program/Operational Plan**

Adoption of the draft Policy will meet the following outcomes of Council's Delivery Program and Operational Plan:

5.6.5.1 Council policies are current and reviewed as required.

**Council Policy/Legislation**

The draft Policy has been developed with reference to the following legislation:

- *Local Government Act, 1993*
- *Crown Lands Act, 1989*
- *Environmental Planning & Assessment Act, 1979*
- *Protection of the Environment Operations Act, 1997*
- *Conveyancing Act, 1919*
- *Real Property Act, 1900*
- *Retail Leases Act, 1994*

The draft Policy is related to the following documents:

- POL/9006 – Asset Management Policy
- Crown Lands Reserve Trust Handbook
- Office of Local Government – Practice Note 1 – Public Land Management

**Financial Implications**

The revision of the existing policy will result in no additional financial implications.

**Consultation/Social Implications**

The draft policy has been developed in consultation with Council's Leadership Team and was endorsed prior to referral to Council for adoption.

Once adopted the Policy will be available on Council's website, intranet and the Councillor Hub.

**Environmental Consideration**

Not Applicable.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council will not have a framework for the equitable, effective and efficient lease/licence of its land and building assets to community groups which may lead to reputational damage.	Medium	Adoption of the recommendation	Low	Yes
There is a risk that Council will have unclear policy and processes which may lead to reputational damage.	Medium	Adoption of the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Adopt the draft POL/25041.4 Lease/Licence of Council Land and Buildings to Community Groups Policy and rescind POL/25041.3 Lease/Licence of Council Land and Buildings to Community Groups Policy.
2. The draft Lease/Licence of Council Land and Buildings to Community Groups Policy is not adopted and a further review be carried out.

Option 1 is recommended.

**Conclusions**

The revised draft Lease/Licence of Council Land and Buildings to Community Groups Policy is recommended for adoption.

**Attachments**

**AT-1** [↓](#) Draft - Lease Licence of Council Land & Buildings to Community Groups Policy











































**DCCS23/22. Draft Pensioner Concession Policy****FILE: 13/0633****Executive Summary**

The purpose of this report is for Council to consider the revised draft Pensioner Concession Policy, which ensures a consistent approach in dealing with ratepayers and debtors.

**RECOMMENDED** that Council:

1. Adopt Draft Policy POL/6008.5 Pensioner Concession Policy
2. Rescind Policy POL/6008.4 Pensioner Concession Policy.

**Report**

*The NSW Government under "Chapter 15, Part 8 Concessions" of the Local Government Act, 1993* provides pensioner rebates on all ordinary rates and domestic waste management services, water management services, as well as water and sewerage rates and charges, if applicable.

A review has been undertaken of this Policy which was last adopted by Council on 18 May 2020 and the revised draft policy is shown as **Attachment 1**.

This review has resulted in changes to more clearly explain which pension card holders are eligible to claim the rebate, what the actual rebate is and some minor grammar, title and formatting changes. Changes are shown in yellow highlight in the attached draft policy.

**Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:

**Our Leadership**

- 5.6 To lead, govern and regulate in an ethical, equitable and transparent way.

**Delivery Program/Operational Plan**

The adoption of the draft Pensioner Concession Policy will meet the following outcomes of Council's Delivery Program and Operational Plan:

- 5.6.5 Policies are reviewed as required throughout the term of Council to ensure legislative compliance.

### Council Policy/Legislation

This revised draft policy has been developed with reference to the following legislation:

*Local Government Act, 1993 (NSW)*  
*Local Government (General) Regulation, 2021*

The following procedure also relates to this draft Policy:

Operational Procedure – Finance (Pensioner Concession and Reversal)  
 Singleton Council Delegation Register

### Financial Implications

The adoption of this revised draft policy will not have any additional financial implications for Council.

### Consultation/Social Implications

This revised draft policy has been developed in consultation with Council's Revenue Staff. Reference was also made to the Office of Local Government Rating and Revenue Raising Manual. The Leadership Team also considered the revised draft policy prior to referral to Council for adoption.

Notification of Council's Pensioner Concession Policy will be included in Council's annual rating information brochure.

The adopted Pensioner Concession Policy will be posted on Council's website together with the prescribed application form.

### Environmental Consideration

Not applicable

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will have unclear policy and processes which may lead to reputational damage	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will not comply with <i>Chapter 15, Part 8 Concessions of the</i>	Medium	Adopt the recommendation	Low	Yes

## Corporate and Commercial Services Report (Items Requiring Decision) - DCCS23/22

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
<i>Local Government Act 1993, which may lead to reputational damage.</i>				
There is a risk that if Council is not supportive of pensioners via this policy which may result in reputational damage.	Low	Adopt the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Adopt draft POL/6008.5 Pensioner Concession Policy as attached and rescind POL/6008.4.
2. Not adopt the draft Pensioner Concession Policy and a further review be carried out.

Option one is recommended.

**Conclusions**

The draft policy as attached is recommended for adoption.

**Attachments**

**AT-1** [↓](#) Draft Pensioner Concession Policy

















**DCCS24/22. Draft Debt Recovery Policy****FILE: 13/0633**

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**Executive Summary**

The purpose of this report is for Council to consider the revised draft Debt Recovery Policy.

**RECOMMENDED** that Council:

1. Adopt draft POL/6002.6 Debt Recovery Policy.
2. Rescind POL/6002.5 Debt Recovery Policy.

**Report**

Council's rates and annual charges make up approximately 49% of total operating income for the 2021/22 financial year. It is important that the recovery of rates revenue and other charges is consistent and effective to ensure Council maintains sufficient funds to support the delivery of its services to the local community. Council monitors the performance of recovery actions undertaken to manage the collection of overdue rates and charges and seeks to maintain rate arrears below 5% as of 30 June each year. As of 30 June 2021, rates and annual charges outstanding was 3.21%. The industry benchmark for regional and rural councils is less than 10%.

Over the past 2 years, Council had suspended debt recovery action in line with the NSW Governments *COVID-19 Legislation Amendment (Emergency Measures – Miscellaneous) Act 2020* No 5 which included several amendments to the *Local Government Act, 1993* restricting when Council can commence debt recovery. The period of effect of this amendment has now passed and Council has recommenced debt recovery measures in line with previous policy and procedures.

The revised draft Debt Recovery Policy is shown as **Attachment 1**. This review has resulted in some minor changes to clarify aspects of the policy along with a reformatted Debt Collection Agency Procedures section to more clearly detail the steps that are taken in debt recovery actions. Other minor changes to the current policy, which included changes to position titles and formatting were also undertaken. Changes are shown in yellow highlight in the attached draft policy.

The procedural components for staff are incorporated in the Standard Operational Procedure for Debt Recovery.

**Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:



## Our Leadership

5.6 To lead, govern and regulate in an ethical, equitable and transparent way.

## Delivery Program/Operational Plan

The adoption of the draft Debt Recovery Policy will meet the following outcomes of Council's Delivery Program and Operational Plan:

5.6.5 Policies are reviewed as required throughout the term of Council to ensure legislative compliance.

## Council Policy/Legislation

This draft policy has been developed with reference to the following legislation:

*Local Government Act, 1993*

*Local Government (General) Regulation, 2021*

The following policy and procedures also relate to this draft policy:

POL/6009 Hardship Policy

Standard Operational Procedure – Finance (Debt Recovery)

Singleton Council Delegation Register

## Financial Implications

The Debt Recovery Policy guides the collection of rates and annual charges, water and sewer bills, and sundry debtors. This helps ensure Council receives those monies owed to Council, while treating all debtors fairly.

All legal costs and expenses incurred in recovering outstanding rates and charges shall be charged against the property in accordance with section 605 of the *Local Government Act, 1993*.

## Consultation/Social Implications

This draft policy has been prepared in consultation with Council's Finance Team and the Leadership Team. The draft policy and procedures were also reviewed by Council's Debt Recovery Agency to ensure that Council's process is undertaken without imposing unnecessary costs on the ratepayer and the NSW court system.

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay rates when they become due and payable to Council. It is not the intention to cause hardship to any ratepayer through Council's recovery procedures and consideration will be given to acceptable arrangements to clear the debt prior to the end of the current financial year as per Council's adopted Hardship Policy.

## Environmental Consideration

Not applicable.

## Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will not comply with the Local Government Act which may lead to legal action, fines and penalties	High	Adopt the recommendation	Low	Yes
There is a risk that Council will have unclear policy and processes which may lead to reputational damage	Medium	Adoption of the recommendation	Low	Yes
There is a risk to Council in not having the policy framework in place which may lead to financial loss	Medium	Adoption of the recommendation	Low	Yes

## Options

The following options are available to Council:

1. Draft POL/6002.6 Debt Recovery Policy be adopted, and POL/6002.5 Debt Recovery Policy be rescinded.
2. Not adopt draft POL/6002.6 Debt Recovery Policy and further review the draft policy.

Option one is recommended.

## Conclusions

The revised draft Debt Recovery Policy provides Council with a framework to manage the collection of overdue charges in an efficient and timely manner, as well as recognise cases of financial hardship that exist within the community.

## Attachments

**AT-1** [↓](#) Draft Debt Recovery Policy

















**DCCS25/22. Draft Loan Borrowing and Overdraft Policy****FILE: 13/0633****Executive Summary**

The purpose of this report is for Council to consider and adopt the revised draft Loan Borrowing and Overdraft Policy.

**RECOMMENDED** that Council:

1. Adopt draft POL/6011.5 Loan Borrowing and Overdraft Policy.
2. Rescind POL/6001.4 Loan Borrowing and Overdraft Policy.

**Report**

The objective of the Policy is to:

- Ensure that all borrowings are in accordance with the relevant legislative provisions
- Ensure the total amount of the loan borrowings is sustainable in terms of Council's ability to meet future repayments and budgetary obligations
- Meet the industry best practice standard in respect of an organisation's Debt Service Cover Ratio (DSCR) of greater than 2.00, as determined by the Office of Local Government. As of 30 June 2021, Council's DSCR was 6.16.

The draft policy includes some minor grammar and responsible officer title updates. Changes are shown in yellow highlight in the attached draft policy.

The draft Loan Borrowing and Overdraft Policy is shown as **Attachment 1**.

**Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:

**Our Leadership**

5.6 To lead, govern and regulate in an ethical, equitable and transparent way.

**Delivery Program/Operational Plan**

The adoption of the draft Loan Borrowing and Overdraft Policy will meet the following outcomes of Council's Delivery Program and Operational Plan:

- 5.6.5 Policies are reviewed as required throughout the term of Council to ensure legislative compliance.

### Council Policy/Legislation

This draft Policy has been developed with reference to the following legislation:

- *Local Government Act, 1993*
- *Local Government (General) Regulation, 2021*
- Ministers Borrowing Order (2009), as per section 624 of the *Local Government Act, 1993*

### Financial Implications

This policy provides a framework for sustainable borrowing and supports the long financial sustainability of Singleton Council.

### Consultation/Social Implications

Council's Leadership Team has reviewed the revised Policy prior to referral to Council for adoption. The adopted Loan Borrowing and Overdraft Policy will be available for viewing on Council's website.

### Environmental Consideration

Not applicable

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will not comply with the <i>Local Government Act</i> which may lead to legal action, fines and penalties.	High	Adopt the recommendation	Low	Yes
There is a risk that Council will have unclear policy and processes which may lead to reputational damage.	Medium	Adoption of the recommendation	Low	Yes
There is a risk of financial loss without the policy framework in place.	Medium	Adoption of the recommendation	Low	Yes

*Corporate and Commercial Services Report (Items Requiring Decision) - DCCS25/22***Options**

The following options are available to Council:

1. That the revised draft Loan Borrowing and Overdraft Policy POL/6011.5 be adopted and POL/6011.4 be rescinded.
2. Not adopt the draft Loan Borrowing and Overdraft Policy and a further review be carried out.

Option one is recommended.

**Conclusions**

The revised Loan Borrowing and Overdraft Policy is recommended for adoption.

**Attachments**

**AT-1** [↓](#) Draft Loan Borrowings and Overdraft Policy

















**DOCC16/22. Draft Disability Inclusion Action Plan****FILE: 22/00108****Executive Summary**

The purpose of this report is for Council to consider adoption of the Disability Inclusion Action Plan 2022-2026.

**RECOMMENDED** that:

1. Council place the draft Disability Inclusion Action Plan 2022-2026 on public exhibition for a period of 28 days and provide public notice of its intention to adopt the draft Disability Inclusion Action Plan subject to consideration of submissions received.
2. The draft Disability Inclusion Action Plan 2022-2026 be adopted following the public exhibition period subject to submissions received and provided that there are no significant objections.
3. Should objections be received a further report be presented to Council for the adoption of the draft Disability Inclusion Action Plan with consideration of the submissions received during the public exhibition period.

**Report**

The Disability Inclusion Action Plan 2022-2026 has been developed to ensure Council meets its obligations under the *Disability Inclusion Act, 2014*. Through the implementation of this plan, it also allows Council to meet the requirements of the *Disability Discrimination Act, 1992*.

The Disability Inclusion Action Plan was developed in consultation with a sub-working group comprising members from the Singleton & District Disability Advisory Committee. Input was also gathered from the community via a range of consultation mechanisms in February 2022 and included one on one email and phone conversations and online meetings and surveys. 128 people contributed to the development of this plan, of those 21 people identified as having a disability.

The Disability Inclusion Action Plan looks at the actions Council will take over the next four years to address the four required focus areas of:

- Developing positive community attitudes and behaviours
- Creating liveable communities
- Supporting access to meaningful employment
- Improving access to mainstream services through better systems and processes.

Council is required under the *Disability Inclusion Act, 2014* to register the adopted Disability Inclusion Action Plan 2022-2026 by June 30 with the Department of Community and Justice. This Act also requires Council to report on the actions in the Annual Report and to send a report, including the allocated section within the Annual report, to the Minister for Families, Communities and Disability Services annually.

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*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC16/22*

Achievements from the Disability Inclusion Action Plan 2017-2021 include:

- Accessibility check list developed for events
- Access audit undertaken on Council owned facilities and scheduled in forward Council capital works infrastructure planning
- Completion and maintenance of Rose Point Park All Abilities Playground
- Accessibility addressed in John Street upgrades
- Additional footpaths and kerb ramps installed
- High functioning Disability Advisory Committee.

## **Community Strategic Plan**

The Community Strategic Plan identifies the following strategies relevant to this draft policy:

### **Our People**

- 1.1 Provide services and facilities that meet the needs of our Community at different stages of life.

## **Delivery Program/Operational Plan**

The adoption of the draft Disability Inclusion Action Plan will meet the following outcomes of Council's Delivery Program and Operational Plan:

- 1.2 Deliver or facilitate the delivery of all priority actions from Council's Community Development Strategies including actions relating to youth, ageing, disability and inclusion, cultural, social, recreational and leisure aspects and aboriginal engagement.

## **Council Policy/Legislation**

- *Disability Inclusion Action, 2014*
- *Commonwealth Disability Discrimination Act, 1992*

## **Financial Implications**

The majority of actions have been aligned to fit in with current or proposed plans and budget allocations. Additional funding will be required to implement those actions not currently identified in budget allocations. It is expected that the total additional cost of implementing the draft Disability Inclusion Action Plan 2022-2026 will be \$15,000 per annum over four years.

## **Consultation/Social Implications**

The Disability Inclusion Action Plan has been developed in consultation with the input from 128 people including 84 community members, a working party, service providers, Singleton & District Disability Advisory Committee and Council staff.

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC16/22*

The social implication of this plan is ensuring Singleton Council continues to make the Singleton community a more accessible, inclusive, equitable and respectful community for all.

### Environmental Consideration

No environmental impacts.

### Risk Implications

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council will not comply with <i>Disability Inclusion Act, 2014</i> which may lead to reputational damage and legal implications.	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will have unclear actions and direction for disability improvements which may lead to reputational damage.	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will not have a DIAP in place which may lead to complaints against Council under the <i>Disability Discrimination Act, 1992</i> and reputational damage.	Medium	Adopt the recommendation	Low	Yes
There is a risk to Council that members of the community will feel they have not been listened to and their concerns addressed which may lead to reputational damage.	Low	Adopt the recommendation	Low	Yes

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC16/22***Options**

The following options are available to Council:

1. Adopt the draft Disability Inclusion Action Plan 2022-2026 subject to the draft being placed on public exhibition for a period of 28 days and provide public notice of its intention to adopt the draft Disability Inclusion Action Plan subject to consideration of submissions received. Should any significant objections be received a further report be presented to Council for the adoption of the draft Disability Inclusion Action Plan with consideration of the submissions received during the public exhibition period.
2. Not adopt the draft Disability Inclusion Action Plan 2022-2026 and carry out further review.

Option one is recommended.

**Conclusions**

It is recommended that Council adopt the draft Disability Inclusion Action Plan 2022-2026 subject to 28 days public exhibition.

**Attachments**

**AT-1** [↓](#) Singleton Council draft Disability Inclusion Action Plan -  
2022 - 2026 Version 1

















































**DI&P28/22. Adoption of the Draft Community Sport Infrastructure Strategy 2022-2032** FILE: 22/00096

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**Executive Summary**

The purpose of this report is for Council to consider the adoption of the draft Singleton Community Sports Infrastructure Strategy 2022-2032 as provided at **Attachment 1** to this report. The adoption of the draft strategy will provide direction to guide and unify investment into sporting infrastructure across the Singleton Local Government Area (LGA) for the 2022 to 2032 period. It will also ensure that Council has available a list of shovel ready sporting infrastructure projects that can be put forward for future grant opportunities that may be presented.

**RECOMMENDED** that Council adopts the draft Singleton Community Sports Infrastructure Strategy 2022-2032.

**Report**

Council resolved at its meeting on 1 November 2021 to place the draft Singleton Community Sports Infrastructure Strategy 2022-2032 on public exhibition for a minimum period of 30 days and public notice be given of the intention to adopt the draft Strategy subject to consideration of submissions received.

An engagement plan was developed for the exhibition period from 17 November until 17 December 2021. A range of online and offline engagement methods were used to inform and consult with the community, including public displays and online engagement using social media.

A summary of the engagement processes, as detailed in **Attachment 2 - Engagement Outcomes and Submissions Report**, is provided below:

- Social Media - Two posts received a combined 35 engagements and 2,000 post impressions with a reach of over 1909 people.
- Advertising - Notification of the public exhibition of the Draft Singleton Community Sports Infrastructure Strategy was placed on Council's VMS board at Townhead Park from 24 November until 10 December 2021.
- Sports Council Email - On 24 November 2022, the members of the Sports Council were emailed advising them of the exhibition of the Draft Singleton Community Sports Infrastructure Strategy and encouraging them to view the document on Council's website and provide feedback.
- Media - Information regarding the exhibition of the Draft Singleton Community Sports Infrastructure Strategy was provided through the following media channels:
  - General Manager's radio interview (3 November 2021)
  - General Manager's column – Singleton Argus (5 November 2021)
  - General Manager's column – Hunter River Times (10 November 2021)

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P28/22*

As a result of the engagement process, a total of four (4) written submissions were received during the exhibition period, being in relation to the Singleton Golf Club, Singleton Gym and Swim, Howe Park amenities and existing and proposed mountain biking facilities within the Singleton LGA.

Amendments to the draft Strategy, as a result of these submissions include:

- Improved drainage across the Howe Park Reserve to prevent flooding across Boundary Street onto the golf club will be considered in future capital works programs.
- Page 94 in relation to the Howe Park Sportsground has been updated with the following addition:
  - o “Note: Howe Park is also home to the Singleton Golf Club, which shares land with the adjacent sporting facilities. However, the golf course does not form part of the study area or this Report. Refer to Page 8 for venue inclusions.”
- Page 43 has been updated to reflect that while the 14 identified locations are “Council’s” priorities, all groups and clubs represented by the Sports Council would be supported to apply for grant funding (this is already referenced on page 18 and page 10 identifies Sports Council members and its role to support member groups).
- Page 8 Singleton Mountain Bike Track at *Rolling Stock Reserve*, Maison Dieu has been updated to read *Travelling Stock Reserve*.
- The following infrastructure works at the Gym and Swim will be considered in future capital works programs
  - i) Upgrade the existing amenities/centre toilet & shower block and especially the men’s area, where there is only a communal shower.
  - ii) Replace the Pool pumps or repair existing so the Leisure Pool is back up and running.
  - iii) Improve the Leisure pool area to include more slides and fun areas for the kids in Singleton.
  - iv) Provide solar heating to the 50m pool to extend the swimming/triathlon period or just for the general public or learn to swim programs.
  - v) Provide better seating around both the 25m & 50m pool.
  - vi) Provide a new shade structure over the grandstand.
- The draft strategy has also been updated to include the front-end planning for the Howe Park Amenities in the shorter term.

Further details on the engagement methods, submissions received and responses to the issues raised are contained within the Engagement Outcomes and Submissions Report included as **Attachment 2** to this report.

## **Community Strategic Plan**

The draft Singleton Community Sports Infrastructure Strategy 2022-2032 is related to the following objectives and strategies within the Community Strategic Plan:

### **Our People**

- 1.2 Provide social, recreational and cultural services which educate, inspire and entertain.

## **Delivery Program/Operational Plan**

The draft Singleton Community Sports Infrastructure Strategy 2022-2032 is directly related to the following deliverables and actions within the Delivery and Operational Plans:

- 1.2.1 Integrate Council's Cultural, Social and Recreational Development Strategies
  - 1.2.1.2 In conjunction with the local sporting community, implement Sports Council Action Plan.

## **Council Policy/Legislation**

Nil.

## **Financial Implications**

Adopting the draft Singleton Community Sports Infrastructure Strategy 2022-2032 creates no immediate financial implications for Council.

Identified infrastructure improvement and development recommendations within the strategy provides a road map for addressing gaps in existing community sporting infrastructure across Singleton. In addition to using the proposed project prioritisation tool to assess recommendations against objectives and principles, the aspirations of clubs, committees, peak sporting body partners and the community must be considered.

The future implementation of infrastructure priorities included within the proposed 10-year capital plan, with an estimated cost of \$23,516,000, will be heavily influenced and determined by the benefit and impact they will have on users and the local community, as well as the capacity of projects to be supported and funded by key partners and investors. When making decisions on priorities and their implementation, Council will need to consider the financial contributions available from a range of sources, including sponsorship and sports club financial contributions, grant funding, developer contributions and capital works funding, as appropriate.

## **Consultation/Social Implications**

The draft Singleton Community Sports Infrastructure Strategy 2022-2032 was developed by Inside Edge Sport and Leisure Planning in consultation with Council officers, sports clubs, state sporting organisations and the broader community.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P28/22*

A formal submission process has been utilised to seek community feedback on the publicly exhibited draft Singleton Community Sports Infrastructure Strategy 2022-2032 from 17 November until 17 December 2021. The outcomes of this process are detailed in this report and shown in **Attachment 2** - The Engagement Outcomes and Submissions Report.

### Environmental Consideration

The adoption of the draft Singleton Community Sports Infrastructure Strategy 2022-2032 does not create any adverse environmental impacts.

### Risk Implications

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk of inappropriate and haphazard development of community sport infrastructure which may lead to reputational damage	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will not have appropriate grant ready projects which may lead to loss of future funding opportunities	High	Adopt the recommendation	Low	Yes
There is a risk of not developing social infrastructure that may lead to negative long term social impacts	Medium	Adopt the recommendation	Low	Yes

### Options

The following options are available to Council:

1. That Council resolve to adopt the draft Singleton Community Sports Infrastructure Strategy 2022-2032 as attached to the report.
2. That Council resolve not to adopt the draft Singleton Community Sports Infrastructure Strategy 2022-2032 as attached to the report.

Option one is recommended.



**Conclusions**

The submissions received in response to the exhibition of the draft Singleton Community Sports Infrastructure Strategy 2022-2032 raised several issues. The issues, that have been addressed and responded to in the engagement report, have not resulted in substantial changes to the draft strategy. It is therefore recommended that the draft Singleton Community Sports Infrastructure Strategy 2022-2032 be adopted.

**Attachments**

<b>AT-1</b> <a href="#">↗</a>	Draft Singleton Community Sports Infrastructure Strategy 2022-2032	Attachment Under Separate Cover
<b>AT-2</b> <a href="#">↗</a>	Singleton Community Sports Infrastructure Strategy - Engagement Outcomes and Submissions Report	Attachment Under Separate Cover

**DI&P29/22. Draft Water Supply Services Policy****FILE:**  
17/00627/02-12**Executive Summary**

The purpose of this report is for Council to consider draft POL/26030.3 Water Supply Services Policy. The draft Policy outlines Council's commitment to high quality and effective water services and encompasses the services provided, responsibilities of both Council and its customers as well as information relating to Council's water business.

**RECOMMENDED** that:

1. Draft POL/26030.3 Water Supply Services Policy be placed on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy subject to consideration of submissions received.
2. Draft POL/26030.3 Water Supply Services Policy be adopted following the public exhibition period subject to submissions received.
3. Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.
4. Upon adoption of the draft Policy, POL/26030.2 Water Supply Services Policy be rescinded.

**Report**

The draft POL/26030.3 Water Supply Services Policy (draft Policy) provides a comprehensive customer reference for the management of Council's water business. The draft Policy supports decisions made by Council's Water and Sewer staff in the execution of their roles and responsibilities under the relevant legislation, ensuring strong decision making and a consistent approach to water supply related issues.

A review has been undertaken of Council's current policy, previously adopted by Council at its meeting held 18 May 2020, which has resulted in minor updates as well as the following amendments:

- Inclusion of fees for isolations required to connect developer-provided infrastructure to Council's existing infrastructure
- Inclusion of requirements for developments impacting existing water assets; and
- Developer Charges clarifications and other changes.

These amendments are highlighted in yellow throughout the policy and noted in Section 16 – Document History. A copy of the revised draft Policy is shown as **Attachment 1**.

**Community Strategic Plan**

The draft Policy addresses the following strategic actions contained within Council's adopted Community Strategic Plan:

## Our Places

2.3 Provide safe and reliable water and sewer services

## Our Leadership

5.1 Council's service delivery is aligned with our Community's needs and delivered the best way possible

5.6 To lead, govern and regulate in an ethical, equitable and transparent way

## Delivery Program/Operational Plan

Adoption of the draft Policy will meet the following deliverables and actions from Council's Delivery Program and Operational Plan:

2.3.5 Maintain compliance with NSW Best Practice Framework for water and sewer

2.3.5.2 Maintain high quality water and sewer services by implementing Best Practice Management Plans and Strategies

5.1.11 Manage Water and Sewerage operations in compliance with regulatory requirements and customer service level agreements

5.1.11.1 Provide high quality water and sewer services that are 100% compliant with environmental and health requirements

5.6.6 Policies are reviewed as required throughout the term of Council to ensure legislative compliance

5.6.6.1 Council policies are current and reviewed as required.

## Council Policy/Legislation

The draft Policy has been developed with reference to the following legislation and documents:

- *Local Government Act, 1993 and Local Government (General) Regulation 2021*
- *Water Management Act, 2000 and Water Management (General) Regulation, 2018*
- *Water NSW Act, 2014 and Water NSW Regulation, 2013 and Water (Part 2 – General) Regulation, 1997*
- *Public Health Act, 2010 and Public Health Regulation, 2012*
- *Fluoridation of Public Water Supplies Act, 1957 and Fluoridation of Public Water Supplies Regulation, 2017*
- Code of Practice for Fluoridation of Public Water Supplies, 2018
- NSW Guidelines for Best Practice Management of Water Supply and Sewerage, 2007 Department of Primary Industries (DPI) Water - Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (2016)
- Australian Drinking Water Guidelines, 2011

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- NSW Health and Department of Primary Industries Guidelines for Drinking Water Management Systems, 2013
- NSW Guidelines for Best Practice Management of Water Supply and Sewerage, 2007
- Plumbing Code of Australia, 2019
- POL/26013 – Building in the Vicinity of Sewer and Trunk Water Mains
- POL/1066 – Water Carters
- POL/26032 – Water Restrictions Enforcement
- POL/26015 – Development Services Plan – Water and Sewer Supply Systems
- Technical Specifications – Design and Construction – Water Reticulation Systems

**Financial Implications**

There are no direct financial implications arising from adoption of this draft Policy.

**Consultation/Social Implications**

The draft Policy will be placed on public exhibition on Council's website and a public notice will be provided in a local paper. Public notice will be provided of the intention to adopt the draft Policy after 28 days subject to consideration of submissions received. Should Council receive any submissions requiring updates to the draft Policy, a further report will be provided to Council.

The adoption of the draft Policy ensures consistency in the provision of water services by Council.

Council's Executive Leadership Team have reviewed and endorsed the draft Policy prior to referral to Council for consideration and the Councillors have received relevant information on the Policy by way of background briefing.

Upon adoption the Policy will be available on Council's website, the internal staff intranet and the Councillor's Hub.

**Environmental Consideration**

There are no direct environmental implications arising from the adoption of the draft Policy.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk of unclear policy and process, which may lead to reputation damage to Council.	Medium	Adopt the recommendation	Low	Yes
There is a risk that members of the public will feel that they have not been consulted which may lead to reputational	Medium	Adopt the recommendation	Low	Yes

## Infrastructure &amp; Planning Report (Items Requiring Decision) - DI&amp;P29/22

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
damage to Council.				
There is a risk that, without a Water Supply Services Policy, Council will not comply with the various Acts, Regulations and Best Practice Management governing water quality and environmental protection which may lead to legal action, fines and penalties.	High	Adopt the recommendation	Low	Yes

### Options

The following options are available to Council:

1. Resolve to place draft POL/26030.3 Water Supply Services Policy on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy.

Draft POL/26030.3 Water Supply Services Policy be adopted following the public exhibition period subject to submissions received.

Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.

Upon adoption of the draft Policy, POL/26030.2 Water Supply Services Policy be rescinded.

2. Resolve not to place draft POL/26030.3 Water Supply Services Policy on public exhibition and request that further amendments be carried out to the draft Policy prior to further consideration.

Option one is recommended.

### Conclusions

It is recommended that Council adopt the draft Policy and provide public notice of its intention to adopt the Policy and allow 28 days for the making of public submissions.

### Attachments

**AT-1** [↔](#) Draft Water Supply Services Policy - March 2022

Attachment Under Separate Cover

**DI&P30/22. Draft Sewer Services Policy****FILE:**  
17/00627/02-14**Executive Summary**

The purpose of this report is for Council to consider draft POL/26031.3 Sewer Services Policy. The draft Policy outlines Council's commitment to high quality and effective sewer services and encompass the services provided, responsibilities of both Council and its customers as well as information relating to Council's sewer business.

**RECOMMENDED** that:

1. Draft POL/26031.3 Sewer Services Policy be placed on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy subject to consideration of submissions received.
2. Draft POL/26031.3 Sewer Services Policy be adopted following the public exhibition period subject to submissions received.
3. Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.
4. Upon adoption of the draft policy, POL/2603.2 Sewer Service Policy and POL/26033.1 Non-Standard Sewer Service Policy be rescinded.

**Report**

The draft POL/26031.3 Sewer Services Policy (draft Policy) provides a comprehensive customer reference for the management of Council's sewer business. The draft Policy supports decisions made by Water and Sewer staff in the execution of their roles and responsibilities under the relevant legislation, ensuring strong decision making and a consistent approach to sewer related issues.

A review has been undertaken of Council's current policy, previously adopted by Council at its meeting held 18 May 2020, which has resulted in minor updates as well as the following amendments:

- Articulation of Council's approach to sewer connections, including second connections
- Incorporation of Council's approach to sewer and trade waste discharge factors following the update to the *Liquid Trade Waste Management Guidelines* in 2021
- Incorporation of POL26033.1 Non-Standard Sewer Service Policy into draft Policy with no major changes to the principles of this policy
- Developer Charges clarifications and other changes; and
- Inclusion of requirements for developments impacting existing sewer assets.

These amendments are highlighted in yellow throughout the policy and noted in Section 16 – Document History. A copy of the revised draft Policy is shown as **Attachment 1**.

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*Infrastructure & Planning Report (Items Requiring Decision) - DI&P30/22***Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:

**Our Places**

2.3 Provide safe and reliable water and sewer services

**Our Leadership**

5.1 Council's service delivery is aligned with our Community's needs and delivered the best way possible

5.6 To lead, govern and regulate in an ethical, equitable and transparent way

**Delivery Program/Operational Plan**

Adoption of the draft Policy will meet the following deliverables and actions from Council's Delivery Program and Operational Plan:

- 2.3.5 Maintain compliance with NSW Best Practice Framework for water and sewer
  - 2.3.5.2 Maintain high quality water and sewer services by implementing Best Practice Management Plans and Strategies
- 5.1.11 Manage Water and Sewerage operations in compliance with regulatory requirements and customer service level agreements
  - 5.1.11.1 Provide high quality water and sewer services that are 100% compliant with environmental and health requirements
- 5.6.6 Policies are reviewed as required throughout the term of Council to ensure legislative compliance
  - 5.6.6.1 Council policies are current and reviewed as required.

**Council Policy/Legislation**

The draft Policy has been developed with reference to the following legislation and documents:

- *Local Government Act, 1993 and Local Government (General) Regulation 2021*
- *Water Management Act, 2000 and Water Management (General) Regulation, 2018*
- *Water NSW Act, 2014 and Water NSW Regulation, 2013 and Water (Part 2 – General) Regulation, 1997*
- *Public Health Act, 2010 and Public Health Regulation, 2012*
- *Protection of the Operations of the Environment Act, 1997 and Protection of the Environment Operations (General) Regulation, 2021*
- *Liquid Trade Waste Management Guidelines, 2021*

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- NSW Guidelines for Best Practice Management of Water Supply and Sewerage, 2007
- Department of Primary Industries (DPI) Water - Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (2016)
- Plumbing Code of Australia, 2019
- POL/26013 – Building in the Vicinity of Sewer and Trunk Water Mains
- POL/26015 – Development Services Plan – Water and Sewer Supply Systems
- Technical Specifications – Design and Construction – Sewer Infrastructure

**Financial Implications**

There are no direct financial implications arising from adoption of this draft Policy.

**Consultation/Social Implications**

The draft Policy will be placed on public exhibition on Council's website and a public notice will be provided in a local paper. Public notice will be provided of the intention to adopt the draft Policy after 28 days subject to consideration of submissions received. Should Council receive any submissions requiring updates to the draft Policy, a further report will be provided to Council.

The adoption of this draft Policy ensures consistency in the provision of sewer services by Council.

Council's Executive Leadership Team have reviewed and endorsed the draft Policy prior to referral to Council for consideration and the Councillors have received relevant information on the Policy by way of background briefing.

Upon adoption the Policy will be available on Council's website, the internal staff intranet and the Councillor's Hub.

**Environmental Consideration**

There are no direct environmental implications arising from the adoption of the draft Policy.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk of unclear policy and process, which may lead to reputation damage to Council.	Medium	Adopt the recommendation	Low	Yes
There is a risk that members of the public will feel that they have not been consulted which may lead to reputational damage to	Medium	Adopt the recommendation	Low	Yes



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Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
Council.				
There is a risk that, without a Sewer Services Policy, Council will not comply with the various Acts, Regulations and Best Practice Management governing water quality and environmental protection which may lead to legal action, fines and penalties.	High	Adopt the recommendation	Low	Yes

### Options

The following options are available to Council:

1. Resolve to place draft POL/26031.3 Sewer Services Policy on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy.

Draft POL/26031.3 Sewer Services Policy be adopted following the public exhibition period subject to submissions received.

Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.

Upon adoption of the draft policy, POL/26031.2 Sewer Services Policy and POL/26033.1 Non-Standard Sewer Service Policy be rescinded.

2. Resolve not to place the draft POL/26031.3 Sewer Services Policy on public exhibition and request that further amendments be carried out to the draft Policy prior to further consideration.

Option one is recommended.

### Conclusions

It is recommended that Council adopt the draft Policy and provide public notice of its intention to adopt the Policy and allow 28 days for the making of public submissions.

### Attachments

AT-1 [↗](#) Draft Sewer Services Policy - April 2022

Attachment Under  
Separate Cover

**DI&P31/22. Draft Discharge of Liquid Trade Waste to Sewerage System Policy****FILE:**  
17/00627/02-16

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**Executive Summary**

The purpose of this report is for Council to consider the draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy. The policy outlines Council's commitment to high quality and effective sewerage services and encompasses the services provided, responsibilities of both Council and its Customers and protection of public health and the environment relating to Council's sewer business.

This update of the Policy considers the significant changes introduced in the revised *Liquid Trade Waste Regulation Guidelines, 2021*.

**RECOMMENDED** that:

1. Draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy be placed on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy subject to consideration of submissions received.
2. Draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy be adopted following the public exhibition period subject to submissions received.
3. Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.
4. Upon adoption of the draft policy, POL/26005.5 Discharge of Liquid Trade Waste to Sewerage Policy be rescinded.

**Report**

The draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy (draft Policy) provides a comprehensive customer reference for the management of Council's liquid trade waste activities. The draft Policy supports decisions made by Water and Sewer staff in the execution of their roles and responsibilities under the relevant legislation, ensuring strong decision making and a consistent approach to liquid trade waste related issues.

A review has been undertaken of Council's current policy that was previously adopted by Council at its meeting held 18 May 2020. With the release of the *Liquid Trade Waste Regulation Guidelines, 2021*, governing the provision of Liquid Trade Waste services for local water utilities in NSW, a significant update of the draft Policy has taken place.

These updates include:

- Changes to the quality of wastewater Council accepts to sewer
- Addition of several classes of items to Council's list of prohibited discharges, such as:
  - Per- and polyfluoroalkyl substances (PFAS)

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- Products marketed as 'flushable', such as wet wipes, colostomy bags and cat litter
- Clarification of Council's method of determining Sewer Discharge Factors and Trade Waste Discharge Factors, used for calculating sewer and trade waste charges
- Clarification of how trade waste usage charges are calculated
- Update of fees and charges to reference Council's published Fees and Charges document; and
- Introduction of risk ranking for compliance inspections.

This update ensures the draft Policy remains consistent with the model policy provided to local water utilities by the Department of Planning and Environment (DPE) – Water.

The proposed amendments are highlighted in yellow throughout the policy and noted in Section 16 – Document History. A copy of the revised draft Policy is shown as **Attachment 1**.

### **Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:

#### **Our Places**

2.3 Provide safe and reliable water and sewer services

#### **Our Leadership**

5.1 Council's service delivery is aligned with our Community's needs and delivered the best way possible

5.6 To lead, govern and regulate in an ethical, equitable and transparent way

### **Delivery Program/Operational Plan**

Adoption of the draft Policy will meet the following deliverables and actions from Council's Delivery Program and Operational Plan:

- 2.3.5 Maintain compliance with NSW Best Practice Framework for water and sewer
  - 2.3.5.2 Maintain high quality water and sewer services by implementing Best Practice Management Plans and Strategies
- 5.1.11 Manage Water and Sewerage operations in compliance with regulatory requirements and customer service level agreements
  - 5.1.11.1 Provide high quality water and sewer services that are 100% compliant with environmental and health requirements

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P31/22*

5.6.6 Policies are reviewed as required throughout the term of Council to ensure legislative compliance

5.6.6.1 Council policies are current and reviewed as required.

**Council Policy/Legislation**

The draft Policy has been developed with reference to the following legislation and documents:

- *Local Government Act, 1993 and Local Government (General) Regulation 2021*
- *Water Management Act, 2000 and Water Management (General) Regulation, 2018*
- *Water NSW Act, 2014 and Water NSW Regulation, 2013 and Water (Part 2 – General) Regulation, 1997*
- *Public Health Act, 2010 and Public Health Regulation, 2012*
- *Protection of the Operations of the Environment Act, 1997 and Protection of the Environment Operations (General) Regulation, 2021*
- Liquid Trade Waste Management Guidelines, 2021
- NSW Guidelines for Best Practice Management of Water Supply and Sewerage, 2007 Department of Primary Industries (DPI) Water - Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (2016)
- Australian Sewage Quality Management Guidelines (2012)
- Plumbing Code of Australia, 2019

**Financial Implications**

There are no direct financial implications arising from adoption of this draft Policy.

**Consultation/Social Implications**

The draft Policy will be placed on public exhibition on Council's website and a public notice will be provided in a local paper. Public notice will be provided of the intention to adopt the draft Policy after 28 days subject to consideration of submissions received. Should Council receive any submissions requiring updates to the draft Policy, a further report will be provided to Council.

The adoption of this draft Policy ensures consistency in the provision of sewer services by Council.

Council's Executive Leadership Team have reviewed and endorsed the draft Policy prior to referral to Council for consideration and the Councillors have received relevant information on the Policy by way of background briefing.

Upon adoption the Policy will be available on Council's website, the internal staff intranet and the Councillor's Hub.

**Environmental Consideration**

Council is required, under its Environment Protection Licence for the Sewage Treatment Plan and Sewerage System, to ensure that sewage and liquid waste received at the

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premises has been lawfully discharged in accordance with a trade waste approval. The draft Policy provides the framework for approvals to be developed and executed to protect the environment from substances discharged to the sewer.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk of unclear policy and process, which may lead to reputation damage to Council.	Medium	Adopt the recommendation	Low	Yes
There is a risk that members of the public will feel that they have not been consulted which may lead to reputational damage to Council.	Medium	Adopt the recommendation	Low	Yes
There is a risk that, without a Discharge of Liquid Trade Waste to Sewerage Policy, Council will not comply with the various Acts, Regulations and Best Practice Management governing water quality and environmental protection which may lead to legal action, fines and penalties.	High	Adopt the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy be placed on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy subject to consideration of submissions received.

Draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy be adopted following the public exhibition period subject to submissions received.

Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P31/22*

Upon adoption of the draft policy, POL/26005.5 Discharge of Liquid Trade Waste to Sewerage Policy be rescinded.

2. Resolve not to place the draft POL/26005.6 Discharge of Liquid Trade Waste to Sewerage Policy on public exhibition and request that further amendments be carried out to the draft Policy prior to further consideration.

Option one is recommended.

**Conclusions**

It is recommended that Council adopt the draft Policy and provide public notice of its intention to adopt the Policy and allow 28 days for the making of public submissions.

**Attachments**

**AT-1** [↔](#) Draft Discharge of Liquid Trade Waste to Sewerage System Policy - April 2022 Attachment Under Separate Cover

**DI&P32/22. Draft Building in the Vicinity of Sewer and Trunk Water Mains Policy****FILE:**  
17/00627/02-10

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**Executive Summary**

The purpose of this report is for Council to consider the draft POL/26013.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy. The policy outlines Council's requirements of developments building near sewer mains and trunk water mains with a view to protecting these assets to benefit all water and sewer customers.

**RECOMMENDED** that Council:

1. Place draft POL/26013.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy subject to consideration of submissions received.
2. Consider a further report addressing any submissions received, should such submissions require any change to the draft Policy.
3. Adopt draft POL/26013.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy following the public exhibition period subject to submissions received.
4. Upon adoption of draft POL/26013.4, rescind POL/26013.3 Building in the Vicinity of Sewer and Trunk Water Mains Policy.

**Report**

The draft POL/26013.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy (draft Policy) provides a comprehensive reference for the management of developments impacting Council's water and sewer assets. The draft Policy supports decisions made by Water and Sewer staff in the execution of their roles and responsibilities under the relevant legislation, ensuring strong decision making and a consistent approach to the protection of Council's water and sewer assets.

The policy has been modelled on the Water Directorate's Building in the Vicinity of Sewer and Trunk Water Mains Guidelines and is an adequate representation of the requirements of Council.

A review has been undertaken of Council's current policy, previously adopted by Council at its meeting held on 18 May 2020, which has resulted in minor updates as well as the following amendments:

- Requirements for additional engineering input where driveways are constructed over sewers; and
- Requirements for Closed Circuit TV sewer inspections to be completed by qualified persons and that reports comply with Water Services Association of Australia CCTV Inspection Code WSA 05-2013 - Version 3.1.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P32/22*Driveways Over Sewer

Council has been notified, on a number of occasions, of failures of driveways over sewers. In circumstances in which Council is required to fix these driveways the costs are in the order of \$10K, which can have a significant cost impact if not managed well.

Often the specific reason for failure cannot be clearly identified except that the failed section is above sewer line.

Council is currently undertaking a review of compaction of sewer lines during construction with a view to making improvements where possible. However, it is noted that Council's role in these construction projects is not supervision rather inspection and therefore there is strong reliance on the developer certifying compliance with the specifications by issuing certified construction records including compaction test records.

The following is being proposed:

- Update the Building in Vicinity of Sewers Policy to include a requirement for the applicant to seek engineering advice for construction of the driveway over sewer. This may include measures such as subgrade compaction, improved jointing, construction certification and other minor changes aimed at improving workmanship.
- Update Council's Technical Specifications – Sewer Infrastructure (a related document which is to be updated by Nov 2022) to include a requirement for additional compaction tests where sewers are located within property frontages.

These amendments are highlighted in yellow throughout the policy and noted in Section 17 – Document History. A copy of the revised draft Policy is shown as **Attachment 1**.

**Community Strategic Plan**

The draft Policy addresses the following strategy contained within Council's adopted Community Strategic Plan:

**Our Places**

2.3 Provide safe and reliable water and sewer services

**Our Leadership**

5.1 Council's service delivery is aligned with our Community's needs and delivered the best way possible

5.6 To lead, govern and regulate in an ethical, equitable and transparent way

**Delivery Program/Operational Plan**

Adoption of the draft Policy will meet the following deliverables and actions from Council's Delivery Program and Operational Plan:



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- 2.3.5 Maintain compliance with NSW Best Practice Framework for water and sewer
  - 2.3.5.2 Maintain high quality water and sewer services by implementing Best Practice Management Plans and Strategies
- 5.1.11 Manage Water and Sewerage operations in compliance with regulatory requirements and customer service level agreements
  - 5.1.11.1 Provide high quality water and sewer services that are 100% compliant with environmental and health requirements
- 5.6.6 Policies are reviewed as required throughout the term of Council to ensure legislative compliance
  - 5.6.6.1 Council policies are current and reviewed as required.

**Council Policy/Legislation**

The draft Policy has been developed with reference to the following legislation and documents:

- *Local Government Act, 1993 and Local Government (General) Regulation, 2021*
- *Water Management Act, 2000 and Water Management (General) Regulation, 2018*
- *Protection of the Operations of the Environment Act, 1997 and Protection of the Environment Operations (General) Regulation, 2021*
- NSW Guidelines for Best Practice Management of Water Supply and Sewerage, 2007
- Department of Primary Industries (DPI) Water - Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (2016)
- Water Directorate Building in the Vicinity of Sewer and Trunk Water Mains Guidelines (2019)
- WSA 02-2014 Gravity Sewerage Code of Australia
- WSA 03-2011 Water Supply Code of Australia
- POL/26030 – Water Supply Services Policy
- POL/26031 – Sewer Services Policy
- POL/26015 – Development Services Plan – Water and Sewer Supply Systems
- Technical Specifications – Design and Construction – Water Reticulation Systems
- Technical Specifications – Design and Construction – Sewer Infrastructure

**Financial Implications**

There are no direct financial implications arising from adoption of this draft Policy.

**Consultation/Social Implications**

The adoption of this draft Policy ensures consistency in protecting Council's water and sewer assets from the adverse impacts of development. The driveway modifications aim to protect Council from poor construction practices and potential claims.

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It is proposed that the Policy will be placed on public exhibition for a period of 28 days. Targeted invitations to comment will be sent to stakeholders with an interest in the amended areas such as local home builders, driveway builders and plumbers. Submissions received will be reviewed and where changes are required a further report will be prepared and presented to Council for consideration.

Councillors have received relevant information on the Policy by way of a background briefing.

Upon adoption the Policy will be available on Council's website, the internal staff intranet and the Councillor's Hub.

**Environmental Consideration**

There are no direct environmental implications arising from the adoption of the draft Policy.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk of unclear policy and process, which may lead to reputational damage to Council.	Medium	Adopt the recommendation	Low	Yes
There is a risk that members of the public will feel that they have not been consulted which may lead to reputational damage to Council.	Medium	Adopt the recommendation	Low	Yes
There is a risk that, without a Building in the Vicinity of Sewer and Trunk Water Mains Policy, Council will not comply with the various Acts, Regulations and Best Practice Management governing water quality and environmental protection which may lead to legal action, fines and penalties.	High	Adopt the recommendation	Low	Yes
There is a risk that Council does not have a clear policy position regarding building in the vicinity of water and	High	Adopt the draft Policy	Low	Yes

## Infrastructure &amp; Planning Report (Items Requiring Decision) - DI&amp;P32/22

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
sewer assets, which may lead to damage to Council's water and sewer assets and increased insurance claims.				

### Options

The following options are available to Council:

1. Draft POL/26013.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy be placed on public exhibition for a period of 28 days and public notice be provided of the intention to adopt the draft Policy subject to consideration of submissions received.

Draft POL/26013.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy be adopted following the public exhibition period subject to submissions received.

Should any submissions be received, that would require any change to the draft Policy, a further report be presented to Council prior to adoption.

Upon adoption of the draft POL/26013.4, rescind POL/26013.3 Building in the Vicinity of Sewer and Trunk Water Mains Policy.

2. Resolve not to place the draft POL/26031.4 Building in the Vicinity of Sewer and Trunk Water Mains Policy on public exhibition and request that further amendments be carried out to the draft Policy prior to further consideration.

Option one is recommended.

### Conclusions

It is recommended that Council adopt the draft Policy and provide public notice of its intention to adopt the Policy and allow 28 days for the making of public submissions.

### Attachments

**AT-1** [⇒](#) Draft Building in the Vicinity of Sewer and Trunk Water Mains Policy - April 2022

Attachment Under Separate Cover

**DI&P33/22. Draft Drought and Emergency Response Management Plan** **FILE: 18/00316-02/07**

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**Executive Summary**

The purpose of this report is for Council to consider the draft Drought and Emergency Response Management Plan (DERMP) following a review of the existing Drought Management Plan. The draft DERMP provides Council with a clear water restriction regime and comprehensive drought management strategy. The NSW Best Practice Management of Water and Sewerage Guidelines (2007) requires Local Water Utilities to have a sound Drought Management Plan in place and be ready to implement their plan when drought conditions arise.

**RECOMMENDED** that Council:

1. Place the draft Drought and Emergency Response Management Plan (DERMP) on public exhibition for a period of 42 days.
2. Consider a further report for the adoption of the draft DERMP with consideration of the submissions received during the public exhibition period.

**Report**

Council's existing Drought Management and Emergency Response Plan was established in 2010 to ensure a systematic, timely, effective and efficient response to drought and emergencies related to Council's water supply. This superseded the previous plan that was prepared by Council in 1998. The document also satisfied the requirements of the NSW Best Practice Management of Water and Sewerage Guidelines (2007), which was to have a sound Drought Management Plan in place and be ready to implement the plan when drought conditions arise.

During drought conditions in 2018, the Drought Management and Emergency Response Plan was activated, and Council resolved to implement Water Restrictions in October 2018. Water restrictions remained in place, varying between Level 1 (low) and Level 2 (moderate) as defined by the plan until Council resolved to remove them in March 2022, due to sustained rainfall events and improved dam levels.

Throughout the period of activation of the Plan, it was identified that the existing plan did not necessarily reflect the current operating environment of Council's water supply and there were opportunities for improvement. It was identified that Council would benefit from trigger levels that were more clearly defined and a plan that presented a more consistent regional approach, aligning with neighbouring water utilities. As such, it was determined that a revision of the existing plan was required.

Following a 'Request for Quotations' process, Council engaged consultants GHD, in August 2021, to assist in preparing the revised DERMP and has undertaken this review in conjunction with Muswellbrook Shire Council and Upper Hunter Shire Council. The intent of this combined approach with the other members of the Upper Hunter Water Utilities

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P33/22*

Alliance (UHWUA) is to contribute to a consistent regional approach to water restriction levels. The DERMP revision also considers the different water sources feeding each Council's supply, noting that Singleton primarily draws water from Glennies Creek Dam, whereas the primary source for the other councils is Glenbawn Dam.

The draft DERMP covers the following aspects of Council's water supply operations in the context of supply and demand management:

1. Drought and Emergency Prevention Strategy
2. Drought and Emergency Preparedness
3. Drought and Emergency Response Strategy
4. Drought and Emergency Recovery Strategy
5. Water Supply Scheme Operations and Operating Environment
6. Regulatory Framework

The draft DERMP is provided as **Attachment 1**.

### **Water Restrictions and Trigger Levels**

Water restriction levels in Councils existing Drought Management Plan are based upon a percentage reduction of Councils water allocation from Glennies Creek Dam, which is determined by the Dam's managing body, WaterNSW. The trigger levels are as follows:

**Table 1. Existing Water Restriction Level Trigger Point**

<b>Level</b>	<b>Restriction Level</b>	<b>Reduction in High Security Water allocations</b>
1.	Low	10%
2.	Moderate	25%
3.	High	40%
4.	Severe	55%
5.	Extreme	70%
6.	Emergency	85%

While these trigger levels were set to reflect directly to the volume of water available for Council to draw from the dam, historically Council has not seen a reduction in its High Security allocation even during periods of prolonged drought. This has led to instances (including during the recent implementation of restrictions) where the management plan would not direct Council to implement any form of water restrictions during drought conditions. This situation has proven to be out of step with community expectations during times of drought, where Council is expected to show leadership with respect to water conservation. This is highlighted by the fact that Council did in fact resolve to implement both Level 1 and Level 2 water restrictions during the recent drought despite Council's water allocation remaining at 100%, which was in contradiction with the guidelines in the existing plan as detailed above.

As such, in conjunction with the other member Councils of the UHWUA, it was determined that in the revised DERMP, alternative trigger levels should be implemented. The water source for each of the member Councils is Glennies Creek and Glenbawn Dam for Singleton Council and the other two Councils respectively. The water level of each dam has a direct relationship with rainfall events and hence drought conditions and it was

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agreed that this would provide a meaningful trigger level for the implementation of water restrictions.

Noting that Council is adjacent to Hunter Water, which also services a small part of the Singleton Local Government area, the revised plan proposes three levels of water restrictions. This aligns with Hunter Waters restriction levels and provides additional regional consistency. The existing plan has six levels of water restrictions defined (as listed above) which are quite complex (detailed over 8 pages of the plan) and difficult to communicate with the public. A rationalisation of the water restriction descriptors was undertaken and the outcomes, as presented in Table 2 below, provides a simple and easy to communicate water restriction regime.

**Table 2. Proposed Water Restriction Trigger Levels and Descriptors**

Trigger Level (Glennies Creek Dam)	Restriction Level	Restrictions
50%	Level 1	No washing down walls or paved surfaces
		Washing cars with bucket and rinse with trigger hose on lawn only
		Topping up private and public swimming pools/ spas only permitted between 0700-0900 and 1800-2000 hrs
		First fill of private and public swimming pools/ spas only with council permission.
		Large water (>10ML/year) users must prepare a WEMP.
40%	Level 2	Watering of lawns not permitted for residential, and non-residential
		Large water users must implement their WEMP.
		All non-residential business (>5ML/year) must prepare WEMP
		Hosing of vehicles, boats or building not permitted
30%	Level 3	No filling of private swimming pools or spas or garden water features, including first fill
		No washing of vehicles, boats or buildings permitted.
		Inflatable or temporary children's pools not permitted
		Public car and truck wash facilities not permitted
		All non-residential business's (>5ML/year) must implement their WEMP

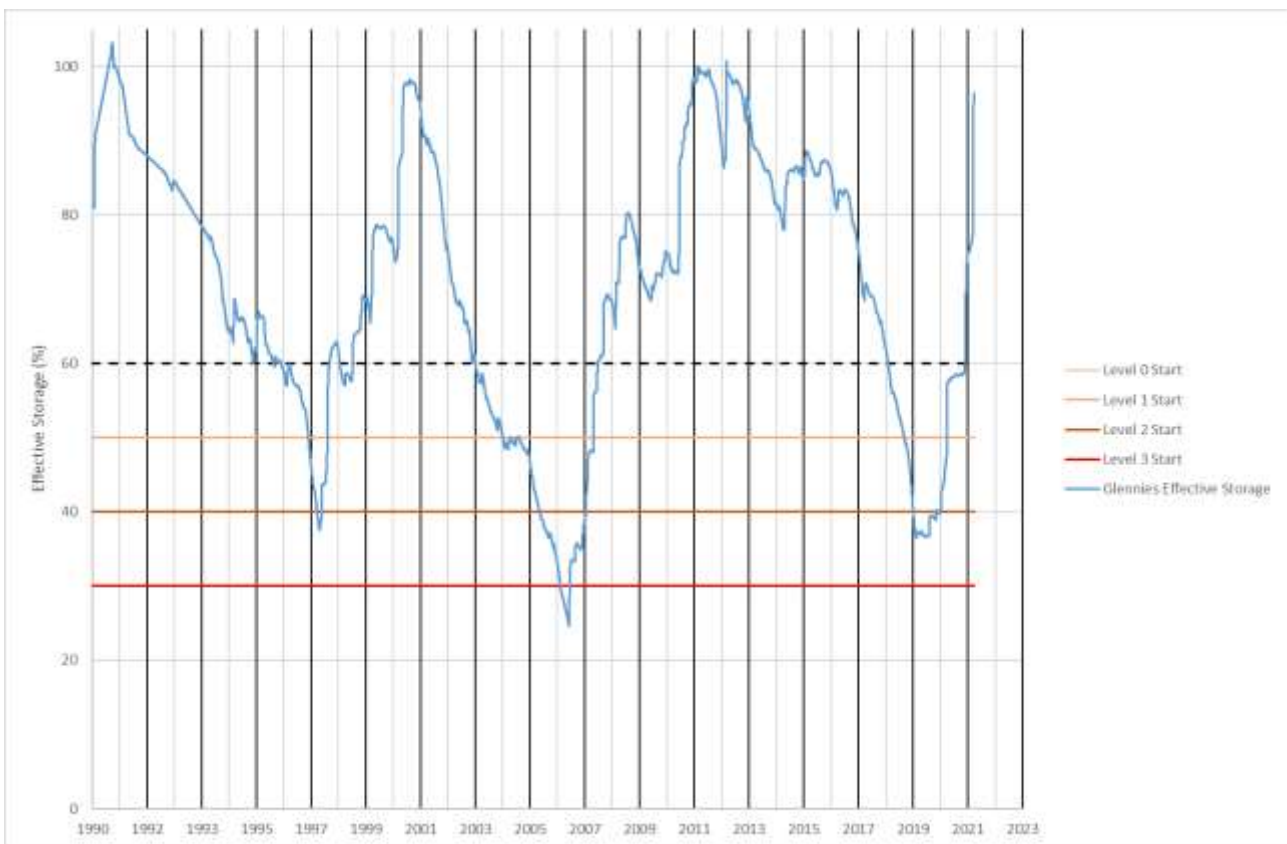
Much of the length of the water descriptions in the existing plan is due to overly detailed water restriction levels for each different business type. This has been replaced in the revised descriptors by the requirement of preparation and implementation of Water Efficiency Management Plan (WEMP) for businesses at various trigger levels. These WEMP's would need to be implemented by Council's larger water users and the requirements for water saving measures would be established on a case-by-case basis.

The water restriction levels aim to achieve a 10% reduction in water consumption at each level of restriction while maintaining a minimum service level of 120 litres per person per day at the highest level of restrictions (Level 3).

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In addition to defining the water restriction trigger levels and descriptors, the plan also provides guidelines for the removal or lowering of water restriction levels. It is proposed that water restriction levels could be lowered or removed when the level of Glennies Creek Dam reaches a point that is 10% or greater than the current restriction levels. i.e Council would remove water restriction levels at a dam level of 60%, Level 2 restrictions would be relaxed to Level 1 restrictions at 50% etc. This buffer level between restrictions levels would minimize the occurrence of going into and out of water restrictions in short periods of time. It is noted that Council would also have the opportunity to exercise discretion based upon rainfall forecasts when determining the relaxation of water restriction levels.

The trigger levels were developed in conjunction with the other Council’s to strike a balance between time to prepare for restrictions, restriction duration and frequency. Based on historical records the impact of the proposed trigger levels is shown below.



**Figure 1. Trigger Levels on Glennies Creek Dam**

It is noted Council has included a Level 0 to indicate start of preparatory works for potential restrictions.

Council staff continually monitor the water levels in Glennies Creek as Councils primary source of water. The monitoring of trends in the dam allows for timely reporting to Council if trigger levels are likely to be reached. Implementation of water restrictions or the relaxation of water restrictions would then be undertaken by Council resolution.

## Emergency Response Management

The draft DERMP documents Council's preparedness to managing emergency impacts on its water supply systems. When emergencies occur, action must be taken to mitigate the effects on the water supply and to ensure that a reliable water supply is available to meet the health and safety needs of the community. Key water supply emergency triggers include:

- Serious infrastructure damage
- Significant or widespread impact on supply and service operations (e.g. staff resourcing, natural disasters, power outages etc.)
- Water quality issues

The draft DERMP also details the roles and responsibilities of the Drought and Emergency Response Management Team (DERMT) for responding to these emergency situations. The plan also references the following emergency response documentation to provide guidance to the DERMT:

- Business Continuity Plans
- Local Emergency Management Plan
- Dams Safety Plan
- Standard Operating Procedures
- Communication Plan

The response to emergency situations may require the restriction of water supply to the community on a localised basis until normal operations are restored. In these situations, Councils General Manager would provide authorisation to the DERMT to implement any short-term water restrictions.

The development of the draft DERMP includes a 'Failure Mode, Effects and Critical Analysis (FMECA)' risk assessment. The FMECA was undertaken specific to Council's operational water supply infrastructure. The FMECA determines the critical failure mode and the consequences of failure for assets. By determining the critical failure mode of an asset, it is possible to target and refine maintenance plans, capital expenditure and investigative activities to address the potential failure.

A copy of the FMECA is attached to this report at **Attachment 2**.

## Community Strategic Plan

### Our Places

2.3 Provide safe and reliable water and sewer services

### Our Environment

3.3 Promote efficient water and waste management and increase reuse and recycling



## Our Leadership

- 5.1 Council's service delivery is aligned with our Community's needs and delivered the best way possible

## Delivery Program/Operational Plan

2.3.5 Maintain compliance with NSW Best Practice Framework for water and sewer

- 2.3.5.2 Maintain high quality water and sewer services by implementing Best Practice Management Plans and Strategies

## Council Policy/Legislation

Council has an adopted Drought Management and Emergency Response Plan (DMERP 2010), which details Council's approach to drought management and response in the event of an emergency restriction to the water supply. The plan also details drought trigger levels and the resultant water restrictions specific to Council as well as Council's approach to communication and enforcement regarding the water restrictions. The draft DERMP proposes a revised water restriction regime.

Part 6 Division 1 Clause 137 of the *Local Government (General) Regulation, 2021* permits Council to restrict water supply (by public notice published in a newspaper circulating within the council's area) if Council considers that the available stored water is insufficient to allow unrestricted consumption.

Section 637 of the *Local Government Act, 1993* permits Council to apply a penalty to a person who wilfully or negligently wastes or misuses water from a public water supply. From s637, the maximum penalty for a person who wilfully or negligently wastes or misuses water from a public water supply or causes any such water to be wasted is 20 penalty units. At the time of this report, one penalty unit is equivalent to \$110.

Schedule 12 of the *Local Government (General) Regulation, 2021* details the penalty notice offences applicable under the *Local Government Act, 1993*. At this time of this report breaches of s637 of the *Local Government Act, 1993* attract a penalty notice of \$220.

Council's POL/26032 Water Restrictions Enforcement Policy details the escalating penalties for breaching Council's water restrictions and the process used to establish and enforce these breaches consistent with section 637 of the *Local Government Act 1993*.

Council's POL/26030 Water Supply Services Policy provides detail on Council's permanent water saving rules.

## Financial Implications

Typically, the introduction of water restrictions for a prolonged period results in reduced water income and to a lesser degree, reduced sewer and liquid trade waste fees. There is some indication that water usage may not return to pre-restriction levels due to behaviour changes and/or measures implemented during restrictions. To mitigate this reduction, fees and charges are developed on assumed lower usage. Council's Water and Sewer Team

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will continue to monitor usage over time and adjust estimates where necessary via the normal Council budget processes.

### Consultation/Social Implications

Subject to Council approval, the draft DERMP will be put on public exhibition for a period of 42 days. It is also proposed to hold a community information session during the public exhibition period.

### Environmental Consideration

Council's water usage represents a very small percentage (less than 10%) of the total water used/released from Glennies Creek Dam. However, due to the security of Council's water access licence WaterNSW is required to hold a large volume of water (approximately three years supply of Council's annual allocation) to guarantee the security of the water. WaterNSW holds this water in the dam regardless of whether Council uses its full allocation or not.

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will not be able to meet demand due to drought, which may lead to reputational damage.	High	Adopt the recommendation	Low	Yes
There is a risk that Council isn't adequately prepared in the event water allocations are reduced, which may lead to reputational damage.	High	Adopt the recommendation	Low	Yes
There is a risk that without an effective Drought Management Strategy Council will not comply with BPM Guidelines which may lead to an inability to pay a dividend from the water and sewer business to the general fund.	Medium	Adopt the recommendation	Low	Yes

## Options

The following options are available to Council:

1. Resolve to place the draft DERMP on public exhibition for a period of 42 days; and, consider a further report for the adoption of the draft DERMP with consideration of the submissions received during the public exhibition period.
2. Resolve not to endorse the draft DERMP for public exhibition and a further review be carried out.

Option one is recommended.

## Conclusions

Council has prepared the draft DERMP to replace the existing Drought Management and Emergency Response Plan 2010. This was undertaken to ensure that Council's drought and emergency planning remains current and reflective of the operating environment. The draft DERMP updates many aspects of the previous plan and ensures that Council can continue to effectively and efficiently manage droughts and emergencies as they relate to the ongoing supply of water to the community. The development of the draft DERMP also satisfies the NSW Government Best Practice Management requirement to have a sound drought management plan.

## Attachments

<b>AT-1</b> <a href="#">↗</a> Draft Drought Emergency Response Management Plan	Attachment Under Separate Cover
<b>AT-2</b> <a href="#">↗</a> Failure Mode Effects Critical Analysis	Attachment Under Separate Cover

**DI&P34/22. Draft Enforcement and Compliance Policy****FILE:**  
POL/10065**Executive Summary**

The purpose of this report is for Council to consider the revised draft Enforcement and Compliance Policy. This policy provides a framework regarding complaints or customer requests that are determined to be a result of non-compliance or a potential breach. Such issues will be managed in accordance with the Policy.

**RECOMMENDED** that Council:

1. Adopt revised draft POL/10065.4 Enforcement and Compliance Policy.
2. Rescind POL/10065.3 Enforcement and Compliance Policy.

**Report**

Council has undertaken a review of the Enforcement and Compliance Policy. The objectives of the Policy are to:

- Provide transparency on how Council will make decisions relating to enforcement action
- Guide decision making and action by Council staff in the use of enforcement options
- Ensure that regulatory powers are carried out in a consistent manner without bias
- Enhance consistency of enforcement actions between officers and
- Use regulatory tools in such a way as to best achieve Council's strategic and operational objectives.

To guide Council's proactive auditing, monitoring and compliance activities, Council uses a risk ranking methodology to assist compliance staff in undertaking a systematic approach to assess residential, commercial and industrial land uses, as per the land use table in the *Singleton Local Environmental Plan, 2013*. Council staff assess the risk of approved projects in relation to its compliance function in terms of the potential or actual severity of the harm that may be caused to human health, the economy, the community and the environment.

Each project is assessed on a set of defined indicators and given a risk ranking that will determine the compliance activities to be targeted for that project. These indicators include, amongst other things, environmental performance, compliance performance, proximity to sensitive receptors, operating parameters, disturbance area, employment, complaint history for the land use type. The methodology provides for a ranking of each development based on its potential risk to the community and the environment. The higher the risk, the higher the ranking and the subsequent monitoring that will be targeted by the Council. Council has developed an operational procedure to support this approach.

The procedure outlines how each land use category is ranked and applies a proactive management regime as detailed in Table 1.

Table 1 – Proactive Management Regime

<b>Overall Project Risk</b>	<b>Indicator</b>	<b>Compliance Activities</b>
High	The project was assessed as having a majority of Major indicator associated with it or at least >4 Major aspects with minimal minor aspects.	These projects will be audited / inspected on an annual basis.
Medium	The Project was assessed as having a majority Moderate related indicator associated with it or at least >4 Minor aspects.	These projects will be audited / inspected every 1-3 years.
Low	The project has a majority of Minor indicators	These projects are not anticipated to be audited or inspected as per a schedule.

A schedule of audit and review is prepared annually.

The risk assessment process is an on-going process whereby proponents may move up and down the ranking scale over time based on environmental performance, compliance with conditions and the stage of the project. This approach promotes voluntary compliance by reducing regulatory burden on the projects with a lower risk and directs Council's resources to more high-risk projects.

Council also aims to provide education to the community and commercial operators about compliance, enforcement and regulatory requirements. This education will be delivered proactively e.g. prior to a 'blitz' or when new legislation is released. Education may include providing information on Council's website, letters, pamphlets, newsletters, media releases, workshops, webinars and digital tools. Education may be given after alleged breaches occur but does not prevent other enforcement action occurring.

The investigating officer will determine the response time and enforcement options to be used based on the level of risk. Priority will be given to matters which have a risk rating of extreme or high. This is calculated by taking into consideration the nature and seriousness of the breach.

The main categories of relevance to Council compliance functions are:

- Risk to people (human safety and wellbeing)
- Risk to the environment
- Risk to Council's reputation
- Legal and financial risk; and
- Risk to Councils capacity to deliver services.

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Table 2, below, provides the response times regarding compliance actions using this process.

Table 2 – Compliance Action Response Times

<b>Risk Rating</b>	<b>Risk Classification</b>	<b>Response Time</b>
Extreme	Immediate pollution incident or immediate public health or safety risk	Immediate
High	Serious pollution incident or other serious incident where the environment or public health and safety is at immediate risk	Within 24 – 48 Hours
Medium	Has the potential to result in a pollution incident or where the environment or public health and safety is likely to be at risk	Within 7 – 14 days
Low	Minor matters where there is no immediate adverse health or safety risk	Within 30 days

In addition to the above, Council deals with all complaints and customer requests in accordance with Council's Complaint Handling Policy. Any complaint or customer request that is determined to result in a non-compliance or potential breach, the issue will be managed in accordance with the Policy.

Council has undertaken a review of the existing Policy to take into consideration legislative changes since the last review. No changes have been made to the Policy, other than minor typographical errors. Proposed changes are highlighted in yellow in the attached draft Policy shown as **Attachment 1**.

### **Community Strategic Plan**

The review of the Enforcement and Compliance Policy is directly related to action items within the Community Strategic Plan as follows:

#### **Our Leadership**

5.6 To lead, govern and regulate in an ethical, equitable and transparent way

### **Delivery Program/Operational Plan**

The 2017-2021 Delivery Program identifies that 'development compliance, engineering and assessment of applications is managed in an efficient and effective manner'. To do this, Council committed in 2021/2022 Operational Plan to implement a formal process to monitor and respond to development non-compliance and that Council's development compliance process is communicated to the community.

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**Council Policy/Legislation**

The compliance obligations of Council have been included in the revised Policy taking into consideration the following legislation, including the various Regulations made under these Acts:

- *The Local Government Act, 1993*
- *Environment Planning and Assessment Act, 1979*
- *Protection of the Environment Operations Act, 1997*
- *Biodiversity Conservation Act, 2016*
- *State Environmental Planning Policy (Exempt and Complying Development Codes), 2008*
- *Plumbing and Drainage Act, 2011*
- *Companion Animals Act, 1998*
- *Roads Act, 1993*
- *Public Health Act, 2010*
- *Swimming Pools Act, 1992*
- *Food Act, 2003*
- *Impounding Act, 1993*
- *Road Rules 2014*

**Financial Implications**

There are no financial consequences associated with the revised Policy POL/10065.4.

**Consultation/Social Implications**

A communications plan will be developed to support proactive and reactive compliance actions in accordance with the revised Policy.

**Environmental Consideration**

There are no environmental impacts associated with the revised Policy.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that council will not undertake compliance and enforcement actions in a systematic, transparent and consistent manner leading to increased risk of legal action.	Medium	Adopt the recommendation	Low	Yes (noting some actions will require outsourcing due to their nature and/or severity).
There is a risk that council will not	Medium	Adopt the recommendation	Low	Yes

## Infrastructure &amp; Planning Report (Items Requiring Decision) - DI&amp;P34/22

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
undertake compliance actions in a systematic, transparent and consistent manner leading to community dissatisfaction in the regulatory system.				

### Options

The following options are available to Council:

1. Adopt the revised draft POL/10065.4 Enforcement and Compliance Policy and rescind POL/10065.3 Enforcement and Compliance Policy.
2. Not adopt the revised draft Enforcement and Compliance Policy POL/10065.4 and retain POL/10065.3 Enforcement and Compliance Policy.

Option one is recommended.

### Conclusions

Council has reviewed the existing Enforcement and Compliance Policy to take into consideration legislative changes since the last review. No changes have been made to the Policy, other than minor typographical errors. It is recommended that Council adopt the revised Draft Enforcement and Compliance Policy as presented.

### Attachments

**AT-1** [↓](#) Draft - Enforcement and Compliance Policy































**DI&P35/22. Draft On-Site Sewage Management Policy****FILE:**  
POL/10015**Executive Summary**

The purpose of this report is for Council to consider the revised draft On-Site Sewage Management (OSSM) Policy. This policy provides a framework to manage and regulate on-site sewage management and to assist in prioritising the regulation and monitoring of on-site sewage management systems.

**RECOMMENDED** that:

1. Council place draft POL/10015.3 On-Site Sewage Management Policy on public exhibition for a period of 28 days and provide public notice of its intention to adopt the draft Policy subject to consideration of submissions received.
2. Draft POL/10015.3 On-Site Sewage Management Policy be adopted following the public exhibition period subject to submissions received and provided that there are no objections.
3. Should objections be received a further report be presented to Council for the adoption of POL/10015.3 On-Site Sewage Management Policy considering the matters raised in submissions.
4. Council rescind POL/10015.2 Onsite Sewage Management Strategy Policy once draft POL/10015.3 is adopted.

**Report**

The On-Site Sewage Management Policy outlines a framework to:

- Manage and regulate on-site sewage management systems
- Assist in prioritising resources to regulate and monitor systems and
- Coordinate data collection, system approval, monitoring and environmental assessment.

A policy for on-site sewage management systems allows staff to manage systems ensuring the protection of ground and surface water, land and vegetation, prevention of public health risks, maintaining and improving community amenity, ensuring maximum re-use of resources and implementing the principles of Ecologically Sustainable Development.

The Policy provides the following outcomes:

- Streamlines the requirements and obligations into a Singleton Local Government Area specific Policy
- A risk based framework for on-site sewage management, rather than a goal based system of management

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- Reduces the detail regarding the legislative context for managing on site sewerage systems and
- Clarifies the application lodgement requirements, risk categorisations used and enforcement processes.

A substantial review of the Policy was undertaken in 2020. The current review has identified no changes required to the Policy.

The Draft On-Site Sewage Management Policy for exhibition is provided as **Attachment 1**.

## **Community Strategic Plan**

### **Our Environment**

- 3.3 Promote efficient water and waste management and increase reuse and recycling

### **Delivery Program/Operational Plan**

- 3.3.5. Work in partnership with the Upper Hunter Water Alliance to improve water and sewerage management, knowledge and industry training

### **Council Policy/Legislation**

Pursuant to Section 68 of the *Local Government Act 1993*, an application is required to be made to operate a system of sewerage management. The draft Policy POL10015.3 On-Site Sewage Management outlines Council's approach to the ongoing regulation and maintenance of such systems after the initial approval has been issued. The *Local Government (General) Regulation, 2021* sets out the application requirements and framework for conditions applied on such approvals. Chapter 16 Offences of the *Local Government Act, 1993* outlines offences and applicable penalties for failure to obtain or comply with an approval.

Chapter 5 Environment protection offences of the *Protection of the Environment Operations Act 1997* outlines categories of offences and applicable penalties including for water and land pollution. Chapter 4 Environment protection notices provides an enforcement mechanism to rectify water and land pollution incidents, including those resulting from incorrect OSSM operations and the ongoing regulation and maintenance of such systems after the initial approval has been issued. The *Local Government (General) Regulation, 2021* sets out the application requirements and conditions to be applied on such approvals.

Chapter 5 Environmental protection offences of the *Protection of the Environmental Operations Act, 1997* outlines categories of offences for which penalty infringement notices may apply including water and land pollution offences.

The *Local Government Act, 1993* as well as the *Local Government (General) Regulations, 2021* outline requirements for the public exhibition of Council documents.

## Infrastructure &amp; Planning Report (Items Requiring Decision) - DI&amp;P35/22

**Financial Implications**

An annual charge for OSSM systems was introduced in the 2014/2015 financial year. In 2022/2023 ratepayers who have an OSSM will be charged an annual fee of \$97.00 per system. This charge covers the cost of Council issuing an annual Approval to Operate required under section 68(1) of the *Local Government Act 1993*, as well as the compliance and administrative costs associated with the service. It has been estimated that the total income yield for OSSM fees for the 2022/2023 financial year will be \$393,504.00.

**Consultation/Social Implications**

In accordance with the requirements of the *Local Government Act 1993* and recommendations of this report, it is proposed that the draft policy be placed on public exhibition for a period of 28 days and public notice be provided to the community of the intention to adopt the draft Policy. Should submissions be received a further report will be provided to Council.

**Environmental Consideration**

POL10015.3 On-Site Sewage Management Policy, outlines Council's response to managing and regulating OSSM systems to ensure compliance with the recommended operating requirements. Regulating OSSM systems ensures environmental compliance and minimises the chance of environmental damage being caused by faulty or ill maintained systems.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
It is a risk that faulty or ill maintained systems could be installed or operated within the local government area which may result in environmental damage.	Medium	Adopt the draft policy	Medium	Yes
It is a risk that systems could be installed within the local government area that are not in accordance with legislative requirements resulting in a legal and reputational risk to council.	Medium	Adopt the draft policy	Low	Yes
It is a risk that council resources are directed	Medium	Adopt the draft policy	Low	Yes



## Infrastructure &amp; Planning Report (Items Requiring Decision) - DI&amp;P35/22

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
towards lower risk systems, resulting in environmental damage.				

### Options

The following options are available to Council:

1. Place draft POL/10015.3 On-Site Sewage Management Policy on public exhibition for a period of 28 days, provide public notice of its intention to adopt the draft Policy subject to consideration of submissions received and upon adoption rescind POL/10015.2 On-Site Sewage Management Policy.
2. Not place POL/10015.3 On-Site Sewage Management Policy on public exhibition and proceed with adoption.

Option one is recommended.

### Conclusions

The purpose of this report is for Council to consider the revised OSSM Policy. This policy provides a framework to manage and regulate on-site sewage management and to assist in prioritising the regulation and monitoring of on-site sewage management systems. It is recommended that the policy be placed on exhibition and be adopted subject to consideration of any submissions, noting that no changes have been made to the Policy.

### Attachments

**AT-1** [↓](#) Draft On-Site Sewage Management Policy













































**26. Investment Report - April 2022****FILE: 21/00487**

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**Executive Summary**

In accordance with clause 212 of the *Local Government (General) Regulation, 2021* the following funds are invested under section 625 of the *Local Government Act, 1993* as at 30 April 2022.

**FOR COUNCIL'S INFORMATION****Report**

Council's investment portfolio yielded 1.24% pa for the month of April versus the bank bill index benchmark return of -0.19% pa. For the past 12 months, the investment portfolio returned 1.26% pa, exceeding the bank bill index benchmark's 0.02% pa by 1.24% pa.

Council's total portfolio of investments was \$124.6 million with an additional \$317 thousand held in Council's operational account as at 30 April 2022.

Though not affecting the return on Council's portfolio, which uses yield return, fixed interest securities are feeling the brunt of inflation fears with prices on bonds dropping as interest rates increase sharply. This is causing marked-to-market negative returns on market traded bank bills and bonds, including a negative return of nearly 0.20%pa on the Ausbond Bank Bill Index in April.

During April, Council's investment portfolio had no maturities or new investments.

Council has a wide range of credit rating exposures among many banks and is now proactively reducing exposures to small, low rated and unrated banks as their deposits mature and invest the proceeds into larger, higher rated institutions. With many of larger banks offering competitive rates in this environment, it is expected that Council's overall investment yield will be little changed (apart from the overall interest rate conditions) while the portfolio's credit quality will improve significantly.

The size of the investment portfolio varies from month to month as a result of cash flow for the period. Cash outflows (expenditure) are typically relatively stable from one month to another. Cash inflows (income) are cyclical and are largely dependent on the rates instalment due dates and the timing of grant payments including receipts of the Financial Assistance Grants.

**Attachment 1** to this report provides Council's Investment Summary Report for April 2022.

*Corporate and Commercial Services Report (Items for Information) - DCCS26/22***Certification by the Responsible Accounting Officer:**

In accordance with clause 212(1)(b) of the *Local Government (General) Regulation, 2021* the investments listed in this report have been made in accordance with:

- i) the *Local Government Act, 1993*
- ii) the Regulations, and
- iii) Council's Investment Policy.

**Attachments**

**AT-1** [↓](#) April 2022 Investment Report























**DOCC17/22. Meeting Notes - Singleton Aboriginal Reconciliation Committee - 19/04/2022**      **FILE: 21/00507**

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### **Executive Summary**

The Aboriginal Reconciliation Committee meeting was scheduled for 19 April 2022. Due to several late apologies a quorum was not achieved. Meeting notes are provided at **Attachment 1** for Council's information.

### **FOR INFORMATION**

#### **Attachments**

**AT-1** [↓](#) Meeting Notes - Aboriginal Reconciliation Committee Meeting 19 April 2022







**QG2/22. Questions of Which Notice Has Been Given****FILE: 21/00172****Detail**

Responses are provided to the following questions from Councillors:

1. Cr Belinda Charlton – Water Pipelines Project – 19/04/2022
2. Cr Belinda Charlton – Potential Investment Property Acquisitions – 19/04/2022
3. Cr Belinda Charlton – Organisational Chart – 19/04/2022
4. Cr Belinda Charlton – Flood Inquiry Submission – 19/04/2022
5. Cr Belinda Charlton – Sustainability in Reports – 19/04/2022
6. Cr Belinda Charlton – Assistance to Councils on the North Coast – 19/04/2022
7. Cr Belinda Charlton – Measures used to Assess Value of Rate Capping – 19/04/2022
8. Cr Hollee Jenkins – Submission on draft Hunter Expressway Strategy – 19/04/2022
9. Cr Hollee Jenkins – Update on Bypass – 19/04/2022.

**FOR COUNCIL'S INFORMATION****1. Cr Belinda Charlton – Water Pipelines Project – 19/04/2022**

*Can the General Manager please prepare correspondence to DPIE and their relevant consultants, for Councillors consideration, expressing concerns that the Water Pipeline project that seeks to link Glennies Creek Dam to Lostock Dam, where majority flow rates will be from Glennies Creek flowing into Lostock within the Hunter Water catchment, is being reported back to Council in a manner that is simply for information? It would appear that Council does not have a seat at the table and that the planning currently being undertaken by DPIE is heavily focused upon consultation only with Hunter Water and the water security requirements for the Lower Hunter and Central Coast. It is clear that important decisions about the future of Singleton's water security are currently not being considered sufficiently in this investigation stage.*

**Response:**

Council officers have drafted a letter for the Department of Planning & Environment and a copy will be provided in the briefing note for Councillors.

**2. Cr Belinda Charlton – Potential Investment Property Acquisitions – 19/04/2022**

*Can Council please be provided with a report to the next Council Meeting (in confidential session) on potential investment property acquisitions that would provide an “own source income” model.*

**Response:**

On 24 May 2022 Council will be provided with a briefing on the draft Commercial Property and Landholding Strategy. This Strategy groups Council's landholdings into four types, of which one type is income generating property, whose primary purpose is to generate additional income for council.

While other outcomes can be considered, the primary purpose of the income category is alternative income generation for Singleton Council. As such, the strategy talks about diversification of property type and geographic location, including investing outside of Singleton, all aimed at minimising risk and maximising returns.

Once the strategy is adopted (by Council resolution), staff will seek specialist advice on investment property options, in line with the strategy. A variety of properties will be considered against the objectives in the strategy, for recommendation to Council.

Further, fixed interest rates have spiked, meaning the borrowing of money to purchase investment property will be more costly and return net returns. This will need to be considered in any investment decision.

Any decision to purchase property will be by resolution of Council.

**3. Cr Belinda Charlton – Organisational Chart – 19/04/2022**

*Can the General Manager please provide Councillors before the next meeting with an organisational chart that specifies the following?:*

- 1. The name of each position within the FTE in its hierarchy*
- 2. Whether that position is full-time, permanent part-time, casual, grant funded or identified*
- 3. An explanation of any position whose name is inherently generic – such as “Liaison Officer” so that it is understood the functions of that role.*
- 4. All positions that are currently vacant and the period of time (in months) that they have been vacant.*

**Response:**

Council staff provided a briefing to Councillors on the structure of the organisation on 3 May 2022. Amongst other things, this briefing covered:

1. The legislative and governance framework as related to organisational structure and employment of staff.

2. The role of Councillors and the General Manager in respect to organisation structure and employment of staff.
3. Council's organisation structure, senior staff roles, management positions and the various functions that fit within in each Business Unit.
4. Various demographic and key employment data including vacancy rates, turnover, staff ratios, gender, age and geographic distribution.

The name of each position, its tenure classification, explanation of generic named roles and identification of vacant positions is not deemed necessary for Councillors to fulfil their role. It is also not practical as these often change due to a range of reasons from time to time.

#### **4. Cr Belinda Charlton – Flood Inquiry Submission – 19/04/2022**

*The NSW Government is currently undertaking a Flood Inquiry which includes the following:*

- *The current and future land use planning and management and building standards in flood prone locations across NSW*
- *Any appropriate action to adapt to future flood risks to communities and ecosystems*
- *Coordination and collaboration between all levels of government.*

*The inquiry is calling for submissions including from flood effected areas. It has occurred to me that the Department of Planning portal provides relevant details and a platform for recording mining and other related subsidence, however the data set does not appear to relate to matters of landslip.*

*Could the General Manager ensure that the Council's submission also addresses the important impacts being felt within the Singleton LGA from landslips following natural disaster events, the preventative actions and/or response during those events and the increasing level of landslips within the Singleton local government area?*

**Response:**

Council will provide a submission to the flood enquiry, including landslip issues occurring within the Singleton LGA and a copy will be provided in the briefing note for Councillors.

**5. Cr Belinda Charlton – Sustainability in Reports – 19/04/2022**

*Could the General Manager consider the addition of a further reporting sub-heading within Council Meeting Agendas titled “Sustainability”? It would appear that the reports coming to Council address other important areas such as financial implications, risk implications, environmental implications but do not address sustainability Implications. Given that Singleton Council already bears the burden of a number of environmental factors and is advocating for better resourcing in future technologies, a focus upon how the reports coming to Council align with the United Nations Sustainable Development Goals and Targets and/or the capital, budget or investment strategy for Sustainable actions, would be helpful to demonstrate the level of Council’s decision making and commitment to moving towards more Sustainable outcomes and operations as a pillar of the decision making process.*

**Response:**

The Council Meeting report template has been redrafted to include the addition of sustainability and the Council Meeting Reports Procedure has been updated to include new guidelines. The draft documents are with the Leadership Team for review and it is proposed to implement the new documents from 1 July 2022.

**6. Cr Belinda Charlton – Assistance to Councils on the North Coast – 19/04/2022**

*LGNSW has recently called for Council’s willingness to provide assistance to Councils on the North Coast in whatever capacity Council sees as being offered within their capacity. Could the General Manager please provide a brief report to Council on why Singleton Council has made the decision not to offer any level of support to those areas, considering firstly the specialist expertise we have at Council and the fact that many functions of Councils generally are duplicated across the State?*

**Response:**

Council’s Leadership Team considered the request for support by LGNSW. In doing so, a range of issues were canvassed in detail. The following is a summary of the most relevant:

1. We were trying to manage our own flooding event. This included response and ongoing recovery efforts. The flooding events in Singleton and the effort required to respond has impacts beyond the actual event which impacts on normal service delivery.
2. Like the rest of the country, we were dealing with the ongoing impacts of COVID. This included both staff infections and close contacts isolation. This was (and continues) to have a significant impact on service delivery.



3. Our organisation was one of three (3) Councils in NSW that were impacted by the Supreme Court proceedings in relation to the conduct of the 2021 Local Government elections. While not obvious, this had many impacts on the operation of the organisation.
4. The reality that our resource capacity is not at a level as some of the larger and better resourced Councils in the state. This limits our ability to redirect staff to unplanned activities above and beyond their normal scope. This was exacerbated by the abovementioned points.
5. Following on from the above points, any reallocation of resources would have had an unacceptable impact on the delivery of services to our community.

Considering all of the above, a decision was made not to offer support to the North Coast. This was not an easy decision but one based on a range of relevant factors and noting the reasonable expectations of our community in respect to ongoing service delivery.

**7. Cr Belinda Charlton – Measures used to Assess Value of Rate Capping – 19/04/2022**

*Can the General Manager prepare correspondence to the Premier, Minister for Local Government and IPART for Councillors consideration, about the measures currently used to assess the value of rate capping in each area. It would appear from the recent decision to only award Singleton 0.7% out of a possible (in theory) 2.5% increase, measured principally on the basis of population density that the measures do not take account of the fact that the large volume of State Significant Development that occurs in Singleton through mining, energy power-stations, water and has pipelines, road and rail infrastructure, dilutes and erodes the areas available for housing development a burden which this community bears for the betterment of the State. If these measures were equitably applied, Council would not be in the position that it currently finds itself, having to expend more resources to apply for alternative funding proposals.*

**Response:**

Council receives revenue from a variety of sources, with the largest being rates. Council also receives revenue from the Federal Government in the form of the financial assistance grant, along with money related to development:

- Rates are set by IPART based on a local government cost index and do not take account of development but do benefit in additional rates which come from development. An efficiency factor is part of the calculation, which means increases are normally slightly below prevailing inflation. A key problem with the current regime is the timing where the data used is lagging the actual inflation.
- To achieve a rate peg higher than the minimum amount councils must have growth in population which outstrip residential property growth, something which is not able to be achieved in Singleton's current low growth environment. The only alternative is to apply for a special rates variation.

- The NSW Government recently completed a review of rating structures and has implemented some changes, none of which has a significant impact on Singleton.
- Council receives an annual financial assistance grant from the Federal Government, which has an adjustment for relative disadvantage. The allocation methodology is reviewed every few years. The most recent review has led to a greater weighting related to relative disadvantage, which will have a small positive impact on Singleton's allocation.
- Council receives money from developers to assist with building infrastructure required for new development.
- Council continues to work with the NSW Government in addressing state significant developments.

**8. Cr Hollee Jenkins – Submission on draft Hunter Expressway Strategy – 19/04/2022**

*In March 2021 Council made a submission on the draft Hunter Expressway Strategy – how did our submission align with the plan for the proposed bypass?*

**Response:**

The submission recommended that the Hunter Expressway Strategy include content which highlights the important connection between the Hunter Expressway and the New England Highway. The submission specifically stated the following:

Proper consideration needs to be given to the broader road network and matters such as:

- The Singleton New England Highway Bypass and associated interchanges with Singleton township and Putty Road
- The function and capacity of New England Highway between the Branxton interchange and the Singleton Township
- The Golden Highway interchange with the New England Highway
- Employment lands in the Singleton LGA and
- Local catchment and riverine flooding.

**9. Cr Hollee Jenkins – Update on Bypass – 19/04/2022.**

*Can we have an update on the bypass?*

**Response:**

The Director of Infrastructure & Planning has reached out to representatives at TfNSW to arrange an update briefing for Councillors on the Singleton Bypass.

**Attachments**

There are no attachments for this report.