



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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Mayoral Minute(s)

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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**

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**

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

Risk	Risk Ranking	Proposed Treatments	Residual Risk Ranking	Within Existing Resources?
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



This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRs.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

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This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Introduction

Clause 203(1) of the *Local Government (General) Regulations 2005* requires Council's Responsible Accounting Officer to prepare and submit a Quarterly Budget Review Statement (QBRs) to Council. The QBRs must show, by reference to the estimated income and expenditure that is set out in the operational plan, a revised estimate of income and expenditure for the year.

It also requires the QBRs to include a report by the Responsible Accounting Officer as to whether or not the statement indicates Council to be in a satisfactory financial position, with regard to Council's original budget.

Council's operational plan sets out the achievements, goals and revenue policy, including estimates of income and expenditure. The QBRs plays an important role in monitoring Council's progress against the plan and ongoing management of the annual budget.

The QBRs is the mechanism whereby Councillors and the community are informed of Council's progress against the Operational Plan (original budget) and the recommended changes and reasons for major variances.

The QBRs is composed of the following Statements:

1. Responsible Accounting Officer Statement
2. Income and Expenses Budget Review Statement
3. Net Cost of Services Statement
4. Capital Budget Review Statement
5. Cash and Investments Budget Review Statement
6. Key Performance Indicators Budget Review Statement
7. Budget Review Contracts and Other Expenses

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Responsible Accounting Officer Statement

Budget review for the quarter ended 31 March 2022.

The Regulations require that a budget review statement must include or be accompanied by a report as to whether or not the Responsible Accounting Officer believes that the QBRS indicates that Council's financial position is satisfactory, having regard to the original estimate of income and expenditure. If Council's financial position is considered by the Responsible Accounting Officer to be unsatisfactory, then recommendations for remedial action must be included.

The following statement is made in accordance with clause 203(2) of the *Local Government (General) Regulations 2005*.

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



Jeannie Hayes
Responsible Accounting Officer, Singleton Council

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 March 2022
Income & Expenses - Council Consolidated

	Original Budget 2021/22 ¹ (\$'000)	Approved Changes				Recommended changes for Council Resolution (\$'000)	Projected Year End Result Budget ⁴ (\$'000)	Actual YTD figures (\$'000)
		Carry Over (\$'000)	Changes due to Recoding ² (\$'000)	Sept Review (\$'000)	Dec Review (\$'000)	Current Budget ³ (\$'000)		
Income from continuing operations								
Rates and Annual Charges	33,311	-	-	158	6	33,476	22	33,497
User Charges and Fees	16,787	-	-	(29)	(53)	16,705	(1,030)	15,675
Other Revenues	329	-	-	240	396	965	(337)	628
Grants and Contributions provided for operating purposes	9,152	45	-	(1,828)	158	7,527	4,599	12,126
Grants and Contributions provided for capital purposes	6,392	1,033	-	6,120	229	13,775	(2,559)	11,216
Interest and investment income	1,306	-	-	2	401	1,709	13	1,722
Other Income	278	-	-	(6)	140	412	(3)	409
Net Gain from Sale of Assets	300	-	-	-	250	550	-	550
Total income from continuing operations	67,854	1,078	-	4,658	1,528	75,118	704	58,689
Expenses from continuing operations								
Employee benefits and on-costs	21,080	60	-	410	194	21,743	1,011	22,754
Materials and services	13,351	-	7,313	1,013	782	22,460	804	23,264
Borrowing costs	770	-	-	(56)	(53)	661	-	661
Depreciation, amortisation and impairment for non-financial assets	14,734	-	-	-	-	14,734	-	14,734
Other expenses	9,627	-	(7,313)	(232)	62	2,144	-	2,144
Total expenses from continuing operations	59,562	60	-	1,135	985	61,742	1,814	47,756
Net operating result from continuing operations	8,292	1,018	-	3,523	543	13,376	(1,110)	10,933
Net operating result before grants and contributions provided for capital items	1,900	(15)	-	(2,597)	314	(399)	1,449	4,644

This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Budget review for the quarter ended 31 March 2022

Income & Expenses - Council Consolidated

This statement sets out the details of variations of \$10,000 or more, between Council's Approved Budget and the Projected Year End Result as part of the Quarterly Budget Review.

Note that for budgetary changes: **F** = favourable budget change, **U** = unfavourable budget change.

User Fees – have been revised unfavourably by \$1.030m due to reductions in:

- water usage based on recent and expected rainfall this financial year \$1.060m;
- non-residential sewer charges, based on reduced water usage \$89k.

This was offset in part by favourable revisions, based on year to date actuals:

- engineering plan checking \$35k;
- post consent certificate registration \$10k; and
- savings in water expenditure based on water usage \$56k.

Other Revenue – has been revised unfavourably by \$337k due to the removal of the potential reimbursement of relocation costs of Water Works Lane Depot from Transport for NSW \$330k which is not expected to be received this financial year. In addition, legal recovery income with respect to debt collection has been revised down by \$17k based on expected recovery costs this financial year.

Grants and Contributions (Operating) – have been revised favourably by \$4.6m, primarily due to:

- the advance payment of 75% of the 2022/2023 Financial Assistance Grant \$3.3m;
- February Flood Relief Grant \$1.0m;
- NSW Heritage Grants Program - Aboriginal Heritage Management Plan \$8.8k;
- Upper Hunter District Weed Hygiene Training - Hunter Local Land Services Grant \$10k;
- Regional NSW - Regional Events Acceleration Grant, for Firelight - Firewalk Singleton - 14 Day Light Spectacular \$150k;
- an adjustment to the amount budgeted for the Mt Owen Continuation – VPA, based on the revised agreement and amounts already received \$111k;
- Grant for Australia Day \$20k
- Hunter Valley Destination Management Plan co-funded Singleton and Cessnock \$20k

Grants and Contributions (Capital) – have been revised unfavourably by \$2.6m due to:

- a reduction in water and sewer headworks charges \$197k;
- realignment of the Arts and Cultural Centre grant to take into account the timing of the grant \$208k;
- Fixing Local Roads rounds 2 and 3 adjusted down for Putty Valley Road project \$1.2m will be carried forward into the 2022/2023 financial year;
- Bridge Renewal Program \$900k for Gibbs Bridge project delayed until 2022/2023;
- Drought Stimulus funding revised down based on expected funding to be received \$900k this financial year;
- Saleyards Project grant taken out in 2021/2022 due to timing of the original project proposal \$330k;
- Resources for Regions grant funding adjusted based on expected project expenditure this financial year \$193k

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

This has been offset by:

- bringing to account vehicles for the RFS \$712k;
- an adjustment for final funding for John Street project \$163k;
- Local Roads and Community Infrastructure grant programs adjusted based on expected expenditure for rounds 2 and 3 \$240k;
- expected contributions towards water upgrades \$250k; and
- additional Developer Contributions received in the March quarter \$20k.

Interest and investment income – has been revised favourably by \$13k due to expected interest on overdue rates and charges.

Employee costs – have been revised unfavourably by \$1.0m, primarily due to a decrease in expected labour savings budgeted for to be taken up this financial year, ie. the expected vacancy rate was lower than anticipated. An increase in superannuation based on final expected labour costs was also included in the March QBR \$94k. In addition, a reduction in labour costs transferred from materials and services \$256k, as listed below has been included.

Materials and Services – have been revised unfavourably by \$804k, due to:

- the inclusion of \$329k based on expected expenditure for Singleton Community Economic Development Fund - Round 1;
- Grant from Regional NSW - Regional Events Acceleration - Firelight - Firewalk Singleton - 14 Day Light Spectacular \$150k;
- Legal fees \$165k for the Redbank matter;
- Local Strategic Planning Statement \$70k funded from the CEDF MTW VPA;
- Australia Day Event grant \$20k;
- Upper Hunter District Weed Hygiene Training - Hunter Local Land Services Grant \$10k;
- Crown Reserve Improvement Fund - Dunolly Bridge Reserve \$95k, funded from grant money and unspent grant money from previous years;
- NSW Heritage Grants Program - Aboriginal Heritage Management Plan \$8.8k;
- Expenditure associated with the Mt Thorley Warkworth and United Collieries Infrastructure VPA Programs \$133k;
- The reduction in labour transferred from materials and contracts \$256k; and
- Additional savings in electricity \$132k following the installation of solar have also been included

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Capital Budget Review Statement

Budget review for the quarter ended 31 March 2022
Capital Budget - Council Consolidated

	Original Budget 2021/22 ¹ (\$'000)	Approved Changes			Current Budget ² (\$'000)	Recommended changes for Council Resolution (\$'000)	Projected Year End Result 2021/22 ³ (\$'000)	Actual YTD figures (\$'000)
		Carry Over (\$'000)	Sept Review (\$'000)	Dec Review (\$'000)				
Capital Expenditure								
<i>New Assets</i>								
- Plant & Equipment	-	819	-	-	819	714	1,533	455
- Land & Buildings	1,190	884	852	1,051	3,977	84	4,061	3,131
- Roads, Bridges, Footpaths	1,824	193	767	-	2,784	-	2,784	1,981
- Recreation & Culture	720	-	85	-	805	461	1,266	382
- Real Estate Development	2,220	-	-	1,850	4,070	0	4,070	4,953
Waste	735	599	(196)	-	1,138	-	1,138	188
Storm Water Drainage	-	-	-	-	-	-	-	-
Water	733	-	13	-	746	(45)	701	434
Sewer	810	-	-	-	810	(80)	730	199
Other	-	-	-	-	-	-	-	-
<i>Renewal Assets (Replacement)</i>								
- Plant & Equipment	925	171	-	-	1,096	-	1,096	187
- Land & Buildings	1,106	1,412	230	-	2,748	(780)	1,968	1,518
- Roads, Bridges, Footpaths	8,175	1,511	4,685	-	14,371	(6,797)	7,574	3,649
- Recreation & Culture	712	73	610	-	1,395	153	1,548	735
Waste	-	-	-	-	-	-	-	-
Storm Water Drainage	190	254	206	-	650	51	701	364
Water	5,397	565	240	(1,268)	4,934	(106)	4,828	1,092
Sewer	8,289	707	(2,505)	31	6,522	(4,245)	2,277	622
Other	71	-	-	-	71	-	71	37
Total Capital Expenditure	33,097	7,188	4,987	1,664	46,936	(10,590)	36,346	19,927
Capital Funding								
Rates & Other Untied Funding	71	-	-	-	71	71	142	37
Capital Grants & Contributions	9,118	1,078	6,890	-	17,086	(3,068)	14,018	5,796
Reserves: -								
- External Restrictions/Reserves	7,623	3,694	(1,864)	-	9,453	(4,476)	4,977	2,899
- Internal Restrictions/Reserves	3,048	2,322	(139)	(186)	5,045	(294)	4,751	1,381
New Loans	10,320	-	100	-	10,420	(2,823)	7,597	-
Receipts from Sale of Assets	2,917	94	-	1,850	4,861	0	4,861	4,861
Total Capital Funding	33,097	7,188	4,987	1,664	46,936	(10,590)	36,346	14,974
Net Capital Funding - Surplus/(Deficit)	-	-	-	-	-	-	-	4,953

This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Capital Budget Statement

Budget review for the quarter ended 31 March 2022

This statement sets out the details of variations of \$20,000 or more, between Council's Approved Budget and the Projected Year End Result as part of the Quarterly Budget Review.

Note that for budgetary changes: **F** = favourable budget change, **U** = unfavourable budget change.

	Budget Change	
	\$'000	F/U
Land and Buildings	(696)	F
Decreased budget in Saleyard Kiosk \$639k project, deferred awaiting final design and budget to be carried forward to 2023. Increased budget for Civic Administration Roof \$237k due to increases requirements to repair and replacement of roof, funded from increased LRCI Round 2 grant funding. Decreased budget of OOSH Roof \$150k project and budget removed from LRCI grants program. Decreased budget for Alroy Oval Accessible Toilet \$250k project deferred, LRCI grant funds transferred to Cook Park Athletics. Increased budget for Library Air-conditioning upgrade \$162k, a new project, funding from Financial Assistance Grant (FAG) transferred from Library Roof project and SRV funds transferred from Library Exterior project. An increase in budget for Public Amenity at Town Entrance, Upgrade \$50k, new project funded from R4R round 8 grant.		
Real Estate Development	0	F
No Change		
Roads, Bridges and Footpaths	(6,797)	F
Reduction in budget for Blaxland Avenue Footpath \$58k; project finalised under budget. FAG funding transferred to Lake St Clair Communications project. Decreased budget for Rural Roads Resealing Program \$150k budget program reduced to fund increased funding needed for Brookers Bridge Drainage project, SRV funds transferred to Brookers Bridge Drainage project. Reduction for Welsh's Road Sealing \$515k project, delayed and to be completed in 2023, VPA funding to be reserved and carried forward to 2023. Reduction for Putty Road CH 9.15 sealing \$750k project, delayed and to be completed in 2023, SRV and Fixing Local Roads Grant funding to be reserved and carried forward to 2023. Reduction in budget for Putty Road CH 6.2 sealing project delayed and to be completed in 2023, SRV and Fixing Local Roads. Grant funding to be reserved and carried forward to 2023. Reduction in budget for Goorangoola Road Causeway replacement \$600k project delayed and to be completed in 2023, Loan and Drought Assistance Grant funding to be reserved and carried forward to 2023. Reduction in budget for Gibbs Bridge replacement \$900k project delayed and to be completed in 2023, Fixing Country Bridges grant funding to be reserved and carried forward to 2023. Reduction in budget for Hungerfords Bridge replacement \$1m project delayed and to be completed in 2023, Fixing Country Bridges grant funding to be reserved and carried forward to 2023. Reduction in budget for Putty Valley Road CH 5.9 \$2.2m Fixing Local Roads round 2 grant funding to be reserved and carried forward to 2023. Reduction in budget for Doyles Creek Road CH 1.54 \$171K project delayed and to be completed in 2023, R4R round 8 grant funding to be reserved and carried forward to 2023. Reduction in budget for Inlet Road Bus Turn \$70k, project delayed and to be completed in 2023, R4R round 8 grant funding to be reserved and carried forward to 2023.		

This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

**Recreation and
Culture**

614

U

Increased budget for Cook Park Athletics \$250k new project, funded from LRCI round 1 grant transferred from Alroy Oval Accessible Toilet project now deferred. Increased budget for Howe Park Lighting \$133k, detailed project costing above original budget, funding from increased R4R round 7 and new LRCI round 3 funding. Increased budget for Cook Park 4 Lighting Upgrade \$89k, detailed project costing above original budget, funding from new LRCI round 3 funding.

**Storm Water
Drainage**

51

U

Reduction in budget for Solman Lane Drainage \$103K project to be completed in 2022/2023, SRV and S7.11 funds to be reserved for 2023. Budget variance for Brookers Bridge Drainage \$186k due to increased requirements to improve drainage, funded from SRV funds transferred from Rural Road Reseal program.

Plant

0

F

No Change.

Waste Services

0

F

No Change

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
 for the year ended 30 June 2022

Water (151) F

Reduced budget Water treatment Plant Security Gates \$64k project completed under budget, funds returned to water fund reserves. Decreased budget for SCADA Upgrade \$44k 64k project, completed under budget, funds returned to water fund reserves. Decreased budget for Water Reservoir Investigation \$80k project, contract has come in under budget, funds returned to water fund reserves.

Sewer (4,325) F

Decreased budget for Rising Main Repair \$280k, revised based on contract price, funds returned to sewer funds reserves. Decreased budget for STP Upgrade Pollution Reduction \$500k, project underway. Delay due to EPA project to carry into 2023, funds returned to sewer funds reserves for 2023. Decreased budget in STP Inlet Works Upgrade \$2.7m, delay due to design and site issues, funds returned to sewer funds reserves for 2023. Decreased budget in IDEA Pond Cleaning & Rehabilitation \$600k contractual negotiations delayed commencement until end of 2022 financial year, funds returned to sewer funds reserves for 2023.

Other 0 F

No Change.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

Cash & Investment Budget Review Statement

Budget review for the quarter ended 31 March 2022

Investments

Investments have been made in accordance with Council's Investment Policy.

Cash

This cash at bank amount has been reconciled to Council's physical bank statements.
The date of completion of this bank reconciliation is 31/03/2022.

Reconciliation Status

The year to date cash & investment figure reconciles to the actual balances held as follows:

	\$'000
Cash at Bank (as per bank statements)	385
Investments on Hand	123,949
less: Unpresented Cheques	20
add: Undeposited Funds	7
less: Identified Deposits (not yet accounted in Ledger)	-
add: Identified Outflows (not yet accounted in Ledger)	-
less: Unidentified Deposits (not yet actioned)	-
add: Unidentified Outflows (not yet actioned)	-
Reconciled Cash at Bank & Investments	124,321

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
for the year ended 30 June 2022

	Balance Bought Forward	Movements in Balances due to timing	Original Budget 2021/22* (\$'000)	Approved Changes				Recommended changes for Council Resolution (\$'000)	Projected Year End Result 2021/22* (\$'000)
				Carry Over (\$'000)	Sept Review (\$'000)	Dec Review (\$'000)	Current Budget* (\$'000)		
External Restrictions									
External Restrictions - included in liabilities									
Specific purpose unexpended loans	2,866	459	(779)	(960)	511	(595)	(1,823)	486	1,987
Specific purpose unexpended loans - Water	86							251	337
Specific purpose unexpended loans - Sewer	370				(1,318)			2,340	2,709
Specific Purpose Unexpended Grants - general fund	1,559						(1,318)		241
Specific Purpose Unexpended Grants - water fund	-								0
Specific Purpose Unexpended Grants - sewer fund	-								0
	4,881		(779)	(960)	(807)	(595)	(3,141)	3,076	5,275
External Restrictions - other									
Stormwater Management	304		(93)				(93)		211
Domestic Waste Management	8,176		(208)	(616)	271	(263)	(816)	(82)	7,279
Water Fund Infrastructure Replacement	28,837		445	(565)	180	1,295	1,354	(1,833)	28,358
Water Fund ELE	263		3				3		266
Sewer Fund Infrastructure Replacement	18,228		(2,908)	(707)	2,521	(186)	(1,280)	1,733	18,682
Sewer Fund ELE	308		-				-		308
Unexpended Grants	3,135		-	(271)	(1,563)		(1,833)	2,367	3,668
Mount Thorley Warkworth Historic Heritage Conservation Fund	398		108				108	(10)	496
Sec 94 - Developers Contributions - General Fund	2,621		48	(576)	(596)	200	(923)	(259)	1,438
Sec 94 - Developers Contributions - Water Fund	7,267		14				14		7,281
Sec 94 - Developers Contributions - Sewer Fund	3,947		53				53	(61)	3,939
	73,484		(2,538)	(2,735)	813	1,047	(3,413)	1,856	71,927
Total External Restrictions	78,365		(3,318)	(3,694)	6	452	(6,554)	4,932	77,202
Internal Restrictions									
Employee Leave Entitlements	920		10						930
Plant Management	282		429	(89)			340		622
Sinking Funds Loans	-		-				-		0
Auditorium Kitchen Upgrade	-		-				-		0
Carbon Pricing Provision	138		-				-		138
Community Enhancement Contribution	-		-				-		0
Contributions	200		-			66	66		266
Financial Assistance Grant	2,110		-	(99)	(1,949)		(2,049)	3,350	3,411
GIS Mapping	-		-				-		0
Insurance Claims - Buildings	-		(180)		180		-		0
Interest on Unexpended Loans	57		5			33	39		95
Land Development	405		94		16	106	216	10	631
Land Development (Developer Cont.)	835		-				-		835
Legacy Fund - Community Economic Development Fund (CED)	5,133	550	535		(160)	27	401	(194)	5,891
Legacy Fund - Commercial Property Fund (CPF)	-		-				-		0
Legacy Fund - Infrastructure Management Fund (IMF)	0		1,165				1,165		1,165
Legacy Fund - Roads Fund (RF)	23,363	2,282	(145)	(265)		(13)	(278)	81	25,448
Local Government Elections	145		-				(145)		0
Mayoral Scholarship	-		-				-		0
Ravensworth VPA	236		-				-		236
Roads and Bridges	730		77	(720)	7		(636)		94
Rural Fire Services	174		-				-		174
s355 Committees	73		(3)				(3)		71
Section 94 Plan Revision	42		6				6	2	50
Sedgefield Cemetery	329		13				13		343
Social Plan	-		-				-		0
Special Variation - Stormwater Drainage	-		-				-		0
Stormwater Replacement	-		-				-		0
Tidy Towns	43		(8)				(8)		35
Uncompleted Works	1,208			(1,208)			(1,208)	414	414
VPA - Warkworth and Mount Thorley - VPA Programs	3,269		444		(581)	(7)	(145)	419	3,544
VPA - Mt Owen	-		-				-		0
VPA - Liddell	135		(28)				(28)		108
VPA - Bulga Coal	320		54				54		374
VPA - United Collieries	1,325		-		(28)	(0)	(28)	(39)	1,258
	-		-				-		0
Total Internal Restrictions	41,473	2,832	2,489	(2,381)	(2,515)	212	(2,216)	4,043	46,133
Unrestricted	66								66
Total Cash & Investments	119,905	2,832	(849)	(6,076)	(2,510)	664	(8,771)	8,975	123,335
Net Cash Result	(0)	-	-	-	(0)	-	-	(0)	-

This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
For the year ended 30 June 2022

Key Performance Indicator Budget Review Statement

Budget review for the quarter ended 31 March 2022

The Council monitors the following Key Financial Sustainability Indicators:

1. Operating Performance ratio

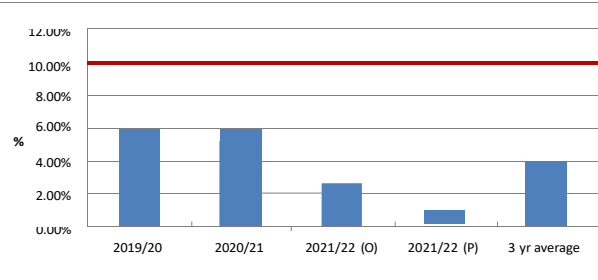
Total continuing operating revenue excluding capital grants and contributions less operating expenses:

Total continuing operating revenue excluding capital grants and contributions

A target range of between an operating deficit of 3% and an operating surplus of 10% of operating revenues, averaged over three years.

Projected year end result is an operating performance surplus of 0.78%. The increase is driven by a increase in the operating result following the increase in operating grants and contributions.

Actual Year End Result 2019/20	Actual Year End Result 2020/21	Original Year End Result (O) 2021/22	Projected Year End Result (P) 2021/22	Three year Average Result	Industry Benchmark Over three years
5.99%	5.21%	2.62%	0.78%	3.99%	>-3%<10%



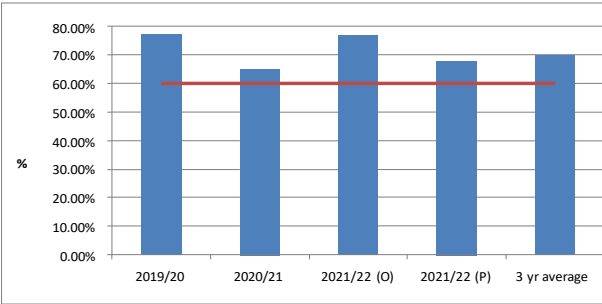
2. Own-source operating revenue ratio

Total continuing operating revenue excluding grants and contributions²
Total continuing operating revenue

A target of greater than 60% averaged over a three year period.

The projected year end result is an own source operating revenue ratio of 67.71%. This is a decrease from the original estimate of 76.50% due to the increase in grants and contributions income.

Actual Year End Result 2019/20	Actual Year End Result 2020/21	Original Year End Result (O) 2021/22	Projected Year End Result (P) 2021/22	Three year Average Result	Industry Benchmark Over three years
77.23%	70.85%	76.50%	67.71%	70.02%	>60.00%



This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
For the year ended 30 June 2022

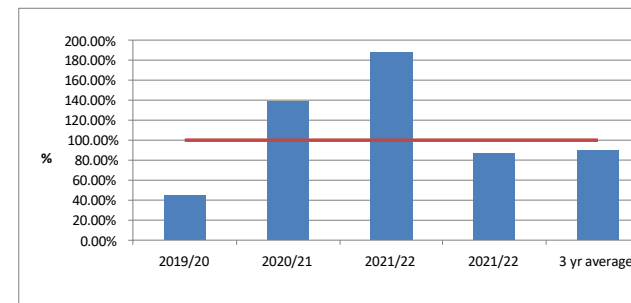
3. Building and Infrastructure Renewals Ratio

Asset Renewals (Building & Infrastructure)
Depreciation

This indicator assesses the rate at which Council assets are being renewed, relative to the rate at which they are depreciating. Asset renewal is a long term indicator of the condition and cost to maintain public infrastructure assets and the major messages will come from trends over time. The renewal ratio benchmark greater than 100% (in each year) is proposed.

The decrease in the projected ratio this quarter to 86.55% is primarily due to the decrease in roads and bridges infrastructure capital works program from the original budget.

Actual Year End Result	Actual Year End Result	Original Year End Result (O)	Projected Year End Result (P)	Three year Average Result	Industry Benchmark Over three years
2019/20	2020/21	2021/22	2021/22		
45.19%	139.24%	187.85%	86.55%	90.33%	>100.00%



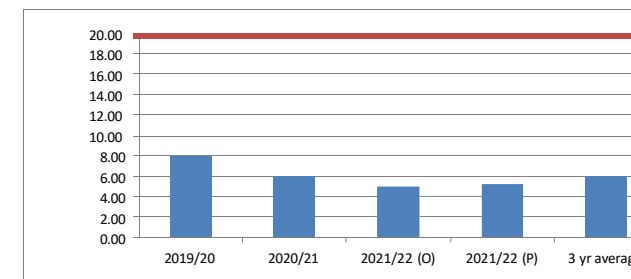
4. Debt Service Cover Ratio

Operating results ¹ before interest and depreciation (EBITDA)
Principal repayments + borrowing interest costs

This indicator assesses the impact of the loan principal and interest repayments on the discretionary revenue of Council. This indicator should be greater than 0 and less than 20.

Projected year end result is a ratio of 5.17 to 1. This ratio has increased due to the increase in the operating result.

Actual Year End Result	Actual Year End Result	Original Year End Result (O)	Projected Year End Result (P)	Three year Average Result	Industry Benchmark
2019/20	2020/21	2021/22	2021/22		
7.54	6.16	5.03	5.17	6.29	>0 <20



Notes:

1. Excludes fair value adjustments and reversal of revaluation decrements
2. Rates & annual charges + user charges and fees

This document forms part of the Singleton Councils Quarterly Budget Review Statement and should be read in conjunction with other documents in the QBRS.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
For the year ended 30 June 2022

Budget Review Contracts and Other Expenses

Budget review for the quarter ended 31 March 2022

Councillors are currently made aware of tenders of \$150,000 or more in accordance with legislation. However, Councillors should be made aware of other material contracts entered into by Council and details of other expenses that are of particular interest. To this end, a contract listing and details of legal fees and consultancy expenses are included in the QBRS.

Part A lists contracts (other than employment contracts and contracts entered into from Council's preferred suppliers list) that:

- were entered into during the quarter ending 31 March 2022; and
- have a value equal to or more than \$50,000.

Part A – Contracts Listing

Contractor	Contract detail and purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)
Fitt Resources Pty Limited	Purchase and Delivery of 2 Pumps Mt Thorley High Lift Pump Station	\$136,904	19/01/2022	24/02/2022	Y
GHD Pty Ltd	Jerrys Plains Water Supply Options Assessment	\$115,482	11/02/2022	17/06/2022	Y
Hako Australia Pty Limited	Compact Sweeper	\$191,049	17/02/2022	30/06/2022	Y
Common Ground Trails Pty Ltd	Trail Design	\$93,567	22/02/2022	31/05/2022	Y
Marsdens Law Group	Redbank appeal in the Land and Environment Court	\$97,122	1/12/2022	31/12/2022	Y
Mott Macdonald Australia Pty Limited	Additional Reservoir Wattleponds Separable Portion	\$107,070	10/03/2022	15/07/2022	Y
Gondwana Consulting Pty Ltd	Preparation of Plan of Management for Crown Land	\$58,960	11/03/2022	30/09/2022	Y

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000, whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Suppliers List.
3. Contracts for employment are not required to be included.

SINGLETON COUNCIL
QUARTERLY BUDGET REVIEW STATEMENT
For the year ended 30 June 2022

Budget Review Contracts and Other Expenses

Budget review for the quarter ended 31 March 2022

Part B of the report shows expenditure as at 31 March 2022 for:

- consultancies; and
- legal fees.

Part B – Consultancy & Legal expenses

Expense	(actual dollars)	Budgeted (Y/N)
Consultancies	\$133,523	Y
Legal Fees	\$533,709	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high-level specialist or professional advice to assist decision making by management. Generally, is the advisory nature of the work that differentiates a consultant from other contractors.

Consultancies primarily relate Land Information Services, Strategic Planning, Heritage Programs and Development Engineering Services.

Legal fees primarily relate to Development and Regulatory Services. This includes costs relating to Council's decision to defend a Class 1 Appeal regarding the deemed refusal of a modification application relating to DA 183/1993/2.

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%

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

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:

- 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.
 - 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.
 - 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.
- 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

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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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



LEASE/LICENCE OF COUNCIL LAND & BUILDINGS TO COMMUNITY GROUPS

Policy | Business Development

To provide equity of leasing and licencing of Council's land and buildings to community groups

Policy No:	POL/25041	Version:	4
Service Unit:	Business Development		
Responsible Officer:	Business Development and Grants Specialist		
Responsible Director:	Director Corporate & Commercial Services		
Authorisation Date:		Review Date:	
Minute No:			

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1 Background

1.1 Title of the Policy and Commencement Date

The Lease/Licence of Council Land & Buildings to Community Groups Policy takes effect from the date of Council Adoption.

1.2 Purpose of the Policy

The purpose of this policy is to provide the framework for the assessment of leasing/licencing Council owned/managed land and buildings to community groups prior to the 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/licences.

2 Objective

2.1 Objectives and Coverage of the Policy

Council aims to achieve a number of outcomes from the policy including:

- Providing lease/licence guidelines which are clear and easily understood by the community and community groups;
- Ensuring equitable contribution from contributions from community groups towards the cost of providing use of Council facilities;
- Ensuring Council owned facilities are used to meet demonstrated community needs consistent with Council's vision, policies and strategic plans;
- Ensuring fair and consistent lease/licence conditions between tenant community groups and equitable access to leased/licensed community assets;
- Providing accountability for Council expenditure on lease/licence subsidies, as they constitute donations; and
- Ensuring that Council-owned facilities are appropriately maintained, developed and occupied responsibly having regard to the interests of local communities and the care of the assets.

3 Application

3.1 Application of this Policy

This policy will apply to all leases and licences to community groups developed or renewed following adoption of the policy by Council.

3.2 Exclusions

Commercial or for-profit organisations are not eligible for any rental subsidy.



This policy does not apply to annual allocations of sporting facilities or the current lease arrangements in place for the service sheds at the Singleton Council Depot (refer to minute no. 39/11).

4 Definitions

For the purposes of this policy:

Term	Meaning
Facility	Part or all of a Council owned/managed land and/or building asset and associated infrastructure occupied by a community group/s under a lease/licence to provide and organise recreational, cultural, sporting and community service activities. They are generally situated on Council owned operational and community Land or Crown Land for which Council has long term management responsibility.
Community Group	A community group under this policy is an entity which provides a benefit to the community on a non-profit basis, has a constitution or charter and a program of services or activities which confirm a commitment to meeting the cultural, social and/or recreational needs of the community. Occasional and regular hirers of Council facilities are not covered by this policy.
Capital Contribution	Monetary or other contribution (e.g. donated labour and materials) which improves, enhances, or adds value to the facility based on the replacement/refurbishment cost/s assessed in line with industry accepted quantity surveying principles.
Plans of Management	Refers to the requirement under the <i>Local Government Act, 1993</i> that all public land be classified as either "operational land" or "community land" and a Plan of Management must be prepared for land designated community land. The granting of a lease or licence over a facility on community land, the conditions of the lease or licence and the potential uses of a facility are set down in the Plan of Management. The Act states: "A council may grant a lease or licence of community land, but only in accordance with Section 46 and (if relevant) section 47 of the <i>Local Government Act, 1993</i> ."
Lease	A lease provides for exclusive possession of property by the Lessee. A lease is granted for a set term and provides for the payment of rental and other terms set out in the lease agreement. A lease creates an interest in the land which can be transferred to the Lessee for the period of the lease. A lease can be transferred to another party with consent of the land owner. A lease is not revocable unless essential terms of the lease are breached by either party.
Licence	A licence is the granting of permission to use land for a specific purpose, and provides for payment of a licence fee by the Licensee. A licence does not grant exclusive possession.



	A licence does not create interest in the land and is not transferrable. A licence is revocable.
Maintain/Repair	Keep in good condition in accordance with Australian Standards. Ensure useful life of the asset is met and does not deteriorate during the term of the lease/licence.
Replace	Replace at end of useful life. Replace if broken or damaged beyond repair.
Full Maintenance	Maintain repair and replace.
Market Rental	The rent that would reasonably be expected to be paid for the facility, determined on an effective rent basis having regard to: <ul style="list-style-type: none"> The rent that would reasonably be expected to be paid for the facility if it was unoccupied and offered for rent on the open market. The highest and best uses for which the facility would be physically suitable and which would be permissible under the zoning of the land and by any plan of management.

5 Principles/Body

5.1 Management Philosophy

- Council facilities which are not required for delivering Council services and which the Council has determined are suitable for lease/licence by community groups will be subject to the conditions and guidelines outlined herein. The terms of occupation will be contained in a lease/licence agreement prepared by Council's legal provider.
- Facilities will generally be managed in a manner which preserves and maintains their flexibility and availability for current and future residents of Singleton Council. Wherever possible, Council will implement a strategy of multiple shared uses between groups.
- The allocation of an available facility to any community group shall have regard to the existing level of support (financial and non-financial) provided by Council to that community group.

5.2 Eligibility

To be eligible to lease or licence part or all of a Council facility, a community group will be assessed against the following eligibility criteria.

The criteria indicated with an asterisk (*) are mandatory and must be met to enable assessment of an application. A weighting of the remaining criteria will be applied to assist in the assessment process.

5.2.1 Community Group Criteria

- The community group is one which is not operating for the profit or gain of its individual members, whether these gains would be direct or indirect.
- The community group is a legal entity registered under appropriate legislation (such as the *Associations Incorporation Act, 2009*). *



Policy

Lease/Licence of Council Land & Buildings to Community Groups

- The community group is financially sustainable, with annual financial statements provided to Council, audited where it is required as a prescribed association under the *Associations Incorporation Act, 2009*.
- The community group complies with relevant legislation governing its activities, and holds any licences or registration certificates required for it to operate and holds appropriate insurance.*
- The community group has a committee of management or other like governance structure and appropriate governance arrangements, with established accountability and reporting methods to members of the community group and / or to the community.
- The community group adheres to all relevant Council policies and has complied with the terms of any previous lease/licence and/or financial assistance (if applicable) from the Council.*
- The community group has a constitution or charter which confirms the group's commitment to either the cultural, social and/or recreational wellbeing of the community.*

5.2.2 **Community Benefit Criteria**

- Use of the facility will increase social engagement and promote health and well-being of the Singleton community.
- A plan for the facility's use is provided including current and projected hours of operation and participant and / or membership numbers.*
- The community group provides a service or a program of activities which can be demonstrated to address an identified cultural, social, recreational or other need in the community.*
- Facility use is consistent with Council's vision and the goals outlined in Council's Strategic Plans.
- The level of support already being provided by Council to a community group both financial and non-financial.
- The service or activity is non-discriminatory: it will be open to all residents who meet clearly stated criteria for participation that are directly related to the nature of the service or activity, or geographic catchment area.
- The service or activity can be accessed by disadvantaged groups, with strategies in place to review and remove any barriers to participation.*
- The community group's promotion and support of volunteerism.

5.2.3 **Facility Management Criteria**

- Proposed use of the facility is suitable for the nature of the site and the neighbourhood.*
- The community group will keep the facility in good repair and undertake upkeep in accordance with the maintenance schedule included in this policy.
- Utilisation of, and community access to, the facility will be maximised, through shared use with other community groups, consistent with any special requirements of the head tenant.



- The community group is willing to undertake significant/identified capital works as necessary to develop the facility as an asset for the long term benefit of the community.
- The community group is able to fulfil relevant insurance requirements as determined by Council's Integrated Risk Management Team.*

The eligibility requirements indicated above will be applied in the assessment of an initial request for a Council facility lease or licence and an application to renew a lease or licence.

5.3 Lease/Licence Provisions

Council recognises that many groups have a strong historical affiliation with the facilities which they use, and have contributed in cash and kind to their development. Generally, Council supports the continued occupation of those facilities by those groups but with a preference for a shared multi-use basis where it does not currently occur.

Where a current licence, lease or other formal agreement exists, this will be honoured until its expiry. A review of future management options for the facility will be undertaken within the last 24 months of the agreement period. Community groups wishing to renew a lease or licence will be subject to a reassessment of their eligibility. Reassessment will refer to the eligibility criteria as noted in this policy (refer Section 5.2). It will also take account of existing usage rates and the potential for the facility to be used on a multi-user basis, in line with changing community needs and in consultation with the community.

An Expressions of Interest process will be undertaken for facilities covered by this policy which become vacant.

Leases/licences will be developed by Council's legal provider reflecting the contents of this policy and relevant legislation in accordance with Council's Procedure for Obtaining Legal Advice.

5.3.1 Term

The term of a lease/licence will generally be for a period of up to five (5) years.

Where a community group can demonstrate that it has made a capital contribution, consideration will be given by Council to the granting of a longer lease/licence term on a case by case basis.

5.3.2 Rental

5.3.2.1 Rent Subsidy

The level of rental payable by community groups who satisfy the requirements under Section 5.2 above will be based on the extent to which the group meets the criteria indicated in Table 1 Rent Subsidy Categories set out below.

The compliance of a community group against the criteria will be reviewed annually. Should a community group's category change, the revised level of rental payable will be subject to the approval of Council.



5.3.2.2 Table 1 Rent Subsidy Categories

Category	Annual Rent	Eligibility
Nominal rent	\$523 per annum (exclusive of GST) as at date of adoption of policy and annually adjusted by CPI	<ul style="list-style-type: none"> Satisfies all eligibility criteria under Section 5.2 Services provided integrate directly into Council's Community Strategic Plan Provides optimal multiple use opportunities (i.e. fully utilised or nature of community groups operations precludes multiple use) Has limited revenue-raising and grant funding ability net of cost of service (no access to grants or fund raising opportunities) May be in need of Council's assistance to become established
Community Partnership Rent	25% of market valuation (exclusive of GST)	<ul style="list-style-type: none"> Satisfies all eligibility criteria under Section 5.2 Services provided do not integrate into Council's current Community Strategic Plan however provide significant benefits to the community which are considered to reduce the burden on Council's budget Provides reasonable multiple use opportunities (say 3 or more groups per week) Undertakes some capital development and full maintenance of facility Has limited revenue-raising and grant funding ability net of cost of service (access to funds/grants no greater than 20% of total revenue raising abilities)



Category	Annual Rent	Eligibility
Discounted market rent	50% of market valuation (exclusive of GST)	<ul style="list-style-type: none"> Satisfies all eligibility criteria under Section 5.2 Services provided do not integrate into Council's current Community Strategic Plan but do provide significant benefits to the community Limited or no multiple use opportunity (i.e. nature of community groups operations and capital investment by group supports minimal multiple usage. Responsible for day to day maintenance only Has reasonable revenue raising ability from their activities, private sector sponsorship or government grants (net of cost of service)
User built facility rent	5% of the unimproved capital value of the land the building and grounds cover Note: 10% of the capital value is a typical market rent. Discount this by 50% as a community service = 5% UCV	<ul style="list-style-type: none"> Satisfies all eligibility criteria under Section 5.2 Building and grounds capital works and maintenance fully funded by users Little or no direct or integrated link with Council's Community Strategic Plan Limited or no multiple use opportunity (ie. Nature of community group operations and capital investment by group supports minimal multiple usage) Responsible for all maintenance Has reasonable revenue raising ability from their activities, private sector sponsorship or government grants (net of cost of service)



5.3.2.3 Adjustments of Rents

The rent payable under the nominal category will be adjusted annually in accordance with the Consumer Price Index (CPI). The rent payable under the community partnership and discounted market rent categories will be adjusted by CPI annually with a market review to be undertaken every five years.

New rent and subsidy levels will be introduced in all new leases and licences following adoption of the policy, including any new lease or licence developed with current tenants.

5.3.3 Maintenance of Council Facilities

All community groups signing leases or licences following commencement of this policy will be required to contribute towards the maintenance of the facility occupied. The level of maintenance responsibility will be determined by the function of the facility, the degree of community benefit, and the community group's ability to generate revenue. In broad terms maintenance responsibilities will be as outlined in Table 2 below, which should be seen as a general guide only. Specific responsibilities will be negotiated with each community group taking into account the nature, age and condition of the facility and included in a schedule to that community group's lease or licence.



5.3.3.1

Table 2 Indicative Summary of Maintenance Responsibilities

Category	Facility Component	Community Group Responsibility	Council Responsibility
Nominal Rent	Building shell erected by Council	Maintain/repair	Replace
	External surfaces, including painting, pathways, fences, car parks, brickwork	Full maintenance	-
	Fixtures/fittings (toilet pans, taps, door furniture)	Full maintenance	-
	Interior surfaces (painting, carpet, tiling)	Full maintenance	-
	Building services (water supply, gas, sewerage, electrical)	Full maintenance	-
	Essential services	-	Full maintenance
	Routine services (gutter cleans, pest control)	Maintain/repair	-
	Grounds (landscape features, external furniture)	Full maintenance	-
	Specialist ground surface and equipment (eg. Playground equipment, synthetic playing surface, trees planted by group)	Full maintenance	-
	Existing trees	-	Full maintenance



Category	Facility Component	Community Group Responsibility	Council Responsibility
Community Partnership Rent	Building shell erected by Council	Maintain/repair	Replace
	External surfaces, including painting, pathways, fences, car parks, brickwork	Maintain/repair	Replace
	Fixtures/fittings (toilet pans, taps, door furniture)	Full maintenance	-
	Interior surfaces (painting, carpet, tiling)	Full maintenance	-
	Building services (water supply, gas, sewerage, electrical)	Maintain/repair	Replace
	Essential services	-	Full maintenance
	Routine services (gutter cleans, pest control)	Maintain/repair	-
	Grounds (landscape features, lawns, external furniture)	Full maintenance	-
	Specialist ground surface and equipment (eg. Playground equipment, court synthetic playing surface, trees planted by group)	Full maintenance	-
	Existing trees	-	Full maintenance



Category	Facility Component	Community Group Responsibility	Council Responsibility
Discounted market rent	Building shell erected by Council	-	Full maintenance
	External surfaces, including painting, pathways, fences, car parks, brickwork	-	Full maintenance
	Fixtures/ fittings (toilet pans, taps, door furniture)	Maintain/repair	Replace
	Interior surfaces (painting, carpet, tiling)	Maintain/repair	Replace
	Building services (water supply, gas, sewerage, electrical)	Maintain/repair	Replace
	Essential services	-	Full maintenance
	Routine services (gutter cleans, pest control)	-	Full maintenance
	Grounds (landscape features, lawns, external furniture)	-	Full maintenance
	Specialist ground surface and equipment (eg. Playground equipment, court synthetic playing surface, trees planted by group)	Full maintenance	-
	Existing trees	-	Full maintenance
User built facility rent	Building shell erected by group and grounds	Full maintenance	-



Where a group voluntarily undertakes extensions or improvements to the exterior of a facility (eg. pergola, sun shade) they are responsible for the maintenance and presentation of those improvements. Note: Such groups will need to comply with any relevant statutory approval processes (eg. Development Consent).

Unless mentioned above, users of the facility should be responsible for all internal maintenance of the facility. Where more than one group uses a facility, contributions and responsibility for maintenance should be shared.

Any maintenance work undertaken is to be carried out by suitably qualified contractors in accordance with the lease/licence provisions.

5.3.4 Statutory Outgoings

The community group shall be responsible to pay 50% of Council and Water Sewerage rates levied on a facility. If the community group utilises only part of a building, a contribution for statutory outgoings may be negotiated and included in the lease/licence agreement.

5.3.5 Operating Costs

Community groups will be responsible for the costs associated with services provided to a leased/licensed facility (e.g. electricity, water usage and gas) and any applicable taxes (including GST and stamp duty). If the community group utilises part of a building a contribution for associated services may be negotiated and included in the lease/licence agreement.

5.3.6 General

5.3.6.1 Hours of use

The hours of use may be prescribed for all leased/licensed premises and determined by Plans of Management or Development Consent.

5.3.6.2 Sub-leasing

Community groups may only sub-lease with council permission to approved organisations for approved purposes and subject to approved terms and conditions. Generally, Council will use the same criteria to assess the sub-lease as the head lease. The subsidy level of the head tenant may be reviewed when a sublease is developed and may be adjusted if the rent is more than cost-recovery.

5.3.6.3 Insurance

A community group must maintain its own Public Liability insurance to a value determined by Council's Integrated Risk Management Team as detailed in lease/licence documents. Generally, Council will fully insure all improvements on a leased/licensed premises. Community groups are responsible for insuring their own contents. Council will not insure contents.

5.3.6.4 Legal Fees

Council will pay 50% legal costs associated with the establishment of a new lease/licence agreement where the lease is developed by Council's legal provider. The community group will be responsible for the remaining 50% of any legal fees



associated with the establishment of a new agreement along with the cost of any independent legal advice and assistance sought by the community group.

5.3.6.5 Commencement of Lease

At the commencement of any lease or agreement, a schedule and condition report of any fixtures and fittings in the facility is required. This is to be updated at every renewal of the agreement.

5.3.6.6 Removal of Assets

The community group may remove any assets that have been constructed or installed by them during the term of the lease or licence, subject to the premises being returned to Council in its original condition.

Council may request the demolition/removal of the asset if required by the lease/licence conditions. Any improvement not able to be removed at the end of the lease/licence shall remain in Council ownership.

5.3.6.7 Capital improvements

Community groups may only undertake capital improvements with the permission of Council as the asset owner.

Council retains ownership of capital improvements that cannot be removed unless otherwise specified in the lease or licence. Any capital contribution of community groups will be taken into account in assessing rent levels and length of lease/licence.

5.3.6.8 Acknowledgement of Council contribution

The community group shall, in liaison with Council's Communications, Community and Economy section, acknowledge Council's contribution in their organisation's annual report and publications, any advertising and community events.

5.3.6.9 Nuisance

Council requires that community groups undertake their permitted activities without adversely impacting on the amenity of nearby neighbours. Council reserves the right to terminate the tenancy or to restrict the use of premises by the community group and through occasional hire arrangements if this requirement is not adhered to.

6 Relevant Legislation

Community facilities will be managed in a manner which ensures compliance with relevant legislation and Council policies including the:

- *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*



and where applicable, in a manner consistent with the values and directions of the Plans of Management for Community and Crown Land.

7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
POL/9006	Asset Management Policy
	Procedure – Governance – Obtaining Legal Advice
www.crownland.nsw.gov.au/trusts/trust_handbook	Crown Lands Reserve Trust Handbook
www.olg.nsw.gov.au/strengthening-local-government/supporting-and-advising-councils/practice-notes-and-guidelines	Office of Local Government – Practice Note 1 – Public Land Management

Table 7-1 – Related documents

8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Business Development **and Grants** Specialist.

9 Responsibilities

Parties or Persons	Responsibilities
Business Development and Grants Specialist	<ul style="list-style-type: none"> Ensure that leases and licences to community groups are developed and implemented in accordance with this policy. Assess community benefit and recommend appropriate rent category. Coordinate any expression of interest processes required by this policy. Coordinate annual compliance review of leases / licences that fall under this policy. Coordinate reporting as required by this policy.
Leadership Team	<ul style="list-style-type: none"> Consider and endorse recommendations for leases and licences to community groups prior to reporting to Council.
Council	<ul style="list-style-type: none"> Consider and resolve reports on proposed leases and licences to community groups.
Infrastructure Services	<ul style="list-style-type: none"> Ensure appropriate maintenance of Council land and buildings as specified in this policy.
Integrated Risk Management Team	<ul style="list-style-type: none"> Provide advice on insurances as required.



10 Approval

As per cover sheet.

11 Monitoring

This policy will be monitored by the Business Development and Grants Specialist to ensure compliance.

12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed every four (4) years to ensure that it meets legislative requirements.

13 Last Review Date

This policy was last reviewed in March 2022.

14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.

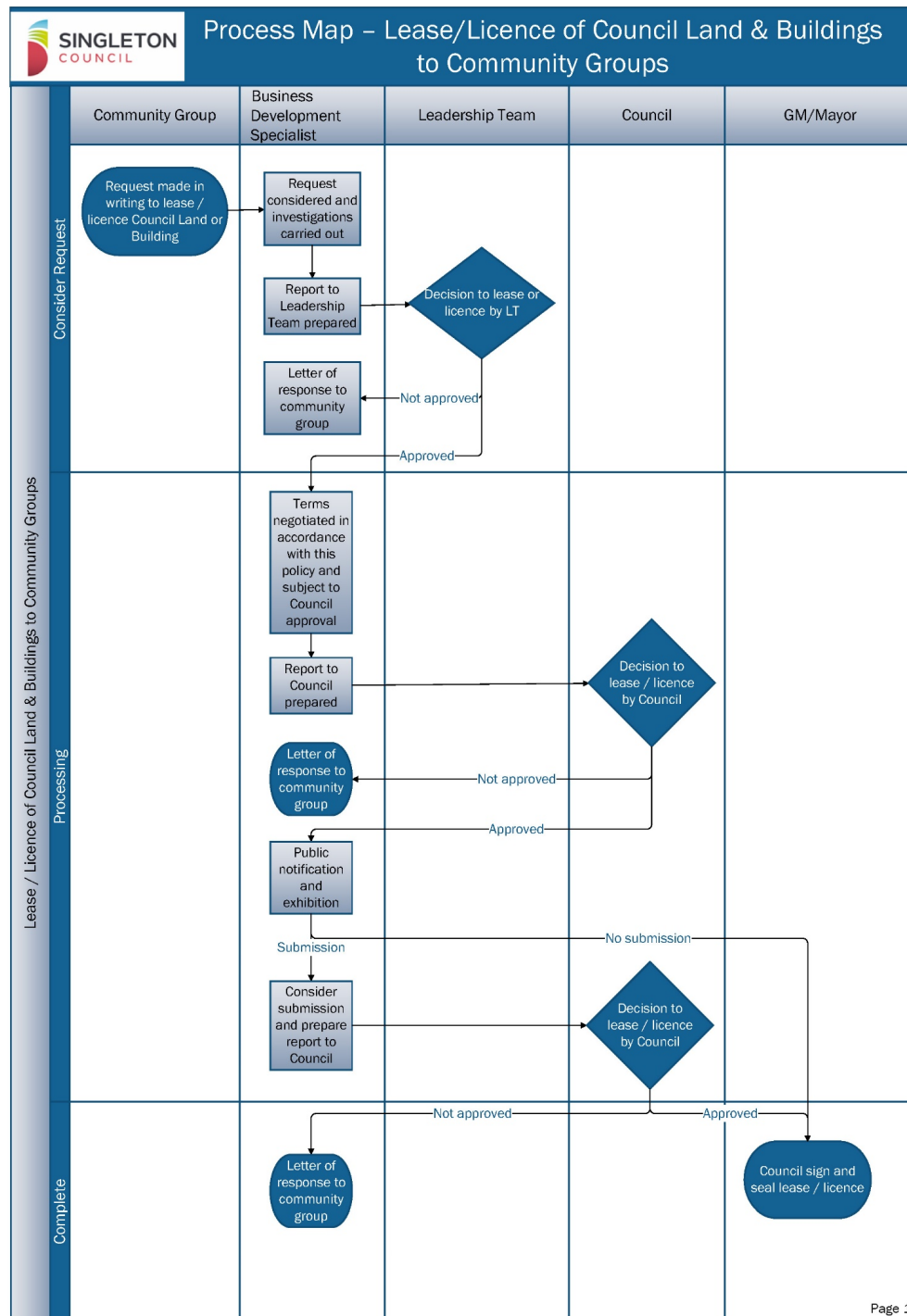
16 Document History

The below table provides a summary of changes and amendments to this document.

Section	Date Amended	Author	Comments (e.g. reasons for review)
	13/12/2021	Emily Byrnes	• Change to Version 4
	13/12/2021	Emily Byrnes	• Change title
1.1	13/12/2021	Emily Byrnes	• Delete date of Council adoption
5.3.6.4	04/04/2022	Mark Wiblen	• Clarify responsibility for legal fee costs
5.3.6.5	04/04/2022	Mark Wiblen	• Added clause re condition assessment
8	13/12/2021	Emily Byrnes	• Change title
9	13/12/2021	Emily Byrnes	• Change title



Appendix A - Process Map



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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
<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



Draft Pensioner Concession Policy

Policy | Corporate & Commercial Services

To provide eligible pensioners with the statutory pensioner concession relating to Rates and Charges under the provisions of Section 575 of the Local Government Act, 1993.

Policy No:	POL/6008	Version:	5
Service Unit:	Finance		
Responsible Officer:	Financial Controller		
Responsible Director:	Director Corporate & Commercial Services		
Authorisation Date:		Review Date:	
Minute No:			

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1 Background

1.1 Title of the Policy and Commencement Date

The Pensioner Concession Policy takes effect from the date of adoption by Council.

1.2 Purpose of the Policy

To provide eligible pensioners with the statutory pensioner concession relating to Rates and Charges under the provisions of Section 575 of the *Local Government Act, 1993*.

2 Objective

2.1 Objectives and Coverage of the Policy

To be fair & equitable according to the guidelines within this policy and the *Local Government Act, 1993*.

3 Application

3.1 Application of this Policy

Pensioners requesting a rebate are required to submit an application on the prescribed form and the production of a current Pension Concession Card.

Holders of the cards listed below are eligible for the concession.

- Holders of a Pensioner Concession Card (PCC)
- Holders of a gold card embossed with 'TPI' (Totally Permanently Incapacitated)
- Holders of a gold card embossed with 'EDA' (Extreme Disablement Adjustment)
- War widow or widower or wholly dependent partner entitled to the DVA income support supplement.

Holders of cards other than those listed above are not eligible for the concession.

4 Definitions

For the purposes of this policy:

Term	Meaning
Ratepayer	The person liable for payment of the rates and charges of the property for which the pensioner concession is claimed
Principal place of residence	The property that the ratepayer occupies as their sole or dominant residence
Eligible Pensioner	A person who is in receipt of an Entitlement Card that has been issued by either Centrelink or the Department of Veteran Affairs embossed with:



	TPI – Gold Card embossed with TPI meaning Totally Permanently Incapacitated
	EDA – Gold Card embossed with EDA meaning Extreme Disability Allowance
	WW – Gold Card embossed with WW meaning a War Widow

5 Principles/Body

5.1 Procedural Statement

The policy applies to eligible pensioners and is pursuant to *Chapter 15, Part 8, Division 1 of the Local Government Act, 1993* and *Part 5 Division 4 of the Local Government (General) Regulation, 2021*.

- A mandatory rebate of Rates and Charges (includes Domestic Waste Management, Water & Sewerage Charges) to the maximum amount determined by *Section 575 of the Local Government Act, 1993* will apply for eligible pensioners
- Where an owner becomes an eligible pensioner after the commencement of a quarterly instalment/billing period, the rebate will commence from the start of the next quarterly instalment/billing period
- Where an owner ceases to qualify as an eligible pensioner, or sells the property to which the rebate applies, the rebate will cease at the end of the current instalment/billing quarter
- If a ratepayer is in receipt of a pension concession card, currently receiving a pension rebate on the property considered to be their sole or principal place of abode and is then required to enter an aged care facility for health or care reasons, the pension rebate will continue to apply as long as the property is not being rented or occupied, except by the eligible pensioner's spouse
- As provided by *Section 577 of the Local Government Act 1993*, Council will grant a rate concession where an eligible pensioner, not the owner of the property, has a life interest in the property and is responsible for payment of rates. Council requires confirmation in writing preferably from a legal representative with a copy of the will of a deceased estate, copy of the certificate of title if the life tenancy is registered or relevant documentation to validate a life tenancy agreement
- Pensioner rebate concessions are to be granted only in the year the application is made.

5.2 Assistance to Eligible Pensioners

- *Section 567 of the Local Government Act, 1993* provides that accrued interest on rates or charges payable by a person may be written off under the provisions as detailed in Council's Hardship Policy



- *Section 577 of the Local Government Act, 1993* enables Council to make an order deeming certain persons who are jointly liable with an eligible pensioner(s) or solely liable, but who are not themselves eligible, to be eligible pensioners for the purpose of a mandatory reduction in accordance with *Section 575 of the Local Government Act, 1993*
- *Section 582 of the Local Government Act, 1993* allows Council to waive or reduce rates, charges or interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the *Social Security Act, 1991* of the Commonwealth. This provision is not subsidised by the State Government and an additional concession is not available from Council.

Eligible ratepayers are entitled to receive up to:

- \$250.00 on ordinary rates and charges for domestic waste management services
- \$87.50 off annual water charges (where service is provided by council)
- \$87.50 off annual sewerage charges (where service is provided by council).

Rate/Water rebates will be granted to pensioners who have met the eligibility criteria and will be limited to the current rating year and the rating period immediately preceding it.

5.3 Application Process

- Application for a pension concession on a property must be made by completing the prescribed Application for Council Pensioner Concession Rates Rebate form and all information must be provided before the application can be assessed
- The application must be signed by the applicant or a person with power of attorney for the applicant. A copy of the power of attorney should be supplied to Council
- The property must be the applicant's sole or principal place of abode
- Once assessed, the applicant will be notified in writing of Council's decision and the amount of rates and charges payable.

6 Relevant Legislation

Local Government Act, 1993

Local Government (General) Regulation, 2021

7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.



Policy

Pensioner Concession Policy

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
21/79696	Delegations Register – Corporate & Commercial Services

Table 7-1 – Related documents

8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Financial Controller.

9 Responsibilities

Parties or Persons	Responsibilities
Revenue Staff	<ul style="list-style-type: none"> Enacting this policy

10 Approval

As per cover sheet.

11 Monitoring

This policy will be monitored by the Financial Controller to ensure compliance.

12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.

13 Last Review Date

March 2022.

14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.



16 Document History

The below table provides a summary of changes and amendments to this document

Section	Date Amended	Author	Comments
	28 February 2022	Manager Corporate Services	Update to Responsible Director title on cover page
3.1	28 February 2022	Manager Corporate Services	Additional explanation to the types of cards eligible to receive a concession
4	28 February 2022	Manager Corporate Services	Additional explanation to the types of cards eligible to receive a concession
5.2	28 February 2022	Manager Corporate Services	Additional information added detailing amounts of concessions applicable to rates and charges
7.1	28 February 2022	Manager Corporate Services	Update to reflect current Delegations Register
13	28 February 2022	Manager Corporate Services	Date updated



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

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



Debt Recovery Policy

Policy | Corporate & Commercial Services

To ensure a corporate approach to debt collection to ensure Council meets its financial commitments.

Policy No:	POL/6002	Version:	6
Service Unit:	Finance		
Responsible Officer:	Financial Controller		
Responsible Director:	Director Corporate & Commercial Services		
Authorisation Date:		Review Date:	
Minute No:			

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Policy

Debt Recovery Policy

1 Background

1.1 Title of the Policy and Commencement Date

The Debt Recovery Policy takes effect from the date of adoption by Council.

1.2 Purpose of the Policy

This Policy has been developed to establish a framework for Council staff to undertake the recovery of overdue rates and charges and Sundry Debtor accounts.

2 Objective

2.1 Objectives of the Policy

The objectives of this policy are:

- To ensure a corporate approach to debt collection within Council that contributes to the overall long-term financial objective to effectively manage revenues to ensure the organisation is able to meet its financial commitments
- To fulfil statutory requirements of the *Local Government Act, 1993* and other relevant legislation in relation to the recovery of rates, charges, fees and other debts.

3 Application

3.1 Application of this Policy

This policy has been formulated under the following principles:

- Council recognises it has a responsibility to recover monies owing to it in a timely, efficient and effective manner to finance its operations and ensure effective cash flow management
- Council will treat all debtors fairly and consistently under this policy
- Council will consider all matters under this policy confidentially
- Council will recognise genuine financial hardship and treat people with respect and compassion in considering their circumstances as per Council's adopted Hardship Policy.

4 Principles/Body

4.1 Rates and Charges

Council rates and charges are overdue when not paid in accordance with Section 562 of the *Local Government Act, 1993*.

Council will take recovery action within 10 working days of the rates becoming overdue unless the ratepayer enters into a payment arrangement.

Ratepayers must pay the overdue rates in full by 31 May of the rating year in which they enter the payment arrangement. Council may extend the 31 May deadline if they believe exceptional circumstances exist.



3

4.2 Water Billing

Council water usage and non-residential sewer are overdue when not paid by the due dates.

Council will take recovery action within 10 working days of the accounts becoming overdue, unless the ratepayer enters into a payment arrangement.

Ratepayers must pay the overdue accounts in full by 30 June of the financial year in which they enter the payments arrangement. Council may extend the 30 June deadline if they believe exceptional circumstances exist.

4.3 Sundry Debtors

Sundry debtor accounts are overdue if not paid within 30 days from the date of the invoice.

Council may stop the provision of credit facilities to debtors when an account is overdue for more than 30 days.

Council will take recovery action of overdue sundry debtor accounts within 30 days of the account becoming overdue unless the debtor enters and complies with a payment arrangement.

Council's payment arrangement with sundry debtors will not exceed six months. Council may extend the six-month limit if they believe exceptional circumstances exist, which are recognised under Councils Hardship Policy.

4.4 Recovery Action – Debt Collection Agency Procedures

Reminder Letter	Issued from debt collection agency. Payment is required within 14 days from the date of this letter.
Letter of Demand 14 days after Reminder letter	Issued from debt collection agency. Includes statement of liquidated claim following approval from Council to proceed with legal action.
Prejudgement Letter	Issued from debt collection agency. Advises the ratepayer or account holder that Council intends to proceed to default judgement against them unless payment is received within 14 days of the date of the letter. Default judgement will be listed on their credit file for a period of 5 years even if the amount is subsequently paid/finalised and that this listing may affect any future applications for credit.
Judgement 14 days after Prejudgement letter	Debt collection agency is then to obtain judgement against the ratepayer or account holder following approval from Council to proceed with legal action.
Debt recovery proceedings	Including but not limited to: <ul style="list-style-type: none"> • A garnishee of income; • Writ of execution on goods and chattels; • Examination summons; • Service of a rent order where the property is tenanted;



Policy

Debt Recovery Policy

	<ul style="list-style-type: none"> • Bankruptcy proceedings (subject to resolution of Council); • Sale of land for unpaid rates (subject to resolution of Council).
--	---

4.5 Legal Costs

All debt recovery costs and fees associated with any course of action are to be borne by the owner of the debt and will subsequently remain a charge on the property until paid.

Any ratepayer or sundry debtor that wishes to appeal against the legal costs that have been added to their assessment or account must state their appeal and the reasons for the appeal in writing to Council.

5 Relevant Legislation

Local Government Act, 1993

Local Government (General) Regulation, 2021

Water Management Act, 2000

Bankruptcy Act, 1966

Privacy Act, 1988

Competition and Consumer Act, 2010

6 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

6.1 Related Documents

Related documents, listed in **Table 6-1** below, are internal documents directly related to or referenced from this document.

Number	Title
21/79696	Delegations Register – Corporate & Commercial Services
18/6165	SOP – Rates Revenue – Debt Recovery Procedure
19/37282	SOP – Accounts Receivable – Debt Recovery Procedure
POL 6009	Hardship Policy

Table 6-1 – Related documents

7 Responsible Officer / Policy Owner

Ownership of this policy rests with the Financial Controller.



Policy

Debt Recovery Policy

8 Responsibilities

Parties or Persons	Responsibilities
Finance Staff	<ul style="list-style-type: none"> Enacting this policy along with the associated operational procedure

9 Approval

As per cover sheet.

10 Monitoring

This policy will be monitored by the Manager Corporate Services to ensure compliance.

11 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed every two (2) years to ensure that it meets legislative requirements.

12 Last Review Date

May 2022

13 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

14 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.

15 Document History

The below table provides a summary of changes and amendments to this document

Section	Date Amended	Author	Comments
	13 March 2022	Manager Corporate Services	Director Title update



Policy

Debt Recovery Policy

4.1	21 February 2022	Revenue Accountant	Added the word 'working' to clarify that recovery action would commence within 10 working days
4.2	21 February 2022	Revenue Accountant	Added the word 'working' to clarify that recovery action would commence within 10 working days
4.3	21 February 2022	Revenue Accountant	Reduced 60 days to 30 days
4.4	21 February 2022	Revenue Accountant	Re-formatted previous text into a table format to make it easier to read
6.1	21 February 2022	Revenue Accountant	Updated reference to Delegations Register



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



LOAN BORROWING AND OVERDRAFT POLICY

Policy | Corporate & Commercial Services

This Policy sets out the requirements in regard to borrowings, both internal and external and the use of any overdraft facility.

Policy No:	POL/6011	Version:	5
Service Unit:	Finance		
Responsible Officer:	Financial Controller		
Responsible Director:	Director Corporate & Commercial Services		
Authorisation Date:		Review Date:	
Minute No:			

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1 Background

1.1 Title of the Policy and Commencement Date

The Loan Borrowing and Overdraft Policy will be effective upon adoption by Council.

1.2 Purpose of the Policy

This policy sets out the requirements in regard to borrowings, both internal and external and the use of any overdraft facility.

2 Objective

2.1 Objectives and Coverage of the Policy

The objective of the Loan Borrowing and Overdraft Policy is to:

- ensure that all borrowings (both internal and external) are in accordance with 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 Debt Service Cover Ratio (DSCR) industry benchmark (set by the Office of Local Government) of greater than 2.0x, which is appropriate, within current budget constraints and allows for current service levels to be maintained

3 Application

3.1 Application of this Policy

The authority to authorise loans and/or Council funding requirements is vested with Council by virtue of the *Local Government Act, 1993*. No officer of Council is authorised to undertake the establishment of a new loan facility without the authorisation of Council.

4 Definitions

For the purposes of this policy:

Term	Meaning
Borrowing costs	Interest and other costs that an entity incurs in connection with the borrowing of funds.
Loan facilities	A line of credit providing access to borrow money up to a particular amount.
Overdraft facility	A flexible line of credit providing access to funds to manage the day-to-day cash flow needs of an organisation



5 Principles/Body

5.1 Procedural Statement

5.1.1 Link to Delivery Program and Operational Plan

Any borrowings shall be considered as a mechanism to assist the operational objectives of the Council as identified in Council's Delivery Program and Operational Plan.

5.1.2 External Loans

In considering the need for new loans, the following criteria will be analysed:

- Any proposed borrowing amounts must be contained in Council's Long Term Financial Plan, Delivery Program and Operational Plan
- Borrowing will only be for assets – capital expenditure, where the borrowing cost is spread over the life of the asset
- Borrowing priorities:
 - Current and estimated future revenues. Income producing and cost saving initiatives will be given the highest priority
 - Non-income generating assets will only be considered if the project can demonstrate the borrowing is affordable and the costs exceed the benefits
- Strategic planning for the future of the Council covering short, medium and long term
- Inter-generational equity considerations in terms of who benefits from the expenditure should pay for the costs associated with such expenditure, including repaying the debt
- Current and future funding needs for both operating and capital expenditures
- Potential movements in interest rates and associated debt servicing costs
- Ensure where possible that the structure of the borrowing is appropriate for the nature of the asset being funded
- Any other strategic imperative that is linked to revenue and expenditure capacities.

5.1.2.1 Terms of Loan

The term of the Borrowing shall be set having due regard to the economic life of the asset being acquired or constructed but not be drawn down for a period in excess of 20 years. Typically, Council will borrow for a term of 10 to 15 years.

5.1.2.2 Borrowing Redemption

When surplus funds exist, the decision to repay borrowings shall be made on the facts available at the time with consideration of impact on Council's Long Term Financial Plan and giving due regard to minimising the overall cost to the organisation.

Loans will only be paid out early if there is a significant net financial benefit to Council.



5.1.2.3 Debt Service Cover Ratio – Financial Sustainability

The Debt Service Cover Ratio (DSCR) is the measure of the ability of Council to cover its debt servicing costs. It is expressed as the number of times operating cash covers repayments.

It is appropriate for Councils to hold some level of debt given their role in the provision and maintenance of key infrastructure and services for their community. It is considered reasonable by the Office of Local Government for Councils to maintain a DSCR of greater than **2.0x**.

5.1.2.4 Lending Institution

Council will call for quotations from the four major Australian banks in order to determine the appropriate lending institution for any new or renewal loan borrowings.

Council is able to access the State Government borrowing facility, managed by NSW Treasury Corporation (TCorp) and Council will consider borrowing from TCorp if it is advantageous to do so.

5.1.2.5 Externally Restricted Funds

Internal loans from externally restricted funds do not need to be included in the Office of Local Government (OLG) “requested borrowing” return. Internal loans from externally restricted funds must have Ministerial approval before the internal loan can be drawn.

Section 410(3) of the *Local Government Act*, 1993 NSW states:

“Money that is not yet required for the purpose for which it was received may be lent (by way of internal loan) for use by the council for any other purpose if, and only if, its use for that other purpose is approved by the Minister.”

5.1.2.6 Internally Restricted Funds

The use of internally restricted funds is not considered to be an internal loan by the OLG. The use of internally restricted cash for a purpose that is different from its original purpose requires a resolution of Council, which may be the adoption of the budget (Operational Plan, Delivery Program and Resourcing Strategy).

5.1.3 Overdraft

Council has an overdraft facility established with its financial institution.

While Council's finance staff will generally avoid the use of the overdraft facility, an overdraft facility provides cash to cover unavoidable short-term cash shortfalls.

6 Relevant Legislation

Local Government Act, 1993

Local Government (General) Regulation, 2021

Ministers Borrowing Order, as per section 624 of the *Local Government Act*, 1993



7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
Nil	

Table 7-1 – Related documents

8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Financial Controller.

9 Responsibilities

Parties or Persons	Responsibilities
Manager Corporate Services	<ul style="list-style-type: none"> Accountable for implementing this policy and ensuring compliance with this policy and the associated legislative requirements
Financial Controller	<ul style="list-style-type: none"> The Financial Controller is responsible for ensuring compliance with this policy and the associated legislative requirements. The Financial Controller is responsible for monitoring and managing the day to day cash flow requirements and loan activities to ensure that loan repayments are processed by the due date. Further Council's Long Term Financial Plan is reflective of Council's current and forecasted loan commitments.

10 Approval

As per cover sheet.

11 Monitoring

This policy will be monitored by the Director Corporate & Commercial Services to ensure compliance.

12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.



13 Last Review Date

May 2022

14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.

16 Document History

The below table provides a summary of changes and amendments to this document

Section	Date Amended	Author	Comments
2.1	21 February 2022	Financial Controller	Added objective regarding meeting the Debt Service Cover Ratio
5.1.2.1	21 February 2022	Financial Controller	Updated to reflect 20 years maximum and 10 to 15 years typical term for borrowings
5.1.2.3	21 February 2022	Financial Controller	Updated to reflect the Debt Service Ratio being greater than 2x
13	21 February 2022	Financial Controller	Updated date



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.

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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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 [!\[\]\(870f5d5e9c0d57485634be3ecf52f3ca_img.jpg\)](#) Singleton Council draft Disability Inclusion Action Plan -
2022 - 2026 Version 1



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ACKNOWLEDGMENT

Singleton Council acknowledges the Wanaruah, Wonnarua people and their custodianship of the land in the Singleton Local Government Area. We also acknowledge all other Aboriginal and Torres Strait Islanders who live within the Singleton Local Government Area and pay our respect to elders past, present and future.

SINGLETON COUNCIL

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We take great pride in the Singleton local government area being a welcoming and inclusive place for all, and in all actions taken by Singleton Council to support the fundamental rights for people of all abilities with equal and dignified access to everyone in our community.

Our dedication to inclusion of people with disability, and to building a strong and equitable community is underpinned by our achievements in making Singleton a better place to live, work and play – creating community for all.

But nothing happens by accident, and we have been guided by the robustness of the Disability Inclusion Action Plan 2017-2021 to consider the needs of everyone, of all ages and experiences, in everything we do.

That includes practical projects such as the completion of the all abilities playground in Rose Point Park, installation of new as well as upgrades to footpaths and kerb ramps, an increase in the number of designated accessible parking bays, upgrades to John Street, and access improvement works at buildings and facilities such as the Mechanics Institute, our Waste Management Facility, Alroy Oval, The Heights Sport Centre and the new Rural Fire Service sheds.

It also covers initiatives to make it easier for everyone to consider the needs of people of all abilities in any given circumstances. For example, we completed a Disability Access Audit on 14 Council-owned facilities, and developed and implemented an

accessible checklist for each event held by Singleton Council, which has also been made available to event organisers within the LGA.

This new Disability Inclusion Action Plan 2022-2026 is our commitment to everyone in our community that we will continue to improve physical access to all of our facilities, as well as work towards breaking down barriers from unconscious bias through attitudes and behaviors.

We acknowledge this is a difficult task, because as well as looking closely at our own unintentional bias, we cannot do this alone. By enlisting everyone in our community to work together to consider any barriers or impediments to others – conscious or otherwise – we can improve the lives of everyone and Singleton will be the welcoming and inclusive community we can all be proud to be part of.

Thank you to all those who have contributed to the development of this plan. We especially acknowledge all those with lived experience who generously shared their personal insights and expertise: with your involvement and support, we can ensure the development and implementation of this plan best addresses the needs of everyone.

Sue Moore
Mayor of Singleton

Jason Linnane
General Manager







SINGLETON COUNCIL





INTRODUCTION

Singleton Council recognises the rights of everyone to have equal dignified access to services and facilities and will work with the community to make Singleton an inclusive community for all. Council is committed to addressing identified barriers to delivery of services and facilities. Through community consultation and community feedback Council has been able to put together actions and deliverables in this plan that will be implemented over the next four years. Along with consultation this plan has been developed in line with relevant legislation.

Actions have been developed to meet the four key areas of improvement:

-  Developing Positive Community attitudes and behaviours
-  Livable Communities
-  Supporting access to meaningful employment
-  Improving access to mainstream services through better systems and processes

The Disability Inclusion Action Plan has been designed to focus the efforts of Council, staff, and the community towards achieving a truly accessible environment for all, with the aim of improving the liveability of the community for all residents and visitors.



Disability is defined as long-term physical, psychiatric, intellectual, or sensory impairment that, in interaction with various barriers, may hinder a person's full and effective participation in society on an equal basis with others.



BACKGROUND

The NSW Disability Inclusion Act 2014 requires NSW Government agencies and local councils to develop a coordinated and unified Disability Inclusion Action Plan by 30 June 2022. This approach will lead to better inclusion and community participation for people with a disability.

In 2009, Singleton Council adopted a Disability Access Action Plan, which was revised in March 2014 to the Singleton Disability Access Plan 2020 and again in 2017 to the Disability Inclusion Action Plan 2017-2021. The development and subsequent review and most importantly implementation of Singleton Council's Disability Inclusion Action Plan is evidence of the commitment of Singleton Council to people with a disability in the Singleton community.

OUR VISION

The Vision of this plan is to work towards a Singleton that is accessible and inclusive for all. Council and the community will focus on individuals' strengths and abilities and be prepared to look at unconscious bias and remove unintentional barriers ensuring Singleton continues to be a welcoming community for all.

This plan will help Council to reach its overarching visions to be:



Vibrant



Progressive



Connected



Sustainable



Resilient

DEVELOPING PLAN

This plan was developed with expert guidance from the Disability Inclusion Action Plan working group made up of members from the Disability Advisory Committee including people with lived experience. This committee organised consultation and worked with the community to reach as many people with lived experience as possible. Input was given by Council staff, with departments actively looking for actions they could contribute to the plan.

Actions developed were taken back to people with lived experience who were interested in the project for their feedback before being adopted by Council.
The Disability Advisory Committee will monitor the implementation of the plan.





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LEGISLATION + POLICY

The *Disability Inclusion Act 2014* (DIA) is the legislative foundation for Local Government disability inclusion and access planning. The Disability Inclusion Act ensures all local governments develop and implement a Disability Inclusion Action Plan.

While the Singleton Disability Inclusion Action Plan 2022-2026 is focused on access in Singleton, it is important to make sure the plan is in line with relevant State, Federal, International Plans, Legislation and Policies.

The figure below will provide an understanding of the relationships between each of these policy frameworks and how they will work together to improve inclusion for people with a disability.

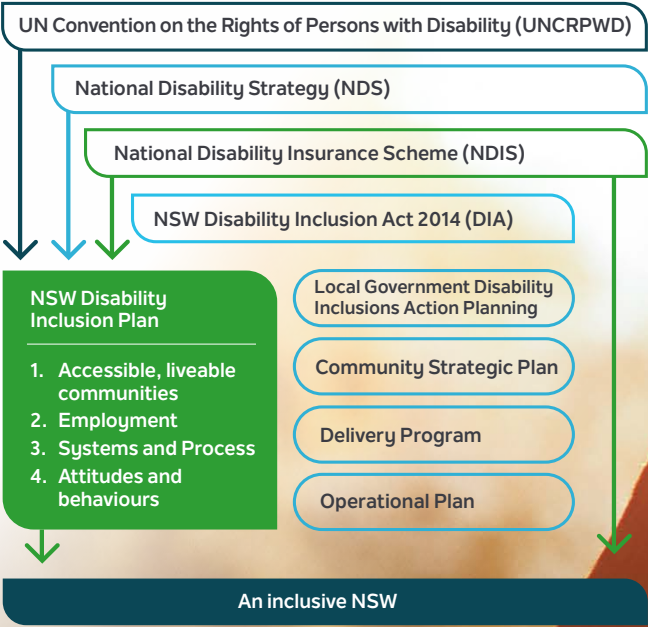
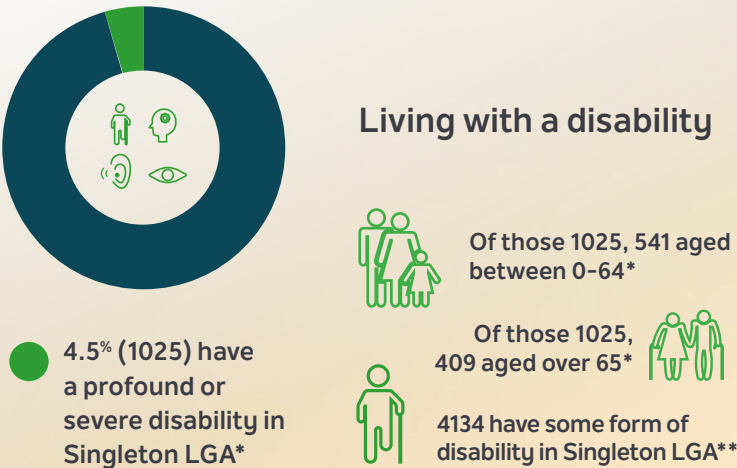
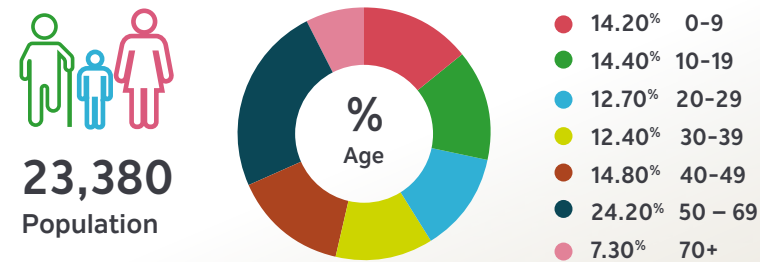


Image: The relationships between the relevant policy and legislative instruments. Source: Department of Communities and Justice – Disability Inclusion Action Planning Guidelines

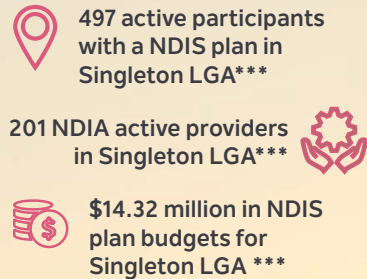
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COMMUNITY PROFILE



NDIS support



Carers

2055 people provided unpaid assistance to a person with a disability in Singleton LGA 2016*



9.5% Employed

of people needing assistance with core activities are employed*

*Census 2016
**Based on Australian estimate of 18% of population with some form of disability
***NDIS data from NDIS Market Monitoring

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AUSTRALIA DISABILITY PROFILE

Living with a disability



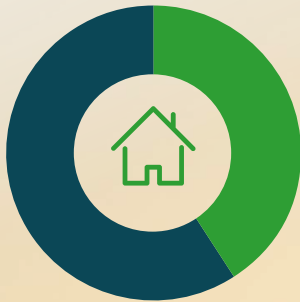
1 in 6 people in Australia are estimated to have a disability



The prevalence of disability increases with age. Around 1 in 8 people aged under 65 have some level of disability, rising to 1 in 2 for those aged 65 and over

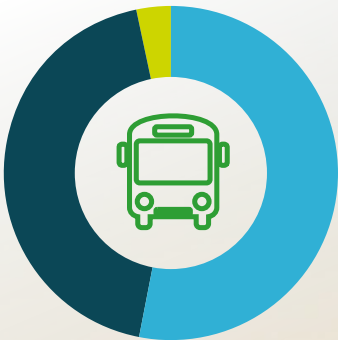
Employment

People with disability have a lower employment rate 48% compared to 80% for those without disability



Social housing

41% of social housing households include at least 1 person with disability

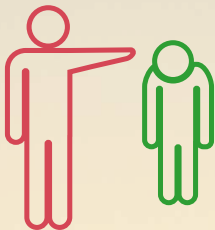


Transport

17% had difficulty using public transport, 14% are unable to use public transport at all and 0.9% do not leave home

Discrimination

1 in 10 experienced disability discrimination



Social Situations

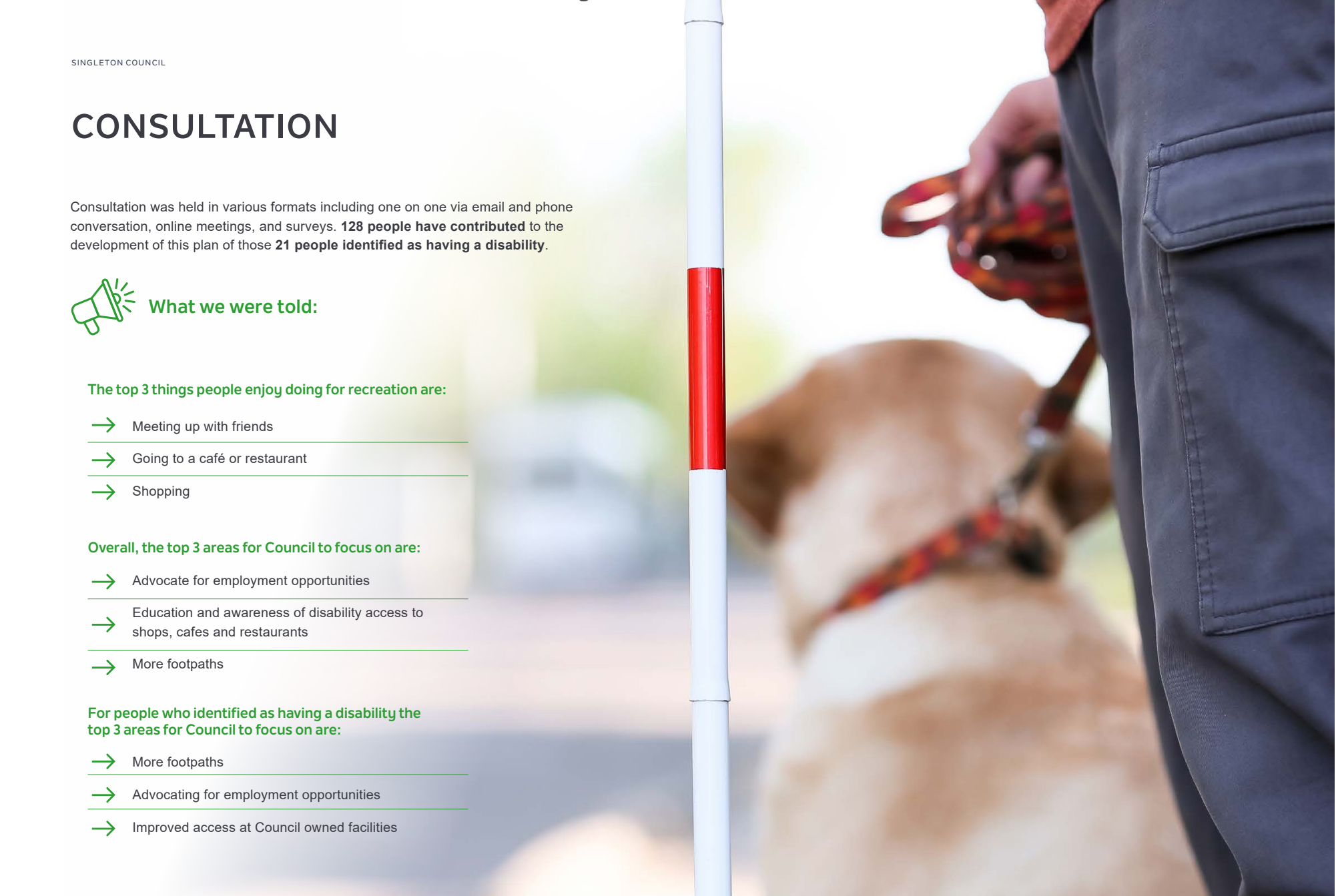
1 in 3 avoided situations because of their disability



Access

1 in 3 of those who had challenges with mobility or communication had difficulty accessing buildings or facilities





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CONSULTATION

Consultation was held in various formats including one on one via email and phone conversation, online meetings, and surveys. **128 people have contributed** to the development of this plan of those **21 people identified as having a disability**.



What we were told:

The top 3 things people enjoy doing for recreation are:

- Meeting up with friends
- Going to a café or restaurant
- Shopping

Overall, the top 3 areas for Council to focus on are:

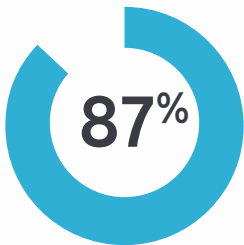
- Advocate for employment opportunities
- Education and awareness of disability access to shops, cafes and restaurants
- More footpaths

For people who identified as having a disability the top 3 areas for Council to focus on are:

- More footpaths
- Advocating for employment opportunities
- Improved access at Council owned facilities



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think Council is doing between
an ok job and great job of providing
access



feel welcome in
Singleton LGA



Overall:

85% can easily use the Singleton Library

76% can easily use the Youth Centre

73% can easily use the Gym and Swim

40% said they can attend events easily while

51% said they can attend events but not easily

For people with a disability the top 3 Council services
they found they could attend but not easily were:

Events (10 people)

Library (6 people)

Gym + Swim (5 people)



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**Consistent opinion:**

- Volunteering and work placement are important opportunities to invest in
- Accessible shops are important to equality and inclusion
- Scooters are in greater use; safe wide footpaths and kerb ramps are going to continue to be essential infrastructure
- Access to inclusive recreation is essential and more opportunities needed
- Disability is not just physical, and all aspects of disability inclusion needs to be addressed
- Breaking down stereotypes and unconscious bias is the best way to improve inclusion
- Kerb ramps need to meet Australian Standards to be useable

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”

“I currently access the venues in Singleton that I would like to access because I have valued family support. However, it is worth noting that without this family support I would be unable to independently continue the activities”

”

“People with disability need to feel empowered and resourced to be self-directive in how they live their lives.”

”

“I believe that businesses and employers need to understand the benefits of having an accessible business. If more people are able to access your goods and services, then that is good for your business.”



FOCUS AREAS

Developing Positive Community attitudes and behaviours

The perception of people with a disability and the behaviours of the community towards them has been identified as the single biggest barrier to inclusion. Often these attitudes and behaviours are unconscious and not intentional to prevent inclusion, nevertheless the impact of these attitudes/behaviours prevent all members of our community feeling included and accepted. Therefore, influencing the attitudes and behaviours of the community will be a key focus for Council.

Livable Communities

A livable community is one that allows for all members of the community to fully participate in every aspect of community life. Singleton Council has been steadfast in improving access to physical infrastructure for many years and continues to implement physical infrastructure upgrades annually. Through this commitment Council has made some significant improvements under 'Liveable Communities', however, the job is not yet done. Further work has been identified in a completed Access Audit on 14 Council facilities and council has listened to the community to expand access for varied recreational needs as our next step moving forward.

Supporting access to meaningful employment

Employment is an important part of everyday life, granting financial freedom and the opportunity to make personal choices. Access to meaningful employment is a significant barrier for people with a disability, which therefore places them at a financial and social disadvantage. Unconscious bias often plays a role in preventing employment as does physical access. Singleton Council is committed to breaking down these barriers and improving access. Singleton Council recognises that they cannot address this issue alone as such they will work with the business community to educate and encourage Equal Employment Opportunities.

Improving access to mainstream services through better systems and processes

A common issue for people with a disability is the difficulty in navigating systems to access services and support as well as events and recreation activities. It is important that Council reviews its internal systems and process to ensure they meet the needs of our diverse community. Systems and process around available services, access to information, ability to give feedback, make enquiries or payments will be looked at as part of council commitment to accessibility.





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ACTION PLAN



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Developing positive community attitudes and behaviours

Action	Measure	Commencement of Action	Stakeholders	Responsible Position
Conduct ongoing consultation to allow people with a disability and their family and carers to contribute to the strategic direction of Singleton Council and to ensure development consent is consistent with the objectives of this Plan	Disability Advisory Committee are consulted on key strategic plans and documents	Ongoing	Community	Director Organisation and Community Capacity
	Disability Advisory Committee meetings held bi-monthly	Ongoing	Disability Advisory Committee members	
	Expression of interest for people to join the Disability Advisory Committee advertised broadly.	As required		
Events organised by Singleton Council are accessible to all members of the community	Accessibility check list completed for all Council events	Ongoing	<ul style="list-style-type: none"> Community Event planners 	Coordinator Community Participation
Celebrate International Day of People with a Disability	International Day People with a Disability promoted through Singleton LGA	Ongoing	<ul style="list-style-type: none"> Community Disability Advisory Committee 	<ul style="list-style-type: none"> Senior Socio-Economic Planner- Community Community Development Officer
Enhance social and recreational opportunities for people with a disability	Arts and Cultural Centre has accessible programs and exhibitions	Ongoing	<ul style="list-style-type: none"> Community Singleton Arts and Culture Advisory Group 	Coordinator Arts and Culture
	Council supports accessible sport and recreation opportunities	Ongoing	<ul style="list-style-type: none"> Community Young People Sporting Clubs Recreation Services Disability Service Providers Infrastructure and Planning Manager 	<ul style="list-style-type: none"> Senior Socio-Economic Planner- Community Community Development Officer
Promote inclusion for people with a disability in organised groups and committees	Arts and Cultural Centre has accessible programs and exhibitions	Ongoing	<ul style="list-style-type: none"> Community Council Infrastructure and Planning Manager 	<ul style="list-style-type: none"> Senior Socio-Economic Planner- Community Community Development Officer
	Council supports accessible sport and recreation opportunities.	Ongoing	Local organisations and groups	
Develop Disability and Inclusion training for staff	Staff educated on Disability and Inclusion	Ongoing	<ul style="list-style-type: none"> Council Staff Community 	Senior Socio-Economic Planner – Community

*Ongoing refers to the action being undertaken for the lifetime of this plan

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Action	Measure	Commencement of Action	Stakeholders	Responsible Position
Consider accessibility elements when undertaking playground improvements across the LGA	Accessibility elements included in playground upgrades	Ongoing	<ul style="list-style-type: none"> Families Contractors 	Parks Management Officer
Install new, and upgrade identified footpaths and kerb ramps	Length of new and upgraded footpaths	Ongoing	Community	Traffic Engineering Officer
Identify access improvement options from John Street to key elements on Queen Street and surrounds	Audit undertaken of John Street with identified community members	2022	Community	Senior Socio-Economic Planner - Community
Review and consider design for accessibility improvements to the Dog Park.	Project added to capital works program	2023	Community	Parks Management Officer
Accessible tourism is considered as part of the development of the Hunter Valley Destination Management Plan	Hunter Valley Destination Management Plan developed	2022	<ul style="list-style-type: none"> Community Tourism operators Business Singleton 	Senior Socio-Economic Planner – Economic Development
Improve the accessibility of Council owned facilities	Lake St Clair accessibility improvements (pending funding)	2022 - 2025	<ul style="list-style-type: none"> Community Tourists Councillors Council staff 	Coordinator Recreation and Facilities
	Sensory Garden rejuvenation Townhead park	2022		Parks Management Officer
	Accessible toilets installed in admin building	2023- Design 2024- Construction		Coordinator Assets
	Townhead Park Toilets Replacement	2022		Facilities Management Officer
	Customer Service Area	2023- Design 2024- Construction		Coordinator Assets
	Burdekin Park toilet upgrades	2022		Coordinator Recreation and Facilities
	Projects identified from Access Audit	Ongoing		Coordinator Assets

*Ongoing refers to the action being undertaken for the lifetime of this plan



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Supporting access to meaningful employment

Action	Measure	Commencement of Action	Stakeholders	Responsible Position
Job advertisements written to encourage people with a disability to apply (removing barriers to employment)	Number of advertisements encouraging diversity	Ongoing	Council Staff (current + future)	Manager People and Culture
Modify Position Descriptions when up for review to remove any barriers or unnecessary essential requirements to be more accessible	Number of Position Descriptions reviewed	Ongoing	Council Staff (current + future)	People and Culture
Include accessibility elements in the Equal Employment Opportunity Management Plan review	Accessibility is an identified part in the Equal Employment Opportunity Management Plan	2022	<ul style="list-style-type: none"> • People and Culture • Council Staff (current + future) 	<ul style="list-style-type: none"> • Manager People and Culture
Undertake Disability Employment Review	Employment Review completed	2023	<ul style="list-style-type: none"> • People and Culture • Council Staff (current + future) 	Manager People and Culture
Undertake relevant employment training for business unit managers as required	Training undertaken	Ongoing	Council Staff (current + future)	Manager People and Culture
Work with Business Singleton to improve accessibility	Offer training to Business Singleton members on accessibility	Ongoing	<ul style="list-style-type: none"> • Community • Business owners 	Senior Socio-Economic Planner- Community and Economic Development
Work with local high schools to provide work experience for students with a disability at Singleton Council who show an interest in working in relevant local government services	Meetings held with Council and schools to identify opportunities for work experience	Ongoing	<ul style="list-style-type: none"> • Local High Schools • Community 	<ul style="list-style-type: none"> • Lead Senior Socio-Economic Planner - Community • Manager People and Culture • Relevant Council departments
Actively promote volunteering at Council for people with a disability	Volunteering policy and procedures reviewed	2022	<ul style="list-style-type: none"> • Community • Council Staff 	<ul style="list-style-type: none"> • Senior Socio-Economic Planner – Community • Manager People and Culture • Manager Community Services Delivery
Economic Development Strategy to incorporate meaningful employment opportunities for people with a disability across the LGA.	Economic Development Strategy to address Employment for People with a Disability	2023	<ul style="list-style-type: none"> • Community • Business Singleton • Industry • Council 	Senior Socio-Economic Planner – Economic Development

*Ongoing refers to the action being undertaken for the lifetime of this plan





Improving access to mainstream services through better systems and processes

Action	Measure	Commencement of Action	Stakeholders	Responsible Position
Incorporating one on one or small group consultation into councils' consultation plan to reach people unable to do surveys	Number of smaller or one on one consultations offered	Ongoing	<ul style="list-style-type: none"> Community Council 	Coordinator Communication and Engagement
Key Council Staff complete training in the development of accessible publications	All required Council staff completed accessible publication training.	2023	<ul style="list-style-type: none"> Community Council Staff 	Coordinator Communication and Engagement
Review Council owned grant applications to remove potential barriers and to encourage diversity in applications.	Grant application reviewed	2022	<ul style="list-style-type: none"> Community Council 	<ul style="list-style-type: none"> Senior Socio-Economic Planner- Community Business Development and Grants Specialist
Review Councils public documents for accessibility to enhance readability and compatibility with relevant technologies.	Review completed and recommendations actioned	2024	<ul style="list-style-type: none"> Community Council 	Coordinator Communication and Engagement
Incorporating specific accessibility elements into Customer Experience Review of service	Integration of accessibility checklist into customer experience playbook	2022	<ul style="list-style-type: none"> Community Council Staff 	Customer Experience Manager
	Implementation of checklist	Ongoing		

**Ongoing refers to the action being undertaken for the lifetime of this plan*

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MONITORING + REVIEW

The Disability Inclusion Action Plan will be forwarded to the Disability Council NSW. An annual report of progress will be provided for information to the Disability Advisory Committee and to Council. Actions identified in this plan will also form part of Singleton Councils Operational Plan and reported on via the integrated Planning and Reporting Framework and Annual Report.

In accordance with the *Disability Inclusion Act (DIA)*, an annual report on the outcomes against the actions of the plan will be submitted to the Minister for Families, Communities and Disability Services. The Disability Council NSW assists the Minister to review the plans and provides advice on their success. The Disability Inclusion Action Plan will be reviewed and updated in 2026.

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REFERENCES

International	• UN Convention on the Rights of Persons with Disabilities (UNCRPD)
	• National
	• Australian Bureau of Statistics Census 2016
	• Australian Institute of Health and Wellbeing People with disability in Australia 2020
	• Employ My Ability, Disability Employment Strategy 2021
	• National Disability Strategy (NDS)
	• National Disability Insurance Scheme (NDIS)
	• THE NDIS Market Detailed Dashboard - LGA level dashboards and Previous market data
	• Commonwealth Disability Discrimination Act 1992 (DDA)
	• Australian Human Rights Commission Act 1986
	• Disability (Access to Premises – Buildings) Standards 2010
	• Disability (Access to Premises – Buildings) Standards 2010
State	• NSW Anti-Discrimination Act 1977 (ADA)
	• Ageing and Disability Commissioner Act 2019
	• Local Government Act 1993
	• Local Government (General) Regulation 2021
	• Government Sector Employment Act 2013
Other legislation and standards	• Australian Standard (AS 1428) Design for Access and Mobility
	• Disability Standards for Accessible Public Transport 2002







For more information contact
Singleton Council on:

T 02 6578 7290
E council@singleton.nsw.gov.au
W singleton.nsw.gov.au

12 - 14 Queen Street
Singleton NSW 2330



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

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.

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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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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.

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

AT-1 	Draft Singleton Community Sports Infrastructure Strategy 2022-2032	Attachment Under Separate Cover
AT-2 	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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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

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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**.

*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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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

Infrastructure & Planning Report (Items Requiring Decision) - DI&P30/22

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

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)

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

- 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

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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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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
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DI&P32/22. Draft Building in the Vicinity of Sewer and Trunk Water Mains Policy**FILE:**
17/00627/02-10

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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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

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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**

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

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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

Level	Restriction Level	Reduction in High Security Water allocations
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 Council's 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

AT-1 [↗](#) Draft Drought Emergency Response Management Plan

Attachment Under
Separate Cover

AT-2 [↗](#) 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 Table1.

Table 1 – Proactive Management Regime

Overall Project Risk	Indicator	Compliance Activities
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

Risk Rating	Risk Classification	Response Time
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.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P34/22***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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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 & Planning Report (Items Requiring Decision) - DI&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



ENFORCEMENT & COMPLIANCE

Policy | Development & Environmental Services

To establish clear guidelines for the management of Council’s regulatory activities and the implementation of enforcement actions.

Policy No:	POL/10065	Version:	4
Service Unit:	Development & Environmental Services		
Responsible Officer:	Manager Development & Environmental Services		
Responsible Director:	Director Infrastructure & Planning Services		
Authorisation Date:	18 May 2022	Review Date:	18 May 2024
Minute No:			

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1 Background

1.1 Title of the Policy and Commencement Date

The Enforcement and Compliance Policy takes effect from 18 May 2022.

1.2 Purpose of the Policy

The purpose of this policy is to establish clear guidelines for the management of Council's regulatory activities and the implementation of enforcement action.

This policy sets out how Singleton Council will deal with compliance and enforcement that will facilitate the effective achievement of the regulatory goals of each of the Acts it has responsibilities under in a manner that is:

- authorised by law;
- procedurally fair;
- accountable and transparent;
- consistent; and
- proportionate.

2 Objective

2.1 Objectives and Coverage of the Policy

The objectives of this policy are:

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

3 Application

3.1 Application of this Policy

The policy applies to all compliance and enforcement action where Council has regulatory responsibility under NSW legislation, including:

- Unauthorised development (including non-compliance with consent conditions);



Policy

Enforcement & Compliance

- Control of animals (including keeping of animals and companion animals);
- Pollution control;
- Public health and safety issues;
- Food safety;
- Fire safety;
- Swimming pool safety (public and private pools);
- Building control;
- Roads, footpaths and parking;
- Signage; and
- Tree preservation.

4 Definitions

For the purposes of this policy:

Term	Meaning
Compliance	Is the act of adhering to, and demonstrating adherence to, laws, regulations, conditions, standards and policies.
Complaint	<p>A complaint is an expression of dissatisfaction made about council services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. For the purposes of this policy, a complaint does not include:</p> <ul style="list-style-type: none"> - report alleging unlawful activity (see definition below) - request for information about a council policy or procedure - request for an explanation of actions taken by council - a request for internal review of a council decision.
Council	The elected council or staff under delegation of the Singleton Council (Local Government Area).
Enforcement	The act of to put or keep force, to enforce laws or rules, to impose a course of action upon a person.
EPA	Environment Protection Authority
EP&A Act	The <i>Environmental Planning and Assessment Act, 1979</i> .



Term	Meaning
PIN	A penalty or fine issued in accordance with the NSW Self Enforcing Infringement Notice, in lieu of court proceedings.
POEO Act	The <i>Protection of the Environment Operations Act, 1997</i> .
SDRO	State Debt Recovery Office.
Unlawful activity	Any activity or work that has been or is being carried out contrary to the below and/or failure to take required action in order to be compliant with: <ul style="list-style-type: none"> - terms or conditions of a development consent, approval, permit or licence - an environmental planning instrument that regulates the activities or work that can be carried out on particular land - a legislative provision regulating a particular activity or work - a required development consent, approval, permission or licence.

5 Compliance Activities

5.1 Risk Based Proactive Compliance Activities

To guide the Councils proactive auditing, monitoring and compliance activities, the Council uses a risk ranking methodology to assist compliance staff in undertaking a systematic approach to assess commercial and industrial sites, as per the land use table in the Singleton Local Environmental Plan 2013. The Council assesses 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 land use type has been assessed on a set of defined indicators and given a risk ranking that will determine the compliance activities to be targeted for developments of that 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 potential compliance actions that will be targeted by the Council, in accordance with this Policy. Council has developed an operational procedure to support this approach.

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



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education should 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.

5.2 Reactive Compliance Activities

Council will deal with all complaints and customer requests in accordance with the Council's Complaints and Customer Requests Management 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 this document.

5.3 Powers of Council Officers

Council investigation officers have various powers to conduct site inspections and audits on a proactive basis, or to investigate issue-specific potential non-compliances or breaches of the Act following a complaint, incident or other notification process.

Officers have the power to enter and search premises, conduct interviews, obtain information and records, and require persons to answer questions.

The tools that investigation officers use to monitor compliance and detect non-compliances include:

- Notified on-site inspections;
- Audits;
- Sampling;
- Spot checks without warning;
- Issue specific inspections;
- Community feedback; and
- Investigations and reports from other agencies or regulatory authorities.

Where a potential breach or non-compliance is identified, the Council will conduct an investigation to obtain the necessary evidence to establish whether a breach has occurred and the facts surrounding the incident or non-compliance.

Only council staff with appropriate delegation from the General Manager can undertake investigations or compliance and enforcement action in relation to this Policy.

5.4 Managing Breaches or Non-compliances

Council's commitment to the management of non-compliance is to be:

- Accountable and transparent
- Consistent
- Proportional and



- Timely.

A number of elements are required to be taken into consideration when determining the appropriate course of action for the non-compliance and any enforcement of a regulatory matter, including:

- The severity of the offence or breach; this would include the extent, nature duration magnitude of the breach and whether the breach is continuing;
- The impact of the breach to harm or potentially harm the natural or built environment, health and safety or amenity of the locality and community;
- Is the matter within the jurisdiction of Council;
- The openness, honesty and cooperation demonstrated by the alleged offender;
- The difficulty and resources expended by the Council in investigating and proving the elements of the particular offence or the type of offence;
- The efficiency and cost to the Council of the compliance and enforcement option that is used;
- Is the enforcement action required to achieve the objectives of the relevant laws including Acts, regulations, environmental planning instruments, development control plans, the Building Codes of Australia or relevant standards;
- Whether the person/s who committed the breach should have been aware of their obligations because they have:
 - Particular knowledge e.g.: a builder or company that regularly carries out work and is generally aware of the relevant Council or other requirements;
 - Received a previous warning; or
 - Been subject to previous formal legal action.
- What would be in the public interest;
- Whether sufficient evidence has been taken;
- The proportionality of the selected enforcement action so that the action will not be unduly harsh or oppressive;
- Any previous precedents or the setting of a precedent by not taking enforcement action;
- The time period elapsed since the offence or breach took place, statutes of limitations; and
- The effective and available use of resources within Councils goals, having regard to the circumstances of the breach or offence.

On completion of an investigation, the facts and evidence collected are analysed, evaluated and used to determine the appropriate regulatory response or action. Types of responses for the significance of the breach available to the Council are provided in **Figure 5-1**.



Figure 5-1 Escalating regulatory response to a breach



5.5 Risk Rating and Response Time

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. Refer to **Table 5-1** for appropriate council response times.

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.

Table 5-1 Risk Rating and Response Time

Risk Rating	Risk Classification	Response Time
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



5.6 Discretion

Council has discretion in determining whether or not enforcement action or the type of enforcement action should be taken in relation to a particular matter having consideration to the matters outlined in **Section 5.4**.

Planning NSW Practice note – Exercising Discretion explains this power:

The Macquarie Dictionary defines discretion as the “power or right of deciding, or acting according to one’s own judgement; freedom of judgement or choice.” The Concise Oxford adds “... absolutely or within limits”. This means Council can choose whether or not to take enforcement action as long as it’s within its limits of governing legislation and the principles of administrative law are followed.

The NSW Ombudsman’s publication, “Good conduct and administrative practice” provides the principles of administrative law which proper discretion should use. These principles include:

- *exercising powers lawfully and reasonably;*
- *considering relevant material and basing decisions on material that can be logically demonstrated;*
- *not considering irrelevant facts;*
- *not acting under a dictation or inflexibly applying a policy;*
- *only using powers for their proper purpose;*
- *giving reasons for decisions;*
- *avoiding actual or apprehended bias;*
- *giving affected parties the right to be heard; and*
- *acting with integrity, competence, tolerance and in the public interest.*

5.7 Escalations of Enforcement Options

Escalation is the increase in intensity of the enforcement action chosen. Escalation of enforcement options can occur when:

- Matters aren’t resolved in the timeframe given;
- The previous enforcement action has failed to cease the offence or rectify the matter; or
- When a person reoffends.

For example if a warning letter does not achieve the desired response, it may be appropriate to make an Order or to seek an Order from the Court; or if an Order is not complied with it may be appropriate to bring forward enforcement or prosecution proceedings (refer to **Figure 5-1**).



5.8 Rights of Appeal**5.8.1 Penalty Infringement Notice (PIN)**

If the person chooses they can make representations against a Penalty Infringement Notice directly to the State Debt Recovery Office. A person may wish to elect to have the matter heard in court.

Representations seeking a review of a PIN may be made to the Council officer who issued the PIN. The review decision will be made by a more senior officer than the officer who issued the PIN. Council will only withdraw a PIN directly if subsequent evidence identifies that the PIN was issued unlawfully.

5.8.2 Orders

The legislation in which an order is made contains provisions for a person to lodge a formal appeal against the order in the Local Court, the Land & Environment Court or Administrative Tribunal within a specified timeframe. The appeal provisions are specified in the order.

5.9 Role of council where there is a private certifier

Council retains its regulatory role and enforcement powers where a private certifier has been appointed the Principal Certifying Authority (PCA). However, if a private certifier is appointed the PCA, it is not council's responsibility to ensure building and construction compliance.

Private certifiers have limited enforcement powers as the PCA. They have the power to issue a notice of intention to issue an order to the owner or builder to comply with the conditions of consent or rectify any breaches. A copy of any notice of intention issued by a private certifier must be provided to council for assessment as to whether council will enforce the notice by issuing an order.

Council and private certifiers will work together to resolve any issues when they arise to achieve compliance with the development consent or complying development certificate. Council staff will take steps to ensure individuals are clear about which agency performs which role.

5.10 Role of Councillors in enforcement

Decision making relating to the investigation of reports alleging unlawful activity and taking enforcement action is the responsibility of appropriately authorised council staff or the council itself.

Individual Councillors are not delegated to direct council staff in their day-to-day activities. Councillors can help individuals who raise concerns with them by satisfying themselves that council's policies are being carried out correctly, however they cannot ignore or alter a policy in order to satisfy the demands of special groups.

The general manager may present certain decisions to be ratified by the elected council if this is necessary or desirable, and the Councillors may also have the



right to call for a report about particular issues to a council meeting.

5.11 Delegations

Council staff delegations for taking action under this policy are included in council's Delegation Register.

6 Relevant Legislation

- *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*

Including the various Regulations made under the above Acts.

7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
POL/40007	Complaint Handling Policy
POL/40008	Unreasonable Complainant Conduct Policy
POL/10062	Environmental Noise Policy
POL/6013	Legislative Compliance Policy
POL/10015	On-Site Sewage Management Strategy



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Number	Title
	Development Compliance Risk Assessment Procedure
	Development Compliance Officer Guidelines
SOP 91	Food Safety Compliance and Enforcement Procedure – Reviewed February 2013
SOP 87	Food Complaint Procedure
SOP 94	Nuisance Dog Complaint Procedure
SOP 95	Barking Dog Complaint Procedure
POL/9008.2	Integrated Risk Management Policy

Table 7-1 – Related documents

8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager Development & Environmental Services.

9 Responsibilities

Parties or Persons	Responsibilities
Manager Development & Environmental Services	<ul style="list-style-type: none"> Ensuring the document is maintained and reviewed according to the documents requirements. Ensuring the resources are allocated to effectively undertake all aspects of this document
Development and Environmental Services Staff	<ul style="list-style-type: none"> Conduct compliance activities and enforcement actions in accordance with the requirements of this document.

10 Approval

As per cover sheet.

11 Monitoring

This policy will be monitored by the Manager Development & Environmental Services to ensure compliance.



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12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.

13 Last Review Date

This policy was last reviewed on 20 May 2020.

14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.



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 sewage 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 & Planning Report (Items Requiring Decision) - DI&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

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
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 & Planning Report (Items Requiring Decision) - DI&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



On-Site Sewage Management

Policy | Planning and Development

The purpose of this policy is to provide a framework for effective on-site sewage management that is consistent with the relevant legislation and guidelines and that minimises the risks that may affect the environment and public health.

Policy No:	POL/10115	Version:	3
Service Unit:	Planning and Development		
Responsible Officer:	Manager Development and Environment		
Responsible Director:	Director Infrastructure & Planning Services		
Authorisation Date:	18 May 2022	Review Date:	18 May 2024
Minute No:			

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1 Background

1.1 Title of the Policy and Commencement Date

The On-Site Sewage Management Policy takes effect upon adoption by Council.

1.2 Purpose of the Policy

The purpose of this policy is to outline the framework:

- To manage and regulate on-site sewage management systems in the Singleton LGA and to ensure community accountability.
- To assist Council in the prioritising of resources for efficient regulation and monitoring of on-site sewage management, taking into account the risk rating associated with systems.
- To co-ordinate data collection, system approval, monitoring and environmental assessment.

2 Objective

2.1 Objectives and Coverage of the Policy

The Singleton On-site Sewage Management Policy provides a framework to allow Council to regulate and manage the installation, operation and maintenance of all on-site sewage management systems with the objectives of:

- Protection of Groundwater: On-site sewage management systems should be selected, sited, signed, constructed, operated and maintained to ensure that ground water will not be contaminated by any flow from either the treatment systems or land application areas.
- Protection of Surface Water: On-site sewage management systems should be selected, sited, designed, constructed, operated and maintained to ensure that surface waters are not contaminated by any flow from either the treatment systems or land application areas (including effluent, rainfall run-off and contaminated groundwater flow).
- Protection of Land and Vegetation: On-site sewage management systems should be selected, sited, designed, constructed, operated and maintained to ensure that land is not contaminated by any flow from treated systems, effluent, rainfall run-off or contaminated groundwater flow. Therefore, the systems should not cause deterioration of land and vegetation quality through soil structure degradation, salinisation, waterlogging, chemical contamination or soil erosion.
- Prevention of Public Health Risk: Sewage contains bacteria, viruses, parasites and other disease-causing organisms. Contact with effluent should be minimised or eliminated, particularly for children. Insects and vermin can also act as vectors for disease where they have access to effluent. Residuals, such as composted material, should be handled carefully. Treated sewage should not be used on edible crops that are consumed raw.
- Maintaining and Improving Community Amenity: On-site sewage management systems should be selected, sited, designed, constructed, operated and maintained to ensure that they do not unreasonably interfere with quality of life. Where possible,



such systems should enhance the local amenity – special consideration should be given to aesthetics, odour, dust, vectors and excessive noise.

- Ensuring maximum re-use of resources consistent with other objectives: The resources in domestic wastewater (including nutrients, organic matter and water) should be identified and utilised as much as possible within the bounds posed by the other performance objectives; water conservation should be practised and wastewater production should be minimised.
- Ecologically Sustainable Development: On-site sewage management systems should be selected, sited, designed, constructed, operated and maintained to ensure that the principles of Ecological Sustainable Development, impacts directly on any consideration of on-site sewage management. When considering using any on-site sewage management system, particular attention should be paid to the cumulative effects of multiple systems operating within a catchment, and within the wider environment.

3 Application

3.1 Application of this Policy

This policy applies to all owners and operators of on-site sewage management systems within the Singleton Local Government Area.

4 Definitions

For the purposes of this policy:

Term	Meaning
Aerated Wastewater Treatment System (AWTS)	An oxygenated sewage treatment process typically involving: settling of solids and flotation of scum; oxidation and consumption of organic matter through aeration; clarification - secondary settling of solids, and disinfection of wastewater before irrigation
Approval to Install	An approval granted by the Council to install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility in accordance with Section 68 of the <i>Local Government Act, 1993</i> .
Approval to Operate	An approval granted by the Council that requires owners/occupiers to manage their on-site sewage management system in accordance with the conditions of approval issued under section 68 of the <i>Local Government Act, 1993</i> .
Disposal Field	In relation to an on-site sewage management facility, means the area of land (if any) (a) where it is intended to dispose of the effluent and any by-products of sewage from the facility, or (b) to which the effluent and by-products are intended to be applied



Term	Meaning
Environmentally Sensitive Area	<p>1. As defined within the Environmental Planning and Assessment Regulation, 2000:</p> <p>(a) Land identified in an environmental planning instrument as an environment protection zone such as for the protection or preservation of habitat, plant communities, escarpments, wetlands or foreshore or land protected or preserved under <i>State Environmental Planning Policy No 14 – Coastal Wetlands</i>, or <i>State Environmental Planning Policy No 26 – Littoral Rainforests</i>, or</p> <p>(b) Land reserved as national parks or historic sites or dedicated as nature reserves or declared as wilderness under the <i>National Parks and Wildlife Act 1974</i>, or</p> <p>(c) An area declared to be an aquatic reserve under Division 2 of Part 7 of the <i>Fisheries Management Act 1994</i>, or</p> <p>(d) Land reserved or dedicated within the meaning of the <i>Crown Lands Act 1989</i> for the preservation of flora, fauna, geological formations or for other environmental protection purposes, or</p> <p>(e) Land declared as wilderness under the <i>Wilderness Act 1987</i></p> <p>OR</p> <p>2. Any land and area:</p> <p>a) within 100m of a natural waterbody, wetland or coastal dune field, or</p> <p>b) with a high watertable, or</p> <p>c) with highly permeable soils, acid sulphate, sodic or saline soils, or</p> <p>d) within a drinking water catchment, or</p> <p>e) within the water catchment area of an estuary where the entrance to the sea is intermittently open</p>
Effluent	Liquid which has passed through a treatment system
Human Waste Storage Facility	Means a device for holding or disposing of human waste, including a cesspit, septic tank, septic closet, water closet, chemical closet, humus closet and combustion closet
LGA	Local Government Area
On-site Sewage Management System	Includes all types of human waste storage and treatment facilities, e.g. septic tanks, cesspits, compost toilets, urinals. Also includes the wastewater application (dispersal) area, e.g. absorption trenches, irrigation fields.
Operate a System of Sewage Management	Means hold or process, or re-use or otherwise dispose of, sewage or by-product of sewage (whether or not the



Term	Meaning
	sewage is generated on the premises on which the system of sewage management is operated). This includes: (a) use artificial wetlands, transpiration mounds, trenches, vegetation and the like in related effluent application areas; (b) hold or process sewage that is to be subsequently discharged to a public sewer
Sewage	Includes effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap
Sewage Management Facility	Means: (a) a human waste storage facility, or (b) a waste treatment device intended to process sewage, and includes a drain connected to such a facility or device
The Act	Means the <i>Local Government Act, 1993</i>
The Regulation	Means the Local Government (General) Regulation 2005

5 Approval to Operate

5.1 Registered Systems

Registered systems will be monitored in accordance with Councils routine inspection program. The program has been developed around system categorisation on a low to high risk basis. Complaints received by Council or non-compliance with conditions of an approval to operate may prompt Council to undertake inspections ahead of the next scheduled inspection.

Any owner not satisfied with their assigned risk rating may request a review in writing prior to renewal of their approval. This may result in a change to the frequency of routine Council inspections. Current approvals to operate will be automatically renewed at the beginning of each financial year, unless otherwise indicated by Council.

5.2 Unregistered Systems

It is a requirement under Section 68 of the *Local Government Act, 1993* for all pre-existing system owners to have a current approval to operate for their system. Owners without a current approval must apply for an approval to operate with Singleton Council.

To implement this approval process:

- Once Council receives an application with sufficient information, applicants are entitled to continue to operate the system until the application is finally determined.
- An approval to operate an on-site sewage management system will be issued with conditions attached. These conditions outline standard operating requirements and procedures for the style of system in use on individual properties and the owners'



responsibilities with the operation of that system. Approvals issued prior to an inspection of the system would be known as an interim approval.

- An inspection will be carried out to assign a risk rating to the pre-existing system. Works to a pre-existing system or the upgrade/replacement of a failing system may be required in certain instances where the system does not meet the performance objectives.
- Council may modify the conditions and risk category of the sewage management approval following a site inspection where site and system conditions demonstrate compliance or non-compliance with the performance objectives of this policy. These conditions may be modified pursuant to Section 109 of the *Local Government Act, 1993*.

5.3 New Systems

Construction or alteration of a waste treatment device or human waste storage facility requires approval to install in accordance with the *Local Government Act, 1993*. To operate the system is an activity prescribed by the regulations thus also requiring approval under the Act.

The matters to accompany an application for approval to install, alter or construct an on-site sewage management system are prescribed under the Local Government (General) Regulation 2005; these matters can be viewed in **Appendix A**.

Each application will be assessed by Council in accordance with AS/NZS 1547-2012. Council must also consider the Environment and Health Protection Guidelines and performance objectives contained in these Guidelines. Council must also consider any matter specified in guidelines or directions issued by the Director-General. Pressure Sewer Systems attached to Council's sewer network will still be approved in this manner until Council's Draft Local Approvals Policy is adopted at which time they will become exempt development.

The fee schedule for installation approval and inspections is additional to the fee for the Application for Approval to Operate and the issuing of the Approval to Operate at the final inspection. The Approval to Operate shall only be issued after the final inspection on the provision that the specifications and any installation conditions are complied with. Any new system shall not be used until council has issued an Approval to Operate in writing. New systems will be registered and inspected at a frequency according to the assigned risk classification.

5.4 Renewal of Approval to Operate

Approvals to operate will be renewed automatically at the beginning of each financial year under the same conditions as the original approval, unless otherwise indicated by Council. Owners will be forwarded a notice of the annual renewal at the commencement of each financial year.

An approval to operate an on-site sewage management system is personal (ie: it does not apply to the land, it is issued to the owner) and responsibility for performance rests with the owner not the Council. Council is currently notified of transfer of ownership by The Land Titles Office and the rate notices are updated monthly. Property File numbers will be matched with the existing database and new owners will be forwarded an Approval to Operate an On-site Sewage Management System accordingly.

Under the Regulation, Reg. 47, provides that a person who purchases land on which any sewage management facilities are installed may continue to operate such a system without the approval so required (whether or not an approval is in force) for a



period of three months from the date on which the property is transferred. Further, if the person duly applies, within the period of 2 months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.

New owners will be required to hold a current approval and pay the required fees attached to this renewal each period, as is the case with all holders of ongoing approvals.

Approval to Operate for owners of pressure sewer systems connected to Council's sewer network will be given upon final inspection of the installation of the system until Council's Draft Local Approvals Policy is adopted which will exempt these systems from obtaining an Approval to Operate.

5.5 Monitoring Program

Council has developed a monitoring program for all registered systems to ensure these systems meet the environmental and health performance objectives set out in this policy and in the Environmental and Health Protection Guidelines over the long term. This program will involve the monitoring of existing service documentation and on-site inspections.

At present there are approximately 4000 on-site sewage management systems in the Singleton LGA. To carry out effective and ongoing inspections of this number of systems Council will classify all systems into risk categories. Inspections will then be carried out at an interval appropriate to the individual systems risk rating.

Owners and Operators Responsibility

It is the responsibility of the owner or occupier of the premises to ensure that on-site sewage management systems are designed, installed and managed, so that environmental nuisance/damage does not occur and there is no increased risk to public health from the operation of the system.

Owners should also ensure that other occupiers of the premises are also aware of the systems operation and maintenance. If a system fails for any reason householders should report this to Council so that Council is aware of action taken to address the problem and can provide input if necessary.

Expectations

Inspections will be undertaken to ensure that on-site sewage management systems are operated in accordance with:

- Conditions specified in any Council approval.
- The performance standards set out in the Regulations.
- The objectives of this policy.

Process

The following processes will be implemented to ensure that both existing and proposed systems are adequately supervised:

- Inspections to be carried out on newly installed/altered systems as part of the s68 approvals process and risk rating assigned.
- Inspections to be carried out for pre-existing unregistered systems and risk rating assigned.



- Routine inspections of registered systems to be carried out in accordance with the inspection program.
- The database of all on-site sewage management systems will be maintained.
- Reclassification of the risk rating of systems operated in such a way that they continually achieve the performance standards set out in the Regulations. In the event that an installation does not achieve those performance standards it will be reclassified to a higher risk category.

Where necessary, Council will:

- Require the upgrading of on-site sewage management systems only where it is seen that those systems are incapable of meeting the performance standards set out in the Regulation.
- Levy fees in respect of applications for approvals to install, alter and operate and the inspections of systems conducted by Council. Such fees will be set annually in conjunction with Council's annual budget and would be advertised as required prior to formal adoption.
- Provide limited advice to the owner or operator on options for maintenance or repair of a faulty system. Generally, owners and operators should seek the services of waste water professionals. Council will allow a reasonable time to undertake works on system improvement based on consideration of the immediate public health and environment risks.
- Require connection to the sewer where available. Pressure sewer systems attached to Council's sewer network are to be approved and installed and attached to Council's sewer as they currently are, but upon adoption of Council's Draft Local Approvals Policy they will be exempt development and will not form part of this On-Site Sewage Management Policy.

Risk Categorisation

This On-Site Sewage Management Policy introduces a program of risk assessment. All on-site sewage management systems within the Singleton LGA are categorised according to the degree of risk of each installation. In this regard it is intended to provide for three categories of risk with those categories being high, medium, and low. This system ranks the installations in terms of their likely impact on the particular issues set out in the objectives of this policy. The allocation of premises or installations to risk categories will depend upon an assessment, by Council, of the combined effects of all relevant issues related to an installation.

In order to encourage appropriate management and maintenance of on-site sewage management systems, Council intends to provide for the re-categorisation of systems from the high to medium risk categories. This may involve re-categorisation of on-site sewage management system from high risk to medium risk, where the continuing operation of a particular system has been shown, to Council's satisfaction, to be in accordance with the performance objectives set out in this policy. Similarly medium risk systems whose continuing operation has been shown, to Council's satisfaction, to be in accordance with the performance standards set out in policy may be re-categorised to low risk. Council may increase the risk rating of any on-site sewage management system after inspection if that inspection reveals that more frequent monitoring of that system is required.

When an on-site sewage management system has been assessed and allocated to a category of risk by Council, any owner who believes that such allocation is not appropriate may apply to Council to have the risk assessment reviewed. Such a review



may or may not involve the carrying out of a site inspection of the system and will involve the payment of an inspection fee to Council. The level of a fee for a risk assessment review will be determined annually by Council in conjunction with the fixing of its annual fees and charges.

In the normal course of events Council will carry out re-categorisation automatically and will advise the owners concerned in writing. The ranges of indicative criteria, which are used by Council Staff when undertaking risk assessments, can be found in **Appendix B**.

Inspection Program

Council has developed a routine inspection program to ensure that the objectives of this policy are achieved. The level of risk that is allocated to a system will determine the frequency of inspections. The higher the risk rating assigned to a system the more frequently it will be subject to routine Council inspections. Council will inspect each individual system a maximum of once per year unless reinspections are required.

Systems brought to Councils attention as operating without an Approval to Operate (unregistered), or operating outside of the conditions of an Approval to Operate or systems that are the subject of a complaint may be reprioritised within the inspection schedule.

Unsatisfactory Inspections

During the course of the inspection program or as a result of complaint investigations, an on-site sewage management system may be deemed unsatisfactory in one or more areas of its operation. Council will request works to be completed by a specified date in order to ensure the correct operation of the system. A re-inspection will occur on the specified date in respect of these works. An inspection fee will be charged for the initial re-inspection. Should one or more of the works not have been completed during the re-inspection, a fee will be charged for each subsequent inspection until the works have been completed. Council may also elect to undertake enforcement actions. The powers available to Council in ensuring compliance with this policy can be viewed in **Appendix C**.

Where necessary, Council will:

- Use the register to ensure that service providers have inspected aerated waste treatment systems as required and that a copy of the report from those inspections has been submitted to Council.
- Where Council or a nominated agent determines that the owner or occupier of a system deliberately or wilfully has altered any part of the system to cause pollution of the environment, Council will consider issuing a Clean-Up Notice under the *Protection of the Environment Operations Act, 1997* and the pursuit of other appropriate legal action if necessary.
- Where Council considers that there is an immediate threat to public health or the environment, a Clean Up or Prevention Notice may be issued.
- Where inspection requirements and maintenance certificates have not occurred by the due date, send reminders to owners / occupiers.
- Where inspection requirements or maintenance certificates continue to be outstanding Council will visit the site and conduct an inspection, and/or serve a notice/order under the *Local Government Act, 1993*.



- Where a notice or order has been issued, and is not complied with by the due date, Council will consider issuing a Penalty Infringement Notice or taking other appropriate legal action.

Responding to Complaints

A member of the community who believes the operation of an on-site sewage management system is not meeting the objectives set out in this policy may lodge a customer service request with Council for investigation. Council has the responsibility to regulate the operation of on-site sewage management systems to minimise risks to public health and the environment.

Council will investigate complaints relating to system failures irrespective of the priority area. The investigation may replace the next schedule inspection for a system subject to a complaint and where as a result of that investigation Council requires the owner/operator to take action. Changes may also be made to the risk categorisation of any system as a result of any complaint investigation.

Decommissioning of Existing of On-site Sewage Management Systems

As reticulated sewage is made available in some areas and premises connect to the sewer, existing septic tanks, collection wells and AWTs become redundant. These on-site sewage management systems may be demolished or reused as on-site storm water storage vessels. There is also potential for these systems to be sold second hand or reinstalled. However, under no circumstances, are septic tanks, collection wells, AWTs or other sewage management facilities to be re-used as vessels for holding water for internal household domestic purposes where people may come in contact with it.

Where it is feasible to reuse a septic tank, collection well, or AWTs there are several precautions that need to be observed to ensure there is minimal danger to public health. The reuse and/or removal of a septic tank, collection well or AWTs shall only be carried out after the premises are connected to sewer or an approved alternate sewage management facility.

To ensure that the redundant on-site sewage management systems are decommissioned in a way that does not cause any future public health, safety or environmental problems, the existing on-site sewage management system is to be decommissioned by a licenced service provider in accordance with the requirements of NSW Health Advisory Note 3 (Revised January 2017) - Destruction, Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems (AWTS) and other Sewage Management Facilities (SMF). Council should be notified of decommissioned systems and may request evidence demonstrating compliance with NSW Health Advisory Note 3 and/or schedule an inspection to ensure the system has been appropriately decommissioned.

5.6

Fees and Charges

Council's on-site sewage management functions usually relate to specific premises which are charged a fee for approvals, renewal of approvals and inspections conducted by Council. These regulatory fees, which are levied under section 608 of the *Local Government Act 1993*, aim to recover the costs associated with ensuring the long term environmental and public health objectives of this document. An overview of fees and charges are outlined in **Table 1**.



Application Fees

The initial application fees for new or altered systems should be forwarded with the section 68 application form.

Inspection Fees

Service fees allow Council to take account of the varying costs of supervision and service support for different types of premises and different operating circumstances.

The inspection fees provide for:

- Consideration of all relevant issues when approving the installation or operation of on-site sewage management systems, particularly environment and health issues, both within the site and on a catchment wide basis.
- Determination of site and system specific conditions for an approval to operate an on-site sewage management system.
- Ensuring that approval conditions are complied with by appropriate monitoring or auditing.
- Ongoing education on issues including:
 - The statutory responsibilities of owners or operators
 - The health and environmental risks associated with system use
 - Specific issues related to the system installed.
- Implementation and regular review of an on-site sewage management policy.

This policy proposes that routine inspection fees will be charged according to the level of risk involved with each system. Fees associated with the on-going routine inspections of medium and low risk rated systems will not incur an inspection fee unless the system is deemed unsatisfactory. In such instances a fee will be charged for each follow-up inspection until the system is deemed satisfactory. This ensures minimal subsidisation of inspection work by complying premises. All inspections of high risk rated systems will incur an inspection fee.

The site inspection fee will be invoiced to all properties after inspection. These fees are outlined in Councils 'Fees and Charges Schedule' which is reviewed and updated annually.

Inspection by Request Fee

This fee has been introduced to cover Council's costs in conducting inspections of properties upon request and for the issue of a report at the time the property is for sale.

Risk Assessment Review Fee

This fee applies to owners or operators who have requested a review of their systems assigned risk rating. The review will take into account system type, performance history, site constraints and an inspection of the system. If the system type, performance history and/or site constraints prevent the reassignment of the risk rating an inspection may not need to take place. In this instance the fee will be reimbursed partially or in full depending on the circumstances.

Extraordinary Costs

This may include the cost of a water sample, if required, at the time of inspection. Water sampling at individual properties will not be a usual part of the inspection, however, if such sampling is required the fee will be invoiced on a cost recovery basis.



Approval to Operate Renewal Fee

The annual approval renewal application fee is included on the annual rates notice. The fee applies to ratepayers for premises with on-site sewage management systems for ongoing service support such as work undertaken by clerical staff, monitoring of service documentation and pump-out figures, environmental auditing, complaint investigations and the provision of educational and system management advice.

An annual renewal fee applies to each separate system located on an individual property. Properties with more than one system will result in a proportionally larger fee on the rates notice.

Pensioner Rebates

The payment of fees for routine inspections of on-site sewage management systems is an additional cost to ratepayers. To reduce the impact of this system on ratepayers who receive a pension, it is proposed that routine inspection fees not be charged to owner-occupiers receiving a pensioner rebate on the Council land rates system. However, the exemption would not apply to re-inspections of unsatisfactory systems.

Exemptions to Charitable & Public Organisations

Council resolved to exempt Charitable Organisations and Public Community Halls from the need to pay on-site sewage management fees for applications for approvals to operate and for routine Council inspections.

Table 1: Fees and Charges

	Installation & Approval to Operate	Approval to Operate Annual Renewal	Routine Inspection	Reinspection for Non-compliant System
New/Altered Installation	✓	N/A	N/A	✓
High Risk Rated System	N/A	✓	✓	✓
Medium Risk Rated System	N/A	✓	No Fee	✓
Low Risk Rated System	N/A	✓	No Fee	✓

6 Relevant Legislation

- *Local Government Act, 1993*
- *Protection of the Environment Operations Act, 1997*
- *Environmental Planning and Assessment Act, 1979*
- *Public Health Act, 2010*

Including the various Regulations made under the above Acts.



7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
ANZECC	Australian and New Zealand Guidelines for Fresh and Marine Water Quality
AS1319-1994	Safety signs for the occupational environment
AS/NZS1546.1:2008	On-site domestic wastewater treatment units Septic tanks
AS/NZS1547(2012)	On-site domestic wastewater management
AS2698	Plastic Pipes and Fittings for Rural Applications Part I Polyethylene, micro irrigation pipes Part II Polyethylene, rural pipes Part III Mechanical joint fittings for use with polyethylene micro irrigation pipes
NSW	Plumbing and Drainage Code
AS3500	Plumbing and Drainage Code as amended
AS/NZS3000:2007	Electrical installations (known as the Australian/New Zealand Wiring Rules)
AS4419-2003	Soils for landscaping and garden use
The Silver Bullet	Environment & Health Protection Guidelines: On-site Wastewater Management for Single Households (1998)
NSW Health	Advisory Note 3 (Revised January 2017) - Destruction, Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems (AWTS) and other Sewage Management Facilities (SMF)
LAP	Local Approvals Policy
LOP	Local Orders Policy
LEP	Singleton Council Local Environmental Plan
DCP	Singleton Council Development Control Plans
POL/40007	Complaint Handling Policy
POL/10065	Enforcement and Compliance Policy

Table 7-1 – Related documents



8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager Development and Environmental Services.

9 Responsibilities

Parties or Persons	Responsibilities
Manager Development and Environmental Services	<ul style="list-style-type: none"> Ensuring the document is maintained and reviewed according to the documents requirements. Ensuring resources are allocated to effectively undertake all aspects of this document.
Health & Building Surveyors	<ul style="list-style-type: none"> Section 68 approvals process.
Environmental Compliance Officer	<ul style="list-style-type: none"> Conduct compliance activities and enforcement actions in accordance with the requirements of this document.

10 Approval

As per cover sheet.

11 Monitoring

This policy will be monitored by the Manager Development and Environmental Services to ensure compliance.

12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.

13 Last Review Date

This policy was last reviewed on 18 May 2020.

14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.



Appendix A - Matters to Accompany an Application for Approval to Install, Alter or Construct an On-site Sewage Management System

- 1) A plan, to scale, showing the location of:
 - a) the sewage management facility proposed to be installed or constructed on the premises,
 - b) any related effluent application areas,
 - c) any buildings or facilities existing on, and any environmentally sensitive areas of, any land located within 100 metres of the sewage management facility or related effluent application areas,
 - d) any related drainage lines or pipework (whether natural or constructed).
- 2) Full specifications of the sewage management facility proposed to be installed or constructed on the premises concerned.
- 3) Site assessment including details of the climate, geology, hydrogeology, topography, soil composition and vegetation of any related effluent application areas together with an assessment of the site in the light of those details.
- 4) Statement of:
 - a) the number of persons residing, or probable number of persons to reside, on the premises;
 - b) any other relevant factors to the capacity of the proposed sewage management facility.
- 5) Operation and maintenance details of:
 - a) the operation and maintenance requirements for the proposed sewage management facility,
 - b) the proposed operation, maintenance and servicing arrangements intended to meet those requirements, and
 - c) the action to be taken in the event of a breakdown in, or other interference with, its operation.

NOTE: The owner shall provide a copy of a service contract with the manufacturer, distributor or their agents or any firm or contractor considered to be competent by the Council for servicing of AWTs units.

- 6) This clause does not apply to an application for approval to install or construct a sewage management facility on any premises if the applicant declares in the application that the system will remain on the premises less than 12 months.



Appendix B - Risk Criteria

High Risk Indicative Criteria

High-risk indicative criteria for an on-site sewage management system represent those in areas which are vulnerable and sensitive environments like villages, riverbanks, floodplains, high water table, water supply catchment area, wetlands and natural water bodies and include the following matters. That the installation is: -

- Not or in the last three (3) years has not operated in accordance with:
 - The performance objectives of this policy.
 - Any requirements of the manufacturer of any of the system's components.
 - Any conditions of accreditation imposed by the Director General of the Department of Health in respect of plans and designs for the sewage management facility.
 - Any conditions imposed by Council on any approval to install a system of on-site sewage management.

(In this respect it should be noted that Council is the authority for making the necessary determinations regarding the above issues).

- Located on a property with a total land area less than 2 hectares.
- Located on a property, which is located within a village zone or is located within 100m of dwellings or dwelling site located on adjoining land.
- Located so that any part of the system is less than 12 metres from any property boundary.
- Located so that any part of the system is located less than 100 metres from a domestic ground water well used for domestic water supply.
- Located so that any part of the system is less than 50 metres from any permanent surface waters.
- Located so that any part of the system is less than 40 metres from any other waters (eg farm dams, intermittent waterways and drainage channels).
- Connected to reticulated public water supply.
- Located in an area with a known high water table with the depth to the water table being less than 0.5 metres for surface and subsurface irrigation or less than 1.0 metres for absorption.
- Located within an area prone to flooding greater than 1 in 100-year flood.
- Located so that any part of the system is within a recommended buffer zone.
- A type of sewage management system which relies on mechanical or power driven parts to ensure its continued operation (eg AWTS, systems with collection wells whether with automatic pumps to on-site disposal areas, or pump out installations either by tanker or to a public reticulated sewer system.)
- A type of sewage management system which serves more than 20 people.



Medium Risk Indicative Criteria

Medium risk indicative criteria for an on-site sewage management system represent those in areas which are less sensitive to pollution than high risk areas and are in level areas in good soil and low housing density and include the following matters. That the installation is: -

- Operating in accordance with:
 - The performance objectives of this policy.
 - Any requirements of the manufacturer of any of the system's components.
 - Any conditions of accreditation imposed by the Director General of the Department of Health in respect of plans and designs for the on-site sewage management facility.
 - Any conditions imposed by Council on any approval to install a system of on-site sewage management.

(In this respect it should be noted that Council is the authority for making the necessary determinations regarding the above issues).

- Located on a property with a total land area between 2 and 10 hectares.
- Located so that any part of the system is between 12 and 100 metres from any property boundary.
- Located so that any part of the system is located between 100 and 250 metres from a domestic ground water well used for domestic water supply.
- Located so that any part of the system is between 50 to 100 metres from any permanent surface waters.
- Located so that any part of the system is 40 to 100 metres from any other waters (eg farm dams, intermittent waterways and drainage channels).
- Connected to a reticulated public water supply.
- Located in an area with a known high water table with the depth to the water table between 0.5 to 1 metre for surface and subsurface irrigation or between 1.0 to 1.5 metres for absorption.
- Located within an area prone to flooding in a 1 in 100-year flood.
- Located so that any part of the system complies with the recommended buffer distances.
- A type of sewage management system which relies on mechanical or power driven parts to ensure its continued operation (eg AWTS, systems with collection wells whether with automatic pumps to on-site disposal areas, or pump out installations either by tanker or to a public reticulated sewer system.)
- A type of sewage management system that serves from 11 to 20 people.

NOTE: *It should be noted that failure to comply with the performance criteria or any conditions of either the Department of Health or Council may result in the reclassification of a system to high risk.*



Low Risk Indicative Criteria

Low risk indicative criteria for an on-site sewage management system represent those in well-drained areas away from streams, waterways and groundwater supplies and include the following matters. That the system is: -

- Operating in accordance with:
 - The performance objectives of this policy.
 - Any requirements of the manufacturer of any of the system's components.
 - Any conditions of accreditation imposed by the Director General of the Department of Health in respect of plans and designs for the on-site sewage management facility.
 - Any conditions imposed by Council on any approval to install a system of on-site sewage management.

(In this respect it should be noted that Council is the authority for making the necessary determinations regarding the above issues).

- Located on a property with a total land area greater than 10 hectares.
- Located so that any part of the system is greater than 100 metres from any property boundary.
- Located so that any part of the system is located greater than 250 metres from a domestic groundwater well used for domestic water supply.
- Located so that any part of the system is greater than 100 metres from any permanent surface waters.
- Located so that any part of the system is greater than 100 metres from any other waters (eg farm dams, intermittent waterways and drainage channels).
- Located in an area with a known high water table with the depth to the water table greater than 1.0 metre for surface and subsurface irrigation, or greater than 1.5 metres for absorption systems.
- Not located within an area prone to flooding in a 1 in 100-year flood.
- Located so that any part of the system complies with the recommended buffer distances.
- A type of sewage management system which serves no more than 10 people.

NOTE: *It should be noted that failure to comply with the performance criteria or any conditions of either the Department of Health or Council may result in the reclassification of a system to medium or high risk.*



Appendix C - Enforcement

Adequate powers exist under Section 124 of the *Local Government Act, 1993*, and the *Protection of the Environment Operations Act, 1997* (POEO) to ensure compliance with this policy and to require that on-site sewage management systems have an Approval to Operate, and that these systems be maintained to an acceptable standard. Notices and Orders may be issued, where necessary, for faulty, defective, or unhealthy on-site sewage management

Council has the ability to: -

- Require action to be taken to bring an on-site sewerage management system into compliance with relevant standards or requirements (Order No.5).
- Require owners or operators to do or refrain from doing such things to prevent environmental damage or to repair environmental damage (Order No.11).
- Cease conducting an activity on a premise (such as operating an OSMS), where the activity is or may constitute a threat to public health or safety (Order No.15).
- Require action to maintain a premise in a healthy condition (Order No.21).
- Control waste on premises where the waste is not being dealt with satisfactorily (Order No.22).
- Require the connection to a public sewer, where the sewer is within 75 metres (Order No.24).
- Require owners or operators to use or not to use a human waste storage facility (Order No.25).
- Require compliance with an approval (Order No.30), where considered necessary.
- Require owners to clean-up a pollution incident (Part 4.2 POEO Act).
- Require owners to take measures to prevent a pollution incident (Part 4.3 POEO Act).

Failure to comply with an Order or Notice issued by Council may constitute an offence for which penalties apply, such as a Penalty Infringement Notice. Failure to comply with the conditions of an exemption for obtaining an approval to operate may also constitute an offence. Prescribed administration fees also apply with respect of Notices issued under the *Protection of the Environment Operations Act, 1997*.

Note that under Section 139 of the *Local Government Act, 1993* a Council order may specify work to be undertaken or may specify the standards that the premises are required to meet and require submissions from the responsible person concerning the action to be taken to meet those standards. If a person fails to comply with the terms of an order, Council may carry out the work required by the order and recover the costs from the owner as a debt (s678 of the *Local Government Act, 1993*) or Council may prosecute (s628).

Council also has the ability to issue infringement notices (on the spot fines) for offences under the *Local Government Act, 1993*, the fee being prescribed within Schedule 12 of the accompanying Regulations:

- a) Operating a system of sewage management without the prior Council Approval [s.626(3)]; and
- b) Operating a system of sewage management otherwise than in accordance with the terms of an approval [s.627(3)].

Under Section 125 of the *Local Government Act, 1993* Council may also order a person responsible for a public nuisance to abate it. This order may be given if the operation of an on-site sewage management system results in a public nuisance.

Proceedings for an offence against the *Local Government Act, 1993* or accompanying Regulations may be dealt with summarily by the Local Court (s691).



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

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



Investment Summary Report
April 2022

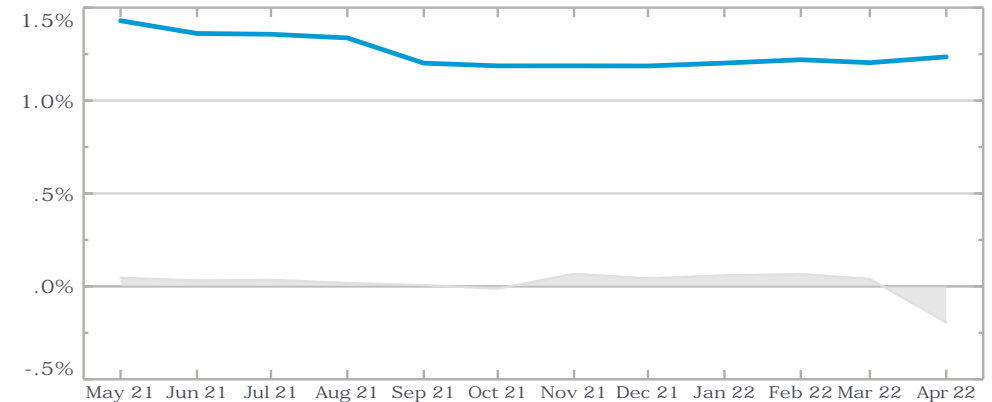
Singleton Council
Executive Summary - April 2022



Investment Holdings

By Product	Face Value (\$)	Current Value (\$)
Bonds	12,250,000.00	12,105,200.00
Cash	7,652,418.05	7,652,418.05
Floating Rate Note	51,250,000.00	51,137,056.23
Floating Rate Term Deposits	1,000,000.00	1,000,000.00
Term Deposit	52,500,000.00	52,500,000.00
	124,652,418.05	124,394,674.28

Investment Performance

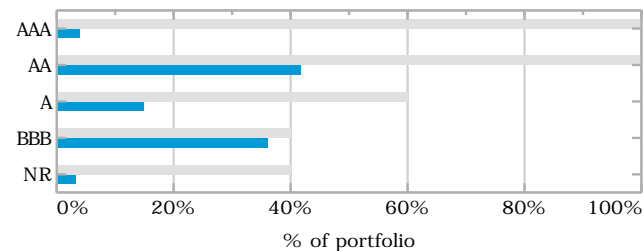


■ Portfolio Annualised Return

■ AusBond BB Index Annualised Return

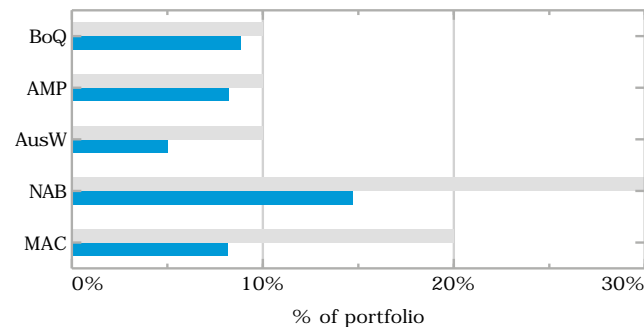
Investment Policy Compliance

Total Credit Exposure



■ Portfolio Exposure ■ Investment Policy Limit

Highest Individual Exposures vs Policy



Term to Maturities

Maturity Profile	Face Value (\$)		
Between 0 and 1 Year	46,802,418	38%	100%
Between 1 and 2 Years	24,750,000	20%	70%
Between 2 and 5 Years	53,100,000	43%	50%
	124,652,418		



Singleton Council
Investment Holdings Report - April 2022



Cash Accounts

Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
4,250,580.14	0.5500%	AMP Bank	BBB	4,250,580.14	540079	31d Notice
3,401,797.87	0.6000%	Macquarie Bank	A+	3,401,797.87	540145	Accelerator
40.04	0.2000%	Commonwealth Bank of Australia	AA-	40.04	539173	
7,652,418.05	0.5722%			7,652,418.05		

Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
31-May-22	2,000,000.00	2.7500%	Judo Bank	BBB-	2,000,000.00	31-May-19	2,050,479.45	539144	50,479.45	Annually	
7-Jun-22	1,000,000.00	3.3000%	Rabobank Australia	A+	1,000,000.00	7-Jun-17	1,029,564.38	539111	29,564.38	Annually	
8-Jun-22	1,000,000.00	3.3000%	Rabobank Australia	A+	1,000,000.00	5-Jun-17	1,029,654.79	539110	29,654.79	Annually	
14-Jun-22	1,000,000.00	0.4500%	Macquarie Bank	A+	1,000,000.00	11-Jun-21	1,003,994.52	541529	3,994.52	At Maturity	
14-Jun-22	1,000,000.00	2.4000%	Police Credit Union	NR	1,000,000.00	14-Jun-19	1,021,188.32	539150	21,188.32	Annually	
23-Jun-22	1,000,000.00	3.2500%	Rabobank Australia	A+	1,000,000.00	23-Jun-17	1,027,780.82	539112	27,780.82	Annually	
28-Jun-22	1,000,000.00	3.3300%	Rabobank Australia	A+	1,000,000.00	28-Jun-17	1,028,008.49	539113	28,008.49	Annually	
28-Nov-22	1,500,000.00	0.6000%	National Australia Bank	AA-	1,500,000.00	30-Nov-20	1,503,747.95	540621	3,747.95	Annually	
28-Nov-22	2,000,000.00	0.7000%	Defence Bank	BBB	2,000,000.00	28-Nov-21	2,005,868.49	542153	5,868.49	At Maturity	
30-Nov-22	2,000,000.00	0.7800%	Auswide Bank	Baa2	2,000,000.00	30-Nov-21	2,006,496.44	542134	6,496.44	At Maturity	
7-Dec-22	1,000,000.00	1.1000%	Judo Bank	BBB-	1,000,000.00	7-Dec-21	1,004,369.86	542222	4,369.86	At Maturity	
21-Dec-22	3,000,000.00	0.7000%	National Australia Bank	AA-	3,000,000.00	23-Dec-21	3,007,421.92	542217	7,421.92	At Maturity	
29-Dec-22	1,000,000.00	1.1000%	AMP Bank	BBB	1,000,000.00	29-Dec-21	1,003,706.85	542220	3,706.85	At Maturity	
10-Feb-23	1,000,000.00	0.9000%	P&N Bank	BBB	1,000,000.00	11-Feb-22	1,001,947.95	542337	1,947.95	At Maturity	
13-Feb-23	1,000,000.00	0.9000%	Westpac Group	AA-	1,000,000.00	11-Feb-22	1,001,947.95	542335	1,947.95	Quarterly	
9-Mar-23	1,000,000.00	1.0000%	Macquarie Bank	A+	1,000,000.00	4-Mar-22	1,001,589.04	542393	1,589.04	At Maturity	
9-Mar-23	1,000,000.00	1.0000%	Macquarie Bank	A+	1,000,000.00	4-Mar-22	1,001,589.04	542394	1,589.04	At Maturity	
15-Mar-23	1,000,000.00	0.6000%	WAW CU	NR	1,000,000.00	18-Mar-21	1,000,723.29	541221	723.29	Annually	
15-Mar-23	1,000,000.00	1.2300%	ING Bank (Australia)	A	1,000,000.00	15-Mar-22	1,001,583.84	542448	1,583.84	At Maturity	

Singleton Council
Investment Holdings Report - April 2022



Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
20-Mar-23	2,000,000.00	0.6000%	AMP Bank	BBB	2,000,000.00	19-Mar-21	2,001,347.95	541211	1,347.95	Annually	
22-Mar-23	1,000,000.00	0.6000%	WAW CU	NR	1,000,000.00	18-Mar-21	1,000,723.29	541241	723.29	Annually	
27-Mar-23	1,000,000.00	1.8100%	Auswide Bank	Baa2	1,000,000.00	27-Mar-20	1,001,690.66	539828	1,690.66	Annually	
13-Jun-23	1,000,000.00	0.6000%	National Australia Bank	AA-	1,000,000.00	11-Jun-21	1,005,326.03	541527	5,326.03	Annually	
11-Aug-23	1,000,000.00	1.9000%	Bank of Queensland	BBB+	1,000,000.00	12-Aug-19	1,013,638.36	539154	13,638.36	Annually	
25-Aug-23	2,000,000.00	0.6500%	National Australia Bank	AA-	2,000,000.00	25-Aug-21	2,008,868.49	541771	8,868.49	Annually	
25-Aug-23	3,000,000.00	0.7500%	AMP Bank	BBB	3,000,000.00	25-Aug-21	3,015,349.32	541772	15,349.32	Annually	
5-Sep-23	2,000,000.00	0.8000%	National Australia Bank	AA-	2,000,000.00	3-Sep-20	2,010,520.55	540390	10,520.55	Annually	
11-Sep-23	1,000,000.00	0.5500%	Bank of Queensland	BBB+	1,000,000.00	6-Sep-21	1,003,571.23	542027	3,571.23	Annually	
20-Sep-23	1,500,000.00	3.4500%	Rabobank Australia	A+	1,500,000.00	21-Sep-18	1,531,475.34	539128	31,475.34	Annually	
10-Jun-24	1,000,000.00	2.5000%	Police Credit Union	NR	1,000,000.00	11-Jun-19	1,022,252.75	539146	22,252.75	Annually	
11-Jun-24	3,000,000.00	2.5200%	Bank of Queensland	BBB+	3,000,000.00	11-Jun-19	3,067,107.95	539147	67,107.95	Annually	
11-Jun-24	2,000,000.00	2.5000%	Bank of Queensland	BBB+	2,000,000.00	11-Jun-19	2,044,383.56	539148	44,383.56	Annually	
11-Jun-24	3,000,000.00	0.6700%	Westpac Group	AA-	3,000,000.00	11-Jun-21	3,002,808.49	541528	2,808.49	Quarterly	
28-Oct-24	1,500,000.00	1.6000%	Judo Bank	BBB-	1,500,000.00	29-Oct-21	1,512,098.63	542047	12,098.63	Annually	
11-Dec-25	1,000,000.00	1.0000%	National Australia Bank	AA-	1,000,000.00	11-Dec-20	1,003,808.22	540691	3,808.22	Annually	
4-Jun-26	1,000,000.00	1.3000%	National Australia Bank	AA-	1,000,000.00	4-Jun-21	1,011,789.04	541467	11,789.04	Annually	
52,500,000.00		1.4110%			52,500,000.00		52,988,423.25		488,423.25		

Floating Rate Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
28-Jul-22	1,000,000.00	1.7562%	Westpac Group 3moBBSW+ 1.05%	AA-	1,000,000.00	28-Jul-17	1,000,144.35	539097	144.35	28-Jul-22	
	1,000,000.00	1.7562%			1,000,000.00		1,000,144.35		144.35		

Singleton Council
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Floating Rate Notes

Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
28-Oct-22	1,400,000.00	1.6062%	TMB Snr FRN (Oct22) BBSW+0.90%	BBB	1,400,000.00	28-Oct-19	1,401,948.82	539086	184.82	28-Jul-22
28-Oct-22	2,000,000.00	1.5962%	BComm Snr FRN (Oct22) BBSW+0.89%	A-	2,000,000.00	28-Oct-19	2,003,662.39	539096	262.39	28-Jul-22
6-Dec-22	1,250,000.00	1.2850%	QBNK Snr FRN (Dec22) BBSW+1.15%	BBB-	1,250,000.00	6-Dec-19	1,252,420.38	539829	2,420.38	6-Jun-22
17-Mar-23	2,500,000.00	1.2097%	AusW Snr FRN (Mar23) BBSW+1.05%	Baa2	2,500,000.00	17-Mar-20	2,503,728.53	539830	3,728.53	17-Jun-22
26-Apr-23	2,500,000.00	1.3274%	CBA Snr FRN (Apr23) BBSW+0.80%	AA-	2,500,000.00	25-Jan-18	2,508,204.58	539095	454.58	25-Jul-22
26-Sep-23	3,000,000.00	1.1450%	NAB Snr FRN (Sep23) BBSW+0.93%	AA-	3,010,560.00	9-Nov-18	3,019,759.73	539078	3,199.73	27-Jun-22
6-Nov-23	750,000.00	0.9700%	AusW Snr FRN (Nov23) BBSW+0.90%	Baa2	750,000.00	6-Nov-20	751,654.32	540529	1,654.32	6-May-22
16-Nov-23	2,500,000.00	1.0284%	WBC Snr FRN (Nov23) BBSW+0.95%	AA-	2,500,000.00	16-Nov-18	2,521,912.44	539079	5,212.44	16-May-22
6-Dec-23	3,000,000.00	1.1650%	ANZ Snr FRN (Dec23) BBSW+1.03%	AA-	3,000,000.00	6-Dec-18	3,027,366.27	539080	5,266.44	6-Jun-22
11-Jan-24	3,000,000.00	1.4399%	CBA Snr FRN (Jan24) BBSW+1.13%	AA-	3,000,000.00	11-Jan-19	3,028,377.03	539094	2,367.03	11-Jul-22
19-Jun-24	1,300,000.00	1.1002%	NAB Snr FRN (Jun24) BBSW+0.92%	AA-	1,300,000.00	19-Jun-19	1,308,379.59	539084	1,606.59	20-Jun-22
18-Jul-24	3,000,000.00	1.3929%	BoQ Snr FRN (Jul24) BBSW+1.03%	BBB+	3,023,760.00	27-Sep-19	3,009,653.82	539087	1,373.82	18-Jul-22
30-Jul-24	1,250,000.00	1.4920%	SUN Snr FRN (Jul24) BBSW+0.78%	AA-	1,250,000.00	30-Jul-19	1,249,114.69	539090	102.19	29-Jul-22
7-Aug-24	2,000,000.00	0.8700%	MAC Snr FRN (Aug24) BBSW+0.80%	A+	2,000,000.00	7-Aug-19	2,003,742.55	539089	3,956.71	9-May-22
29-Aug-24	1,500,000.00	0.8498%	ANZ Snr FRN (Aug24) BBSW+0.77%	AA-	1,500,000.00	29-Aug-19	1,505,339.11	539088	2,165.24	30-May-22
24-Oct-24	750,000.00	1.6474%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	750,000.00	24-Oct-19	752,771.75	539085	169.25	25-Jul-22
22-Nov-24	1,000,000.00	0.6755%	MYS Snr FRN (Nov24) BBSW+0.60%	Baa2	1,000,000.00	16-Nov-21	1,001,258.47	542090	1,258.47	23-May-22
25-Feb-25	900,000.00	0.5483%	NAB Snr FRN (Feb25) BBSW+0.47%	AA-	900,000.00	17-Feb-22	900,878.78	542351	878.78	25-May-22
16-Jun-25	3,000,000.00	0.8039%	MYS Snr FRN (Jun25) BBSW+0.65%	Baa2	3,000,000.00	7-Jun-21	3,003,039.40	541505	3,039.40	16-Jun-22
9-Dec-25	750,000.00	0.6258%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	748,357.50	28-Apr-21	735,923.10	541285	681.52	9-Jun-22
9-Dec-25	1,000,000.00	0.6258%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	998,480.00	28-Apr-21	981,230.81	541286	908.70	9-Jun-22
24-Feb-26	500,000.00	0.5250%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	500,000.00	24-Feb-21	491,134.66	540950	474.66	24-May-22
4-Mar-26	2,500,000.00	0.7483%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB	2,500,000.00	4-Mar-21	2,450,847.70	540982	2,972.70	6-Jun-22
24-Aug-26	1,600,000.00	0.4850%	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	1,600,000.00	18-Aug-21	1,571,643.18	541750	1,403.18	24-May-22
15-Sep-26	1,500,000.00	0.6345%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	1,500,000.00	9-Sep-21	1,468,195.54	541879	1,225.54	15-Jun-22

Singleton Council
Investment Holdings Report - April 2022



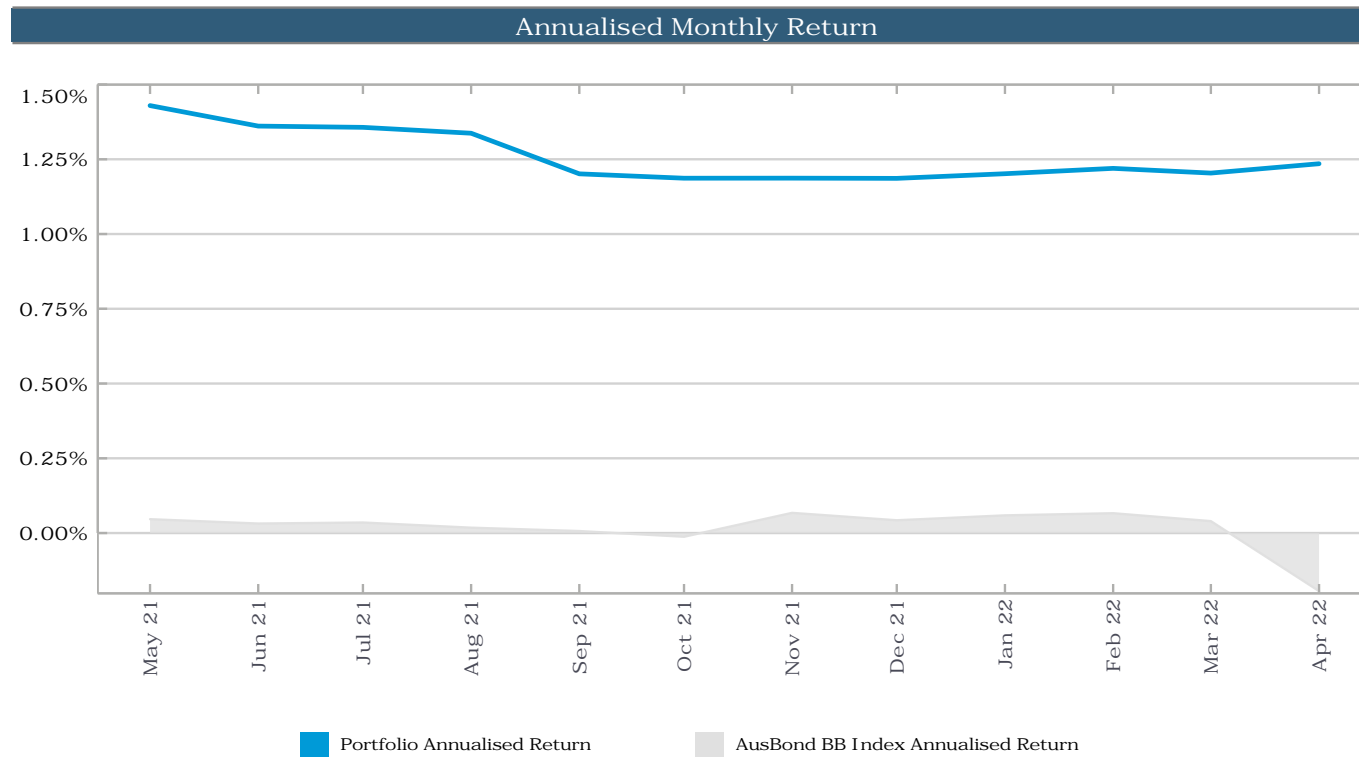
Floating Rate Notes

Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
27-Oct-26	1,000,000.00	1.3293%	BoQ Snr FRN (Oct26) BBSW+0.80%	BBB+	1,000,000.00	21-Oct-21	1,001,535.68	542004	145.68	27-Jul-22
23-Dec-26	1,000,000.00	0.6050%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	1,000,000.00	21-Sep-21	978,556.44	541918	646.44	23-Jun-22
14-Jan-27	2,000,000.00	1.0292%	CBA Snr FRN (Jan27) BBSW+0.70% LT	AA-	2,000,000.00	11-Jan-22	1,983,378.71	542237	958.71	14-Jul-22
25-Jan-27	1,000,000.00	1.2274%	WBC Snr FRN (Jan27) BBSW+0.70%	AA-	1,000,000.00	19-Jan-22	991,218.14	542257	168.14	25-Jul-22
25-Jan-27	1,800,000.00	1.3074%	SUN Snr FRN (Jan27) BBSW+0.78%	AA-	1,800,000.00	18-Jan-22	1,779,388.37	542262	322.37	25-Jul-22
					51,281,157.50		51,186,264.98		49,208.75	

Fixed Rate Bonds

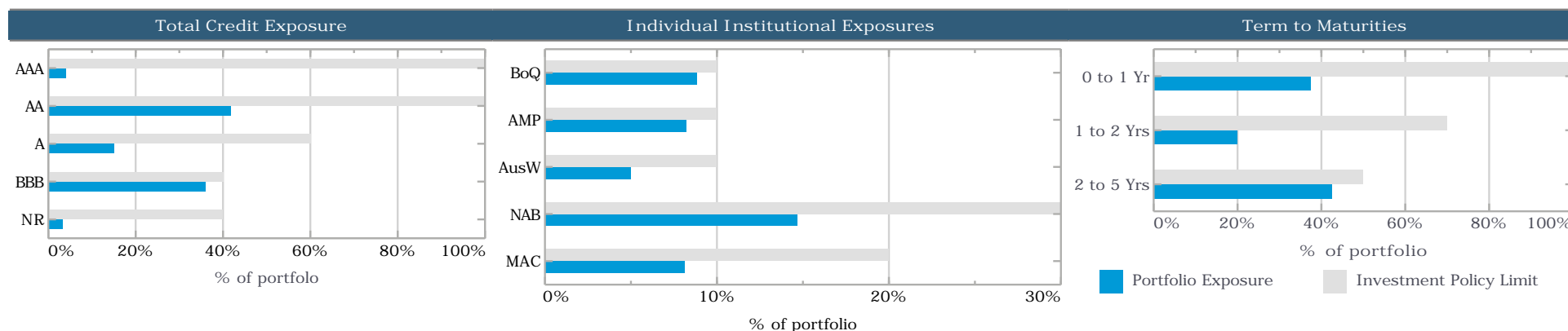
Maturity Date	Face Value (\$)	Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
15-Dec-23	1,000,000.00	1.0000%	NT T-Corp Bond (Dec23) 1.00%	Aa3	1,000,000.00	1-Sep-20	1,003,753.42	540221	3,753.42	1.0000%	
15-Dec-24	1,000,000.00	1.1000%	NT T-Corp Bond (Dec24) 1.10%	Aa3	1,000,000.00	1-Sep-20	1,004,128.77	540222	4,128.77	1.1000%	
15-Dec-24	1,000,000.00	0.9000%	NT T-Corp Bond (Dec24) 0.90%	Aa3	1,000,000.00	16-Oct-20	1,003,378.08	540455	3,378.08	0.9000%	
15-Dec-24	250,000.00	0.7000%	NT T-Corp Bond (Dec24) 0.70%	Aa3	250,000.00	23-Nov-20	250,656.85	540634	656.85	0.7000%	
15-Dec-25	1,000,000.00	1.2000%	NT T-Corp Bond (Dec25) 1.20%	Aa3	1,000,000.00	1-Sep-20	1,004,504.11	540223	4,504.11	1.2000%	
15-Dec-25	1,000,000.00	1.2000%	NT T-Corp Bond (Dec25) 1.20%	Aa3	1,000,000.00	10-Sep-20	1,004,504.11	540224	4,504.11	1.2000%	
15-Jun-26	2,000,000.00	1.0000%	NT T-Corp Bond (Jun26) 1.00%	Aa3	2,000,000.00	12-Feb-21	2,017,534.25	541004	17,534.25	1.0000%	
24-Aug-26	5,000,000.00	3.2500%	SUN Cov Bond (Aug26) 3.25%	AAA	5,527,000.00	28-Apr-21	4,884,827.07	541284	29,627.07	1.3050%	
					12,777,000.00		12,173,286.66		68,086.66	1.1510%	

Singleton Council
Investment Performance Report - April 2022



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Apr 2022	1.24%	-0.19%	1.43%
Last 3 Months	1.22%	-0.03%	1.25%
Last 6 Months	1.21%	0.01%	1.20%
Financial Year to Date	1.23%	0.01%	1.22%
Last 12 months	1.26%	0.02%	1.24%

Singleton Council
Investment Policy Compliance Report - April 2022



Credit Rating Group	Face Value (\$)	Policy Max
AAA	5,000,000	4%
AA	52,100,040	42%
A	18,651,798	15%
BBB	44,900,580	36%
NR	4,000,000	3%
	124,652,418	

a = compliant
r = non-compliant

	Portfolio Exposure	Investment Policy Limit	
Bank of Queensland (BBB+)	9%	10%	a
AMP Bank (BBB)	8%	10%	a
Auswide Bank (Baa2)	5%	10%	a
National Australia Bank (AA-)	15%	30%	a
Macquarie Bank (A+)	8%	20%	a
Judo Bank (BBB-)	4%	10%	a
WAW CU (NR)	2%	5%	a
Police CU (NR)	2%	5%	a
MyState Bank (Baa2)	3%	10%	a
Commonwealth Bank of Australia (AA-)	7%	30%	a
Westpac Group (AA-)	7%	30%	a
Rabobank Australia (A+)	4%	20%	a
Newcastle Permanent Building Society (BBB)	2%	10%	a

	Face Value (\$)	Policy Max	
Between 0 and 1 Year	46,802,418	38%	100% a
Between 1 and 2 Years	24,750,000	20%	70% a
Between 2 and 5 Years	53,100,000	43%	50% a
	124,652,418		

Detailed Maturity Profile	Face Value (\$)	
00. Cash + Managed Funds	7,652,418	6%
02. Between 30 Days and 60 Days	8,000,000	6%
03. Between 60 Days and 90 Days	1,000,000	1%
05. Between 180 Days and 365 Days	30,150,000	24%
06. Between 365 Days and 2 Years	24,750,000	20%
07. Between 2 Years and 5 Years	53,100,000	43%
	124,652,418	

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

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 [!\[\]\(0b5e7e25e8775f7e7e80906ada4f0021_img.jpg\)](#) Meeting Notes - Aboriginal Reconciliation Committee
Meeting 19 April 2022

MEETING NOTES
SINGLETON ABORIGINAL RECONCILIATION
COMMITTEE
10:00am TUESDAY 19 APRIL 2022



Present	Cr Belinda Charlton (<i>Councillor, Singleton Council</i>) Jean Hands (<i>Lands Council & Community Representative</i>) Malcolm Franks (<i>Community Representative</i>) Renee MacDonald (<i>Community & AECG Representative</i>) Vicki Brereton (<i>Director Organisation & Community Capacity</i>)
In Attendance	Kirsten Torrance (<i>Executive Assistant</i>)
Meeting Location	Committee Room, Council Admin Building

- Acknowledgement of Country – Cr Charlton
- Apologies - Cr Val Scott, Denise Hedges, Jade Perry, Joshua Conaty, Joshua Pomeroy, Laurie Perry, Raylene Price, Sean Britton, Sky Hands, Warren Taggart

As a quorum was not present an informal meeting was held and the following items discussed.

1. Confirmation of Chairperson
To be held over to next meeting.
2. Timing of Future Meetings
Council to canvass committee members for appropriate date and time.
3. Communication with and approach to Committee members, Land Council, etc
Discussion around respectful language, cultural sensitivity and appropriate engagement protocols.
4. Welcome to Country and Acknowledgement of Country
There is a Welcome to Country and Acknowledgement of Country list that gives all members the opportunity to deliver the Welcome and/or Acknowledgement at events. The challenge has been communication and availability of community members.
Council to confirm individual Committee members' preferred method of communication to ensure effective & timely contact.
5. NAIDOC 2021 & 2022
Council to complete a reconciliation of the NAIDOC 2021 budget and confirm back to the NAIDOC sub-committee.
NAIDOC is a celebration of Aboriginal peoples and is a family day out for the whole community to enjoy and learn about Aboriginal culture. Council is welcome to participate in a culturally respectful manner, working collaboratively with the NAIDOC Sub-committee.

MEETING NOTES
SINGLETON ABORIGINAL RECONCILIATION
COMMITTEE
10:00am TUESDAY 19 APRIL 2022



6. Terms of Reference

The Terms of Reference for this committee are due for review. It was agreed that the next Singleton Aboriginal Reconciliation Committee Meeting scheduled for Tuesday 3 May shall remain at this date, and be dedicated to reviewing the Committee Terms of Reference. Time of the meeting to be advised.

Council will advise Committee members of the intent and importance to attend this meeting.

7. Committee Membership

Discussion around committee members' motivation for membership to this Committee. Council to send a letter to Committee members seeking an understanding of their intention of membership, including Ungooroo.

When inviting Aboriginal community members to join other committees of Council (e.g. Arts & Culture Advisory Group), or when advertising an EOI, it was suggested that this Committee consult and review the language and wording for cultural sensitivity and safety. It was noted that language be in plain English and non-legalistic.

It is important for this committee to be able to upskill Aboriginal community members to join new committees, greater participation of Aboriginal community in committees would be a positive outcome.

Other organisations suggested for membership include:: Ungooroo, AEGC, Land Council.

8. Grant Writing Assistance

Committee members have previously had assistance with grant writing from Council, however, there is currently no designated team member to assist with grant writing. Attending a grant writing course may be of some benefit. There are also online courses available.

Council will canvass the possibility of assistance providing a grant writing workshop.

9. Items For the Next Meeting Agenda

Australia Day Committee - representatives from this committee or the Aboriginal community to sit on the Australia Day Committee. It was suggested to give new citizens a gift from the Wannaruah land (e.g. seeds or something similar).

Suggested to invite the Councillors from Australia Day Committee attend this meeting for a discussion around planning for Australia Day celebrations and opportunities for greater inclusivity.

10. Statement of the Heart

For further discussion at a later date.

MEETING NOTES
SINGLETON ABORIGINAL RECONCILIATION
COMMITTEE
10:00am TUESDAY 19 APRIL 2022



11. Welcome to Country / Acknowledgement of Country at this Meeting

The Chair will ask for an Aboriginal person on the committee to deliver the Welcome to Country/Acknowledgement of Country at the beginning of each meeting.

12. Proposal to Rename Road to Wedgetail Close

There is currently a proposal in to rename a road to Wedgetail Close. Cr Charlton will advise Council that this Committee should be consulted and also that road naming list is to be reviewed accordingly. This committee was emailed re this road name on 30/3/2022 by Vicki Brereton.

2. Action List

MeetingDate	Action	Responsible Officer	Due Date
19/04/2022	Arts & Culture Coordinator and Indigenous Pathways Advisor to contact Renee McDonald	Vicki Brereton	22/04/2022
19/04/2022	Check Wanaruah Land Council email address	Kirsten Torrance	22/04/2022
19/04/2022	Write to committee regarding preferred method of contact for Welcome to Country / Acknowledgement of Country	Kirsten Torrance	22/04/2022
19/04/2022	Write to committee members regarding their membership intention and advise of 3 may meeting	Vicki Brereton	22/04/2022
19/04/2022	Contact Army Delegates to ascertain why the committee have 2 attendees.	Kirsten Torrance	22/04/2022
19/04/2022	Write to Ungooroo as well re this committee	Vicki Brereton	03/05/2022
19/04/2022	Reconciliation of NAIDOC 2021 budget.	Vicki Brereton	22/04/2022
19/04/2022	Invite Australia Day Committee Councillors to next meeting.	Vicki Brereton / Kirsten Torrance	04/06/2022
19/04/2022	Invite Council staff to next meeting to discuss the process of development approvals and how cultural significant assessment work.	Vicki Brereton Kirsten Torrance	04/06/2022

3. Next Meeting

- Tuesday 3 May 2022

The meeting closed at 11:48am

Vicki Brereton

Director Organisation Community Capacity

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.