



## 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 21 June 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. 17 May 2022

### Matters Arising from Minutes

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CC4/22	Singleton Bypass Land Acquisition - Council Claim to Transport for NSW under the Land Acquisition (Just Terms Compensation) Act 1991 No 22

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.

**GM29/22. Council Meeting Dates - August 2022**  
**Author:** Governance Coordinator

**FILE:** 21/00144

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## Executive Summary

The purpose of this report is for Council to consider rescheduling the ordinary Council Meeting in August 2022 to accommodate the upcoming Singleton by-election.

**RECOMMENDED** that the ordinary Council Meeting in August 2022 be scheduled to be held at 5.30pm on Tuesday, 30 August 2022 in the Council Chambers.

## Report

Section 3.1 of the Code of Meeting Practice requires Council to set the frequency, time and place of its ordinary meetings. Council resolved on 1 February 2022 that ordinary Council Meetings be held on the third Tuesday of each month commencing at 5.30pm in the Council Chambers.

Following the Supreme Court decision to void the 2021 Councillor election result due to a failure of the iVote system, a by-election will be held on 30 July 2022.

The current Councillors will continue to hold their civic office until the date of the by-election and will cease to hold their position at midnight on Friday, 29 July 2022.

The NSW Electoral Commission has advised that the declaration of polls following the by-election will not take place until the week of 15 August 2022.

The August ordinary Council Meeting is currently scheduled for Tuesday, 16 August 2022 which is the week of declaration of polls. With this in mind, it is proposed to reschedule this meeting to Tuesday, 30 August 2022 to allow for declaration of polls and any required induction of new Councillors prior to the meeting.

## Community Strategic Plan

This report is relevant to the following strategies contained within Council's Community Strategy Plan:

### Our Leadership

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

## Delivery Program/Operational Plan

This report is relevant to the following deliverables contained within Council's Delivery Program:

5.6.4 Meet Governance Compliance and Reporting Requirements.

## General Manager's Report (Items Requiring Decision) - GM29/22

5.6.5 The elected Council are informed, engaged and attuned to Community needs.

### Council Policy/Legislation

- *The Local Government Act, 1993*
- *The Local Government (General) Regulation, 2021*
- POL/1014 Code of Meeting Practice Policy

### Financial Implications

Nil.

### Consultation/Social Implications

Council's Executive Leadership Team and relevant staff have considered and approved the additional meeting date.

### Environmental Consideration

Nil.

### Risk Implications

The following risks for Council are noted:

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will breach provisions of the <i>Local Government Act, 1993</i> and <i>Local Government (General) Regulation, 2005</i> which may lead to legal and reputational implications.	High	Adoption of the recommendation	Low	Yes
There is a risk that Councillors will not have adequate time to ensure effective decision making which may lead to legal, service delivery, financial and reputational implications.	Medium	Adoption of the recommendation	Low	Yes

*General Manager's Report (Items Requiring Decision) - GM29/22***Options**

The following options are available to Council:

1. Resolve that the ordinary Council Meeting in August 2022 be scheduled to be held at 5.30pm on Tuesday, 30 August 2022 in the Council Chambers.
2. Resolve that the ordinary Council meeting in August 2022 be scheduled for a different date and time.

Option one is recommended.

**Conclusions**

To ensure that Council can meet its obligations under the *Local Government Act, 1993* it is recommended that Council endorse that the August ordinary Council meeting be rescheduled to accommodate the July by-election.

**Attachments**

There are no attachments for this report.

**GM30/22. 2022 Determination - Local Government Remuneration Tribunal and Payment of Superannuation to Councillors** **FILE: 21/00162**  
**Author:** Governance Coordinator

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## Executive Summary

The purpose of this report is to advise Council that the Local Government Remuneration Tribunal has concluded its review for the year 2022/2023. This now enables Council to set the annual fees payable to the Mayor and Councillors for the 2022/2023 financial year. Council may also now determine whether to make optional superannuation contribution payments to the Mayor and Councillors in accordance with recent changes to the *Local Government Act, 1993*.

### **RECOMMENDED** that:

1. The Mayoral fee be increased to \$46,040 and the Councillor fees be increased to \$21,100 in accordance with the Local Government Remuneration Tribunal's decision for the financial year commencing 1 July 2022.
2. Council make superannuation contribution payments to the Mayor and Councillors from 1 July 2022 in accordance with section 254B of the *Local Government Act, 1993*.

## Report

The *Local Government Act, 1993* (the Act) provides for the Local Government Remuneration Tribunal (Tribunal) to determine categories for councils, together with the annual fees payable to Mayors and Councillors. The Tribunal, in accordance with section 241 of the Act, must determine no later than 1 May each year the minimum/maximum fees payable for Councillors and Mayors for each category.

Council is required under the Act to determine the fee to be paid to the Mayor and Councillors. Section 248 of the Act stipulates that a council must pay each Councillor an annual fee in accordance with the Tribunal's determinations, the annual fee is to be the same for each Councillor and Council is able to pay that fee having regard to the category established by the Tribunal.

The Local Government Remuneration Tribunal has concluded its review for the year and determined that an increase in fees of 2% for Mayors and Councillors is appropriate.

**Attachment 1** is a copy of the report and determination from the Local Government Remuneration Tribunal in which Singleton Council has remained classified as "Regional Rural".

The increases are effective from 1 July 2022 and the minimum and maximum fees per annum for Council are as follows:

## General Manager's Report (Items Requiring Decision) - GM30/22

Year	Mayor	
	Minimum	Maximum
2021/2022	\$19,970	\$45,140
2022/2023	\$20,370	\$46,040

Year	Councillors	
	Minimum	Maximum
2021/2022	\$9,370	\$20,690
2022/2023	\$9,560	\$21,100

Note: The Councillor fee is paid to the Mayor in addition to the Mayoral allowance.

Council is required to fix the remuneration level for the period 1 July 2022 to 30 June 2023 for the Mayor and Councillors by way of resolution. Should Council not determine or fix an annual fee, then in accordance with section 248(4) and 249(4) of the *Local Government Act, 1993* the minimum remuneration levels as determined by the Tribunal will apply.

### Superannuation Contribution Payments

Following an amendment to the Act last year, Council may make payments as a contribution to a superannuation account nominated by Councillors, starting from 1 July 2022.

The making of superannuation contribution payments for Councillors is optional and is at Council's discretion.

To exercise the option of making superannuation contribution payments for Councillors, Council must resolve to do so at an open meeting of Council to ensure public accountability and transparency.

Should Council resolve to make superannuation contribution payments for Councillors, the amount of the payment is to be the amount Council would have been required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act, 1992* as superannuation if the Councillors were employees of the Council.

As of 1 July 2022, the superannuation guarantee rate will be 10.5%. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12%.

The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to Councillors.

To receive a superannuation contribution payment, each Councillor is required to first nominate a superannuation account for the payment before 31 July 2022. The superannuation account nominated by Councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the *Commonwealth Superannuation Guarantee (Administration) Act, 1992* applies.

Should they choose to do so, individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments.

### Community Strategic Plan

The adoption of the recommendation will not have an impact on the Community Strategic Plan.



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General Manager's Report (Items Requiring Decision) - GM30/22**Delivery Program/Operational Plan**

The adoption of the recommendation will not have an impact on Council's Delivery Program and Operational Plan.

**Council Policy/Legislation**

Pursuant to Section 241 of the Act, the Local Government Remuneration Tribunal determines in each category of Council, the maximum and minimum amount of fees to be paid to Mayors and Councillors of Councils.

In determining the minimum and maximum fees payable to each of the categories, the Tribunal is required, pursuant to Section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under Section 146C of the *Industrial Relations Act 1996*, when making or varying awards or orders relating to the conditions of employment of public sector employees.

The current Policy on wages pursuant to Section 146(1)(a) of the *Industrial Relations Act 1996* is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014*. The effect of the Regulation is that public sector wages cannot increase by more than 2.5%. As such, the Tribunal may only determine an increase of up to 2.5% for the fees.

Section 254B of the Act outlines the requirements for making optional superannuation contribution payments to Councillors.

**Financial Implications**

The 2022/2023 draft Budget makes provision for payment of the maximum fees and also for payment of superannuation contributions to the Mayor and Councillors.

Mayor and Councillor fees are payable monthly in arrears for each month (or part of a month) for which the Councillor holds office. Councillors are not taken to be an employee of Council and payment of the fees does not constitute salary for the purposes of any Act.

Should Council resolve to approve the maximum fees, each Councillor will receive an additional \$410 per annum and the Mayor will receive an additional \$1,310 per annum. The total impact to Council's budget for the 2022/2023 year will be \$5,000.

Based on the proposed fees for 2022/2023, the total budget impact of a 10.5% superannuation payment to Councillors will be approximately \$27,000 should all Councillors choose to take up the option.

Council staff are unable to provide financial advice to Councillors and it has been suggested to Councillors that they consider seeking their own independent financial advice in relation to superannuation contribution payments.

## General Manager's Report (Items Requiring Decision) - GM30/22

**Consultation/Social Implications**

The Tribunal wrote to all Mayors or General Managers and LGNSW on 14 October 2021 advising of the commencement of the 2022 review and to invite submissions.

The Tribunal considered seven submissions from individual councils and one submission from LGNSW prior to making its determination.

Singleton Council did not make a submission.

The Tribunal also met with the President, Chief Executive and Senior Manager of LGNSW.

The Office of Local Government issued a discussion paper to seek the views of Councils and communities on whether Councillors should receive superannuation payment in March 2020. Submissions closed in August 2020 and the Act was subsequently amended in 2021 to allow Councils to make optional superannuation contribution payments to Councillors from 1 July 2022.

**Environmental Consideration**

Not applicable.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council will not meet the requirements of the <i>Local Government Act, 1993</i> in relation to Councillors remuneration which may lead to legal, financial and reputational implications.	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will not determine or will fix an inappropriate annual fee which may lead to reputational damage.	Low	Adopt the recommendation	Low	Yes
There is a risk that Council will not meet the requirements of the <i>Local Government Act, 1993</i> in relation to superannuation	Low	Adopt the recommendation	Low	No. Payment of superannuation contribution payments to Councillors is

*General Manager's Report (Items Requiring Decision) - GM30/22*

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
contribution payments to Councillors which may lead to legal, financial and reputational implications.				currently unbudgeted so an adjustment will be required in the quarterly budget review and funding considered in future budgets.

**Options**

The following options are available to Council:

1. Increase the fees to the Mayor and Councillors for the 2022/2023 year commencing 1 July 2022 by the recommended 2% and determine to commence making superannuation contribution payments to Councillors from 1 July 2022.
2. Increase the fees to the Mayor and Councillors for the 2022/2023 year commencing 1 July 2022 by the recommended 2% and determine to continue not making superannuation contribution payments to Councillors.
3. Approve the payment of another fee amount to the Mayor and Councillors for the 2022/2023 year commencing 1 July 2022 in line with the determination from the Tribunal and determine to commence making superannuation contribution payments to Councillors from 1 July 2022.
4. Approve the payment of another fee amount to the Mayor and Councillors for the 2022/2023 year commencing 1 July 2022 in line with the determination from the Tribunal and determine to continue not making superannuation contribution payments to Councillors.
5. Maintain the Mayor and Councillors fees at the 2021/2022 maximum level and determine to commence making superannuation contribution payments to Councillors from 1 July 2022.
6. Maintain the Mayor and Councillors fees at the 2021/2022 maximum level and determine to continue not making superannuation contribution payments to Councillors.

Option one is recommended.

**Conclusions**

It is recommended that Council pay the maximum fees to the Mayor and Councillors which is in line with past practices, and also resolve to apply superannuation payments to Councillors from 1 July 2022. This will ensure appropriate remuneration for the Mayor and

*General Manager's Report (Items Requiring Decision) - GM30/22*

Councillors that reflects the importance of the roles, significant time commitment and level of accountability to the community.

**Attachments**

**AT-1** [!\[\]\(23d9fc146e83b5c3013cfa32c784f8d5\_img.jpg\)](#) 2022 Annual Determination - Local Government  
Remuneration Tribunal

# Local Government Remuneration Tribunal

Annual Report and  
Determination

*Annual report and determination under sections  
239 and 241 of the Local Government Act 1993*

20 April  
2022

[NSW Remuneration Tribunals website](https://www.remunerationtribunals.nsw.gov.au/)

Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

## Executive Summary

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The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal ("the Tribunal") to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

### Categories

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

### Fees

The Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

## Local Government Remuneration Tribunal

### Section 1 Introduction

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1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July each year.

### Section 2 2021 Determination

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6. The Tribunal received 18 submissions which included 9 requests for re-categorisation. At the time of making its determination, the Tribunal had available to it the Australian Bureau of Statistics 25 March 2020 population data for FY2018-19. The Tribunal noted the requirement of section 239 of the LG Act that it must determine categories for councils and mayoral offices at least once every 3 years. It noted that the Tribunal had conducted an extensive review in 2020 and decided that the categories would next be considered in 2023.
7. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
8. In regard to fees, the Tribunal determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

### Section 3 2022 Review

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#### Process

9. In 2020, the categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"><li>• Principal CBD</li><li>• Major CBD</li><li>• Metropolitan Large</li><li>• Metropolitan Medium</li><li>• Metropolitan Small</li></ul>	<ul style="list-style-type: none"><li>• Major Regional City</li><li>• Major Strategic Area</li><li>• Regional Strategic Area</li><li>• Regional Centre</li><li>• Regional Rural</li></ul>



## Local Government Remuneration Tribunal

	<ul style="list-style-type: none"> <li>• Rural</li> </ul>
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10. The Tribunal wrote to all mayors or general managers and LGNSW on 14 October 2021 to advise of the commencement of the 2021 review and invited submissions regarding recategorisation, fees and other general matters. The Tribunal's correspondence advised that an extensive review of categories was undertaken in 2020 and, as this was only legislatively required every three years, consideration would be next be given in 2023. The correspondence further advised that submissions requesting to be moved into a different category as part of the 2022 review would require a strong case supported by evidence that substantiates that the criteria for the requested category is met.
11. Seven submissions were received from individual councils and one submission was received from LGNSW. The Tribunal noted that several of the submissions had not been endorsed by their respective councils. The Tribunal also met with the President, Chief Executive and Senior Manager of LGNSW.
12. The Tribunal discussed the submissions at length with the Assessors.
13. The Tribunal acknowledged previous and ongoing difficulties imposed by COVID19 and natural disasters on councils.
14. The Tribunal also acknowledged submissions from councils in regional and remote locations that raised unique challenges, such as travel and connectivity, experienced by mayors and councillors in those areas.
15. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

### Categorisation

16. Five council submissions requested recategorisation. Three of these requests sought the creation new categories.

#### Metropolitan Large Councils

17. Penrith City Council acknowledged that categories were not being reviewed until 2023. However, the Council reiterated their previous year's position and contended that their claim for the creation of a new category of "Metropolitan Large – Growth Centre" continues to be enhanced through their leading role in the Western Sydney City Deal. Council's submission further stated that the participation in the Deal demonstrated the exponential growth that will occur in the Penrith Local Government Area.
18. Blacktown City Council requested the creation of a new category "Metropolitan Large – Growth Area". Council stated that the current criteria for "Metropolitan Large" does not reflect the Council's size, rate of growth and economic influence.

Council based its argument for a new category on the following grounds:

- Significant population growth. Current estimated population of 403,000 with an expected population of 640,000 in 2041.
- Blacktown being critical to the success of the Greater Sydney Region Plan while also being part of the fastest growing district for the next 20 years.
- 4th largest economy in NSW – as of 30 June 2020, Gross Regional Product (GRP) was \$21.98 billion, comparatively City of Parramatta was \$31.36 billion.
- Undertaking of several transformational projects to increase economy and services. Examples include the redesign of Riverstone Town Centre, Australian Catholic University establishment of an interim campus for up to 700 undergrads

**Local Government Remuneration Tribunal**

with a permanent campus to open by 2024, the \$1 billion Blacktown Brain and Spinal Institute proposal and Blacktown International Sports Park Masterplan to provide a first-class multi-sport venue.

- Expansion in provision of services such as childcare, aquatic and leisure centres.
- Diversity of population.

**Non-Metropolitan Major Regional City Councils**

19. Newcastle Council requested clarification regarding City of Newcastle's status as either Metropolitan or Regional, noting that while City of Newcastle is classified as a "Major Regional City", the Newcastle Local Government Area is often exempt from both regional and metropolitan grant funding due to inconsistencies in classification. Council sought review on the following grounds:

- Size of council area 187km<sup>2</sup> (in comparison of Parramatta Council 84km<sup>2</sup>).
- Physical terrain.
- Population and distribution of population.
- Nature and volume of business dealt with by Council.
- Nature and extent of development of City of Newcastle.
- Diversity of communities served.
- Regional, national and international significance of City of Newcastle.
- Transport hubs.
- Regional services including health, education, smart city services and public administration.
- Cultural and sporting facilities.
- Matters that the Tribunal consider relevant

**Regional Centre**

20. Tweed Shire Council requested to be reclassified as a "Regional Strategic Area" on the following grounds:

- Proximity to the Gold Coast City and Brisbane.
- Proximity to Sydney via the Gold Coast airport.
- Tweed being the major population and city centre for the Northern Rivers Joint Organisation.
- Tweed being the largest employer and strongest growth area in the Northern Rivers.

**Non-Metropolitan Rural Councils**

21. Murrumbidgee Council requested recategorisation to "Regional Rural" as they are a product of the merger of the former Jerilderie Shire Council and the former Murrumbidgee Shire Council. Council also suggested that the criteria for "Regional Rural" is amended to:

- Councils categorised as Regional Rural will typically have a minimum residential population of 20,000 or can demonstrate one of the following features...."
  - the product of the 2016 amalgamation where two or more Rural classified Local Governments Areas merged.

**Findings - categorisation**

22. The Tribunal assessed each Council's submission and found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's findings had regard to the 2020 review, the current category model and

## Local Government Remuneration Tribunal

criteria and the evidence put forward in the received submissions.

23. Having regard to the requirements of sections 239 and 240 of the LG Act, the Tribunal did not find that any council's submission was strong enough for a change in category or for the creation of a new category.
24. The Tribunal did note, however, that some councils may have a better case for recategorisation at the next major review of categories in 2023.
25. The Tribunal was of the view that the 2023 determination and review of categories as required by s239 (1) of the LG Act will see more requests from councils for recategorisation and possible determination of new categories. The Tribunal and Assessors may benefit from visits to meet regional organisations of councils and direct opportunities for input from Mayors and general managers in this regard.

### Fees

26. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
27. Pursuant to section 146C(1)(a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Reg.). The IR Reg. provides that public sector wages cannot increase by more than 2.5 per cent per annum. The Tribunal therefore has the discretion to determine an increase of up to 2.5 per cent per annum.
28. Submissions that addressed fees sought an increase of a maximum of 2.5 per cent per annum or greater. These submissions raised issues such as comparative remuneration, cost of living and increasing workloads. One submission also suggested that higher fees are required to attract a higher standard of candidates to council roles.
29. The LGNSW submission contained 3 parts. The first part of the submission supported an increase of 2.5 per cent per annum in remuneration, but further argued that the maximum increase is inadequate and does not address the historical undervaluation of work performed by mayors and councillors, and the substantial expansion of their responsibilities and accountability in recent years. LGNSW used the following economic indexes and wage data in support of their argument:
  - Consumer price index (CPI)
  - National and state wages cases
  - Wage increases under the *Local Government (State) Award 2020*.
30. The second part of LGNSW's submission addressed inequity and impacts of low remuneration. It was supported by the research paper "Councillor perspectives on the (in)adequacy of remuneration in NSW local government: Impacts on well-being, diversity and quality of representation" (the "ANU Paper"), written by Associate Professor Jakimow of the Australian National University. A key finding of the ANU Paper was that "current remuneration levels are perceived as inadequately reflecting the extent and nature of council work." The finding was derived from the undertaking of

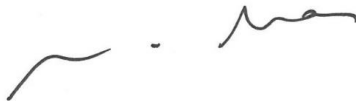
## Local Government Remuneration Tribunal

a survey of councillors and mayors. The paper suggests that there is a disconnect between workload and remuneration and this was identified as the most frequent argument for increasing the current rate.

31. The third and final part of LGNSW's submission compared the minimum and maximum rates of NSW mayor and councillor remuneration to the remuneration of directors and chairpersons of comparable government bodies and not-for-profits, mayors and councillors in Queensland and members of the NSW Parliament. The submission contended that NSW mayor and councillor remuneration is below that of their counterparts.
32. Following the most recent review by the Independent Pricing and Regulatory Tribunal (IPART) the amount that councils will be able to increase the revenue they can collect from rates will depend on their level of population growth. IPART has set a 2022-23 rate peg for each council, ranging from 0.7 to 5.0 per cent. IPART's rate peg takes into account the annual change in the Local Government Cost Index, which measures the average costs faced by NSW councils, in addition to a population factor based on each council's population growth.
33. Employees under the *Local Government (State) Award 2020* will receive a 2 per cent per annum increase in rates of pay from the first full pay period to commence on or after 1 July 2022.
34. The Tribunal has determined a 2 per cent per annum increase in the minimum and maximum fees applicable to each category.

## Conclusion

35. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Ms Melanie Hawyes.
36. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
37. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
38. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



Viv May PSM

**Local Government Remuneration Tribunal**

Dated: 20 April 2022

## Local Government Remuneration Tribunal

**Section 4     2021 Determinations**

Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	
Metropolitan Small (8)	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	

## Local Government Remuneration Tribunal

Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

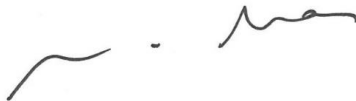
Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

**Local Government Remuneration Tribunal**

Rural (57)	
	Yass

**Table 3: County Councils**

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



Viv May PSM

**Local Government Remuneration Tribunal**

Dated: 20 April 2022

## Local Government Remuneration Tribunal

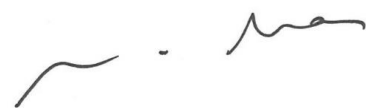
**Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022**

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2022 as per section 241 of the *Local Government Act 1993* are determined as follows:

**Table 4: Fees for General Purpose and County Councils**

Category		Councillor/Member Annual Fee (\$) effective 1 July 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

**Local Government Remuneration Tribunal**

Dated: 20 April 2021



## Local Government Remuneration Tribunal

### Appendices

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#### Appendix 1 Criteria that apply to categories

##### Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

##### Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

**Local Government Remuneration Tribunal**

**Metropolitan Large**

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

**Metropolitan Medium**

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

**Local Government Remuneration Tribunal**

**Metropolitan Small**

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

**Major Regional City**

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

**Major Strategic Area**

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a

## Local Government Remuneration Tribunal

significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

### Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

### Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

**Local Government Remuneration Tribunal**

**Regional Rural**

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

**Rural**

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

**County Councils - Water**

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

**County Councils - Other**

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

**GM31/22. Draft Councillor Induction & Professional Development Policy**  
**Author:** Governance Coordinator

**FILE:** 19/00530

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## Executive Summary

The purpose of this report is for Council to consider the draft Councillor Induction & Professional Development Policy.

**RECOMMENDED** that Council:

1. Adopt draft POL/1023.2 Councillor Induction & Professional Development Policy; and
2. Rescind POL/1023.1 Councillor Induction & Professional Development Policy.

## Report

The Councillor Induction & Professional Development Policy has been drafted in accordance with the Councillor Induction and Professional Development Guidelines - 2018 issued by the Office of Local Government (OLG). The purpose of the policy is to demonstrate Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act, 1993*.

The objectives of the policy are to ensure that:

- The Mayor and Councillors are provided with an induction program that enables them to be effective leaders from the very beginning of the Council's term;
- The Mayor and Councillors are provided with an ongoing professional development program that will enhance the effectiveness of Council's performance in achieving its goals;
- Council meets its statutory reporting requirements in relation to Councillor induction and professional development.

Council has an existing Councillor Induction & Professional Development Policy and a review has been undertaken of this policy which was adopted on 18 May 2020. At this time no changes are proposed to the policy. A copy of the 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 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:

5.6.3 Implement the Councillor Professional Development Program.

5.6.3.1 Councillors participate in Councillor Professional Development Program.

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 suggested template included in the Councillor Induction and Professional Development Guidelines - 2018 issued by the OLG.

The following legislation and documents are relevant to the draft policy:

- The *Local Government Act, 1993*
- Councillor Induction and Professional Development Guidelines - 2018 issued by the OLG
- POL/1008 – Councillors Expenses and Facilities Policy
- POL/1011 – Code of Conduct.

**Financial Implications**

Financial commitments are accommodated in the Councillors Expenses and Facilities Policy and can be met within the current operational budget.

**Consultation/Social Implications**

The draft policy has been developed with reference to the Councillor Induction and Professional Development Guidelines – 2018 issued by the OLG.

Prior to implementation of the existing policy, consultation was carried out with Councillors by way of a briefing. Council's General Manager has considered and endorsed the draft policy prior to referral to Council for adoption. There are no changes proposed to the current policy.

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

**Environmental Consideration**

Nil.

## General Manager's Report (Items Requiring Decision) - GM31/22

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that legislation will be breached which may lead to legal action, investigations and fines or penalties.	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
There is a risk that Councillors will not be adequately equipped to perform their civic role and responsibilities which may lead to financial, legal, service delivery and reputational implications.	High	Adoption of the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Adopt the draft Councillor Induction & Professional Development Policy and rescind the current Policy.
2. Not adopt the draft Councillor Induction & Professional Development Policy and retain the current policy while further review is carried out.

Option 1 is recommended.

**Conclusions**

It is recommended that Council adopt the draft Councillor Induction & Professional Development Policy to demonstrate Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act, 1993*.

**Attachments**

**AT-1** [!\[\]\(4688aadfd656ded00cd6bdfae55089a9\_img.jpg\)](#) Draft Councillor Induction & Professional Development Policy - June 2022





# Councillor Induction & Professional Development

Policy | Governance

To ensure that Councillors can effectively perform their civic role and responsibilities

<b>Policy No:</b>	POL/1023	<b>Version:</b>	2
<b>Service Unit:</b>	Governance		
<b>Responsible Officer:</b>	Coordinator Governance		
<b>Responsible Director:</b>	General Manager		
<b>Authorisation Date:</b>	21 June 2022	<b>Review Date:</b>	21 June 2026
<b>Minute No:</b>	TBC		

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## 1 Background

### 1.1 Title of the Policy and Commencement Date

The Councillor Induction & Professional Development Policy takes effect upon adoption by Council.

### 1.2 Purpose of the Policy

The purpose of this policy is to demonstrate Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act, 1993*.

## 2 Objective

### 2.1 Objectives and Coverage of the Policy

The objectives of this policy are to ensure that:

- The Mayor and Councillors are provided with an induction program that enables them to be effective leaders from the very beginning of the Council's term;
- The Mayor and Councillors are provided with an ongoing professional development program that will enhance the effectiveness of Council's performance in achieving its goals;
- Council meets its statutory reporting requirements in relation to Councillor induction and professional development.

## 3 Application

### 3.1 Application of this Policy

This policy applies to all Councillors of Singleton Council, including the Mayor.

## 4 Definitions

For the purposes of this policy:

Term	Meaning
Code of Conduct	Means the Code of Conduct adopted by Council.
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Singleton Council who is not suspended, including the Mayor.



Term	Meaning
General Manager	Means the General Manager of Singleton Council and includes their delegate or authorised representative.
Professional Development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor.
Capabilities	Means the knowledge, skills and attributes needed to effectively fulfil the role of Mayor and/or Councillor specified in the Local Government Capability Framework ( <b>Appendix A</b> ).

## 5 Statement of Commitment

Singleton Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities and identifies professional development activities to build these capabilities.

## 6 Induction Program

Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so. The induction program will cover:

- An orientation to Council facilities and the Singleton Local Government Area;
- An overview of the key issues and tasks for the new Council including Council's Community Strategic Plan, Delivery Program, Operational Plan, Resourcing Strategy and Community Engagement Plan;
- The legislation, rules, principles and political context under which Councils operate;
- The roles and responsibilities of Councillors and the Mayor;
- Council's organisational structure, Workforce Management Strategy and the roles and responsibilities of the General Manager and Council staff;
- What Council does and how it operates, including an overview of integrated planning and reporting, land-use planning, natural resource management, financial management and asset management by Council;
- Key Council policies and procedures Councillors must comply with including the Code of Conduct;
- Council, External Organisation and Community Consultative Committees;
- The role of Council meetings and how to participate effectively in them;



## Policy

## Councillor Induction &amp; Professional Development

- The support available to the Mayor and Councillors and where they can go to get more information or assistance; and
- Information on the process for taking the oath of office and electing the Deputy Mayor at the first Council Meeting.

In the case of the Mayor, the program will also cover:

- How to be an effective leader of the governing body and the Council;
- The role of the Chair and how to chair Council meetings;
- The Mayor's role in integrated planning and reporting;
- The Mayor's role and responsibilities under the Code of Conduct;
- The Mayor's role and responsibilities in relation to the General Manager's employment;
- The Mayor's role at regional and other representative bodies; and
- The Mayor's civic and ceremonial role.

The Mayor and Councillors must have a working knowledge and understanding of these areas by the end of the induction program.

The induction program will also include team building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals. Activities will aim to ensure Mayors and Councillors:

- Identify how they would like to work together as a team and identify a common vision for the governing body;
- Build relationships with each other based on trust and mutual respect that facilitate collaboration;
- Contribute to a positive and ethical culture within the governing body
- Work towards consensus as members of the governing body for the benefit of the community;
- Develop respectful negotiation skills and manage alternative views within the governing body without damaging relationships;
- Understand what supports or undermines the effective functioning of the governing body;
- Respect the diversity of skills and experiences on the governing body; and
- Communicate and uphold the decisions of Council in a respectful way, even if their own position was not adopted.



Activities should also help the Mayor, as the leader of the governing body, to:

- Act as a stabilising influence and show leadership; and
- Promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.

The Mayor and Councillors, including those re-elected to office, must attend all induction sessions.

Council will evaluate the induction program at the end of each Council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.

## 7 Ongoing Professional Development Program

An individual ongoing professional development plan will be developed for the Mayor and each Councillor to address any gaps in the capabilities needed to effectively fulfil their role.

Each professional development plan will span the Council's term, and identify professional development activities that the Mayor or Councillor will participate in. Professional development activities will be prioritised according to need and approved by the General Manager where Council funds are required in accordance with the Councillor Expenses and Facilities Policy. The Mayor and Councillors are expected to complete all the activities included in their professional development plan.

Professional development activities will, wherever possible, follow the 70/20/10 principle. The 70/20/10 principle requires that:

- 70% of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice
- 20% of learning activities are provided via learning and training through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations; and
- 10% of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the Council, external training providers or industry bodies.

The timing of professional development activities for the Mayor and Councillors will be designed in such a way so as to not overload Councillors with learning activities in the early part of Council's term. The timing will reflect what knowledge and skills Councillors and the Mayor need at various points in Council's term to undertake their roles.

The Mayor and Councillors will be provided with as much notice as possible for upcoming induction and professional development activities.



## 8 Budget

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.

## 9 Approval of Training and/or Expenses

Professional development activities that require Council funds are to be approved by the General Manager in accordance with the Councillor Expenses and Facilities Policy.

## 10 Evaluation

Council will evaluate the professional development program at the end of each Council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfil their civic roles.

## 11 Reporting

The General Manager will publicly report each year in Council's annual report:

- The name of the Mayor and each individual Councillor that completed Council's induction program (where an induction program has been delivered during the relevant year);
- The name of the Mayor and each Councillor who participated in any ongoing professional development program during the year;
- The number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program; and
- The total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

## 12 Relevant Legislation

- *Local Government Act, 1993*

## 13 Document Information

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

### 13.1 Related Documents

Related documents, listed in **Table 13-1** below, are internal documents directly related to or referenced from this document.



Policy

Councillor Induction &amp; Professional Development

Number	Title
POL/1008	Councillors Expenses & Facilities Policy
POL/1011	Code of Conduct
N/A	<a href="#">Councillor Induction and Professional Development Guidelines – 2018</a> issued by the Office of Local Government

Table 13-1 – Related documents

## 14 Responsible Officer / Policy Owner

Ownership of this policy rests with the Coordinator Governance.

## 15 Responsibilities

Parties or Persons	Responsibilities
Mayor and Councillors	<ul style="list-style-type: none"> <li>Making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of Council.</li> </ul>
Coordinator Governance	<ul style="list-style-type: none"> <li>Planning, scheduling and facilitating induction and professional development activities for the Mayor and Councillors in consultation with the General Manager.</li> </ul>
General Manager	<ul style="list-style-type: none"> <li>Overall responsibility for Singleton Council's induction and professional development program.</li> </ul>

## 16 Approval

As per cover sheet.

## 17 Monitoring

This policy will be monitored by the Manager Integrated Risk to ensure compliance.

## 18 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 four (4) years to ensure that it meets legislative requirements.





## 19 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*.

## 20 Breaches and Sanctions

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

## 21 Document History

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

Version.	Date Amended	Author	Comments (e.g. reasons for review)
2	26/04/2022	L Britton	<ul style="list-style-type: none"><li>• Biennial review.</li><li>• Updated reference number and dates as relevant.</li><li>• Review period changed to four (4) years.</li><li>• Added document history.</li></ul>



## Appendix A - Local Government Capability Framework

### Personal attributes

	Cllr	Mayor
<b>Manage self</b>		
Talks to the mayor/councillor, general manager and other councillors about own role and responsibilities, and seeks feedback	✓	✓
Pursues responsibilities with energy, drive and commitment	✓	✓
Manages own time effectively, balancing demands in line with council priorities	✓	✓
Shows awareness of own strengths and areas for growth	✓	✓
Looks for and takes opportunities to develop knowledge and skills as a councillor	✓	✓
Honestly examines personal motivation and capability as mayor		✓
Reflects on and integrates feedback, showing a capacity and willingness to modify own behaviours		✓
<b>Display resilience and adaptability</b>		
Is flexible and willing to change their mind in light of new information	✓	✓
Stays calm and objective in challenging situations	✓	✓
Advocates constructively for an idea or position, even in the face of strong, contrary views	✓	✓
Listens when challenged and seeks to understand criticisms before responding	✓	✓
Stays positive and perseveres in the face of resistance or setbacks	✓	✓
Accepts public feedback and responds in a thoughtful and considered way	✓	✓
Reads situations quickly and shows leadership in times of crisis		✓
Acts as a stabilising influence in challenging and emotionally charged situations		✓
<b>Act with integrity</b>		
Is open, honest and consistent in words and behaviour	✓	✓
Tells the truth and admits to own mistakes	✓	✓
Maintains confidentiality	✓	✓
Takes steps to clarify ethical issues and seeks advice when unsure what to do	✓	✓
Follows the code of conduct, legislation and policies applicable to councillors/mayors	✓	✓
Speaks out against illegal and inappropriate behaviour and perceived conflicts of interest	✓	✓
Helps councillors understand their obligations to comply with the codes of conduct, legislation and policies		✓
Identifies and discusses ethical issues with councillors		✓
Promotes a culture of integrity within council and in dealings external to council		✓



	Clr	Mayor
<b>Demonstrate accountability</b>		
Prepares appropriately for council meetings	✓	✓
Acts in the public interest and observes the highest standards of personal conduct at all times	✓	✓
Takes responsibility for fulfilling the role of councillor/mayor to the best of their ability	✓	✓
Is transparent in actions and decision making, declaring potential conflicts	✓	✓
Models the highest standards of accountability, providing transparency to enable public scrutiny		✓
Provides advice on strategies taken by council to be accountable, transparent and efficient		✓

## Relationships

	Clr	Mayor
<b>Communicate and engage</b>		
Clearly communicates ideas and arguments	✓	✓
Adjusts tone, pace and message for different audiences	✓	✓
Listens when others are speaking and asks appropriate, respectful questions	✓	✓
Shows sensitivity to cultural, religious and other individual differences when interacting with others	✓	✓
Uses communication channels that are suitable for the diversity in the community	✓	✓
Creates opportunities for people to engage with council and contribute to public disclosure and debate	✓	✓
<b>Community and customer focus</b>		
Keeps up to date on current issues affecting the community	✓	✓
Shows pride in and talks positively about the community and region	✓	✓
Commits time and energy to serving the community	✓	✓
Works towards social, environmental and economic sustainability in the community/region	✓	✓
Collects and uses broad community feedback to identify opportunities for improvement	✓	✓
Builds effective relationships with a range of people who reflect the diversity in the community	✓	✓



	Clr	Mayor
<b>Work collaboratively</b>		
Shares information with other councillors about community issues, stakeholders and activities	✓	✓
Is respectful of council staff and receptive to their advice	✓	✓
Shows respect for the diversity of skills and experience on the governing body	✓	✓
Initiates collaborative forums on issues facing the community	✓	✓
Works together with stakeholder networks for the benefit of the community and region	✓	✓
Encourages councillors to work collaboratively		✓
Builds a productive working relationship with the general manager based on clear expectations, trust and respect		✓
Supports positive relations between the general manager and the governing body		✓
Builds partnerships between council and external stakeholders that are of strategic value to council		✓
Facilitates and supports strategic collaboration with other councils to benefit the broader region		✓
<b>Influence and negotiate</b>		
Uses understanding of political processes and networks to develop a negotiation strategy	✓	✓
Listens to contrary points of view and endeavours to find common ground	✓	✓
Influence others with a fair and considered approach and sound arguments	✓	✓
Avoids starting from an entrenched position and is willing to give and take	✓	✓
Wins concessions without damaging relationships	✓	✓
Establishes and maintains relationships outside council in order to find common ground and further council's position		✓
Anticipates points of contention and plans negotiations accordingly		✓
Steers discussion and debate towards achieving an acceptable outcome		✓



## Results

	Clr	Mayor
<b>Plan and prioritise</b>		
Identifies and pursues critical priorities and sets aside less critical activities	✓	✓
Contributes to setting clear performance goals that include quality measures	✓	✓
Considers council performance reports and rollover of projects when making new plans	✓	✓
Considers the impact of changes, e.g. government policy/economic conditions and budgets, on strategic plans	✓	✓
Incorporates sound risk management principles into strategic planning	✓	✓
Works with the general manager to translate strategic direction into a delivery program and operational plan		✓
Monitors progress against the delivery program and operational plan		✓
Considers council's current and potential future role within the community and region when planning		✓
<b>Think and solve problems</b>		
Gathers and investigates information from a variety of sources	✓	✓
Asks questions to get to the heart of the issue and define the problem clearly	✓	✓
Considers the broader context and long-term impacts of policy options	✓	✓
Works with others to assess options and identify appropriate solutions	✓	✓
<b>Create and innovate</b>		
Thinks about issues and opportunities from different viewpoints	✓	✓
Looks for non-obvious solutions	✓	✓
Encourages independent thinking and new ideas from others	✓	✓
Explores innovative solutions with long-standing community-wide impact	✓	✓
<b>Deliver results</b>		
Monitors and provides advice on the delivery of customer/community focused services	✓	✓
Instigates and champions initiatives to deliver community outcomes	✓	✓
Identifies and addresses potential risks to the achievement of council goals	✓	✓
Engages with senior staff about strategies to improve council performance		✓



## Resources

	Clr	Mayor
<b>Finance</b>		
Uses basic financial terminology appropriately	✓	✓
Makes informed contributions to debate about the allocation of financial resources	✓	✓
Demonstrates respect for public funds and the obligation to manage council resources responsibly	✓	✓
Is aware of financial risks and strategies to manage and minimise these	✓	✓
Is able to discuss implications of council's long term financial plan, audited financial statements and budget reviews	✓	✓
Identifies and supports opportunities to generate revenue and attract investment	✓	✓
Promotes the role of sound financial management and its impact on council effectiveness		✓
<b>Assets and tools</b>		
Engages in strategic planning to ensure the organisation's assets support delivery of the strategic plan	✓	✓
Makes informed contributions to debate about the allocation of assets to community priorities	✓	✓
Supports asset risk minimisation strategies, plans and outcomes for council	✓	✓
Promotes the role of councils as custodians of community assets	✓	✓
Ensures asset management decisions consider long term financial sustainability	✓	✓
Promotes the role of sound asset management and its impact on long term financial sustainability		✓
<b>Technology and information</b>		
Uses a range of technologies to communicate and engage with the community	✓	✓
Supports the introduction of new technologies to improve the efficiency and effectiveness of the council	✓	✓
<b>Procurement and contracts</b>		
Exercises commercial acumen in reviewing and approving council contracts and tenders	✓	✓
Makes decisions on council tenders according to value for money, probity and community benefit	✓	✓



## Civic leadership

	Cllr	Mayor
<b>Represent communities</b>		
Makes themselves available to discuss issues and council activities with members of the community	✓	✓
Seeks to understand the range of views on complex issues in the community	✓	✓
Raises issues that are important to constituents with council	✓	✓
Treats all people in the community impartially and champions their right to be heard	✓	✓
Uses a variety of approaches to gather views from a range of individuals and organisations		✓
Advocates for local interests in dealings with external stakeholders, including other sectors and governments		✓
<b>Inspire direction and purpose</b>		
Demonstrates passion, enthusiasm and personal dedication to council's vision for the community	✓	✓
Champions the community strategic plan and communicates the way forward	✓	✓
Encourages community involvement in council planning processes	✓	✓
Communicates the context and parameters surrounding council strategies and plans	✓	✓
Communicates the purpose and plans using a variety of channels to reach many audiences		✓
Regularly communicates progress against the community strategic plan		✓
<b>Govern responsibly</b>		
Contributes constructively to debate in council	✓	✓
Works towards consensus as a member of the governing body	✓	✓
Contributes to a positive and ethical culture within the governing body	✓	✓
Participates responsibly in exercising council's employer functions in relation to the general manager	✓	✓
Acts in a way that preserves the health and safety of people in the council workplace	✓	✓
Leads constructive council meetings with a view to reaching consensus		✓
Cultivates a positive and ethical culture within the governing body		✓
Works with the general manager to ensure legal and regulatory frameworks are applied consistently by council		✓
Sets clear performance standards for the general manager and monitors progress		✓
Regularly discusses performance with the general manager and addresses performance issues early		✓



Policy

Councillor Induction &amp; Professional Development

	Cllr	Mayor
<b>Make quality decisions</b>		
Makes considered decisions on merit in the public interest	✓	✓
Considers information about the context and regulatory environment before making decisions	✓	✓
Considers financial and budget implications, including value for money, in making decisions	✓	✓
Explains council decision-making process to constituents	✓	✓
Communicates the decisions of council in a respectful way, even if own position was not adopted	✓	✓
Assists the community to understand council decisions in context, considering priorities and constraints	✓	✓
Ensures council works through issues, considering all relevant information, before making decisions		✓
Ensures council considers financial and budget implications in making decisions		✓





**GM32/22. Draft Councillors Expenses & Facilities Policy**  
**Author:** Governance Coordinator**FILE:** 19/00530

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**Executive Summary**

The purpose of this report is for Council to consider the draft Councillors Expenses and Facilities Policy following the public exhibition period.

**RECOMMENDED** that Council:

1. Adopt draft POL/1008.15 Councillors Expenses and Facilities Policy.
2. Rescind POL/1008.14 Councillors Expenses and Facilities Policy.

**Report**

Council resolved at its meeting on 15 March 2022 to place the draft Councillors Expenses and Facilities Policy on public exhibition for a period of 28 days and public notice be given of the intention to adopt the policy subject to consideration of submissions received.

No submissions were received from members of the public and one submission was received from a Councillor. A table providing a list of feedback along with responses from Council officers is shown as **Attachment 1**.

The policy has also been updated to include further information and clarification on the process for Councillors attendance at conferences and seminars.

A copy of the updated draft Policy is shown as **Attachment 2** with amendments highlighted in yellow and also outlined in section 19 – Document History.

**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 deliverables and actions from Council's Delivery Program and Operational Plan:

- 5.6.4 Meet Governance Compliance and Reporting Requirements.

*General Manager's Report (Items Requiring Decision) - GM32/22*

5.6.4.1 Governance items on the Office of Local Government Calendar of Compliance and Reporting Requirements 2021/2022 are completed by due dates.

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 Office of Local Government (OLG) has provided Councils with a suggested template policy for Councillors Expenses and Facilities which incorporates the provisions of the Act and Regulations.

The following legislation and documents are relevant to the draft policy:

- The *Local Government Act, 1993*
- The *Local Government (General) Regulation, 2021*
- Guidelines for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors in NSW, 2009
- POL/1011 – Code of Conduct
- POL/1021 – Recordkeeping and Information Access for Councillors Policy
- POL/1016 – Interactions Between Councillors and Staff Policy
- Information Communication Technology (ICT) Security Procedure
- Fleet and Plant Management Protocol
- Light Motor Vehicle Fleet Procedure

**Financial Implications**

The financial commitments as detailed in the draft Councillors Expenses and Facilities Policy are met within the current operational budget.

**Consultation/Social Implications**

In accordance with the provisions of the Act and guidelines issued by the OLG, Council must give public notice of its intention to adopt or amend a Policy for Councillors Expenses and Facilities allowing at least 28 days for the making of public submissions.

The draft Policy was placed on public exhibition on Council's website from 16 March 2022 until 22 April 2022. Public notices were also placed in the Singleton Argus and Hunter River Times. Submissions closed on 22 April 2022.

The adoption of this draft Policy ensures that the undertaking of civic duties does not financially disadvantage Councillors and enables participation by Councillors from different backgrounds.

Council's Executive Leadership Team 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.

## General Manager's Report (Items Requiring Decision) - GM32/22

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

### Environmental Consideration

Nil.

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that legislation and/or the Code of Conduct will be breached which may lead to legal action, investigations and fines or penalties.	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
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.	Low	Adoption of the recommendation	Low	Yes
There is a risk that elected members will not have access to adequate expenses and facilities to enable them to carry out their civic duties which may lead to service delivery and reputational implications.	Medium	Adoption of the recommendation	Low	Yes

### Options

The following options are available to Council:

1. Adopt draft POL/1008.15 Councillors Expenses and Facilities Policy and rescind POL/1008.14 Councillors Expenses and Facilities Policy.

*General Manager's Report (Items Requiring Decision) - GM32/22*

2. Resolve not to adopt the draft Policy and further review of the draft Policy be carried out.

Option one is recommended.

**Conclusions**

In accordance with the provisions of the Act and the guidelines issued by the OLG, it is recommended that Council adopt the draft Councillors Expenses and Facilities Policy to ensure accountability and transparency in the reimbursement of expenses for the Mayor and Councillors.

**Attachments**

**AT-1** [!\[\]\(05be7c7a8995decd503647c99211f7c2\_img.jpg\)](#) Feedback Table - Draft Councillors Expenses & Facilities Policy - June 2022

**AT-2** [!\[\]\(aa53ad6fea213b8b2226d3077e30533a\_img.jpg\)](#) Draft Councillors Expenses and Facilities Policy - Updated - June 2022

## Feedback on draft Councillors Expenses &amp; Facilities Policy:

	Feedback	Staff Response
1.	Amend Cl.1.2 fourth sentence to read "Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy, providing it does not breach any other law, regulation or policy that would otherwise permit the departure from this policy."	Draft Policy amended to include additional wording.
2.	Clause 3.1 Table remove acronym "ICT" as it is not defined in the definition section, and replace with full meaning or disclose full meaning in the definition section.	Draft Policy amended to include ICT in full.
3.	Clause 3.1 Table "ICT Expenses" the maximum amount permitted should increase particularly because many if not most meetings are able to be attended via audio visual, the agenda's are large and take significant time to download into an adaptive reader program, Office of Local Government training is held on-line every week, many conferences. Therefore the maximum rate should be \$5,000 per annum.	<p>No change to draft Policy.</p> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>• Clause 6.2.9(c) allows the General Manager to approve the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability, from a non-English speaking background or who may be at a special disadvantage to perform their civic duties.</li> <li>• The Office of Local Government induction webinars are only held for 3 months during the induction period (every four years).</li> <li>• Councillors wi-fi dongles have a 5GB per month allowance which is pooled together to allow for 50GB pool of data across the 10 Councillors. Typically, Councillors will only use half of this data allowance. Downloading documents to an adaptive reader does not use any data as such as the documents have already been downloaded to the computer via email or the Hub system. To date the data cap has never been exceeded.</li> </ul>
4.	Clause 3.1 Table "Carer Expenses" the maximum amount of \$3,000 does not cover a Councillor obtaining a baby sitter	<p>Draft Policy updated to a maximum amount of \$6,000 per Councillor per year.</p> <p>The following comments are provided:</p>

	for the mandatory monthly Council meetings, let alone any other commitments. The going rate for a baby sitter, who has certificate level training and first aid is between \$80-\$120 per hour, with a minimum 4 hour duration. Therefore the costs of Carer Expenses should be increased to \$19,200 to enable a Councillor to attend at a minimum all 10 Council meetings, 20 Briefings and 4 events.	<ul style="list-style-type: none"> <li>• Councillors are paid an annual fee and the carer expense is provided in addition to this.</li> <li>• \$3,000 to \$6,000 carers expenses per year is in line with neighbouring Councils.</li> <li>• The proposed increase to \$6,000 is equal to \$500 per month which is believed sufficient to cover any required costs.</li> </ul>
5.	Cl3.1 paragraph commencing after table should read "Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor. Unless prior approval from the Mayor or General Manager is given due to outside factors, including where the Councillor has a disability, is from a non-English speaking background or is at a special disadvantage, which requires additional expenses to be incurred in order to undertake their role as a Councillor."	Draft Policy amended to include non-English speaking background or at a special disadvantage in clause 6.2.9(c).
6.	Table 4 Official Business should be amended to insert after "includes" "but not limited to:" to ensure that Councillors can attend meetings with local members, industry groups, or groups of residents.	The definition of Official Business in Table 4 has been updated so that the last paragraph is included as a dot point. The following comments are provided: <ul style="list-style-type: none"> <li>• The definition as provided for in the draft policy is as recommended by the Office of Local Government.</li> </ul>
7.	Cl6.2.1(d) – Councillors should be provided with a vehicle log book that meets audit requirements.	This clause has been updated to reference the form provided at Appendix A. The following comments are provided: <ul style="list-style-type: none"> <li>• There is no requirement for Councillors to complete a log book for Council purposes.</li> <li>• The reimbursement claim form provided at Appendix A in the draft Policy is all Councillors are required to complete.</li> </ul>
8.	Cl.6.2.4(a) – Query? What happens when the meeting is scheduled to finish at 9pm but	No change to draft Policy. The following comment is provided:

	finishes slightly before that time or is in a remote or regional area where it may be unsafe to travel back due to road conditions, weather, visibility or other hazards?	<ul style="list-style-type: none"> <li>Any such request would be considered and approved by the General Manager in accordance with the Policy.</li> </ul>
9.	<p>Cl.6.2.6 – “Council will set aside \$1,000 per Councillor annually ....”</p> <p>This amount appears tokenistic, particularly where most if not all LGNSW training courses exceed this amount, particularly finance related courses. Therefore the amount should be more reflective of market rates for training.</p>	<p>Draft policy amended to include:</p> <ul style="list-style-type: none"> <li>The table in clause 3.1 has been updated to include a total amount of \$35,000 for professional development, conferences and seminars.</li> <li>Clause 6.2.6 has been updated to incorporate conferences and seminars into professional development.</li> <li>Clause 6.2.6 has been updated to note an annual budget allocation of \$35,000 for all Councillors.</li> <li>Added clause 6.2.6(b) noting that if required the annual budget allocation may be increased by way of a formal motion to Council.</li> </ul> <p>The following comment is provided:</p> <ul style="list-style-type: none"> <li>The Councillor Induction and Professional Development Policy outlines that professional development activities will follow the 70/20/10 principle - 70% via experience, 20% via others and 10% via structured programs (including conferences and seminars).</li> </ul>
10.	<p>Cl.6.2.8.2(c) (Note: this is now 6.2.7.2(c)) – The \$50 per month limit will always be exceeded by persons using adaptive technology, particularly as most documents are provided on-line and need downloading into visual reader technology.</p>	<p>No change to draft policy.</p> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>Clause 6.2.9(c) allows the General Manager to approve the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability, from a non-English speaking background or who may be at a special disadvantage to perform their civic duties. Refer to comments provided in point 3 above.</li> </ul>
11.	<p>Cl.6.2.9(d) (Note: this is now 6.2.8(a) – see my previous comments in relation to carer’s costs.</p>	<p>Draft Policy updated to a maximum amount of \$6,000 per Councillor per year for carer expenses.</p> <p>Refer to comments provided in point 4 above.</p>

12.	Cl.6.4(a) – Query? What does “favourable” mean? Is this a win/lose definition. It does account for settlement which may be in the public interest.	No change to draft policy. The following comments are provided: <ul style="list-style-type: none"> <li>This wording is provided by the Office of Local Government in their model policy. The word favourable is taken as meaning a successful defence for the Councillor.</li> </ul>
13.	Cl.6.4(e) – This would appear to require an extra ordinary meeting to enable the approval process. This clause is not practical and does not account for matters where urgent advice is required. There also appears to be no accounting for less costly processes such as Alternative Dispute Resolution.	No change to draft policy. The following comments are provided: <ul style="list-style-type: none"> <li>This wording is provided by the Office of Local Government in their model policy.</li> <li>In matters of urgency approval may require an extraordinary Council Meeting.</li> <li>As costs can be significant, it is appropriate that this be approved by Council.</li> </ul>
14.	Cl.7.2(e) – Expand to include “where reasonable or necessary, Council will also provide any adaptive technology or equipment”.	No change to draft policy. The following comments are provided: <ul style="list-style-type: none"> <li>Clause 6.2.9(c) allows the General Manager to approve the provision of reasonable additional facilities and expenses in order to allow a Councillor (this includes the Mayor) with a disability, from a non-English speaking background or who may be at a special disadvantage to perform their civic duties.</li> </ul>
15.	Cl.8.1.5 – See my previous comments on allowances due to adaptive technology requirements.	No change to draft policy. Refer to comments provided at points 3, 5, 10 and 14.
16.	Appendix A Table column 2 “as authorised by Council” – see my previous comments in relation to adaptability requirements. Having additional needs is not a matter that requires Council endorsement!	The table has been updated to remove the words “as authorised by Council”.





# COUNCILLORS EXPENSES AND FACILITIES

Policy | Governance

To ensure that there is accountability and transparency to the public in the reimbursement of expenses incurred or to be incurred by the Mayor and Councillors

<b>Policy No:</b>	POL/1008	<b>Version:</b>	15
<b>Service Unit:</b>	Governance		
<b>Responsible Officer:</b>	Coordinator Governance		
<b>Responsible Director:</b>	General Manager		
<b>Authorisation Date:</b>	21 June 2022	<b>Review Date:</b>	21 June 2026
<b>Minute No:</b>			

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## 1 Background

### 1.1 Title of the Policy and Commencement Date

The Councillors Expenses and Facilities Policy takes effect upon adoption by Council.

### 1.2 Purpose of the Policy

The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Singleton Council.

The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.

The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.

Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy, providing it does not breach any other law, regulation or policy that would otherwise permit the departure from this policy.

Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the *Local Government Act, 1993* (the Act) and reviewed annually. Council must adopt its annual fees within this set range.

## 2 Objective

### 2.1 Objectives and Coverage of the Policy

The objectives of this policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
- enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
- ensure facilities and expenses provided to Councillors meet community expectations
- support a diversity of representation
- fulfil Council's statutory responsibilities.



### 3 Application

#### 3.1 Application of this Policy

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the Act and *Local Government (General) Regulation, 2021* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or Facility	Maximum Amount	Frequency
General travel expenses	\$3,100.00 per Councillor	Per year
Interstate, overseas and long distance intrastate travel expenses	Included above	Per year
Accommodation and meals	As per the <a href="#">NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</a> , adjusted annually	Per meal/night
<b>Corporate wardrobe</b>	<b>\$5,000 total for all Councillors</b>	<b>Per year</b>
Professional development, Conferences and Seminars	<b>\$35,000</b> total for all Councillors	Per year
<b>Information Communication Technology</b> (ICT) expenses	\$1,080.00 per Councillor	Per year
Carer expenses	<b>\$6,000.00</b> per Councillor	Per year
Access to meeting room facilities	Provided to all Councillors	Not relevant
Council vehicle and fuel card	Provided to the Mayor	Not relevant
Reserved parking space at Council offices	Provided to the Mayor	Not relevant
Furnished office	Provided to the Mayor	Not relevant
Staff supporting Mayor and Councillors	Provided to the Mayor and Councillors	Not relevant



Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

## 4

### Definitions

For the purposes of this policy:

Term	Meaning
Accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
Appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act, 1993</i> (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
Incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
Maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in clause 3.1
NSW	New South Wales
Official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the Local Government Area, and includes: <ul style="list-style-type: none"> <li>meetings of Council and Committees of the Whole</li> <li>meetings of Committees facilitated by Council</li> <li>civic receptions hosted or sponsored by Council</li> </ul>



Term	Meaning
	<ul style="list-style-type: none"> <li>meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by Council</li> </ul>
Professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation, 2021 (NSW)</i>
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

## 5 Introduction

### 5.1 Principles

Council commits to the following principles:

- **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
- **Equity:** there must be equitable access to expenses and facilities for all Councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

### 5.2 Private or Political Benefit

- Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- Such incidental private use does not require a compensatory payment back to Council.
- Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.



## Policy

## Councillors Expenses and Facilities

- e) Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material
  - use of Council resources and equipment for campaigning
  - use of official Council letterhead, publications, websites or services for political benefit
  - fundraising activities of political parties or individuals, including political fundraising events.

## 6 Expenses

### 6.1 General Expenses

All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.

Expenses not explicitly addressed in this policy will not be paid or reimbursed.

Reimbursement of any expenses will only be made where a formal claim for reimbursement is lodged via online services on Council's website or on the approved Claim Form (**Appendix A**).

### 6.2 Specific Expenses

#### 6.2.1 General Travel Arrangements and Expenses

- a) All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- b) Each councillor may be reimbursed up to a total of \$3,100.00 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
- for public transport fares
  - for the use of a private vehicle or hire car
  - for parking costs for Council and other meetings
  - for tolls
  - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- c) Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award 2020.
- d) Councillors seeking to be reimbursed for use of a private vehicle must record the date, distance and purpose of travel being claimed. Details of this must be provided on the Claim for Reimbursement of Expenses by Mayor and Councillors Form (Appendix A).





**6.2.2 Interstate, Overseas and Long Distance Intrastate Travel Expenses**

- a) In accordance with Section 5.2, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.
- b) Total interstate, overseas and long distance intrastate travel expenses for all councillors will be included in the general travel arrangements and expenses as specified at 6.2.1.
- c) Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- d) Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
- e) The case should include:
  - objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
  - who is to take part in the travel
  - duration and itinerary of travel
  - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- f) For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- g) For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- h) For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- i) Bookings for approved air travel are to be made through the General Manager's office.
- j) For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

**6.2.3 Travel Expenses Not Paid by Council**

- a) Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

**6.2.4 Accommodation and Meals**

- a) In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting



finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.

- b) Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside the Hunter.
- c) The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- d) The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.2.4(c).
- e) Councillors will not be reimbursed for alcoholic beverages.

#### 6.2.5 Refreshments for Council Related Meetings

- a) Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- b) As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

#### 6.2.6 Professional Development, Conferences and Seminars

- a) Council will set aside a total of \$35,000 annually in its budget to facilitate professional development of Councillors through programs, training, education courses, membership of professional bodies and attendance at conferences and seminars. This budget allocation is for all Councillors and the General Manager will ensure equity in distribution.
- b) If required throughout the year, Council may increase the total annual budget allocation for professional development, conferences and seminars by way of a formal motion.

##### 6.2.6.2 Professional Development

- a) In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- b) Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- c) Approval for professional development activities is subject to a prior written request to Council outlining the:
  - details of the proposed professional development



- relevance to Council priorities and business
  - relevance to the exercise of the Councillor's civic duties.
- d) In assessing a Councillor request for a professional development activity, Council must consider the factors set out in Clause 6.2.6(c), as well as the cost of the professional development in relation to the remaining budget.

### 6.2.6.3 Conferences and Seminars

- a) Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- b) Councillor attendance at conferences and seminars is subject to approval by Council.
- c) Council will resolve annually (where possible at the first ordinary meeting of the year) to nominate:
- i. Three Councillors to attend the Local Government NSW (LGNSW) Annual Conference
  - ii. Two Councillors to attend the Australian Local Government Association (ALGA) National General Assembly of Local Government
  - iii. One Councillor to attend each of the following conferences and seminars:
    - Australian Local Government Women's Association (ALGWA) NSW Conference
    - Local Government NSW (LGNSW) Destination and Visitor Economy Conference
    - Local Government NSW (LGNSW) Water Management Conference
    - Local Government Aboriginal Network Conference
    - ALGA National Local Roads and Transport Congress and
    - Waste Conference.
- d) Councillor attendance at a conference or seminar not listed in clause 6.2.3c)ii will be considered by Council as required throughout the year.
- e) Relevant information and a nomination form (**Appendix B**) will be provided to Councillors via the briefing note to assist with the nomination process prior to approval by Council.
- f) In assessing a Councillor request for conference or seminar attendance, Council must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
  - cost of the conference or seminar in relation to the total remaining budget.
- g) Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by Council. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.2.4(b)-(e).



**6.2.7 Information Communication Technology (ICT) expenses****6.2.7.1 Telephone**

- a) Councillors have the following options relating to mobile telephones:
  - i. Councillors may elect to be provided with a Council issued mobile telephone. No further reimbursement will be made under this policy for the use of the Councillors own mobile phone, private or business phone where these phones are used for Council purposes. Council will meet the cost of all calls to a value of \$40.00 per month. Where all call costs exceed this amount the account will be referred to the Councillor for identification and reimbursement of any personal calls. The General Manager will be required to approve the payment of calls in excess of this limit.
  - ii. Councillors may elect to supply their own mobile telephone. Council will make a monthly payment of \$40.00 to the Councillor as a contribution towards the costs of operating the device.

**6.2.7.2 Computer Equipment and Internet**

- a) The Mayor and Councillors will be provided with an electronic tablet or laptop with specification and configuration necessary to access and utilise appropriate Council systems. No unauthorised or unlicensed software is to be installed on the tablet or laptop and Councillors are required to comply with Council's **Information Communication Technology (ICT) Security Procedure** at all times.
- b) The Council issued tablet or laptop with internet access is for use in relation to official functions and duties and Council will meet the cost of maintenance, rental and Council related expenses. No further reimbursement will be made under this policy for internet access.
- c) Council will meet the costs of all internet service charges and usage costs to the value of \$50.00 per month. Where costs exceed this amount the account will be referred to the Councillor for identification and reimbursement of any personal expenses.
- d) Council will also provide a printer and toner cartridges to the Mayor and Councillors for use at home to enable the printing of documents.

Council will provide each Councillor with an individual Council e-mail address (firstinitialsurname@singleton.nsw.gov.au) and appropriate secure access to Council's Information Technology System to manage such email. This access will include the ability to utilise the Calendar functionality associated with Council's email system. This email address is to be advertised to the public and utilised by Councillors for receiving and sending all electronic mail related to their civic office responsibilities. Email usage is to be in accordance with Council's **Information Communication Technology (ICT) Security Procedure**.

**6.2.8 Carer Expenses**

- a) Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of **\$6,000.00** per annum for attendance at official business, plus reasonable travel from the principal place of residence.



- b) Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- c) In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

#### 6.2.9 Special Requirements

- a) Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- b) Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- c) In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses to allow a Councillor with a disability, from a non-English speaking background or who may be at a special disadvantage to perform their civic duties.

### 6.3 Insurances

- a) In accordance with Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- b) Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance. It should be noted that Council's insurances will not cover a Councillor if he/she commits a wilful and/or deliberate act that gives rise to a claim.
- c) Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- d) Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.
- e) A Councillor must notify the General Manager or Director Organisation & Community Capacity of any potential insurance matters at the time that they become aware of any potential claim to enable prompt reporting to Council's insurance broker.

### 6.4 Legal Assistance

- a) Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
  - a Councillor defending an action arising from the performance in good faith of a function under the Act, provided that the outcome of the legal proceedings is favourable to the Councillor
  - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor



- a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- b) In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- c) Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- d) Council will not meet the legal costs:
  - of legal proceedings initiated by a Councillor under any circumstances
  - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
  - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- e) Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

## 7 Facilities

### 7.1 General Facilities for all Councillors

#### 7.1.1 Facilities

- a) Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
  - access to the meeting rooms appropriately furnished, including Councillor pigeon holes and appropriate refreshments
  - access to shared car parking spaces while attending Council offices on official business
  - personal protective equipment for use during site visits
  - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- b) Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through the Executive Assistant.
- c) The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.



**7.1.2 Corporate Wardrobe**

- a) Council will set aside a total amount of \$5,000.00 annually in its budget to facilitate the provision of corporate wardrobe for Councillors. This allocation is for all Councillors.
- b) Councillors will be provided with one jacket/blazer, two shirts and one tie or scarf with Council's logo per term.

**7.1.3 Stationery**

- a) Council will provide the following stationery to Councillors each year:
  - writing/note pads
  - business cards
  - writing pens
  - ink/toner cartridges for Council provided printer
  - printer paper

**7.1.4 Administrative Support**

- a) Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by the Executive Assistant as arranged by the General Manager or their delegate.
- b) As per Section 5.2, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

**7.2 Additional Facilities for the Mayor**

- a) Council will provide to the Mayor:
  - i. A maintained vehicle to a similar standard of other Council vehicles, with a fuel card, up to a value of \$52,000, subject to annual CPI increase. The vehicle will be supplied for use on business, professional development and attendance at the Mayor's office. Such motor vehicle shall not be used for the purposes of electioneering; or
  - ii. A Vehicle Allowance provided in accordance with Council's Light Motor Vehicle Fleet Policy and Procedure in lieu of a Council supplied vehicle for the purpose of the Mayor acquiring, maintaining and running a vehicle equivalent to the amount payable to Other Senior Staff.
- b) Should the Mayor elect a maintained vehicle, the Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit where a lease fee for private use of the vehicle has not been paid to Council. The log book must be submitted to Council on a quarterly basis.
- c) The Mayoral allowance will be reduced to cover the cost of any private travel:
  - As a vehicle lease fee calculated for private use in accordance with Council's Fleet and Plant Management Protocol.
  - Recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award 2020.



## Policy

## Councillors Expenses and Facilities

- d) A parking space at council's offices will be reserved for the Mayor's Council-issued vehicle for use on official business, professional development and attendance at the Mayor's office.
- e) Council will provide the Mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- f) In performing his or her civic duties, the Mayor will be assisted by the Executive Assistant providing administrative and secretarial support, as determined by the General Manager.
- g) As per Section 5.2, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.
- h) A corporate credit card is issued to the Mayor as the Councillor most regularly called upon to represent Council. The issue of the card is not an authority to incur expenses and full substantiation of expenses by means of Tax Invoices/Receipts is required. The credit card will have a credit limit of \$5,000 and will not have an option for obtaining a cash advance.

## 8 Processes

### 8.1 Approval, Payment and Reimbursement Arrangements

#### 8.1.1 General

- a) Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- b) Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- c) Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
  - local travel relating to the conduct of official business
  - carer costs
  - ICT expenditure.
- d) Final approval for payments made under this policy will be granted by the General Manager or their delegate.

#### 8.1.2 Direct Payment

- a) Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Coordinator Governance for assessment against this policy using online services on Council's website or the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.





## Policy

## Councillors Expenses and Facilities

**8.1.3 Reimbursement**

- a) All claims for reimbursement of expenses incurred must be made via online services on Council's website or on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Coordinator Governance.

**8.1.4 Notification**

- a) If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- b) If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

**8.1.5 Reimbursement to Council**

- a) If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
  - Council will invoice the Councillor for the expense
  - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- b) If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

**8.1.6 Timeframe for Reimbursement**

- a) Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

**8.2 Disputes**

- a) If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- b) If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

**8.3 Return or Retention of Facilities**

- a) All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- b) Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- c) The prices for all equipment purchased by Councillors under Clause 8.3(b) will be recorded in Council's annual report.



## 8.4 Publication

- a) This policy will be published on Council's website.

## 8.5 Reporting

- a) Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- b) Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

## 8.6 Auditing

- a) The operation of this policy, including claims made under the policy, will be included in council's audit program and an audit undertaken at least every two years.

## 9 Relevant Legislation

- *Local Government Act, 1993*, Sections 252 and 253
- *Local Government (General) Regulation 2021*, Clauses 217 and 403
- *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009*

## 10 Document Information

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

### 10.1 Related Documents

Related documents, listed in **Table 10-1** below, are internal documents directly related to or referenced from this document.

Number	Title
POL/1011	Code of Conduct
POL/1021	Recordkeeping and Information Access for Councillors Policy
19/87488	Information Communication Technology (ICT) Security Procedure
PRO/10	Fleet and Plant Management Protocol
17/18766	Light Motor Vehicle Fleet Procedure
POL/1016	Interactions Between Councillors & Staff Policy

Table 10-1 – Related documents



## 11 Responsible Officer / Policy Owner

Ownership of this policy rests with the Coordinator Governance.

## 12 Responsibilities

Parties or Persons	Responsibilities
Mayor and Councillors	<ul style="list-style-type: none"> <li>Comply with this policy at all times</li> </ul>
General Manager	<ul style="list-style-type: none"> <li>Provide approvals as specified in this policy</li> </ul>
Manager Integrated Risk	<ul style="list-style-type: none"> <li>Monitor the implementation of this policy and ensure compliance</li> </ul>
Coordinator Governance	<ul style="list-style-type: none"> <li>Implementation and review of this policy</li> <li>Provision of advice on this policy as required</li> </ul>
Executive Assistant	<ul style="list-style-type: none"> <li>Provide support to Councillors and the Mayor as approved by the General Manager in accordance with the provisions of this policy</li> </ul>

## 13 Approval

As per cover sheet.

## 14 Monitoring

This policy will be monitored by the Manager Integrated Risk to ensure compliance.

## 15 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 four (4) years to ensure that it meets legislative requirements.

## 16 Last Review Date

This policy was last reviewed on 25 November 2019.

## 17 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*.

## 18 Breaches and Sanctions

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



## 19 Document History

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

Version.	Date Amended	Author	Comments (e.g. reasons for review)
15	May 2022	L Britton	<ul style="list-style-type: none"> <li>• Biennial review</li> <li>• Updated relevant dates</li> <li>• Inserted web links</li> <li>• Updated related document references</li> <li>• Updated Regulations</li> <li>• Added provision of budget allocation for corporate wardrobe and additional wardrobe items</li> <li>• Carers leave and special requirements separated into separate sections for clarity</li> <li>• Carer expenses increased from \$3,000 to \$6,000.</li> <li>• Clauses on professional development and conference and seminar attendance combined. Budget combined to a total of \$35,000.</li> <li>• Updated special requirements clause to include reference to people from a non-English speaking background or who may be at a special disadvantage.</li> <li>• Added additional detail on process for conference and seminar attendance including annual report to Council.</li> <li>• Added Appendix B – Nomination for Councillor Conference Attendance Form</li> </ul>



Policy

Councillors Expenses and Facilities

## Appendix A - Claim for Reimbursement of Expenses by Mayor and Councillors



I hereby submit my claim for reimbursement of expenses in accordance with the provisions of the *Local Government Act, 1993* and Council's Policy with respect to Councillor Expenses and Facilities.

Name of claimant: \_\_\_\_\_

Claim for reimbursement of expenses:

Date	Nature of business	Nature of claim	Amount claimed

Claim for reimbursement of travel expenses:

Date	Nature of business (include where the travel was to/from and purpose of the travel)	Method of Travel	Distance in Kms	Rate/Km	Amount claimed

Travelling rates per km as per Local Government (State) Award: Under 2.5 litres      \$0.68/km  
 2.5 litres and over      \$0.78/km

Total amount claimed and/or tax invoices: \$ \_\_\_\_\_

(Please note: Receipts/tax invoices must be attached to this claim form in order for reimbursement to be processed).

Signature: \_\_\_\_\_



**Appendix B - Nomination for Councillor Attendance at  
Conferences & Seminars Form**



**NOMINATION FOR COUNCILLOR  
CONFERENCE ATTENDANCE**

I, Councillor \_\_\_\_\_ express an interest in  
attending the following conference on behalf of Council:

\_\_\_\_\_  
\_\_\_\_\_

I provide the below information in support of my nomination (eg. particular interest, to  
support professional development needs etc.):

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Date



**GM33/22. Draft Code of Meeting Practice**  
**Author:** Governance Coordinator

**FILE:** 19/00530

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## Executive Summary

The purpose of this report is for Council to consider the draft Code of Meeting Practice Policy following the public exhibition period.

**RECOMMENDED** that Council:

1. Adopt draft POL/1014.10 Code of Meeting Practice Policy.
2. Rescind POL/1014.9 Code of Meeting Practice Policy.

## Report

Council resolved at its meeting on 15 March 2022 to place the draft Code of Meeting Practice Policy on public exhibition for a period of 42 days and public notice be given of the intention to adopt the policy subject to consideration of submissions received.

No submissions were received from members of the public and one submission was received from a Councillor. A table providing a list of feedback along with responses from Council officers is shown as **Attachment 1**.

A copy of the updated draft Policy is shown as **Attachment 2** with amendments highlighted in yellow and also outlined in section 31 – Document History.

## 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 deliverables and actions from Council's Delivery Program and Operational Plan:

- 5.6.4 Meet Governance Compliance and Reporting Requirements.

- 5.6.4.1 Governance items on the Office of Local Government Calendar of Compliance and Reporting Requirements 2021/2022 are completed by due dates.

*General Manager's Report (Items Requiring Decision) - GM33/22*

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

5.6.6.1 Council policies are current and reviewed as required.

**Council Policy/Legislation**

The draft Policy is relevant and related to the following legislation:

- *Local Government Act, 1993*
- *Local Government (General) Regulation, 2021.*

The draft Policy is relevant and related to the following documents:

- POL/1011 – Code of Conduct
- POL/1016 – Interactions Between Councillors and Staff Policy
- Councillor Questions and Requests Procedure
- Model Code of Meeting Practice for Local Councils in NSW – 2021.

**Financial Implications**

There are no financial implications relating to the adoption of this policy.

**Consultation/Social Implications**

Consultation was undertaken by the Office of Local Government prior to the Model Code of Meeting Practice being prescribed under the *Local Government (General) Regulation, 2005* in late November 2021.

Prior to adopting a new Code of Meeting Practice, Council is required to exhibit the draft for at least 28 days and provide members of the community at least 42 days in which to comment.

The draft Policy was placed on public exhibition on Council's website from 16 March 2022 to 6 May 2022 and public notice was placed in the Singleton Argus and Hunter River Times. Submissions closed on 6 May 2022.

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

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

**Environmental Consideration**

There are no environmental implications relating to the adoption of this policy.



## General Manager's Report (Items Requiring Decision) - GM33/22

**Risk Implications**

The following risks for Council are noted:

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council's adopted Code of Meeting Practice does not meet the minimum legislative requirements of the Model Code which may lead to legal and reputational implications.	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will have inconsistent and unclear meeting processes which may lead to reputational damage.	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

**Options**

The following options are available to Council:

1. Adopt draft POL/1014.10 Code of Meeting Practice Policy and rescind POL/1014.9 Code of Meeting Practice Policy.
2. Resolve not to adopt the draft Policy and further review of the draft Policy be carried out.

Option one is recommended.

**Conclusions**

It is recommended that Council adopt the draft Code of Meeting Practice Policy to ensure that Council is meeting the requirements of the *Local Government Act, 1993* and committing to best practice.

**Attachments**

**AT-1** [↓](#) Feedback Table - Draft Code of Meeting Practice Policy - June 2022

**AT-2** [↓](#) Draft Code of Meeting Practice Policy - June 2022

Feedback on draft Code of Meeting Practice:

	Feedback	Staff Response
1.	<p>Cl.3.7 currently reads:            "Cl.3.7 The notice and agenda for and the business papers relating to the meeting may be given to councillors in electronic form but only if all councillors have facilities to access the notice, agenda and business papers in that form."</p> <p>I propose the following addition to that clause: Such papers should also be available for use with adaptive technology and where the content does not meet this requirement, including where there are embedded documents that convert to picture formats, these documents should be available separately in a format able to be read through the use of adaptive technology or in hard copy with a minimum font size of Arial 14 point.</p>	<p>Draft Policy amended to include:</p> <ul style="list-style-type: none"> <li>• Upon request, Council will make such documents available to Councillors by other reasonable means as may be required.</li> </ul> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>• Council respects the varying needs of all Councillors.</li> <li>• This is a mandatory clause and the wording is as recommended by the Office of Local Government in the Model Policy.</li> <li>• Business papers are always made available to Councillors in varying formats upon request by Councillors based upon their individual requirements, which may vary from time to time.</li> </ul>
2.	<p>Cl.4.10 currently reads:            "C.4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council public forum and to identify any equipment needs by midday on the day of the public forum. The General Manager or their delegate may refuse to allow such material to be presented."</p> <p>I propose the following addition to that clause: Any such material that is approved to be dispensed, displayed or viewed at the Council meeting should be capable of meeting adaptive needs, particularly insofar as minimum font size, font colour contrast and can be easily read with the use of adaptive technology whilst the meeting is taking place. If this is not the case, then the information should be provided in an appropriate format at</p>	<p>Draft Policy amended to include:</p> <ul style="list-style-type: none"> <li>• Upon request, Council will make such documents available to Councillors by other reasonable means as may be required.</li> </ul> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>• Any such material is required to be provided to Council in advance of meetings which provides staff with the ability to make any necessary arrangements or adjustments.</li> </ul>

	<p>least 24 hours prior to the meeting in an adaptable format to all Councillors and a hard copy of the material available to the public with a minimum font size of Arial 14 point. Where possible cursive fonts and fonts displayed in white embedded or overlayed in pastel colours should also be avoided.</p>	
3.	<p>Cl.4.12 and Cl.4.13 currently read:            "Cl4.12 Each speaker will be allowed five (5) minutes to address the council. This time is to be strictly enforced by the chairperson."            "Cl4.13 If required, a speaker may be granted an extension of a further two (2) minutes of speaking time upon a majority resolution of Council."</p> <p>These clauses appear undemocratic, particularly when matters that come before Council are often based upon a large number of submissions. As it presently stands, there is a limit upon the number of speakers for and against, and due to these clauses there is also a limit on the time they are permitted to speak. Furthermore, this currently takes no account of people from the CALD community or those with disabilities who due to their particular challenges are potentially unable to meet these limitations.</p>	<p>No change to draft Policy.</p> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>• Council staff assess public forum applications prior to each meeting as required.</li> <li>• Council has in the past allowed extra speaking time, taking into consideration the time limit on meetings, the number of other items on the Agenda and the level of public interest.</li> <li>• This clause has been required to be enforced in the past to ensure the efficient and effective functioning of the meeting.</li> </ul>
4.	<p>Propose new Clause 4.12A            The provisions of Clause 4.12 and clause 4.13 may be relaxed as follows:</p> <p>Due respect will be given to people from non-English speaking backgrounds, those with disabilities or people who face inherent challenges when communicating their speech to Council. Council recognises that people with disabilities may communicate differently than others, particularly if</p>	<p>The draft Policy has been amended to include clause 14.13(a) as follows:</p> <p>(a) In relation to clauses 4.12 and 4.13, due respect will be given to people from non-English speaking backgrounds, those with disabilities or people who face inherent challenges when communicating their speech to Council. Council recognises that:</p> <ul style="list-style-type: none"> <li>• people with disabilities may communicate differently</li> </ul>

	<p>their disability presents challenges for them verbally, in the operation of equipment or requires the use of adaptive technology.</p> <p>Council recognises that people from non-English speaking backgrounds may also seek to address Council in a manner that respects their respective linguistic or cultural diversity.</p> <p>This may require additional time to be heard and therefore any Councillor may request the Chair allow additional time in accordance with Clause 4.12A.</p> <p>Additionally any person seeking to rely upon this Clause, may also give prior notice to the General Manager or their delegate at the time of making an application to speak but is not mandated to do so.</p>	<p>than others, particularly if their disability presents challenges for them verbally, in the operation of equipment or requires the use of adaptive technology.</p> <ul style="list-style-type: none"> <li>• people from non-English speaking backgrounds may also seek to address Council in a manner that respects their respective linguistic or cultural diversity.</li> </ul> <p>This may require additional time to be heard and therefore any Councillor may request the Chair allow additional time. Any person seeking to rely on this clause, may give prior notice to the General Manager or their delegate at the time of making an application to speak but is not required to do so.</p>
5.	<p>Propose new Clause 4.12B</p> <p>Any decision pursuant to Clause 4.12A shall not in any way bias or attempt to unfairly exclude a person from participation in the process and it is incumbent upon Council to ensure that all necessary and reasonable measures are afforded to that person to facilitate their participation.</p>	<p>The draft Policy has been amended to include clause 4.13(b) as follows:</p> <p>(b) Any decision pursuant to clause 4.13(a) shall not in any way bias or attempt to unfairly exclude a person from participation in the process and it is incumbent upon Council to ensure that all necessary and reasonable measures are afforded to that person to facilitate their participation.</p>
6.	<p>Propose new Clause 5.2A</p> <p>Any Councillor who has disclosed having any form of health or medical disability may in certain limited circumstances require the use of , for example, adaptive technology to participate fully and effectively in the meeting, may be permitted to make suitable alternative arrangements in consultation with the General Manager or their delegate and/or the Mayor, prior to the meeting, for either all or those parts of the meeting that may require alternative</p>	<p>The draft Policy has been updated to include clauses 5.2(a) and (b) as follows:</p> <p>(a) Any Councillor who has disclosed having a health or medical disability that may in certain circumstances require the use of additional technology to participate fully and effectively in the meeting, may be permitted to request an adjournment of the meeting to</p>

	arrangements, to request an adjournment of the meeting to enable that Councillor to use such technology, particularly where additional information is provided at the commencement or during the meeting, whereby that information has not been provided at least 48 hours prior to the commencement of the meeting.	enable the use of such technology. (b) Any request made under clause 5.2(a) is to be made to the General Manager or their delegate and/or the Mayor prior to the meeting, where possible.
7.	In Clause 5.13 there should be an addition to the clause to align it to Clause 5.15: Insert into Clause 5.13 after or 'public health emergency': "public unrest or potential or actual serious illegal act by a third party".	The additional wording has been included in the draft Policy.
8.	Amend Clause 5.18 to remove "with the approval of Council" and instead insert "with the approval of the Mayor, or in the case of the Mayor, the Deputy Mayor".	No change to draft Policy.  The following comments are provided: <ul style="list-style-type: none"> <li>• This is the recommended process and wording by the Office of Local Government.</li> <li>• Council staff agree with the Office of Local Government that this should be approval by Council.</li> </ul>
9.	Amend Clause 5.23(b) to read: "the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, incapacity, disability or caring responsibilities or cultural reasons.".	The additional wording has been included in the draft Policy.
10.	Amend Clause 5.25 to remove "Council or Committee" in all circumstances, and replace with "Mayor or Chair". The matter of whether someone appears via audio visual link should not be subject to a resolution of the entire cohort, but instead those responsible for running the meeting. Insert also: "If the request comes from either the Mayor or the Chair, then the decision falls to the General Manager".	No change to draft Policy.  The following comments are provided: <ul style="list-style-type: none"> <li>• This is the recommended process and wording by the Office of Local Government.</li> <li>• Council staff agree with the Office of Local Government that this should be approved by Council.</li> </ul>
11.	Amend Clause 5.28 second sentence to read: "The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this	Clause 5.28 in the draft Policy has been updated to include the following: <ul style="list-style-type: none"> <li>• A councillor must give their full attention to the business and</li> </ul>

	code, or in circumstances where it is evident that the audio visual link is unstable, causing the meeting participant's screen to freeze or when experiencing any other issue with the camera or internet feed."	<p>proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code, or in circumstances where it is evident that the audio visual link is unstable, causing the meeting participant's screen to freeze or when experiencing any other temporary technical issue with the camera or internet feed.</p> <p>The following comment is provided:</p> <ul style="list-style-type: none"> <li>Should meeting participants have known ongoing technical issues then it is expected that they will attend the meeting in person so as to not cause unnecessary disruption to the meeting.</li> </ul>
12.	Query in relation to Clause 5.43 regarding the General Manager or staff attending via audio visual link – Does the General Manager need Council's permission to attend in the same manner as Councillors are required pursuant to Cl.5.25 or at the very least permission from the Mayor?	<p>Clause 5.43 in the draft Policy has been updated as follows:</p> <ul style="list-style-type: none"> <li>The General Manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by the General Manager at meetings by audio-visual link shall be with the approval of the Mayor. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the General Manager.</li> </ul>
13.	Clause 8.1 (03) insert after absence "or attendance by audio-visual link by the Mayor or Chair, or where appropriate the General Manager".	<p>No amendment to draft Policy.</p> <p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>As noted in earlier comments, attendance of Councillors by audio-visual link is upon approval by Council. It is noted that this includes the Mayor or Chair.</li> <li>Attendance of the General Manager by audio-visual link is approved by the Mayor or Chair and not Council.</li> </ul>

14.	<p>Clause 13.14 – see previous comments in relation to cl.4.12. Also insert :”People with disabilities, from non-English speaking backgrounds, or who are at a special disadvantage, should not be adversely effected by any decision to minimise the number of speakers and every attempt shall be made to include those persons as additional speakers.”</p>	<p>Clause 13.14 has been amended to include the following additional sentence:</p> <ul style="list-style-type: none"> <li>• People with disabilities, from non-English speaking backgrounds, or who are at a special disadvantage, should not be adversely affected by any decision to minimise the number of speakers and every attempt shall be made to include those persons as additional speakers.</li> </ul>
15.	<p>Insert 18.8A “Council will make all reasonable efforts to assist any person who has a disability, or who is from a non-English speaking background, or who is at a special disadvantage, or who has any other form of physical, intellectual or mental impairment to properly access information, including where necessary having it read to them or reasonably explained, including where pictorial or tabulated information is presented, if necessary, at a mutually agreed time.”</p>	<p>Clause 18.8 in the draft Policy has been amended to include the following sentence:</p> <ul style="list-style-type: none"> <li>• Council will provide any required assistance with regards to accessibility of any such documents as may be required upon request.</li> </ul>
16.	<p>Appendix B there is a typo after “give notice” remove “this” and replace with “that”.</p>	<p>The draft Policy has been updated to rectify this typo.</p>



# CODE OF MEETING PRACTICE

## Policy | Governance

To ensure that meetings of Council are conducted in a consistent, accessible, orderly, effective and efficient manner

<b>Policy No:</b>	POL/1014	<b>Version:</b>	10
<b>Service Unit:</b>	Governance		
<b>Responsible Officer:</b>	Coordinator Governance		
<b>Responsible Director:</b>	Director Organisation & Community Capacity		
<b>Authorisation Date:</b>	21 June 2022	<b>Review Date:</b>	21 June 2024
<b>Minute No:</b>			

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Policy

Code of Meeting Practice

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## 1 Introduction

### 1.1 Title of the Policy and Commencement Date

The Code of Meeting Practice Policy takes effect upon adoption by Council.

### 1.2 Purpose of the Policy

This policy is based upon the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) and is **prescribed** under section 360 of the *Local Government Act, 1993* (the Act) and the *Local Government Regulation, 2021* (the Regulation).

Councils **must** adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code.

The purpose of this policy is to provide a uniform set of meeting rules to ensure that meetings of Council are consistent, accessible, orderly, effective and efficient.

### 1.3 Application of this Policy

This policy applies to all meetings of Council and Committees of Council of which all members are Councillors (Committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules **for meetings** or Terms of Reference.

## 2 Meeting Principles

### 2.1 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.



### 3 Before the Meeting

#### Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

*Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.*

#### Extraordinary meetings

- 3.2 If the Mayor receives a request in writing, signed by at least two (2) councillors, the Mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two councillors requesting the meeting.

*Note: This clause reflects section 366 of the Act.*

#### Notice to the public of council meetings

- 3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

*Note: This clause reflects section 9(1) of the Act.*

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary council meetings

- 3.6 The General Manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

*Note: This clause reflects section 367(1) of the Act.*



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- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form. Upon request, Council will make such documents available to Councillors by other reasonable means as may be required.

*Note: This clause reflects section 367(3) of the Act.*

**Notice to councillors of extraordinary meetings**

- 3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

*Note: This clause reflects section 367(2) of the Act.*

**Giving notice of business to be considered at council meetings**

- 3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted no less than ten (10) business days before the meeting is to be held.

*Note: A notice of motion is to be submitted using the form provided at Appendix B.*

- 3.10 A councillor may, in writing to the General Manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

- 3.11 If the General Manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the General Manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

- 3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the General Manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.



**Questions with notice**

- 3.13 A councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the General Manager about the performance or operations of the council.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the General Manager or a member of staff of the council, or a question that implies wrongdoing by the General Manager or a member of staff of the council.
- 3.15 The General Manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

**Agenda and business papers for ordinary meetings**

- 3.16 The General Manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.17 The General Manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.9.
- 3.18 Nothing in clause 3.17 limits the powers of the Mayor to put a Mayoral Minute to a meeting under clause 9.6.
- 3.19 The General Manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:





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- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

*Note: This clause reflects section 9(2A)(a) of the Act.*

- 3.21 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

#### Statement of ethical obligations

- 3.22 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

#### Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

*Note: This clause reflects section 9(2) and (4) of the Act.*

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the General Manager has identified under clause 3.20 as being likely to be considered when the meeting is closed to the public.

*Note: This clause reflects section 9(2A)(b) of the Act.*

- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

*Note: This clause reflects section 9(3) of the Act.*



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- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

*Note: This clause reflects section 9(5) of the Act.*

**Agenda and business papers for extraordinary meetings**

- 3.27 The General Manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

**Pre-meeting briefing sessions**

- 3.32 Prior to each ordinary meeting of the council, the General Manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.35 The General Manager or a member of staff nominated by the General Manager is to preside at pre-meeting briefing sessions.



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- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

## 4 Public Forums

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the Mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by 4.30pm on the date on which the public forum is to be held and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing to the applicant for a decision to refuse an application and advise all Councillors of the refusal.
- 4.7 No more than four (4) speakers are to be permitted to speak on each item of business on the agenda for the council meeting. Generally, this will be two (2) speakers for and two (2) speakers against each item.
- 4.8 If more than the permitted number of speakers apply to speak on any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom



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to nominate to address the council, the General Manager or their delegate is to determine who will address the council at the public forum.

- 4.9 If more than the permitted number of speakers apply to speak on any item of business, the General Manager or their delegate may, in consultation with the Mayor or the Mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs by midday on the day of the public forum. The General Manager or their delegate may refuse to allow such material to be presented. **Upon request, Council will make such documents available to Councillors by other reasonable means as may be required.**
- 4.11 The General Manager or their delegate is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed five (5) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 If required, a speaker may be granted an extension of a further two (2) minutes of speaking time upon a majority resolution of Council.

(a) In relation to clauses 4.12 and 4.13, due respect will be given to people from non-English speaking backgrounds, those with disabilities or people who face inherent challenges when communicating their speech to Council. Council recognises that:

- people with disabilities may communicate differently than others, particularly if their disability presents challenges for them verbally, in the operation of equipment or requires the use of adaptive technology.
- people from non-English speaking backgrounds may also seek to address Council in a manner that respects their respective linguistic or cultural diversity.

This may require additional time to be heard and therefore any Councillor may request the Chair allow additional time. Any person seeking to rely on this clause, may give prior notice to the General Manager or their delegate at the time of making an application to speak but is not required to do so.

(b) Any decision pursuant to clause 4.13(a) shall not in any way bias or attempt to unfairly exclude a person from participation in the process and it is incumbent upon Council to ensure that all necessary and reasonable measures are afforded to that person to facilitate their participation.



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- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to two (2) minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.18 The General Manager or their nominee may, with the concurrence of the chairperson, address the council for up to five (5) minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the General Manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 14 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
- 4.24 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject



of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

## 5 Coming Together

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

*Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.*

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

(a) Any Councillor who has disclosed having a health or medical disability that may in certain circumstances require the use of additional technology to participate fully and effectively in the meeting, may be permitted to request an adjournment of the meeting to enable the use of such technology.

(b) Any request made under clause 5.2(a) is to be made to the General Manager or their delegate and/or the Mayor prior to the meeting, where possible.

- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.



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- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

*Note: This clause reflects section 234(1)(d) of the Act.*

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

#### The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

*Note: This clause reflects section 368(1) of the Act.*

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

*Note: This clause reflects section 368(2) of the Act.*

- 5.10 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the General Manager.

- 5.12 The General Manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.



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- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster, a public health emergency, public unrest or potential or actual serious illegal act by a third party the Mayor may, in consultation with the General Manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.2.

**Meetings held by audio-visual link**

- 5.15 A meeting of the council or a committee of the council may be held by audio-visual link where the Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The Mayor must make a determination under this clause in consultation with the General Manager and, as far as is practicable, with each councillor.
- 5.16 Where the Mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the General Manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
  - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
  - (c) cause a notice to be published on the council's website and in such other manner as the General Manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

**Attendance by councillors at meetings by audio-visual link**

- 5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of council or the relevant committee.





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- 5.19 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the General Manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.20 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.19.
- 5.21 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.22 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.23 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
  - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, incapacity, disability, caring responsibilities or cultural reasons.
- 5.24 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.25 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.26 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one



or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.

5.27 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

5.28 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code, or in circumstances where it is evident that the audio visual link is unstable, causing the meeting participant's screen to freeze or when experiencing any other temporary technical issue with the camera or internet feed.

5.29 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

#### Entitlement of the public to attend council meetings

5.30 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

*Note: This clause reflects section 10(1) of the Act.*

5.31 Clause 5.30 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.32 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

*Note: This clause reflects section 10(2) of the Act.*

#### Webcasting of meetings

5.33 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

*Note: This clause reflects section 236 of the Regulation.*



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5.34 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

(a) the meeting is being recorded and made publicly available on the council's website, and

(b) persons attending the meeting should refrain from making any defamatory statements.

*Note: This clause reflects section 236 of the Regulation.*

5.35 The recording of a meeting is to be made publicly available on the council's website:

(a) at the same time as the meeting is taking place, or

(b) as soon as practicable after the meeting.

*Note: This clause reflects section 236 of the Regulation.*

5.36 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

*Note: This clause reflects section 236 of the Regulation.*

5.37 Clauses 5.35 and 5.36 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

*Note: This clause reflects section 236 of the Regulation.*

5.38 Recordings of meetings may be disposed of in accordance with the *State Records Act, 1998*.

#### Attendance of the General Manager and other staff at meetings

5.39 The General Manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

*Note: This clause reflects section 376(1) of the Act.*

5.40 The General Manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

*Note: This clause reflects section 376(2) of the Act.*

5.41 The General Manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.

*Note: This clause reflects section 376(3) of the Act.*



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5.42 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the General Manager.

5.43 The General Manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by the General Manager at meetings by audio-visual link shall be with the approval of the Mayor. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the General Manager.

## 6 The Chairperson

### The chairperson at meetings

6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the council.

*Note: This clause reflects section 369(1) of the Act.*

6.2 If the Mayor and the deputy Mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

*Note: This clause reflects section 369(2) of the Act.*

### Election of the chairperson in the absence of the Mayor and Deputy Mayor

6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

6.4 The election of a chairperson must be conducted:

- (a) by the General Manager or, in their absence, an employee of the council designated by the General Manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.

6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and



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- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

**Chairperson to have precedence**

6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

## 7 Modes of Address

7.1 If the chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.

7.3 A councillor is to be addressed as 'Councillor [surname]'.

7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].



## 8 Order of Business for Ordinary Council Meetings

8.1 The general order of business for an ordinary meeting of the council shall be:

- 01 Opening meeting
- 02 Acknowledgement of country
- 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
- 04 Confirmation of minutes
- 05 Disclosures of interests
- 06 Mayoral minute(s)
- 07 Presentations
- 08 Notices of Motion
- 09 Reports to council
- 10 Questions with notice
- 11 Confidential matters (Closed Council)
- 12 Conclusion of the meeting

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

## 9 Consideration of Business at Council Meetings

### Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 3.9, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or



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- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a Mayoral Minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
  - (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

**Mayoral Minutes**

- 9.6 Subject to clause 9.9, if the Mayor is the chairperson at a meeting of the council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A Mayoral Minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of a Mayoral Minute without the motion being seconded.
- 9.8 A recommendation made in a Mayoral Minute put by the Mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A Mayoral Minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral Minute does not identify a funding source,



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the council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the recommendation if adopted.

**Staff reports**

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

**Reports of committees of council**

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

**Questions**

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the General Manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to **information**. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

**Note: Appendix A provides additional clarification relating to questions.**





**Presentations**

- 9.20 A person or persons may, with the approval of the General Manager, make a presentation for a maximum duration of 15 minutes, to a meeting of the council.
- 9.21 An application to make a presentation to a meeting of the council must be received by the General Manager no later than ten (10) business days prior to a meeting of the council if the presentation is to be included as an item on the agenda for that meeting.
- 9.22 The inclusion of a presentation as an item on the agenda for a meeting of council is at the General Manager's ultimate discretion.

**10 Rules of Debate****Motions to be seconded**

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

**Notices of motion**

- 10.2 A councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - (b) the chairperson may defer consideration of the motion until the next meeting of the council.



**Chairperson's duties with respect to motions**

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

**Motions requiring the expenditure of funds**

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the motion if adopted.

**Amendments to motions**

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.



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- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

**Foreshadowed motions**

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

**Limitations on the number and duration of speeches**

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.



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- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## 11 Voting

### Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.  
*Note: This clause reflects section 370(1) of the Act.*
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.  
*Note: This clause reflects section 370(2) of the Act.*
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.



**Voting at council meetings**

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the General Manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.6 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for Mayor or Deputy Mayor is to be by secret ballot.

**Voting on planning decisions**

- 11.10 The General Manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.  
*Note: These clauses reflect section 375A of the Act.*



## 12 Committee of the Whole

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

*Note: This clause reflects section 373 of the Act.*

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

*Note: Clauses 10.20–10.30 limit the number and duration of speeches.*

- 12.3 The General Manager or, in the absence of the General Manager, an employee of the council designated by the General Manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## 13 Closure of Council Meetings to the Public (Closed Council)

### Grounds on which meetings can be closed to the public

- 13.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or



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- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

*Note: This clause reflects section 10A(1) and (2) of the Act.*

- 13.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

*Note: This clause reflects section 10A(3) of the Act.*

#### **Matters to be considered when closing meetings to the public**

- 13.3 A meeting is not to remain closed during the discussion of anything referred to in clause 13.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

*Note: This clause reflects section 10B(1) of the Act.*

- 13.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 13.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and



(b) are clearly identified in the advice, and

(c) are fully discussed in that advice.

*Note: This clause reflects section 10B(2) of the Act.*

- 13.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 13.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 13.1.

*Note: This clause reflects section 10B(3) of the Act.*

- 13.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

(a) a person may misinterpret or misunderstand the discussion, or

(b) the discussion of the matter may:

(i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or

(ii) cause a loss of confidence in the council or committee.

*Note: This clause reflects section 10B(4) of the Act.*

- 13.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the **Departmental** Chief Executive of the Office of Local Government.

*Note: This clause reflects section 10B(5) of the Act.*

#### **Notice of likelihood of closure not required in urgent cases**

- 13.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed, but only if:

(a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 13.1, and

(b) the council or committee, after considering any representations made under clause 13.9, resolves that further discussion of the matter:

(i) should not be deferred (because of the urgency of the matter), and





- (ii) should take place in a part of the meeting that is closed to the public.

*Note: This clause reflects section 10C of the Act.*

#### Representations by members of the public

- 13.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

*Note: This clause reflects section 10A(4) of the Act.*

- 13.10 A representation under clause 13.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 13.11 Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 13.9, members of the public must first make an application to the council in the approved form. Applications must be received by 4.30pm on the date of the meeting at which the matter is to be considered.

- 13.12 The General Manager (or their delegate) may refuse an application made under clause 13.11. The General Manager or their delegate must give reasons in writing to the applicant for a decision to refuse an application and advise all Councillors of the refusal.

- 13.13 No more than four (4) speakers are to be permitted to make representations under clause 13.9.

- 13.14 If more than the permitted number of speakers apply to make representations under clause 13.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 13.9, the General Manager or their delegate is to determine who will make representations to the council. People with disabilities, from non-English speaking backgrounds, or who are at a special disadvantage, should not be adversely affected by any decision to minimise the number of speakers and every attempt shall be made to include those persons as additional speakers.

- 13.15 The General Manager (or their delegate) is to determine the order of speakers.

- 13.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 13.9 after the motion to close the part of the meeting is moved and seconded. The



chairperson is to permit no more than four (4) speakers to make representations in such order as determined by the chairperson.

- 13.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

#### **Expulsion of non-councillors from meetings closed to the public**

- 13.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 13.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

#### **Obligations of councillors attending meetings by audio-visual link**

- 13.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

#### **Information to be disclosed in resolutions closing meetings to the public**

- 13.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

*Note: This clause reflects section 10D of the Act.*



**Resolutions passed at closed meetings to be made public**

- 13.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 13.23 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 13.22 during a part of the meeting that is webcast.

**14 Keeping Order at Meetings****Points of order**

- 14.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 14.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 14.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

**Questions of order**

- 14.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 14.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 14.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 14.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.



**Motions of dissent**

- 14.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 14.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 14.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

**Acts of disorder**

- 14.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, **the Regulation** or this code, or
  - (b) assaults or threatens to assault another councillor or person present at the meeting, or
  - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
  - (d) insults, makes **unfavourable personal remarks about**, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
  - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- Note: This clause reflects section 182 of the Regulation.**
- 14.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 14.11(a), (b), **(e), or**
  - (b) to withdraw a motion or an amendment referred to in clause 14.11(c) and, where appropriate, to apologise without reservation, or



- (c) to retract and apologise without reservation for **any statement that constitutes** an act of disorder referred to in clauses 14.11(d) and (e).

***Note: This clause reflects section 233 of the Regulation.***

#### How disorder at a meeting may be dealt with

- 14.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### Expulsion from meetings

- 14.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.
- 14.15 Clause 14.14, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 14.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 14.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.
- Note: This clause reflects section 233(2) of the Regulation.***
- 14.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 14.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 14.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.



### How disorder by councillors attending meetings by audio-visual link may be dealt with

- 14.20 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 14.21 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

### Use of mobile phones and the unauthorised recording of meetings

- 14.22 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 14.23 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 14.24 Without limiting clause 14.17, a contravention of clause 14.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 14.17. Any person who contravenes or attempts to contravene clause 14.23, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 14.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

## 15 Conflicts of Interest

- 15.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.



- 15.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## 16 Decisions of the Council

### Council decisions

- 16.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.  
*Note: This clause reflects section 371 of the Act.*
- 16.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

- 16.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.  
*Note: This clause reflects section 372(1) of the Act.*
- 16.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.  
*Note: This clause reflects section 372(2) of the Act.*
- 16.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.  
*Note: This clause reflects section 372(3) of the Act.*
- 16.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.  
*Note: This clause reflects section 372(4) of the Act.*



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- 16.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.  
*Note: This clause reflects section 372(5) of the Act.*
- 16.8 The provisions of clauses 16.5–16.7 concerning lost motions do not apply to motions of adjournment.  
*Note: This clause reflects section 372(7) of the Act.*
- 16.9 A notice of motion submitted in accordance with clause 16.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.
- 16.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the General Manager no later than 10.00am on the day after the meeting at which the resolution was adopted.
- 16.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.  
*Note: This clause reflects section 372(6) of the Act.*

**Recommitting resolutions to correct an error**

- 16.12 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
  - (b) to confirm the voting on the resolution.
- 16.13 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 16.12(a), the councillor is to propose alternative wording for the resolution.
- 16.14 The chairperson must not grant leave to recommit a resolution for the purposes of clause 16.12(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 16.15 A motion moved under clause 16.12 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 16.12 can speak to the motion before it is put.





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- 16.16 A motion of dissent cannot be moved against a ruling by the chairperson under clause 16.12.
- 16.17 A motion moved under clause 16.12 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

## 17 Time Limits on Council Meetings

- 17.1 Meetings of the council and committees of the council are to conclude no later than 10.30pm.
- 17.2 If the business of the meeting is unfinished at 10.30pm, the council or the committee may, by resolution, extend the time of the meeting.
- 17.3 If the business of the meeting is unfinished at 10.30pm, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 17.4 Clause 17.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 17.5 Where a meeting is adjourned under clause 17.3 or 17.4, the General Manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
  - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## 18 After the Meeting

### Minutes of meetings

- 18.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

*Note: This clause reflects section 375(1) of the Act.*



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- 18.2 At a minimum, the General Manager must ensure that the following matters are recorded in the council's minutes:
- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
  - (b) details of each motion moved at a council meeting and of any amendments moved to it,
  - (c) the names of the mover and seconder of the motion or amendment,
  - (d) whether the motion or amendment was passed or lost, and
  - (e) such other matters specifically required under this code.
- 18.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.  
*Note: This clause reflects section 375(2) of the Act.*
- 18.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 18.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.  
*Note: This clause reflects section 375(2) of the Act.*
- 18.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 18.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

**Access to correspondence and reports laid on the table at, or submitted to, a meeting**

- 18.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting. Council will provide any required assistance with regards to accessibility of any such documents as may be required upon request.  
*Note: This clause reflects section 11(1) of the Act.*



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- 18.9 Clause 18.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.  
*Note: This clause reflects section 11(2) of the Act.*
- 18.10 Clause 18.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.  
*Note: This clause reflects section 11(3) of the Act.*
- 18.11 Correspondence or reports to which clauses 18.9 and 18.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

**Implementation of decisions of the council**

- 18.12 The General Manager is to implement, without undue delay, lawful decisions of the council.  
*Note: This clause reflects section 335(b) of the Act.*

**19 Council Committees****Application of this Part**

- 19.1 This Part only applies to committees of the council whose members are all councillors.

**Council committees whose members are all councillors**

- 19.2 The council may, by resolution, establish such committees as it considers necessary.
- 19.3 A committee of the council is to consist of the Mayor and such other councillors as are elected by the councillors or appointed by the council.
- 19.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
  - (b) if the council has not decided a number – a majority of the members of the committee.



**Functions of committees**

- 19.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

**Notice of committee meetings**

- 19.6 The General Manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

- 19.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

**Attendance at committee meetings**

- 19.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

- 19.9 Clause 19.8 does not apply if all of the members of the council are members of the committee.

**Non-members entitled to attend committee meetings**

- 19.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.



**Chairperson and deputy chairperson of council committees**

- 19.11 The chairperson of each committee of the council must be:
- (a) the Mayor, or
  - (b) if the Mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 19.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 19.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 19.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

**Procedure in committee meetings**

- 19.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 19.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 19.15.
- 19.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).



**Closure of committee meetings to the public**

- 19.18 The provisions of the Act and Part 13 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 19.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 19.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 19.19 during a part of the meeting that is webcast.

**Disorder in committee meetings**

- 19.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

**Minutes of council committee meetings**

- 19.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
  - (b) details of each motion moved at a meeting and of any amendments moved to it,
  - (c) the names of the mover and seconder of the motion or amendment,
  - (d) whether the motion or amendment was passed or lost, and
  - (e) such other matters specifically required under this code.
- 19.23 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 19.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.



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- 19.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 19.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.27 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## 20 Irregularities

- 20.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
  - (b) a failure to give notice of the meeting to any councillor or committee member, or
  - (c) any defect in the election or appointment of a councillor or committee member, or
  - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
  - (e) a failure to comply with this code.

*Note: This clause reflects section 374 of the Act.*



## 21 Definitions

For the purposes of this policy:

Term	Meaning
the Act	means the <i>Local Government Act, 1993</i>
act of disorder	means an act of disorder as defined in clause 14.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council <ul style="list-style-type: none"> <li>– means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and</li> </ul> in relation to a meeting of a committee <ul style="list-style-type: none"> <li>– means the person presiding at the meeting as provided by clause 19.11 of this code</li> </ul>
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 19.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.6 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means





Term	Meaning
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

## 22 Relevant Legislation

- *Local Government Act, 1993.*
- *Local Government (General) Regulation, 2021.*

## 23 Document Information

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

### 23.1 Related Documents

Related documents, listed in **Table 23-1** below, are documents directly related to or referenced from this document.

Number	Title
POL/1011	Code of Conduct
POL/1016	Interactions Between Councillors & Staff Policy
13/60393	Councillor Questions and Requests Procedure
	Model Code of Meeting Practice for Local Councils in NSW - 2021

Table 23-1 – Related documents



Policy

Code of Meeting Practice

**24 Responsible Officer / Policy Owner**

Ownership of this policy rests with the Coordinator Governance.

**25 Approval**

As per cover sheet.

**26 Monitoring**

This policy will be monitored by the Coordinator Governance to ensure compliance.

**27 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.

**28 Last Review Date**

This policy was last reviewed on 20 May 2019.

**29 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*.

**30 Breaches and Sanctions**

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

**31 Document History**

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

Version.	Date Amended	Author	Comments (e.g. reasons for review)
10	09/02/2022	L Britton	<ul style="list-style-type: none"> <li>Amended in accordance with new Model Code of Meeting Practice for NSW Councils</li> <li>Updated position titles and dates as relevant</li> <li>Minor wording changes in introduction</li> <li>Added statement of ethical obligations</li> <li>Updated to include attendance by audio-visual link and references</li> </ul>



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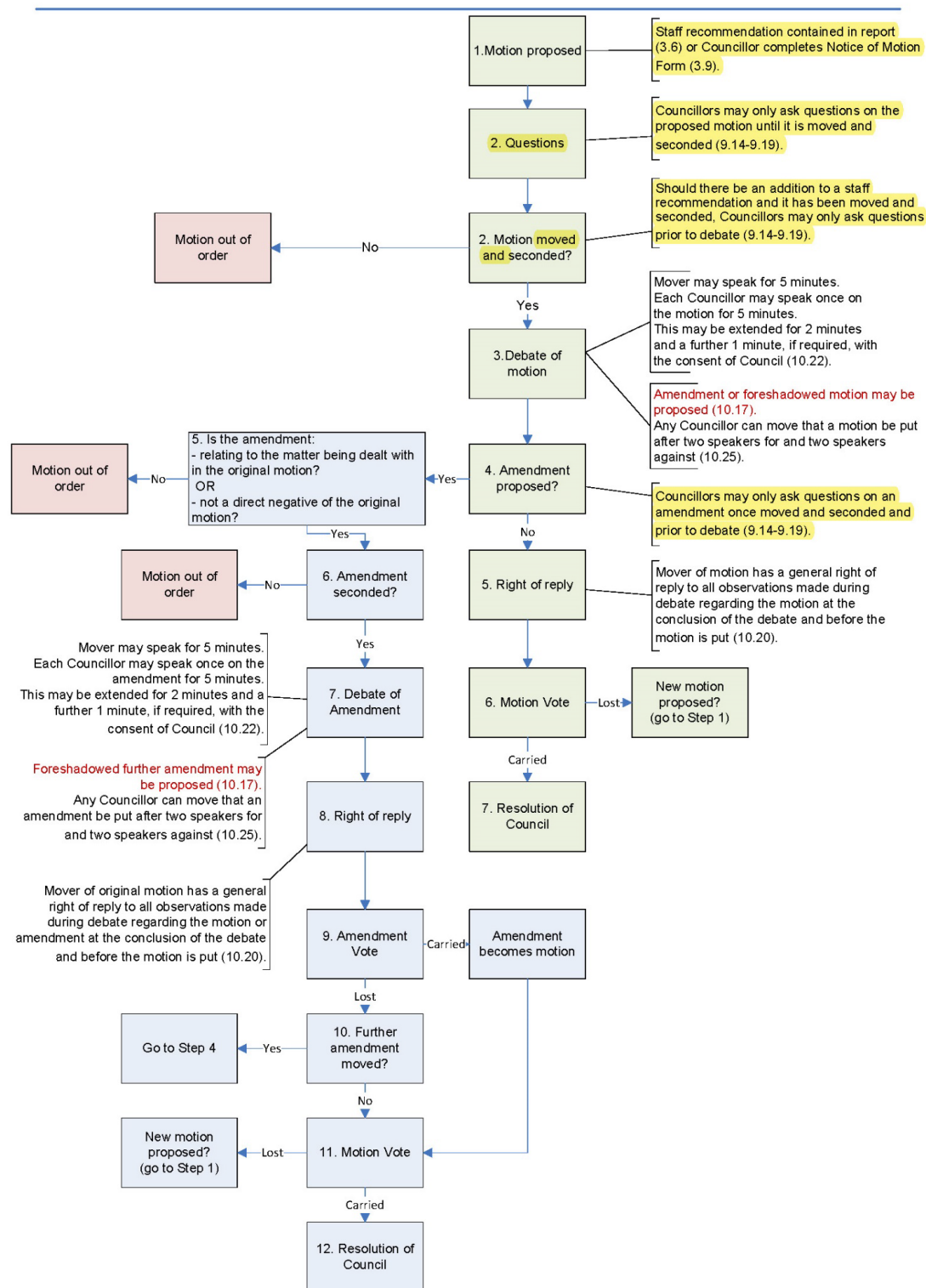
Policy

Code of Meeting Practice

Version.	Date Amended	Author	Comments (e.g. reasons for review)
			<p>updated throughout document as appropriate</p> <ul style="list-style-type: none"> <li>• Included references to health and public health emergencies</li> <li>• Updated provisions for webcasting</li> <li>• Updated Regulation</li> <li>• Updated clause references throughout document</li> <li>• Flow chart updated to include reference to notice of motion form and clarification relating to questions</li> <li>• Added notice of motion form</li> <li>• Updated relevant clauses to include accessibility of documents as may be required.</li> <li>• Updated relevant clauses to include giving consideration to people from non-English speaking backgrounds, those with disabilities or people who face inherent challenges when communicating their speech to Council.</li> </ul>



## Appendix A - Motions & Amendments Flowchart



Policy

Code of Meeting Practice

## Appendix B - Notice of Motion Form



### NOTICE OF MOTION

#### CLAUSE 3.9 CODE OF MEETING PRACTICE

I \_\_\_\_\_ give notice that I wish for the following business to be considered at the next ordinary meeting of Council:

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Can you identify a source of funding (If the motion requires expenditure of funds on works and/or services other than those already provided for in Council's current adopted Operational Plan)?

Yes / No

Provide details:

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\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Date

*Note: This notice must be submitted no less than 10 business days before the meeting is to be held.*



Code of Meeting Practice

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



**GM34/22. Draft Election Campaign Signage Policy**  
**Author:** Governance Coordinator**FILE:** 19/00530

---

**Executive Summary**

The purpose of this report is for Council to consider the draft Election Campaign Signage Policy.

**RECOMMENDED** that Council adopt draft POL/1024.1 Election Campaign Signage Policy.

**Report**

The Election Campaign Signage Policy has been drafted to outline and clarify existing legislative requirements in relation to the placement of election campaign signage within the Singleton Local Government Area during Federal, State and Local Government elections.

Election campaign signage is generally considered temporary in nature and duration.

Political advertising on Council owned, controlled or managed land or infrastructure is prohibited. This allows Council to remain impartial during election campaigns and ensures that all candidates have equal opportunities to display election signage.

The objectives of this policy are to ensure that candidates and political parties understand and comply with the requirements in relation to election campaign signage, including:

- where signs must not be placed
- obtaining relevant consent
- requirements in relation to appropriate display of signage
- enforcement and compliance action.

A copy of the 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 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:

5.6.6 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 following legislation and documents are relevant to the draft policy:

- *Electoral Act, 2017*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *Local Government Act, 1993*
- *Local Government (General) Regulation, 2021*
- *Commonwealth Electoral Act, 1918*
- *Parliamentary Electorates and Elections Act, 1912*
- POL/10065 Enforcement and Compliance Policy

### Financial Implications

Nil.

### Consultation/Social Implications

Consultation was carried out with Councillors by way of a briefing prior to implementation of the policy and Council's Leadership Team considered and endorsed the draft policy prior to referral to Council for adoption.

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

At present information on the placement of election campaign signage is not easily and readily accessible for candidates, Council staff and members of the community. Adoption of this policy will allow Council to easily communicate the requirements in relation to signage with all relevant parties.

### Environmental Consideration

Nil.

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that legislation will be breached which may lead to legal action, investigations and fines or penalties.	Medium	Adoption of the recommendation	Low	Yes



*General Manager's Report (Items Requiring Decision) - GM34/22*

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council will 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 Election Campaign Signage Policy.
2. Not adopt the draft Election Campaign Signage Policy.

Option 1 is recommended.

**Conclusions**

It is recommended that Council adopt the draft Election Campaign Signage Policy to ensure that the requirements in relation to the placement of election campaign signage within the Singleton Local Government Area during Federal, State and Local Government elections is easily accessible and understood by candidates, Council staff and members of the community.

**Attachments**

**AT-1** [↓](#) Draft Election Campaign Signage Policy - June 2022



# DRAFT ELECTION CAMPAIGN SIGNAGE

Policy | Governance

To outline the requirements in relation to the placement of election campaign signage within the Singleton Local Government Area during Federal, State and Local Government elections.

<b>Policy No:</b>	POL/1024	<b>Version:</b>	1
<b>Service Unit:</b>	Governance		
<b>Responsible Officer:</b>	Coordinator Governance		
<b>Responsible Director:</b>	General Manager		
<b>Authorisation Date:</b>		<b>Review Date:</b>	
<b>Minute No:</b>			

#### Printing Disclaimer

If you are viewing a printed copy of this document it may not be current. Printed copies of this document are not controlled.  
Before utilising a printed copy of this document, verify that it is the most current version by referencing Council's intranet.

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## 1 Background

### 1.1 Title of the Policy and Commencement Date

The Election Campaign Signage Policy takes effect upon adoption by Council.

### 1.2 Purpose of the Policy

The purpose of this policy is to outline requirements in relation to the placement of election campaign signage within the Singleton Local Government Area during Federal, State and Local Government elections.

Election campaign signage is generally considered temporary in nature and duration.

Political advertising on Council owned, controlled or managed land or infrastructure is prohibited. This allows Council to remain impartial during election campaigns and ensures that all candidates have equal opportunities to display election signage.

## 2 Objective

### 2.1 Objectives and Coverage of the Policy

The objectives of this policy are to ensure that candidates and political parties understand and comply with the requirements in relation to election campaign signage, including:

- where signs must not be placed
- obtaining relevant consent
- requirements in relation to appropriate display of signage
- enforcement and compliance action.

## 3 Application

### 3.1 Application of this Policy

This policy applies to all Federal, State or Local Government election candidates and political parties campaigning within the Singleton Local Government Area.

## 4 Definitions

For the purposes of this policy:

Term	Meaning
Election	Means an election of any member or members of the Assembly or a periodic Council election.
Early voting centre	Means a voting centre designated by the Electoral Commissioner under section 108(4)(a) of the <i>Electoral Act, 2017</i> to be an early voting centre for the purpose of an election. This is also known as pre-poll voting.



Term	Meaning
Election day	In relation to an election means the day specified in the writ for the election as the day for the taking of the poll for the election
Candidate	A person who has nominated for election

## 5 Principles/Body

### 5.1 Placement of Signs and Posters

Election campaign signage cannot be displayed on or within land and buildings occupied, used by, or under the control or management of the Crown, NSW Government Agencies or a Council.

Signage must not be erected on:

- telephone/power poles
- trees, shrubs or plants
- street signs, traffic control signs or parking signs
- footpath areas
- parks and nature reserves
- any structures within a road reserve
- median strips, traffic islands or roundabouts
- any place that causes a sight obstruction or hazard/danger to the public.

### 5.2 Consent

Placing of election campaign signage on private land or buildings can only be undertaken with the written consent of the landowner, or if the property is owned or jointly owned by the candidate.

### 5.3 Election Campaign Signage on Private Land or Buildings

Campaign signage placed on private land or buildings must:

- a) not be more than 0.8m<sup>2</sup> in area
- b) if on the site of a heritage item or draft heritage item – not be attached to a building
- c) be displayed by or on behalf of a candidate at an election held under the *Commonwealth Electoral Act, 1918* of the Commonwealth, the *Parliamentary Electorates and Elections Act, 1912* or the *Local Government Act, 1993* or the party (if any) of any such candidate
- d) be displayed in accordance with any relevant requirements of the Act under which the election is held



- e) be displayed only during the following periods:
  - i. 5 weeks immediately preceding the day on which the election is held
  - ii. The day on which the election is held
  - iii. 1 week immediately following the day on which the election is held
- f) be fastened securely to ensure there is no risk to safety
- g) be in good repair and condition at all times.

#### **5.4 Display of Election Campaign Signage During Early Voting**

Election campaign signage must not be displayed:

- a) within an early voting centre
  - b) within 6 metres of an entrance to an early voting centre
  - c) on the exterior of a building used as an early voting centre
- on any day on which early voting is conducted at the early voting centre.

Election campaign signage at early voting centres will be regulated by the Electoral Commissioner, the Voting Centre Manager or any election official authorised by the Electoral Commissioner.

#### **5.5 Display of Election Campaign Signage on Election Day**

Election campaign signage must not be displayed:

- a) within a voting centre
- b) within 6 metres of an entrance to a voting centre
- c) on the exterior of a building used as a voting centre.

Election campaign signage at election day voting centres will be regulated by the Electoral Commissioner, the Voting Centre Manager or any election official authorised by the Electoral Commissioner.

#### **5.6 Enforcement and Compliance**

Council will request the immediate removal of any election campaign signage that has been placed on Council owned, controlled or managed land or infrastructure. Failure to comply with any such request may result in removal and impounding by Council officers.

Council may undertake enforcement and compliance action, including the issue of penalty infringement notices, should the display of election campaign signage not meet the requirements of this policy.

Any required action will be carried out in accordance with Council's Enforcement and Compliance Policy.



## 6 Relevant Legislation

- *Electoral Act, 2017*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *Local Government Act, 1993*
- *Local Government (General) Regulation, 2021*
- *Commonwealth Electoral Act, 1918*
- *Parliamentary Electorates and Elections Act, 1912*

## 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/10065	Enforcement and Compliance Policy

## 8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Coordinator Governance.

## 9 Responsibilities

Parties or Persons	Responsibilities
Candidates and Political Parties	<ul style="list-style-type: none"> <li>• Comply with this policy</li> </ul>
Coordinator Governance	<ul style="list-style-type: none"> <li>• Monitor, review and provide advice in relation to this policy</li> </ul>
Regulatory Services Team	<ul style="list-style-type: none"> <li>• Undertake enforcement and compliance action in relation to this policy</li> </ul>

## 10 Approval

As per cover sheet.

## 11 Monitoring

This policy will be monitored by the Coordinator Governance 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 four (4) years to ensure that it meets legislative requirements.

**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.

Version.	Date Amended	Author	Comments (e.g. reasons for review)
1	03/05/2022	L Britton	<ul style="list-style-type: none"><li>New Policy.</li></ul>





**35. 2022 Local Government NSW (LGNSW) Annual Conference****FILE:** 21/00158/001**Author:** Governance Coordinator

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**Executive Summary**

The purpose of this report is to advise Council that the 2022 Local Government NSW (LGNSW) Annual Conference is being held at the Crowne Plaza Hunter Valley from Sunday, 23 October to Tuesday, 25 October 2022 and to consider Councillor attendance at this conference.

**RECOMMENDED** that Council:

1. Consider nominations received and determine up to three Councillors to attend the 2022 Local Government NSW (LGNSW) Annual Conference.
2. Nominate up to three Councillors as Council's voting delegates for the Conference.
3. Reimburse expenses in accordance with the Councillors Expenses and Facilities Policy.

**Report**

The LGNSW Annual Conference is the main policy making event for the local government sector where issues are debated, and motions put forward for the consideration of delegates.

In addition to registering for the Conference, Council is required to advise LGNSW of the names of their nominated voting delegates by 5pm on Monday, 10 October 2022 to enable them to vote on motions during the formal business sessions. Singleton Council is allocated three (3) [voting delegates](#).

It is noted that should Council need to change voting delegate(s), substitutions can be made in accordance with rule 34(b) of the [LGNSW rules](#).

Further details about the conference will be published on the [LGNSW website](#) as they become available, including details of the Gala Dinner, President's Opening Reception, Conference business sessions, programs and "early bird" pricing.

**Motions**

All members can put forward motions to be considered at the Conference. Members will be invited to submit motions online from Monday, 4 July 2022. More information on motions, including the link to the online portal for motion submission, will be available soon. Following consultation with Councillors, a further report will be provided to Council in July to consider proposed motions.

*General Manager's Report (Items Requiring Decision) - GM35/22*

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. When submitting motions, members are encouraged to review the action reports from previous conferences and positions of LGNSW, as set out in the [LGNSW Policy Platform](#), before submitting motions for the 2022 Conference. These resources will assist with the drafting of motions.

Councillor attendance at conferences is subject to budget availability. The 2022/23 budget allocation for Councillor training and conference attendance will be \$35,000.

After returning from the conference, attending Councillors should provide a written report to Council within two months on the aspects of the conference relevant to Council business and/or local community.

**Community Strategic Plan**

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

5.6.3 Implement the Councillor Professional Development Program.

5.6.5 The elected Council are informed, engaged and attuned to Community needs.

**Council Policy/Legislation**

The following legislation and documents are relevant:

- *Local Government Act, 1993*
- POL/1008 – Councillors Expenses and Facilities Policy
- POL/1023 – Councillor Induction and Professional Development Policy

**Financial Implications**

Financial commitments are accommodated in the Councillors Expenses and Facilities Policy and can be met within the 2022/2023 operational budget.

**Consultation/Social Implications**

In accordance with the Councillors Expenses & Facilities Policy, Councillors were provided with relevant information and a nomination form via the Briefing Note on Friday, 27 May 2022.

*General Manager's Report (Items Requiring Decision) - GM35/22*

Nominations have been received from the following Councillors:

- Cr Sue Moore, Mayor

**Environmental Consideration**

Nil.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that non attendance may lead to reputational damage and a perception of lack of support for the LGNSW.	Low	Adopt the recommendation	Low	Yes
There is a risk that non attendance may lead to a loss of opportunity to engage in professional development.	Low	Adopt the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Nominate three Councillors to attend and vote at the 2022 LGNSW Annual Conference.
2. Resolve that a different number of Councillors attend the 2022 LGNSW Annual Conference, noting that Council is only allocated three voting delegates.
3. Resolve that no Councillors attend the 2022 LGNSW Annual Conference.

Option one is recommended.

**Conclusions**

It is recommended that Council consider the nominations received from Councillors and determine three Councillors to attend and vote at the 2022 LGNSW Annual Conference.

**Attachments**

There are no attachments for this report

**GM36/22. Minutes - Mount Thorley Warkworth Voluntary Planning Agreement Community Committee - 05/05/2022**  
**Author:** Executive Manager Projects

**FILE:** 22/00036

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### Executive Summary

The Mount Thorley Warkworth Voluntary Planning Agreement (MTW VPA) Community Committee held its meeting on 5 May 2022. The minutes are shown as **Attachment 1**.

**RECOMMENDED** that Council:

1. Note the minutes of the MTW VPA Community Committee held on 5 May 2022.
2. Adopt the following recommendations made by the MTW VPA Community Committee, allocating \$264,480.64 from the Mount Thorley Warkworth VPA reserve funds:

5.1 (vii) Bulga Community Centre

The Committee recommended to Council that \$85,000 be allocated to the improvements works

5.2 Bulga Milbrodale Equestrian Centre Feasibility Study

The Committee recommended to Council that:

1. The allocation of \$80,000 for the Bulga Milbrodale Equestrian Centre Feasibility Study
2. The proponent must become an incorporated body before the allocation of the funds for a Feasibility Study becomes available.
3. The proponent must agree that Council become a partner to the engagement and management for the scope of works, contractual arrangements, process for payment of monies and acquittals.

5.3 Bulga Stock Reserve

The Committee note the update for the site and recommend to Council that an allocation of up to \$30,000 be made for the Ecological Restoration Plan.

5.5 Baiaime Cave Access

The Committee recommended to Council that an allocation of \$65,000 be made for the planning of a public access road to the Baiaime Caves as follows:

- The survey required to locate the Crown Reserve with respect to Welshs Road \$15,000

*General Manager's Report (Items Requiring Decision) - GM36/22*

- A Hydrological Assessment required as the works will involve the building of culverts across the intermittent water course \$20,000
- Geotechnical Assessment \$10,000
- Detailed design and QS \$20,000

3. Allocate \$4,480.64 to install a Public Wi-Fi network at Bulga Hall.

**Report**

A meeting of the Mount Thorley Warkworth VPA Community Committee was held on Thursday 5 May 2022. The minutes are shown as **Attachment 1**.

It was noted in the minutes of the meeting held on 5 May 2022 that attachments were not provided with the minutes held on 19 October 2021. As per Council's adopted procedure, attachments should not be included in the minutes, rather they should be attached to the Meeting Agenda or circulated to committee members separately. Relevant documents have been circulated to all Committee Members and a copy of the agenda, minutes and relevant attachments have been uploaded to the Councillor Hub for Councillors information.

Four (4) projects have been endorsed by the MTW VPA Community Committee and are recommended to Council for adoption. The projects are as follows:

**1) Agenda Item 5.1 (vii) - Bulga Community Centre Improvements**

The Bulga Community Centre is seeking an additional \$85,000.00 to undertake the following works:

- Review and repair existing plumbing and install under deck water tanks.
- Re-sheet external walls with new Colourbond sheeting.
- Prepare and paint roof, gutters, fascias, window surrounds, handrails and fencing.
- Install new electronic automatic swing door on disabled toilet.

**Officer's Comment**

The Committee agreed that this work was part of the overall enhancement for the Hall and the previous High priority ranking would apply.

**2) Agenda Item 5.2 - Bulga Milbrodale Equestrian Centre Feasibility Study**

The proposal seeks \$80,000.00 for a Bulga Milbrodale Equestrian Centre Feasibility Study. The proponents are a group of local equestrian enthusiasts who see value in exploring the opportunities to establish an equestrian centre in Bulga.

**Officer's Comments**

The proposal to undertake the feasibility study is rigorous and consultative. The study would review possible sites for their suitability, propose indicative designs and operating models. An appropriately sited and operated Equestrian Centre would potentially deliver significant benefits to the Bulga area.

It was considered premature at this time to rank this as a project given that a specific site and costings are not known as the feasibility study will inform these aspects.

### **3) Agenda Item 5.3 - Bulga stock Reserve – Ecological Restoration Plan**

An Endangered Ecological Community exists on the Bulga Stock Reserve which is required to be assessed and preserved. The NSW Department of Planning and Environment has advised that an Ecological Restoration Plan is required for the Bulga Stock Reserve. Such work will inform the development of the master plan for the reserve and provides the opportunity to develop a walking trail which preserves the community and enable it to be better managed and enjoyed by interested groups.

#### **Officer's Comment**

The Committee supported the allocation of \$30,000.00 to the Ecological Restoration Plan.

### **4) Agenda Item 5.5 - Baiame Cave**

Council has been working on a project to fund detailed designs for the provision of access to the Baiame Caves from Welshs Road, Milbrodale, along an existing Crown Road Reserve off Welshs Road.

The existing access to the Caves is currently through private lands which is not sustainable nor safe. It is intended to facilitate access ultimately via a suitably constructed public road off Welshs Road.

An initial \$65,000.00 in funding is sought to advance this work as follows:

- A survey is required to locate the Crown Reserve with respect to Welshs Road - \$15,000.00
- A Hydrological Assessment is required as the works will involve the building of culverts across the intermittent water course - \$20,000.00
- Geotechnical Assessment - \$10,000.00
- Detailed design and QS - \$20,000.00

#### **Officer's Comment**

It was noted that the committee has previously ranked the sealing of the first 600m of Welshs Road as medium priority. This project is an extension of this work to ultimately facilitate access to the Caves. The work will enable development of a shovel ready project for which funding can be sourced.

### **5) Additional Project Nomination**

An additional project nomination was received from Kirsty Hedley on behalf of the Bulga Community Centre Inc. (Bulga Hall) seeking funding to install a public Wi-Fi network in the Hall. Unfortunately, this nomination was not included in the agenda for the 5 May 2022 meeting, due to the timing of bringing together the meeting agenda and it being circulated to the Committee Members.

*General Manager's Report (Items Requiring Decision) - GM36/22*

The complete Nomination is included on the Hub for Councillors information.

The nomination is summarised below:

This project is to install a Public Wi-Fi network at Bulga Community Centre for the community to access. This proposal is requesting the initial outlay to have this network installed. The on-going costs will be covered by the Bulga Community Centre and Sponsors. I have included 3 quotations that will allow us to set up this network - One for the Wifi Hardware (\$2,561.64), one for the writing of the Wifi Terms (\$880.00) and one for the Internet Provider Starlink Hardware (\$1,039.00).

**Community Benefit**

It is important that our community has access to Emergency Information, including our Emergency Plan, for them to make the best decisions in the event of an Emergency. It is also important that they have access to communicate to Emergency Services and loved ones.

Unfortunately, our mobile phone and data coverage at Bulga is very poor with some residents not having any coverage or internet at their dwellings. A Public Wi-Fi system would mean they will be able to come to the hall car park to have access.

**Sustainability**

We have decided and really our only option for reliable internet at Bulga is to use Starlink as the internet provider. Starlink is a satellite-based internet that does not rely on local infrastructure to operate.

We are looking at installing an AutoStart Backup Generator at the hall which will allow the Public Wi-Fi to work during the event of a power outage or communication tower outage.

The ongoing monthly fees of \$139.00 will be covered by the generosity of local individuals and businesses that support and donate to our Bulga CRT.

**Perceived Community Support**

We recently completed a survey with members of our community and 100% of the participants reported to have phone and connectivity issues in the Bulga and Milbrodale area. Connectivity is extremely important, and we have had an overwhelming amount of support for this Public Wifi Network, especially after the recent floods where we were isolated and at one stage some residents lost power.

**Officer's Comments**

It is considered that the community would potentially derive a significant benefit by enabling the Public Wi-Fi project for the Community Centre and accordingly the project would likely be ranked as High priority consistent with the other enhancements.

*General Manager's Report (Items Requiring Decision) - GM36/22*

Rather than defer consideration of this project until the next Committee meeting it is recommended that the Council allocate the funding given the significant community benefit.

Ultimately the decision to allocate funds rests with the Council and usually based on the recommendations from the Committee. However, given the timing of the meeting agenda process and the significant community benefit which will be derived from having access to high quality Wi-Fi, it is considered appropriate that Council allocate the requested funds.

**Community Strategic Plan**

The outline of the Committee and its functions align to the following themes of the Community Strategic Plan 2017-2027 (CSP):

**Our People**

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

**Our Places**

- 2.5 Promote and facilitate sustainable village living.

**Our Environment**

- 3.1 Collaborate to enhance, protect and improve our environment.

**Our Economy**

- 4.8 Foster initiatives that strengthen Singleton's brand identity.

**Our Leadership**

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

**Delivery Program/Operational Plan**

- 1.1.1 Integrate Council's Community Development Strategies to encompass all stages of life and community.
- 2.5.1 Enhance the visual and public amenity of villages through the implementation of the Village Master Plans.
- 3.1.3 Support community organisations to obtain funding for environmental projects.
- 4.8.1 Develop and implement quality visual representation of Singleton as a lifestyle and investment destination.
- 5.6.4 Meet Governance Compliance and Reporting Requirements.



## Council Policy/Legislation

- *Local Government Act, 1993*
- *Local Government (General) Regulations, 2021*

## Financial Implications

Adopting this report and allocating funding to the identified projects will result in an allocation of \$264,480.64 from the Mount Thorley Warkworth Voluntary Planning Agreement reserve funds.

The following table summarises the status of the reserve funds to date and includes in the Total Allocated Funds the recommended allocations contained in this report.

Total Income Expected	\$6,600,000.00
Total Income Received to date (including interest) as at 31/03/2022	\$3,991,385.81
Total allocated VPA Funding	\$2,138,915.62
Total expenditure paid to date (as at 12/04/2022)	\$481,629.38
Total uncommitted received funds	\$1,652,805.60

## Consultation/Social Implications

Consultation was undertaken with the committee about the projects requesting allocation. Further consultation is scheduled to be carried out with the Singleton Aboriginal Reconciliation Committee on 5 July 2022 in relation to Baiame Cave.

## Environmental Consideration

All projects which will be undertaken will be required to demonstrate they are environmentally sustainable.

## Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that council will be subject to public criticism if projects are not funded from the VPA leading to reputational impacts	Medium	Adopt the recommendation	Low	Yes
There is a risk that should funds not be allocated in accordance with the VPA this could lead to legal action	Low	Adopt the recommendation	Low	Yes
There is a risk of spending funds on the	Medium	Adopt the recommendation	Low	Yes

*General Manager's Report (Items Requiring Decision) - GM36/22*

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
wrong priorities which could lead to funds not being allocated in accordance with the VPA which could lead to legal action				

**Options**

The following options are available to Council:

1. Note the minutes of the MTW VPA Community Committee held on 5 May 2022, adopt the recommendations made by the MTW VPA Community Committee, allocating \$264,480.64 from the Mount Thorley Warkworth VPA reserve funds and allocate \$4,480.64 to install a Public Wi-Fi network at Bulga Hall.
2. Not note the minutes of the Mount Thorley Warkworth VPA Community Committee, adopt the recommendations of the Committee or allocate funds.

Option one is recommended.

**Conclusions**

It is recommended that Council notes the minutes of the Mount Thorley Warkworth VPA Community Committee meeting of 5 May 2022 and adopt the recommendations of the Committee to allocate the total amount of \$260,000.00 from the Mount Thorley Warkworth VPA reserve funding for four (4) projects. Council is also requested to allocate \$4,480.64 to the installation of a public Wi-Fi network at Bulga Hall.

**Attachments**

**AT-1** [↓](#) Minutes - MTW VPA Committee - 5/5/22

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MOUNT THORLEY WARKWORTH VOLUNTARY  
PLANNING AGREEMENT COMMUNITY COMMITTEE  
1:30PM THURSDAY 5 MAY 2022**



<b>Present</b>	Chairperson Cr Sue Moore, Member Greg Banks, Member Michelle Johns (Yancoal) Member Ron Corino, Member Stewart Mitchell Member Pauline Rayner Member Mark Ihlein,
<b>In Attendance</b>	Jason Linnane, General Manager Mark Ihlein, Executive Manager, Projects Cheryl Smith, Executive Assistant
<b>Meeting Location</b>	Committee Room

### **1 Welcome and Apologies**

- Welcome
- Acknowledgement of Country by Chair
- Apologies – Ian Hedley, Judith Leslie, Nick Cook

### **2 Disclosure of Interests**

- Nil

### **3 Confirmation of Minutes**

**Moved** Ron Corino **Seconded** Pauline Rayner that the minutes of the Mount Thorley Warkworth Voluntary Planning Agreement Community Committee meeting held on Thursday 3 February 2022, be confirmed.

**CARRIED**

### **4 Matters arising from the Minutes**

- It was noted by Pauline Rayner that the report on the completed project Community Noticeboard may have some mis-allocated funds. Mark is to confirm the expenditure on this item and provide an update to the Committee.
- It was noted that the attachments to the Minutes of the Meeting which were to be referred to Council Meeting in March 2022, there were no attachments (Item 5.7 Annual review survey results). Mark is to follow up with a subsequent report to Council referring to the missing attachments.

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## **5 Agenda Items**

### **5.1 Discuss and rank project nominations - Bulga Milbrodale Progress Association - Project Proposals**

The Committee were requested to rank the following projects from the Bulga Milbrodale Progress Association which were included as Attachments 1 to 6 in the agenda. All projects were ranked as High priority.

#### **i) Bulga Milbrodale Progress Association – New separate wing – Attachment 1**

**BACKGROUND:** The original VPA funding grant, being \$430,000 for the Old School House Bulga Cultural Centre (OSHBCC) was to restore existing brick building and alter and modify existing add-on timber structures. The Heritage architect's report advised demolition of the intrusive add-on timber structures as they detracted from the heritage value of the original brick schoolhouse and the proposed uses for those areas should be accommodated in a new separate wing. The approved level of funding is insufficient to complete the new wing and this application requests an additional \$353,000 for this purpose. This would mean a total of \$783,000 for this part of the project.

The Committee ranked this project as High priority.

#### **ii) Bulga Milbrodale Progress Association – Landscaping - Attachment 2**

**BACKGROUND:** The original grant was for building works and excluded landscaping and fencing. This request for funding of landscaping and fencing, based on a very preliminary sketch including an allowance for a landscape architect design fee of 10%. Budget include removal and replacement of five wire fencing to the Putty Road boundary, picket fencing around the buildings, gravel paths and parking area, sundry landscaping, a rock formed auditorium and security lighting. The application requests \$95,000 for this project.

The Committee ranked this project as High priority.

#### **iii) Bulga Milbrodale Progress Association – Display cases - Attachment 3**

**BACKGROUND:** This request for funding of enclosed glass protected exhibition and artefact display cases designed to suit the displays of valuable and rare documents. This application requests \$30,000 for this project.

The Committee ranked this project as High priority.

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**iv) Bulga Milbrodale Progress Association – Solar Panels – Attachment 4**

**BACKGROUND:** This request for funding of the installation of solar panels to reduce the running costs for the OSHBCC. The application requests \$26,000 for this project.

The Committee ranked this project as High priority.

**v) Bulga Milbrodale Progress Association – Audio visual/ PA system – Attachment 5**

**BACKGROUND:** To provide a basic audio visual and PA system to assist artists, craft workshops and exhibitors to demonstrate through AV systems. The application requests \$10,000.

The Committee ranked this project as High priority.

**vi) Bulga Milbrodale Progress Association - Internal furniture and equipment Attachment 6**

**BACKGROUND:** The request for funding of internal fit out and equipment for the coffee and kitchen area. The application requests \$18,000 for this project.

The Committee ranked this project as High priority.

**Bulga Milbrodale Progress Association Project Cost Proposal Summary for the OSHBCC.**

Project	Approved Funds	Proposed Funds	Total Project Funds
1. Refurbish existing building and new separate wing	\$430,000	\$353,000	\$783,000
2. Landscaping		\$95,000	\$95,000
3. Display cases		\$30,000	\$30,000
4. Solar Panels		\$26,000	\$26,000
5. Audio visual/PA system		\$10,000	\$10,000
6. Internal furniture and equipment		\$18,000	\$18,000
<b>Total</b>	<b>\$430,000</b>	<b>\$532,000</b>	<b>\$962,000</b>

**NOTED.**

**vii) Bulga Community Centre Inc**

**BACKGROUND:** The Bulga Community Centre is seeking an additional \$85,000.00 to undertake the following works:

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- Review and repair existing plumbing and install under deck water tanks.
- Re-sheet external walls with new Colourbond sheeting.
- Prepare and paint roof, gutters, fascias, window surrounds, handrails and fencing.
- Install new electronic automatic swing door on disabled toilet.

**Bulga Community Centre (Hall) Projects Cost Summary**

Project	Approved Funds	Proposed Funds	Total Project Funds
1. Media centre and verandah	\$100,000		\$100,000
2. Replacement of Hall ceiling	\$53,000		\$53,000
3. Review and repair existing plumbing and install under deck water tanks, re-sheet external walls with new Colourbond sheeting, Prepare and paint roof, gutters, fascias, window surrounds, handrails and fencing, Install new electronic automatic swing door on disabled toilet		\$85,000	\$85,000
<b>Total</b>	<b>\$153,000</b>	<b>\$85,000</b>	<b>\$238,000</b>

**Moved** Pauline Rayner **Seconded** Greg Banks that the Committee review the nomination and recommend to council that \$85,000.00 be allocated to the improvement works.

**CARRIED**

**5.4 Bulga Milbrodale Equestrian Centre Feasibility Study**

**BACKGROUND:** The following request has been made regarding possible funding for the Bulga Milbrodale Equestrian Centre Feasibility Study:

*Dear MTW VPA Committee,*

*At the time I emailed you on 31 January 2022 Lily and I had reached out to four Consultants to provide their Proposal & Feasibility Cost Study Estimate for the Bulga Milbrodale Equestrian Complex (BMEC) Project - two were unable to assist, however the following two Consultants advised they would put forward their proposals.*

- 1. Kelly Lofburg - MARA Consulting - Consultants for White Park Equestrian Centre at Scone*
- 2. Katie McKenna - COX Architecture - Consultants for Willinga Park Equestrian Complex at Bawley Point*

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*COX Architecture subsequently advised they were only able to assist with a review of the facilities design and MARA Consulting were not able to provide a Feasibility Study to cover the full brief. Kelly Lofburg from MARA very kindly afforded us with her time and advice and she subsequently reached out to Tadd Anderson - Associate Environmental Planner and Landscape Architect at EMM Consulting to see if he could assist.*

*Tadd was the designer for White Park Equestrian Facility at Scone and after receiving the BMEC PP and RFP he has put together a team at EMM to provide the services we needed, please refer to the attached proposal from EMM in response to the BMEC RFP received on 21 April 2022.*

*Myffy asked that we submit the BMEC proposal by 22 April for the MTW VPA Meeting to be held on 5 May 2022, we therefore ask herewith if this Feasibility Proposal can be tabled at that meeting.*

The proposal to undertake the feasibility study is rigorous and consultative. A funding allocation of up to \$80,000.00 would be required.

It would be premature at this time to rank this as a project given that a specific site and costings are not known as the feasibility study will inform these aspects.

**Moved** Greg Banks **Seconded** Cr Moore that the Committee recommend to Council that:

1. The allocation of \$80,000.00 for the Bulga Milbrodale Equestrian Centre Feasibility Study.
2. The proponent must become an incorporated body before the allocation of the funds for Feasibility Study becomes available.
3. The proponent must agree that Council become a partner to the engagement and management for the scope of works, contractual arrangements, process for payment of monies and acquittals.

**CARRIED**

### **5.3 Bulga Stock Reserve**

- a) BACKGROUND:** Attached are the landscape plans for the Bulga Stock Reserve by Gondwana Consulting after the onsite visit on 2 February 2022.

That the committee view the updated changes to the draft concept plans for the walking track and provide any feedback. The plans are not final.

- b) BACKGROUND:** Council has been working with the Department of Planning and Environment to provide an action plan for the Endangered Ecological Community and developing an Ecological Restoration Plan for the Bulga Stock Reserve.

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Requests for Quotes close on 29<sup>th</sup> April 2022. It is anticipated that this work will cost up to \$30,000.00

**Moved** Pauline Rayner **Seconded** Ron Corino that the committee note the update for the site and recommend to the Council that an allocation of up to \$30,000.00 be made for the Ecological Restoration Plan.

**CARRIED**

**5.4 Relocation of the TfNSW Bridge Repair Depot**

**BACKGROUND:** The Bulga community and Singleton Council have raised with TfNSW their concerns regarding the prominent location of the Bridge Repair Works Depot adjacent to the bridge. It is understood that negotiations are well advanced between TfNSW and Yancoal to facilitate relocating the Depot to mine owned land on the northern right-side approach to the Bridge.

**NOTED.**

**5.5 Baiaime Cave**

**BACKGROUND:** Council has been working on a project to fund detailed designs for the provision of access to the Baiaime Caves from Welshs Road, Milbrodale, along an existing Crown Road Reserve off Welshs Road.

The existing access to the Caves is currently through private lands which is not sustainable nor safe. It is intended to facilitate access ultimately via a suitably constructed public road off Welches Road.

It is noted that the committee has previously ranked the sealing of the first 600m of Welches Road as medium priority. This work is an extension of this work.

An initial \$65,000.00 in funding is required to advance this work is as follows:

- A survey is required to locate the Crown Reserve with respect to Welches Road - \$15,000.00
- A Hydrological Assessment is required as the works will involve the building of culverts across the intermittent water course - \$20,000.00
- Geotechnical Assessment - \$10,000.00
- Detailed design and QS - \$20,000.00

**Moved** Cr Moore **Seconded** Greg Banks that the committee recommend to Council



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that an allocation of \$65,000.00 be made for the planning of a public access road to the Baime Caves being for:

- A survey is required to locate the Crown Reserve with respect to Welches Road - \$15,000.00
- A Hydrological Assessment is required as the works will involve the building of culverts across the intermittent water course - \$20,000.00
- Geotechnical Assessment - \$10,000.00
- Detailed design and QS - \$20,000.00

For the recommendation were 3 members  
Against the recommendation 3 members  
One member abstained

**CARRIED**

**5.6 Bulga Village Masterplan Update - Thursday 19 May 2022**

There will be a drop in session held at the Bulga Community Hall on Thursday, 19 May, 2022 from 4pm to 6pm to undertake consultation with the community regarding a review of the Masterplan..

**NOTED.**

**5.7 Project Update Summary Table**

**FILE:22/00036**

The Project Update Summary Table was circulated for the Committee's information.

**NOTED.**

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## 6 Other Business

- Pauline Rayner requested an update on the status of the dump point project for the Recreation Ground. Mark Ihlein advised that status is contained in the project update list and that it is scheduled for completion by 30/6/22.
- Stewart Mitchell asked if the dump point will depend on water from PID system. Mark Ihlein advised that it is dependent on the PID.
- Stewart Mitchell advised that the materials have arrived and the work will start on Monday for the replacement of the fence at St Mark's Cemetery.
- Paul Rayner advised that it was noted in the original Master Plan that the Recreation Club House was to be renovated inside and outside. The inside has been completed but nothing has been done on the exterior.

## 7 Action List

The Action List was last updated 7/2/22.

Meeting Date	Action	Responsible Officer	Due Date	Comment	Status
3/2/22	The Committee to prioritise the BMPA project nominations from 2021 at the May 2022 meeting.	Project Officer/ MI	5/5/22	Agenda item for May meeting	
	A community engagement drop in session at the Bulga Hall to be organised for review of the Village Masterplan.	Myffy Doyle	5/5/22	Drop in session arranged for 4pm – 6pm on 19 May 2022 at the Hall.	
	The Wollombi Brook Walking Trail Masterplans to be reported to Council	Myffy Doyle	18/2/22	Report drafted and is to be scheduled for June Council meeting	
	Committee to provide emailed comments to MI regarding to the Annual Review before 11 February 2022 to be added to the Council report for March 2022.	MTW VPA Committee	11/2/22	No comments made by committee	
5/5/22	Clarification is to be provided regarding the money allocated to the Community Notice Board	Mark Ihlein	3/6/22		
	The attachments to the minutes of the meeting	Mark Ihlein	14/6/22		

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	held on 3/2/22 are to be referred to Council with the report on the meeting held on 5/5/22				
	An update is to be provided at the next meeting regarding works proposed to the outside of the Recreation Club House	Mark Ihlein	4/8/22		

	Complete
	In progress
	Outstanding/overdue

**8 Next Meeting**

- 4 August 2022 at 2pm.

The meeting closed at 3.42pm.

**Cr Sue Moore**  
 Chair

**GM37/22. Minutes - Singleton Australia Day Committee -  
25/05/2022**  
**Author:** Executive Secretary

**FILE:** 22/00009

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## Executive Summary

The Singleton Australia Day Committee held its meeting on 25 May 2022 and the minutes are shown as **Attachment 1** for Council's information. The Australia Day Committee also reviewed its Terms of Reference which are shown as **Attachment 2** for Council's approval.

**RECOMMENDED** that Council:

1. Note the minutes of the Singleton Australia Day Committee meeting held 25 May 2022.
2. Endorse the updated Terms of Reference for the Singleton Australia Day Committee.

## Report

The Singleton Australia Day Committee is a long-established committee that has been formed to provide advice to Council and encourage, facilitate, organise and carry out, with approved budget limits, appropriate activities and events to recognise Australia Day.

In 2017 a review of the Terms of Reference was undertaken in 2017. In accordance with the Council Committee procedure and this Committee's Terms of Reference, the Committee *'shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.'*

At its meeting held on 25 May 2022, the Singleton Australia Day Committee completed a detailed review of its Terms of Reference. To assist Council a copy of the current document showing the proposed changes made is provided as **Attachment 2**.

Key changes to the Terms of Reference include the suggested composition of Committee Members as follows:

- Two representatives of the Singleton Aboriginal Reconciliation Committee
- A representative of the School of Infantry and an alternate delegate

## Community Strategic Plan

### Our Leadership

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

## Delivery Program/Operational Plan

5.6.5 The elected Council are informed, engaged and attuned to community needs.

**Council Policy/Legislation**

*Local Government Act NSW, 1993.*

**Financial Implications**

There are no financial implications for Council as a result of proposed changes to the Singleton Australia Day Committee Terms of Reference.

**Consultation/Social Implications**

The current Terms of Reference were circulated to all Committee Members in preparation of the meeting.

**Environmental Consideration**

Nil.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resource</b>
There is a risk to Council of not engaging with the community to understand cultural implications across a range of work that Council undertakes, which could lead to reputational damage. penalties	Medium	Adopt the recommendation	Low	Yes
There is a risk to Council of providing services and programs that do not consider cultural impact which may lead to reputational damage across the community.	Medium	Adopt the recommendations	Low	Yes

**Options**

The following options are available to Council:

1. Note the minutes of the Singleton Australia Day Committee held on 25 May 2022 and endorsed the updated Terms of Reference for the Singleton Australia Day Committee.

*General Manager's Report (Items Requiring Decision) - GM37/22*

2. Note the minutes of the May 2022 Singleton Australia Day Committee held on 25 May 2022 and not endorsed the updated Terms of Reference for the Aboriginal Reconciliation Committee.

Option one is recommended.

**Conclusions**

The Singleton Australia Day Committee is a long-established committee. The Committee is engaged and wishing to work productively with Council for the betterment of the Singleton Community. The updated Terms of Reference provide the framework to support closer collaboration with Council.

**Attachments**

**AT-1** [↓](#) ADC\_25052022\_MIN

**AT-2** [↓](#) Revised Terms of Reference - Australia Day Committee -  
reviewed 25/5/22

**MINUTES  
AUSTRALIA DAY COMMITTEE  
12.30PM WEDNESDAY 25 MAY 2022**



<b>Present</b>	Cr Danny Thompson, Mr David Andrews (PCYC Representative), (v) Mrs Pam Dicks (Singleton Lioness Club Representative), Mr Peter Knight (Cultural Organisation Representative), Mr Scott McKenzie (Singleton Ministers Association Representative), (V) Ms Denise Harris, Singleton Lions Club Ms Mary Anne Holland representing Liam Byrne, Young Achiever of the Year Mr Jason Linnane (General Manager) Ms Claire Briggs, Coordinator Community Capacity (V)
<b>In Attendance</b>	Cheryl Smith (Executive Assistant)
<b>Meeting Location</b>	Committee Room

**1 Welcome and Apologies**

- Welcome by Chair
- Acknowledgement of Country by Chair
- Apologies – David Williams, Singleton Rotary Club, Wendy Love Community Representative

**2 Disclosure of Interests**

- Nil received.

**3 Confirmation of Minutes**

- The minutes of the Australia Day Committee meeting held on Wednesday 15 December 2021, were confirmed.  
(Moved Cr Thompson/Second Jason Linnane)

**4 Matters arising from the Minutes**

- Nil

**MINUTES  
AUSTRALIA DAY COMMITTEE  
12.30PM WEDNESDAY 25 MAY 2022**



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**5 Agenda Items**

**5.1 Election of Chairperson**

**FILE:18/00182/01-06/07**

The purpose of this report was to elect the Chairperson of the Singleton Australia Day Committee. The Terms of Reference required Councillor representative will be the Chairperson of the Committee. In the absence of the Chairperson, the Mayor will chair the meeting, and in the event that both are absent a Chair can be elected for that particular meeting.

Cr Thompson nominated for the position of chair unopposed.

**Recommended to Council** that the Australia Day Committee appoint Cr Dan Thompson as Chairperson for the term of Council.

(Jason Linnane/Seconded Peter Knight)

**5.2 Review of the Singleton Australia Day Committee  
Terms of Reference**

**FILE:18/00182/01-06/07**

The purpose of this report was to inform the Singleton Australia Day Committee that the current Terms of Reference for the Committee are due for review and updating.

**Recommended to Council** that the Australia Day Committee:

1. Note the requirement to review the Committee's Terms of Reference
2. Note that the membership of the Committee was reviewed, and it was suggested that there be two representatives of the Singleton Aboriginal Reconciliation Committee and an alternate delegate of the Lone Pine Barracks School of Infantry be invited to join the Committee.
3. New nominations will be called for all positions following adoption by Council of the updated Terms of Reference.

(David Andrews/Pam Dicks)



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**5.4 Debrief - Official Ceremony - 26/1/22 FILE:18/00182/01-06/07**

The Committee were invited to provide their comments on the official ceremony, in particular what worked well and any improvements which could be instigated for 2023.

It was noted that the Rescheduled Mayoral Reception was held on 12/5/22 and any comments were welcome from the Committee.

**Official Ceremony**

Claire Briggs gave an overview of the Hybrid Ceremony which was livestreamed by Fordtronic and the data on the number of likes, people who viewed the live streaming was provided (>700 watched live and 1500 viewed the ceremony at a later time). Fordtronic has been provisionally booked for 2023. The number of attendees was restricted in line with PHO in place at the time. The Family Friendly event was unable to proceed.

**Rescheduled Mayoral Reception**

The Mayoral Reception was postponed and held on 12/5/22. Only the Citizen of the Year and Young Achiever of the Year accepted the invitation to attend.

It was suggested and agreed that an invitation be extended to the School Captains of the three High Schools to future similar events.

**Noted.**

**5.5 Planning for Australia Day - Thursday, 26 January 2023 FILE:18/00182/01-06/07**

The purpose of this report was to commence planning for Australia Day, Thursday, 26 January, 2023.

**Mayoral Reception Wednesday, 25 January, 2023**

Similar format to previous years from 6.00pm to 7.30pm.

**Family Friendly Function, Wednesday, 25 January, 2023**

Claire advised that she will commence planning for "Twilight" on the Civic Centre Precinct 6.30pm to 9.00pm. There is a Regional Community Grant and Council will submit an application for funding. An event plan will be provided to the next meeting. It will be based on approved plans for 2022.

**Official Ceremony – Thursday, 26 January, 2023**

**Australia Day Guest**

The Chair called for suggestions for the Australia Day Guest 2023. An invitation will

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AUSTRALIA DAY COMMITTEE  
12.30PM WEDNESDAY 25 MAY 2022**



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be extended and an update will be provided to the next meeting.

**Breakfast -**

Due to the PHO in place during COVID the breakfast has not been held since 2020 when the Singleton Rotary Club provided the breakfast. It was agreed that the Singleton Lions Club would provide the breakfast for 2023 and the representative will provide details at the next meeting.

**Request for Ceremonial Support – Joint Operations Support Staff (JOSS)**

The Joint Operations Support Staff is responsible for coordinating and providing advice on ADF Ceremonial support. A request for Ceremonial Support will be completed and submitted for the Australia Day Official Ceremony on 26 January, 2023.

**Ministers Association – Roster for 2023**

It was confirmed that Salvation Army will be the Ministers Association representative at the Australia Day Events for 2023.

**6 Other Business**

- Nil

**7 Next Meeting**

- August 2022.

The meeting closed at 1.00pm.

**Danny Thompson**  
Chair

## Terms of Reference

### Australia Day Committee

#### 1. Establishment

The name of the Committee established under Section 355 of the Local Government Act, 1993, shall be "The Singleton Australia Day Committee", hereafter referred to as "the Committee".

#### 2. Functions and Responsibilities

The committee's functions are to:

- 2.1 To facilitate, organise and carry out, within approved budget limits, appropriate activities and events to recognise Australia Day.
- 2.2 To invite nominations and selection of annual recipients of the "Citizen of the Year" and "Young Achiever of the Year" Awards.
- 2.3 To advise Council on initiatives for properly recognising Australia Day.

#### 3. Membership and length of term

- 3.1 Membership shall be open to persons who:
  - 3.1.1 Support the above objectives; and
  - 3.1.2 Have applied in writing for membership and are accepted as members of the Committee by the General Manager, Mayor and Chairperson.
- 3.2 The Committee shall consist of:
  - Mayor (1)
  - One (1) Councillor
  - Citizen of the Year (1)
  - Young Achiever of the Year (1) or alternate delegate
  - Two (2) Community Representatives
  - Singleton Diggers Club (1)
  - Service Clubs (Rotary, Lions and Lioness) (3)
  - Community based Cultural organisation representative (1)
  - ~~Army (1)~~ Representative of the Lone Pine Barracks School of Infantry and an alternate delegate
  - Young adult representative (1)
  - Representative Ministers Association
  - Representative Singleton Disability Committee
  - Representative of the Youth Venue and PCYC
  - Two Council officers nominated by the General Manager
  - Two representatives of the Singleton Aboriginal Reconciliation Committee (2).
- 3.3 Unless otherwise determined by Council, the term of membership, shall be

the life of the Committee, which is four years, except for the Citizen of the Year and Young Achiever of the Year which shall be on annual appointments.

- 3.4 Membership shall cease on:
  - 3.4.1 Resignation in writing delivered to Council
  - 3.4.2 Expulsion from the Committee
  - 3.4.3 Absence from three consecutive Committee Meetings without explanation acceptable to the Committee.
  - 3.4.4 Ceasing to be a member of the group for which they are nominated as a delegate.
  - 3.4.5 Ceasing to be a permanent resident of the Singleton Local Government Area.

#### **4. Operation and Meetings**

- 4.1 The Councillor representative will be the Chairperson of the Committee. In the absence of the Chairperson, the Mayor will chair the meeting, and in the event that both are absent a Chair can be elected for that particular meeting.
- 4.2 The Committee shall, to the extent practical, comply with Council's adopted Code of Meeting Practice.
- 4.3 It is expected the Committee will meet at least once per quarter at such time and place as the Committee see fit.
- 4.4 Meetings of the Committee shall be held as required and determined by the Chairperson to ensure objectives are achieved.
- 4.5 Minutes of all meetings shall be recorded and confirmed at the following meeting.
- 4.6 Minutes of the meeting shall be reported to Council at the next available meeting after the draft has been approved by the Chairperson.
- 4.7 Meetings of the Committee shall be deferred to a later date where a quorum of seven members or more are not present.
- 4.8 Decisions of the Committee shall be by majority of the members present at each meeting and each member shall have one vote. In the event of voting on any matter being equal for or against, the Chairperson shall have a casting vote.
- 4.9 Voting for the nominations for the awards will be by secret ballot. The results will be embargoed until Australia Day.

- 4.10 Administration services and support will be provided by Singleton Council.
- 4.11 Council staff other than Committee Members may attend Committee Meetings as needed, however they shall not participate in voting, nor the normal moving or seconding of motions.

**5. Conflict of Interest**

- 5.1 Members shall observe the provisions of the Local Government Act in relation to declarations of interest in business placed before the Committee. Members shall also be aware of conflicts of interest that they may have and should not vote on any matter in which their private interest conflicts with the matter under discussion. Interest declared by any member shall be recorded in the minutes of the meeting.
- 5.2 The agenda will have a standing item for conflict of interest.

**6. Code of Conduct and Committee Guide**

- 6.1 The Committee shall, at all times, comply with Council's Adopted Code of Conduct and Council's Committee Procedure.
- 6.2 All members of the Committee are to sign a declaration stating they have read and understood the provision of Council's Code of Conduct.

**7. Dissolution**

- 7.1 Council may, by resolution at any time, dissolve the Committee.

**8. Evaluation and review**

- This Committee shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.
- The Chair of the Committee will initiate a review of the performance of the Committee at the end of every term of Council. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from the relevant Director and any other relevant stakeholders, as determined by the Chair.

*General Manager's Report (Items Requiring Decision) - GM38/22*

**GM38/22. Leave of Absence - Mayor Sue Moore**  
**Author:** Governance Coordinator

**FILE:** 21/00157

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**Executive Summary**

The purpose of this report is to advise that the Mayor, Sue Moore has requested a leave of absence for the period 9 July 2022 to 8 August 2022 due to knee surgery.

**RECOMMENDED** that Council grant leave of absence to the Mayor, Sue Moore for the period 9 July 2022 to 8 August 2022.

**Attachments**

There are no attachments for this report

## Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22

**DOCC18/22. Adoption of Singleton Integrated Planning and Reporting Documents and 2022/2023 Budget****FILE:**

21/00271/004

**Author:** Director Organisation and Community Capacity**Executive Summary**

The purpose of this report is for Council to adopt the following documents in accordance with Sections 402 to 405 of the *Local Government Act, 1993*:

- Draft Community Strategic Plan 2022-2032
- Draft Resourcing Strategy which includes:
  - Long Term Financial Plan 2022-2032
  - Workforce Plan/Our People Strategy 2022-2026
  - Draft Asset Management Strategy 2022-2032
- Draft Delivery Program 2022-2026 and Operational Plan 2022-2023.

**RECOMMENDED** that Council:

1. In accordance with section 402 of the *Local Government Act 1993*, Council adopts the draft Community Strategic Plan 2022 – 2032.
2. In accordance with section 403 of the *Local Government Act 1993*, Council adopts the draft Resourcing Strategy including the draft Long Term Financial Plan 2022 – 2032, draft Workforce Plan/Our People Strategy 2022 – 2026 and draft Asset Management Strategy 2022 – 2032.
3. In accordance with section 404 of the *Local Government Act 1993*, Council adopts the draft Delivery Program 2022 – 2026.
4. In accordance with section 404 and 405 of the *Local Government Act 1993*, Council adopts the draft 2022-2023 Operational Plan and Budget.
5. Council makes the following General Rates for the 2022-2023 year:

Rate Type	Category	Sub-Category	Ad Valorem Amount Cents in \$	Base Amount \$	% of Total Rate	Rate Yield \$'000
Ordinary	Residential	Singleton	0.6735	248.00	21.05	6,597
Ordinary	Residential	Rural Residential	0.5186	248.00	14.92	1,713
Ordinary	Residential	Village	0.4647	248.00	31.61	254
Ordinary	Residential	Ordinary	0.266	248.00	20.64	2,937
Ordinary	Business	Singleton	1.1585	248.00	7.74	1,663
Ordinary	Business	Mount Thorley	1.1469	248.00	6.11	337
Ordinary	Business	Village	1.0345	248.00	17.79	41
Ordinary	Business	Ordinary	0.3597	248.00	16.12	449
Ordinary	Farmland	Ordinary	0.3006	248.00	10.05	1,636
Ordinary	Mining	Coal	0.6825			8,472
				<b>Total Yield</b>		<b>24,099</b>

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

6. Council makes the following Domestic Waste Management Services Charges for the 2022-2023 year:

<b>Urban</b>	<b>2022-2023</b>
Weekly general waste (240L), fortnightly recycling (240L), fortnightly garden organics (240L)	\$550.00
Weekly general waste (240L), fortnightly recycling (360L), fortnightly garden organics (240L)	\$590.00
Additional weekly general waste service (240L)	\$200.00
Additional fortnightly recycling service (240L)	\$100.00
Additional fortnightly green organics service (240L)	\$100.00
Additional fortnightly recycling service (360L)	\$125.00
Minimum domestic waste service charge	\$35.00
<b>Rural</b>	<b>2022-2023</b>
Fortnightly general waste (240L), fortnightly recycling (240L), fortnightly garden organics (240L)	\$470.00
Fortnightly general waste (240L), fortnightly recycling (360L), fortnightly garden organics (240L)	\$520.00
Additional fortnightly general waste service (240L)	\$200.00
Additional fortnightly recycling service (240L)	\$100.00
Additional fortnightly garden organics service (240L)	\$150.00
Additional fortnightly recycling service (360L)	\$125.00
Minimum domestic waste service charge	\$35.00
<b>Commercial Urban</b>	<b>2022-2023</b>
Weekly general waste (240L), fortnightly recycling (240L), fortnightly garden organics (240L)	\$495.00
Weekly general waste (240L), fortnightly recycling (360L), fortnightly garden organics (240L)	\$545.00
Additional weekly general waste service (240L)	\$200.00
Additional fortnightly recycling service (240L)	\$100.00
Additional fortnightly garden organics (240L)	\$100.00
Additional fortnightly recycling service (360L)	\$125.00
<b>Commercial Rural</b>	<b>2022-2023</b>
Fortnightly general waste (240L), fortnightly recycling (240L), fortnightly garden organics (240L)	\$495.00



*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

Fortnightly general waste (240L), fortnightly recycling (360L), fortnightly garden organics (240L)	\$545.00
Additional fortnightly general waste service (240L)	\$200.00
Additional fortnightly green organics service (240L)	\$150.00
Additional fortnightly recycling service (240L)	\$100.00
Additional fortnightly recycling service (360L)	\$125.00

7. Council makes the following Stormwater Management Service Charges for the 2022-2023 year:

For land categorised as residential:	\$25.00
For residential strata lots:	\$12.50
For land categorised as business:	\$25.00, plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres up to a maximum charge of \$100.00.

8. Council makes the following Singleton Water Supply Charges for the 2022-2023 year:

Type	Charge Type	Base Charge \$	Usage Charge \$ per kilolitre up to 450KL/Above 450KL (Residential Customers Only)
Singleton	Access Charge	181.29	2.32/3.48
	Obanvale	36.26	
	20 mm	181.29	
	25 mm	283.27	
	32 mm	464.10	
	40 mm	725.16	
	50 mm	1,133.06	
	65 mm	1,914.88	
	80 mm	2,900.64	
	100 mm	4,532.25	
	150 mm	10,197.56	

9. Council makes the following Mount Thorley Water Supply Charges for the 2022-2023 year:

Type	Charge Type	Base Charge \$	Usage Charge \$ per kilolitre
Mt Thorley Water Charge	Access Charge	181.29	
	20 mm	181.29	

## Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22

	25 mm	283.27	2.32
	32 mm	464.10	
	40 mm	725.16	
	50 mm	1,133.06	
	65 mm	1,914.88	
	80 mm	2,900.64	
	100 mm	4,532.25	
	150 mm	10,197.56	

10. Council makes the following Jerrys Plains Water Supply Charges for the 2022-2023 year:

Type	Charge Type	Base Charge \$	Usage Charge \$ per kilolitre up to 450KL/Above 450KL
Jerrys Plains	Access Charge	90.65	2.32/3.48
	20 mm	181.29	
	25 mm	283.27	
	32 mm	464.10	
	40 mm	725.16	
	50 mm	1,133.06	
	65 mm	1,914.88	
	80 mm	2,900.64	
	100 mm	4,532.25	
	150 mm	10,197.56	

11. Council makes the following Broke Water Supply Charges for the 2022-2023 year:

Type	Charge Type	Base Charge \$	Usage Charge \$ per kilolitre up to 450KL/Above 450KL
Broke	Access	181.29	2.32/3.48
	20 mm	181.29	
	25 mm	283.27	
	32 mm	464.10	
	40 mm	725.16	
	50 mm	1,133.06	
	65 mm	1,914.88	
	80 mm	2,900.64	
	100 mm	4,532.25	
	150 mm	10,197.56	

12. Council makes the following Singleton Sewerage Scheme Charges for the 2022-2023 year:

Type	Category	Amount
Residential Customers	Sewerage Base Charge	\$765.60

## Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22

Non-Residential Customers	Annual Sewerage Access Charge	\$732.36
	Sewer Usage Charge	\$2.29
Liquid Trade Waste Charges	Annual Liquid Trade Waste Fee Liquid Trade Waste Usage	\$107.64
	Charge KL	\$1.80
Pressure Sewer Systems	Simplex Pump Maintenance Fee	\$258.30
	Duplex Pump Maintenance Fee	\$516.60
	Triplex Pump Maintenance Fee	\$774.90

13. Council makes the following On Site Sewage Management Charge (OSSM) for the 2022-2023 year:

Type	Category	Amount
On Site Sewage Management Fee (OSSM)	Annual Charge	\$97.00

14. In accordance with Part 4 Clause 36 of the *Local Land Services Regulation 2014*, Council is authorised, empowered and required to levy the Catchment contribution rate in respect of the lands within the Singleton Local Government Area.
15. In accordance with section 566 of the *Local Government Act 1993*, that if rates and charges are unpaid at the due date, the amount shall be increased by a sum calculated at six per cent (6.0%) per annum, simple interest, calculated daily for the year commencing 1 July 2022.
16. The 2022-2023 Fees and Charges be adopted as attached to the report.
17. The expenditure for the financial year commencing 1 July 2022 as detailed in the 2022-2023 Operational Plan and that funds voted to meet expenditure be approved in accordance with clause 211 of the *Local Government (General) Regulation 2021* as attached to the report.
18. The Office of Local Government be advised of Council's adoption of the Operational Plan 2022 - 2023 within 28 days of adoption by Council.

## Report

On 19 April 2022 Council resolved at its Ordinary Meeting that, as recorded in resolution number 52/22, the draft Community Strategic Plan 2022-2032, draft Delivery Program 2022-2026, draft Resourcing Strategy, along with the draft Operational Plan 2022-2023 be

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

exhibited for public comment in accordance with the requirement of the *Local Government Act 1993 (the Act)*.

The documents were exhibited with modifications as identified by Councillors with further modifications to be made during the exhibition period. These modifications are now all complete. Council further resolved that a report would be presented to Council in June 2022 for the adoption of the draft Community Strategic Plan 2022-2032, the draft Delivery Program 2022-2026 and Operational Plan 2022-2023 and budget, and draft Resourcing Strategy with consideration of submissions received during the required exhibition period.

Prior to public exhibition, Council undertook an extensive seven (7) month engagement process with the Singleton community. This included face-to-face engagements, workshops, social media and online consultation and feedback. The engagement resulted in Council gathering feedback from more than 2000 people from our local community.

The draft Singleton Community Strategic Plan 2022-2032 provides a solid framework for clear connectivity and alignment between the desires of our community and the prioritisation of Council activities, outputs, and programming.

The draft Resourcing Strategy (which includes the Long-Term Financial Plan, Asset Management Strategy and Plans and Workforce Plan) details Council's plan to ensure adequate resources are available to deliver the services and initiatives in line with the draft Delivery Program and draft Community Strategic Plan.

The draft combined Delivery Program 2022-2026 and Operational Plan 2022-2023 has been prepared to define the priority deliverables to achieve the community's needs and desires over the coming four years and for the term of this elected Council and the annual actions that will be delivered during the first year.

The Operational Plan must be adopted by 30 June each year, after being publicly exhibited for at least 28 days and following consideration of any submissions received.

The 2022-2023 Operational Plan identifies the specific actions to be completed in the new financial year under each of the five Delivery Program pillars outlined in the Community Strategic Plan. It also contains Council's Statement of Revenue Policy which details the rates, fees and charges that will apply during the new financial year.

Council received 10 submissions on the draft documents during the public exhibition period. Details of the submissions received are provided later in this report.

Subsequent to the Operational Plan being placed on Public Exhibition some minor amendments to the plan have been instigated by Council staff. These have been prompted by updated knowledge on the progress of projects along with Office of Local Government Circulars.

The following documents shown under separate cover (**Attachments 1-6**) are now provided for adoption by Council:

- Draft Community Strategic Plan 2022-2032 (**Attachment 1**)
- Draft Delivery Program 2022-2026 and Operational Plan 2022-2023 (**Attachment 2**)

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

- Draft Resourcing Strategy including:
  - Draft Long-Term Financial Plan 2022-2032 (**Attachment 3**)
  - Draft Workforce Plan/Our People Strategy 2022-2026 (**Attachment 4**)
  - Draft Asset Management Strategy 2022-2032 (**Attachment 5**)
- Draft Fees & Charges Schedule 2022-2023 (**Attachment 6**).

**Community Strategic Plan**

This report is for the adoption by Council of the draft Community Strategic Plan 2022-2032 and raises no issues for the current Community Strategic Plan, Delivery Plan and Operational Plan.

**Council Policy/Legislation**

The process of preparing the Community Strategic Plan 2022-2032 was carried out in accordance with section 402 of the *Local Government Act 1993*.

The process of preparing the Resourcing Strategy including the Long-Term Financial Plan 2022-2032, Workforce Plan/Our People Strategy 2022-2026, and Asset Management Strategy 2022-2032 has been carried out in accordance with section 403 of the *Local Government Act 1993*.

The process of preparing the Delivery Program 2022-2026 was carried out in accordance with section 404 of the *Local Government Act 1993*.

The process of preparing the 2022-2023 Operational Plan was carried out in accordance with section 405 of the *Local Government Act 1993*.

Section 535 of the *Local Government Act 1993* requires Council to 'make' (adopt) its rates and charges each year.

Clause 211 of the *Local Government (General) Regulation 2005* requires Council to vote the funds necessary to meet the expenditure included in the Operational Plan for 2022 – 2032.

Council has complied with all requirements specified under the relevant legislation.

**Financial Implications**

The 2022-2023 Operational Plan provides details on what Council plans to achieve during the coming financial year to progress the community's long-term objectives. The Operational Plan details how Council's planned activities will be achieved through the allocation of available resources and funding. It is supported by information contained in the four-year Delivery Program and the Resourcing Strategy which incorporates Council's Long-Term Financial, Asset Management and Workforce Plans.

On 6 April 2022, the Office of Local Government (OLG) released Council Circular "22-07 Guidelines for Additional Special Variation (ASV) process for 2022-2023".

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

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 2022-2023 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 2021-2022 LTFP) for 2022-2023. The estimated impact across the next 10 years is \$3.4 million in lost rates revenue.

The Independent Pricing and Regulatory Tribunal (IPART) has since advised that it will accept and process an additional round of 2022-2023 ASV applications from councils via Council Circular 22-07.

The one off 2022-2023 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 adopted 2021-2022 LTFP (2.0 percent for Singleton) for the 2022-2023 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 2023-2024. Council's application is for the increase to be permanent.

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 2021-2022 LTFP as and when they fall due in 2022-2023 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 basis
- Council's 2021-2022 IP&R documentation budgeted for an income increase above the percentage specified for the council for 2022-2023 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 2022-2023 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:

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

- IPART will accept applications until 29 April 2022 (Council 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.

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 the General Fund.

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

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

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

Council resolved at its meeting of 17 May 2022, to apply for the ASV to increase the IPART's previously published 0.7 percent increase for Singleton Council to 2 percent as per Council's approved LTFP.

The Operational Plan, Budget and LTFP have been adjusted since the exhibition period to include an increase of approximately \$200,000 in expected revenue from fees & charges, an increase of approximately \$550,000 in expected revenue from interest on investments, and approximately \$170,000 due to an increase in the Emergency Services Levy and an increase in employee costs of approximately \$700,000. Employee costs have increased to reflect unbudgeted costs already being incurred through contract labour hire to ensure the provision of services and support for the Service Improvement Project within the Planning & Development function of Council.

The LTFP has also been updated to reflect the changes identified in the 2021-2022 revised budget following the adoption of the March Quarterly Budget Review.

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Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*Fees and Charges*

Council's Operational Plan provides a full list of Council's proposed Fees and Charges for the 2022-2023 Financial Year.

While the draft fees and charges were on public display, Council staff have also reviewed and advised of the following fee adjustments to be made to the 2022-2023 Fees and Charges Schedule.

- Introduced a new fee within the Children Services area – *Failure to notify absence – per occasion* - \$20.50
- Updated wording within Lake St Clair – Camping Fees, to change the requirement for a 3-night minimum stay to a 2-night minimum stay for peak periods other than between 25 December to 1 January and public holiday periods which will stay as 3 nights minimum
- Introduced a new fee within the section for On-site Sewage Management and Regulation for *Approval to Operate* - \$125.00 to make this consistent with the Septic Tank Application section
- Introduced a new fee within the Environmental & Public Health Approvals, Inspections and Re-Inspections section for *Beauty Salons* - \$328.00 which is consistent with the fee for other like establishments
- Introduced a new fee within the Fire Safety Certificates and Annual Fire Safety Statements section for *Fire Safety Inspections* - \$328.00
- Introduced a new fee within the Singleton Art & Culture Centre – Community Venue Hire section for *Workshop Room Hire – per hour* - \$25.00
- Adjusted references within the Singleton Art & Cultural Centre fees that have commission payable from 40% down to 30%
- Updated Companion Animal Fees as per Office of Local Government Circular 22-16 – Increases to Companion Animal Fees for 2022/23
- Introduced a new Fee for Service – Library & Youth Venue Meeting Room Hire – Outside of normal working hours

**Consultation/Social Implications**

The public exhibition of the draft Community Strategic Plan 2022-2032, draft Delivery Program 2022-2026, draft Resourcing Strategy, along with the draft 2022-2023 Operational Plan concluded on 18 May 2022. The draft documents were placed on public exhibition for no less than 28 days and were available for viewing at the Council Administration Centre, Singleton Library, Visitor Information Centre, Youth Venue with copies also provided to Ungooroo Corporation and Wanaruah Aboriginal Land Council and online at [www.singleton.nsw.gov.au](http://www.singleton.nsw.gov.au).

Notice of exhibition was provided in the Hunter River Times, The Argus and Councils website. The community was also advised of the exhibition period by regular social media broadcasts, media releases and radio segments.

At the close of the exhibition period on 18 May 2022, ten (10) formal submissions had been received from the public. The ten submissions were:



*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22*

- One (1) submission – Feedback on Community Strategic Plan, Delivery Program, Workforce Management Plan
- One (1) submission – Community Strategic Plan
- Eight (8) submissions – Fees & Charges
  - Six (6) - Rates – five (5) objections & one (1) support
  - Two (2) - Arts & Culture Centre

These submissions together with a summary of issues raised are attached under separate cover at **Attachment 7**.

No issues were raised that would require the exhibited documents to be altered.

### Environmental Consideration

The draft Community Strategic Plan 2022-2032, draft Delivery Program 2022-2026 and draft Operational plan 2022-2023, and draft Resourcing Strategy 2022-2026 all address environmental matters and due consideration is given to the environment as part of Council's commitment to sustainability.

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk of non-compliance with the <i>Local Government Act, 1993</i> which may lead to reputational damage.	High	Adoption of the recommendation	Low	Yes
There is a risk that if Council does not adopt the rates and charges, it will expose itself to potential legal challenges on the validity of the rates and charges which may lead to financial loss.	High	Adoption of the recommendation	Low	Yes
There is a risk of community dissatisfaction due to a lack of understanding of Councils Plans for the proceeding 12 months which may lead to reputational damage.	Medium	Adoption of the Recommendation	Low	Yes
There is a risk of having unclear and inconsistent levels of service provided to the community due to the lack of appropriate	Medium	Adoption of the Recommendation	Low	Yes

## Organisation and Community Capacity Report (Items Requiring Decision) - DOCC18/22

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
plans which may lead to reputational damage.				

## Options

The following options are available to Council:

1. Adopt the draft Community Strategic Plan 2022-2032, draft combined Delivery Program 2022-2026 and Operational Plan and Budget 2022-2023 and Resourcing Strategy as they are presented.
2. Adopt the Community Strategic Plan 2022-2032, draft combined Delivery Program 2022-2026 and Operational Plan and Budget 2022-2023 and Resourcing Strategy with changes to what is presented.
3. Resolve not to adopt Community Strategic Plan 2022-2032, draft combined Delivery Program 2022-2026 and Operational Plan 2022-2023 and draft Resourcing Strategy. This is not recommended as it would breach the statutory requirements of the *Local Government Act 1993* and *Local Government (General) Regulation, 2021*.

Option one is recommended.

## Conclusions

The Community Strategic Plan 2022-2032, Delivery Program 2022-2026, Resourcing Strategy and Operational Plan 2022-2023 have been thoroughly consulted and contain a true reflection of the communities' desire for Singleton. The articulation of this vision provides Council with an excellent framework to deliver against its commitments effectively and efficiently to the community.

## Attachments

<b>AT-1</b> ➡ Draft Community Strategic Plan 2022 - 2023	Attachment Under Separate Cover
<b>AT-2</b> ➡ Draft Delivery & Operational Plan 2022 - 2026	Attachment Under Separate Cover
<b>AT-3</b> ➡ Draft Long Term Financial Plan 2022 - 2023	Attachment Under Separate Cover
<b>AT-4</b> ➡ Draft Workforce Plan / Our People Strategy 2022 - 2026	Attachment Under Separate Cover
<b>AT-5</b> ➡ Draft Asset Management Strategy 2022 - 2032	Attachment Under Separate Cover
<b>AT-6</b> ➡ Draft Fees & Charges Schedule 2022 - 2023	Attachment Under Separate Cover
<b>AT-7</b> ➡ Public Submission Summary Document	Attachment Under Separate Cover

**DOCC19/22. Singleton Legacy Fund****FILE: 22/00153****Author:** General Manager

Director Organisation and Community Capacity

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**Executive Summary**

Council at its meeting of 19 April 2021, approved the creation of the Singleton Legacy Fund and endorsed that the Mayor, Deputy Mayor and Council's Executive Leadership Team form the Governance Panel for the Singleton Legacy Fund. The purpose of this report is to provide Council with the Terms of Reference for the Governance Panel and associated Plans of Management for each of the Singleton Legacy Fund elements for approval.

**RECOMMENDED** that Council:

1. Approve the Singleton Legacy Fund Governance Panel Terms of Reference.
2. Approve the associated Plans of Management for each of the elements contributing to the Singleton Legacy Fund:
  - a. Singleton Community and Economic Development Fund
  - b. Roads Fund
  - c. Commercial Property Fund
  - d. Infrastructure Management Fund.

**Report**

Council at its meeting of 19 April 2021, approved the establishment of the Singleton Legacy Fund (SLF) **Attachment 1**. The SLF has been established to ensure the Council maintains a strong financial position for the future so that it can respond to impacts and opportunities that future generations will face as result of the evolution of our economy. It is vitally important that planning for the future is addressed now to ensure intergenerational equity.

The SLF Governance Panel Terms of Reference (**Attachment 2**) provide the strategic framework for the overall management and reporting back to Council on the SLF. The individual Plans of Management (**Attachments 3-6**) for the four elements that comprise the SLF provide detail on the purpose of each fund, its objectives and management arrangements.

**Community Strategic Plan**

This report relates to the following strategies contained in the Community Strategic Plan:

**Our Leadership**

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

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC19/22***Delivery Program/Operational Plan**

Adoption of the recommendation will meet the following outcomes of Councils' Delivery Program:

5.6.5 The elected Council are informed, engaged and attuned to community needs.

**Council Policy/Legislation**

The various components of the SLF are governed by individual Plans of Management approved by Council and reviewed bi-annually.

Reporting will be undertaken via the Integrated Planning and Reporting process and the Annual Report.

All aspects of the SLF will be managed in accordance with the requirements of the *Local Government Act 1993*.

**Financial Implications**

The SLF will help create long term financial viability for the organisation and support future efforts to drive socio-economic prosperity for the Singleton local government area.

The approach will not reduce current service levels nor annual budget allocations. Councils long term financial plan will be developed to support the intent of the SLF and continued operations of the organisation.

Initial planning has indicated that a target more than \$40m is achievable by 2025 with indicative amounts for each contributing element shown below.

Component	Target
Community and Economic Development fund (CEDF)	\$12.3m
Roads Fund (RF)	\$25.0m
Infrastructure Management Fund (IMF)	\$5.0m
Commercial Property fund (CPF)	\$2.0m

**Consultation/Social Implications**

Briefings were provided in 2021 to Council and a paper presented at the 19 April 2021 Council meeting that approved the establishment of the SLF. An additional briefing to Council was provided on 7 June 2022.

**Environmental Consideration**

Nil.

## Organisation and Community Capacity Report (Items Requiring Decision) - DOCC19/22

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that Council does not take a strategic approach to the planning and management of funding streams which may lead to financial sustainability issues for the organisation and community in the long term.	High	Adopt the recommendations	Medium	Yes
There is a risk that Council does not take a strategic approach to the planning and management of funding streams which may lead to a decreased ability to deliver socio economic programs and works in the future and therefore limiting community prosperity.	High	Adopt the recommendations	Medium	Yes
There is a risk Council continues to spend current funding streams on the creation of new assets which will lead significant increases in long term financial liabilities.	High	Adopt the recommendations	Low	Yes
There is a risk that Council reduces spending on services and works in the short term which may lead to poorer community outcomes.	Medium	Adopt the recommendations	Low	Yes
There is a risk that Council will not be seen to be taking action to address economic diversification and social development which may lead to a negative reputation impact.	Medium	Adoption the recommendation	Low	Yes
There is a risk that alternate income is not available to fund social and economic programs which may lead to an impact on Council finances.	High	Adoption the recommendation	Low	Yes

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC19/22***Options**

The following options are available to Council:

1. Approve the Singleton Legacy Fund Governance Panel Terms of Reference and the associated Plans of Management for each of the elements contributing to the Singleton Legacy Fund
2. Not approve the Singleton Legacy Fund, Governance Panel Terms of Reference and the associated Plans of Management for each of the elements contributing to the Singleton Legacy Fund

Option **One** is recommended.

**Conclusions**

The establishment of the Singleton Legacy Fund is an innovative program that will deliver beneficial outcomes for our current and future community. Strong governance of the fund and its related elements as outlined by the Terms of Reference for the Governance Panel and Plans of Management for each element is critical to the fund's longevity and success.

**Attachments**

<b>AT-1</b> ➡	Report - Council Meeting - Singleton Legacy Fund - 19 04 2021	Attachment Under Separate Cover
<b>AT-2</b> ➡	Singleton Legacy Fund Governance Panel - Terms of Reference	Attachment Under Separate Cover
<b>AT-3</b> ➡	Community Economic Development Fund - Plan of Management	Attachment Under Separate Cover
<b>AT-4</b> ➡	Road Fund - Plan of Management	Attachment Under Separate Cover
<b>AT-5</b> ➡	Commercial Property Fund - Plan of Management	Attachment Under Separate Cover
<b>AT-6</b> ➡	Infrastructure Management Fund - Plan of Management	Attachment Under Separate Cover

**DOCC20/22. Community Nominations - Singleton & District  
Disability Advisory Committee****FILE: 22/00043****Author:** Director Organisation and Community Capacity

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**Executive Summary**

The purpose of this report is to seek Council's approval of the community member nominations to the Singleton & District Disability Advisory Committee and provide an update to the Terms of Reference for endorsement.

**RECOMMENDED** that Council:

1. Endorse the updated Terms of Reference for the Singleton & District Disability Advisory Committee
2. Approve the community nominations for the Singleton & District Disability Advisory Committee:
  - Maxine Smith
  - Sandy Cruickshanks
  - Rachel Baigent
  - Meagan Parish
  - Greg Bruce
  - Amanda Lenton
  - Jenna Barwick
  - Lesleigh Adie
  - Joss Davies
  - Alexander Gallagher
  - Harry Kirkwood.

**Report**

The Singleton & District Disability Advisory Committee is a long-established Committee that facilitates communication between Council and members of the community living with, caring for or supporting people with a disability.

The Committee recently updated its Terms of Reference in April 2022 and sought nominations from the community to join the Committee. The Terms of Reference state:

The Committee will consist of:

- Committee membership will be open to people who support the above objectives, apply for membership and are accepted as members of the Committee by Council.
- The Committee will encourage wide representation of all types of disability in its membership, including intellectual and psychiatric disability.
- The composition of the Committee will be ten (10) persons, excluding the two (2) places reserved for elected representatives of Singleton Council.

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC20/22*

- 50% of the membership (five positions) will be for people with disabilities, or carers or family members of people with disabilities, and the remainder representatives of disability service providers and/or community organisation from the disability sector.

Eleven nominations have been received, four (4) nominations from people living with a disability and seven (7) from disability service providers/community organisations. The caliber of all nominations is high, and it would be difficult to discern who should not join due to the current requirement within the terms of reference to limit membership to five for each category.

To ensure that the Committee can attract a diverse range of people and allow for flexibility of numbers, a slight change to the current Terms of Reference is proposed (**Attachment 1**) to the composition of the Committee to enable all nominations to be accepted on the Committee.

The eleven community nominations represent members with a broad and complementary mix of knowledge, skills and interests and demonstrated understanding of the local community's needs and aspirations as required for this Advisory Committee. Each member would be an asset to the Committee and work of Council in understanding the needs of our community members that live with or care for people with a disability.

## **Community Strategic Plan**

### **Our Leadership**

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

## **Delivery Program/Operational Plan**

5.6.5 The elected Council are informed, engaged and attuned to community needs

## **Council Policy/Legislation**

- *Local Government Act NSW, 1993*
- *Disability Discrimination Act 1992*

## **Financial Implications**

There are no direct financial implications in approving the recommended community members to the Singleton & District Disability Advisory Committee. All approved projects or work associated will be managed in accordance with Council's annual Operational Plan and budget.

## **Consultation/Social Implications**

Expressions of Interest for Community members was advertised in the Hunter River Times, the Singleton Argus, Council's website, social media platforms and previous members were encouraged to apply.

## **Environmental Consideration**

Nil.



*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC20/22***Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resource</b>
There is a risk to Council of not engaging with the community to understand how it can adapt its services or facilities to increase inclusion for people living with or caring for a person with a disability which could lead to reputational damage.	Medium	Adopt the recommendation	Low	Yes
There is a risk to Council of providing services and programs that are not inclusive and inadvertently excluding people living with or caring for a person with a disability which may lead to reputational damage.	Medium	Adopt the recommendations	Low	Yes

**Options**

The following options are available to Council:

1. Endorse the updated Terms of Reference for the Singleton & District Disability Advisory Committee and community nominations for the Committee.
2. Not Endorse the updated Terms of Reference for the Singleton & District Disability Advisory Committee and community nominations for the Committee.

Option one is recommended.

**Conclusions**

The Singleton & District Disability Advisory Committee is a long-established committee that provides valuable insights and understanding of the daily challenges people with a disability face within our community. The community nominations represent members with a broad and complementary mix of knowledge, skills and interests and demonstrated understanding of the local community's needs and aspirations as required for this Advisory Committee.

**Attachments**

**AT-1** [↓](#) Updated Terms of Reference - Singleton & District Disability Advisory Committee

**AT-2** [↓](#) Community Nominations - Singleton & District Disability Advisory Committee

## Terms of Reference Singleton & District Disability Advisory Committee

### 1. Establishment

The Singleton & District Disability Committee was established to facilitate communication between Council and members of the community living with, caring for or supporting people with a disability.

### 2. Authority

The Committee is established to only advise or refer matters to Council for a decision. The Committee is not conferred with the authority to make decisions.

### 3. Functions and Responsibilities

This committee's functions are to:

- Advise Council on appropriate policies and procedures to ensure compliance with the provisions of the Disability Discrimination Act 1992 and the Disability Inclusion Act 2014
- Maintain contact with people with disabilities and the community of Singleton Council to ensure that the Singleton Community is aware of the needs of residents with disabilities
- Assist the Singleton Community to break down barriers and promote access to services, information and employment and promote the rights of residents with a disability
- Represent Singleton & District residents with disabilities on bodies which further the above aims and as agreed by the Committee.

### 4. Referral of Matters

- All Committee minutes will be reported to Council for information and for adoption of any recommendations.

### 5. Membership and length of term

The Committee will consist of:

- Committee membership will be open to people who support the above objectives, apply for membership and are accepted as members of the Committee by Council.
- The Committee will encourage wide representation of all types of disability in its membership, including intellectual and psychiatric disability.
- The composition of the Committee will be a minimum of ten (10) persons, excluding the two (2) places reserved for elected representatives of Singleton Council.
- 50% of the membership (five positions) will be for people with disabilities, or carers or family members of people with disabilities, and the remainder representatives of disability service providers and/or community organisation from the disability sector.
- Only one representative from an organisation will be appointed to the Committee. Approved members can appoint one proxy to attend meetings when they are not

- available. Nominated proxies when in attendance at meetings will have the same voting rights of the appointed member.
- A Council officer will provide support and advice to the Committee as required but will hold no voting rights. The appointed Council officer will work with the Committee to assist it to carry out its advisory function.
  - Membership is for two (2) years and all Committee positions are to be vacated at the conclusion of the two-year period.
  - The elected Council representatives will hold position on the committee until the next ordinary election.
  - Membership shall be reviewed by calling an expression of interest for all positions. Existing members shall be eligible to re-nominate in writing or by other methods i.e. call to a council officer. Following receipt of expressions of interest Council will assess and recommend to Council community members for the Committee.
  - Casual vacancies will be filled by the Committee as they occur
  - A position on the Committee will become vacant:
    - If a member is absent for three (3) consecutive meetings without notification to the Committee
  - The office bearers will consist of a Chairperson (one of the elected Council representatives) and Vice-Chair who will be elected by the members at the first meeting of the new committee.
  - The position of secretary will remain a function of Council staff (as it is a committee of Council)
  - Members of the community may be invited to be members of a working party of the Singleton and District Disability Advisory Committee as affiliated members.

## 6. Operation

- The Committee shall comply with Council's adopted Code of Conduct and Committees Procedure.
- The Committee will meet on the first Tuesday of every second month. Should the need arise, some meetings may be held via the use of electronic conferencing technologies, at the discretion of the Chair.
- The Chairperson of the Committee will chair all meetings. In the absence of the Chairperson, the Vice-Chair or a person from amongst the members of the Committee will chair the meeting.
- Motions arising at any meeting of the Committee will be decided by majority vote of the designated Committee members.
- Discussion of contentious issues concerning people with disabilities should not result in action being taken until and unless there is consultation with the relevant disability group.
- Whenever the voting on a motion put to a meeting of the Committee is equal, the Chair of the Committee is to have a casting vote as well as an original vote.

## 7. Quorum

- A quorum will be six (6) members including the Chairperson.
- If a quorum is not achieved, the meeting will be held over until the following meeting date.

## 8. Conduct

- All committee members must comply with the applicable provisions of Council's Code of Conduct in performing their duties and must:
  - Not engage in bullying behaviour (as defined in the Code of Conduct) towards the Chair, other Council officials or any members of the public present during Committee Meetings.
  - Disclose the nature of any pecuniary or non-pecuniary conflicts of interest to the Chair as soon as practicable in accordance with Council's Code of Conduct.
- Councillors must comply with the Interactions Between Councillors and Staff Policy at all times and only contact staff that are nominated in the Councillor/Staff Liaison Listing. Should they wish to contact a Council staff member outside of a committee meeting they may only do so via the General Manager or relevant Director.
- Members shall observe the provisions of the Local Government Act in relation to declarations of interest in business placed before the Committee. Members shall also be aware of conflicts of interest that they may have and should not vote on any matter in which their private interest conflicts with the matter under discussion. Interest declared by any member shall be recorded in the minutes of the meeting.

## 9. Meetings

- Committee meetings are to be carried out in accordance with this Terms of Reference and Council's Committees Procedure.
- Committee members are required to be fully prepared for each meeting and make every reasonable effort to attend or participate in each meeting.
- Committee meetings will be conducted with due consideration for each person with a disability and in an environment which is accessible to all members.

## 10. Observers and Visitors

- A Councillor who is not a member of a committee may attend the Committee as an observer. However, the Councillor is not entitled to give notice of business for inclusion in the agenda for the meeting, to move or second a motion (if required), or to vote at the meeting. The Councillor as a courtesy should in advance of the meeting advise the Chair by email of their intention to attend the meeting.
- The General Manager or their representative may also attend and speak at a meeting. Other Council staff may attend at the invitation of the General Manager or Director to speak on a particular agenda item. Council staff attending in this capacity cannot move or second a motion at the meeting or vote at the meeting.
- Interested persons may attend Committee meetings, but do not have voting rights.

## 11. Agendas and Minutes

- Agendas and Minutes are to be prepared and circulated in accordance with the Committees Procedure.
- All meeting records are to be recorded in the appropriate electronic document container.
- Minutes will be reported to Council for adoption or for information.

Singleton & District Disability Advisory Committee  
Terms of Reference  
Revision 4: June 2022

DRAFT



## 12. Evaluation and Review

- This Committee shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.
- The Chair of the Committee will initiate a review of the performance of the Committee at the end of every term of Council. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from the relevant Director and any other relevant stakeholders, as determined by the Chair.

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<b>Name</b>	<b>Membership Type</b>	<b>Organisation</b>
Maxine Smith	Disability Service Provider	Quality Care
Sandy Cruickshanks	Person with a disability	
Rachel Baigent	Disability Service Provider	Witmore Enterprises
Meagan Parish	Disability Service Provider	Singleton High Special Education
Greg Bruce	Disability service provider Person with a disability	Uniting in Partnership with NDIS
Amanda Lenton	Disability service provider	Belgravia Leisure
Jenna Barwick	Community Organisation	Singleton PCYC
Lesleigh Adie	Disability Service Provider	Ourcare Services Ltd
Joss Davies	Person with a Disability	(HSC Student (Yr 12)
Alexander Gallagher	Disability Service Provider	Witmore Enterprises
Harry Kirkwood	Person with a Disability	

**DOCC21/22. Singleton Aboriginal Reconciliation Committee****FILE:** 21/00507**Author:** Director Organisation and Community Capacity

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**Executive Summary**

The Singleton Aboriginal Reconciliation Committee held its meeting on 3 May 2022 and the minutes are shown as **Attachment 1** for Council's information. The Aboriginal Reconciliation Committee also reviewed its Terms of Reference, and this is provided for Council's approval.

**RECOMMENDED** that Council:

1. Note the minutes of the Singleton Aboriginal Reconciliation Committee meeting held 3 May 2022.
2. Endorse the updated Terms of Reference for the Singleton Aboriginal Reconciliation Committee.

**Report**

The Singleton Aboriginal Reconciliation Committee is a long-established committee that has been formed to provide advice to Council and encourage, facilitate and support the development of reconciliation initiatives for the Aboriginal Community in the Singleton Local Government Area.

In 2019 a review of the Terms of Reference for then *Singleton Aboriginal Advisory Group* was completed. The review resulted in changes to the Terms of Reference, including a change in title to the *Singleton Aboriginal Reconciliation Committee*.

In accordance with the Council Committee procedure and this Committee's Terms of Reference, the Committee '*shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.*

At its meeting on 3 May 2022, the Singleton Aboriginal Reconciliation Committee completed a detailed review of its Terms of Reference, with the document updated extensively. To assist Council a copy of the current document showing the proposed changes made is provided as **Attachment 2**, while **Attachment 3** is a clean copy without the marked-up changes for ease of reading.

Key changes to the Terms of Reference include:

- Authority of the committee, which includes the opportunity for Aboriginal members to attend Council meetings where issues are referred to Council from the Committee so they can provide a cultural perspective during the public forum where relevant.
- Updated functions to engender improved understanding
- Use of more inclusive language throughout
- Change to voting rights.
- Establishment of a co-chair and alternate co-chair

## Community Strategic Plan

### Our Leadership

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

### Delivery Program/Operational Plan

5.6.5 The elected Council are informed, engaged and attuned to community needs

### Council Policy/Legislation

*Local Government Act NSW, 1993*

### Financial Implications

There are no financial implications for Council as a result of proposed changes to the Singleton Aboriginal Reconciliation Committee Terms of Reference.

### Consultation/Social Implications

The current Terms of Reference were circulated to all Committee Members in preparation of the meeting and extensive feedback was provided in the meeting on. The draft updated Terms of Reference were circulated to all committee members following the meeting, with additional feedback incorporated in the draft document provided to Council.

### Environmental Consideration

Nil.

### Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resource
There is a risk that Council will not engage with the community to understand cultural implications across a range of work that Council undertakes, which may lead to reputational damage.	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will provide services and programs that do not consider cultural impact which	Medium	Adopt the recommendations	Low	Yes



*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC21/22*

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resource</b>
may lead to reputational damage.				

**Options**

The following options are available to Council:

1. Note the minutes of the Singleton Aboriginal Reconciliation Committee held on 3 May 2022 and endorse the updated Terms of Reference for the Singleton Aboriginal Reconciliation Committee.
2. Note the minutes of the Aboriginal Reconciliation Committee held on 3 May 2022 and not endorse the updated Terms of Reference for the Singleton Aboriginal Reconciliation Committee.

Option one is recommended.

**Conclusions**

The Singleton Aboriginal Reconciliation Committee is a long-established committee that provides valuable insights and understanding of Aboriginal Culture. The Committee is engaged and wishing to work productively with Council for the betterment of the Singleton Community. The updated Terms of Reference provides the framework to support closer collaboration with Council.

**Attachments**

**AT-1** [↓](#) SARC\_03052022\_MIN

**AT-2** [↓](#) Aboriginal Reconciliation Committee Draft Terms of Reference  
- marked up copy

**AT-3** [↓](#) Aboriginal Reconciliation Draft Terms of Reference -  
unmarked copy

**MINUTES  
SINGLETON ABORIGINAL RECONCILIATION COMMITTEE  
10:00AM TUESDAY 3 MAY 2022**



<b>Present</b>	Cr Belinda Charlton (Councillor, Singleton Council) Jade Perry (Community Representative) Jean Hands (Land Council and Community Representative) Sgt Joshua Pomeroy (School of Infantry Representative) Malcolm Franks (Community Representative) Raylene Price (Opportunity Hub Representative) (v) Renee MacDonald (Community & AECG Representative) (v) Sky Hands (HNR Health Representative) Vicki Brereton (Director Organisation & Community Capacity – Singleton Council) Cr Val Scott (Councillor Singleton Council)
<b>In Attendance</b>	Cheryl Smith, Executive Assistant
<b>Meeting Location</b>	Committee Room

### 1 Welcome and Apologies

- Welcome – The Chair welcome Sgt Joshua Pomeroy to his first meeting of the Committee.
- Acknowledgement of Country by Chair – Malcolm Franks
- Apologies – Laurie Perry, Cpl Joshua Conaty

### 2 Disclosure of Interests

Cr Charlton – Continuing Disclosure of Interest as she is currently undertaking studies at the University on social justice law reform including Aboriginal Cultural Burning Practice, self-determining processes with legal protection, empowerment of Aboriginal women's voices, culturally safe consultation processes and intellectual property protection. The thesis is titled: Aboriginal land management and the notion of custodianship: Identifying contemporary legal and land management failures to mitigate increasing natural hazards, climate change and cultural disconnection.

### 3 Confirmation of Minutes

The Singleton Aboriginal Reconciliation Committee held its ordinary meetings on 5 October 2021 and 19 April 2022.

Due to a weather event and predicted road closures the Singleton Aboriginal Reconciliation Committee Meeting scheduled for 8th March was postponed to 19 April 2022.

As the rescheduled committee meeting of 19 April 2022 did not reach a quorum the minutes of 5 October 2021 were not moved and seconded by the members in attendance at the time.

The minutes of the Singleton Aboriginal Reconciliation Committee meeting held on 5

**MINUTES  
SINGLETON ABORIGINAL RECONCILIATION COMMITTEE  
10:00AM TUESDAY 3 MAY 2022**



October, 2021 were confirmed.

(**Moved:** Cr Scott **Seconded:** Sky Hands)  
**CARRIED.**

Notes of Singleton Aboriginal Reconciliation Committee Meeting held on 19 April 2022.

**NOTED.**

**4 Matters arising from the Minutes**

- Cr Jarrett was going to reach out to Ungooroo for representation on the Committee. Vicki Brereton advised that there will be contact made with other groups inviting representation on the Committee..

**5 Agenda Items**

**5.1 Election of Chairperson**

Vicki Brereton acted as Returning Officer for the election of the Chairperson.

One nomination was received for the position of Chairperson from Cr Belinda Charlton. As no other nominations were received Cr Charlton was elected Chair of the Singleton Aboriginal reconciliation Committee for the remainder of this term of Council. Following the Council Bi-election expected in July, 2022, the Councillor delegates to Committees will be reviewed and the position of Chair of Council Committees will be reviewed, noting that Councillors in this term voted to have the term of Council Committee membership extended through to the local government elections in 2024.

Cr Charlton gave an overview of the Election Process and the failure of the ivote system and the impact on Councils for the Committee's information.

Aunty Jean welcomed Cr Charlton to the role of the Chairperson of the Singleton Aboriginal Reconciliation Committee and thanked Cr Scott for the work over the years.

**5.2 Review of Aboriginal Reconciliation Committee  
Terms of Reference**

**FILE:21/00507**

The purpose of this report was to inform the Singleton Aboriginal Reconciliation Committee that the current Terms of Reference for the Committee are due for review and updating.

The Chair worked through the draft Terms of Reference and it was agreed that a copy would be circulated to the Committee for review and comment.

MINUTES  
SINGLETON ABORIGINAL RECONCILIATION COMMITTEE  
10:00AM TUESDAY 3 MAY 2022



## 6 Other Business

### 6.1 Nominations for Co-Chair

**Moved** Malcom Franks **Seconded** Cr Scott that Aunty Jean Hands be nominated as the Co-Chair of the Committee. Aunty Jean accepted the nomination and a vote of the Aboriginal members present was conducted resulting in an unanimous decision. The Chair declared Aunty Jean as the Co-Chair of the meeting.

Note: It is the intention of the Councillor Chair to continue to facilitate the operation of a Co-Chair following the confirmation by Council of the new proposed Terms of Reference.

### 6.2 Nominations for alternate Co-Chair

**Moved** Aunty Jean **Seconded** Sky Hands that Jade Perry be nominated as the alternate Co-Chair of the Committee. Jade accepted the nomination and a vote of the Aboriginal members present was conducted resulting in an unanimous decision. The Chair declared Jade Perry as the alternate Co-Chair of the meeting.

### 6.3 Cultural Spectacular

Aunty Jean expressed her dismay of the community's disappointment that the Cultural Spectacular is being held on the same date as Firelight Festival.

Vicki gave an overview of the rescheduling of the events and the grant funding opportunity and the requirements of the grant and stressed that Council is promoting both events via the Visitor Information Centre's "*What's on*" process. The Key message is that this is a great weekend in Singleton and an opportunity to promote cultural awareness.

### 6.4 Funding for NAIDOC

Vicki advised that an update will be provided to the next meeting.

### 6.5 NAIDOC Flag Raising event – 6/7/22

Jade requested an update of Council's plans to celebrate NAIDOC Flag Raising event which was previously organised by David Baker.

## 7 Next Meeting

- 5 July 2022 at 10am.

The meeting closed at 12.15pm.

**MINUTES  
SINGLETON ABORIGINAL RECONCILIATION COMMITTEE  
10:00AM TUESDAY 3 MAY 2022**

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**Belinda Charlton**  
Chair

Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]

**DRAFT**



## Terms of Reference (DRAFT) Singleton Aboriginal Reconciliation Committee

### 1. Establishment

The Committee was established to provide advice to Council in order to encourage, facilitate ~~and support~~ the development of [Reconciliation initiatives for](#) -the Aboriginal Community in the Singleton Local Government Area.

### 2. Authority

~~This Committee has been established in accordance with Section 355 of the Local Government Act, 1993.~~

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The Singleton Aboriginal Reconciliation Committee meet as an Advisory Committee of Council and any recommendations of the Committee ~~are be~~ forwarded to Council for consideration. ~~As part of this committee I two~~ ~~a~~Aboriginal representatives (from a ~~cultural safety~~ ~~culture~~-perspective) ~~will be~~ invited to attend ~~Council the~~ meetings when the minutes ~~of the Aboriginal Reconciliation Committee are being reported to Council.~~ The attendance of the ~~two committee members is to provide the opportunity~~ to address Council from a cultural perspective on any matters contained within the minutes and to clarify any meanings contained within the minutes ~~and to~~ assist Council by answering any questions which may arise.

### 3. Functions and Responsibilities

This committee's functions are to:

- ~~• Contribute to the development of a cooperative vision for the Local Government Area;~~
- ~~• Demonstrate leadership to emphasise the social and economic value of the Aboriginal Community in the Local Government Area;~~
- Provide a forum for ideas and discussions on a wide range of issues, especially those affecting the Aboriginal Community;
- Foster strategic partnership for community development; ~~Share~~
- Contribute to the development of strategic policies and plans
- Foster a greater understanding of Aboriginal perspectives within the wider community and Council
- To provide an Aboriginal voice to Council and the wider community.
- ~~The community~~ Provide ~~and~~ Aboriginal conduit between Council and the wider community for the betterment of Aboriginal people.
- Oversight and regular review the Singleton Aboriginal ~~Reconciliation~~ Committee Action Plan ~~be regularly reviewed.~~

### 4. Referral of Matters

Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]

DRAFT



- All Committee minutes will be reported to Council for information and for adoption of any recommendations. Two members of the Singleton Aboriginal Reconciliation Committee will be invited to attend the Council Meeting where these minutes are being reported.

#### 5. Membership and length of term

Membership of the Singleton Aboriginal Reconciliation Committee shall comprise of: ~~a~~  
~~maximum of;~~

- Two Councillors of Singleton Council
- Up to ten individual and stakeholder representatives (Aboriginal Health, Land Council, Wonnarua Nation, Opportunity Hub, local AECG School, Hunter New England Health). Members who attend on behalf of an organisation also attend as a community member in their own right, and for the purposes of the minutes they must declare if they are speaking on behalf of the organisation they represent.
- Up to two members from the ~~associate memberships~~ School of Infantry
- Up to two Council Officers.

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Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]

**DRAFT**



The Members of the Committee shall:

- Be a recognised Aboriginal member of the Singleton ~~and or~~ Wananuah/Wonnarua community;
- ~~Or work for an Aboriginal Community organisation servicing the Singleton LGA;~~
- ~~Or work in an Aboriginal liaison role;~~
- ~~Have particular skill sets that will enhance or support the Aboriginal community of Singleton Council~~
- ~~Be available to attend 75% of standard meetings (this does not include any working parties that may be established)~~
- Include two of the elected representatives of Singleton Council
- ~~Include up to two One representatives of the Singleton School of Infantry~~
- ~~Include a Council Officer who will provide support and advice to the Reconciliation Committee as required but will hold no voting rights.~~
- ~~The appointed Council officer shall work with the Reconciliation Committee to assist it to carry out its advisory function and report directly to their manager.~~

Selection of Committee members will be through submission of an expression of interest to the General Manager.

Councillor representatives are elected by resolution of the elected Council at a Council meeting during the term of tenure.

#### **6. Attendance:**

- ~~Members must attend the majority of meeting.~~
- ~~A Committee member will be contacted by the Chairperson to conform their ongoing participation if they miss and those who do not attend three (3) consecutive meetings of the committee without an apology, will be provided with a letter.~~

~~Selection of Committee members will be through submission of an expression of interest to the General Manager and is to be based on the following considerations:~~

~~Members will need to be:~~

- ~~Active and acknowledged members of the Aboriginal Community;~~
- ~~Willing to work with a diverse range of people and work towards the development of common goals;~~
- ~~Residents of the region;~~
- ~~Nominated by the relevant groups.~~
- ~~Applicant has ability to contribute to the development of a cooperative vision for the Local Government Area.~~
- ~~Applicant demonstrates leadership to emphasise the social and economic value of the Singleton Local Community in the Local Government Area.~~
- ~~Applicant has the ability to provide ideas and discussions on a wide range of issues, especially those affecting the Aboriginal Community.~~
- ~~Applicant has ability to contribute to foster strategic partnership for community~~

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Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]

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~~development.~~

- ~~Applicant has ability to contribute to foster strategic partnership for community development.~~
- ~~Applicant has ability to contribute to the development of strategic policies and plans.~~
- ~~Applicant has ability to communicate with the broader Aboriginal Community.~~

The Committee members will serve for the following term:

- ~~The life of the Reconciliation Committee~~ membership term is four (4) years, will be for the term of Council four years with an option to renominate at the end of the four-year period.
- ~~Following Council general elections committee membership shall be reviewed and new nominations called for all positions.~~
- Existing members shall be eligible to renominate in writing. Following receipt of nominations Council will appoint the new Reconciliation Committee.
- Councillors will be elected ~~annually~~, consistent with other Council committees.
- From time to time there may be a need to fill a casual vacancy during the term of the Reconciliation Committee.

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~~Termination of Membership~~

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Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]



- ~~Membership of the Committee will be recommended to be terminated after a member's absence from three consecutive meetings without apologies;~~
- ~~Members will be expected to attend a minimum of 75% of Ordinary meetings during each calendar year.~~
- ~~A member can terminate their own membership if their circumstances change or they feel they can no longer contribute to committees.~~

#### Disorder in Committee Meeting Conduct:

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- ~~All members of the Committee agree to abide to the~~ The provisions of All members of the Aboriginal Reconciliation Committee agree to abide by the Council's Code of Conduct. All members of the Aboriginal Reconciliation Committee agree to abide my Council's -and Meeting Procedure, and where any inconsistencies exist between the Meeting Procedure and these Terms of Reference, the Terms of Reference will prevail. relating to the maintenance of order in Council meetings shall apply to meetings of the committee. ~~A copy of the Code of Conduct will be circulate to all Committee Members.~~

#### Election of Chairperson and Officers

- One Councillor is to be elected as Chairperson, to preside at each meeting, with the other Councillor to act as the delegated alternative in the case of the Chairperson's absence.
- ~~An The Committee will appoint an Aboriginal Co-Chair- and alternative Aboriginal Co-Chair will be appointed. For relevant meeting items.~~
- ~~The Council Officer will undertake the duties of Minutes Secretary. The Committee however, may from time to time co-opt a Minutes Secretary who is not necessarily a member of the committee to document the minutes.~~

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#### 6.7. Operation

- The Committee shall comply with Council's adopted Code of Conduct and Committees Procedure. ~~A copy of the Code of Conduct and Meeting Procedure will be provided to all Committee Members~~
- ~~The Committee will meet at least quarterly by monthly and electronic conferencing will be available. Should the need arise, some meetings may be held via the use of electronic conferencing technologies, at the discretion of the Chair.~~
- ~~The Council will provide secretariat support to the Committee. Officer will undertake the duties of Minutes Secretary. The Committee however, may from time to time co-opt a Minutes Secretary who is not necessarily a member of the committee to document the minutes~~

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#### **Voting:**

- All decisions and recommendations shall be determined, preferably by consensus majority vote of ~~Aboriginal~~ voting members ~~only~~ present ~~at the meeting.~~
- Whenever the voting on a motion put to a meeting of the Committee is equal, the ~~Councillor~~ Chair of the Committee is to have ~~thea~~ casting vote.

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Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]

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COUNCIL

#### **7-8. Quorum**

— A quorum at any meeting of the Committee shall comprise 50% of Aboriginal members (45 members plus the Chairperson and Co-Chairperson), plus one of the nominated members. If a quorum is not reached the meeting will be disbanded.

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• ~~A quorum will consist of a majority of current voting members.~~

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• If a quorum is not achieved, the meeting will be held over until the following meeting date.

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#### **8-9. Conduct**

Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]



- All committee members must comply with the applicable provisions of Council's Code of Conduct in performing their duties ~~and must:~~
  - ~~• Not engage in bullying behaviour (as defined in the Code of Conduct) towards the Chair, other Council officials or any members of the public present during Committee Meetings.~~
  - ~~• Not engage in conduct that disrupts Committee Meetings, or that would otherwise be inconsistent with the orderly conduct of meetings.~~
  - ~~• Disclose the nature of any pecuniary or non-pecuniary conflicts of interest to the Chair as soon as practicable in accordance with Council's Code of Conduct.~~
- Councillors must comply with the Interactions between Councillors and Staff Policy at all times ~~and only contact staff that are nominated in the Councillor/Staff Liaison Listing. Should they wish to contact a Council staff member outside of a committee meeting they may only do so via the General Manager or relevant Director.~~
- It is important for committee members to recognise that meetings are not a suitable forum for making action requests of Council staff. All requests outside of a Committee's Terms of Reference must be made via the appropriate channels i.e. Customer Request.

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#### 9-10. Meetings

- Committee meetings are to be carried out in accordance with this Terms of Reference and Council's Committees Procedure.
- Committee members are required to be fully prepared for each meeting and make every reasonable effort to attend or participate in each meeting.
- Committee meetings will be conducted with due consideration for each person with a disability and in an environment which is accessible to all members.
- Meetings of the committee shall be held bi-monthly, on the first Tuesday of every second month ~~for a period of 1 ½ hours commencing at 10am.~~
- At least seven (7) days' notice shall be given to members of the agenda, however the Chair shall have the right to call a Special meeting at any time he/she deems fit provided a period of seven (7) days' notice has been given stipulating the proposed change. Decisions made at the Special Meeting will have the full status of decisions made at any ordinary meeting, providing all conditions of an ordinary meeting, have been complied with;
- ~~Member of the Committee undertake responsibility for communicating discussions and decisions to the broader community.~~
- ~~Once a committee resolution is adopted by Council it can be communicated by the General Manager~~

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#### 10-11. Observers and Visitors

- A Councillor who is not a member of a Committee may attend the Committee as an observer. However, the Councillor is not entitled to give notice of business for inclusion in the agenda for the meeting, to move or second a motion (if required), or to vote at the meeting. The Councillor as a courtesy should in advance of the meeting advise the Chair by email of their intention to attend the meeting.

Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 002: [30 August 2019]

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- The General Manager or their representative may also attend and speak at a meeting. Other Council staff may attend at the invitation of the General Manager or Director to speak on a particular agenda item. Council staff attending in this capacity cannot move or second a motion at the meeting, or vote at the meeting.

#### **14.12. Agendas and Minutes**

- Agendas and Minutes are to be prepared and circulated in accordance with the Committees Procedure.
- All meeting records are to be recorded ~~on the relevant CM9 container in the~~ Council's electronic management system.
- Minutes will be reported to Council for adoption or for information.

#### **12.13. Evaluation and Review**

- This Committee shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.
- The Chair of the Committee will initiate a review of the performance of the Committee at the end of every term of Council. ~~The review will be conducted on a self assessment basis (unless otherwise determined by the Chair), with appropriate input from the relevant Director and any other relevant stakeholders, as determined by the Chair.~~

## **Terms of Reference**

### **Singleton Aboriginal Reconciliation Committee**

#### **1. Establishment**

The Committee was established to provide advice to Council to encourage, facilitate and support the development of Reconciliation initiatives for the Aboriginal Community in the Singleton Local Government Area.

#### **2. Authority**

The Singleton Aboriginal Reconciliation Committee meet as an Advisory Committee of Council and any recommendations of the Committee are forwarded to Council for consideration. Two Aboriginal representatives (from a cultural safety perspective) will be invited to attend Council meetings when the minutes of the Aboriginal Reconciliation Committee are being reported to Council.

The attendance of the two committee members is to provide the opportunity to address Council from a cultural perspective on any matters contained within the minutes and to clarify any meanings contained within the minutes and assist Council by answering any questions which may arise.

#### **3. Functions and Responsibilities**

This committee's functions are to:

- Provide a forum for ideas and discussions on a wide range of issues, especially those affecting the Aboriginal Community.
- Foster strategic partnership for community development.
- Contribute to the development of strategic policies and plans.
- Foster a greater understanding of Aboriginal perspectives within the wider community and Council.
- To provide an Aboriginal voice to Council and the wider community.
- Provide an Aboriginal conduit between Council and the wider community for the betterment of Aboriginal people.
- Oversight and regular review the Singleton Aboriginal Reconciliation Committee Action Plan.

#### **4. Referral of Matters**

- All Committee minutes will be reported to Council for information and for adoption of any recommendations.
- Two members of the Singleton Aboriginal Reconciliation Committee will be invited to attend the Council Meeting where these minutes are being reported.

Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 03: June 2022



## 5. Membership

Membership of the Singleton Aboriginal Reconciliation Committee shall comprise of:

- Two Councillors of Singleton Council.
- Up to ten individual and stakeholder representatives (i.e. Aboriginal Health, Land Council, Wonnarua Nation, Opportunity Hub, local AECG School, Hunter New England Health). Members who attend on behalf of an organisation also attend as a community member, and for the purposes of the minutes they must declare if they are speaking on behalf of the organisation they represent or as a community member.
- Up to two members from the School of Infantry.

The Members of the Committee shall:

- Be a recognised Aboriginal member of the Singleton and or Wanaruah, Wonnarua community
- Work for an Aboriginal Community organisation servicing the Singleton LGA
- Include two of the elected representatives of Singleton Council
- Include up to two representatives of the Singleton School of Infantry

Selection of Committee members will be through submission of an expression of interest to the General Manager.

Councillor representatives are elected by resolution of the elected Council at a Council meeting during the term of tenure.

## 6. Attendance and Term:

- Members must attend the majority of meetings
- A Committee member will be contacted by the Chairperson to confirm their ongoing participation if they miss three (3) consecutive meetings of the committee without an apology.
- Committee membership term is four (4) years, with an option to renominate at the end of the four-year period.
- Existing members shall be eligible to renominate in writing. Following receipt of nominations Council will appoint the new Reconciliation Committee.
- Councillors will be elected consistent with other Council committees.
- From time to time there may be a need to fill a casual vacancy during the term of the Aboriginal Reconciliation Committee.
- All members of the Aboriginal Reconciliation Committee agree to abide by Council's Code of Conduct.
- All members of the Aboriginal Reconciliation Committee agree to abide by Council's Committees Procedure, and where any inconsistencies exist between the Committees Procedure and these Terms of Reference, the Terms of Reference will prevail.

### **Election of Chairperson and Officers**

- One Councillor is to be elected as Chairperson, to preside at each meeting, with the other Councillor to act as the delegated alternative in the case of the Chairperson's absence.
- An Aboriginal Co-Chair and alternative Aboriginal Co-Chair will be appointed.

### **7. Operation**

- The Committee shall comply with Council's adopted Code of Conduct and Committees Procedure (a copy of the Code of Conduct and Meeting Procedure will be provided to all Committee Members)
- The Committee will meet bi-monthly and electronic conferencing will be available.
- Council will provide secretariat support to the Committee.

### **8. Voting**

- All decisions and recommendations shall be determined by majority vote of Aboriginal voting members present at the meeting.
- Whenever the voting on a motion put to a meeting of the Committee is equal, the Councillor Chair of the Committee is to have the casting vote.

### **9. Quorum**

- A quorum at any meeting of the Committee shall comprise 50% of Aboriginal members (4 members plus the Chairperson and Co-Chairperson)
- If a quorum is not achieved, the meeting will be held over until the following meeting date.

### **10. Conduct**

- All committee members must comply with the applicable provisions of Council's Code of Conduct in performing their duties.
- Councillors must comply with the Interactions between Councillors and Staff Policy at all times.
- It is important for committee members to recognise that meetings are not a suitable forum for making action requests of Council staff. All requests outside of a Committee's Terms of Reference must be made via the appropriate channels i.e., Customer Request.

### **11. Meetings**

- Committee meetings are to be carried out in accordance with this Terms of Reference and Council's Committees Procedure.
- Committee members are required to be fully prepared for each meeting and make every reasonable effort to attend or participate in each meeting.
- Committee meetings will be conducted with due consideration for each person with a disability and in an environment which is accessible to all members.



Singleton Aboriginal Reconciliation Committee  
Terms of Reference  
Revision: 03: June 2022



- Meetings of the committee shall be held bi-monthly, on the first Tuesday of every second month for a period of 1 ½ hours commencing at 10am.
- At least seven (7) days' notice shall be given to members of the agenda, however the Chair shall have the right to call a Special meeting at any time he/she deems fit provided a period of seven (7) days' notice has been given stipulating the proposed change. Decisions made at the Special Meeting will have the full status of decisions made at any ordinary meeting, providing all conditions of an ordinary meeting, have been complied with.
- Members of the Committee undertake responsibility for communicating discussions and decisions to the broader community.

#### **12. Observers and Visitors**

- A Councillor who is not a member of a Committee may attend the Committee as an observer. However, the Councillor is not entitled to give notice of business for inclusion in the agenda for the meeting, to move or second a motion (if required), or to vote at the meeting. The Councillor as a courtesy should in advance of the meeting advise the Chair by email of their intention to attend the meeting.
- The General Manager or their representative may also attend and speak at a meeting. Other Council staff may attend at the invitation of the General Manager or Director to speak on a particular agenda item. Council staff attending in this capacity cannot move or second a motion at the meeting or vote at the meeting.

#### **13. Agendas and Minutes**

- Agendas and Minutes are to be prepared and circulated in accordance with the Committees Procedure.
- All meeting records are to be recorded in the Council's electronic management system.
- Minutes will be reported to Council for adoption or for information.

#### **14. Evaluation and Review**

- This Committee shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.
- The Chair of the Committee will initiate a review of the performance of the Committee at the end of every term of Council.

**DI&P37/22. Tree Management on Council Land Policy**  
**Author:** Parks Management Officer**FILE:** 14/0249

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**Executive Summary**

The purpose of this report is to provide Council with the Tree Management on Council Land Policy with a recommendation that it be placed on public exhibition.

**RECOMMENDED** that:

1. Council place draft POL/25032 Tree Management on Council Land 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/25032 Tree Management on Council Land Policy be adopted following the public exhibition period subject to submissions received provided there are no objections.
3. Should objections be received a further report be presented to Council for the adoption of the draft Tree Management on Council Land Policy with consideration of the submissions received during the public exhibition period.

**Report**

The Tree Management on Council Land Policy has been developed to provide a consistent approach to the management of trees and tree roots on Council land and outlines Council's role and responsibilities in managing these trees.

The policy aims to:

- Provide guidance on planting new trees on Council land
- Outline the management of existing trees and tree roots, including removal and maintenance
- Promote the importance of trees within the LGA and
- Provide guidance on initiatives and proactive approaches for tree planting.

**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

---

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P37/22***Delivery Program/Operational Plan**

The adoption of the draft policy will meet the following outcome of Council's Delivery Program and Operational Plan:

- 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**

- *Local Government Act, 1993*
- *Environment Planning and Assessment Act, 1979*
- *Environment Planning and Assessment Regulation, 2021*
- *Environment Protection and Biodiversity Conservation Act, 1999*
- *Biodiversity Conservation Act, 2016*
- Singleton Local Environmental Plan 2013
- Singleton Development Control Plan 2014
- *Threatened species and Conservation Act 1995*

**Financial Implications**

This draft policy has no direct financial impact upon Council's adopted budget.

**Consultation/Social Implications**

This draft policy has been consulted internally within all business unit structures and is recommended for public exhibition and comment.

**Environmental Consideration**

Applications to plant trees need to comply with Council's tree planting permit and procedure to minimise impacts to infrastructure and the surrounding environment.

The removal of trees will need to follow the guidelines as set out in the Singleton Development Control Plan 2014.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P37/22***Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that without the draft Tree Management on Council lands policy adopted trees will be planted illegally on Council land which may lead to damage of both public and private infrastructure.	High	Adopt the recommendation	Low	Yes
There is a risk that without the draft Tree Management on Council lands policy adopted trees will be removed illegally on Council land which may lead to loss of assets and reputational damage.	High	Adopt the recommendation	Low	Yes
There is a risk that without the draft Tree Management on Council lands policy adopted, trees will be mismanaged which may lead to poor tree maintenance and health.	High	Adopt the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Council place draft POL/25032 Tree Management on Council Land 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.

Draft POL/25032 Tree Management on Council Land Policy be adopted following the public exhibition period subject to submissions received provided there are no objections.

Should objections be received a further report be presented to Council for the adoption of the draft Tree Management on Council Land Policy with consideration of the submissions received during the public exhibition period.

2. Council resolve not to place draft POL/25032 Tree Management on Council Land on public exhibition.

Option one is recommended.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P37/22***Conclusions**

It is recommended that Council place the draft Tree Management on Council Land Policy on public exhibition.

**Attachments**

**AT-1** [!\[\]\(0aff635c4179ba9e710b00f4b01d3b20\_img.jpg\)](#) Tree Management on Council owned land - Policy - Final draft



# TREE MANAGEMENT ON COUNCIL LAND

Policy | Infrastructure Services

This policy will provide direction and a consistent approach to the management of trees and tree roots on Council land.

<b>Policy No:</b>	POL/25032	<b>Version:</b>	1
<b>Service Unit:</b>	Infrastructure Services		
<b>Responsible Officer:</b>	Manager Infrastructure Services		
<b>Responsible Director:</b>	Director Infrastructure and Planning Services Group		
<b>Authorisation Date:</b>		<b>Review Date:</b>	July 2026
<b>Minute No:</b>			

#### Printing Disclaimer

If you are viewing a printed copy of this document it may not be current. Printed copies of this document are not controlled.  
Before utilising a printed copy of this document, verify that it is the most current version by referencing Council's intranet.

Policy

Title

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## 1 Background

### 1.1 Title of the Policy and Commencement Date

The Tree Management Policy commences upon adoption.

### 1.2 Purpose of the Policy

Singleton Council acknowledges the beneficial role that trees and native vegetation provide throughout the Singleton Local Government Area (LGA).

Council will strive to preserve trees that provide a benefit to the community and the environment while taking reasonable steps to manage existing tree assets in a manner that minimises the risk of injury to any person and damage to public or private property.

This policy provides direction and a consistent approach to the management of trees and tree roots on Council land and outlines Council's role and responsibilities in managing these trees.

## 2 Objective

### 2.1 Objectives and Coverage of the Policy

The objectives of this policy are:

- To provide guidance on planting new trees on Council land
- To outline the management of existing trees and tree roots, including removal and maintenance
- To promote the importance of trees within the LGA
- To provide guidance on initiatives and proactive approaches for tree planting

The removal of trees, which requires a permit from Council under the Singleton Development Control Plan, is excluded from this Policy.

## 3 Application

### 3.1 Application of this Policy

This policy applies to all trees and tree roots within Council land in the Singleton LGA.

## 4 Definitions

For the purposes of this policy:

Term	Meaning
Assets	Resources owned by the Council which have a future economic value that can be measured and expressed in dollars eg land and buildings





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Council	Singleton Council
Council Land	Land that is owned or managed by Singleton Council
Community Land	Land that is classified as community land under Division 1 of Part 2 of Chapter 6 of the Local Government Act 1993.
Infrastructure	Assets essential to the functioning of a community and economy such as roads and footpaths.
Essential Infrastructure	Those assets, which if destroyed, degraded or rendered unavailable for an extended period would significantly impact the social or economic wellbeing of the community eg water, sewer and electrical infrastructure
Solar Appliance	An attached, fixed appliance that is intended to capture the sun's energy for heating water or generating electricity
Tree	A perennial woody plant with secondary branches supported by a primary stem and usually having a distinct crown. A tree may be alive or dead.
Tree Planting Permit	An approval provided by Council for the planting of trees

## 5 Principles/Body

### 5.1 New Trees

- Council does not authorise the planting of trees on Council land without a Tree Planting Permit.
- All requests for new trees to be planted on Council land must ensure that:
  - No existing Council assets and infrastructure, including roads, footpaths, Water and Sewer will be negatively impacted by the planting or growth of the tree.
  - No essential infrastructure (including Electricity, Telecommunications, Gas and other utilities) will be affected by the planting or growth of the tree.
  - Suitable and effective root barriers will be installed where required.
  - The planting adheres to Singleton Council's Development Control Plan
  - Planting or growth will not impede existing solar access for solar appliances, habitable buildings, and important garden areas (such as vegetable gardens) on neighbouring properties for significant periods of time.
- Council will:
  - Implement a variety of vegetation rehabilitation projects each year, primarily on Council Land classified as community land and categorised as natural area (bushland)



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- Support active volunteer Landcare programs however approval from Council must be obtained prior to any undertakings on Council managed land.

## 5.2 Tree Planting Permits

- To apply for a Tree Planting Permit, the customer must identify the location of all underground services, overhead services, and survey marks accurately by undertaking a Dial Before You Dig application and completing a service location by a certified contractor.
- No tree shall be planted within 3m of a water or sewer service and within 1.5m of any other services without installing a suitable and effective root barrier.
- No tree shall be planted underneath overhead services unless the potential mature height is less than 6m.
- No tree shall be located closer than:
  - 1m from back of kerb and gutter
  - 500mm from concrete paths and cycleway
  - 4m from power poles and light poles
  - 4m from driveways or access
  - 10m from intersections
- Generally, one tree only shall be planted per lot frontage. Where enough space is available, that is the frontage is greater than 20 metres, a maximum of two trees may be planted depending on their potential maximum size.
- Assessments of requests for planting new trees will be conducted within 28 days of receipt of the request.

## 5.3 Existing Trees

- Council does not authorise any person to undertake tree removal or pruning to trees on Council land unless engaged by Council to do so.
- *The Local Government Act 1993* stipulates that it is an offence where “a person who, without lawful excuse, wilfully or negligently injures, damages or unnecessarily disturbs any plant, animal, rock or soil in a public place”.
- Where a request for tree pruning or removal relates to increasing solar access to a property an assessment will be undertaken by Council.
- Any pruning or removal of an existing tree on Council land for solar access is to be undertaken by Council at the cost of the applicant
- Council will ensure that:
  - An assessment is conducted by an appropriately qualified Council Officer, within designated timeframes to inspect trees and tree roots on Council land, upon request or during our routine inspections of other assets.
  - An assessment will consider;
    - i) The location of the tree and the impact that pruning would have on the tree
    - ii) Whether the tree has any historical, cultural, social or scientific value
    - iii) The trees value as habitat and its contribution to the local ecosystem and biodiversity



Policy

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- iv) The trees contribution to privacy, landscaping and garden design
- v) The impact of the tree on soil stability and the water table
- Assessments are recorded in Council's tree management system.
- Appropriate action is taken depending on the risk rating determined by the assessment undertaken by Council.
- Reported instances of unauthorised tree removal, damage or pruning of trees on Council land is investigated in a consistent manner to determine an appropriate response.
- Community education and awareness on the importance of trees on Council owned or managed land is undertaken
- Reporting of unauthorised tree removal, damage or pruning of trees on Council land is encouraged.
- Replanting, rehabilitation, and other required works will be undertaken, subject to resource availability, to mitigate the impact of unauthorised tree removal, damage or pruning of trees

#### 5.4 Existing Trees – Damage to private assets

- The repair and/or maintenance of assets on private land, impacted by an existing tree on Council land, including pipes, plumbing, driveways and retaining walls will be considered by Council on a case-by-case basis.
- Property owners must notify Council prior to undertaking repairs, if repairs required necessitate pruning the roots of trees located on Council land.

#### 5.5 Dead Wood / Firewood Collection

- Council does not authorise any persons to undertake the removal of dead wood, trees and logs on Council land unless engaged by Council to do so.
- The removal of dead wood, trees and logs is a 'Key Threatening Process' under the *Threatened Species Conservation Act, 1995*.
- Council will leave dead wood in situ or on site as much as possible in rural areas to provide habitat for native fauna, facilitate ecological processes and assist in the control of soil erosion.

#### 5.6 Termites/Bees/Pests

- Council will investigate the eradication of termites/bees/pests in tree(s) or tree stumps or any timber on Council land and removal will be dependent on the Council assessment.
- It is the responsibility of the property owner to protect all buildings from termite attack by installation and maintenance of recommended methods of control in accordance with relevant Australian Standards.
- Trees on Council land affected by termites can be assessed for structural integrity where they pose a threat to public safety or property.



Policy

Title

## 6 Relevant Legislation

- *Local Government Act 1993, NSW*
- *Environment Planning and Assessment Act 1979, NSW*
- *Environment Planning and Assessment Regulation 2021*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Biodiversity Conservation Act 2016*
- *Singleton Local Environmental Plan, 2013*
- *Singleton Development Control Plan 2014*
- *Threatened Species and Conservation Act 1995*

## 7 Document 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
19/52297	Singleton Development Control Plan
22/7340	Tree Management Procedure

Table 7-1 – Related documents

## 8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager of Infrastructure Services.

## 9 Responsibilities

Parties or Persons	Responsibilities
ELT	<ul style="list-style-type: none"> <li>• Consider and approve this policy</li> </ul>
Manager Infrastructure Service	<ul style="list-style-type: none"> <li>• Ensure compliance with this policy and all relevant procedures and supporting documents</li> <li>• Ensure this policy is updated and reviewed as scheduled</li> <li>• Ensure adequate resources are provided for tree maintenance</li> </ul>
Coordinator Recreation and Facilities	<ul style="list-style-type: none"> <li>• Issue tree permits for Parks and Reserves and Urban Road reserves.</li> </ul>
Coordinator Civil Operations	<ul style="list-style-type: none"> <li>• Issue tree permits for Rural Road reserves</li> </ul>



Policy

Title

Coordinator Environmental Services	<ul style="list-style-type: none"> <li>Community education and awareness on the importance of trees</li> </ul>
Parks Management Officer	<ul style="list-style-type: none"> <li>Provide guidance to customers on this policy</li> <li>Assess tree planting permits</li> </ul>
Inspection Officer	<ul style="list-style-type: none"> <li>Conduct Tree Assessments</li> <li>Record tree assessments in Council's Tree Management System</li> <li>Provide guidance to customers on this policy</li> <li>Investigate unauthorised damage to trees</li> </ul>
Ranger, Regulatory Services	<ul style="list-style-type: none"> <li>Investigation of tree offences under the Local Government Act 1993.</li> </ul>

## 10 Approval

As per cover sheet.

## 11 Monitoring

This policy will be monitored by the Manager Infrastructure 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 four (4) years to ensure that it meets legislative requirements.

## 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.



**DI&P38/22. Signs as Remote Supervision Policy**  
**Author:** Parks Management Officer**FILE:** 14/0249

---

**Executive Summary**

The purpose of this report is to present Council with the draft Signs as Remote Supervision Policy on Council facilities for consideration and adoption.

**RECOMMENDED** that Council adopt draft POL/25038 Signs as Remote Supervision Policy.

**Report**

The purpose of this policy is to provide direction and a consistent approach to the management of signs as remote supervision, utilised to direct, advise, or warn, users of Council facilities of potential hazards or risks.

This policy aims to:

- Ensure the safe and effective management of Council facilities through the provision of appropriate signage.
- Provide a clear process to determine the most appropriate signage for reserves, parks and pools owned, operated or under the care and control of Council, that is simple, systematic, and easily understood.
- Establish a full and complete inventory of Council facilities together with appropriate signage and location needs.
- Minimise Council's exposure to public liability and provide a best value service to the community in relation to provision of signage at Council facilities.

**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 Policy will meet the following outcome of Council's Delivery Program and Operational Plan:

- 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**

- *Local Government Act, 1993*
- *Civil Liability Act, 2002*

**Financial Implications**

This draft policy has no direct financial impact upon Council's adopted budget. All new signs, or signs that require replacement, will be designed in accordance with this policy.

**Consultation/Social Implications**

This draft policy has been consulted internally within all business unit structures.

**Environmental Consideration**

No environmental impacts.

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that the community may not be adequately warned of potential hazards which may lead to accidents and injuries.	High	Adopt the recommendation	Low	Yes
There is a risk that signs at Council's facilities will be haphazard which may lead to legal action arising from injuries and result in increased insurance costs and financial loss.	Medium	Adopt the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Adopt draft POL/25038 Signs as Remote Supervision
2. Not adopt draft POL/25038 Signs as Remote Supervision

Option one is recommended.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P38/22***Conclusions**

It is recommended that Council adopt the draft Signs as Remote Supervision Policy.

**Attachments**

**AT-1** [↓](#) Signs As Remote Supervision- Policy - Final Draft





# Signs as Remote Supervision

Policy | Infrastructure Services

This policy is to provide direction and a consistent approach to the management of signs as remote supervision, utilised to direct, advise, or warn users of Council facilities of potential hazards or risks

<b>Policy No:</b>	POL/25038	<b>Version:</b>	1
<b>Service Unit:</b>	Infrastructure Services		
<b>Responsible Officer:</b>	Manager of Infrastructure Services		
<b>Responsible Director:</b>	Director of Planning and Infrastructure Services Group		
<b>Authorisation Date:</b>		<b>Review Date:</b>	August 2026
<b>Minute No:</b>			

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Policy

Signs as Remote Supervision

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## 1 Background

### 1.1 Title of the Policy and Commencement Date

The Signs as Remote Supervision Policy commences upon adoption.

### 1.2 Purpose of the Policy

Singleton Council has land and recreational facilities under its care and control that are accessible by the public. These facilities may contain hazards and risks, both natural and man-made that could present a risk of injury, illness or property damage to users. In the instance of “reasonably foreseeable risk”, Council has a duty of care to users, and the most efficient way to fulfil that duty is to use warning signage, incorporating internationally recognised symbols, as a form of remote supervision

### 1.3 Objectives

This policy aims to:

- Ensure the safe and effective management of Council facilities through the provision of appropriate signage.
- Provide a clear process to determine the most appropriate signage for reserves, parks and pools owned, operated or under the care and control of Council, that is simple, systematic, and easily understood.
- Establish a full and complete inventory of Council facilities together with appropriate signage and location needs.
- Minimise Council's exposure to public liability and provide a best value service to the community in relation to provision of signage at Council facilities.

## 2 Application

### 2.1 Application of this Policy

This policy applies to all:

- Facilities, sports fields, parks and reserves within Council managed land in the Singleton Local Government Area (LGA) where, due to their nature, access is open and uncontrolled; and
- Council staff responsible for the installation, removal and repairs of signs used as remote supervision within the Singleton Council LGA.
- Council staff responsible for the enforcement of signs of remote supervision.

## 3 Definitions

For the purposes of this policy:

Term	Meaning
Council	Singleton Council



Term	Meaning
Facility	Defined as a parcel of land that may include reserves, parks, beaches, pools and where applicable waterways either owned, operated or under the care and control of Council
Hazard	A source of potential harm to user
LGA	Local Government Area
Risk Management	Coordinated activities to direct and control an organisation with regard to risk
User	Person who attends or uses a Council facility or park

#### 4 Principles/Body

The utilisation of signs is the most efficient method that Council can employ for supervision at remote locations. Signs are intended to perform the function of imparting information to the public that would otherwise require the presence of a staff member.

The provision of appropriate signage allows members of the public to make an informed decision about entering or using a particular facility under Council's care, control or responsibility.

If the person then elects to enter the area and suffers injury resulting from the risk about which the warning symbol relates, then arguably Council has satisfied its duty of care and no liability should attach to it. However, the sign must be appropriate to the situation and placed in a suitable position to satisfy Council's duty of care.

This Policy and the supporting Signs as Remote Supervision Procedure have been prepared to ensure that Council has clear and concise directions as to the location, content, and frequency of signs and to minimise public liability exposure emanating from the provision of services to the community.

Council shall use and refer to the procedures set out in the Statewide Mutual Best Practice Manual "Signs as Remote Supervision" in relation to its signs used as remote supervision. Such signage shall be used to direct, advise, or warn members of the public of inherent dangers in the environment in which they are operating.

A regular inspection program of Council's remote supervision signage shall be included in inspections conducted by Council officers.

Signs in existence currently not meeting the current best practice and/or Australian Standards shall be replaced as funds permit in priority order based on public usage of the respective areas and the rating formula detailed in the related procedure.

To determine the most appropriate content of a sign for a facility, Council has adopted and implemented a process that is simple, systematic, and easily replicated. The process has seven steps, with each step representing a stage within the risk management process. The six steps are:

1. Establish a full and complete inventory of all Council facilities to which this policy applies,
2. Determine Council's level of development within each facility, including naturally occurring features,



## Policy

## Signs as Remote Supervision

3. Ascertain the level of use of the facility by the public,
4. Predict or obtain the frequency of use of the facility,
5. Calculate the Facility Visitation Rate,
6. Calculate the risk rating of identified hazards, and
7. Select and produce the most appropriate sign and determine its location/s.

## 5 Relevant legislation

- *Local Government Act, 1993*
- *Civil Liability Act, 2002*

## 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

Number	Title
Version 11 – 10/21	Best practice manual – Signs as Remote Supervision Version 11: 10/2021 Statewide Mutual
22/5201	Signs as remote supervision procedure
POL/9008.4	Integrated Risk Management Policy

Table 6-1 – Related documents

## 7 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager Infrastructure Services.

## 8 Responsibilities

Parties or Persons	Responsibilities
ELT	<ul style="list-style-type: none"> <li>• Ensure that processes are in place for the review of this policy and to provide adequate resources and funding for compliance with the policy and procedure</li> <li>• Report to Council any issues that arise out of this Policy</li> </ul>
Manager Infrastructure Services	<ul style="list-style-type: none"> <li>• Ensure compliance with this policy and all relevant procedures and supporting documents</li> <li>• Ensure this policy is updated and reviewed as per schedule</li> <li>• Ensure adequate resources are provided for the establishment, maintenance, and replacement of signs.</li> </ul>



Policy

Signs as Remote Supervision

Parties or Persons	Responsibilities
Coordinator Recreation and Facilities	<ul style="list-style-type: none"> <li>Responsible for the implementation and ongoing operation of this Policy and supporting Procedure(s).</li> <li>Report to the Manager Infrastructure Services on the effectiveness of the supporting procedures.</li> </ul>
Integrated Risk Management business unit	<ul style="list-style-type: none"> <li>The provision of risk management advice as and when required.</li> </ul>
Ranger, Regulatory Services	<ul style="list-style-type: none"> <li>Enforcement of compliance to Signs as remote supervision.</li> </ul>

## 9 Approval

As per cover sheet.

## 10 Monitoring

This policy will be monitored by the Manager of Infrastructure 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 approximately every four (4) years to ensure that it meets legislative requirements.

## 12 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*.

## 13 Breaches and Sanctions

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



**DI&P39/22. Draft Advertising at Sportsgrounds Policy**  
**Author:** Coordinator Recreation & Facilities**FILE:** 14/0249

---

**Executive Summary**

The purpose of this report is to present a revised Advertising at Sportsgrounds Policy to Council for consideration and adoption.

**RECOMMENDED** that Council:

1. Adopt draft POL/25003.4 Advertising at Sportsgrounds Policy.
2. Rescind POL/25003.3 Advertising at Sportsgrounds Policy.

**Report**

The Advertising at Sportsgrounds Policy has been developed to provide guidance on advertising signage to sporting clubs using Council's owned or managed sportsgrounds.

The policy aims to:

- Provide a framework for the approval and installation of signage by Sporting Clubs and organisations on Council's sportsgrounds;
- Ensure a consistent decision making approach to requests for signage to adhere with the values of Council and appropriate Australian Standards; and
- To provide an avenue for sporting clubs to promote their sponsors to participants and spectators inside the Council owned or managed sportsgrounds.

The Policy was last reviewed and adopted in May 2020 and is now due for review.

Following consultation with Sports Council, the following amendments have been made to the revised policy:

- Clarity provided in regard to the sportsgrounds that the policy applies to
- Amendments to the restrictions on temporary event signs to permit up to four signs totalling 8m<sup>2</sup> rather than two signs totalling 6m<sup>2</sup>

A copy of the revised draft Policy is provided as **Attachment 1** with proposed amendments highlighted in yellow.

**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 Policy will meet the following outcome of Council's Delivery Program and Operational Plan:

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 development with reference to the following legislation:

- *Environmental Planning and Assessment Act, 1979*
- *State Environmental Planning Policy No 64 – Advertising and Signage*
- *Local Government Act, 1993*
- *Local Government (General) Regulations, 2021*
- AS/NZS 1170.0.2002 Structural design actions, part of general principles
- AS/NZs 1170.2.2011 Structural design actions, part 2 wind actions

**Financial Implications**

This draft policy has no direct financial impact upon Council's adopted budget.

**Consultation/Social Implications**

The draft policy has been developed in consultation with the Singleton Sports Council.

**Environmental Consideration**

Applications to install signage need to comply with Council's positioning and size specifications to minimise impact to others outside of the sportsgrounds.

Signage may be required to comply with the development application process, subject to individual review and assessment.



## Infrastructure &amp; Planning Report (Items Requiring Decision) - DI&amp;P39/22

**Risk Implications**

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
There is a risk that without an adequate policy in place for the design and installation of signage at sportsgrounds, installed signage may be inappropriate and lead to legal action, fines and penalties.	High	Adopt the recommendation	Low	Yes
There is a risk that Council will have an unclear policy which may lead to reputational damage.	Medium	Adopt the recommendation	Low	Yes

**Options**

The following options are available to Council:

1. Adopt draft POL/25003.4 Advertising at Sportsgrounds Policy and rescind POL/25003.3 Advertising at Sportsgrounds Policy.
2. Not adopt draft POL/25003.4 Advertising at Sportsgrounds Policy and retain POL/25003.3 Advertising at Sportsgrounds Policy.

Option one is recommended.

**Conclusions**

It is recommended that Council adopt the draft Advertising at Sportsgrounds Policy.

**Attachments**

**AT-1** [↓](#) POL 25003.4 Draft Advertising at Sportsgrounds Policy



# ADVERTISING AT SPORTSGROUNDS

Policy | Infrastructure Services

To provide guidance on permissible advertising signage within Council's sportsgrounds

<b>Policy No:</b>	POL/25003	<b>Version:</b>	4
<b>Service Unit:</b>	Recreation & Facilities		
<b>Responsible Officer:</b>	Manager Infrastructure Services		
<b>Responsible Director:</b>	Director Infrastructure & Planning		
<b>Authorisation Date:</b>		<b>Review Date:</b>	
<b>Minute No:</b>			

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## 1 Background

### 1.1 Title of the Policy and Commencement Date

The Advertising at Sportsgrounds Policy takes effect upon adoption by Council.

### 1.2 Purpose of the Policy

The purpose of this Policy is to provide guidance on permissible advertising signage including all permanent and temporary board, notice, structure, banner or similar device within Councils **owned or managed** sportsgrounds.

## 2 Objective

### 2.1 Objectives and Coverage of the Policy

The objective of this policy is to:

- Provide guidelines for the approval and installation of advertising signage to sporting clubs using Council's sportsgrounds
- Ensure a consistent decision making approach is applied across all of Council's sportsgrounds
- Ensure signage installation meets Australian safety standards
- Ensure signage is appropriate and consistent with the values of Council and appropriate Australian standards

## 3 Application

### 3.1 Application of this Policy

This policy applies to all Council owned or managed sportsgrounds and associated facilities located on those reserves, including fields, tennis and netball courts, buildings and structures (eg scoreboards, player enclosures, goal posts, shelters and fencing etc) used on a formally allocated basis through a **lease or seasonal license occupancy/tenancy agreement license, lease or licence**. Only tenant clubs located within Singleton Local Government Area are eligible to apply to erect advertising and promotional signage.

Signage includes all permanent and temporary board, notice, structure, banner or similar device providing sponsorship or promotional advertising. It does not include signage Council is responsible for installing and maintaining (eg ordinance signage)



## 4 Definitions

For the purposes of this policy:

Term	Meaning
Advertising Signage	All permanent, seasonal and temporary board, notice, structure, banner or similar device, containing advertising and promotional information or a commercial nature.
Council	The Singleton Council, including its staff and contractors
Council Sportsgrounds	An area of open space and associated facilities controlled by Council and provided specifically for the purpose of conducting formal sport or encouraging informal recreation activity
Political advertising signage	Refers to the advertisement of political parties, political candidates or Political issues
Sports Club	An incorporated body of people formed for the purpose of playing sport
Tenant Club	The sports club that has seasonal rights to a sportsground

## 5 Principles/Body

### 5.1 Procedural Statement

Council supports the principle of sporting clubs and community groups erecting advertising signage at Council owned or managed recreation facilities as a way of raising sponsorship revenue for the club.

#### 5.1.1 Advertising & Signage – General Guidelines

- The applicant must have the delegated approval and/or lease or licence agreement for use of the facility for which the application is being made
- The signage must not impact on the public safety or the amenity of the sportsground. Risk assessments are to be undertaken and the signs must meet Australian Standards and be approved by Council prior to installation.
- No sign is to advertise gambling, drugs, tobacco or alcohol related products or trademarks, electoral/ political material, adult entertainment material or other graphics/wording deemed offensive or discriminatory to others
- Council reserves the right to remove or disallow any advertising it deems inappropriate. The signage:
  - Must not obstruct any gates, access points, doorways / windows
  - Must be orientated towards the playing surface
  - Must not be visible beyond the reserve
- Signage on trailers, parked on Council's reserves in view from roads, road shoulders, footpaths and nature strips are only permissible with development approval consent.



## Policy

## Advertising at Sportsgrounds

- A free standing sign on a sportsground where there are no fences is limited to a maximum of 3.5m<sup>2</sup>. Development consent may be required for free standing signage on Council reserves. Free standing signs must be installed by a suitably qualified engineer/contractor.
- Advertising signs on field fencing must not cover more than 75% of the perimeter fencing. The signage must not extend below or above the fence line. The sign standard in height for a perimeter fence will generally be 1 metre high and no longer than 3 metres in length. The signs and fixings must be removable and not painted directly onto the fencing. Signs must not be illuminated.
- All fixed advertising signage must be removed at the expiration of the sponsorship agreement. The signage must not be stored in facilities; it will be required to be stored off site.
- Advertising in the form of stickers is not permitted on any infrastructure within the Sportsground.
- All joints associated with the signage shall be a neat, tight and snug fitting, finished to a high standard.
- All structures shall be plumb and true. All construction work shall be left free of protrusions. Nut and bolt ends, spikes, screws and other fixing devices shall not protrude. Ends of pipe shall be permanently plugged or capped. The exposed edges of all posts and timbers with which the user can come into contact, shall be eased or chamfered (rounded) to remove sharp edges.
- Standards to comply with:
  - AS/NZS 1170.0.2002 Structural design actions, part of general principles*
  - AS/NZS 1170.2.2011 Structural design actions, part 2 wind actions.*
- The club/applicant must ensure that they are fully informed and aware of the location of utility services and mains when installing signage and these details must be included in any submitted sign design/application. The club shall be held responsible for all costs of making good and rectifying any damage to existing services or mains
- Clubs will maintain all advertising signage in an acceptable and safe condition at all times and at their own cost. This includes immediate removal of graffiti, damaged and broken signs.
- Any costs associated with the removal or reinstallation of advertising signage will be charged to the club. Council cannot be held liable for any claim by an aggrieved sponsor where sponsorship signage considered by council to be in breach of this policy has been removed.
- Income derived from the advertising signs will be retained by the sports club. It is encouraged that consideration be given to utilising funding received from sponsorship toward improvements to the sportsground.

### 5.1.2 Signage Time Span

Approval will be granted for the sports club's playing season only (ie a six (6) or twelve (12) month period commencing from the first day of the sporting clubs hire period) and will be limited to the term of the clubs licence/lease agreement of the sporting facility.



Approval to display signage outside of the sports clubs playing season may be granted:

- If an agreement is reached between all the occupants of the sportsground.
- Council considers that the display of more permanent signage does not affect the amenity or the facility.
- The signage is in recognition of a donation made towards the facility infrastructure. The permanent sign would have a limited agreement to be displayed for 5 years maximum.

#### 5.1.3 Grounds Entry Sign

- One permanent sign promoting future matches may be placed at one entrance to a sportsground. The sign must be no more than 3.5m<sup>2</sup> in size and to have a maximum commercial sponsorship including logos of 20% of the total sign size.
- No higher than 3 metres above ground level unless specific approval granted by Council.
- To be located within the boundaries of the site. The location must be approved by Council.

#### 5.1.4 Signage on Buildings or Structures

- The sign must only identify event sponsors or sport clubs.
- The sign must not cover more than 20% of the field facing wall surface of any building; the wall surface calculation is to include all openings (doors and windows)
- The sign must be removable and not painted directly onto the building walls or fencing surfaces.
- The sign must be installed in accordance with standard building practices by a qualified tradesperson.
- The sign must not be illuminated
- Signage is not to be attached to any tree or vegetation

#### 5.1.5 Applications

All applications for the installation of advertising signage must be on the application form attached as Appendix A (as available on Council's website) and must include;

- A design proof of the proposed advertising
- The sign design to include specifications including size, materials to be used and method of securing
- A site plan outlining the proposed location of the advertising and signage
- The back of the sign is to be a standard neutral (mutually agreed) colour
- Details of any mobile signs. eg sandwich board, pop up banners, flags

Council has the right to place information signage at sportsgrounds after consultation with user groups. Council may remove and impound permanent advertising signs installed without Council approval.



## Policy

## Advertising at Sportsgrounds

## 5.1.6 Temporary Event Signs

- No more than ~~one banner and one other type of four~~ temporary signs facing any road frontage will be allowed
- The total surface area of the signs cannot be over 68m<sup>2</sup>
- The sign or banner
  - Is not to be higher than 3 metres above ground level.
  - Is to be located wholly within the boundaries of the site.
  - Is not to be illuminated
  - Is not to be displayed earlier than 14 days before the event and later than 2 days after the event.

## 5.1.7 Naming Rights

- Naming rights are limited to sports fields or courts only and not the entire sportsground, building or any associated infrastructure.
- The term of the sponsorship (ie naming) agreement is limited to the term of the sport club's licence/lease agreement over the sports ground;
- The proposed name of the sports field/court is not to be in any way offensive or discriminatory; and
- The sports field/court is only referred to the "sponsored name" within the club, association, competition or league promotions and marketing.
- Sportsground naming rights remain vested with Singleton Council as facility owner and manager.
- Council names for the sportsground, buildings and other infrastructure will prevail in public documents eg Council reports, engineering/road plans, directories, websites etc.
- A copy of the proposed naming rights sponsorship agreement is to be submitted to Council as part of the approval process.
- Not all applications for naming rights will be approved
- Upon approval, the sports club will be permitted to install a single information sign that complies with the Council Advertising at Sportsgrounds Policy

## 5.2 Relevant Legislation

- This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.
- *Environmental Planning and Assessment Act, 1979*
- *Local Government Act, 1993*
- ***Local Government (General) Regulations, 2021***
- State Environmental Planning Policy No 64 – Advertising and Signage
- AS/NZS 1170.0.2002 Structural design actions, part of general principles
- AS/NZS 1170.2.2011 Structural design actions, part 2 wind actions





## 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
17/15360	Advertising at Sports Grounds Application Form - Template

Table 6-1 – Related documents

## 7 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager Infrastructure Services.

## 8 Responsibilities

Parties or Persons	Responsibilities
Manager Infrastructure Services	<ul style="list-style-type: none"> <li>Assess and approve applications</li> </ul>
Coordinator Recreation & Facilities	<ul style="list-style-type: none"> <li>Review and update of Policy</li> <li>Assess and review applications</li> <li>Ensure that Sports Clubs are aware of and comply with the Policy</li> </ul>
Recreation Planner	<ul style="list-style-type: none"> <li>Handle initial enquiries</li> <li>Liaise with the Coordinator of Recreation and Facilities and Duty Planner.</li> <li>Provide written feedback to the applicant regarding their request</li> <li>Prepare a report to Council if appropriate</li> </ul>
Duty Planner	<ul style="list-style-type: none"> <li>Assess and approve applications</li> <li>Liaise with the Recreation Planner</li> </ul>

## 9 Approval

As per cover sheet.

## 10 Monitoring

This policy will be monitored by the Coordinator Recreation & Facilities 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 approximately every four (4) years to ensure that it meets legislative requirements.

**12 Last Review Date**

This policy was last reviewed on 18 May 2020.

**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*.

**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.

Version.	Date Amended	Author	Comments (e.g. reasons for review)
4	May 2022	A McMahon	<ul style="list-style-type: none"> <li>Four yearly review</li> <li>Updated position titles and dates as required</li> <li>Updated references to changed legislation</li> </ul>



Policy

Advertising at Sportsgrounds

## Appendix A - Approval to Install Advertising Signage at Council Sportsgrounds

### APPROVAL TO INSTALL ADVERTISING SIGNAGE AT COUNCIL SPORTSGROUNDS

In accordance with the Advertising at Sportsgrounds Policy

1. Information					
1. Contact must be made with Council's Recreation and Facilities Coordinator on 6578 7290 to discuss the project prior to this application being completed.					
2. The applicant should read and understand all of the information set out in the application form prior to lodgement.					
3. No works are to commence until a permit is authorised by Council.					
4. A minimum of 15 business days is required to assess the application.					

2. Applicant Details					
Name/s (Individual or company name in full)					
Contact name				ABN	
Postal Address					
Suburb				State	
				Post code	
Contact phone number				Mobile number	
Email address					

3. Location of Proposed Sign					
Building/Reserve Name					
Address					
Office Use Only	Lot		DP		Parcel

4. Proposed Sign Details					
Detailed description of the proposed advertising sign(s):					
Location(s) of sign:					
Height of sign:					
Width of sign:					
Height above ground					
Construction materials					
Who is the sponsor of the sign (if external organisation)					
What is the value on the income to the group from the Sponsor \$/per year					
Proposed Installation Date				Proposed Removal Date	

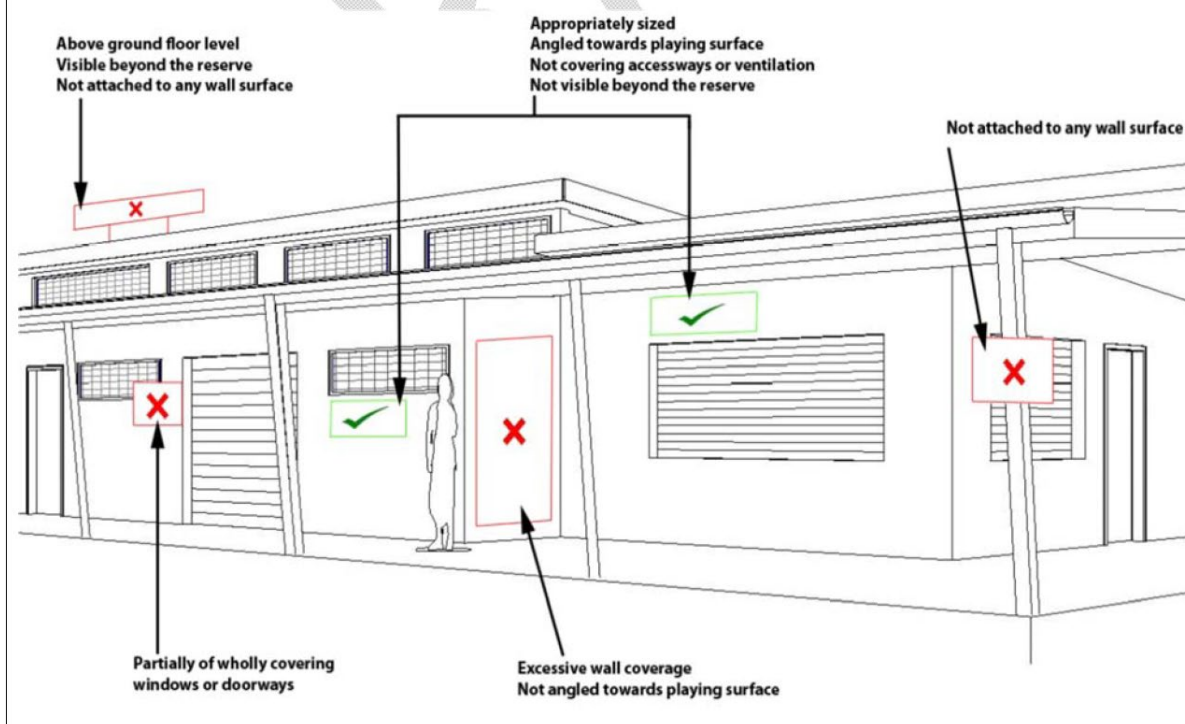


## 5. Documentation to Supply

Copies of the following documentation may be required with the application form:

- Insurances including:
  - Public Liability to a minimum limit of \$20,000,000.
  - Copy of Certificate of Currency
- Risk Assessments / SWMS / SOPs
- Site Plan
- Image of proposed sign
- Confirmation that Dial Before You Dig have been contacted – provide reference details or plans
- List of relevant materials required for Works
- Any other Approved plans and/or documentation that relates directly to the application of works

### Example guideline for sign placement:



Policy

Advertising at Sportsgrounds

### 6. Applicant Declaration

I/We have read and understand the conditions of this approval and undertake to abide by and comply with all the conditions contained in this document.

I/We further undertake to abide by and comply with any special conditions of approval which the council may impose as part of this approval agreement.

The details I have provided are correct and I have read and understand all information provided in this application.

Name of Applicant	Signature	Date

### 7. Other Sports Club President Approval

This section only to be completed if Sports Club is displaying signage all year round.

Other Sports Club Name:		
President's Name		
President's Signature		
Contact Number		
Email		
Date		

### 8. Office Use

The application for approval, as set out above, is granted, provided that the works are performance in accordance with the information included in this application and the special conditions of approval attached.

Approval	Signature	Date
Coordinator Recreation and Facilities		
Manager Infrastructure Services		
Other (please specify title position)		

#### PRIVACY NOTIFICATION

Personal and private information supplied to Council is managed in compliance with the *Privacy and Personal Information Protection Act 1998*, *Government Information Public Access Act 2009* and Council's [Privacy Management Plan](#). The supply of information on this form is voluntary but it is required to process your application/request. If you have any further enquiries concerning Privacy matters, contact Council's Privacy Officer on (02) 6578 7290.



**DI&P41/22. Adoption of the Draft Howe Park Plan of Management**      **FILE:** 19/00551  
**Author:** Coordinator Recreation & Facilities

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### Executive Summary

The purpose of this report is for Council to consider the adoption of the draft Howe Park Plan of Management (PoM) as provided at **Attachment 1** to this report. The adoption of the PoM will guide the use, development, and management of Howe Park on behalf of, and for the benefit of, the community.

**RECOMMENDED** that Council:

1. Adopts the draft Howe Park Plan of Management in accordance with Section 40 of the *Local Government Act, 1993*.
2. Adopts the recategorisations as set out in the public hearing report prepared by Gondwana Consulting in accordance with Section 40A and 47G of the *Local Government Act, 1993*.

### Report

Council resolved at its meeting on 19 October 2020 to place the draft Howe Park PoM on public exhibition upon receipt of concurrence from NSW Department of Planning and Environment – Crown Lands. Concurrence was received from Crown Lands on 30 November 2021 and an engagement plan was developed for the exhibition period from 31 January to 11 March 2022.

During the exhibition period 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:

- Council Website - The exhibition of the draft Howe Park PoM and the associated public hearing was advertised/promoted via the “Public Exhibition” page on Council’s website.
- Media - Information regarding the exhibition of the draft Howe Park PoM was provided through the following media channels;
  - Media Release (24 January 2022)
  - Article in the Singleton Argus (27 January 2022)
  - General Manager’s radio interview (25th January and 9th February)
  - On-line article – Hunter News (25 January 2022)
- Sports Council – Regular updates on the progress of the draft Howe Park PoM have been provided to the members of the Sports Council at the monthly meetings

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P41/22*

- Social Media - Eight posts on Facebook were published on the page between 3 and 16 February 2022. An “event” for the Public Hearing was also created. The event reached 3,225 people and had three responses.
- Recategorisation Background Information Booklet - A background information booklet for the proposed recategorisation of Howe Park was prepared and made available for download from Council’s webpage.

In addition, a public hearing on the proposed recategorisations was held in accordance with the requirements of Sections 40(A) and 47(G) of the *Local Government Act, 1993* on 17 February 2022. Due to the COVID restrictions on public gatherings at the time, the public hearing was carried out on-line. The hearing was chaired by Alan Ginns – Gondwana Consulting, a consultant with extensive experience in conducting these hearings. Five customers registered and attended the public hearing. The public hearing report, which includes the proposed recategorisations requiring Council adoption, has been provided as **Attachment 3** to this report. The proposed recategorisations are set out in Figures 1 and 2 below;



Figures 1 and 2 Existing and Proposed Categorisations of Howe Park

As a result of the engagement process, a total of four (4) written submissions were received during the exhibition period. As a result of the feedback received, the following amendments have been made to the draft PoM;

- Greater flexibility in the architectural design of any future buildings adjacent to the Howe Park Grandstand. The plans now state “Preferably” located no closer than 10m to the grandstand.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P41/22*

- The Categorisation Plan has been amended with the boundary to the immediate south of the clubhouse redefined to align with the approved northern limit of the buildings of the new maintenance complex.
- Allowance for the following flood management and drainage improvements within the golf course;
  - the increasing of the dam capacity by up to 100% (up to 12-13ML)
  - the upgrade of the pump station as required
  - The installation of a new settlement pond/dam (up to 8-9ML)
  - The provision of a new small detention weir and shallow dam (up to 0.5ML)
- The opportunity to increase in the maximum building footprint of the refurbishment, enlargement, or redevelopment of the Golf Clubhouse, or its relocation/redevelopment elsewhere within the Golf Clubhouse and Services Precinct, from 1250m<sup>2</sup> to 1500m<sup>2</sup> (if this building is to incorporate the course's Pro Shop, or 1,375 square metres if the Pro Shop is not included in this building but remains as a separate structure).
- The option for the new golf maintenance depot to be accessed via the existing service vehicle access at the southern side of the golf clubhouse.
- The opportunity for the provision of a lockable vehicle gate, and flanking fencing or vehicle barriers, to be installed at the north end of Fitz Street, to prevent private vehicle access to the golf course.

These amendments have not resulted in substantial changes to the draft PoM and it is proposed that the draft PoM be adopted without further public exhibition.

**Community Strategic Plan**

The draft PoM is directly related to the following objectives and strategies within the Community Strategic Plan:

**Our Places**

2.1 Provide safe and well-maintained facilities and infrastructure.

**Delivery Program/Operational Plan**

The adoption of the draft PoM will meet the following outcome of Council's Delivery Program and Operational Plan:

- 2.1.6 Maintain Singleton's open spaces in line with the Service Level Agreements
- 2.1.6.2 Maintain open spaces and reserves to agreed levels of service

**Council Policy/Legislation**

Both the Crown Land Management Act 2016 and the *Local Government Act, 1993* include provisions regarding the preparation of plans of management for lands under a Council's management, how a plan of management is to be prepared (including community engagement activities), and what must be included in a plan.



*Infrastructure & Planning Report (Items Requiring Decision) - DI&P41/22*

From 1 July 2018 the *Crown Land Management Act, 2016* requires local councils that are appointed to manage a dedicated or reserved area of Crown land (as is the case for Howe Park), to manage that land as if it were public land under the *Local Government Act 1993* – including applying the plan of management requirements of this Act.

The draft PoM has been prepared to the requirements of Chapter 6, Part 2, Division 2 of the *Local Government Act, 1993* as amended.

### Financial Implications

Adopting the draft PoM creates no financial implications for Council.

A works program, including work estimates, will be developed from the action plan within the PoM for implementation as resources permit.

### Consultation/Social Implications

The draft PoM was developed by Gondwana Consulting in consultation with Council officers, user groups and the broader community.

A formal submission process has been utilised to seek community feedback on the publicly exhibited draft Howe Park PoM from 31 January to 11 March 2022. The outcomes of this process are detailed in this report and shown in greater detail in **Attachment 2** and **Attachment 3**.

The draft PoM was referred to the Department of Planning and Environment – Crown Lands under section 3.23(6) of the *Crown Land Management Act 2016* (CLM Act) and section 39 of the *Local Government Act 1993* (LG Act) on the 22 April 2022. Consent for council to adopt the PoM under clause 70B of the *Crown Land Management Regulation 2018* was received by Council on 10 May 2022.

### Environmental Consideration

The adoption of the recommendation in this report does not create any adverse 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 the legislative requirements which may lead to legal action, fines and penalties	High	Adopt the recommendation	Low	Yes
There is a risk of haphazard site	High	Adopt the recommendation	Low	Yes

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P41/22*

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Proposed Risk Ranking</b>	<b>Within Existing Resources?</b>
management and development through no adopted POM which may lead to legal, financial and reputational implications.				
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:

**A. That Council**

1. Adopts the draft Howe Park Plan of Management in accordance with Section 40 of the *Local Government Act, 1993*.
2. Adopts the recategorisations as set out in the public hearing report prepared by Gondwana Consulting in accordance with Section 40A and 47G of the *Local Government Act, 1993*

**B. That Council resolves not to**

1. Adopt the draft Howe Park Plan of Management in accordance with Section 40 of the *Local Government Act, 1993*.
2. Adopt the recategorisations as set out in the public hearing report prepared by Gondwana Consulting in accordance with Section 40A and 47G of the *Local Government Act, 1993*

Option A is recommended.

**Conclusions**




Compliant plans of management for Crown Land must be in place to ensure that the Crown Land is lawfully used and occupied. Ensuring lawful use and occupation is an essential part of Council's role as managers of Crown Land.

The submissions received in response to the exhibition of the draft PoM 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 PoM and Council has received Crown Lands consent to adopt the PoM under clause 70B of the *Crown Land Management Regulation 2018*.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P41/22*

It is therefore recommended that the draft PoM be adopted.

**Attachments**

<b>AT-1</b> 	Howe Park Plan of Management	Attachment Under Separate Cover
<b>AT-2</b> 	Draft Howe Park Plan of Management - Engagement and Submissions Report	Attachment Under Separate Cover
<b>AT-3</b> 	Public Hearing Report - Proposed Recategorisation of Howe Park - Gondwana Consulting	Attachment Under Separate Cover

**DI&P42/22. Minutes - Singleton Sports Council - 21/04/2022****FILE: 22/00034****Author:** Coordinator Recreation & Facilities

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### Executive Summary

The purpose of this report is to present to Council the minutes from the meeting of the Singleton Sports Council held on 21 April 2022 (**Attachment 1**) for information and to present the draft Terms of Reference for the Singleton Sports Council (**Attachment 2**) for adoption.

**RECOMMENDED** that Council:

1. Note the minutes of the Singleton Sports Council meeting held on the 21 April 2022.
2. Adopt the draft Terms of Reference for the Singleton Sports Council.

### Report

A review of the Terms of Reference (ToR) is to be undertaken for each Council committee after the appointment of the new Council. A subcommittee was established at the February 2022 Sports Council meeting to undertake the review of the ToR consisting of:

- Councillor McLachlan;
- Sarah Speechly - Singleton Track and Field representative;
- Jen Rudder - Singleton Junior Rugby League representative;
- Damian Morris - Manager Infrastructure Services; and
- Amanda McMahon - Coordinator Recreation and Facilities.

The proposed changes to the ToR, resulting from the review, are as follows:

- The removal of the following functions which were considered to be obsolete
  - To raise funds from any sources whatsoever to further the objectives of the Sports Council
  - To promote and acknowledge the Sports Persons of the Year
- The modification of allocating sporting grounds from annually to seasonally to reflect current processes and best practise
- The removal of the requirement for committee members to be affiliated to ensure that there is equity, consistency and transparency in the way that the Committee operates
- The increase of the term served for community representatives from one year to two years to bring it into line with Councillor representatives

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P42/22*

- The reduction to meeting frequency from monthly to bimonthly to ensure that the operation of the Committee is efficient
- The removal of the following operations which were considered to be obsolete
  - All funds of the Singleton Sports Council shall be managed by Singleton Council with payments to be recommended by Singleton Sports Council
  - Payments from the Sports Improvement Fund shall be authorised by the Singleton Sports Council. Accounts shall be presented to and recommended for payment at a meeting of the Singleton Sports Council
  - Any funds raised by the Singleton Sports Council shall be used by the Sports Council to:
    - i) Develop projects/programs/grants schemes which it undertakes in its own right subject to the approval of the Singleton Council; or
    - ii) Be transferred to Singleton Council to be used by that body to further the development of sport within the Singleton Local Government Area.

It is intended that further discussions will be held with the committee in regards to expenditure of the funds held in the General Account (\$3,356.83) and Sports Improvement Account (\$24,485.88).

- The reduction of the quorum from 7 affiliated members to 5 members of the Sports Council as there have been several occasions in the last 12 months whereby a quorum of 7 members has not been reached.

The draft ToR was endorsed by Sports Council at its meeting held on the 21 April 2022. The minutes of this meeting are provided as **Attachment 1** to this report. The draft ToR is provided at **Attachment 2** with proposed changes highlighted in yellow.

## **Community Strategic Plan**

This report relates to the following Community Strategic Plan strategies:

### **Our People**

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

## **Delivery Program/Operational Plan**

This report relates to the following Operational Plan action:

- 1.2.1.2 In conjunction with the local sporting community, implement the Sports Council Action Plan.

## **Council Policy/Legislation**

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P42/22*

The Singleton Sports Council was established under Section 355 with delegations from Council under the provision of Section 377 of the *Local Government Act, 1993*. Section 355 allows Council to exercise a function of Council and Section 377 allows Council to delegate functions of Council.

Legally, the Committee is "Council" and any action, which the Committee undertakes, is Council's responsibility. Adopting the revised Terms of Reference and operating under Councils Committees Procedure will provide the opportunity for the Sports Council to meet all responsibilities and governance requirements whilst focusing on strengthening and advocating for Sports within the Singleton LGA.

### Financial Implications

This matter has no direct financial impact on Council's adopted budget or forward estimates.

### Consultation/Social Implications

Development of the revised Terms of Reference for the Singleton Sports Council was undertaken in consultation with its members and has been endorsed by the Singleton Sports Council Committee at its April 2022 meeting.

### Risk Implications

The following risks are noted.

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that legislation and/or the Code of Conduct will be breached which may lead to legal action.	Medium	Adopt the recommendation	Low	Yes
There is a risk that Council will have unclear processes which may lead to reputational damage.	Medium	Adopt the recommendation	Low	Yes
There is a risk that the adopted Terms of Reference will not be appropriate which may lead to an ineffective and disengaged committee.	Medium	Adopt the recommendation	Low	Yes
There is a risk that the quorum for the committee will not be met which may lead to a disengaged committee.	Medium	Adopt the recommendation	Low	Yes

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P42/22***Options**

The following options are available to Council:

1. Note the minutes of the Singleton Sports Council meeting held on the 21 April 2022 and adopt the draft Terms of Reference for the Singleton Sports Council.
2. Not note the minutes of the Singleton Sports Council meeting held on the 21 April 2022 or adopt the draft Terms of Reference for the Singleton Sports Council.

Option 1 is recommended.

**Conclusions**

A review of the ToR for the Singleton Sports Council has been completed, as required, after the appointment of the new Council and are now presented to Council with a recommendation that they be adopted.

**Attachments**

**AT-1** [!\[\]\(d0262bbe9d2356661a2e89321dfcc781\_img.jpg\)](#) DRAFT - Minutes of Singleton Sports Council 21/04/2022

**AT-2** [!\[\]\(51514032c8ca341817228f39f1307b05\_img.jpg\)](#) Singleton Sports Council - Draft Terms of Reference

**MINUTES  
SINGLETON SPORTS COUNCIL  
7:00PM THURSDAY 21 APRIL 2022**



<b>Present</b>	Councillor Danny Thompson Councillor Mel McLachlan Mark Rix - Howe Park Tennis Club Monique Buckley - Singleton Amateur Swimming Club Ben De Somer - Singleton Junior Rugby Hilary Kennedy – Singleton Track and Field Michael Tanner - Singleton Rugby Club Petrina Metcalf - Singleton Strikers Football Club Des George – Singleton Golf Club
<b>In Attendance</b>	Damian Morris - Manager Infrastructure Services Amanda McMahon - Coordinator Recreation & Facilities
<b>Meeting Location</b>	Library Meeting Room in Singleton Library

#### **1 Welcome and Apologies**

- Welcome
- Acknowledgement of Country by Chair
- Apologies
  - Justin Fitzpatrick-Barr - Director Infrastructure & Planning
  - Alan Fletcher - Singleton Mountain Biking Club
  - Sarah Speechly - Singleton Track and Field
  - Jenny Rudder - Singleton Junior Rugby League
  - Ian O'Brien - Singleton Triathlon Club
  - Alex Bailey – Singleton Netball Club
  - Marilyn Rix – Citizen Representative
  - Dean Dunn – Singleton Strikers Football Club
  - Paul Hagarty - Country Tennis Club

#### **2 Disclosure of Interests**

- Nil

#### **3 Confirmation of Minutes**

- The minutes of the Singleton Sports Council meeting held on Thursday 17 March 2022, were confirmed with the below changes.

#### **4 Matters arising from the Minutes**

- Des Georges comment on Page 5 in regard to receiving no acknowledgment of submission from Council for the Community Sport Infrastructure Study exhibition was incorrect, an acknowledgment was received, no feedback provided.



**MINUTES  
SINGLETON SPORTS COUNCIL  
7:00PM THURSDAY 21 APRIL 2022**



- Points on Page 11 to be moved under Other Business heading
- Cr Danny Thompson raised an issue in regards to the voting of the endorsement of the revised Terms of Reference. It was acknowledged that the number of people abstaining from votes has not been recorded. Matter to be re-voted during the course of this meeting.

## **5 Agenda Items**

### **5.1 Financial Report**

**FILE:22/00034**

#### **Financial Report (Chair)**

The Singleton Sports Council - Financial Report for March 2022 is provided as **Attachment 1**.

### **5.2 Advertising at Sportsgrounds Policy Review**

**FILE:22/00034**

#### **Purpose:**

The purpose of this report is to present the Advertising at Sportsgrounds Policy to Sports Council for consideration and endorsement prior to forwarding to Council for consideration and adoption.

- Des George – Council ground and Lease ground not clear in document – Des George will send through examples to Amanda McMahon
- Cr Danny Thompson - Section 5.17 Temporary Event Signs states “no more than one banner facing road allowed.” Cr Danny Thompson feels this is restrictive, if clubs are holding a major function they may have a couple of banners. Des George agrees it does feel restrictive.
- Mark Rix suggests as signs would be temporary feels more signs allowed would be suitable.
- Cr Danny Thompson suggested no more than 4 signs and/or 8 square metres allowed.
- Committee all for with the above change.

#### **Recommendation:**

That the Singleton Sports Council Meeting endorse the Advertising at Sportsgrounds Policy prior to forwarding to Council for consideration and adoption.

**Carried**

**MINUTES  
SINGLETON SPORTS COUNCIL  
7:00PM THURSDAY 21 APRIL 2022**



**5.3 Strategic Planning Update**

**FILE:22/00034**

Amanda McMahon provided an update on progression:

**Howe Park Draft Plan of Management**

The four (4) submissions received on the draft Howe Park POM have been assessed and minor changes made to the document.  
Due to legislative changes the revised document now needs to be sent back to Crown Lands prior to being adopted by Council.  
A briefing of the Councillors is scheduled for the 3 May 2022 with the POM to be reported to Council for adoption on the 17 May 2022 pending Crown Land endorsement.

- Des George asked will there be feedback for people that lodged submissions? Submissions are being worked through, Amanda McMahon can provide a copy of the submission report. Once draft report ready for Council Des George will be notified.

**Singleton Mountain Bike Track Detailed Design**

The draft concept design has been received and feedback from Council and the Mountain Biking Club provided to the consultant.  
The consultant along with their environmental subconsultants were on site the week before Easter and met up with the mountain biking club to discuss and refine the proposed alignment. The centreline of the proposed trails was flagged and a walk through was undertaken prior to any necessary tweaks being made and in-field data capture being completed.  
Council is undertaking the car park design inhouse with the survey undertaken this week and the concept design anticipated next week.

**Community Sport Infrastructure Study**

A briefing of the Councillors is scheduled for the 5 May 2022 with the CSIS reported to Council for adoption on the 17 May 2022.

**FOR INFORMATION**

**5.4 Capital Works Planning**

**FILE:22/00034**

Damian Morris provided an update on the progression on the Capital Works planning:

**Alroy Oval Amenities**

- Grant funding to be sought for the concept design of the building and facilities.

**MINUTES  
SINGLETON SPORTS COUNCIL  
7:00PM THURSDAY 21 APRIL 2022**



**Dr Maffey Drive Design**

- A design has been prepared for the upgrade of Dr Maffey Drive and the associated parking at Civic Sportsground.
- Cr Danny Thompson advised grants for two art pieces have been received, one piece proposed for under the bridge.

**FOR INFORMATION**

**5.5 2021/22 Capital Works Delivery FILE:22/00034**

Damian Morris provided an update on the progression of the Capital Works Delivery projects for 21/22 (\$5,313,411):

**Howe Park Turf Renovations (\$711,749)**

- Project has suffered significant delays due to wet weather.
- Sand slit drainage will be installed across the ground early May (subject to weather) and power to be run in late May 2022.

**Howe Park and Cook Park #4 Lighting Upgrade (\$721,226)**

- Tenders have been reviewed and contract has been awarded to Rees Electrical
- The construction program indicates that construction will commence at the end of May and be completed by the 7 July 2022 (subject to weather)

**Allan Bull Reserve Irrigation (\$200,000)**

- Works are now complete

**Athletics Amenities at Cook Park (\$1,107,036)**

- Successful in receiving \$773,544 under the Stronger Country Community Project and \$333,492 under LRCI Phase 3.
- Project Manager has been assigned and brief for construction drawings is being prepared

**SURLFC Amenities Extension (\$1,600,000)**

- SURLFC were successful in receiving \$1,345,000 under Resources for Region Round 8 and \$255,000 under LRCI Phase 3

**Tiered Seating at Rose Point and Cook Park (\$723,400)**

- Successful in receiving \$700,000 in funding under Resources for Region Round 8
- Project manager to be assigned, construction certificate application and water and sewer applications to be completed.

**MINUTES  
SINGLETON SPORTS COUNCIL  
7:00PM THURSDAY 21 APRIL 2022**



**Cook Park #5 Irrigation, spectator seating, shotput and discus cages (\$250,000)**

- Irrigation works have been completed
- Concrete works for the spectator seating and field cages have been completed
- Field cages have been delayed due to wet weather – rescheduled 27 April 2022
- One tiered spectator seating unit has been installed with the other unit built and awaiting installation

**FOR INFORMATION**

**5.6 Maintenance Activities**

**FILE:22/00034**

- Council has arranged for Electec to schedule the replacement of globes at Allan Bull, Alroy Oval and Civic Park. This will be undertaken at the one time and cannot be undertaken until such time as the sports fields have dried out enough to support a 5T EWP.
- CRMS received and actioned in March

Date	Customer	Request	Outcome
29/03/2022	Singleton Track and Field Club	Repair of canteen mesh and roller shutter, graffiti removal and replacement of locks: Canteen security mesh cut and bent. Canteen roller shutter (facing oval) has a rectangle hole cut out and a cut to the left of that. Lots of graffiti. Two locks cut off the athletics equipment storage area. Items stolen from storage area. Unable to collate list of items until police forensics have attended.	Councils contractors completed interim repairs and will quote more permanent solution

- Shade sail for the Gym and Swim pool is scheduled in May 2022

**FOR INFORMATION**

**5.7 Grant Programs  
Executive Summary**

**FILE:22/00034**

Update on the open Sports Grant funding opportunities provided by Amanda McMahon:

**Singleton Council Sports Grant Program Round 2 2021/2022**

- Council received five (5) applications from four (4) different clubs for funding, totaling \$32,787 from the \$120,256 pool available under Round 2 of Council's Sports Grant Program.

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- The applications are being considered by the grant assessment board with the outcome reported to the May Council meeting. Confirmation from both councillors, all grants are supported.
- Mark Rix raised that money from the Council Sports Grants cannot be used for a project that has commenced, however when the grant was applied for the project had not commenced and the club is unable to start the project until the grant is approved and the money is supplied by Council.  
Damian Morris advised of the risk to the club of commencing the work and the grant not being approved. Mark Rix believes that it is the clubs risk to take not Councils if the club spends the money before receiving the approved grant. Why are clubs penalized with grants if they want to start the project before Council approves the grant when the club takes the risk. Grant process is a long process, Council used to ask for financial evidence but now only ask now for if the grant is over \$10,000. These hurdles are unnecessary, if the Club has made the decision to do the works grant or no grant.
- Des George said in the time from when the grant is applied for and granted, there can be significant price changes for quotes received. Mark Rix said if no work has started when grant application submitted, Council should ask for proof of financial capability
- Amanda McMahon advised grant application guidelines specifies that projects cannot be started at time of submission
- Damian Morris to speak with Dwight Graham about the financial governance for the grant programs and if all funds can be rolled into one account
- Mark Rix asked about Sports Grant guidelines and under what extenuating circumstances clubs can apply for 100% of amount
- Extenuating circumstances include:
  - Natural disaster
  - Don't collect finances
  - Vandalism
  - Need to continue running
- Application forms to be updated to include extenuating circumstances at the same time they are updated to reflect the revised Terms of Reference. Amanda McMahon will update and bring back to Sports Council for review
- Mark Rix asked for the process map attached to the grant guidelines to be updated to add project commencement and extenuating circumstances.
- No dates currently set for 2022/2023 sports grants, Amanda McMahon advised they will be similar to previous years.

**NSW ATP Cup Tennis Legacy Fund (NSW Office of Sport)**

<https://www.sport.nsw.gov.au/grants/nsw-atp-cup-tennis-legacy-fund>

- Applications close Monday 2 May 2022
- Total funding available is \$330,000 (final round of the program)
- Grant totals between \$7,500 and \$50,000 for up to 25% of the project costs of facility developments and upgrades
- Grant totals of between \$1,000 and \$10,000 for up to 75% of the net project

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cost of participation initiatives

**Her Sport Her Way Grant Program (NSW Office of Sport)**

<https://www.sport.nsw.gov.au/grants/her-sport-her-way-grant-program>

- Eligible applicants are NSW State Sporting Organisations and State Sporting Organisations for people with Disability
- Applications close 28 April 2022
- Projects to be completed by December 2023
- Key objective of program is to increase the number of women and girls in sport both on and off the field
- Total funding for 2021/2022 of \$650,000
- Grant totals of between \$10,000 - \$50,000 per project
- Contributions of at least 25% from the applicant organization

**Regional Sports Event Fund (SportAUS)**

[https://www.sportaus.gov.au/grants\\_and\\_funding/regional-sport-events-fund](https://www.sportaus.gov.au/grants_and_funding/regional-sport-events-fund)

- The objective of the Fund is to support LGA Councils in identified regional and remote locations to host sporting events.
- Stream 1 (small community sporting events) has \$1,000,000 available closes 29 April 2022 for grants between \$1,000 to \$10,000 to support Councils in hosting events to be completed by 31 December 2022
- Stream 2 (Large Regional Sporting Events) Round 2 closes 29 April 2022 has \$900,000 available for grants between \$15,000 to \$50,000
- Applications must be made by Council and co-contribution is expected

**FOR INFORMATION**

**5.8 Action List**

**FILE:22/00034**

**Sports Council Action plan**

- Levels of service - no further action. Asset management plan up to be reviewed, 7 asset classes need to all be reviewed together.
- Community Sports Infrastructure strategy is being reported to Council for adoption in May.

**FOR INFORMATION**

**5.9 Club Updates  
Executive Summary**

**FILE:22/00034**

Club updates provided by Sports Council members

**Singleton Track and Field – Sarah Speechly & Hilary Kennedy via email**

- STFC recently suffered two disappointing acts of vandalism and theft at Alroy

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Oval. We'd like to thank Council (in particular Simon Andrews) for their quick response in securing and repairing the club house.

- Our athletics season has finished and we are having our club presentations on Tuesday and our AGM on 10 May 2022.
- Two STFC athletes competed at the National level, representing NSW, at The Australian Track and Field Championships held in Sydney earlier this month. Ethan Williams progressed to the finals in the 100m and 200m hurdles, achieving 5th place in both finals. Jordie Brown represented in the 110m hurdles event. Sarah Paul, para athlete 5 records broken this season.
- We are looking forward to an uninterrupted 2022/2023 season, hopefully at Cook 5 in our new clubhouse.

**Singleton Mountain Biking Club – Alan Fletcher via email**

- Pioneer MTB design - SMTBC members meet with the consultants Common Ground 13 April on site to discuss the design and environmental assessment work done. Overall the work done by Common Ground was well received with some suggestions from local riders. The meeting walked around the track looking at various sites and opportunities. We look forward to seeing the final draft designs.
- SMTBC applied for a Disaster Relief Sporting and Recreation Club Grant for \$1940 for work at Maison Dieu and Pioneer MTB tracks.

**Singleton Junior Rugby – Ben De Somer**

- Junior Rugby season commences 30 April 2022. The schools gala day has been postponed to 26 May 2022.

**Howe Park Tennis - Mark Rix**

- All going along nicely except for flooding and rain. Lighting been rescheduled, the club is waiting for courts to dry out. A new lighting control system for night hire will be installed at a cost of \$2000 with subsidy from Tennis NSW, club will be a pilot for the state

**Singleton Golf Club - Des George**

- Course is finally starting to dry out after the wet weather, lost 3 weeks of golf. Memberships to the club are growing. The Centenary Open will be held on 28 and 29 May 2022.
- Grants program works on the 10<sup>th</sup> tee are underway. Rebuilding of the cart paths after rain are also underway. The cart shed is finished, the green keepers shed is starting this week.
- Discussions with club map are happening, Des George will speak with Amanda McMahon about progressing. It was proposed to Sports Council last committee meeting that the Golf Club will run the pilot program, the funding was suggested to come out of Sports Council. A quote has been received for just under \$5000. Damian Morris advised that would require a motion from Sports Council to allocate the funding. This did not occur and Des George was advised to apply

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through the next round of Sports Grant Program for the funding.

**Singleton Rugby - Michael Tanner**

- The Rugby season starts in 2 sleeps. There will be no grandstand for first game as it needs to be pulled down and re-done.
- The club doesn't have a lot of numbers for seniors this year, however the club has a high number of junior players registered.

**Singleton Swim Club – Monique Buckley**

- The club would like to apologise for not being able to attend Sports Council meetings as their club nights were on a Thursday, however the season is now done, so will now be able to attend.
- The Coach has resigned, causing members of the club to leave and represent other clubs, very disappointing for swimmers. It affects all competitive swimmers and squad kids. The coach is employed by Belgravia. A meeting is scheduled for on 4 May 2022, difficult with no coach.
- What is Council doing for Belgravia for driving sports tourism in, coaches have resigned due to working conditions. Amanda McMahon advised to speak with Karen Varker and Nicole Lonsdale. Cr Mel McLachlan has been speaking with Vicki Brereton and Nicole Lonsdale about holding a public meeting/public forum with people having issues with gym and swim. Will have a date set in the next week.

**Singleton Strikers – Petrina Metcalf**

- Season is up to round 3 of the Northern League 1, hopefully have games at Cessnock if there is no rain. Howe Park is not available. Contractors are working on getting Howe Park ready. Hayden Nicol working on getting Civic Park ready for 14 May 2022.

**FOR INFORMATION**

**6 Other Business**

- Mark Rix – Sports improvement account, money provided by clubs not Council. Some clubs didn't contribute to the fund - Netball and Junior Touch contributed the most to the fund. Mark Rix has an issue with adding the Sports Improvement Account to general funds. Would like it to be acknowledged the fund is the Clubs money not Council money.
- Expressions of Interest for pop-up eateries at the 2022 Firelight Festival on Thursday 19 May, closes 28 April 2022. Howe Park Tennis, Junior Rugby and Golf Club aren't interested



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- Draft Community Strategic Plan Delivery and Operational Plan Delivery Plan open for exhibition regarding Sports Council, Amanda McMahon encourages all clubs to have a look and put in a submission. Comments/submissions are open until 22 May 2022
- Add Monique Buckley from Singleton Swim Club to the Sports Council mailing list, [monique@tamaruke.com](mailto:monique@tamaruke.com)
- Terms of Reference re vote

**Recommendation:**

That the Singleton Sports Council Meeting endorse the draft Sports Council Terms of Reference as attached to the report and present to Council for adoption.

8 members for  
1 member against

**Moved** Michael Tanner **Seconded** Ben De Somer

**7 Action List**

Pulse/Action No	Meeting Date	Action	Responsible Officer	Due Date

**8 Next Meeting**

- 19 May 2022 at 7:00pm

The meeting closed at 8.15pm.

**Cr Danny Thompson**  
Chair

Singleton Sports Council  
Terms of Reference  
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## Terms of Reference Singleton Sports Council

### 1. Establishment

The Singleton Sports Council was established to:

- Advise Council on all matters relating to sport; and
- To foster a co-operative relationship between Council and all sporting organisations

within the Singleton Local Government Area.

### 2. Authority

The Singleton Sports Council is a committee established under Section 355 with delegations from Council under the provision of Section 377 of the *Local Government Act, 1993*.

### 3. Functions and Responsibilities

This committee's functions are to:

- **To I** Initiate increased communication between the sporting public and Singleton Council in order that the existing and future needs and requirements of those participating and those administering sports are accurately identified and brought to the attention of Singleton Council.
- **To I** Identify for the appropriate organisation, those areas that may be suitable for sporting and recreational development. This identification could take place in respect of existing needs, but perhaps the greatest value would be in the identification of sites in relation to a future demand.
- **To c** Co-operate with Singleton Council to ensure that sporting and recreational facilities are provided and maintained at an agreed standard.
- In co-operation with Singleton Council, Government Departments, and other bodies/organisations, to ensure that wherever possible optimum use is made of existing facilities.
- **To r** Recommend to Singleton Council priorities in respect of development projects which may be competing for funds.
- **To a** Assist with the promotion of local sporting events.
- **To e** Endeavour to co-operate with other agencies in order to keep the community fully informed of those facilities and clubs that exist within the Local Government Area.
- **To m** Make recommendations to Singleton Council on all winter and summer allocations of sporting facilities.

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- To make recommendations to Singleton Council from time to time of fees and charges for the use of sporting facilities.
- To raise funds from any sources whatsoever to further the objectives of the Sports Council.
- To promote and acknowledge the Sports Persons of the Year

#### 4. Referral of Matters

- All Committee minutes will be reported to Council for information and for adoption of any recommendations.
- To advise Singleton Council on all aspects of current and future sporting needs together with options for meeting these needs.
- To annually allocate between sporting bodies the use of Singleton Council's sporting grounds between sporting bodies seasonally.
- To recommend to Singleton Council priorities for capital funding for sporting facilities.
- To liaise with users and promote improved and safer sporting facilities.

#### 5. Membership and length of term

The Committee will consist of:

- One representative of each affiliated<sup>1</sup> sporting association located within the Singleton Local Government Area as nominated by their sporting association.
- Two (2) Councillor representatives with one (1) to serve as the Chair.
- Community representatives. Representatives will be recommended by the Committee to Council for appointment following a public expression of interest process as per the Council Committees Procedure.
- The Coordinator Recreation & Facilities Manager Infrastructure Services or nominated representative will attend as an advisor and will not have any voting rights.

The Committee members will serve for the following term:

- Councillor representatives will be elected by Council every two years.
- Community representatives will serve for a term of one year two years and may nominate for re-appointment.
- Representatives of affiliated sporting associations will serve for a period of one year and may nominate for re-appointment.

<sup>1</sup> For the purpose of this document "affiliated" is a sporting association that has paid its Singleton Sports Council membership fee for the current financial year

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## 6. Operation

- The Committee shall comply with Council's adopted Code of Conduct and Committees Procedure.
- The Committee will meet **bi-monthly** or quarterly at a minimum. Should the need arise, some meetings may be held via the use of electronic conferencing technologies, at the discretion of the Chair.
- All decisions and recommendations shall be determined preferably by consensus but if this is unable to be achieved by majority vote of voting members present.
- Whenever the voting on a motion put to a meeting of the Committee is equal, the Chair of the Committee is to have a casting vote as well as an original vote.
- At least one weeks' notice in writing shall be given for an ordinary meeting.
- A Special Meeting of the Singleton Sports Council may be called by the Chair
- Notice of any Special Meetings of the Singleton Sports Council shall be in writing and given at three (3) business days before such meeting.
- Every recommendation passed at any meeting of the Singleton Sports Council and endorsed by Singleton Council shall be binding on all relevant sporting associations whether present or not.
- ~~All funds of the Singleton Sports Council shall be managed by Singleton Council with payments to be recommended by Singleton Sports Council.~~
- ~~Payments from the Sports Improvement Fund shall be authorised by the Singleton Sports Council. Accounts shall be presented to and recommended for payment at a meeting of the Singleton Sports Council.~~
- ~~Any funds raised by the Singleton Sports Council shall be used by the Sports Council to:~~
  - ~~Develop projects/programs/grants schemes which it undertakes in its own right subject to the approval of the Singleton Council; or~~
  - ~~Be transferred to Singleton Council to be used by that body to further the development of sport within the Singleton Local Government Area.~~

## 7. Quorum

- A quorum will consist of **seven (7) five (5) affiliated** members of the Sports Council.
- If a quorum is not achieved within twenty (20) minutes of the advertised time of the meeting, such meeting shall be held over until the following meeting date.

## 8. Conduct

- All committee members must comply with the applicable provisions of Council's Code of Conduct in performing their duties and must:

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- Not engage in bullying behaviour (as defined in the Code of Conduct) towards the Chair, other Council officials or any members of the public present during Committee Meetings.
  - Not engage in conduct that disrupts Committee Meetings, or that would otherwise be inconsistent with the orderly conduct of meetings.
  - Disclose the nature of any pecuniary or non-pecuniary conflicts of interest to the Chair as soon as practicable in accordance with Council's Code of Conduct.
- Councillors must comply with the Interactions Between Councillors and Staff Policy at all times and only contact staff that are nominated in the Councillor/Staff Liaison Listing. Should they wish to contact a Council staff member outside of a committee meeting they may only do so via the General Manager or relevant Director.
- It is important for committee members to recognise that meetings are not a suitable forum for making action requests of Council staff. All requests outside of a Committee's Terms of Reference must be made via the appropriate channels ie. Customer Request.

## 9. Meetings

- Committee meetings are to be carried out in accordance with this Terms of Reference and Council's Committees Procedure.
- Committee members are required to be fully prepared for each meeting and make every reasonable effort to attend or participate in each meeting.
- Committee meetings will be conducted with due consideration for each person with a disability and in an environment which is accessible to all members.

## 10. Observers and Visitors

- A Councillor who is not a member of a committee may attend the Committee as an observer. However, the Councillor is not entitled to give notice of business for inclusion in the agenda for the meeting, to move or second a motion (if required), or to vote at the meeting. The Councillor as a courtesy should in advance of the meeting advise the Chair by email of their intention to attend the meeting.
- The General Manager or their representative may also attend and speak at a meeting. Other Council staff may attend at the invitation of the General Manager or Director to speak on a particular agenda item. Council staff attending in this capacity cannot move or second a motion at the meeting or vote at the meeting.
- The Committee may invite other persons to attend meetings and participate in discussions, but they will have no voting rights.

## 11. Agendas and Minutes

- Agendas and Minutes are to be prepared and circulated in accordance with the Committees Procedure.

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- All meeting records are to be recorded by Council on the relevant CM9 container.
- Minutes will be reported to Council for adoption or for information.
- Agendas and associated documentation will be distributed at least five (5) business days prior to the meeting.
- Any matters to be considered at the meeting will be provided to the Chair a minimum of seven (7) business days prior to the meeting.

## **12. Evaluation and Review**

- This Committee shall review its Terms of Reference and provide them to Council for adoption at the beginning of each term of Council or when initiated by the Chair.
- The Chair of the Committee will initiate a review of the performance of the Committee at the end of every term of Council. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from the relevant Director and any other relevant stakeholders, as determined by the Chair.

**DI&P43/22. Singleton Council Sports Grant Program Funding Allocations**  
**Author:** Coordinator Recreation & Facilities

**FILE:** 21/00520

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### Executive Summary

The purpose of this report is to present to Council a recommendation to fund five applications received under Round 2 of the Singleton Council Sports Grant Program 2021/2022

**RECOMMENDED** that Council approve the following applications for funding, totalling \$48,727 (ex GST), under Round 2 of the Singleton Sports Grant Program 2021/2022:

Applicant	Project	Grant Requested
Howe Park Tennis	Deep Cleaning of Synthetic Grass Courts 9-14	\$11,880
Singleton United Rugby League Football Club	Canteen Upgrade	\$2,068
	Upgrade Plant and Equipment	\$13,487
Singleton AFC	Hot Water System Replacement	\$1,292
Singleton Strikers Football Club	Provision of Temporary Facilities for the 2022 Season	\$20,000
<b>Total</b>		<b>\$48,727</b>

### Report

The Singleton Sports Grant Program was established in recognition of the important contribution sporting organisations make in developing and maintaining programs and facilities in the Singleton community. The program provides dollar-for-dollar grant opportunities to community-based not-for-profit organisations based in Singleton to help maintain and improve sporting facilities. Organisations must be an affiliated member of the Singleton Sports Council to be eligible.

In 2021/2022 grant funds totalling \$199,949 were available to local sporting groups through the Program, with \$79,693 allocated in Round 1 leaving a balance of \$120,256.

Round 2 of the Program was open from 25 February 2022 until 25 March 2022 and it attracted five applications from four sports clubs. An initial eligibility assessment was undertaken to determine whether the applicant organisations were eligible to apply and that the applications were complete and met the program requirements.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P43/22*

The initial assessment identified that two of the applications did not meet the eligibility criteria of the grant program as two applicants had not completed affiliation applications for the current year. However, the Singleton Sports Council resolved at its meeting of 17 March 2022 to remove the requirement for clubs to be affiliated from the Terms of Reference and refund all fees received during the 2021/2022 financial year.

Under the funding parameters of the Sports Grant Program, organisations may apply for a grant of up to 50% of the cost of the project. This may be waived for community groups that can demonstrate extenuating circumstances. A further discussion in this regard was held at the Sports Council meeting of the 21 April 2022. It was proposed, and supported by the Committee, that extreme weather events would be considered as extenuating circumstances and projects that were nominated as a result would be considered for funding of 100% of the total project cost. For this reason, the Howe Park Tennis - Deep Cleaning of Synthetic Grass Courts 9-14 and the Singleton Strikers Football Club - Provision of Temporary Facilities for 2022 Season have been supported for 100% funding, rather than the requested 50%.

The grant applications were assessed by a panel comprising two Councillor representatives of the Singleton Sports Council, the Director of Infrastructure and Planning Services and the Manager Infrastructure Services. The panel resolved to support all funding applications as detailed in Table 1 below.

**Table 1:** Applications supported for funding under the Sports Grant Program

Applicant	Project	Grant Requested
Howe Park Tennis	Deep Cleaning of Synthetic Grass Courts 9-14	\$11,880
Singleton United Rugby League Football Club	Canteen Upgrade	\$2,068
	Upgrade Plant and Equipment	\$13,487
Singleton AFC	Hot Water System Replacement	\$1,292
Singleton Strikers Football Club	Provision of Temporary Facilities for the 2022 Season	\$20,000
<b>Total</b>		<b>\$48,727</b>

### Community Strategic Plan

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



## Our People

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

## Delivery Program/Operational Plan

- 1.2.1 Integrate Council's Cultural, Social and Recreational Development Strategies

- 1.2.1.2 In conjunction with local sporting community, implement Sports Council Action Plan

## Council Policy/Legislation

This matter has no specific policy implications for Council.

Section 356 of the *Local Government Act, 1993* allows Council, in accordance with a resolution of the Council, to contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions. Public notice of the Council's proposal to pass the necessary resolution is not required where the financial assistance is part of a specific program.

## Financial Implications

There is \$120,256 available in Round 2 of the Sports Grant Program 2021/2022 and this report recommends expenditure of \$48,727.

The balance of funds of \$71,529 will be carried over to the Sports Grant Program 2022/2023 and added to the \$100,000 proposed in the 2022/2023 budget.

## Consultation/Social Implications

The Sports Grant Program has been developed in consultation with the Sports Council. Ongoing conversations with the members of the Sports Council are being had to assess the success of the program.

## Environmental Consideration

Nil.

## Risk Implications

Risk	Risk Ranking	Proposed Treatments	Residual Risk Ranking	Within Existing Resources?
There is a risk of dissatisfaction from the sporting community, which may lead to reputational damage to Council.	Medium	Adopt the recommendation.	Low	Yes
There is a risk that these worthwhile projects will not	Medium	Adopt the recommendation.	Low	Yes

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P43/22*

<b>Risk</b>	<b>Risk Ranking</b>	<b>Proposed Treatments</b>	<b>Residual Risk Ranking</b>	<b>Within Existing Resources?</b>
proceed at the detriment of the community, which may lead to a missed opportunity to improve sporting infrastructure within the LGA.				

**Options**

The following options are available to Council:

1. Approve the following applications for funding, totalling \$48,727 (ex GST), under Round 2 of the Singleton Sports Grant Program 2021/2022:

Applicant	Project	Grant Requested
Howe Park Tennis	Deep Cleaning of Synthetic Grass Courts 9-14	\$11,880
Singleton United Rugby League Football Club	Canteen Upgrade	\$2,068
	Upgrade Plant and Equipment	\$13,487
Singleton AFC	Hot Water System Replacement	\$1,292
Singleton Strikers Football Club	Provision of Temporary Facilities for the 2022 Season	\$20,000
<b>Total</b>		<b>\$48,727</b>

2. Not endorse the applications for funding under Round 1 of the Singleton Sports Grant Program 2021/2022.

Option one is recommended.

**Conclusions**

The Singleton Sports Grant Program offers financial assistance to sport and recreation community organisations. Funding of \$120,256 was available under Round 2 of the Program for 2021/2022. Five applications, totalling \$48,727 (ex. GST), were received and assessed by a panel that endorsed all five applications for funding.

It is recommended that Council resolve to grant financial assistance to support all five eligible applications that have been endorsed by the assessment panel.

**Attachments**

There are no attachments for this report.

**DI&P44/22. Minutes - Local Traffic Committee - 12/05/2022**  
**Author:** Traffic Engineering Officer

**FILE:** 22/00072

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### Executive Summary

The Local Traffic Committee held its ordinary meeting on 12 May 2022. The minutes of the meeting are shown as **Attachment 1** for Council's consideration.

**RECOMMENDED** that Council:

1. Note the minutes of the Singleton Local Traffic Committee Meeting held on 12 May 2022.
2. Note that in accordance with Section 226 of the *Local Government Act, 1993* the Mayor approved the following on 19 May 2022:

**1. Agenda Item 10 - Event - Smoke in Broke - Temporary Traffic Management**

Pre-approval was required in relation to this item as the event was due to take place on 11 and 12 June 2022 (prior to the 21 June 2022 Council meeting).

**2. Any other business - Temporary parking restrictions - Singleton Youth Venue during use as polling venue**

Local Traffic Committee recommended approval of the implementation of temporary parking restrictions on Pitt Street and Bathurst Street in the periods that the Singleton Youth Venue is used as a polling venue.

3. Adopt the following recommendations made by the Local Traffic Committee:

**Item 1 - Foybrook Avenue/Magpie Street - Amendments to NO STOPPING restrictions**

**Recommendation:**

Local Traffic Committee recommends that Council approves the installation of the NO STOPPING signage at the intersection of Foybrook Avenue and Magpie Street as per drawing 'PS22-018 - Foybrook Avenue-Magpie Street - NO STOPPING restrictions'.

**Item 2 - Event - Milbrodale Mountain Classic 2022 - Temporary Traffic Management**

**Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Guidance Scheme submitted for the 2022 Hedweld Milbrodale Mountain Classic and approves the event under Section 144 of the Roads Act 1993 with the following conditions:

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P44/22*

1. Compliance with Traffic Guidance Schemes (TGS) must take precedence over any operational or competitive expedience encountered in the conduct of the race.
2. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
2. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race commences.
3. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
4. Traffic Controllers must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
5. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
6. Traffic controllers must display their authorisation when controlling traffic.
7. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
8. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
9. Any changes or modifications to the TGS can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
10. The event organiser must undertake letterbox drops to all affected businesses and residents in the areas at least 7 days prior to the events taking place to advise of the upcoming event.

**Item 3 - Wilkinson Boulevard/Casey Drive and Graham Avenue/Casey Drive - NO STOPPING restrictions and GIVE WAY signs****Recommendation:**

Local Traffic Committee recommends that Council approves the installation of the NO STOPPING signage and GIVE WAY signage and associated line marking at the intersections of Wilkinson Boulevard/Casey Drive and Graham Avenue/Casey Drive as per drawing 'PS22-019 - Wilkinson Boulevard-Casey Drive-Graham Avenue -

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P44/22*

Parking restrictions and GIVE WAY signs’.

**Item 4 - Queen Street - Combined Pedestrian (Zebra) Crossing and Children's Crossing****Recommendation:**

Local Traffic Committee recommends that Council approves the conversion of the existing Children’s Crossing on Queen Street in front of St Catherine’s College to a combined Pedestrian (Zebra) Crossing and Children’s Crossing as per drawing ‘PS22-025 - Queen Street - Combined Pedestrian Crossing-Children’s Crossing’.

**Item 5 - Elizabeth Street - Extension of NO STOPPING restriction****Recommendation:**

Local Traffic Committee recommends that Council approves the relocation of the NO STOPPING sign on Elizabeth Street, near to the vehicle access to the Water and Sewer Depot located at 189 John Street, as per drawing ‘PS22-024 - Elizabeth Street - NO STOPPING sign relocation’.

**Item 6 - Event - Singleton Triathlon 2022/2023 - Temporary Traffic Management****Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Management Plan for the following events to be conducted by the Singleton Triathlon Club on:

- Sunday, 3 July 2022
- Sunday, 7 August 2022
- Sunday, 4 or 11 September 2022
- Sunday, 2 October 2022
- Sunday, 6 November 2022
- Sunday, 4 December 2022
- Sunday, 1 or 8 January 2023
- Sunday, 5 February 2023
- Sunday, 5 March 2023
- Sunday, 2 April 2023
- Sunday, 7 May 2023
- Sunday, 4 June 2023

and approves the events in accordance with this plan under Section 144 of the Roads Act 1993 and the following conditions:

1. This approval is subject to Singleton Triathlon obtaining written approval by the NSW Police Force pursuant to Section 115 of the Road Transport Act 2013. **If Police approval is not granted, the event cannot take place.**
2. All race participants must follow the rules of the road unless special traffic control is provided.
3. Riders are to never cross the centreline of the road. Sanctions for crossing a

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centreline are to be put in place and issued to riders if necessary.

4. Compliance with Traffic Guidance Schemes (TGS's) must take precedence over any operational or competitive expedience encountered in the conduct of a race.
5. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
6. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race passes any given point.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
9. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
10. Traffic controllers must display their authorisation when controlling traffic.
11. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
12. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
13. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)

**Item 7 - Event - AusCycling 2022 - Temporary Traffic Management****Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Management Plans as submitted by AusCycling for the following events:

- Saturday 3 September 2022 – Road Race
- Sunday 4 September 2022 – Broke Criterium Course

and approves the events in accordance with these plans under Section 144 of the Roads Act 1993 and the following conditions:

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1. This approval is subject to AusCycling obtaining written approval by the NSW Police pursuant to Section 115 of the Road Transport Act 2013. **If Police approval is not granted, the event cannot take place.**
2. All race participants must follow the rules of the road at all times unless special traffic control is provided.
3. Riders are to never cross the centreline of the road. Sanctions for crossing a centreline are to be put in place and issued to riders if necessary.
4. Compliance with Traffic Guidance Schemes (TGS's) must take precedence over any operational or competitive expedience encountered in the conduct of a race.
5. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
6. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race passes any given point.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
9. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
10. Traffic controllers must display their authorisation when controlling traffic.
11. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
12. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
13. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
14. The event organiser must undertake letterbox drops to all affected businesses and residents in the areas at least 7 days prior to the events taking place to



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advise of the upcoming events.

**Item 8 - Francis Place - GIVE WAY sign and line marking****Recommendation:**

Local Traffic Committee recommends that Council approves the installation of a GIVE WAY sign and associated line marking at the intersection of Francis Place and Gardner Circuit as per drawing '27/04/202155246 C(LM)'

**Item 9 - Event - Elite Energy Hunter Cycling Classic – Temporary Traffic Management****Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Management Plans for the Elite Energy Hunter Classic Cycle Race to be held on Saturday 20th August 2022 as submitted by Elite Energy and approves the event in accordance with these plans under Section 144 of the Roads Act 1993 and the following conditions:

1. This approval is subject to Elite Energy obtaining written approval by the NSW Police Force pursuant to Section 115 of the Road Transport Act 2013. **If Police approval is not granted, the event cannot take place.**
2. All race participants must follow the rules of the road at all times unless special traffic control is provided.
3. Riders are to never cross the centreline of the road. Sanctions for crossing a centreline are to be put in place and issued to riders if necessary.
4. Compliance with the Traffic Guidance Schemes (TGS's) must take precedence over any operational or competitive expedience encountered in the conduct of a race.
5. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
6. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race passes any given point.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)

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9. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
10. Traffic controllers must display their authorisation when controlling traffic.
11. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
12. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
13. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
14. The TGS (TCP-HC-2022) is to be updated as follows:
  - a. A temporary speed limit of 40km/h is to be put in place at all locations in the Singleton LGA that are currently shown as being reduced to 60km/h
  - b. At the start of all temporary speed zones speed limit signs must be erected on both sides of the carriageway
  - c. At the end of all temporary speed zones a speed limit sign must be installed showing the pre-existing speed limit
  - d. Speed limit signs and return to speed signs are required on all arms of intersections subject to a temporary speed zone - there are a number of locations on the current TGS where not all arms are fully covered
15. The updated TGS (incorporating all requirements of item 14) is to be submitted to Council for review by 8 July 2022. If the updated TGS is not submitted to Council, the event cannot take place.

**Item 10 - Event - Smoke in Broke - Temporary Traffic Management****Recommendation:**

Council notes that the Mayor has approved the recommendation on behalf of Council on 19 May 2022 in accordance with Section 226 of the Local Government Act which states that one of the roles of the Mayor is "to of the exercise, in the cases of necessity, the policy-making function of the governing body of the council between meetings of the council"

Recommendation that has already been approved:

Local Traffic Committee recommends that Council endorses the 'Traffic Management Plan – Smoke in Broke 2022' and approves the implementation of the temporary traffic control measures required to run this event in accordance with this plan subject to the following conditions:

1. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site

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- c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
2. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before the event begins.
3. Traffic Controllers must hold current traffic controller certification – 'Traffic Controller' (previously blue card).
4. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under the Roads Regulations 2018
5. Traffic controllers must display their authorisation when controlling traffic
6. Traffic controllers shall be relieved after 2 hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. The implementation of TGS's must be undertaken by a person that hold current certification – 'Implement Traffic Control Plans' (previously yellow card).
9. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card).
10. The TGS (TCP-GTS-SIB-001) is to be updated as follows:
  - a. at the start of all temporary speed zones speed limit signs must be erected on both sides of the carriageway
  - b. At the end of all temporary speed zones a speed limit sign must be installed showing the pre-existing speed limit
  - c. The date needs to be updated to reflect that it has been reviewed/updated for the 2022 event. TGS's last a maximum of 12 months.
  - d. References to TCP (Traffic Control Plan) are to be updated to TGS (Traffic Guidance Scheme)
  - e. The notes on the TGS refer to TCAWS v5 - that version has been superseded and as such the notes are to be updated to refer to the current version.
11. The updated TGS (incorporating all requirements of item 10) is to be submitted to Council for review at least 4 weeks prior to the event. If the updated TGS is not submitted to Council, the event cannot take place.

**Item 11 - Event – Broke Village Fair 2022 - Temporary Traffic Management****Recommendation:**

Local Traffic Committee recommends that Council endorses the TMP for the Broke Village Fair 2022 and approves the implementation of the temporary traffic control

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measures required to run this event in accordance with the TMP with the following conditions:

1. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
    - a. be properly inducted by the Event Organiser
    - b. receive training for their specific work site
    - c. be aware of their responsibilities in emergencies
    - d. be provided with proper personal protective equipment.
  2. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before the event commences.
  3. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
  4. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
  5. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority
  6. Traffic controllers must display their authorisation when controlling traffic.
  7. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
  8. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
  9. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
  10. The TGS (no. 1572\_A) is to be reviewed and the date updated to reflect the date of the review.
  11. The updated TGS (incorporating the requirement of item 10) is to be submitted to Council for review by 11 August 2022. If the updated TGS is not submitted to Council, the event cannot take place.
3. Allocate funds from within the existing operational budget as follows to undertake the works recommended by the Local Traffic Committee:

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Item	Title	Source of funds	Est. amount
1	Foybrook Avenue/Magpie Street - Amendments to NO STOPPING restrictions	TfNSW Traffic Facilities Budget	\$2,000
2	Event - Milbrodale Mountain Classic 2022 - Temporary Traffic Management	N/A	\$0
3	Wilkinson Boulevard/Casey Drive and Graham Avenue/Casey Drive - NO STOPPING restrictions and GIVE WAY signs	TfNSW Traffic Facilities Budget	\$3,000
4	Queen Street - Combined Pedestrian (Zebra) Crossing and Children's Crossing	TfNSW Traffic Facilities Budget	\$4,000
5	Elizabeth Street - Extension of NO STOPPING restriction	TfNSW Traffic Facilities Budget	\$1,000
6	Event - Singleton Triathlon 2022/2023 - Temporary Traffic Management	N/A	\$0
7	Event - AusCycling 2022 - Temporary Traffic Management	N/A	\$0
8	Francis Place - GIVE WAY sign and line marking	N/A	\$0
9	Event - Elite Energy Hunter Cycling Classic - Temporary Traffic Management	N/A	\$0
10	Event - Smoke in Broke - Temporary Traffic Management	N/A	\$0
11	Event – Broke Village Fair 2022 - Temporary Traffic Management	N/A	\$0

**Attachments**

**AT-1** [DRAFT Minutes - Local Traffic Committee - 12 05 2022](#)

**DRAFT MINUTES  
LOCAL TRAFFIC COMMITTEE  
9.30AM THURSDAY 12 MAY 2022**



<b>Present</b>	Councillor Sue George (Chair) Ruth Rogers (Members representative) Alison Balding (TfNSW) Chief Inspector Jo Schultz (NSW Police)
<b>In Attendance</b>	Justin Fitzpatrick-Barr Damian Morris Paul Smith Chris Tola (Road Safety Officer) Mel Cope (Minutes)
<b>Meeting Location</b>	Council Chambers

**1 Welcome and Apologies**

- Welcome
- Acknowledgement of Country by Chair
- Apologies – Cr Sue Moore (Mayor)  
Jason Linnane  
Dave Layzell  
Senior Constable Amy Sweeney (NSW Police)  
Sam Masoomi

**2 Disclosure of Interests**

- Nil

**3 Confirmation of Minutes**

- The minutes of the Local Traffic Committee meeting held on Thursday 17 March 2022, were confirmed.

**Moved** Cr George **Seconded** Jo Schultz

**4 Matters arising from the Minutes**

- Nil

**5 Agenda Items**

**5.1 Item 1 - Foybrook Avenue/Magpie Street -  
Amendments to NO STOPPING restrictions**

**FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council approves the installation of the NO STOPPING signage at the intersection of Foybrook Avenue and Magpie Street as per drawing 'PS22-018 - Foybrook Avenue-Magpie Street - NO STOPPING restrictions'.

**Unanimous Support**

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**5.2 Item 2 - Event - Milbrodale Mountain Classic 2022 -  
Temporary Traffic Management FILE:22/00072**

- Event organisers have advised police the event may not go ahead due to the weather affecting the state of the property on which the event is to be held.

**Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Guidance Scheme submitted for the 2022 Hedweld Milbrodale Mountain Classic and approves the event under Section 144 of the Roads Act 1993 with the following conditions:

1. Compliance with Traffic Guidance Schemes (TGS) must take precedence over any operational or competitive expedience encountered in the conduct of the race.
2. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
3. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race commences.
4. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
5. Traffic Controllers must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
6. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
7. Traffic controllers must display their authorisation when controlling traffic.
8. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being

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returned to traffic control duties.

9. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
10. Any changes or modifications to the TGS can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
11. The event organiser must undertake letterbox drops to all affected businesses and residents in the areas at least 7 days prior to the events taking place to advise of the upcoming event

**Unanimous Support**

**5.3           Item 3 - Wilkinson Boulevard/Casey Drive and  
Graham Avenue/Casey Drive - NO STOPPING  
restrictions and GIVE WAY signs**

**FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council approves the installation of the NO STOPPING signage and GIVE WAY signage and associated line marking at the intersections of Wilkinson Boulevard/Casey Drive and Graham Avenue/Casey Drive as per drawing 'PS22-019 - Wilkinson Boulevard-Casey Drive-Graham Avenue - Parking restrictions and GIVE WAY signs'.

**Unanimous Support**

**5.4           Item 4 - Queen Street - Combined Pedestrian (Zebra)  
Crossing and Children's Crossing**

**FILE:22/00072**

- Upon installation of the Pedestrian Crossing, Police will have extra enforcement patrol the area.

**Recommendation:**

Local Traffic Committee recommends that Council approves the conversion of the existing Children's Crossing on Queen Street in front of St Catherine's College to a combined Pedestrian (Zebra) Crossing and Children's Crossing as per drawing 'PS22-025 - Queen Street - Combined Pedestrian Crossing-Children's Crossing'.

**Unanimous Support**



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**5.5 Item 5 - Elizabeth Street - Extension of NO STOPPING restriction** **FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council approves the relocation of the NO STOPPING sign on Elizabeth Street, near to the vehicle access to the Water and Sewer Depot located at 189 John Street, as per drawing 'PS22-024 - Elizabeth Street - NO STOPPING sign relocation'.

**Unanimous Support**

**5.6 Item 6 - Event - Singleton Triathlon 2022/2023 - Temporary Traffic Management** **FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Management Plan for the following events to be conducted by the Singleton Triathlon Club on:

- Sunday, 3 July 2022
- Sunday, 7 August 2022
- Sunday, 4 or 11 September 2022
- Sunday, 2 October 2022
- Sunday, 6 November 2022
- Sunday, 4 December 2022
- Sunday, 1 or 8 January 2023
- Sunday, 5 February 2023
- Sunday, 5 March 2023
- Sunday, 2 April 2023
- Sunday, 7 May 2023
- Sunday, 4 June 2023

and approves the events in accordance with this plan under Section 144 of the Roads Act 1993 and the following conditions:

1. This approval is subject to Singleton Triathlon obtaining written approval by the NSW Police Force pursuant to Section 115 of the Road Transport Act 2013. **If Police approval is not granted, the event cannot take place.**
2. All race participants must follow the rules of the road unless special traffic control is provided.
3. Riders are to never cross the centreline of the road. Sanctions for crossing a

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centreline are to be put in place and issued to riders if necessary.

4. Compliance with Traffic Guidance Schemes (TGS's) must take precedence over any operational or competitive expedience encountered in the conduct of a race.
5. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
6. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race passes any given point.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
9. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
10. Traffic controllers must display their authorisation when controlling traffic.
11. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
12. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
13. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)

**Unanimous Support**

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**5.7 Item 7 - Event - AusCycling 2022 - Temporary Traffic Management**

**FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Management Plans as submitted by AusCycling for the following events:

- Saturday 3 September 2022 – Road Race
- Sunday 4 September 2022 – Broke Criterium Course

and approves the events in accordance with these plans under Section 144 of the Roads Act 1993 and the following conditions:

1. This approval is subject to AusCycling obtaining written approval by the NSW Police pursuant to Section 115 of the Road Transport Act 2013. **If Police approval is not granted, the event cannot take place.**
2. All race participants must follow the rules of the road at all times unless special traffic control is provided.
3. Riders are to never cross the centreline of the road. Sanctions for crossing a centreline are to be put in place and issued to riders if necessary.
4. Compliance with Traffic Guidance Schemes (TGS's) must take precedence over any operational or competitive expedience encountered in the conduct of a race.
5. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
6. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race passes any given point.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
9. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
10. Traffic controllers must display their authorisation when controlling traffic.

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11. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
12. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
13. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
14. The event organiser must undertake letterbox drops to all affected businesses and residents in the areas at least 7 days prior to the events taking place to advise of the upcoming events.

**Unanimous Support**

**5.8 Item 8 - Francis Place - GIVE WAY sign and line marking**

**FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council approves the installation of a GIVE WAY sign and associated line marking at the intersection of Francis Place and Gardner Circuit as per drawing '27/04/202155246 C(LM)'

**Unanimous Support**

**5.9 Item 9 - Event - Elite Energy Hunter Cycling Classic - Temporary Traffic Management**

**FILE:22/00072**

**Recommendation:**

Local Traffic Committee recommends that Council endorses the Traffic Management Plans for the Elite Energy Hunter Classic Cycle Race to be held on Saturday 20th August 2022 as submitted by Elite Energy and approves the event in accordance with these plans under Section 144 of the Roads Act 1993 and the following conditions:

1. This approval is subject to Elite Energy obtaining written approval by the NSW Police Force pursuant to Section 115 of the Road Transport Act 2013. **If Police approval is not granted, the event cannot take place.**
2. All race participants must follow the rules of the road at all times unless special traffic control is provided.
3. Riders are to never cross the centreline of the road. Sanctions for crossing a

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centreline are to be put in place and issued to riders if necessary.

4. Compliance with the Traffic Guidance Schemes (TGS's) must take precedence over any operational or competitive expedience encountered in the conduct of a race.
5. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
6. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before a race passes any given point.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
9. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under Roads Regulation 2018
10. Traffic controllers must display their authorisation when controlling traffic.
11. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
12. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
13. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
14. The TGS (TCP-HC-2022) is to be updated as follows:

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- a. A temporary speed limit of 40km/h is to be put in place at all locations in the Singleton LGA that are currently shown as being reduced to 60km/h
  - b. At the start of all temporary speed zones speed limit signs must be erected on both sides of the carriageway
  - c. At the end of all temporary speed zones a speed limit sign must be installed showing the pre-existing speed limit
  - d. Speed limit signs and return to speed signs are required on all arms of intersections subject to a temporary speed zone - there are a number of locations on the current TGS where not all arms are fully covered
15. The updated TGS (incorporating all requirements of item 14) is to be submitted to Council for review by 8 July 2022. **If the updated TGS is not submitted to Council, the event cannot take place.**

**Unanimous Support**

**5.10            Item 10 - Event - Smoke in Broke - Temporary Traffic Management            FILE:22/00072**

- The minutes of the 12 May 2022 Local Traffic Committee meeting will be going to the 20 June 2022 Council meeting however, as the date of the event is 11 and 12 June 2022 approval of the item is required prior to the Council meeting.
- Paul Smith will request that the Mayor make a decision on behalf of Council in regards to this item in accordance with Section 226 of the Local Government Act. Section 226 of the Local Government Act states the one of the roles of the Mayor is "to of the exercise, in the cases of necessity, the policy-making function of the governing body of the council between meetings of the council"

**Recommendation:**

Local Traffic Committee recommends that Council endorses the 'Traffic Management Plan – Smoke in Broke 2022' and approves the implementation of the temporary traffic control measures required to run this event in accordance with this plan subject to the following conditions:

1. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:

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- a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
2. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before the event begins.
3. Traffic Controllers must hold current traffic controller certification – 'Traffic Controller' (previously blue card).
4. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority, under the Roads Regulations 2018
5. Traffic controllers must display their authorisation when controlling traffic
6. Traffic controllers shall be relieved after 2 hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
7. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
8. The implementation of TGS's must be undertaken by a person that hold current certification – 'Implement Traffic Control Plans' (previously yellow card).
9. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card).
10. The TGS (TCP-GTS-SIB-001) is to be updated as follows:
  - a. at the start of all temporary speed zones speed limit signs must be erected on both sides of the carriageway
  - b. At the end of all temporary speed zones a speed limit sign must be installed showing the pre-existing speed limit
  - c. The date needs to be updated to reflect that it has been reviewed/updated for the 2022 event. TGS's last a maximum of 12 months.
  - d. References to TCP (Traffic Control Plan) are to be updated to TGS (Traffic Guidance Scheme)

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- e. The notes on the TGS refer to TCAWS v5 - that version has been superseded and as such the notes are to be updated to refer to the current version.

- 11. The updated TGS (incorporating all requirements of item 10) is to be submitted to Council for review by 20 May 2022. **If the updated TGS is not submitted to Council, the event cannot take place.**

**Unanimous Support**

**5.11          Item 11 - Event – Broke Village Fair 2022 -  
Temporary Traffic Management**

**FILE:22/000**

**Recommendation:**

Local Traffic Committee recommends that Council endorses the TMP for the Broke Village Fair 2022 and approves the implementation of the temporary traffic control measures required to run this event in accordance with the TMP with the following conditions:

1. As per the Work Health and Safety Act 2011, traffic controllers and marshals must:
  - a. be properly inducted by the Event Organiser
  - b. receive training for their specific work site
  - c. be aware of their responsibilities in emergencies
  - d. be provided with proper personal protective equipment.
2. The Event Organiser is responsible for ensuring that the traffic control measures set out in the TGS's are properly and fully implemented at an appropriate time before the event commences.
3. Marshals, or any other person associated with the event, have no legal power to stop, hold, or direct traffic on any public road (unless they hold current accreditation).
4. If Traffic Controllers are used, they must hold current traffic controller certification – 'Traffic Controller' (previously blue card)
5. Traffic Controllers can only operate in accordance with a TGS that has been authorised by the relevant Roads Authority



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6. Traffic controllers must display their authorisation when controlling traffic.
7. Traffic controllers shall be relieved after two hours work and may be either rested or placed on other duties for a period of at least 15 minutes before being returned to traffic control duties.
8. The implementation of TGS's must be undertaken by a person that holds current certification – 'Implement Traffic Control Plans' (previously yellow card)
9. Any changes or modifications to the TGS's can only be made by a person that holds appropriate current certification – 'Prepare a Work Zone Traffic Management Plan' (previously red card)
10. The TGS (no. 1572\_A) is to be reviewed and the date updated to reflect the date of the review.
11. The updated TGS (incorporating the requirement of item 10) is to be submitted to Council for review by 11 August 2022. **If the updated TGS is not submitted to Council, the event cannot take place.**

**Unanimous Support**

**5.12 Informal Agenda Item 1 - Speed Zone Referrals to TfNSW FILE:22/00072  
Speed Zone referrals to TfNSW**

Outstanding speed zone reviews requested by Council:

Location	Request
Middle Falbrook Road	Speed zone reduction in vicinity of no. 797 <b>Latest update: Council were advised on 27/2/2020 that TfNSW have appointed contractors to undertake SZR – no update since this date.</b>
Rusty Lane (north arm)	Reduce 80km/h limit to 60km/h <b>Latest update: Council were advised on 27/2/2020 that TfNSW have appointed contractors to undertake SZR – no update since this date.</b>
Mount Thorley interchange	Clarification of speed limit through the interchange <b>Sent to TfNSW 23/7/2014.</b>
Mount Thorley Industrial area	Clarification of speed limits throughout the area <b>Sent to TfNSW 28/6/2012. Speed link has been updated with correct speeds. Signs to be</b>

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	<b>installed.</b>
Retreat Road	Request for reduction from 70km/h to 50km/h. Chloe Maher - <a href="mailto:chloe_maher@hotmail.com">chloe_maher@hotmail.com</a> <b>Sent to TfNSW on 13/5/2020.</b>
Branxton Area - Lakes Folly Drive, Rusty Lane etc.	60km/h speed limit and extend 80km/h speed limit. <b>Sent to TfNSW on 11/11/2020.</b>
Dyrring Road	Reduce 100km/h limit to 80km/h. <b>Sent to TfNSW on 18/6/2021.</b>
Wollombi Road	Reduce 100km/h limit to 80km/h. <b>Sent to TfNSW on 18/6/2021.</b>
Long Gully Road Development	Reduce Long Gully Road to 60km/h. Roads in the new development to be 60km/h

**5.13 Informal Agenda Item 2 - Police Enforcement Requests**

**FILE:22/00072**

**Police Enforcement Requests**

Police enforcement requested by Council since the last meeting of the LTC:

<b>Complaint</b>	<b>Location</b>
Speeding	Gardner Circuit
Speeding	Range Road
Stop Sign	Boonal/Howe Streets
Stop Sign	Church/Kelso Streets
Speeding	Simpson Terrace

**6 Other Business**

- Alison Balding reported back to the committee about 88 George Street. The residents requested in August 2020 for the speed limit to be reduced. TfNSW has conducted a site investigation and concluded the speed limit will remain at 50km/h. Reducing the speed limit is not practical with the volume of traffic and heavy vehicles that use the road, the bypass will reduce heavy vehicles and traffic. The resident has been advised by TfNSW.
- Elizabeth Street is a left turn only onto the New England Highway/George Street, two signs are in place however they are not clear. Can Council consider line marking the road or updating the sign with no left turn onto George Street. Paul Smith will investigate.
- TfNSW will be in contact with Council for the place making post bypass analysis for George Street in conjunction with the bypass construction.

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- Chris Tola advised the Jo Rider awareness campaign ran last week with a good response from Singleton and adjacent areas. It is scheduled to run again in October 2022.
- Ruth Rogers enquired about an update in regards to Mrs Pearces parking space on John Street. Paul Smith advised orders have been raised for the line marking. Should all be in place in the next couple of weeks.
- Pre-polling for the federal elections is currently underway and Singleton Youth venue is being used as a pre-polling venue. Ruth Rogers raised concerns over the parking around the centre as parked vehicles are preventing those attending pre-polling from parking near to the venue, this is a particular issue for the elderly and those with disabilities.

Ruth requested that the same temporary parking restrictions that were put in place during the last local elections, with the addition of two disabled persons parking spaces directly outside of the entrance to the Youth Venue, are put in place for the current pre-polling and for any future elections that utilise the Youth Venue.

Drawing 'PS22-032 - Pitt St-Bathurst St - Temporary Parking Restrictions' is included with these minutes.

**Recommendation:**

Local Traffic Committee recommends that Council approves the implementation of the temporary parking restrictions on Pitt Street and Bathurst Street as per drawing 'PS22-032 - Pitt St-Bathurst St - Temporary Parking Restrictions' in the periods that the Singleton Youth Venue is used as a polling venue.

**Unanimous agreement from Local Traffic Committee members**

- Ruth Rogers raised concerns with the congestion at the intersection between York and Boundary Street on the New England Highway. Alison Balding advised TfNSW will be taking no action until the bypass has been completed.
- TfNSW is conducting a site investigation at the intersection of Bridgman Road and the New England Highway, Alison Balding will report the findings back to the Local Traffic Committee.
- Ruth Rogers asked if the turning lane from the New England Highway onto Bridgman Road could be remarked as the lines have faded. Paul Smith will add it to the contractor list to be completed next week.

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**7 Action List**

Pulse/Action No	Meeting Date	Action	Responsible Officer	Due Date

**8 Next Meeting**

- 18 August 2022, 9:30am Council Chambers

The meeting closed at 10:28am.

**Cr Sue George**

Chair

**DI&P45/22. 8.2018.268.2 - Modification to Hours - Function Centre  
- Lot 36 DP 247540 - 290 Old North Road Pokolbin -  
PAN-171464**

**FILE:**  
8.2018.268/09

**Author:** Development Planner

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**Applicant:** Perception Planning  
**Owner:** Mr Darren McColl  
**Land and Location:** Lot 36 on DP:247540 – 290 Old North Road, Pokolbin  
**Zoning:** RU4 – Primary Production Small Lots  
**Proposal:** S4.55(1a) – Modification to Hours and Days  
**Date of Application:** 3 December 2021  
**Responsible Officer:** Sarah Boyton

### Executive Summary

Council is in receipt of a S4.55(1a) Application to Modify Development Consent DA 8.2018.268.2. The original application for a function centre was approved by Council on 15 July 2019. The proposal is seeking approval for the following.

- To add Monday to the list of operational days for the existing function centre.
- To extend the operational hours of the function centre with a finishing time of 11pm 7 days a week, to replace the Sunday, Tuesday, Wednesday and Thursday finish time of 10pm.
- To have amplified music to finish in line with the finish time of a function (11pm, 7 days a week).

There are no building works or earthworks proposed as part of the modification, the application is only requesting Condition 36 relating to the approved hours of operation for the function centre in the original consent be amended.

As it stands on the original consent Condition 36 reads as follows:

### **36. Hours of Operation**

*The function centre is permitted to operate between the following hours:*

- 8:00am to 10:00pm – Sunday, Tuesday, Wednesday and Thursday; and
- 8:00am to 11:00pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

*These timeframes exclude set-up and clean-up, before and after a function.*

*All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.*

*Additionally, amplified noise shall not be audible beyond the boundary of the premises after:*

- 9:00pm – Sunday, Tuesday, Wednesday and Thursday; and
- 10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

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The applicant is requesting the condition be amended to.

**36. Hours of Operation**

*The function centre is permitted to operate between the following hours:*

- 8:00am to 11:00pm – 7 days per week.

*These timeframes exclude set-up and clean-up, before and after a function.*

*All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.*

*Additionally, amplified noise shall not be audible beyond the boundary of the premises after:*

- 11:00pm – 7 days per week.

In considering the appropriateness of the proposed changes to hours of operation Council officers have reviewed the application and consulted with Cessnock City Council in regard to how they condition function centre hours within the Hunter Valley vineyard precinct. As a result of this assessment and consultation with Cessnock City Council we recommend the hours of operation and the playing of acoustic music be amended to the following.

**36. Hours of Operation**

*The function centre is permitted to operate between the following hours:*

- 8:00am to **10:30pm** – Sunday, Monday Tuesday, Wednesday and Thursday and;
- 8:00am to **11:00pm** – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

*These timeframes exclude set-up and clean-up, before and after a function.*

*All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.*

*Additionally, amplified noise shall not be audible beyond the boundary of the premises after:*

- 10:00pm – Sunday, Monday, Tuesday, Wednesday and Thursday; and
- 10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

In addition to this, Council officers also recommend condition 38 be amended to specify that all doors to the function centre are to remain closed during an event as recommended by the proponent's acoustic assessment. Proposed changes to the condition regarding acoustic measures are bolded below.

**38. Acoustic Measures**

*The development shall operate in accordance with the Acoustic Assessment, prepared by Spectrum Acoustics, dated February 2019.*

*In accordance with the acoustic assessment, all functions are to be wholly contained within the function centre building **with all external doors to remain closed during an event.***

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*Additionally, food stalls and vans are not to operate in conjunction with any function. The person/s having benefit of the consent, or their appointed delegate, shall be always present on-site to monitor noise during functions.*

The application was notified to adjoining land landowners for a period of fourteen (14) days in accordance with the Community Participation Plan from 8 February 2022 to 22 February 2022.

As a result of the notification process a total of five (5) submissions were received against the modification application and seven (7) received in support. The key issues raised in the submissions relate to traffic, noise and privacy and are further detailed within this report.

In accordance with Council's policy Determination of Development Applications by Council, the modification application has been referred to Council for determination due to the number of objecting submissions received during the assessment process.

- Based on this assessment, the proposed development is consistent with the *Singleton Local Environmental Plan 2013*, the requirements of the *Singleton Development Control Plan 2014* and it is considered the issues identified in the public submissions have been adequately addressed. Accordingly, the application is recommended for approved subject to conditions.

**RECOMMENDED** that Council approve Modification Application 8.2018.268.2 - S4.55(1A) – Modification to Hours and Days subject to the following conditions:

### Reasons for imposing conditions

The reason for the imposition of the following conditions is to:

- a) ensure, to Council's satisfaction, the objects of the *Environmental Planning and Assessment Act 1979* (as amended) are achieved;
- b) confirm and clarify the terms of Council's Approval;
- c) to encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forest, minerals, water, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment;
- d) set standards and performance measures for acceptable environmental performance;
- e) provide for the ongoing management of the development.

### Prescribed Conditions

- a) The work must be carried out in accordance with the requirements of the *Building Code of Australia (National Construction Code)*.
- b) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

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- c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - iii) stating that unauthorised entry to the work site is prohibited

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- d) Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- i) in the case of work for which a principal contractor is required to be appointed:
  - a. the name and licence number of the principal contractor, and
  - b. the name of the insurer by which the work is insured under Part 6 of that Act,
- ii) in the case of work to be done by an owner-builder:
  - a. the name of the owner-builder, and
  - b. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under (d) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

## **Inspections**

The person having the benefit of the consent shall ensure that critical stage inspections are carried out and notify the Principal Certifying Authority (PCA) giving adequate notice of the time that each stage of the building/development is ready for inspection.

Note: Failure to have a critical stage inspection conducted by the PCA will constitute a breach of the *Environmental Planning and Assessment Act 1979*. Penalties may apply.

## **CONDITIONS OF CONSENT**

### **1. Approved Plans and Documentation**

The development consent incorporates this schedule of conditions and the plans referenced and stamped as follows:

<b>Plans Prepared By:</b> Verte Design and Drafting			
<b>Name of Plan</b>	<b>Drawing Number</b>	<b>Issue</b>	<b>Date</b>
Site	A1	DA Rev 1	31 Jan 2019
Proposed Floor	A3	DA Rev 1	31 Jan 2019



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Plan			
Elevations	A4	DA Rev 1	31 Jan 2019
Elevations	A5	DA Rev 1	31 Jan 2019
Landscaping	A8	Da Rev 1	31 Jan 2019

Details of the development shown in the approved plans and documents referenced are altered in the manner indicated by:

- i) Any amendments made by Council on the approved plans or documents;
- ii) Any notes, markings, or stamps on approved plans or documents, and
- iii) Any conditions contained in this consent.

## **2. Construction Certificate, Principal Certifier & Notice Required**

In accordance with the provisions of Section 6.6 of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:

- a) A Construction Certificate has been issued by the consent authority, Council or an accredited certifier; and
- b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with Section 6.5 of the *EP&A Act 1979*; and
- c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

## **3. Section 138 Approval**

Any work within a public road must be inspected and approved by Council under the *Roads Act 1993* as the Roads Authority, including the construction of access crossovers and tree removal. The applicant is to submit an application in order to obtain a permit with conditions prior to starting any works on the Council Road Reserve.

## **4. Plumbing and Drainage Works**

All plumbing and drainage works shall be carried out by a licensed plumber in accordance with the provisions of the *Plumbing and Drainage Act & Regulation 2011*, National Plumbing and Drainage Code AS/NZ 3500, and with the approval of Singleton Council being the Plumbing Regulator under delegation by NSW Fair Trading.

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

## **5. Approval of On-Site Sewage Management Application**

Prior to the issue of a Construction Certificate, an application under Section 68 of the *Local Government Act 1993* must be lodged and approved by Singleton Council for the proposed on-site sewage management system.

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The application must be consistent with the on-site sewage management details approved under the development consent. Any significant variations to these details may impact on the viability of this development proposal and may require a Section 4.55, modification, under the *Environmental Planning and Assessment Act 1979* to be lodged with Council for further consideration.

## 6. Replacement Planting

Prior to the issue of a Construction Certificate, trees requiring removal are to be quantified, and replaced at a ratio of 2:1 elsewhere on the property (the western end of the property is recommended).

The new trees are to be planted prior to existing trees being removed. The trees are to be species consistent with that being removed, namely *Corymbia maculata* (Spotted Gum), *Eucalyptus mollucana* (Grey Box) and/or *Eucalyptus eugenoides* (Thin-leaved Stringybark). Evidence of the above is to be provided to Council prior to issue of a Construction Certificate.

Thereafter, the planted trees should be maintained for a period of three (3) years, and replaced if necessary.

**Note:** A section 138 under the *Roads Act 1993* is required to undertake works, including tree removal, within the road reserve.

## 7. Access for people with disabilities

Prior to the issue of the Construction Certificate, the Principal Certifier shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building is provided. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Principal Certifier prior to the issue of the Construction Certificate. All details shall be prepared in consideration of the *Disability Discrimination Act 1992* and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS1735.12.

## 8. Section 7.11 contributions

A monetary contribution pursuant to the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979* and Councils s7.11 Contributions Plan (Rural Non-Residential Development) towards to provision of the following services prior to the issue of a Construction Certificate for the provision of Function Centre.

Facility Type/Fee Type	Quick Code	Contributions Rate	Number of Lots/ET	Amount Payable
Bushfire Services	401	\$3,484.00 per \$200,000 of capital cost	2	\$6,968.00
Rural Roads	142	\$2,459.00 per equivalent dwelling	3.17	\$7,795.05

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Preparing and Administering Plans	135	\$167.00 per lot	1	\$167.00
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A copy of the Contributions Plan may be inspected at Council's Customer Service Section, Administrative Building, Cnr Queen and Civic Avenue, Singleton or can be accessed on Council's Website [www.singleton.nsw.gov.au](http://www.singleton.nsw.gov.au).

The amount of contribution payable under this condition has been calculated at 8/07/2019. This amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index (CPI) as published by the Australian Bureau of Statistics.

## 9. Details of Design Food Premises

The construction and fit-out of the food premises shall comply with all applicable legislation, regulation and standards including:

- a) *Food Act 2003*
- b) Food Regulation 2015
- c) Food Standards Code 2003
- d) AS 4674 for Design, Construction and Fit-out of Food Premises
- e) AS 1668.2-2002 – The use of ventilation and air conditioning in buildings
- f) Building Code of Australia (BCA)

Details of compliance are to be included in the plans and specifications for the Construction Certificate to the satisfaction of the Certifying Authority.

## 10. Construction Drawings – Earthworks

Prior to the issue of a Construction Certificate, earthwork construction drawings are to be submitted to the PCA for approval. All earthworks are to be constructed in accordance with Australian Standard 3798-2007, "Guidelines on Earthworks for Commercial and Residential Developments".

Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties. If engineered fill is to be placed on the site, it shall be placed in accordance with Council's Development Engineering Specifications and *Australian Standard AS 3798 'Guidelines on Earthworks for Commercial and Residential Developments'*.

The finished level of any building area shall be designed to ensure a minimum surface grading of 1.5% oriented in the direction of the drainage system designed to cater for its catchment.

**(Note:** Refer to Singleton Development Engineering Design specification-documentation section for detailed drawing requirements).

## 11. Topsoil and Stockpile Material

Prior to release of a Construction Certificate, details of topsoil removal and stockpiling locations shall be submitted to the Principle Certifying Authority for approval.

Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping. Stockpiles of topsoil, sand, aggregate, spoil or other material stored on the site that is capable of being moved by running water shall be stored clear of any drainage line or easement, natural watercourse, footpath, kerb, and/or road surface. Suitable sediment and erosion control devices shall be installed prior to the stockpile being created. The stockpile shall be treated so its surface is erosion resistant to wind and water action.

## **12. Drainage Design**

Prior to the issue of a Construction Certificate the applicant shall submit details of stormwater disposal with supporting calculations for the development to the Principal Certifier for approval.

The stormwater design is to be designed in accordance with Singleton Development Engineering design specifications and the applicant shall demonstrate that the development will not increase the limits of upstream and downstream flooding for floods over the range of 1 in 1 year to the 1 in 100 year Average Recurrence Interval (ARI) storm events by the inclusion of on-site stormwater detention controls.

Additionally, the provision of a water quality control system to treat stormwater runoff from the development as outlined in Council's DCP water quality performance guidelines and Stormwater Management strategy shall be included.

## **13. Sediment and Erosion Control Plan**

Prior to the issue of a Construction Certificate, a sediment and erosion control plan is to be submitted and approved by the nominated Principal Certifier.

The sediment and erosions control plan shall be prepared in accordance with Council's Development Engineering Specifications and Landcom's 'Soil and Construction – Managing Urban Stormwater – Current edition.

## **PRIOR TO THE COMMENCEMENT OF WORKS**

### **14. Notice of Commencement**

At least 48 hours prior to the commencement of any development (including demolition, excavation, shoring or underpinning works), a notice of commencement of building or subdivision work form and appointment of the Principal Certifier form shall be submitted to Council.

### **15. Building Waste**

Prior to any construction work commencing, containment of building waste materials shall be provided within the boundaries of the building site, above natural or excavated ground level, by a screened area of silt stop fabric or shade cloth, having minimum dimensions of 2.4 x 2.4 x 1.2 metres high OR equivalent size waste disposal bin.

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The enclosure or bin shall be maintained for the term of the construction to the completion of the development.

The enclosure or bin shall be regularly cleaned to ensure proper containment of the building wastes generated on the site.

Appropriate provision is to be made to prevent wind-blown rubbish escaping from the containment.

**16. Service Relocations**

The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

**17. Sediment and Erosion Control**

The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's Development Engineering Specifications, Landcom's 'Soil and Construction – Managing Urban Stormwater - Current edition. Sediment and erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

**18. Temporary Closet Requirements**

A temporary closet shall be provided on site from the commencement of building work. No inspections will be made until the closet is installed.

A temporary closet shall be:-

- a) A water closet connected to the sewerage system to Council approval; or
- b) A water closet connected to an approved septic tank; or
- c) A chemical closet supplied by a contractor approved by Council.

**DURING WORKS****19. Noise – Construction Sites**

The operating noise level of construction site operations, including machinery, plant and equipment when measured at any affected premises, shall be evaluated and comply with the requirements of the NSW Office of Environment and Heritage publication "Interim Construction Noise Guideline" July 2009.

Approved Construction Times

The approved hours for construction of this development are:

Monday to Friday - 7.00am to 6.00pm.  
Saturday – 8.00am to 1.00pm.

No construction work shall take place on Sundays or Public Holidays.

## **20. Waste Management**

Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off site.

## **21. Building Materials On-Site**

All building materials, plant and equipment are to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves, etc.

## **22. Earthworks**

All earthworks carried out as part of the development are to be constructed in accordance with Australian Standard 3798-2007, 'Guidelines on Earthworks for Commercial and Residential Developments'.

## **23. Dust Suppression**

During the extraction, removal, and transportation of material associated with the works, the person having the benefit of the consent shall ensure that airborne dust is contained within the work site or transport vehicles, and does not impact on the amenity of the surrounding environment.

Effective environmental controls and practices shall be implemented and maintained to the satisfaction of Council and/or the Principal Certifier.

## **24. Inspection Requirements for Sanitary Drainage**

The applicant shall ensure that Council, being the Plumbing Regulator under delegation by NSW Fair Trading, has been requested to and carried out inspection of the works at the following stages of construction:

- a) Internal drainage lines before the floor is laid, or concrete placed.
- b) Stackwork before being covered.
- c) External drainage lines before backfilling of the trenches.
- d) Final - on completion of all sanitary plumbing to drainage work.

Requests for inspections may be made either by telephone (02) 6578 7290 or in person at the Customer Services Counter.

Inspection requests are subject to the following:-

- a) Applicants are required to nominate the relevant Notice of Work and address prior to the inspection request being granted.
- b) Clerical staff only will receive all requests for inspections.

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- c) Where work is not prepared, ready for inspection, applicants will be required to re-book inspections through the Customer Service Centre for the next available day and a re-inspection fee may be charged.
- d) Inspections must be received before 3.30 pm on the working day prior to when the inspection is required.
- e) Inspections within the township of Singleton will generally be carried out as AM or PM inspections.

**25. Stormwater Disposal**

Immediately after completion of any roof, a disposal system shall be installed which disposes of the stormwater without causing any adverse environmental impacts.

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE****26. Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate has been issued by the Principal Certifier.

Please be advised that Section 6.10 of the *Environmental Planning and Assessment Act 1979* prevents the Principal Certifier from issuing an Occupation Certificate until all conditions of Development Consent have been completed.

**27. Driveway Access**

Prior to issue of an Occupation Certificate, the driveway access to the property boundary shall include an all-weather suitably drained 2 coat bitumen sealed surface. The driveway access is to be designed and constructed in accordance with Council Development Engineering design and construction specifications.

**Note:** This work within the road reserve will required a Section 138 application.

**28. Fire Safety Certificate**

A Final Fire Safety Certificate must be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment (Amendment) Regulation 2000, prior to the issue of an Occupation Certificate for the building.

A copy of the Fire Safety Certificate and Fire Safety Schedule must be:

- a) Forwarded to Singleton Council;
- b) Forwarded to the Commissioner of NSW Fire and Rescue; and
- c) Prominently displayed in the building

**29. Effluent Disposal**

Prior to the issue of an Occupation Certificate, the on-site sewage management system shall be completed and an "Approval to Operate" issued, pursuant to Section 68 of the *Local Government Act 1993*, by Council.

**30. Inspection by Council – Food Safety**

Prior to the issue of an Occupation Certificate, Council must conduct an inspection of the final fit-out to ensure satisfactory compliance with relevant food safety requirements. Confirmation of compliance to be provided to the PCA.

A fee may be charged for this inspection in accordance with Council's Fees and Charges.

### **31. Damage Caused During Construction**

Prior to issue of an Occupation Certificate, the applicant will repair any damage to a public road or associated structures such as kerb and gutter, drains, footpath and utility services caused as a consequence of the development works. Any remediation work is to be completed to Council's satisfaction.

### **32. Loading areas and car parking**

Prior to the issue of an Occupation Certificate, construction of all loading areas is to be completed.

Prior to the issue of an Occupation Certificate, construction of all nineteen (19) parking spaces are to be completed. The accessible parking space is to be constructed to the requirements of Australian Standard 2890.6 – 2009 – Off-street parking for people with Disabilities.

### **33. Proximity of Cut and Fill**

Prior to the issue of an Occupation Certificate the cut and/or fill shall extend for a minimum of one metre clear of the building and the finished ground shall slope away from the building with a minimum fall of 50mm over the first metre.

## **PRIOR TO COMMENCEMENT/USE**

### **34. Quality Assurance Program**

Food premises that use water from a private water supply must submit a Quality Assurance Program to NSW Health to meet the requirements of the *Public Health Act 2010* and *Public Health Regulation 2012*.

### **35. Food Business Update Form**

Prior to commencement of food business operations, the proprietor must notify Council of its business details on the "*Food Business Update Form*".

## **ONGOING USE**

***Condition 36 has been amended as shall read as follows.***

### **~~36. Hours of Operation~~**

~~The function centre is permitted to operate between the following hours:~~



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- ~~• 8.00am to 10.00pm – Sunday, Tuesday, Wednesday and Thursday; and~~
  - ~~• 8.00am to 11.00pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.~~
- ~~These timeframes exclude set-up and clean-up, before and after a function.~~

~~All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.~~

~~Additionally, amplified noise shall not be audible beyond the boundary of the premises after:~~

- ~~• 9:00pm – Sunday, Tuesday, Wednesday and Thursday; and~~
- ~~• 10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.~~

### **36. Hours of Operation**

The function centre is permitted to operate between the following hours:

- 8:00am to **10:30pm** – Sunday, **Monday**, Tuesday, Wednesday and Thursday; and
  - 8:00am to **11:00pm** – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.
- These timeframes exclude set-up and clean-up, before and after a function.

All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.

Additionally, amplified noise shall not be audible beyond the boundary of the premises after:

- 10:00pm – Sunday, Monday, Tuesday, Wednesday and Thursday; and
- 10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

### **37. Maximum attendance**

No more than 150 patrons shall be permitted to attend each function.

***Condition 38 has been amended as shall read as follows;***

### **~~38. Acoustic Measures~~**

~~The development shall operate in accordance with the Acoustic Assessment, prepared by Spectrum Acoustics, dated February 2019.~~

~~In accordance with the acoustic assessment, all functions are to be wholly contained within the function centre building. Additionally, food stalls and vans are not to operate in conjunction with any function.~~

~~The person/s having benefit of the consent, or their appointed delegate, shall be present on-site at all times to monitor noise during functions.~~

### 38. Acoustic Measures

The development shall operate in accordance with the Acoustic Assessment, prepared by Spectrum Acoustics, dated February 2019.

In accordance with the acoustic assessment, all functions are to be wholly contained within the function centre building **with all external doors to remain closed during an event.**

Additionally, food stalls and vans are not to operate in conjunction with any function. The person/s having benefit of the consent, or their appointed delegate, shall be present on-site at all times to monitor noise during functions.

### 39. Plan of Management

The Plan of Management shall be kept current and enforced by the person/s having benefit of the consent, or their appointed delegate, throughout the life of the development. Conditions separately stated in this consent shall prevail where inconsistencies arise with the Plan of Management.

The Plan of Management must include a register of complaints to be created and retained including;

- the date and time, where relevant, of the complaint;
- the means by which the complaint was made (telephone, mail, email or in person);
- any personal details of the complainant that were provided, or if no details, a note to that effect;
- the nature of the complaint;
- any action taken by the contact person in relation to the complaint including any follow-up; and
- if no action was taken by the contact person, the reason(s) why no action was taken.

A copy of the complaints register shall be made available to Council with twenty-four (24) hours of a request.

### 40. Waste Management

Waste shall be removed at regular intervals to appropriate locations and must not under any circumstances be allowed to accumulate on site.

Waste handling facilities shall be provided so that:

- stored waste does not create offence by emission of dust, leachate, odour, unsightliness or an environment suitable for vermin;
- putrescible waste is stored in shaded, ventilated, waterproof and vermin-proof conditions;
- storage containers will be conveniently located both for the user and the waste collector;
- storage containers will be readily manoeuvred from the waste storage area to the collection vehicle; and

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- lids for the storage containers will prevent entry of water and be of light weight material or such construction as to be readily operated by the user.

**41. Potable Water Supply at Food Premises**

The premises shall have an adequate supply of potable water for the use in any activity involved in food preparation, personal hygiene, cleaning and sanitising.

**42. Driveways to be Maintained**

All access crossings and driveways shall be maintained in good order for the life of the development.

**43. Site Management**

The premises are to be maintained in a safe and tidy manner at all times to the satisfaction of Council.

**44. Landscaping**

Landscaping shall be maintained in accordance with the approved plan in a healthy state, and in perpetuity, by the existing or future owners and occupiers of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

**45. Outdoor Lighting**

All outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and road reserve, and must comply with, where relevant, *AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance* and design requirements and *AS 4282:1997 Control of the obtrusive effects of outdoor lighting*.

**46. Car Parking**

Car parking must be wholly contained within the lot boundaries at all times. Car parking in association with development on the site is expressly prohibited on Old North Road.

**ADVICE****a. “Dial Before You Dig” Dial 1100**

Before any excavation work starts, contractors and others should phone the “Dial Before You Dig” service to access plans/information for underground pipes and cables.  
[www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au)

**b. Plumbing and Drainage Work**

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All plumbing and drainage works shall be carried out by a licensed plumber in accordance with the provisions of the National Plumbing and Drainage Code AS 3500, the *Plumbing and Drainage Act & Regulations, 2011* and Singleton Council or Hunter Water Corporation, where applicable.

**c. Termite Proofing**

The building must be protected and maintained against attack from subterranean termites in accordance with AS 3660.1.

**d. Site Contamination Issues During Construction**

Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, Council must be immediately notified by the applicant, and works must cease. Works must not recommence on site until approval is granted by Council.

**e. Other Approvals and Permits**

The applicant shall apply to Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits, and/or any other approvals under *Section 68 (Approvals)* of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

**1. Report****1.1. Introduction**

The report provides an assessment of the application which has been made in accordance with the *Environmental Planning and Assessment Act, 1979* (EP&A Act), *Singleton Local Environmental Plan, 2013* (SLEP) and Development Control Plan, 2014 (DCP).

It has been confirmed that the proposed modification of the development consent has minimal environmental impact and is substantially the same development as for which the original consent was granted. Accordingly, the approval path for the proposed modification is via Section 4.55(1a) Modifications involving minimal environmental impact under the EP&A Act 1979.

**1.2. Site History, Location and Context**

The subject site is located approximately 17kms from Singleton Town Centre, is legally identified as Lot 36 DP 247540 and known as 290 Old North Road, Pokolbin. The location which comprises a total land area of 12.14 hectares, is a relatively flat, irregular shaped parcel and is located in the Hunter Valley Vineyard district.

The north-eastern front portion of the site comprises the function centre and associated car parking, with the remainder of the site comprising a mixture of cleared and sparsely vegetated land, two (2) dams, established vines and an existing dwelling.

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Surrounding developments in the locality consists of similar sized and larger scale primary production blocks, rural residential dwellings, vineyards, function centres, cellar door premises and tourist accommodation.



## 2. The Proposed Development

S4.55(1a) Application to Modify Development Consent DA 8.2018.268 – Modification to Operational Hours and Days – 290 Old North Road, Pokolbin, seeks approval to.

- To add Monday to the list of operational days for the function centre
- To extend the operational hours of the function centre with a finishing time of 11pm to replace the Sunday, Tuesday, Wednesday and Thursday finish time of 10pm.
- To have amplified music to finish in line with the finish time of a function (11pm, 7 days per week).

The applicant has submitted an acoustic assessment carried out by a suitably qualified person to support the modification application. The acoustic assessment is expanded on in section 4.5.1 – Key Assessment Issues of this report.

## 3. Previous Relevant Approvals

DA173/2015	Swimming Pool	Approved 02/10/2015
DA268/2015	Function Centre	Approved 07/11/2018

## 4. Consultation and Submissions

### Public Notification

The development application and accompanying information were placed on public exhibition between 08/02/2022 to 22/02/2022. As a result of the notification process five (5) submission were received against the proposal and seven (7) in support.

The following matters were raised by the public submissions during the notification period:

- Noise concerns on neighbouring properties.
- Privacy concerns.

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- Impacts on traffic.
- Concerns in relation to existing conditions not being adhered with.

These matters and Council's response are further expanded on at section 5.7 of this report.

## **5. Statutory Considerations**

The proposed development is subject to the environmental assessment requirements specified in *The Environmental Planning and Assessment Act 1979*, specifically the provisions of section 4.15 and 4.55.

### **5.1. Environmental Planning and Assessment Act 1979 section 4.55 Modifications of Consents**

Section 4.55 of the Act sets out the matters to be considered in the assessment of a modification 4.55(1a). The consent authority must not grant consent unless:

- a) *it is satisfied that the proposed modification is of minimal environmental impact, and*
- b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- c) *it has notified the application in accordance with—*
  - i. *the regulations, if the regulations so require, or*
  - ii. *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

*Subsections (1), (2) and (5) do not apply to such a modification.*

As demonstrated by this assessment, the proposed development is substantially the same development as previously approved and is considered to be of minimal environmental impact. No changes are proposed to the approved plans. Accordingly, the application satisfies the provisions of S4.55 of the Act.

#### **5.1.1. Permissibility**

Pursuant to the provisions of the *SLEP 2013*, the subject land is zoned RU4 Primary Production Small Lots. The proposed development, as modified, continues to be a permissible land use within the zone. As modified, the development is consistent with the relevant provisions of the *SLEP 2013* as per the outcomes of the original assessment report.

#### **5.1.2. Relevant Clauses**

There are no additional clauses within the *SLEP 2013* that are required to be considered as a result of the modification. The proposal remains consistent with the provisions within the *SLEP 2013* as per the outcomes of the original assessment report.

**5.2. Environmental Planning and Assessment Act 1979 section 4.15(1)(a)(ii)**

This section of the Act requires consideration to be given to any proposed Environmental Planning Instruments (EPIs). There are no proposed EPIs that relate to the subject site or proposed development.

**5.3. Environmental Planning and Assessment Act 1979 section 4.15(1)(a)(iii)**

This section of the act requires consideration to be given to any Development Control Plan. The relevant Development Control plan is the Singleton Development Control Plan (DCP) 2014. There are no additional matters required to be considered as a result of the modification. The development remains consistent with the relevant provisions of the DCP as per the outcomes of the original assessment report.

**5.3.1. Relevant Clauses**

There are no additional clauses within the Singleton Development Control Plan 2014 that are required to be considered as a result of the modification. The proposal remains consistent with the provisions within the DCP 2014 as per the outcomes of the original assessment report.

**5.4. Environmental Planning and Assessment Act 1979 section 4.15(1)(a)(iia)**

This section of the Act required consideration to be given to any planning agreement. There is no planning agreement or draft planning agreement that has been entered into/offered that relates to the proposed development.

**5.5. Environmental Planning and Assessment Act 1979 section 4.15(1)(b)**

This section of the Act required consideration to be given to the impact of the proposed development on the natural, built, social and economic environments. As demonstrated by the above assessment and outcomes of the original assessment report, the proposed development is unlikely to have a significant impact on both the natural and built environment and will result in positive social and economic impact. In particular, the modification will not result in any additional development on the site and is in keeping with the established development pattern within the area.

**5.5.1. Key Assessment Issues**

The key assessment issues have been identified and discussed within the preceding sections of the report and appropriate conditions included within the recommendation as required.

**Acoustic Impacts**

The assessment considered worst case scenario noise impacts from the operation of the function centre including noise from entertainment, patrons, mechanical plant and the use of the car park and driveway and was assessed against the following criteria:

- Office of Liquor and Gaming noise criteria

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- Noise Policy for Industry (NPI)
- OEH Road Noise Policy adopted by RMS

Taking into consideration the design, layout and materials of the function centre, the noise from entertainment was theoretically propagated to the nearest residential receiver taking into account the effects of reverberant field loss in the venue, transmission loss through building elements and distance loss to the receiver.

The outcome was that the total predicted received noise at Receiver 1 (R1), located approximately 180m from the proposed development, may be over the total noise criterion by 2dB(A). The NPI states that if the predicted noise level minus the project noise trigger level is  $\leq 2$  dB(A) then the significance of the residual noise levels is negligible. The NPI states that where the noise level is negligible, exceedances would not be discernible by the average listener and therefore would not warrant receiver-based treatments or controls.

Receiver 2 (R2) is at a similar distance from the proposed development and the same orientation from the various building elements. The results from R1 can be considered to be representative of the received noise at R2.

Receiver 3 (R3) is approximately 300m from the proposed development and therefore further removed. The assessment revealed that the results at R3 are in compliance with the total noise criterion.

The assessment was based on:

- The materials and construction of the structure.
- The music, live or recorded, is to be played inside the function centre
- The two sets of doors and the entrance door at the north-western end of the function centre are to be closed at all times when there is entertainment in the form of amplified music.

It has been established through the acoustic modelling that the proposed extension to the operational days and hours will not result in unacceptable impact to surrounding uses and receivers, and that the proposal can comply with current noise policies. Overall, it is established that if approved, the proposed modification will not result in any unreasonable impacts to neighbouring properties or the surrounding area.

After assessment of the application and submitting information and in addition to holding consultation with Cessnock Council, it is recommended that condition 36 be amended to the following;

### **36. Hours of Operation**

The function centre is permitted to operate between the following hours:

- 8:00am to 10:30pm – Sunday, Monday Tuesday, Wednesday and Thursday; and
- 8:00am to 11:00pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

These timeframes exclude set-up and clean-up, before and after a function.

All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.



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Additionally, amplified noise shall not be audible beyond the boundary of the premises after:

- 10:00pm – Sunday, Monday, Tuesday, Wednesday and Thursday; and
- 10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.

**Precedent for operating hours in the vineyards district**

In consideration of setting a precedent for conditions around operating hours for similar developments consultation was held with Cessnock Council. The aim of the consultation was to work toward gaining consistency with similar type developments to ensure they are compatible with not only the zone objectives but also the vineyards district as a whole.

**5.5.2. Internal Referrals**

Where an internal referral has been made to any of the following, a statement as to the reasons why and an analysis of their findings and recommendations must be included. If a referral was not made, a statement as to the reasons why should be included:

**Development compliance:** Complaints have been received by council in regards to the original conditions of consent not being adhered to. The concerns are in relation to current hours of operation being breached and functions not being wholly contained within the function centre. The compliance officer is currently investigating these complaints.

**5.5.3. External Referrals**

There were no external referrals required for the modification application.

**5.6. Environmental Planning and Assessment Act 1979 section 4.15(1)(c)**

This section of the Act requires consideration to be given to the suitability of the site for the proposed development. In this instance, the subject site is considered to be suitable as per the outcomes of the original assessment, with development on the land consistent with the RU4 zone objectives.

**5.7. Environmental Planning and Assessment Act 1979 section 4.15(1)(d)**

The development application and accompanying information were placed on public exhibition between 08/02/2022 to 22/02/2022. As a result of the notification process five (5) submission was received against the proposed modification and seven (7) in support (**Attachment 1**). The following matters of concern were raised by the public submission during the notification period:

Concern raised	Council comments
The proposed modification to hours of operation will generate a high level of noise, and disturbance to neighbouring properties	An acoustic report was submitted with the application. The assessment carried out on the 'worst case scenario' and confirms that the majority of noise

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Concern raised	Council comments
	<p>generating aspects of the development are below acceptable criteria.</p> <p>While there may be a minor exceedance of the adopted noise criteria for entertainment noise, this exceedance is negligible and can't be therefore not considered to be of significant adverse impact.</p> <p>To further reduce the likelihood of potential noise impacts, measures have been conditioned to ensure the development is carried out in an acceptable way include limiting the hours of operation and amplified music, ensuring doors are closed during a function as well as having a site manager to ensure compliance with noise mitigation measures and to ensure the orderly operation of the site.</p>
Traffic and parking Impacts	<p>There will be no additional traffic generated by the proposed modification.</p> <p>The impact on the road network was assessed and deemed acceptable in the original assessment of the application.</p> <p>This concern is not considered to be within the scope of the modification.</p>
Concerns in relation to existing conditions not being adhered with	<p>Issues have been raised in regard to the original conditions of consent not being adhered to. The concerns are in relation to hours of operation and functions not being wholly contained within the function centre.</p> <p>This is a compliance matter which is currently under investigation and is not considered within the scope of the modification.</p>

In addition to the submission against the proposed modification we also received seven (7) submissions in support. Comments in support were around ease of operations, noise management procedures and safe traffic management practices.

**5.8. Environmental Planning and Assessment Act 1979 section 4.15(1)(e)**

The proposal is considered to comply with the zone objectives and provisions within both the SLEP 2013 and the Singleton DCP.

The proposed development is located in the Hunter Valley Wine area and advances the public interest in providing events which enhance the fabric of the local community.

**6. Other Matters to Consider Under the Environmental Planning and Assessment Act 1979 and Regulations****6.1. Section 4.10 and Schedule 3 – Designated Development**

The proposal is not classified as designated development.

**6.2. Section 4.13 – Consultation and Concurrence**

The application does not require consultation or concurrence of any persons or agency.

**6.3. Section 4.46 – Integrated Development**

The modification application is not classified as integrated development.

**6.4. Section 7.11 – Development Contributions**

The proposed modification will not alter the development contributions.

**7. Conclusions**

Council officers have assessed the merits of the proposal taking into consideration the issues raised in all submissions and is satisfied the impacts have been satisfactorily addressed within the proposal and the recommended or existing conditions.

The proposed modification, as described in section 2 of this assessment report does generally satisfy the relevant objectives and provisions of the Singleton LEP and Singleton DCP. The environmental, social and economic impacts and benefits of the proposed development are acceptable, and the proposed modification is recommended for approval subject to the proposed conditions contained in Schedule 1 to this report.

**Attachments**

**AT-1** [8.2018.268.2 - Submissions - 290 Old North Road - Lot 36](#)  
DP 247540

Wednesday, 18 May 2022

Singleton Council  
PO Box 314  
Singleton  
NSW. 2330

Attn:  
Development Planner

Dear Sarah,

**Re: Development Application (DA 8.2018.268.2) Lot: 36 DP: 247540 290 Old North Road POKOLBIN  
Change of Business Hours**

I am writing on behalf of Around Hermitage Association in support of the application by White Barn at Lot 36, 290 Old North Road Pokolbin, for a modification to their existing DA to extend trading hours.

Around Hermitage Association will always support genuine, complying tourist and visitor accommodation developments as defined in the Singleton LEP. To this end Around Hermitage has as part of its mission statement 'to focus on tourism and the promotion of tourism to the financial benefit of its membership'.

White Barn's modification to allow trading on Monday's and an extra hour of trade mid-week, will in turn benefit local accommodation, cafes, restaurants, transport companies and vineyard tours. White Barn's ability to trade on a Monday will provide the opportunity for an increase in occupancy & trading to local businesses.

We understand that White Barn has intentionally not provided on site accommodation because most neighbouring properties conduct accommodation businesses that could service the Barn's clients and their guests. Over the past 12 months White Barn has identified that each event brings a potential of up to 50 rooms of accommodation bookings which are distributed throughout the local neighbouring properties.

To date, Around Hermitage has not received any complaints about White Barns operations. The weddings and other functions held at White Barn also extends the opportunities for employment in the area employing local residents where possible.

Yours sincerely

President

Monday, April 4th, 2022

To whom it may concern,

I write as managing agent of short term rental accommodation property Fig Tree Guest House located at 280 Old North Road, Pokolbin in reference to neighbouring property, The White Barn.

We have managed Figtree for just under 12 months. In this time, we have welcomed over 51 individual groups for short term holidays, 90% of these over the weekends.

To date, we have not received a single complaint from our guests relating to any disturbance or noise emanating from the activities at The White Barn which operates as a wedding venue.

The property is located approx. 80m from The White Barn.

I confirm we, as an agent acting on the owners behalf have not fielded any complaints or had an issue to resolve due to the actions of the operators of the White Barn on the subject of noise or community disturbance.

We continue to engage good relations with the White Barn and all neighbouring commercial and accommodation sites for the good of the tourism industry as we often do host wedding guests but confirm they are not our sole market trade.

Please do not hesitate to contact me if you require anything further.

Regards,

General Manager of Operations

To Whom it may concern,

My neighbours at 290 Old North Road own and run White Barn Pokolbin, and in my opinion conduct their business in an exemplary manner and to my knowledge adhere to all Council rules regarding trading times and noise levels while events are held. During my time as owner of Figtree Guesthouse I have not received any complaints or comments from guests staying at my property regarding noise, closing times or any other issue with the White Barn. I am one of their nearest neighbours and have been at home on numerous occasions when weddings have been held at White Barn. On these occasions I have not been able to hear any discernable noise coming from the White Barn which could in any way be construed as excessive. Closing times for weddings are strictly adhered to as are trading days. I have witnessed Sue, one of the owners, taking noise level tests at my boundary and at other points on their property to verify noise levels do not exceed allowable limits. When events are held, the doors and windows remain closed to keep noise levels down, and the building is insulated further limiting external noise levels.

In my view, granting White Barn extended trading times will not adversely affect the comfort of neighbours, many of which also trade 7 day per week.

Regards,

5<sup>th</sup> July 2022

Dear Singleton Council,

We are writing to convey to you the strong support, as a neighbour, for Suzanne and Darren McColl to be granted approval for the extension of operating hours of the function Centre The White Barn.

We received a letter from the council informing us of the modification to their original DA. The White Barn is approximately 750m as the crow flies from the function centre itself and have not once been adversely impacted by its operation.

The business is owned and operated by Suzanne and her husband Darren and has not run past their permitted hours any occasion to my knowledge. The proposed extension of operating hours will not adversely impact the area in my opinion.

As has always been the intention of their owner/operator business- these functions are well planned, organised and executed. We had the pleasure of attending a wedding at the function centre in previous weeks and was amazed with the number of measures put in place by the McColl's to reduce any impacts to the neighbours. The wedding was operated meticulously, with guests being told to respect neighbours and the doors kept closed past appropriate hours. As per her existing DA consent, the wedding finished by 11pm and all guests were told to be off site by 11.30pm.

We acknowledge the existing natural beauty and draw to tourism in the region and understand the importance of the industry in the region- essential for the economic success of many businesses in the area. The community directly benefits from the additional tourism generation and duration and must strive to improve the quality of function centre facilities in the town. The McColl family's extension of operational hours will exponentiate these impacts through being active members of the community with goals of enhancing the 'experience' of Pokolbin and therefore the prosperity of many local businesses.

This family wishes to confirm its support for the McColls application to extend the operational hours of their function centre and encourages council to engage with them to get this across the line.

4<sup>th</sup> April 2022

Re: Singleton Council

I'm writing this note in support of business operations at The White Barn Pokolbin.

We operate a Tours and Transfers business under Point to Point and in partnership with H Boutique Hotel in central Pokolbin.

We transfer wedding guests from H Boutique and surrounding accommodation on Hermitage Road to the wedding venue at White Barn Pokolbin.

We are always impressed with the ease of operations and the procedures in place at The White Barn Pokolbin for guest and traffic management.

On arrival the Management and Functions Staff are outside on site to quickly organise parking and bus logistics to ensure efficient, safe traffic and noise management for operators, guests and surrounding neighbouring properties.

What is most impressive is that on collection there are more operational procedures and requirements in place for operators.

We are required to be at the venue by 10.30pm waiting to collect our guests. Management and Staff are outside coordinating operators and ensuring guests and operators conduct is safe, efficient, orderly and respectful of the venue and neighbouring properties.

As well as operating a Transfer service to many venues we are also local residents. There are many wedding and functions venues in the area but few with the controls that The White Barn Pokolbin have in place.

Please feel free to contact me if you have any questions or require further information.

Yours sincerely



Singleton Council

12 – 14 Queen St

Singleton

NSW, 2330

Dear Council,

My name is . I have had the pleasure of being a Celebrant and MC at many weddings performed at The White Barn.

During my role, on arrival the owner Suzanne McColl informs me to be mindful of the noise levels during the event and gives me an overall plan to ensure each function finishes on time. This is announced at the beginning of every reception, and again at the end of the event before the couple leave, I then advise the guests to move to their transport as quickly and as quietly as possible.

In the early stages of the day, I've witnessed the owner brief the DJs and Bands on the noise monitoring device that is installed within the venue and that they need to comply to be within appropriate levels.

In the later stages of the function, I have witnessed the staff keeping doors closed and asking any guests outside to keep voices to a minimum.

I have never witnessed any music played outside after 6 pm or any outside dancefloors where guests can gather and cause excessive noise.

I have also watched The White Barn staff usher guests to their transport, most functions use buses to get the majority of people removed off site in a timely manner.

I have worked at many venues within the Pokolbin (and far greater) regions and assure you that the professionalism of both staff and management to keep on top of noise is far better than any other venue I have worked at. This, in turn, gives a great experience to the guests as well as being respectful to their neighbours.

I recommend that the modification applied to the council be approved as The White Barn runs a specialised service that boosts the tourism of the wine country area and compliments other small business operators within the immediate location of the Barn.

If you have any further questions, please feel free to contact me at any time.

Kind regards,

**Sent:** Tuesday, 30 November 2021 11:44 AM

**Subject:** RE: Quick Question

As much as noise does travel in the Valley, on the whole we rarely heard any noise coming from that direction when down at the house. We do hear music from the Kookaburra Function Centre more so.

The owners are respectful of the council time curfews ensuring any music is shut down at the legal time. Is generally just on Saturdays when we notice a function taking place there when coming back home. We have not encountered any traffic congestion or any form of trespassing (that we know of).

Hope that assists and all the best to the owners for the future. We hope they get a chance to book a trip back to Oz in the near future!

Regards,

**Sent:** Tuesday, 30 November 2021 11:17 AM

**Subject:** Quick Question

The owners have asked the following when you have time to reply:

*..... whether the newly built function centre next door was in any way a nuisance or negatively affected their stay at the property?*

*Linda and I occasionally wonder whether noise, traffic, trespassing etc resulting from the functions held next door has impacted the area.*

Kind Regards

**From:**  
**To:** [Singleton, Council](#)  
**Subject:** Application (8.2018.268.2)  
**Date:** Friday, 6 May 2022 12:55:35 PM

---

To whom it may concern,

I write with regard to the extended trading hours of 290 Old North Road, Pokolbin .

From the beginning I have been concerned with the development and operation of this business in our street. We were the quieter end of Pokolbin and chose to live here due to those conditions. Since our time living here the road has developed more business and the volume of traffic has increased and become more dangerous.

During the application for development I was concerned with not only the level of traffic on our street which is often unpoliced with a high level of speeding drivers, moreover I was concerned with the level of noise which was to be emitted from the proposed wedding facility.

Since the development of the wedding facility we have another venue at the corner of Old north road and Hermitage. The residents are now 'bookended' by two wedding facilities and as such have to endure higher volume of traffic, increased noise and lack of respect for residents by tourists to the area attending these venues. The tourists are there to have a 'good time' and hold no care or concern for their behaviour as this is not their neighbourhood. This is ideally reflected on the patrons of 290 Old North Road.

On March 4th and 13th I called the Singleton Police to complain about the level of noise which was occurring from 290 Old North Road. It was loud, disruptive and occurring well past the allowed time.

I understand that functions can be loud and the patrons are there to have a good time, however this is at the disrespect of the long-time residents of the area.

I feel the owners of the business have no courtesy for the neighbours and do not care to control their patrons by encouraging them to go inside to continue their function. To allow them to trade outside their already recommended times would only encourage them to allow their patrons to stay longer outside and stretch the trading hours all to the disrespect of the residents in the area.

This business is already operating outside of their approved hours of operation which are stated below.

**DA 8.2018.268.1 clearly states the approved hours of operation.**

**36. Hours of Operation**

The function centre is permitted to operate between the following hours:

**8.00am to 10.00pm – Sunday, Tuesday, Wednesday and Thursday; and**

**8.00am to 11.00pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.**

These timeframes exclude set-up and clean-up, before and after a function.

**All patrons must vacate the site within thirty (30) minutes of the conclusion of the function. Additionally, amplified noise shall not be audible beyond the boundary of the premises after:**

**9.00pm – Sunday, Tuesday, Wednesday and Thursday; and**

**10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.**

I am a single mother and have to get my children ready for school during the week. The increase noise and disrespect on our road makes life uncomfortable for not only myself but my children too.

I strongly oppose any extension of trading hours due to the above stated reasons. The simple fact is that the owners of the business already don't abide by their existing hours of operation. To extend their hours would only encourage further bad behaviour and disrespect to the serenity and safety of the street and neighbourhood.

The owners have called the neighbours many disrespectful names and have been rude to us, even taking my dog to the pound when it strayed from my house. This is not keeping with country life and as such is an example of their lack of respect to neighbours of the area.

Further, 290 Old North are in a hollow and I am situated on the hill. Noise travels up the hill and as is amplified.

**The Protection of the Environment Operation Act** states that offensive noise can occur anytime and that there is not necessarily a permitted time.

Our area of Pokolbin is not all business, we are also residential and hope that council respects our desire to let it stay that way. Thank you.

Yours sincerely

'without prejudice'

**From:**  
**To:** [Singleton, Council](#)  
**Subject:** Application (8.2018.268.2)  
**Date:** Thursday, 5 May 2022 7:49:02 PM  
**Attachments:** [CA92C32E-5EA7-46A9-A399-B2621486374F\\_1\\_201\\_a.jpeg](#)

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#### Attention

#### Objections to Development Application DA 8.2018.268.2

With respect, we strongly object to the DA 8.2018.268.2 for the following reasons.

On several occasions both myself and other neighbours have been forced to call the local police re the noise emanating from the premises - Function Centre at 290 Old North Road.

This business has been operating now for almost 2 years.  
However with the restrictions imposed as a result of the Covid 19 pandemic the function business was obviously affected as it operates almost entirely as a wedding centre.  
This meant that no functions were held until restrictions were lifted.

All neighbours have tried to be as considerate as possible under the circumstances, but it seems that consideration only operates one way.

It is a condition (38) of the approved DA 8.2018.268.1 - that all functions are to be wholly contained within the function centre building.

#### **38. Acoustic Measures**

**The development shall operate in accordance with the Acoustic Assessment, prepared by Spectrum Acoustics, dated February 2019.**

**In accordance with the acoustic assessment, all functions are to be wholly contained within the function centre building.**

**Additionally, food stalls and vans are not to operate in conjunction with any function.**

**The person/s having benefit of the consent, or their appointed delegate, shall be present on-site at all times to monitor noise during functions.**

This has **NEVER** happened. Even after recent visitations from Singleton City Councils Compliance Officer the functions continue to be held outside the function centre building.

From the moment guests arrive they gather around **OUTSIDE** the function centre having drinks etc.

This has happened at every wedding held, unless inclement weather forces them inside.

The end result is neighbours are forced to put up with everything from attendees speaking or laughing noisily or unrestrainedly, calling out loudly and vigorously and at times yelling to each other.

Recently the owner built a rotunda at her dam for the specific reason of hold wedding ceremonies in that area.

This again contravenes DA 8.2018.268.1 condition (38)

**In accordance with the acoustic assessment, all functions are to be wholly contained within the function centre building.**

Wedding ceremonies are now set up outside the function centre building with wedding celebrants using

PA systems. The end result is neighbours are forced to listen to the entire ceremony as it takes place via the amplified announcements, which at times include loud amplified music.  
You can clearly hear the entire proceedings, inside our homes. This is an encroachment on our privacy.

Many ceremonies are now held outside, with drinks served **OUTSIDE** the function centre whilst the wedding party have photographs taken.  
These outdoor gatherings/ceremonies are clearly contravening the approved conditions of operation under DA 8.2018.268.1.

Conditions of the original DA are disregarded or not adhered to, it seems on a regular basis.  
Only a couple of weeks ago a tourist bus dropping off guests to the function centre parked outside the address on the **WRONG SIDE OF THE ROAD, ON THE BEND** of Old North Road. This was extremely dangerous as the area is full of tourists that are not sure where they are going. Add to this the main entrance to the function centre is on a bend.  
At the same time other cars were parked on the side of the road outside the boundaries of the function centre.  
It states very clearly at point 46 of the original DA approval -

**46. Car Parking**

**Car Parking must be wholly contained within the lot boundaries at all times.**

**Car parking in association with development on the site is expressly prohibited own Old North Road.**

Photo to support this is attached:



As I stated previously, all neighbours have tried to be understanding and allow the business to operate without complaint.

However, either the owner or their appointed delegate in charge are not being considerate to their neighbours.

We as neighbours are happy for the business at 290 Old North Road to operate under the approved DA conditions, but it would appear the owner or their appointed delegate, is without care, concern or interest for those approved operating DA conditions.

Friday March 4th is just one example of this.

The volume of music emanating from the function centre was to the extreme.

So much so that several neighbours called Singleton Police to complain about the excess amplified boom, boom, boom music blaring from the function centre.

The volume of this music has continued to increase over recent months to the point where one **CANNOT** sit inside your own home without hearing the continual reverberating sounds from the function centres music.

There have been several other occasions where frustrated and fed up neighbours have called police to complain about the noise levels.

Also it appears this business is operating outside of their approved hours of operation.

DA 8.2018.268.1 clearly states the approved hours of operation.

**36. Hours of Operation**

The function centre is permitted to operate between the following hours:

**8.00am to 10.00pm – Sunday, Tuesday, Wednesday and Thursday; and**

**8.00am to 11.00pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.**

**These timeframes exclude set-up and clean-up, before and after a function.**

**All patrons must vacate the site within thirty (30) minutes of the conclusion of the function.**

**Additionally, amplified noise shall not be audible beyond the boundary of the premises after:**

**9.00pm – Sunday, Tuesday, Wednesday and Thursday; and**

**10:30pm – Friday, Saturday and notwithstanding the above, the day immediately before a public holiday.**

Since this business commenced operation, every Friday and Saturday function held, has had amplified music operation until **11pm, not the DA approved 10.30PM.**

**We have asked this question previously and are yet to receive an answer from SCC.**

**Has this operating time been changed?**

**If so, why did Singleton City Council not advise all neighbours of this change of operating hours and give them an opportunity to object?**

I have spoken personally with all neighbours and **NONE** of them have ever received any correspondence from SCC advising of a change to hours of operation.

On Sunday, March 13th, a wedding was held and the amplified music could be heard well past the DA approved 9pm finishing time.

Again neighbours called the local police to complain.

At the conclusion of events guests on most occasions depart the venue shouting, hollering and generally behaving like buffoons.

In the past 30 years we as husband and wife team have owned and operated restaurants and wedding function venues in the Singleton Council Area.

During this time we have always had to adhere to conditions relating to noise from the different venues.

One of those conditions has always been how guests leave the restaurant or function venue at the conclusion of the evening.

We always made a point at the conclusion of the event to make an announcement requesting guests leave the venue in a quiet orderly fashion, ie, without yelling across the carpark to each other.

It would appear from the way many guests leave this function centre that the owner, or their appointed delegate either don't make this announcement at the conclusion of the evening or do not oversee/supervise the exit of guests from the venue.

As we said earlier - regularly neighbours can hear guests departing the venue shouting, hollering and generally behaving like buffoons.

When functions are held at 290 Old North Road we are unable to go to our bedroom to sleep until 11pm - when the function has finished.

The reason for this is the continual boom, boom, boom from the amplified music.

I ask you to place yourself in our position. How would you feel if you simply couldn't go to bed until 11pm every night that a function is held all because of the noise generated. Would you or your partner be happy about this?

We like other neighbours bought our country property to be free from disturbing noise or uproar, as the real estate brochures say "the quiet and serenity of country life."

That peace and quiet goes out the window when a function is held at 290 Old North Road.



Having to tolerate this 2 or 3 times a week is disappointing and regrettable but to have this venue operate with the extended hours 7 days a week is uncalled for, unnecessary and inequitable.

For all of these reasons again we strongly object to the extension of trading hours for the business operated at 290 Old North Road, Pokolbin.

We respectfully ask that Council take all of these points into consideration when making its decision on the DA amendment.

Many thanks

**From:**  
**To:** [Singleton, Council](#)  
**Subject:** Application (8.2018.268.2)  
**Date:** Thursday, 5 May 2022 8:16:07 PM

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Dear ,

This is in relation to DA 8.2018.268.2 AMENDMENT - Change of hours. We are close neighbours at Old North Road.

Running a wedding & conference venue has a big impact on neighbours especially the noise levels at nights. Things can get out of hand quite easily. And being on a farm, noise travels quite easily.

We would like the owners of 290 Old North road to

1. Make sure extra measures are in place to ensure the compliance are met at all times whenever an event is happening to maintain the peace and quiet of our neighbourhood.
2. Be reachable when such compliance is breached and our concerns are addressed straight away.

We hope the owners can accommodate our request in maintaining a peaceful and friendly neighbourhood.

Kind regards,

**From:**  
**To:** [Singleton, Council](#)  
**Subject:** Application (8.2018.268.2)  
**Date:** Monday, 9 May 2022 1:17:56 PM

---

We neighbour to the Southeast the function centre on 290 Old North Road.

We oppose the request to extend the hours of operation at the function centre as it may jeopardize our ability to keep tenants at the property. Currently we have tenants with a young family. They have indicated they are managing with the existing hours, but we feel strongly that they will move on if they must deal with anymore. We also believe that tenanting in the future would be much more difficult with the longer hours.

Thank you for your consideration.

**From:**  
**To:** [Singleton, Council](#)  
**Subject:** Application (8.2018.268.2)  
**Date:** Thursday, 5 May 2022 4:36:31 PM  
**Attachments:** [image001.png](#)

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Hi

I'm contacting you now to submit concerns about the application to extend trading hours to 290 Old North Road Pokolbin. As I understand it, the owners of this business seek to extend the trading hours to close later in the night. We ask Council to consider the neighbours when making a decision, based on the following points.

Firstly, there could be up to 150 people leaving the function centre upon closing. I'm sure you can appreciate the noise that comes from this departure (people and cars, etc.). Given that the function centre is located in a rural area, noise travels far, freely and unabated, and you can imagine how this would be very annoying to the neighbours, night after night. The neighbours did not come to this area for the noise.

Secondly, I believe the NSW Department of Planning and Environment (<https://www.environment.nsw.gov.au/questions/times-residential-noise-restrictions>) and their noise restrictions parameters, as such; Noise from music that can be heard in any habitable rooms of a neighbouring residence must cease during certain times: midnight to 8am on Friday, Saturday or any day preceding a public holiday and 10pm to 8am on any other day. While these regulations might be applicable to residential areas, and 290 Old North Road Pokolbin is in a 'Primary Production / Tourism' zone, there are families that actually live on this road full-time, so the zone could easily be described as residential; hence, the *intention* of these regulations would be applicable.

Thirdly, I appreciate that The White Barn function centre is a legally approved business, and should be allowed to operate, but it is located in a rural / residential / primary-production / tourist area and I believe it should fit *into* the environment, and not *overpower* the area through its noise.

Lastly, I can offer a solution. If The White Barn function centre would like to extend its hours, I would be more than happy for them to start any given function *earlier*, even a few hours earlier. But, finishing *later* into the night will cause considerable grief and annoyance in the neighbourhood (imagine if you lived next door to this function centre?).

We respectfully ask that Council take these points into consideration when making its decision on the DA amendment.

Could you kindly confirm that you have received this submission?

Finally, can you please keep this submission anonymous and confidential?

Many thanks

*General Manager's Report (Items for Information) - GM39/22***GM39/22. Minutes - Upper Hunter Weeds Authority - 17/03/2022****FILE:** 01/0183**Author:** Executive Secretary

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**Executive Summary**

The Upper Hunter Weeds Authority held its meeting on 17 March 2022. The meeting was attended by Crs Charlton and McNamara.

The minutes of the meeting are shown as **Attachment 1** for Council's information.

**FOR INFORMATION****Attachments**

**AT-1** [↓](#) Minutes - Upper Hunter Weeds Authority - 17/3/22

**MINUTES OF THE UPPER HUNTER COUNTY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON THURSDAY 17 MARCH, 2022 COMMENCING AT 3.30PM.**

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**PRESENT:** Cr T. McNamara (Chair), Cr B. Carlton, Cr M. Collison, Cr R. Campbell, Cr T. Clout, Cr D. Marshall, Cr G. McNeill.

**IN ATTENDANCE:** Mr D. Campbell (General Manager) and Mrs M. Sandell-Hay (PA to the General Manager).

## **1 APOLOGIES**

Nil

## **ORDER OF BUSINESS**

- 14 RECOMMENDED on the motion of Cr Marshall and Cr McNeill that:

Standing Orders be suspended in order for Items 4.1 and 4.2 to be undertaken as the first items of business.

## **4 BUSINESS**

### **4.1 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS**

Crs Charlton, Collison, Campbell, Clout, McNamara, Marshall and McNeill swore the Oath of Office.

### **4.2 ELECTION OF CHAIR AND DEPUTY CHAIR**

- 15 RECOMMENDED on the motion of Cr McNeill and Cr Marshall that:

The method of voting for the office of Chair and Deputy Chair be by open voting.

The General Manager acted as the Returning Officer and conducted the election of Chairman and Deputy Chairman.

#### **(i) Election Of Chairman**

Nominations were invited for the Office of Chairman for the ensuing term.

The Returning Officer reported that one (1) nomination for the Office of Chairman had been received. The written nomination was in respect of:

Cr Tony McNamara - the proposers of the nomination were Crs Maurice Collison and Belinda Charlton.

The Returning Officer reported that Cr McNamara had indicated his consent to nomination in writing.

**There being only one (1) nomination, the Returning Officer declared Cr Tony McNamara duly elected unopposed for the Office of Chair of the Upper Hunter County Council for the 2022/2023 term.**

#### **(ii) Election Of Deputy Chair**

Nominations were invited for the Office of Deputy Chair for the ensuing term.

The Returning Officer reported that one (1) nomination for the Office of Deputy Chair had been received. The written nomination was in respect of:

**MINUTES OF THE UPPER HUNTER COUNTY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON THURSDAY 17 MARCH, 2022 COMMENCING AT 3.30PM.**

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Cr Maurice Collison - the proposers of the nomination were Crs Tony McNamara and Tayah Clout.

The Returning Officer reported that Cr Collison had indicated his consent to nomination in writing.

**There being only one (1) nomination, the Returning Officer declared Cr Maurice Collison duly elected unopposed for the Office of Deputy Chair of the Upper Hunter County Council for the 2022/2023 term.**

The Returning Officer handed the meeting back over to the Chair.

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

16 RECOMMENDED on the motion of Cr McNeill and Cr McNamara that:

The Minutes of the Ordinary Meeting held on 16 November 2021, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

Cr McNamara advised Council that John Martin had not re-elected at the recent Local Government Elections and expressed his appreciation for the contribution and passion that Mr Martin had for the Upper Hunter County Council. Cr McNamara also advised the meeting that Mr Martin had recently suffered a severe stroke and was now living with his sister in Maitland.

17 RECOMMENDED on the motion of Cr McNamara and Cr Charlton that:

Council write to Mr John Martin and Ms Lorna Driscoll thanking them for their long and valued contribution to the Upper Hunter County Council.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

## **3 DISCLOSURE OF ANY PECUNIARY AND NON PECUNIARY INTEREST**

Nil

## **4 BUSINESS**

### **4.3 FIXING DAY AND HOUR OF REGULAR MEETINGS**

18 RECOMMENDED on the motion of Cr Campbell and Cr Marshall that:

Ordinary Meetings of the Council be held in the Council Chambers, Muswellbrook, on the Third Thursday of February, May, August and November commencing at 4.00pm (except where such Thursday is a Public Holiday in which case, the Council decides an alternative day for the meeting).

**MINUTES OF THE UPPER HUNTER COUNTY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON THURSDAY 17 MARCH, 2022 COMMENCING AT 3.30PM.**

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In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

#### **4.4 FIXING OF THE TIME AND MANNER OF GIVING NOTICE OF ORDINARY MEETING**

19 RECOMMENDED on the motion of Cr Collison and Cr Marshall that:

Notice of all Ordinary Meetings of the Council be given by emailing to each member of the Council a notice of such meeting, such notice being delivered no less than seven (7) days before the meeting.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

### **5 GENERAL MANAGER'S REPORT**

#### **5.1 2017-2021 DELIVERY PLAN DECEMBER 2021 REVIEW**

20 RECOMMENDED on the motion of Cr Campbell and Cr Marshall that:

The Operational Plan Review for the Period ending 31 December, 2021, Be ADOPTED.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

#### **5.2 DRAFT MANAGEMENT PLANS**

Cr Charlton inquired whether there was any further objective that needs to be considered following the increase in natural disaster events, particularly those that have the effect of spreading weed populations or exacerbating seeding and/or germination, i.e. should there be a monitoring of or report on climate impacts and their affect upon program deliverables?

Cr Charlton also inquired where Transport for NSW is represented in the Objectives as it appears that there is a significant problem with the management of weeds along their Roads and to a greater extent rail corridors?

21 RECOMMENDED on the motion of Cr Campbell and Cr Charlton that:

The Draft 2022/32 Business Activity Strategic Plan, Draft 2022/26 Delivery Plan and Draft 2022/23 Operational Plan be authorised for placement on public exhibition for a period of 28 days from 17 March, 2022 to 11 April 2022.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

#### **5.3 DRAFT CODE OF MEETING PRACTICE**

22 RECOMMENDED on the motion of Cr Collison and Cr McNeill that:

The Draft Code of Meeting Practice 2022 be authorised for placement on public exhibition for



**MINUTES OF THE UPPER HUNTER COUNTY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON THURSDAY 17 MARCH, 2022 COMMENCING AT 3.30PM.**

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28 days from 17 March 2022 subject to minor amendments being made to the document.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

#### **5.4 DELEGATION TO OPEN ACCOUNT**

23 RECOMMENDED on the motion of Cr McNeill and Cr Campbell that:

1. The Chair and General Manager be delegated authority to open a banking and credit card accounts with Westpac Banking Corporation and close existing accounts with National Australia Bank.
2. The General Manager be the administrator of the Westpac Banking Corporation accounts.
3. The UHCC Corporate Credit and Debit Card Procedure be adopted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

#### **5.5 GENERAL MANAGER'S REPORT**

24 RECOMMENDED on the motion of Cr Charlton and Cr Collison that:

The information contained in this report be noted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

### **6 BIOSECURITY OFFICER'S REPORTS**

#### **6.1 MUSWELLBROOK BIOSECURITY OFFICER'S REPORT**

25 RECOMMENDED on the motion of Cr Collison and Cr Clout that:

The information contained in this report be noted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

#### **6.2 SINGLETON BIOSECURITY OFFICER'S REPORT**

26 RECOMMENDED on the motion of Cr Charlton and Cr Collison that:

The information contained in this report be noted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

**MINUTES OF THE UPPER HUNTER COUNTY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE LOXTON ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON THURSDAY 17 MARCH, 2022 COMMENCING AT 3.30PM.**

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**6.3 MERRIWA BIOSECURITY OFFICER'S REPORT**

27 RECOMMENDED on the motion of Cr Campbell and Cr Clout that:

The information contained in this report be noted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

**6.4 INSPECTION AND TREATMENT MAPS**

28 RECOMMENDED on the motion of Cr Charlton and Cr Campbell that:

The information contained in this report be noted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

**6.5 SCONE BIOSECURITY OFFICERS REPORT**

29 RECOMMENDED on the motion of Cr Collison and Cr Marshall that:

The information contained in this report be noted.

In Favour: Crs R. Campbell, B. Charlton, T. Clout, M. Collison, D. Marshall, A McNamara and G. McNeill.

Against: Nil.

**7 QUESTIONS WITHOUT NOTICE**

**7.1 PROPERT INSPECTIONS**

Cr McNeill inquired whether property inspections included Mine Sites?

Mr Campbell advised that yes mine sites were included in property inspections.

**8 CLOSURE**

The meeting was declared closed at 5.09pm.

**THE MINUTES OF THE MEETING (PAGES 1 TO 8) WERE CONFIRMED AT THE UPPER HUNTER COUNTY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ON AND ARE A FULL AND ACCURATE RECORD OF PROCEEDINGS OF THE MEETING HELD ON THURSDAY 17 MARCH, 2022**

.....  
Mr D. Campbell  
**General Manager**

.....  
Cr T. McNamara  
**Chairperson**

*General Manager's Report (Items for Information) - GM40/22*

**GM40/22. Minutes - Singleton Combined Rural Halls Committee - 05/05/2022** **FILE: 01/0301**  
**Author:** Executive Secretary

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**Executive Summary**

The Singleton Combined Rural Halls Committee held their meeting on the 5 May 2022. The minutes are shown as **Attachment 1** and the Halls Reports are shown as **Attachment 2** for Council's information.

**FOR INFORMATION****Attachments**

**AT-1** [↓](#) Minutes Combined Rural Halls Meeting - 5 May 2022

**AT-2** [↓](#) Combined Rural Halls - May Reports

**SINGLETON COMBINED RURAL HALLS**

**The committee is set up to facilitate communication between Council and Rural halls in the LGA**

Meeting 5 May 2022

Meeting Room Singleton Diggers, York Street Singleton

Meeting opened 7.00 pm

**Present:** Maureen Joliffe Glendonbrook, Jim Joliffe Glendonbrook, Joy Patton Glendon, Evelyn Hardy Broke, Bruce Merrick Warkworth, Errol Long Warkworth, Jane Bryson Mitchell's Flat, Sue Moore Elderslie, Narelle Paget Whittingham, Christine Brown Whittingham, Jerry's Plains, Maureen Pratt Jerry's Plains, Lisa Harper Hebden, Patti Johnson Glendon Cr Sue George

**Apologies:** Ken & Margaret Ferguson Putty, Phil Reid Bulga, Val Daldry Warkworth, Linda Ancich Whittingham,

**Minutes of the previous meeting:** accepted moved Rhonda Walter, seconded Jane Bryson CARRIED

**Business Arising from Minutes:** NIL

**Correspondence:**

- Card to Mitchell Family

**Treasurer's Report:**

Current account Balance \$191.82 Moved Maureen Joliffe sec Evelyn Hardy CARRIED

Moved Maureen Joliffe seconded Sue Moore

'That the signatories of the Combined Halls Bank account be:

President Phil Reid

Secretary Susan George

Treasurer Maureen Joliffe.

Any two to sign.

The account be set up for electronic banking.' CARRIED

**General Business**

- **Resources for Regions 9** – awaiting notification on timelines, all application still valid, Sue will contact Halls for confirmation when dates received
- **Hall Updates**
  - **Warkworth** – Thank you to Community Op shop, Motor homes booked for July, morning Tea twice a month after Church, Church celebrated 176<sup>th</sup> birthday, mine information hires
  - **Whittingham** – Thank you to Community Op shop Pie Drive running, Flood Information Day at Hall with Council, Dance in July
  - **Jerry's Plains** – Thank you to Community Op shop Mining Info days, Federal Election booked, Fair March 19 well supported, Bicentennial weekend very successful, VPA information night
  - **Elderslie** – Thank you to Community Op shop Booking for Election, AGM- Leeanne Moore now Secretary, developing policy for cancellations, grant \$15k for new envirocycle system,

- **Mitchell's Flat** – Thank you to Community Op shop few activities planned – Christmas in July, Trivia, Macrame a regular event, Concert – Festival of Small Halls in 2023
- **Glendon** – Thank you to Community Op shop, Pie Drive organized, Election Booked
- **Hebdon** – Thank you to Community Op shop, Hirings few – Glencore Training, 18<sup>th</sup>-refused, rat's a problem at present. Toy Box still operating,
- **Glendon Brook** - Pie Drive, Trivia 28 May, Kitchen completed through Stronger Communities grant. Thank you to Community Op shop
- **Broke** – very busy, AGM held, increased bookings, cuppa & chat last Wednesday of month, 20 people for First Aid, WinterFest 25 June, 23 July Juke Box Saturday Night, end of school dance over 60 young people attended.

**Other Business**

- Question re re-piering
- Suggestion of Autumn Hall Crawl – bring suggestions to next meeting

**Next meeting July 21 2022 – Annual General Meeting**

Meeting closed 7.35pm

JERRYS PLAINS SCHOOL OF ARTS HALL INC.

REPORT FOR COMMUNITY HALLS MEETING 5<sup>TH</sup> May 2022

*Thank you to Coop for \$500-*

Since our last meeting we have celebrated our Bicentennial weekend. The Hoedown dance at the hall was a great success completely booked out. Watching everyone trying to do the square dance etc was very funny and everyone enjoyed themselves the band were terrific only had one break all night and played other popular dance songs.

The Band are called Heywood Moore and the Hoedown Band, highly recommend.

The Hall hosted a free breakfast on the Sunday morning and this was also successful even though we always over cater.

The Saturday was the main day of celebration but unfortunately the weather wasn't the best, although it did hang off until the end of the opening speeches and after a good downfall it was just annoyingly on and off for the rest of the day.

The hall is booked for the Federal Election and for the VPA meetings and mine information meetings. Also Toybox every second Monday.

*Wedding wet weather.*

*Our Annual Fair, very successful Slipping stalls 10 In to Stalls.*

Hebden Community Hall Inc.

We would like to thank the Singleton Community Op Shop for their kind donation, this will assist our hall greatly with running cost and continued improvements.

We have had a number of people enquiring about hiring the hall for 18<sup>th</sup> Birthdays, as you know our insurance will not cover our hall for these so we have had to decline.

Glencore have enquired about using the hall for training days, as Glencore have given our hall so much we simply as for a small donation instead of charging full price.

We have recently had a company carry out a pest inspection and have had the hall sprayed for spiders and insects. Baits have been placed in the hall to assist with current vermin problem we are having.

Lisa Harper  
0409 603 624

**Combined Rural Hall's Committee**

**Report from Mitchell's Flat recreation club Inc.**

**May 5<sup>th</sup> 2022**

- We would like to express our significant appreciation for the grant from the Op Shop
- Kitchen and outdoor shed completed
- Open Day from the Wellness grant was held. It achieved very different outcomes from those originally intended. Although not considered entirely successful it turned out to be a very positive day.
- We have had some activities at the hall ' a regular booking for macramé and a children's birthday party and then are some future bookings
- The management committee are looking at options for spending the donation from the Op Shop
- Proposed Trivia Night is in limbo due to conflicts with other activities and other significant commitments of the organising committee.
- New kitchen worked really well for the catering for our Wellness Day.

Lawn mowing continues!

Jane Bryson

AGM. all positions remain the same.

Broke Hall is coming along nicely.

Bookings have increased with event numbers increasing regularly.

Thank you op shop for the \$5,000, ongoing maintenance will be what the money is used for.  
Permanent bookings every week.

- \* Belarna Grove
- \* River Flats Estate.
- \* Kasbar Kitchens
- \* Colleen Gale mobile Preschool
- \* Yoga classes.

BRCA meetings last Tuesday of the month.

Hall meetings Bi monthly.

Hired.

- \*\* Broke Fordwich Private Irrigation District.  
public information morning.

- \* 3 childrens birthday parties
- \* First Aid course attended by 20 - catered by the hall.
- \* P&C Easter Egg and Games day.
- \* Private movie night - birthday party.
- \*\* Cuppa n Chat morning is the last Wednesday in the month.  
3 have happened and have been very successful, 10, 23 and 13 attendees. I think this will be something that will continue. Both ladies and gents have enjoyed it very much.
- \*\* Winter Fest to be held on the 25th June. Free ticketed event. Children's carnival, food vans, Kombi keg, fire pits stalls and R n R Ranch Girls Band. Large local sponsorship.
- \*\* Juke Box Saturday Night dance - ticketed event.  
23rd July.



- xx End of school term dance for kids 16 and under.  
Huge success. Strictly monitored. Next dance last day of next term. Large local sponsorship.
- xx Bulga Coal BBQ 19th May. Always a big event.

Maintenance / repairs.

Plumbing carried out. - all taps replaced etc. and a new external tap placed on western side of hall.

3 separate events hired table and chairs.  
2 weddings and long lunch at Whispering Brook.

New Audio / visual system speaker cords and powerpoints put in place by a local builder. Scott Wallyn.

Garden Furniture - 2 stods purchased.

Sir Walter Buffalo lawn growing nicely.

new gardens looking lush and attractive.

quote for removal of dangerous trees - large branches falling regularly.

quote for roof / ceiling damage. Old iron on roof has become unstable. Water from the rain event made its way in and a section of ceiling has now got water damage with parts of ceiling popping apart.

Broke Hall is also going to have a Facebook profile - if I can work out how to do it. ☺

## Glendon School of Arts Hall Report. 5.5.22

Thankyou to the Rural Halls Committee for the \$5000.00 donation which is to assist with the replacement of the front boundary fence.

also an investment in another water storage tank is being negotiated.

Recent Bike Rides in the area have hired the hall.

Electional Commission has hired the hall for the upcoming elections. The Hall Committee to operate a BBQ + cakes stall.

Beer + Bull evenings continue each month.

Now that covid restrictions have been eased it is hoped other fund raising events can now be planned.

Consideration is being given to a Country Market Day and a 'Meet your Neighbour' morning tea.

A special thankyou to the dedicated members who continue to give their time to assist with the ongoing functioning of Glendon Hall.



Warkworth Hall Community Centre Inc.  
High Road  
WARKWORTH NSW 2330



ABN: 56 371 159 961

5<sup>th</sup> May 2022

**Singleton Combined Rural Halls**

Morning tea for the Church's 176th anniversary

Working bee for late June or early July

Thank you from Wendy Mitchell for the card sent on Dennis' passing

Hall booked by the Lakelander Motorhomes for the 15-17<sup>th</sup> July

Wambo continue to maintain the grounds

Hall booked by the Hunter Valley Venture Motorhomes for the 5-7<sup>th</sup> August

Hall used by the Church twice a month for morning tea

Hon. Treasurer

**Glendon Brook Hall News**      **5<sup>th</sup> May 2022**

Today we had our winter pie drive fundraiser which was very successful.

The new kitchen has now been completed and was used for the first time today. This project was funded by a grant from the Stronger Communities Program.

**Upcoming events:**

Trivia Night – 28<sup>th</sup> May

*General Manager's Report (Items for Information) - GM41/22*

**GM41/22. Local Government NSW - Destination and Visitor  
Economy Conference**  
**Author:** Executive Secretary

**FILE:** 22/00009

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### **Executive Summary**

Cr Thompson attended the Destination and Visitor Economy Conference held in Orange from 17 to 19 May 2022. A copy of his report is shown as **Attachment 1** for Council's information.

### **FOR INFORMATION**

#### **Attachments**

**AT-1** [!\[\]\(aa53ad6fea213b8b2226d3077e30533a\_img.jpg\)](#) Report - Local Government NSW - Destination and Visitor  
Economy Conference

## REPORT

Local Government NSW -Destination and Visitor Economy Conference- held in Orange

17<sup>th</sup> to 19<sup>th</sup> May, 2022.

The conference was hosted by an organization call “Orange 360”. This is a joint organization of Orange City Council, Cabonne and Blaney Councils and the local business community. With the remit of promoting these local government areas in the central west.

The board of Orange 360 consists of a representative of each LGA and six “skills based” representatives, of the local business community.

There were over 200 registered attendees.

**Breakout Session 1-** Arts, Culture and Heritage. How does council embrace this as part of the tourism puzzle?

Speaker 1- Rebecca Marshall -Manager of Property Development and Investment, Penrith City Council.

Spoke on the project to restore a former Police residence on the Nepean River. This is part of their Nepean River masterplan, part of their river walk and at the entrance to their International Regatta Park.

The issues of taking over a Crown Lands asset, developing a conservation plan, plan of works, funding and staffing.

The important things were

- thorough market research
- connectivity with other council and community developments
- a return on investment for the council
- community benefit of jobs, embracing local history, civic pride and amenity

Speaker 2- Brent Lawrence- Manager, Visitor Services and Local Activation, Leeton Council

Spoke of how Leeton Council developed a visitor identity.

The important thing was to play to their strengths.

It was identified that they had a lot of heritage buildings of a particular era and now call themselves the Art Deco Capital of Australia. The centerpiece being the newly restored “Roxy Theatre”. The council developed a consistent color palette for their business district and encouraged the local businesses to come on board by repainting their premises. The council paid 60% of the painting costs.

They now have cohesive street scape and host an annual “Art Deco Festival” which is a growing destination event.

They work with their villages Yanco and Witton to add to the visitor experience. This involves a public art trail, an experience drive with interactive maps.

Instead of doing traditional “silo art” they have changing art works projected onto the silos. This offers a night-time experience for visitors and encourages them to stay.

Speaker 3- Councilor Gerald Power, deputy mayor of Orange City Council and the first Aboriginal person ever elected to that council.

Gerald from North Queensland and came to Orange as a Regional Strategy Officer for the NSW public service, where he developed his knowledge of the local people and their issues. He started “Bush Tuka” a catering business at local events and markets in Sydney, he now also runs local indigenous cultural tours.

Gerald spoke of how he first had to earn the trust of the local tribes to be given permission to tell their stories. He not being on his country had to be shown the sacred sites and had to be given permission as to which ones he could show others and talk about.

**His experience is that there is an overwhelming desire from visitors local, interstate and international to learn about and experience indigenous culture.**

His advice to anyone thinking of starting up such tours is to take your time, “walk beside the mob” and unpack their stories with reverence and humor.

Speaker 4- Brad Hammond, Director, Orange Regional Gallery

Brad spoke with great pride about the new \$7 million extension to the Orange Regional Gallery. How it serves the local community and by its co-location with the Visitor Information Centre and Regional Museum how it acts as a destination or an additional attraction to visitors.

The gallery has over 1,000 pieces valued at approximately \$16 million, it has permanent space for travelling exhibitions and is able to run educational classes. It is also starting to receive donations most recently a very impressive John Olsen painting.

Most of the visitors to the gallery are from Sydney, pre-pandemic they were seeing about 8,000 visitors annually and now it is over 11,000 and growing.

He told the story of asking a primary school class “what is art?” a question that none of us was able to answer with any confidence. He said that after some contemplation a 9 or 10 year old boy told him **“Art is what ideas and feelings look like”**.

The benefits for the community of the gallery are many fold but he thought that the sense of Civic Pride it brought to the community was one of the most important.

## Day 2- Plenary Session

Address – Cr. Darriea Turley AM – President of LG NSW

Address- Cr Scott Ferguson – Mayor of Blayney Shire Council

## Panel discussion

Chaired by Caddie Marshall – General Manager of Orange 360

## Participants

- David Waddell – CEO Orange City Council
- Bradley Byrnes- General Manager Cabonne Council
- Scott Ferguson- Mayor – Blayney Shire Council

The panel discussion was about the learnings from Orange 360, the following points were made.

- Keep your message simple
- The devil is always in the detail
- Ensure your community understands the benefits of the visitor economy
- Work as closely as you can with local business and encourage them to work with each other.
- Use the power of social media, have found Instagram and blogs work best
- Keep your message out there, do not go in and out of the market
- **Always need better data**
- the average tourist spends \$360.00 a day
- If they were to loose that money from tourists it would require a \$20,000 per household per year spend to keep the current level of business activity
- 20% of visitors to Orange go on to the village.
- The local visitor information centers work together and leverage off each other to ensure visitors always have a few things to do.
- “It is the role of the people in the Tourist Information Centre to convince those people who are just popping in to use the toilets, that they really need a three night stay”.
- Understand why people come.
- Girl’s weekends are proving popular.
- There are currently 2,700 tourist beds across the local government areas
- Aim to increase that to 3,500
- Current budget for Orange 360 is \$1,000,000 per year made up from the three councils and the member businesses (looking to increase it).
- Support festivals run by volunteer committees
- Ensure a Return on Investment for the council
- Need for strategic planning
- Best when community and council work together, e.g. volunteers and council engineering staff putting the “Orange 360 cycling trails”

- The best way to present your area is to encourage “residential pride”

### **Keynote Speakers**

**Professor Tim Harcourt**- Industry Professor and Chief Economist, Institute for Public Policy and Governance (IPPG), University of Technology Sydney (UTS).

Presents a show on Sky called the “Airport Economist” looking at the opportunities for Australia in the sixty (60) countries he has visited in the past six (6) years.

Each market is unique, we need to understand them before we start to market to them.

We have been affected by the three C’s- climate, covid and China.

Covid has allowed us to reset and refocus the visitor economy. We are seen as a safe place to travel to. We should expect a rebound in tourism in the next two years. We should start planning for a “Dining Boom” to go alongside the “Mining Boom”.

Spoke of need for regions to market to the international traveler.

Need to keep Australia open.

Cannot underestimate the value of Australian education, bringing in students but also creating an image of Australia for the rest of the world.

Education is the way to lift the wages and standard of living, gave the example of the mining industry and the level of training resulting in highly skilled workforce.

He noted that the unions were the first people he heard talking about climate change and they saw the opportunities and were willing to work with the environment for the benefit of their members. He questioned how we got to the current state of climate debate.

**Professor Carol Mills**- Director Institute of Public Policy and Governance at UTS

Spoke on issues from a state and national level that can/will flow on to the regions.

- Australia has always been an expensive place to visit, need to ensure we create great experiences. People remember the experience not the price.
- they feedback in “the chamber of Social Media”
- We need to continue to concentrate on standards of service and staff training.
- Supply is an issue and all businesses need to focus on staffing, skills and branding.
- Need to use “blockbuster events” such as the up-coming Olympics to create a trickledown legacy for the whole country.
- Use such events to construct sustainable infrastructure.
- Her role on the Board overseeing Barangaroo and Darling Harbor Redevelopment made her very aware of balancing the needs of the locals with those of the visitor. Noting that most tourists want to have a “local experience”.

### **Panel Discussion**

**Anthony Osborne**- Managing Director of Sapphire Coast Destination Marketing and the Destination Agency



James Ho- General Manager of Hipcamp

Jenny Bennett-Executive Director of Central NSW Joint Organization

Points raised in the panel discussion-

- tourists are not a homogeneous group
- the best way to make decisions is using data, data, data.
- 70% of online enquiries for accommodation are about “pet friendly” accommodation yet only 10% of supply is “pet friendly”.
- There are the grey nomads
- Large section of weekend travelers are the couples 20-35 years old
- Adventure tourists
- Cultural tourists
- Graveyard tourists (tracing family history).
- Increase in “long weekend” bookings, e.g. girls weekends
- Need to develop packages for such weekends
- Camping has increased in popularity spurred on by the pandemic
- Hipcamp are a company that could probably be best described as “Air BNB for campers”. work with farmers providing a link to people looking for an authentic experience. There is a need for councils to look at their policies as this type of business could cause issues with neighbors.
- Sapphire coast has \$1M promotions budget, was done inhouse by council now outsourced
- Value of an image library
- Need to take local businesses on the tourism journey
- Need for local councils to be involved, e.g. looking at DA process, support and marketing
- Need for all levels of government to work as a team
- Need to be fast to react to “the disrupters” e.g. Air BNB

Afternoon walking tour of the Orange City, looking at smart redevelopment of the CBD

- Orange is a city of 40,000 people looking to expand to 52,000 with a water supply able to support 60,000
- Revitalizing the CBD, basic plan to make it a “walking city”
- Access for cars to be reduced and planning for more pedestrian flow.
- Encouraging three to four story residential development around the CBD and central park
- Being pet friendly is an important part of making the city livable
- The CBD has been fitted with “smart streetlights”, they are on the corners, form part of a Wi-Fi network, monitor pedestrian movements (recording data for planning) and are fitted with cameras which can be used for security purposes (our guide was not sure who was monitoring the cameras).
- Looking at wayfinding options
- Street art and installations seen as easy way to revitalize areas

- Council helps new businesses by supporting “pop-up” stores with three months free rent, was in vacant stores now in purpose refitted shipping containers in one of councils more popular car parks.

Thursday opened with a tourism update, from Dominic Mehling -Industry Relations Manager (ACT, NSW, NT, QLD) for Tourism Australia.

Dominic spoke of the role of Tourism Australia and presented masses of data and graphs illustrating the points he was making, in attracting international tourists back to Australia.

Australia is seen internationally as a “safe” destination for a number of reasons, it is expected that we will be back to pre-pandemic levels of international tourism by 2024.

Family reunions will be a large sector, the regions can profit by providing a great experience to the local family members who are likely to introduce their guests to our regions.

One of the more important sectors for us is the “backpacker” market, they spend less per day than other travelers but they stay longer and put more into the local economy than the average tourist.

I noted that Singleton was able to provide things international visitors are looking for-

- Unique Australian nature
- Safety
- Travel options
- Adventure tourism
- Food and Wine experience
- Paddock to plate dining
- Wellness
- Indigenous culture
- Agritourism
- Museums
- Promoted events

We then had the presentation of NSW Tourism Industry Councils- Top Tourism Awards.

There were eighty nominations with thirty selected as finalists in three categories.

Broke was a finalist in the small towns (<1500) category. The video produced by the council officers was very well put together and featured heavily in the video reel prior to the presentation. Unfortunately, on this occasion we missed out to Carcoar.

We then had a presentation from Transport for NSW (unfortunately I did not catch the presenter's name) on the future of Electronic Vehicles in NSW, he pointed out-

- There are a lot of myths about EV's
- Australia and Russia are the only advanced nations in the world that do not have fuel efficiency standards
- EV's are 5 to 10 times cheaper to run than conventional vehicles
- The government sees a change to EV's as a big advance in Australia's fuel security
- EV's can act as battery storage for households (enough to power the average home for three days).
- NSW government has committed \$600 M over the next four years for the installation of charging stations across the state
- The grant program opened last Monday
- They anticipate the need for 3,500 stations across the state
- The plan is to have one at least every 100 km
- The government has an annual \$15 M program to incentivize councils to change their fleets
- Currently working on a masterplan for the siting of the EV stations and are seeking expressions of interest.

After the session I was talking to a tourism operator and said how I found the session on EV's extremely thought provoking. He felt that in the near future overseas visitors will be expecting to be able to hire EV's and that internal combustion cars are now considered out of date by most Europeans'.

The last presentation of the conference was a case study, presented by Sarah Ryan-Manager Economic Development and Tourism, Murry River Council.

- Murry River Council is on the NSW side of the Murry River it has a geographic footprint slightly less than Singleton, a population of approximately 12,000 and a council staff of 215.
- They received a \$500,000 grant to stimulate the night-time economy
- Council added \$150,000 and put on "Moana Lights".
- It was described as a sound and light spectacular staged in a riverside park, with the installations around a boardwalk that goes around a billabong in the park.
- It sounded very much like the "Firewalk" we were staging last week (but possibly on a larger scale)
- The event ran over 14 days and attracted 15,000 visitors
- The economic flow on of the event was calculated to be in the order of \$7.8 M to the local economy
- This included hundreds of thousands of dollars in free media coverage, increased overnight stays, dining and attendance at other co-staged events

- The council is now committed to running the festival annually for the next five years, it needs to be self-funding (no more grants) and it is anticipated they need 20,000 visitors to do so.

My learnings from the conference were numerous the main points are listed below-

- Data, data, data almost every speaker spoke of the need to collect and make decisions using real data
- Things work best when everybody cooperates, local businesses, councils, surrounding councils, state and federal governments and most importantly the local community
- Singleton has so much to offer the tourist, we need to leverage off the Hunter Valley brand. I spoke to councilors from other parts of NSW that were looking for one thing they can promote yet we have so much to offer.
- The world is changing rapidly and we need to be flexible and willing to be adaptive
- Singleton needs additional accommodation
- Public art and installations play an important role in how a community presents itself. I did note that that the selection of the installations was important, people interacted with the pieces they understood or found interesting and shied away from the more esoteric pieces.
- I felt that Singleton is starting to do a lot of things recommended by the speakers' but we have a long way to go in most areas.

I wish to thank the Council and the ratepayers of Singleton for providing me the opportunity to attend this most enlightening conference.

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**27. Investment Report - May 2022****FILE: 21/00487**

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**Executive Summary**

In accordance with clause 212 of the *Local Government (General) Regulation, 2021* the following funds are invested under section 625 of the *Local Government Act, 1993* as at 31 May 2022.

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

Council's investment portfolio yielded 1.33% p.a. for the month of May versus the bank bill index benchmark return of 0.41% p.a. For the past 12 months, the investment portfolio returned 1.25% p.a., exceeding the bank bill index benchmark's 0.05% p.a. by 1.20% p.a.

Council's total portfolio of investments was \$125.4 million with an additional \$1.2 million held in Council's operational account as at 31 May 2022.

During May, Council's investment portfolio had a \$2 million 3 year term deposit from a BBB- rated bank mature which had been paying 2.75% p.a. At the end of the month Council invested \$4 million in two 18 month term deposits paying an average of 3.39%, indicative of the sharp rise in interest rates over the past few months.

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 May 2022.

**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** [↓](#) May 2022 Investment Portfolio



Investment Summary Report  
May 2022

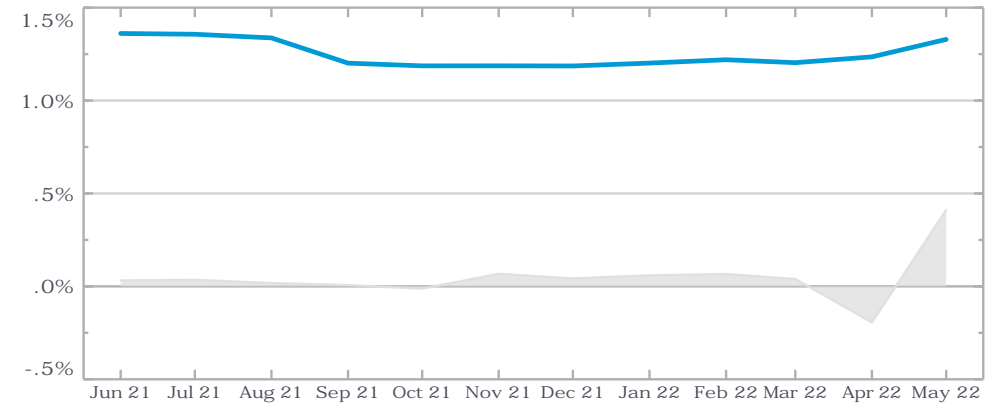
Singleton Council  
Executive Summary - May 2022



## Investment Holdings

By Product	Face Value (\$)	Current Value (\$)
Bonds	12,250,000.00	12,067,050.00
Cash	6,455,875.19	6,455,875.19
Floating Rate Note	51,250,000.00	51,039,195.06
Floating Rate Term Deposits	1,000,000.00	1,000,000.00
Term Deposit	54,500,000.00	54,500,000.00
	125,455,875.19	125,062,120.25

## Investment Performance

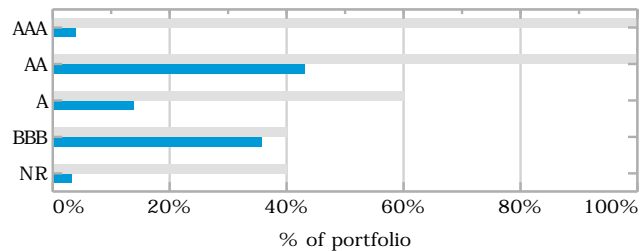


■ Portfolio Annualised Return

■ AusBond BB Index Annualised Return

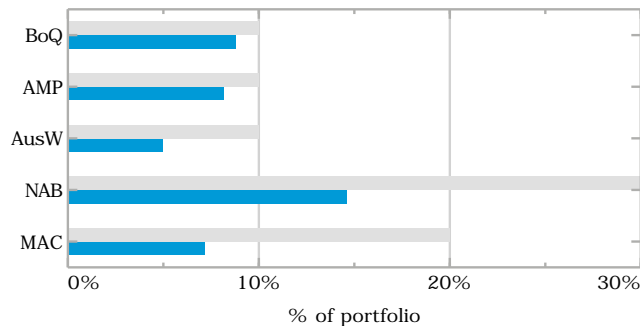
## Investment Policy Compliance

## Total Credit Exposure



■ Portfolio Exposure ■ Investment Policy Limit

## Highest Individual Exposures vs Policy



% of portfolio

## Term to Maturities

Maturity Profile	Face Value (\$)		
Between 0 and 1 Year	43,605,875	35%	100%
Between 1 and 2 Years	28,750,000	23%	70%
Between 2 and 5 Years	53,100,000	42%	50%
	125,455,875		





Singleton Council  
Investment Holdings Report - May 2022



## Cash Accounts

Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
0.00	0.2000%	Commonwealth Bank of Australia	AA-	0.00	539173	
2,203,373.55	0.6000%	Macquarie Bank	A+	2,203,373.55	540145	Accelerator
4,252,501.64	0.8000%	AMP Bank	BBB	4,252,501.64	540079	31d Notice
6,455,875.19	0.7317%			6,455,875.19		

## Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
7-Jun-22	1,000,000.00	3.3000%	Rabobank Australia	A+	1,000,000.00	7-Jun-17	1,032,367.12	539111	32,367.12	Annually	
8-Jun-22	1,000,000.00	3.3000%	Rabobank Australia	A+	1,000,000.00	5-Jun-17	1,032,457.53	539110	32,457.53	Annually	
14-Jun-22	1,000,000.00	0.4500%	Macquarie Bank	A+	1,000,000.00	11-Jun-21	1,004,376.71	541529	4,376.71	At Maturity	
14-Jun-22	1,000,000.00	2.4000%	Police Credit Union	NR	1,000,000.00	14-Jun-19	1,023,215.60	539150	23,215.60	Annually	
23-Jun-22	1,000,000.00	3.2500%	Rabobank Australia	A+	1,000,000.00	23-Jun-17	1,030,541.10	539112	30,541.10	Annually	
28-Jun-22	1,000,000.00	3.3300%	Rabobank Australia	A+	1,000,000.00	28-Jun-17	1,030,836.71	539113	30,836.71	Annually	
28-Nov-22	1,500,000.00	0.6000%	National Australia Bank	AA-	1,500,000.00	30-Nov-20	1,504,512.33	540621	4,512.33	Annually	
28-Nov-22	2,000,000.00	0.7000%	Defence Bank	BBB	2,000,000.00	28-Nov-21	2,007,057.53	542153	7,057.53	At Maturity	
30-Nov-22	2,000,000.00	0.7800%	Auswide Bank	Baa2	2,000,000.00	30-Nov-21	2,007,821.37	542134	7,821.37	At Maturity	
7-Dec-22	1,000,000.00	1.1000%	Judo Bank	BBB-	1,000,000.00	7-Dec-21	1,005,304.11	542222	5,304.11	At Maturity	
21-Dec-22	3,000,000.00	0.7000%	National Australia Bank	AA-	3,000,000.00	23-Dec-21	3,009,205.48	542217	9,205.48	At Maturity	
29-Dec-22	1,000,000.00	1.1000%	AMP Bank	BBB	1,000,000.00	29-Dec-21	1,004,641.10	542220	4,641.10	At Maturity	
10-Feb-23	1,000,000.00	0.9000%	P&N Bank	BBB	1,000,000.00	11-Feb-22	1,002,712.33	542337	2,712.33	At Maturity	
13-Feb-23	1,000,000.00	0.9000%	Westpac Group	AA-	1,000,000.00	11-Feb-22	1,000,517.81	542335	517.81	Quarterly	
9-Mar-23	1,000,000.00	1.0000%	Macquarie Bank	A+	1,000,000.00	4-Mar-22	1,002,438.36	542393	2,438.36	At Maturity	
9-Mar-23	1,000,000.00	1.0000%	Macquarie Bank	A+	1,000,000.00	4-Mar-22	1,002,438.36	542394	2,438.36	At Maturity	
15-Mar-23	1,000,000.00	0.6000%	WAW CU	NR	1,000,000.00	18-Mar-21	1,001,232.88	541221	1,232.88	Annually	
15-Mar-23	1,000,000.00	1.2300%	ING Bank (Australia)	A	1,000,000.00	15-Mar-22	1,002,628.49	542448	2,628.49	At Maturity	
20-Mar-23	2,000,000.00	0.6000%	AMP Bank	BBB	2,000,000.00	19-Mar-21	2,002,367.12	541211	2,367.12	Annually	

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## Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
22-Mar-23	1,000,000.00	0.6000%	WAW CU	NR	1,000,000.00	18-Mar-21	1,001,232.88	541241	1,232.88	Annually	
27-Mar-23	1,000,000.00	1.8100%	Auswide Bank	Baa2	1,000,000.00	27-Mar-20	1,003,232.14	539828	3,232.14	Annually	
13-Jun-23	1,000,000.00	0.6000%	National Australia Bank	AA-	1,000,000.00	11-Jun-21	1,005,835.62	541527	5,835.62	Annually	
11-Aug-23	1,000,000.00	1.9000%	Bank of Queensland	BBB+	1,000,000.00	12-Aug-19	1,015,252.05	539154	15,252.05	Annually	
25-Aug-23	2,000,000.00	0.6500%	National Australia Bank	AA-	2,000,000.00	25-Aug-21	2,009,972.60	541771	9,972.60	Annually	
25-Aug-23	3,000,000.00	0.7500%	AMP Bank	BBB	3,000,000.00	25-Aug-21	3,017,260.27	541772	17,260.27	Annually	
5-Sep-23	2,000,000.00	0.8000%	National Australia Bank	AA-	2,000,000.00	3-Sep-20	2,011,879.45	540390	11,879.45	Annually	
11-Sep-23	1,000,000.00	0.5500%	Bank of Queensland	BBB+	1,000,000.00	6-Sep-21	1,004,038.36	542027	4,038.36	Annually	
20-Sep-23	1,500,000.00	3.4500%	Rabobank Australia	A+	1,500,000.00	21-Sep-18	1,535,870.55	539128	35,870.55	Annually	
1-Dec-23	2,000,000.00	3.4000%	Australian Unity Bank	BBB+	2,000,000.00	31-May-22	2,000,186.30	542837	186.30	Annually	
5-Dec-23	2,000,000.00	3.3700%	Suncorp Bank	AA-	2,000,000.00	31-May-22	2,000,184.66	542822	184.66	Annually	
10-Jun-24	1,000,000.00	2.5000%	Police Credit Union	NR	1,000,000.00	11-Jun-19	1,024,381.87	539146	24,381.87	Annually	
11-Jun-24	3,000,000.00	2.5200%	Bank of Queensland	BBB+	3,000,000.00	11-Jun-19	3,073,528.77	539147	73,528.77	Annually	
11-Jun-24	2,000,000.00	2.5000%	Bank of Queensland	BBB+	2,000,000.00	11-Jun-19	2,048,630.14	539148	48,630.14	Annually	
11-Jun-24	3,000,000.00	0.6700%	Westpac Group	AA-	3,000,000.00	11-Jun-21	3,004,515.62	541528	4,515.62	Quarterly	
28-Oct-24	1,500,000.00	1.6000%	Judo Bank	BBB-	1,500,000.00	29-Oct-21	1,514,136.99	542047	14,136.99	Annually	
11-Dec-25	1,000,000.00	1.0000%	National Australia Bank	AA-	1,000,000.00	11-Dec-20	1,004,657.53	540691	4,657.53	Annually	
4-Jun-26	1,000,000.00	1.3000%	National Australia Bank	AA-	1,000,000.00	4-Jun-21	1,012,893.15	541467	12,893.15	Annually	
54,500,000.00		1.5067%			54,500,000.00		54,994,360.99		494,360.99		

## 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	1,001,635.91	539097	1,635.91	28-Jul-22	
1,000,000.00		1.7562%			1,000,000.00		1,001,635.91		1,635.91		

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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 Date	Reference
28-Oct-22	1,400,000.00	1.6062%	TMB Snr FRN (Oct22) BBSW+0.90%	BBB	1,400,000.00	28-Oct-19	1,402,094.66	539086	2,094.66	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	2,003,793.74	539096	2,973.74	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	1,253,784.59	539829	3,784.59	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	2,506,297.07	539830	6,297.07	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	2,507,573.00	539095	3,273.00	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	3,017,907.12	539078	6,117.12	27-Jun-22	
6-Nov-23	750,000.00	1.8204%	AusW Snr FRN (Nov23) BBSW+0.90%	Baa2	750,000.00	6-Nov-20	750,972.54	540529	972.54	8-Aug-22	
16-Nov-23	2,500,000.00	1.9500%	WBC Snr FRN (Nov23) BBSW+0.95%	AA-	2,500,000.00	16-Nov-18	2,513,161.99	539079	2,136.99	16-Aug-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	3,026,284.59	539080	8,234.79	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	3,025,355.93	539094	6,035.93	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	1,307,202.33	539084	2,821.33	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	3,010,562.85	539087	4,922.85	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	1,249,786.16	539090	1,686.16	29-Jul-22	
7-Aug-24	2,000,000.00	1.7437%	MAC Snr FRN (Aug24) BBSW+0.80%	A+	2,000,000.00	7-Aug-19	1,996,650.98	539089	2,197.54	8-Aug-22	
29-Aug-24	1,500,000.00	1.9404%	ANZ Snr FRN (Aug24) BBSW+0.77%	AA-	1,500,000.00	29-Aug-19	1,501,198.47	539088	159.48	29-Aug-22	
24-Oct-24	750,000.00	1.6474%	GSB Snr FRN (Oct24) BBSW+1.12%	BBB	750,000.00	24-Oct-19	753,311.12	539085	1,218.62	25-Jul-22	
22-Nov-24	1,000,000.00	1.6544%	MYS Snr FRN (Nov24) BBSW+0.60%	Baa2	1,000,000.00	16-Nov-21	1,000,407.93	542090	407.93	22-Aug-22	
25-Feb-25	900,000.00	1.5333%	NAB Snr FRN (Feb25) BBSW+0.47%	AA-	900,000.00	17-Feb-22	900,264.65	542351	264.65	25-Aug-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	3,005,087.70	541505	5,087.70	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	735,798.72	541285	1,080.15	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	981,064.96	541286	1,440.20	9-Jun-22	
24-Feb-26	500,000.00	1.5205%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	500,000.00	24-Feb-21	488,871.63	540950	166.63	24-Aug-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	2,446,186.55	540982	4,561.55	6-Jun-22	
24-Aug-26	1,600,000.00	1.4805%	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	1,600,000.00	18-Aug-21	1,564,711.19	541750	519.19	24-Aug-22	

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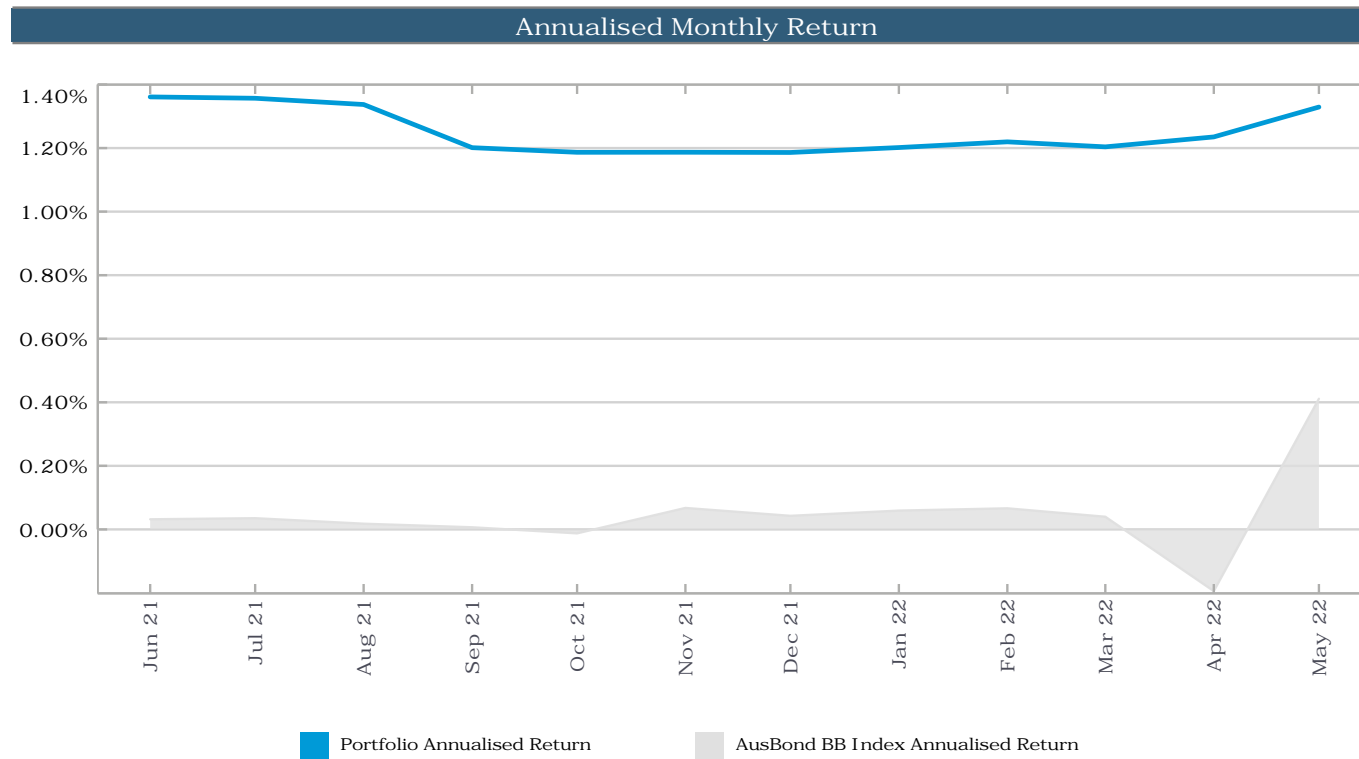
### Floating Rate Notes

Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
15-Sep-26	1,500,000.00	0.6345%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	1,500,000.00	9-Sep-21	1,463,138.88	541879	2,033.88	15-Jun-22
27-Oct-26	1,000,000.00	1.3293%	BoQ Snr FRN (Oct26) BBSW+0.80%	BBB+	1,000,000.00	21-Oct-21	1,002,074.67	542004	1,274.67	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	975,550.27	541918	1,160.27	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	1,975,606.94	542237	2,706.94	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	986,740.59	542257	1,210.59	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	1,766,915.08	542262	2,321.08	25-Jul-22
51,250,000.00		1.2889%			51,281,157.50		51,118,356.90		79,161.84	

### Fixed Rate Bonds

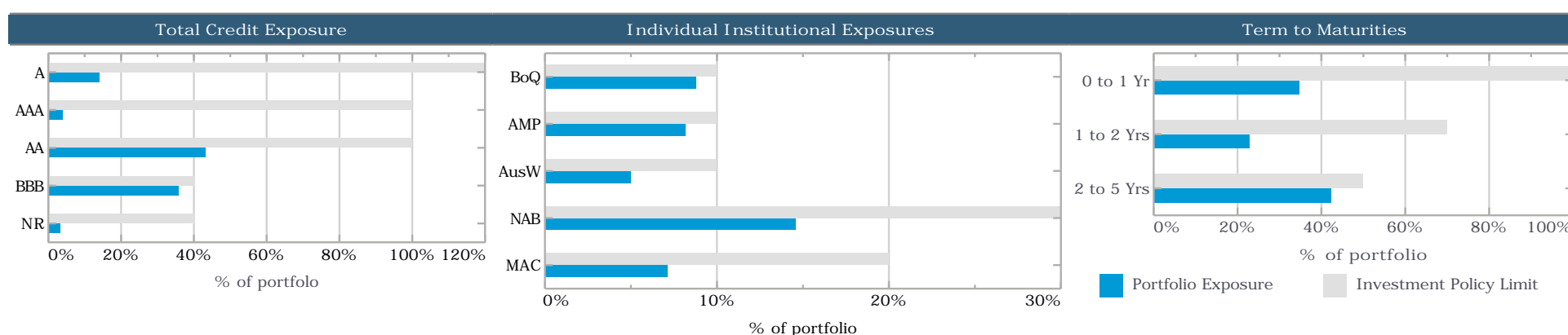
Maturity Date	Face Value (\$)	Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
15-Dec-23	1,000,000.00	1.0000%	NT T-Corp Bond (Dec23) 1.00%	Aa3	1,000,000.00	1-Sep-20	1,004,602.74	540221	4,602.74	1.0000%	
15-Dec-24	1,000,000.00	1.1000%	NT T-Corp Bond (Dec24) 1.10%	Aa3	1,000,000.00	1-Sep-20	1,005,063.01	540222	5,063.01	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	1,004,142.47	540455	4,142.47	0.9000%	
15-Dec-24	250,000.00	0.7000%	NT T-Corp Bond (Dec24) 0.70%	Aa3	250,000.00	23-Nov-20	250,805.48	540634	805.48	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	1,005,523.29	540223	5,523.29	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	1,005,523.29	540224	5,523.29	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	2,019,232.88	541004	19,232.88	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	4,860,592.82	541284	43,542.82	1.3050%	
12,250,000.00		1.9449%			12,777,000.00		12,155,485.97		88,435.97	1.1510%	

Singleton Council  
Investment Performance Report - May 2022



Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
May 2022	1.33%	0.41%	0.92%
Last 3 Months	1.26%	0.09%	1.17%
Last 6 Months	1.23%	0.07%	1.16%
Financial Year to Date	1.24%	0.05%	1.19%
Last 12 months	1.25%	0.05%	1.20%

Singleton Council  
Investment Policy Compliance Report - May 2022



Credit Rating Group	Face Value (\$)		Policy Max	
AAA	5,000,000	4%	100%	a
AA	54,100,000	43%	100%	a
A	17,453,374	14%	60%	a
BBB	44,902,502	36%	40%	a
NR	4,000,000	3%	40%	a
125,455,875				

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+)	7%	20%	a
WAW CU (NR)	2%	5%	a
Police CU (NR)	2%	5%	a
MyState Bank (Baa2)	3%	10%	a
Westpac Group (AA-)	7%	30%	a
Commonwealth Bank of Australia (AA-)	7%	30%	a
Rabobank Australia (A+)	4%	20%	a
Newcastle Permanent Building Society (BBB)	2%	10%	a
Judo Bank (BBB-)	2%	10%	a

	Face Value (\$)	Policy Max	
Between 0 and 1 Year	43,605,875	35%	100% a
Between 1 and 2 Years	28,750,000	23%	70% a
Between 2 and 5 Years	53,100,000	42%	50% a
125,455,875			

Detailed Maturity Profile	Face Value (\$)	
00. Cash + Managed Funds	6,455,875	5%
01. Less Than 30 Days	6,000,000	5%
02. Between 30 Days and 60 Days	1,000,000	1%
04. Between 90 Days and 180 Days	3,400,000	3%
05. Between 180 Days and 365 Days	26,750,000	21%
06. Between 365 Days and 2 Years	28,750,000	23%
07. Between 2 Years and 5 Years	53,100,000	42%
125,455,875		

**QG3/22. Questions of Which Notice Has Been Given**  
**Author:** Governance Coordinator**FILE:** 21/00172

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**Detail**

Responses are provided to the following questions from Councillors:

1. Cr Val Scott – Conveyor Belt – 17/05/2022
2. Cr Val Scott – Details for Development Application – 17/05/2022
3. Cr Val Scott – Shade Sale at Jerrys Plains – 17/05/2022

**FOR COUNCIL'S INFORMATION****1. Cr Val Scott – Conveyor Belt – 17/05/2022**

*Is Council aware of any plans for a conveyor belt to be constructed from Rixs Creek Mine to Redbank Power Station please?*

**Response:**

Council staff are not aware of any plans for an overland conveyor to be constructed between Rixs Creek Mine and Redbank Power Station. In the event such a plan is mooted, development approval would be required for both Rixs Creek Mine and Redbank Power Station.

**2. Cr Val Scott – Details for Development Application – 17/05/2022**

*DA Determination 700/2021/399 – Would Council please provide details re this DA – Alterations and Additions and comm? On account Mt Thorley Holdings Pty Ltd and Others.*

**Response:**

Development Application No. 8.2021.399.1 sought approval for alterations and additions to an existing industrial building facilitating a mining manufacturing company.

The development is to be carried out in two (2) stages:

Stage 1: New awning extension 764m<sup>2</sup>.

Stage 2: Demolition of existing awning and concrete, extension to building 820m<sup>2</sup>, external concrete hardstand 2286m<sup>2</sup> and proposed washdown bay with awning 52m<sup>2</sup>.

There are no changes to the operations of the existing industrial business and the application did not require notification under Council's adopted Community Participation



Plan. The development was approved with conditions under delegation by Council staff.

### **3. Cr Val Scott – Shade Sail for Jerrys Plains – 17/05/2022**

*Would Council please advise when the residents of Jerrys Plains can expect some positive action from Council on the following?*

*As part of the \$2.65m United Wambo Project Planning Agreement \$750,000 for the Village Centre, Recreation Grounds and Main Street update, a new playground including much needed sail was listed as “high priority” back on 19/06/2020. I would hope the community will be able to avail themselves of enjoying a new playground complete with sail before next summer.*

#### **Response:**

Council resolved in March 2022 to allocate \$180,000 from the Voluntary Planning Agreement Fund for the new playground and shade sail at Jerrys Plains.

This project is included in the 2022/2023 Capital Works Program and is scheduled to be carried out as early as possible in the 2022/2023 financial year.

#### **Attachments**

There are no attachments for this report