



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 26 November 2024**, 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

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1. 22 October 2024

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Closed Council

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Justin Fitzpatrick-Barr
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.

MM4/24. Mayoral Minute - Renewable Energy Zones
Author: Governance Lead**FILE:** 24/00008

The Hunter Central Coast Renewable Energy Zone (REZ) was formally declared by the then Minister for Energy under section 19(1) of the *Electricity Infrastructure Investment Act, 2020* and published in the NSW Gazette on 19 December 2022.

The declaration of the REZ established EnergyCo as the Infrastructure Planner responsible for coordinating the development of the REZ. It also sets the intended network capacity (size), geographical area and infrastructure that will make up the REZ. There are several additional functions that EnergyCo undertake, including access schemes and network solutions to facilitate the delivery of electricity into the broader electricity grid and market.

The REZ has existing 132 kilovolt (kV), 330kV and 500kV transmission infrastructure and will be critical to delivering electricity to the broader Newcastle, Sydney and Wollongong population areas. Augmentation of this network to a capacity of 1 gigawatt (GW) is required to cater for expected growth in renewable generation projects. This increase will deliver up to 8GW of additional transfer capacity from inland REZs (including the Central West Orana and New England) to support decarbonisation of existing industries in the Hunter Central Coast region.

The REZ is expected to support significant growth in solar, wind and pumped hydro projects as well as battery storage and transmission infrastructure to underpin growth in new low carbon industries and the transition of existing industries towards achieving the Federal and State Government targets of net zero by 2050.

The Singleton local government area sits in the middle of the Hunter Central Coast REZ and as a result has started to see an increase in renewable energy projects including the Hunter Transmission Project, the Bowmans Creek Wind Farm (Stage 1 and Stage 2), the Maison Dieu Solar Farm and the proposed Mitchell's Flat Solar Farm. It is expected that the increase in renewable energy projects and transmission infrastructure will increase as the REZ develops.

Singleton Council recognises the impacts of such developments in our LGA and the importance of a coordinated, transparent and consistent approach to new development. In its submission to the draft Energy Policy Framework earlier in the year, council recognised that consideration of the cumulative impacts of these developments within and across local government areas is critical to the success of the REZ. These cumulative impacts will affect housing, infrastructure, water demand, waste services, emergency response as well as transport routes and how energy is stored for transmission.

Specifically, Council called for a coordinated approach to the need for and capacity of energy transmission for new projects to ensure infrastructure was located in the most appropriate locations to minimise impacts on community and Council's own infrastructure (including road reserves).

To support this, at the 15 October 2024 Council Meeting, Council resolved to support three motions to the LGNSW Annual Conference regarding the renewable energy impacts to communities. These included:

1. That LGNSW requests the NSW State Government finalises the draft Energy Policy Framework to require all proponents of renewable energy development to consult with the Local Government for the area in which the proposed development lies prior to conducting any community consultation.
2. That LGNSW requests the NSW State Government to conduct further strategic studies regarding appropriate locations of renewable energy projects within the renewable energy zone.
3. That LGNSW advocate for Local Councils to the NSW State Government to provide appropriate funding for local councils within the Renewable Energy Zones to complete rural land use and other strategies to support the local councils ability to:
 - Engage with renewable energy development proponents strategically in the first instance, to develop appropriate community consultation plans
 - Provide clear land uses permissible under the State Environmental Planning Policy (Transport and Infrastructure) 2021 and Standard Instrument Local Environmental Plan to now include reference to the renewable energy zone and appropriateness of renewable energy types within specific locations across NSW
 - Require renewable energy proponents to commit to an environmental management bond to ensure the land is returned to its pre-use state (or other defined future state)

The Mitchell's Flat Solar Farm

Whilst acknowledging that this project is in its early stages of development, the proposed Mitchell's Flat Solar Farm is an example of the issues identified above. The project is proposed in a policy vacuum that creates uncertainty and lacks transparency. Importantly, the proposed project is seeking to install high voltage transmission lines over 14 kilometres within the road reserve along Mitchell's Flat Road. The extent of clearing for the transmission line would have significant impact on an identified Endangered Ecological Community. The area of the proposed transmission line is located within an area of core flora and fauna connectivity.

The proposed project is located on land that is mapped as Biophysical Strategic Agricultural Land. Whilst this doesn't preclude development, it requires a level of assessment ahead of lodging a development application to ensure appropriate protection of significant agricultural value occurs.

Whilst the strategic agricultural land map for the Upper Hunter identifies this land as Biophysical Strategic Agricultural Land, unlike coal mining and coal seam gas developments, there is no statutory requirement for renewable energy developers to obtain a site verification certificate for renewable developments on strategic agricultural lands.

Had the matters raised above been introduced prior to the commencement of the Mitchell's Flat Solar Farm, they would have provided a higher level of transparency, allowed the community to participate in the strategic decision making around developments that may affect them and provided independent oversight of the impact of development on strategic agricultural lands.

In considering advice on this proposed project, Council must also consider impacts to our own infrastructure as well as community concerns. As this is one of many proposed projects in the LGA, it is important that these impacts are considered cumulatively and in context with surrounding land uses.

RECOMMENDED that Council:

1. Oppose the site of the proposed Mitchell's Flat solar farm due to the proximity to numerous dwellings, potential fire risk and potential insurance increases; and
2. Refuse consent for the use of road reserves within Singleton LGA for the installation of private infrastructure to support renewable energy projects unless authorisation is given by the elected Council; and
3. Should a development application for the proposed Mitchell's Flat solar farm be lodged, request an opposing submission be drafted for Council endorsement prior to submission to the Department of Planning, Housing and Infrastructure; and
4. Resolves to write to the Minister for Planning, Housing and Infrastructure, the Minister for the Environment and the Minister for Energy seeking:
 - a. Further strategic studies within the renewable energy zone; with an outcome being the development of mapping to provide transparency, clarity and certainty to communities already affected on the best locations within each REZ for renewable projects, and specifically, where State significant renewable projects are not appropriate; and
 - b. Amendments to the State Environmental Planning Policy (Resources and Energy) 2021 to include a requirement for all energy projects to obtain a site verification certificate prior to lodging a development application as well as a requirement for a renewable energy bond to ensure any land used for renewables is returned to its pre-used state (or other defined best use state); and
5. Resolves to seek a meeting with the Mayor, General Manager and the Minister for Regional Transport and Roads, the Hon. Jennifer Aitchison MP, to discuss road related matters associated with REZ projects and the potential impact on local communities and councils.

Attachments

There are no attachments for this report.

GM65/24. Adoption of the Annual Report 2023/2024
Author: Integrated Planning & Reporting Specialist

FILE: 24/00396

Executive Summary

In accordance with Section 428 of the *Local Government Act, 1993* Council must within five months of the end of the financial year produce an Annual Report for endorsement of Council.

RECOMMENDED that Council

1. Endorse Singleton Council's Annual Report 2023/2024 with the incorporation of the audited Financial Statements
2. Publish the Singleton Council Annual Report 2023/2024 on Council's website
3. Provide a copy of the Singleton Council Annual Report 2023/2024 to the Office of Local Government.

Report

Council's Annual Report 2023/2024 is a key accountability document between Council and the Community. The Annual Report outlines Council's achievements in implementing its Delivery Program through its annual Operational Plan, and reports on the effectiveness of the principal activities undertaken to achieve its objective from 1 July 2023 to 30 June 2024

The Annual Report also includes the statutory requirements as outlined in the Office Local Government Annual Report Checklist.

The Annual Report 2023/2024 is shown as **Attachment Under Separate Cover**.

Community Strategic Plan

Our Leadership

Strategy:	5.3	Provide accurate and timely communication to our Community
Deliverable:	5.3.1	Increase digital and social media profile and encourage information sharing online
Action:	5.3.1.1	Deliver communications that are accurate and timely through enhancement of Council's communication platforms and processes including website, social media and publications

Council Policy/Legislation

Local Government Act 1993

Local Government (General) Regulation 2021

Disability Inclusion Act 2014

Environmental Planning & Assessment Act 1979

Environment Planning and Assessment Regulation 2021

Swimming Pools Act 1992

Swimming Pools Regulation 2018

Government Information (Public Access) Act 2009

Government Information (Public Access) Regulation 2018

Financial Implications

All financial implications are managed through the Council's Long Term Financial Plan, annual budget and quarterly budget review processes

Consultation

The Operational Plan was exhibited and matters within this Annual report report may have been consulted on during the reporting period.

Sustainability

The 'Our Environment' pillar includes our State of the Environment requirements within the Annual Report details several positive environmental and sustainability achievements.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will not comply with the <i>Local Government Act and Regulations</i> which may lead to restrictions being applied upon Council by the Office of Local Government.	Moderate	Adoption of the recommendation.	Low	Yes
There is a risk that Council will not endorse the Annual Report which may lead to reputational damage.	Moderate	Adopt the recommendation.	Low	Yes
There is a risk that Council will be perceived as not being transparent with the community leading to reputational damage.	Moderate	Adopt the recommendation	Low	Yes

Options

The following options are available to Council:

1. Endorse Singleton Council's Annual Report 2023/2024 with the incorporation of the audited Financial Statements.

Publish the Singleton Council Annual Report 2023/2024 on Council's website

Provide a copy of the Singleton Council Annual Report 2023/2024 to the Office of Local Government.

2. Not endorse Singleton Council's Annual Report 2023/2024 for publication on Council's website, and not provide a copy to the Office of Local Government.

Option one is recommended.

Conclusions

It is a requirement of Section 428 of the *Local Government Act, 1993* that Council produce an Annual Report within five months of the end of the financial year. Council's Annual Report 2023/2024 details to the community the work undertaken by Council in support of its four year Delivery Program and annual Operational Plan

Attachments

AT-1 [↗](#) Annual Report 2023/2024

Attachment Under
Separate Cover

GM66/24. Local Government Remuneration review submission
Author: Governance Officer

FILE: 24/00008

Executive Summary

The purpose of this report is to advise that the Local Government Remuneration Tribunal has commenced its review for the 2025 annual determination and for Council to consider making a submission.

RECOMMENDED that Council

1. Endorse the draft submission to the Local Government Remuneration Tribunal – 2025 Annual Review supporting an increase to the minimum and maximum remuneration payable to Mayors and Councillors in order to adequately reflect the:
 - criticality of the role;
 - public profile and exposure;
 - level of accountability and expectations that are placed upon Councillors;
 - ever increasing time commitment;
 - expected level of competence;
 - level of impact on organisation and the community in the near future as well as longer term.
2. Delegate to the General Manager to lodge the submission on Council's behalf.

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 fees payable for Councillors and Mayors to take effect from 1 July 2025.

The Tribunal, in accordance with section 239 of the Act, is required to review the categories at least once every three years. A review of categories was last carried out by the tribunal in 2023. The tribunal will next consider the model in 2026, however can determine in 2025 any council that warrants a recategorisation.

Singleton Council is categorised as Regional Rural and in the 2023 submission, Council provided a submission to the tribunal in support of remaining in the Regional Rural category.

The Tribunal has commenced its review for the 2025 annual determination and is inviting submissions from councils.

General Manager's Report (Items Requiring Decision) - GM66/24

In the 2024 determination, the minimum and maximum fees for the Regional Rural category were determined as follows:

Year	Mayor	
	Minimum	Maximum
2024/2025	\$21,770	\$49,200

Year	Councillors	
	Minimum	Maximum
2024/2025	\$10,220	\$22,540

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

Community Strategic Plan

Our Leadership

Strategy:	5.5	To lead, govern and regulate in an ethical, equitable and transparent way
Deliverable:	5.5.9	Meet governance compliance and reporting requirements
Action:	5.5.9.1	Complete governance items on the Office of Local Government Calendar of Compliance and Reporting requirements by due dates

Council Policy/Legislation

Section 241 of the *Local Government Act, 1993* states that the Remuneration Tribunal must, not later than 1 May in each year, determine, in each of the categories determined under section 239, the maximum and minimum amounts of fees to be paid during the following year to councillors (other than mayors) and mayors.

Financial Implications

Council's annual budget makes provision for payment of the maximum fees as determined by the Tribunal, and 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.

Consultation

The Tribunal is inviting submissions from individual councils in respect to fees and any general matters as part of its review. It is expected that submissions be endorsed by the respective council.

Submissions are to be made to the Tribunal by 20 December 2024.

As part of the annual review the Tribunal will also meet with Local Government NSW to receive a sector wide view for local government in NSW.

Sustainability

It is proposed that Council support an increase to the minimum and maximum remuneration payable to Mayors and Councillors in order to adequately reflect the role and its requirements.

A dedicated, well-functioning and accountable Council will ensure that we are doing everything within our power to create a more sustainable Local Government Area into the future.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that the Mayor and Councillors will not be appropriately remunerated for their roles which may lead to a reduced capacity to attract high quality candidates to the roles in the future.	Medium	Adopt the recommendation	Low	Yes

Options

The following options are available to Council:

1. Endorse the draft submission to the Local Government Remuneration Tribunal – 2025 Annual Review supporting an increase to the minimum and maximum remuneration payable to Mayors and Councillors in order to adequately reflect the:
 - criticality of the role
 - public profile and exposure
 - level of accountability and expectations that are placed upon Councillors
 - ever increasing time commitment
 - expected level of competence
 - level of impact on organisation and the community in the near future and long term.
2. Make a different submission to the Local Government Remuneration Tribunal – 2025 Annual Review.
3. Not make a submission to the Local Government Remuneration Tribunal – 2025 Annual Review.
4. Delegate to the General Manager to lodge the submission on Council's behalf.


Options one and four are recommended.

*General Manager's Report (Items Requiring Decision) - GM66/24***Conclusions**


It is recommended that Council make a submission to the Tribunal in support of an increase to the remuneration payable to Mayors and Councillors to better reflect the importance of the roles, the significant time commitment required and the high level of accountability to the community.

Attachments

AT-1  Letter - Invitation for Submission

AT-2  Local Government Remuneration Tribunal 2024 Annual
Determination report

Attachment Under
Separate Cover

AT-3  Draft - Submission to Remuneration Tribunal - 2025 Annual
Review

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Local Government Remuneration Tribunal

Ref: A9076967

To Mayors/General Managers

via email to Councils

Dear Mayors/General Managers,

I write to advise that the Local Government Remuneration Tribunal (the Tribunal) has commenced its review for the 2025 annual determination.

As outlined in section 241 of the *Local Government Act 1993* (LG Act), the Tribunal is required to make an annual determination, on the fees payable to Councillors and Mayors. The determination is to take effect from 1 July 2025.

The minimum and maximum fee levels for each category will be assessed by the Tribunal as part of the 2025 review process. The Tribunal is required to review the categories every three years under section 239 of the LG Act. The Tribunal will next consider the model, the criteria applicable to each group and the allocation of councils in 2026, however, this year, the Tribunal will examine if any councils warrant a recategorisation, due to meeting a category's criteria outlined in Appendix 1 of the 2024 Determination.

Submissions

The Tribunal invites submissions from individual councils as part of this review. **It is expected that submissions are endorsed by their respective council.**

Any submission that Council may wish to make should be received no later than 20 December 2024 and should be emailed to remunerationtribunals@premiersdepartment.nsw.gov.au attention Joanne Nava.

2024 Annual Determination

In 2024, the Tribunal made its first determination after the repeal of section 146C of the *Industrial Relations Act 1996*, which had the effect of capping remuneration increases. The Tribunal determined a 3.75% increase in the minimum and maximum fees, effective 1 July 2024.

A copy of the Tribunal's 2024 Annual Determination can be found [here](#).

Please note that any material provided to the Tribunal may be made available under the Government Information (Public Access) Act 2009.

As part of the annual review the Tribunal will seek to meet with Local Government NSW, as it does each year, to receive a sector wide view for local government in NSW.

Level 8, 52 Martin Place, Sydney NSW 2000
■ GPO Box 5341, Sydney NSW 2001 ■ www.remtribunals.nsw.gov.au

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If you require any further information, please email at joanne.nava@premiersdepartment.nsw.gov.au or telephone on 02 8226 0250.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Viv May', with a small dot above the 'y'.

Viv May PSM
Local Government Remuneration Tribunal
14 October 2024

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Enquiries to: Erika Wagstaff
02 6578 7290

Council Reference: 24/74917

27 November 2024

Local Government Remuneration Tribunal
Email: remunerationtribunals@premiersdepartment.nsw.gov.au

Attention: Joanne Nava

RE: LOCAL GOVERNMENT REMUNERATION TRIBUNAL – 2025 ANNUAL REVIEW

I refer to your letter dated 4 October 2024 inviting submissions to the 2025 annual remuneration review and provide below Council's resolution made at its meeting of 26 November 2024.

That Council make a submission to the Local Government Remuneration Tribunal – 2025 Annual Review supporting an increase to the minimum and maximum remuneration payable to Mayors and Councillors in order to adequately reflect the:

- *criticality of the role*
- *public profile and exposure*
- *level of accountability and expectations that are placed upon Councillors*
- *ever increasing time commitment*
- *expected level of competence*
- *level of impact on organisation and the community in the near future and long term.*

A copy of the meeting minutes can be viewed on our website [here](#)

If you have any further enquiries, please do not hesitate to contact Melinda Curtis, Executive Manager, on telephone 02 6578 7290 or email corporategovernance@singleton.nsw.gov.au.

Yours faithfully

Justin Fitzpatrick-Barr
General Manager

12 - 14 Queen Street Singleton
PO Box 314 Singleton NSW 2330
ABN 52 877 492 396

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

**GM67/24. Appointment of Acting General Manager - 01/01/2025
to 31/12/2025**
Author: Executive Assistant

FILE:
24/00343/005

Executive Summary

The purpose of this report is for Council to consider the appointment of an Acting General Manager for the period 1 January to 31 December 2025 to ensure continuity of Council's functions during periods of absence by the General Manager.

RECOMMENDED that Council:

1. For the period 1 January to 31 March 2025:
 - a. That the person holding the position of Director Corporate & Commercial Services as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment is to cease upon the return to work of the General Manager or other resolution of the Council.
 - b. If the person specified in point a. above is unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Organisation & Community Capacity as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - c. If the persons specified in points a. and b. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Executive Manager as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - d. If the persons specified in points a. b. and c. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Infrastructure & Planning as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.

General Manager's Report (Items Requiring Decision) - GM67/24

2. For the period 1 April to 30 June 2025:
 - a. That the person holding the position of Director Organisation & Community Capacity as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment is to cease upon the return to work of the General Manager or other resolution of the Council.
 - b. If the person specified in point a. above is unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Executive Manager as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - c. If the persons specified in points a. and b. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Infrastructure & Planning as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - d. If the persons specified in points a. b. and c. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Corporate & Commercial Services as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
3. For the period 1 July to 30 September 2025:
 - a. That the person holding the position of Executive Manager as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment is to cease upon the return to work of the General Manager or other resolution of the Council.
 - b. If the person specified in point a. above is unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Infrastructure & Planning as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.

General Manager's Report (Items Requiring Decision) - GM67/24

- c. If the persons specified in points a. and b. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Corporate & Commercial Services as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - d. If the persons specified in points a. b. and c. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Organisation & Community Capacity as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
4. For the period 1 October to 31 December 2025:
- a. That the person holding the position of Director Infrastructure & Planning as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment is to cease upon the return to work of the General Manager or other resolution of the Council.
 - b. If the person specified in point a. above is unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Corporate & Commercial Services as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - c. If the persons specified in points a. and b. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Director Organisation & Community Capacity as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
 - d. If the persons specified in points a. b. and c. above are unable or unwilling to act as General Manager at any time during the specified period, the person holding the position of Executive Manager as a substantive position be appointed to act as General Manager if the General Manager is sick or otherwise absent from work for any reason. Such appointment to cease upon the return to work of the General Manager or other resolution of the Council.

General Manager's Report (Items Requiring Decision) - GM67/24

5. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.

Report

Council last considered a report on 21 November 2023 to appoint an Acting General Manager during periods of absence by the General Manager. The current resolution will expire on 31 December 2024.

To ensure continuity of Council's functions and in keeping with best practice procedures, Council should make a regular resolution for the appointment of an Acting General Manager.

The General Manager's Instrument of Delegation provides that *"In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all functions, delegations and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council"*.

It is proposed that for the 2025 calendar year, each of the other members of the Executive Leadership Team be appointed as Acting General Manager for periods of three months on a rotational basis.

Community Strategic Plan**Our Leadership**

Strategy:	5.5	To lead, govern and regulate in an ethical, equitable and transparent way
Deliverable:	5.5.9	Meet governance compliance and reporting requirements
Action:	5.5.9.1	Complete governance items on the Office of Local Government Calendar of Compliance and Reporting requirements by due dates

Council Policy/Legislation

Pursuant to section 351 of the *Local Government Act, 1993* if the General Manager's position is vacant or the holder of such a position is suspended from duty, sick or absent, only the Council may appoint a person to the position temporarily for a period of not more than 12 months.

Section 377 of the *Local Government Act, 1993* provides that Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council under this or any other Act, other than those function restricted by this section.

Financial Implications

There are no direct financial implications associated with the recommendation.

General Manager's Report (Items Requiring Decision) - GM67/24

Consultation

This matter has been discussed by Council's Executive Leadership Team prior to consideration by Council.

Prior to planned periods of leave, the General Manager will generally discuss suitable acting arrangements with the Executive Leadership Team. However, it is important that Council has a resolution in place for the appointment of an Acting General Manager to ensure continuity of Council's functions in the event of sudden or unforeseen leave by the General Manager.

Council will consider a report annually for the appointment of an Acting General Manager to cover periods of absence.

Sustainability

There are no social, environmental or economic benefits or implications associated with the adoption of the recommendation.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will not be able to meet its operational requirements in the absence of the General Manager which may lead to service delivery and reputational implications.	High	Adopt the recommendation.	Low	Yes
There is a risk that Council will have periods with no appointed General Manager which may lead to staff uncertainty and ongoing implications for our people.	High	Adopt the recommendation	Low	Yes
There is a risk that the person appointed is not able to act as General Manager when an absence occurs which may lead to service delivery and people implications.	High	Adopt the recommendation	Low	Yes

Options

The following options are available to Council:

1. Adopt the recommendation as written in the report.
2. Not adopt the recommendation and consider the appointment of an Acting General Manager on a case by case basis by way of a Mayoral Minute.

Option one is recommended to ensure continuity of service to our community.

Conclusions

To ensure continuity of Council's functions and in keeping with best practice procedures it is recommended that Council resolve that for the 2025 calendar year, each of the other members of the Executive Leadership Team be appointed as Acting General Manager for periods of three months on a rotational basis during periods of absence by the General Manager.

Attachments

There are no attachments for this report

GM68/24. Submission to Office of Local Government regarding Councillor Conduct and Meeting Practices framework
Author: Governance Officer

FILE: 24/00037

Executive Summary

The purpose of this report is for Council to consider endorsing a submission to the Office of Local Government in response to their proposed new framework for Councillor conduct and meeting practice.

RECOMMENDED that Council

1. Endorse the draft submission to the Office of Local Government that:
 - disagrees with the proposed requirement of councillors to divest themselves from real estate and property development activities;
 - expresses concerns related to the proposed Privileges Committee;
 - is strongly opposed to the prohibition of closed councillor briefings.
2. Delegate to the General Manager to lodge the submission on Council's behalf.

Report

In September 2024, the Office of Local Government (OLG) released a discussion paper to seek the views of the community, key stakeholders and the local government sector about a proposed new framework for Councillor conduct and meeting practice. Submissions were originally due by 15 November 2024 however on 24 October 2024, Singleton Council wrote to the Office of Local Government requesting an extension to 30 November 2024, to enable consideration of the response at Council's 26 November 2024 meeting. This request was approved.

The discussion paper was released following an independent review commissioned by the NSW Government in 2021 into the processes and procedures for dealing with allegations of councillor misconduct. The independent review released its report in December 2022 titled Focus on Civic Responsibility: Councillor Conduct and Accountability in New South Wales.

The discussion paper (AT-1 Councillor Conduct and Meeting Practices Discussion Paper) sets out the need for change, identifies current weakness of the existing frameworks, establishes the "principles of change" then outlines the proposed changes. The discussion paper then asks specific statements/questions to guide Council's response. Following consideration of this information and the formation of a position on each statement, Council has prepared a submission response to OLG. A draft submission letter is included as attachment 2 (AT-2 DRAFT - Submission on proposed Councillor Conduct Framework).

Community Strategic Plan

Our Leadership

Strategy:	5.6	Improve the connectivity between the community, stakeholders and council to create an informed community
Deliverable:	5.6.1	Ensure consistent, timely and transparent information is made available to the community
Action:	5.6.1.1	Ensure consistent, timely and transparent information and corporate publications are made available to the community

Council Policy/Legislation

The Singleton Council Conflicts of Interest Procedure sets the standards and provides guidance on how to manage conflicts of interest in an ethical manner.

The Singleton Council Code of Conduct is made under Section 440 of the *Local Government Act, 1993* and the *Local Government (General) Regulation 2021*. The Code of Conduct sets the minimum standards of conduct for council officials.

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

Financial Implications

Councillor Code of Conduct investigations are not known or quantifiable at this stage as they are dependent on the nature and complexity of the matter to be investigated. These investigations are an unbudgeted item and if required, a report will be provided to Council to seek funding through a Quarterly Budget Review (QBR) adjustment.

Consultation

The Office of Local Government has invited submissions from individual councils, as well as the general public, individual councillors and council staff, in response to the discussion paper.

Local Government NSW (LGNSW) invited all Mayors, Councillors, General Managers and Council staff to participate in a forum to discuss the proposal and inform LGNSW's response.

Sustainability

Strong and thriving communities need effective local government. No other level of Government is as close to the issues and people. This is the baseline required to achieve positive social, environmental and economic benefits for the Singleton LGA in accordance with the adopted Community Strategic Plan.

General Manager's Report (Items Requiring Decision) - GM68/24

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
The proposed changes by the Office of Local Government outlined in the Councillor Conduct and Meeting Practices framework are adopted in their entirety.	High	Submit a response to the Office of Local Government that identifies valid argument for Council's viewpoints	Medium	Yes
Inability to attract suitable talent as Councillors if the proposed changes are adopted in their entirety and the conditions are too onerous.	High	Submit a response to the Office of Local Government that identifies valid argument for Council's viewpoints	Medium	Yes
The Code of Conduct is overly complex and onerous to follow.	High	Submit a response to the Office of Local Government that identifies valid argument for Council's viewpoints	Medium	Yes
The privileges committee is endorsed, which results in an increase in uncontrolled cost of code of conduct investigations and additional expense for Council	High	Submit a response to the Office of Local Government that identifies valid argument for Council's viewpoints	Medium	Yes

General Manager's Report (Items Requiring Decision) - GM68/24

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
Lack of clarity of suitable support options for Councillors involved in Code of Conduct investigations	High	Submit a response to the Office of Local Government that identifies valid argument for Council's viewpoints	Medium	Yes
Loss of ability to conduct briefing sessions in a format that allows education of Councillors, professional development and information gathering	High	Submit a response to the Office of Local Government that identifies valid argument for Council's viewpoints	Medium	Yes

Options

The following options are available to Council:

1. Endorse the draft submission in response to the proposed new Councillor Conduct Framework to the Office of Local Government as proposed in attachment 2
2. Submit an alternative submission to the Office of Local Government in response to the proposed new Councillor Conduct Framework
3. Make no submission to the Office of Local Government in response to the proposed new Councillor Framework.
4. Delegate to the General Manager to lodge the submission on Council's behalf.


Options one and four are recommended.

Conclusions

Council has considered the discussion paper by the Office of Local Government and identified the critical elements of the report that will potentially have an adverse impact on Singleton Council's ability to effectively lead and represent the community. A draft response letter has been developed to address these issues and it is recommended that the response is submitted to the Office of Local Government before the due date of 30 November 2024.

Attachments

AT-1  Councillor Conduct and Meeting Practices Discussion Paper

AT-2  DRAFT - Submission on proposed Councillor Conduct Framework



Council Reference: 2024 Councillor Conduct Framework Review

Today's date

Councillor Conduct Framework Review
Office of Local Government
Locked Bag 3015
NOWRA NSW 2541

Email: councillorconduct@olg.nsw.gov.au

Attention: Strategic Policy Unit

SUBMISSION ON PROPOSED FRAMEWORK

Thank you for providing us with the opportunity to provide feedback in response to the proposed new framework.

Singleton Council is supportive of a review of the Councillor Conduct Framework and welcomes the opportunity to provide feedback. This feedback is based on the information provided in the discussion paper and we acknowledge that there is a lot of uncertainty remaining in the areas that have not yet been fully defined. Thus, our opinion may change as further detail is developed and provided.

Property developers and real estate agents – Response

We disagree with the requirement for Councillors to divest in their real estate or property development interests. Many Councillors may also have small investment portfolios or be large scale land holders. To impose this restriction, we may discourage community members from putting their hand up to be a Councillor because they are also property investors or real estate agents. We may lose the diversity of a council if these limitations were imposed. We should be encouraging a diverse range of people to Council.

- Alternative measures we suggest include:
 - Reinforcement and strengthening of the requirement to disclose property holdings
 - Strengthening the definition of a “property developer”
 - Support and education for Councillors to ensure they hold themselves accountable on whether a property decision is in the best interests of the entire community, regardless of their peers involvement
 - the inclusion of a peer (a councillor or planning employee from another LGA or State department) to act as an independent chairperson of the decision, drawing on the principles of the Conflicts

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- of Interest for Council Related Development policy to provide the same level of independent assessment on the matter.
- Require Councillors to also declare interest in properties that they have an interest but do not yet own, eg they are currently negotiating to purchase land that is topic of decision.

NSW Local Government Privileges Committee - Response

We have no issue with the current format of conduct review including referral to an independent investigator engaged via a procurement process.

- On page 15, The Privileges Committee process would be paid for by either individual councillors or their councils, dependent on the outcome. We have concerns that the current model ensures procurement policies are followed including a tender process to regulate the fees associated with the investigation. What will determine the fees charged by the Privileges Committee? Councils are already under financial pressure.
- What benefit will the Privileges Committee provide that an independent conduct investigator cannot already provide?
- However, if a privileges committee is to be formed, there is no indication of how the members of the Privileges committee will be appointed, there would need to be a requirement for independence for those on the panel. They would also need to have a process to identify and exclude should there be a conflict. Assurance would be needed that the appointment to the panel is undertaken in a transparent and non-political manner to support an equitable process.
- The principle of this proposed change is to reduce the number of complaints that are referred to the Office of Local Government. We believe this can be achieved through the proposed streamlined wording which clearly articulates the expected behaviour, a clear distinction between what must be referred to an independent investigator, and what should be investigated internally. The serious matters that may result in formal action (censureship, PINs etc.) should be investigated independently and then referred to OLG for determination of appropriate formal action. Councils would manage this process and seek advice from OLG when required.
- The current code is heavily weighted in support of the complainant. The discussion paper does not indicate reform to the level of support provided to the Councillor who is the subject of the complaint. There is a lack of clarity regarding who the Councillor can seek support and advice and we feel this is an important matter to be considered in the proposed reform.

Banning briefing sessions - Response

We oppose the banning of briefing sessions, as follows:

- Councils deal with highly complex, technical and policy issues, legal considerations, financial implications, strategic decisions and sensitive issues. Briefing sessions provide the elected members an opportunity to

better understand these matters and are an essential and valuable forum to ensure Councillors can ask questions of the technical expert.

- Singleton Council briefings occur prior to the release of the council meeting agenda and before Councillors are aware of the recommendations proposed.
- Briefings enable external technical experts or professionals to present information to Councillors that would otherwise be unable to occur in a Council meeting due to the requirements of external presenters being limited to speaking in the public forum prior to the meeting.
- Council briefings are a safe space for Councillors to understand the subject and form part of their professional development. Additionally, they are a valuable tool in the professional development of council staff.
- At Singleton Council, debate and decision making does not occur in the briefing session. This only occurs in the Council meeting, in the presence of the public.
- The principle of this proposed change is to provide transparency in councillor deliberations and decision making. This can be achieved through the development of strict rules by which briefings can occur

If you have any further enquiries, please do not hesitate to contact Melinda Curtis, Executive Manager, on telephone 02 6578 7290 or email corporategovernance@singleton.nsw.gov.au.

Yours faithfully

Justin Fitzpatrick-Barr
General Manager

DCCS45/24. T2020.023 - Facilities Maintenance and Construction Services
Author: Procurement Coordinator

FILE:
T2020.023

Executive Summary

The purpose of this report is to advise Council that a report has been prepared for Council's consideration in Closed Council which contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (the Tenderers).

RECOMMENDED that the report on the Tender for T2020.023 - Facilities Maintenance and Construction Services be considered in Closed Council with the press and public excluded in accordance with Section 10A(2)(d)(i) of the *Local Government Act, 1993*, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; and the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

Attachments

There are no attachments for this report.

DCCS46/24. September 2024 Quarterly Budget Review Statement FILE: 24/00272
Author: Coordinator Financial Planning and Reporting
 Chief Financial Officer

Executive Summary

The purpose of this report is to present to Council for approval, the September 2024 Quarterly Budget Review Statement (QBRs). Following this review, Council's Net Operating Result before capital items for the year is a projected deficit of \$0.853m compared to Council's original budget of \$0.177m deficit. Capital expenditure is projected to be \$65.655m compared to the original budget of \$54.705m. Loan funding is projected to decrease to \$5.659m compared to original budget of \$7.759m.

RECOMMENDED that Council:

1. Adopts the recommended budgetary changes presented in the September 2024 Quarterly Budget Review Statement at Attachment 1.
2. Adopts the recommended revised Loan Borrowing Program at table 2 in this report.

Report

The QBRs represents a summary of Council's financial performance at the end of each quarter and a projection to the end of the financial year. It is the mechanism whereby Councillors and the community are informed of Council's progress against the Operational Plan Budget, along with reasons for major variances and consequential recommended changes.

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

Shown as **Attachment 1** is the September 2024 QBRs.

Community Strategic Plan

Our Leadership

Strategy:	5.5	To lead, govern and regulate in an ethical, equitable and transparent way
Deliverable:	5.5.4	Ensure all Finance and Rating activities are undertaken in accordance with legislation and OLG guidelines
Action:	5.5.4.1	Ensure all Finance (incl rating) activities meet legislative and OLG guidelines

Council Policy/Legislation

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

Financial Implications

The September 2024 QBRS shows a projected year end operating deficit of \$0.853m before capital items, compared to Council's 2025 Original Budget of \$0.177 million deficit. Capital expenditure is projected to be \$65.655m compared to the original budget of \$54.705m. The commentary explains the variations that are contained within the September 2024 QBRS, as shown as **Attachment 1**.

Income and Expense

The increase in the operating deficit before capital is due mostly to expenditure carry overs of \$0.405m from the prior financial year. Adding to this is additional expenditure of \$0.100m from Council resolutions outside of QBRS. On top of this, the net movement for the September 2024 QBRS equates to a \$0.171m further increase in the deficit.

A summary of significant budgetary changes to operating income and expense for the September 2024 QBRS movement of (\$0.171m) before capital income include:

- Operating Grants and Contributions has increased by \$2.033m due to confirmation of new grants and contributions.
- Net Gain from Disposal of Assets has increased by \$1.509m due to sale of land.
- Employee Benefits and On-costs has increased by \$2.827m largely due to items not accounted for in the original budget.
- Materials And Contracts has increased by \$1.889m largely due to transfer of capital work in progress to operating.

Capital Expenditure

The increase in capital expenditure is due mostly to carry overs of \$8.591m from the prior financial year. Adding to this is additional expenditure of \$1.830m from Council resolutions outside of QBRS. The net movement for the September 2024 QBRS equates to a \$0.529m increase.

A summary of significant budgetary changes to capital expenditure for the September 2024 QBRS movement of \$0.529m include:

- Local Roads Program – New projects related to newly confirmed grant funding.
- Building Program – Gym and Swim roof replacement deferred to 2026 financial year.
- Inventory – Real Estate Held for Resale – New project for sewer infrastructure.

Loan Borrowing Program

The decrease in loan funding is due mostly to the deferral of the Swim and Gym roof replacement to 2025/2026. The Loan Borrowing Program that was adopted in the 2024/2025 Operational Plan was \$7.759m and has been reduced to \$5.659m as shown in the below tables.

Corporate and Commercial Services Report (Items Requiring Decision) - DCCS46/24

A summary of the significant budgetary changes to the Loan Borrowing Program for the September 2024 QBRS movement of (\$2.100m) include:

- Deferral of \$2.100m loan for Gym and Swim roof replacement to 2026 financial year.
- Reallocation of \$1.800m loan for Gym and Swim roof replacement to other Swim and Gym projects adopted in the 2025 Operational Plan and for which completion has been brought forward from 2026 to 2025.
- Reallocation of \$0.331m loan for Heights Sports Centre to two other projects adopted in the 2025 Operational Plan – James Cook Park AFL Clubhouse Extension and Wilf Allan Walk Erosion Remediation.

Over the two financial years of 2025 and 2026 the movement of Swim and Gym projects and loan value nets to zero.

Program	Location	Scope	Loan Value (\$)
Building	Gym and Swim	Perimeter Fence Replacement	109,000
Building	Gym and Swim	Swimming pool roof replacement (Dome structure)	4,000,000
Building	Alroy Oval	Sports Complex Upgrade	1,500,000
Building	Youth Venue	Air Conditioning	150,000
Building	Heights Sports Centre	Roof Replacement, Floor Replacement and Amenities	500,000
Building	Gym and Swim	Splash Pad, Capark Upgrade, Lighting Upgrade, Mechanical Repairs, Amenities	1,500,000
Total Loan (Operational Plan 2025)			7,759,000

Table 1: Loan Borrowing Program Adopted in the 2025 Operational Plan

Program	Location	Scope	Loan Value (\$)
Building	Gym and Swim	Perimeter Fence Replacement	109,000
Building	Gym and Swim	Swimming pool roof replacement (Dome structure)	100,000
Building	Alroy Oval	Sports Complex Upgrade	1,500,000
Building	Youth Venue	Air Conditioning	150,000
Building	Heights Sports Centre	Roof Replacement, Floor Replacement and Amenities	169,500
Building	Gym and Swim	Splash Pad, Capark Upgrade, Lighting Upgrade, Mechanical Repairs, Amenities	3,300,000
Building	James Cook Park	AFL Clubhouse Extension	282,000
Open Space & Reserves	Wilf Allan Walk	Erosion remediation	48,500
Total Loan (Revised September 2024 QBRS)			5,659,000

Table 2: Revised Loan Borrowing Program for Recommendation September 2024 QBRS

Consultation

The September QBRS has been prepared in consultation with Council's Finance Team, Leadership Team, Executive Leadership Team and other related staff. A Councillor Briefing on this matter was held on Tuesday, 12 November 2024. The September QBRS was presented to the Audit Risk and Improvement Committee on Wednesday, 20 November 2024.

Sustainability

Nil.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that major budget variations are not reported to Council prior to the finalisation of annual accounts which may result in the community's perception of financial mis-management.	Medium	Adoption of the recommendation.	Low	Yes
There is a risk of Councillors and management not having a good oversight over the financial affairs of Council which may lead to reputational damage to Council.	Medium	Adoption of the recommendation.	Low	Yes
There is a risk of Council operations and projects being delayed due to not having budget variations approved by Council.	Medium	Adoption of the recommendation.	Low	Yes

OptionsOption 1

That Council:

1. Adopts the recommended budgetary changes presented in the September 2024 Quarterly Budget Review Statement.
2. Adopts the recommended revised loan borrowing program.

Option 2

That Council:

1. Amends the recommended budgetary changes presented in the September 2024 Quarterly Budget Review Statement.
2. Amends the recommended revised loan borrowing program.

*Corporate and Commercial Services Report (Items Requiring Decision) - DCCS46/24*Option 3

That Council:

1. Does not adopt the recommended budgetary changes presented in the September 2024 Quarterly Budget Review Statement.
2. Does not adopt the recommended revised loan borrowing program.

Option one is recommended.

ConclusionsResponsible Accounting Officer Statement (by the Chief Financial Officer):

Following this review, Council's Net Operating Result before capital items for the year shows a projected deficit of \$0.853m compared to Council's original budget for 2025 financial year of a \$0.177m deficit. Capital expenditure is projected to be \$65.655m compared to the original budget of \$54.705m.

It is my opinion that the QBRS for Singleton Council for the quarter ended 30 September 2024 indicate that Council's projected financial position at 30 June 2025 will be satisfactory, having regard to the projected estimates of income and expenditure.

Attachments

AT-1 [↗](#) Attachment 1 - September 2024 QBRS

Attachment Under
Separate Cover

DOCC38/24. School Based Apprenticeships and Traineeships - Approval of Funding from the Singleton Community and Economic Development Fund **FILE: 22/00403**
Author: Director Organisation and Community Capacity

Executive Summary

The purpose of this report is to seek Council's approval for funding from the Singleton Community and Economic Development Fund, Mount Thorley Warkworth Voluntary Planning Agreement component for the establishment of a two-year School Based Apprenticeship and Traineeship program at Singleton Council.

RECOMMENDED that Council approve the allocation of up to \$50,000 in 2025 and 2026, from Mount Thorley Warkworth Voluntary Planning Agreement component of the Singleton and Community Economic Development Fund, for the establishment of a two-year School Based Apprenticeship and Traineeship Program at Singleton Council.

Report

School Based Apprenticeships and Traineeships (SBATs) are available to all Year 10, 11 and 12 high school students in NSW. They allow students to commence an apprenticeship or complete a traineeship while at school. Students undertaking a HSC VET course as part of a school-based apprenticeship or traineeship (SBAT) can achieve a nationally recognised VET qualification as well as their HSC and gain valuable work skills and experience through paid employment. Some apprenticeships and traineeships can contribute towards the students ATAR.

Singleton Council has been approached by Singleton High School regarding participation in its established SBAT program. Councils Workforce Plan – *Our People Strategy 2022-2026* has identified under its Career Pathway Pillar the following:

2.2 Services are provided by the right people, in the right jobs, with the right skills and attitudes at the right time.

2.2.3 Create apprenticeship/traineeship program target critical areas and local recruits.

Council is committed to the development of youth in our community and providing them with a wide range of job opportunities. By training young people in council related roles, the organisation can develop a future workforce equipped with the skills needed for local government, thereby reducing recruitment challenges. Additionally, the SBAT program can serve as a talent pipeline for a future career in Council and will provide students with an appreciation of the value of public service and build a base of skilled residents that may stay in the area for work, rather than seeking employment outside of our LGA.

The Singleton Community and Economic Development Fund (CEDF) has been established to proactively secure a positive future for the communities of the Singleton Local Government Area. Income for the fund is provided through a range of voluntary planning agreement contributions and management of the CEDF Fund is through a formal

Organisation and Community Capacity Report (Items Requiring Decision) - DOCC38/24

Deed of Agreement between Singleton Council and the mining companies that are a party to the Deed.

The CEDF Deed contains seven key principles that are used to guide the provision of funding towards key projects and programs. The following two principles from the Deed are directly aligned to the SBAT program:

1. Creating an environment that fosters and supports local business, promotes job creation, supports entrepreneurship and diversify our industry base.
2. Provide education and training to create the foundations of a prosperous economy.

Council is seeking to engage five (students) over the two-year period for employment in the following areas: parks, water operations, administration, childcare and finance. The final number of students engaged under the SBAT program may be less depending on student interest in these roles. Students are required to be paid under the employing organisations industrial award. Successful students would work one day per week, which equates to \$10,000 per annum per student.

Community Strategic Plan

Our People

Strategy:	1.2	Create and provide social, recreational and cultural services which educate, innovate, inspire and entertain
Deliverable:	1.2.3	Deliver a diverse range of social, recreational and educational programs to encourage community participation
Action:	1.2.3.1	Facilitate and/or deliver a range of social, recreational and educational programs that encourage inclusive community participation

Our Economy

Strategy:	4.5	Inform and inspire our community to be prepared and embrace jobs of the future
Deliverable:	4.5.1	Increase opportunities and pathways for employment, skills and education for all ages and abilities
Action:	4.5.1.2	Provide programs to engage with community members, job providers and education bodies to build capacity for employment pathways and jobs of the future

Council Policy/Legislation

- *Local Government Act, 1993*
- POL/6017.3 Singleton Community Economic Development Fund

Financial Implications

Council is proposing that funding for the SBAT program is confined to the Mount Thorley Warkworth (MTW) VPA, which was established prior to the execution of the CEDF Deed with the mining companies. As such, Council has retained discretion to expend funds from the MTW VPA component independent of the CEDF Deed without the need to follow the

Organisation and Community Capacity Report (Items Requiring Decision) - DOCC38/24

requirements of the Deed between Council and the mining companies that are a party to the Deed.

As at 31 October 2024, the Mt Thorley Warkworth VPA balance is:

VPA Title	Amount Committed	Payments	Expenditure	Balance ¹
Mt Thorley Warkworth (MTW) - June 2017	\$ 4,400,000	\$ 3,800,000	\$ 868,663	\$ 2,931,336

The approval of a maximum allocation of \$50,000 per year is based on five students being employed at Council for the program. In the event five students are not employed, the amount of funding from the CEDF would be reduced accordingly.

Consultation

Participation in the SBAT program has been discussed by Councils Leadership Team and Executive Leadership Team. All members are supportive of the program for both the benefit the program will provide to the students and Council.

Sustainability

Participating in the SBAT program offers valuable sustainability benefits by fostering local talent and reducing environmental impact. By training young people within the community, Council can cultivate a skilled, job-ready workforce.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council will be criticised by the community for approving money from the CEDF for this project which may lead to reputational damage.	Low	Adopt the recommendation	Low	Yes

¹ Rounded to the nearest dollar.

*Organisation and Community Capacity Report (Items Requiring Decision) - DOCC38/24***Options**

The following options are available to Council:

1. That Council approve the allocation of up to 50,000 in 2025 and 2026, from the Mount Thorley Warkworth Voluntary Planning Agreement component of the Singleton and Community Economic Development Fund, for the establishment of a two-year School Based Apprenticeship and Traineeship Program at Council.
2. That Council does not approve the allocation of up to \$50,000 in 2025 and 2026, from the Mount Thorley Warkworth Voluntary Planning Agreement component of the Singleton and Community Economic Development Fund, for the establishment of a two-year School Based Apprenticeship and Traineeship Program at Council.

Option one is recommended.

Conclusions

The approval of CEDF funding for the SBAT program would enable Council to create hands-on learning opportunities that will build essential skills, encourage local employment, and foster a sustainable, job-ready workforce from within the community. With dedicated funding, the program could offer well-resourced, structured pathways for young people, preparing them for meaningful careers while strengthening the local economy. By supporting this initiative, the funding would contribute to a vibrant, resilient community and demonstrate a proactive commitment to youth development and long-term economic growth.

Attachments

There are no attachments for this report.

DI&P56/24. Draft Amendment to the Singleton Development Control Plan
Author: Principal Development Contributions Officer
Development & Environment

FILE:
45.2024.1/05-03

Executive Summary

The purpose of this report is to advise Council of the outcomes of the consultation undertaken on the draft Singleton Development Control Plan 2014 (DCP) (**Attachment Under Separate Cover**) (the 'amendment'), to detail the proposed changes to the amendment, and to seek Council endorsement to make the amendment.

The amendment seeks to amend the master-planned sites clause of the DCP for land mapped as an Urban Release Area (URA) in the Singleton Local Environmental Plan (LEP) 2013, known as 349 Bridgman Road, Obanvale.

The draft amendment was publicly exhibited for 28 days from 20 June 2024 to 18 July 2024 and nine submissions were received. The draft amendment was reported to Council at its ordinary meeting on 13 August 2024 seeking endorsement to make the amendment following the public exhibition period. The draft plan that was tabled at the 13 August 2024 meeting included a post-exhibition change that amended the type of intersection treatment proposed to access the site. At this meeting it was resolved to:

1. *Defer this matter and report back to council following consultation with affected residents.*
2. *Include report on alternate option of entry and exit to the new subdivision.*
3. *Provide a briefing to the new council prior to it being submitted back to council for consideration.*

This report responds to the abovementioned Council Resolution and seeks a resolution to endorse the draft amended DCP. The draft DCP includes an additional post-exhibition change following further consultation with affected residents that relocates the access to the site to a location that is further south, as illustrated in the draft DCP.

RECOMMENDED that Council:

1. Receive and note the submissions received during the exhibition period and
2. Endorse the Singleton Development Control Plan 2014 (DCP) as amended and
3. Provide public notice that the amendment to the Singleton Development Control Plan 2014 (DCP) has been approved in accordance with the *Environmental Planning and Assessment Regulation 2021*.

Report

In 2018, an amendment to the Singleton Local Environmental Plan (LEP) 2013 was made which mapped land known as 349 Bridgman Road Obanvale (the site) as an Urban Release Area (URA). Part 6 of the LEP applies to URAs and requires that prior to consent being granted for development on land in a URA that a development control plan (DCP) that includes site specific controls has been prepared for the land. Clause 6.3(3) of the LEP sets out what must be included in the DCP.

To comply with clause 6.3(3) of the LEP the draft amended DCP includes an additional site-specific sub-clause titled '3.6 Special requirements for land at 349 Bridgman Road, Obanvale' as well as an amendment to the master-planned sites map. The site-specific requirements aim to ensure that development occurs in a logical and cost-effective manner, in accordance with a staging plan. Some of the items that need to be covered that are listed in clause 6.3(3) of the LEP are already covered by existing controls within the DCP and have not been duplicated.

The draft DCP is shown as **Attachment 2 (Under Separate Cover)**.

At its meeting on 18 June 2024, Minute No. 99/24, Council endorsed the draft amendment for exhibition. The draft was publicly exhibited for 28 days from 20 June 2024 to 18 July 2024, in accordance with the *Environmental Planning and Assessment Regulations 2021 (NSW)*. During the public exhibition period nine submissions were received. The submissions are summarised and addressed in **Attachment 1 (Under Separate Cover)**.

On 13 August 2024, the amendment was reported back to Council and in considering the report the Council resolved to:

1. *Defer this matter and report back to council following consultation with affected residents.*
2. *Include report on alternate option of entry and exit to the new subdivision.*
3. *Provide a briefing to the new council prior to it being submitted back to council for consideration.*

In accordance with the Council Resolution dated 13 August 2024 (Minute No. 128/24), further consultation with affected residents has occurred, a report on alternate options to access the site is shown as **Attachment 3 (Under Separate Cover)**, and a Councillor Briefing was held on 14 November 2024.

The draft DCP includes an additional proposed change relating to the location of the access. The amended location is further south and is in line with the location referred to as the preferred option within the submissions received during the public exhibition period.

Community Strategic Plan

Strategy:	2	Our Places
Deliverable:	2.4	Facilitate land use planning and development outcomes which respect and contribute in a positive way to the environment and community
Action:	2.4.8	Review and update the Development Control Plan and LEP in response to developed strategies

Council Policy/Legislation

Singleton Development Control Plan

If adopted, the draft DCP will be added as a site-specific chapter to the comprehensive Singleton Development Control Plan Chapter 2014. The draft DCP provides site-specific controls, where required, to provide additional direction on site-specific matters. These matters include (but are not limited to):

- Development layout and staging
- Road network and hierarchy
- Connection to Bridgman Road
- Shared path connections
- Storm water basin locations
- Asset Protection Zones
- Riparian corridors

The general controls of the comprehensive DCP 2014 will apply, where appropriate, to manage relevant general matters relating to the development (for example within Chapter 2 – Principal Design Standards). This will avoid the unnecessary duplication of development controls.

Singleton Local Environmental Plan

The draft DCP will satisfy Part 6 Urban Release Areas of the LEP which requires the preparation of a DCP for the site (an 'urban release area') before development consent can be provided. The objective is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan, and with site-specific controls.

Environmental Planning and Assessment Act, 1979 (EP&A Act)

Division 3.6 of the EP&A Act relates to development control plans. Should Council resolve to approve the amendment, all necessary matters in preparing and making the plan will be carried out in accordance with the EP&A Act.

Environmental Planning and Assessment Regulations, 2021 (EP&A Regulations)

Division 2 of Part 2 of the EP&A Regulations relates to the making and amendment of development control plans. Should Council resolve to adopt the amendment, all necessary matters in preparing and making the plan will be carried out in accordance with the EP&A Regulations.

Financial Implications

There are no known financial or resource implications for Council because of the proposed recommendations. Preparation and exhibition of the DCP has been managed within the existing budget that comes from the fees and charges that have been paid by the Proponent.

Consultation

Consultation with key internal and external stakeholders has been undertaken by the Development and Environmental Services Section to identify and consider any issues.

Internal

The Amendment has been prepared in consultation with the Development and Environmental Services and Infrastructure Services Sections of Council.

External

The draft amendment was publicly exhibited for 28 days from 20 June 2024 to 18 July 2024 in accordance with the *Environmental Planning and Assessment Regulations 2021* and 'Create Singleton', Council's Community and Engagement Strategy.

During the public exhibition period nine submissions were received. The submissions are summarised and addressed in **Attachment 1 (Under Separate Cover)**.

The primary concern within the submissions was that the location of the proposed roundabout to access the site would result in negative impacts to existing residents in relation to:

- Safety
- Amenity impacts such as noise and light pollution
- Reduced privacy
- Reduced property values
- Increased traffic.

As a result of the submissions, a post exhibition change was proposed to the draft DCP to remove reference to the roundabout and instead require an alternate intersection treatment such as a channelised right turn treatment. The purpose of this change was to reduce some of the impacts referred to within submissions such as the impact to existing adjoining driveways, the likelihood of 'burnouts' on the roundabout, the impacts of headlights pointing into existing residences and other safety concerns.

In accordance with the Council Resolution dated 13 August 2024 (Minute No. 128/24), further consultation with affected residents has occurred and a Councillor Briefing was held on 14 November 2024. Details of the further consultation that occurred with affected residents and the Developer is shown at **Attachment 4 (Under Separate Cover)**. In response to this additional consultation a second post-exhibition change is now proposed as detailed above. It is proposed to relocate the site access to a location that is consistent

Infrastructure & Planning Report (Items Requiring Decision) - DI&P56/24

with the preferred option referred to within the submissions that were received during the public exhibition period.

Sustainability

If adopted, the amendment will improve development outcomes on the site and allow residential development to occur on zoned land. A Development Application for the subdivision of the site will not be considered by the Hunter & Central Coast Regional Planning Panel until the draft DCP is adopted.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that consideration of Development Applications for the site may be delayed if a site-specific DCP is not progressed for the subject land, which may lead to reputational damage to Council.	Medium.	Adopt the recommendation.	Low.	Yes.
There is a risk that the DCP amendment is not made, resulting in an ideal development outcome not being achieved on the site, which may lead to reputational damage to Council.	Medium.	Adopt the recommendation.	Low.	Yes.

Options

The following options are available to Council:

- 1) That Council:
 - a) Receive and note the submissions received during the exhibition period, and
 - b) Endorse the Singleton Development Control Plan 2014 (DCP) as amended, and
 - c) Provide public notice that the amendment to the Singleton Development Control Plan 2014 (DCP) has been approved in accordance with the Environmental Planning and Assessment Regulation 2021.

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2) That Council does not endorse the recommendations.

Option one is recommended.

Conclusions

This report advises Council of the outcomes of the consultation undertaken on the draft Singleton DCP 2014 and seeks Council endorsement to receive and note the submissions received during the public exhibition period, endorse the amended DCP, and give public notice that the amendment to the Singleton DCP 2014 has been approved in accordance with the *Environmental Planning and Assessment Regulation, 2021*.

In response to a Council Resolution at the August Council Meeting and subsequent further consultation, the draft DCP includes an additional proposed change relating to the location of the proposed access. The amended location is further south and aligns with the site identified as the preferred option in the submissions received during the public exhibition period.

The draft amended DCP satisfies Part 6 of the LEP which requires that prior to consent being granted for development on land in a URA that a DCP that includes site specific controls has been prepared for the land. The amendment is necessary for the Hunter & Central Coast Regional Planning Panel to be able to consider an application for the subdivision of the site.

Should Council resolve to endorse the amended DCP, public notice that the amendment has been made will be given in accordance with the *Environmental Planning and Assessment Regulation 2021* and the amended DCP will be adopted.

Attachments

AT-1 ⇨ Response to Submissions

Attachment Under
Separate Cover

AT-2 ⇨ Draft Singleton Development Control Plan 2014

Attachment Under
Separate Cover

AT-3 ⇨ Report on Alternate Access Locations

Attachment Under
Separate Cover

AT-4 ⇨ Consultation Letter

Attachment Under
Separate Cover

DI&P58/24. Sports Grant Program Funding Allocations Round 1 - 2024/2025 FILE: 24/00383
Author: Coordinator Recreation & Facilities

Executive Summary

The purpose of this report is to present to Council a recommendation to fund three (3) grant applications under Round 1 of the Singleton Council Sports Grant Program 2024/2025.

RECOMMENDED that Council approves the following applications for funding totaling \$14,774.00 under Round 1 of Council's Sports Grant Program 2024/2025:

Applicant	Project	Project Cost	Grant Requested
Singleton Rugby Club	Increase Number of Solar Panels	\$10,436.80	\$5,200.00
Singleton PCYC	Singleton PCYC Amateur Boxing Competition Event	\$11,147.50	\$5,574.00
Singleton District Cricket Association	Replacing Old Pitch Mowers for Cook Park	\$8,499.00	\$4,000.00
Total		\$30,083.30	\$14,774.00

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 primarily provides dollar-for-dollar grant opportunities to community-based not-for-profit organisations based in Singleton to help maintain and improve sporting facilities. The full cost (100%) of projects can be provided to community groups that demonstrate extenuating circumstances. Extenuating circumstances include repairs required due to natural disasters (e.g. bushfires, storms, floods), vandalism, or where clubs do not have a source of income through the levying of fees and charges.

In 2024/2025 grant funds totalling \$132,279 are available to local sporting groups through the Program, with \$66,000 initially allocated in Round 1. The total available for Round 1 was reduced to \$51,931 following the approval of a request for \$14,069.20 from Howe Park Tennis, in August 2024, for temporary lighting and a shipping container to allow them to continue operating on the grass courts whilst the upgrade works to the synthetic courts are being completed.

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Under the Singleton Sports Grant Program guidelines "where emergency repairs are required to ensure the ongoing operation of the sports facility, Council will accept an application outside of the specified rounds. Should the application be supported by the grants committee, the funding can be approved by the General Manager and Mayor".

Round 1 of the Program was open from 19 August 2024 until 23 September 2024. It attracted three (3) applications from three (3) different clubs totalling \$14,774.00.

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. Sports Clubs that did not meet the eligibility criteria of the grant program, were contacted, and provided the opportunity to provide additional information. Once the information was provided all applications met the eligibility criteria.

The grant applications were then assessed by a panel comprising the two Councillor representatives of the Singleton Sports Council and the Manager Infrastructure Services.

The panel resolved to support eligible funding applications as detailed in Table 1 below. Whilst the grant program is a dollar-for-dollar program, the amount recommended for approval reflects the amount requested by each Club.

Table 1: Applications supported for funding under the Sports Grant Program Round 1

Applicant	Project	Project Cost	Grant Amount Recommended for approval
Singleton Rugby Club	Increase Number of Solar Panels	\$10,436.80	\$5,200.00
Singleton PCYC	Singleton PCYC Amateur Boxing Competition Event	\$11,147.50	\$5,574.00
Singleton District Cricket Association	Replacing Old Pitch Mowers for Cook Park	\$8,499.00	\$4,000.00
Total		\$30,083.30	\$14,774.00

Community Strategic Plan

Our Places

- Strategy: 2.1 Provide safe and well-maintained facilities, land and infrastructure
- Deliverable: 2.1.5 Facilitate sports council committee to engage with sporting groups to improve sporting facilities
- Action: 2.1.5.1 Facilitate the Sports Council Committee including sports grant program

Infrastructure & Planning Report (Items Requiring Decision) - DI&P58/24

Council Policy/Legislation

This matter has no specific policy implications for Council.

Section 356 (i) 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. The Singleton Sports Grant Program falls under this category.

Financial Implications

There is \$132,279 available to local sporting groups through the 2024/2025 Singleton Sports Grant Program, with \$66,000 allocated to Round 1. An application for funding under extenuating circumstances prior to the opening of Round 1 reduced the amount to available to \$51,931.

This report recommends allocating a further amount of \$14,774 in Round 1, with the balance of funds, \$37,157, being carried over to Round 2 of the Singleton Sports Grant Program 2024/2025.

Consultation

The Singleton Sports Grant Program has been designed in consultation with the Sports Council Committee. Ongoing conversations with the members of the Sports Council are being had to assess the overall success of the program.

Sustainability

Nil.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Residual Risk Ranking	Within Existing Resources?
There is a risk of dissatisfaction from the sporting community if Council does not support the recommendation, which may lead to reputational damage to Council.	Medium	Adopt the recommendation.	Low	Yes
There is a risk that these worthwhile projects will not proceed at the detriment of the community if Council does not support the recommendation, which may lead to reputational damage to Council.	Medium	Adopt the recommendation.	Low	Yes

Options

The following options are available to Council:

1. Approve the following applications for funding totaling \$14,774 under Round 1 of Council's Sports Grant Program 2024/2025:

Applicant	Project	Project Cost	Grant Amount Recommended for approval
Singleton Rugby Club	Increase Number of Solar Panels	\$10,436.80	\$5,200.00
Singleton PCYC	Singleton PCYC Amateur Boxing Competition Event	\$11,147.50	\$5,574.00
Singleton District Cricket Association	Replacing Old Pitch Mowers for Cook Park	\$8,499.00	\$4,000.00
Total		\$30,083.30	\$14,774.00

2. Not endorse the applications for funding under Round 1 of the Singleton Sports Grant Program 2023/2024.

Option one is recommended.

Conclusions

The Singleton Sports Grant Program offers financial assistance to sport and recreation community organisations. Funding of \$51,931 is available under the Sports Grant Program for Round 1 of 2024/2025. Three (3) applications, totalling \$14,774 (ex. GST), were received, and assessed under Round 1. The assessment panel endorsed all three applications for funding, as shown in Table 1.

It is recommended that Council resolve to grant financial assistance to all three (3) eligible applications that have been endorsed by the assessment panel.

Attachments

There are no attachments for this report.

DI&P60/24. Maison Dieu Solar Farm - State Significant Development - Council's Submission on the Environmental Impact Statement
Author: Manager Development & Environmental Services

FILE:
150.2024.19

Executive Summary

The purpose of this report is to provide Councillors with a draft submission (**Attachment 1**) regarding State Significant Development SSD-48160216 – Maison Dieu Solar Farm – 956B Maison Dieu Road, Masion Dieu for endorsement. The draft submission identifies the matters of concern raised by Council staff and points for further clarification from the Applicant. A preliminary holding submission was provided to the Department of Planning, Housing and Infrastructure on Friday 25 October 2024, subject to the endorsement of this submission by Council.

RECOMMENDED that Council:

1. Considers the draft submission on the Maison Dieu Solar Farm State significant development (SSD-48160216); and
2. Amends the draft submission to include the following feedback from councillors:
 - a. The Applicant must ensure agreement with affected landholders is in place prior to determination; and
 - b. Communication with adjoining owners is clear, transparent and documented in the Response to Submissions; and
 - c. Additional information is required to ensure a clear pathway to decommissioning of infrastructure such that it will not adversely impact landowners or adjacent properties and that this information is transparently included in any Response to Submissions; and
 - d. The Department of Planning, Housing and Infrastructure ensure appropriate conditions of consent are imposed to ensure the above is in place; and
3. Delegate to the General Manager to forward the amended submission to the Department of Planning, Housing and Infrastructure.

Report

On 12 September 2024, the NSW Department of Planning, Housing and Infrastructure (DPHI) placed on public exhibition the Environmental Impact Statement (EIS) for the Maison Dieu Solar Farm Project (Project). The NSW DPE requested that Council provide advice on the potential impacts to the community of the proposed Project.

The original due date for submissions was 9 October 2024. Given the timing of exhibition, including during school holiday period and council caretaker mode, council has not been able to complete its submission within the exhibition period. The Maison Dieu Solar Farm Project is the first State significant renewable energy project solely within the Singleton local government area. Council had a tight timeframe to review the documents, develop a submission, hear from the proponent, brief Councillors and form a view on the proposal.

Infrastructure & Planning Report (Items Requiring Decision) - DI&P60/24

This timeframe for considered review of the proposed Project was considered too short, particularly as it coincided with the caretaker period leading into local government elections.

Council staff sought an extension of time for the making of a substantive submission to allow sufficient time for council staff to assess the EIS, ahead of a staff briefing to Councillors on the proposed Project. An extension was provided to 25 October 2024. Council staff prepared a preliminary submission to allow for the submission to be made, and Council to be briefed by staff on the Project.

Council's normal practice for submissions to State significant development projects is for staff to prepare a submission and seek Council endorsement of the submission. Generally, submission timing precludes Council endorsement prior to the close of the submissions period. As a result, a preliminary submission is lodged. When making its preliminary submission, Council will reserve its right to provide Councillors with adequate time for review of the staff submission. It is acknowledged by the Department and the Proponent that amendments to Council's submission, including whether Council support the proposed development, or a subsequent submission, may occur because of this process.

The proposed Maison Dieu Solar Farm is located within the Singleton local government area, approximately 10 kilometres north-west of Singleton town centre. The Project Area comprises five (5) lots, making up 203 hectares of land that has historically been used for agricultural production (**Attachment 2**). The disturbance footprint comprises 90 hectares of the Project Area which will be directly impacted for the construction, operation and decommissioning of the Project. The lifespan of the solar farm is projected at 30 years.

The Project involves the construction, operation, maintenance and decommissioning of the Solar Farm including:

- The Installation of approximately 110,000 solar panels with a targeted generation capacity of 60 MW;
- Battery Energy Storage System;
- Electrical infrastructure including: –
 - i. Solar PV power conversion units with inverters;
 - ii. Substation compound and switching station;
 - iii. Electrical reticulation grid and infrastructure connecting to the existing Ausgrid Singleton Substation;
- Site access and external transport;
- Other associated infrastructure (including temporary construction infrastructure and its maintenance).

The draft submission includes comments relating to infrastructure, decommissioning and rehabilitation, voluntary planning agreement, biodiversity and heritage and has been developed in consultation with members of the community who reside in the immediate locality of the proposed development.

Infrastructure & Planning Report (Items Requiring Decision) - DI&P60/24

During the consultation with neighbouring landowners the main issues raised by the residents included; flooding, technical issues with the major projects portal, water supply & bushfire risk, visual impact and potential glare, sterilisation of good agricultural lands and heightened concerns around the community consultation. A summary of the community concerns has been included in the Council submission.

Community Strategic Plan

Nil

Council Policy/Legislation

The submission is consistent with Council's adopted Planning Agreements Policy, seeking minimum requirements for the negotiation of Voluntary Planning Agreements, including quantum expectations and the employment of local apprentices and trainees.

The submission is consistent with Council's obligations as a stakeholder under the *Environmental Planning and Assessment Act, 1979*.

Other legislation relevant to the submission, and Council's role as a landholder, consent authority, utility owner or land manager, includes the *Roads Act 1993*, *Heritage Act, 1977*, *Crown Lands Management Act, 2016* and the *Water Management Act, 2000*.

Financial Implications

Staff resources have been allocated to the preparation and administration of this submission. The proposed submission does not have a direct financial impact on the operations of Council. The financial consequences of negotiations with the Applicant regarding a Voluntary Planning Agreement, road interactions and other associated financial costs and benefits of the Project will be the subject of future council reports.

Consultation

Council is not required to undertake community consultation for State significant development applications, this role falls to the Applicant and the DPHI. However, Council staff contacted the three neighbours directly affected by the proposed Project and have included feedback within the draft submission.

A briefing on the proposed submission was provided to Councillors by the Applicant on 9 July 2024 and by staff on 6 November 2024. At this briefing, councillors requested additional information be included in the submission:

- That the submission makes it clear agreement from affected landholders should be in place prior to determination; and
- Additional information be included regarding the need for a clear pathway to decommissioning of infrastructure such that it will not impact landowners or adjacent properties.

Infrastructure & Planning Report (Items Requiring Decision) - DI&P60/24

As a result of this feedback, the recommendation includes the suggested changes to the submission and, if endorsed, a final amended submission will be sent to the Department of Planning, Housing and Infrastructure.

Sustainability

The proposed Project will potentially have significant and long-term impacts on the environment. The long-term sustainability issues associated with the Project have been identified in the submission. The social implications of the proposed Project are significant and Council's concerns regarding the social consequences of the proposal have also been identified in the submission.

Risk Implications

Risk	Risk Ranking	Proposed Treatments	Proposed Risk Ranking	Within Existing Resources?
There is a risk that Council has not identified the extent of consequences to the community from this proposal, which may lead to reputational damage for Council.	Medium	Adopt the recommendation and continue consultation with DPE and the Applicant	Low	Yes
There is a risk that council's submission may not be supported by the community, which may lead to reputational damage for Council.	Low	Adopt the recommendation and continue consultation with DPE and the Applicant	Low	Yes

Options

The following options are available to Council:

1. Considers the draft submission on the Maison Dieu Solar Farm State significant development (SSD-48160216); and
 - a. Amends the draft submission to include the following feedback from councillors:
 - i. The Applicant must ensure agreement with affected landholders is in place prior to determination; and
 - ii. Communication with adjoining owners is clear, transparent and documented in the Response to Submissions; and
 - iii. Additional information is required to ensure a clear pathway to decommissioning of infrastructure such that it will not adversely impact landowners or adjacent properties and that this information is transparently included in any Response to Submissions; and
 - iv. The Department of Planning, Housing and Infrastructure ensure appropriate conditions of consent are imposed to ensure the above is in place; and
 - b. Delegate to the General Manager to forward the amended submission to the Department of Planning, Housing and Infrastructure.
2. Considers the draft submission on the Maison Dieu Solar Farm State significant development (SSD-48160216) and makes alternative amendments to the submission, delegating to the General Manager to forward correspondence to the Department of Planning, Housing and Infrastructure to that effect.
3. Considers the draft submission on the Maison Dieu Solar Farm State significant development (SSD-48160216) and does not endorse the submission, delegating to the General Manager to forward correspondence to the Department of Planning, Housing and Infrastructure to that effect.

Option one is recommended.

Conclusions

The Maison Dieu Solar Farm Project is seeking approval to construct a 60MW solar farm in the Singleton local government area. This Project, if approved, will result in potential impacts (both short and long term) on the Singleton community. Council, in its role as a stakeholder under the *Environmental Planning and Assessment Act, 1979*, has prepared a submission for consideration by the Department of Planning, Housing and Infrastructure and the Applicant. The submission seeks further clarification from the Applicant on several matters that have a direct impact on council's service delivery and the community.

Attachments

AT-1 [↓](#) Maison Dieu Solar Farm - Draft Submission on EIS - Singleton Council



25 October 2024

Rita Hatem
Department of Planning, Housing and Infrastructure
Locked Bag 5022, Parramatta NSW 2124.

Dear Rita,

DPIE request for Advice –Maison Dieu Solar - SSD 48160216

I refer to your request via the NSW Major Projects Planning Portal for advice from Singleton Council on the Environmental Impact Statement (EIS) for the Maison Dieu Solar Farm (SSD 48160216). Council notes that the due date for submissions was 9th October 2024.

Council notes that the due date for its submission is 9 October 2024. Given the timing of exhibition, including during school holiday period and council caretaker mode, council has not been able to complete its submission within the exhibition period. The Maison Dieu Solar Farm Project is the first State significant renewable energy project solely within the Singleton local government area.

Council has had a tight timeframe to review the documents, develop a submission, hear from the proponent, brief Councillors and form a view on the proposal. This timeframe for considered review of the proposed Project is considered too short, particularly as it coincided with the caretaker period leading into local government elections.

As such, Council is working towards providing a detailed submission by 25th November 2024. Council reserves its right to provide Councillors with adequate time for review of the staff submission. It should be noted that amendments to council's submission, including whether Council support the proposed development, or a subsequent submission, may occur because of this process.

The Proposed Maison Dieu Solar Farm (the Project)

Impacts to the local road network

- The TIA indicates that the Maison Dieu Solar Farm is expected to be operational in 2026. The construction works on the Singleton Bypass have recently commenced and have a completion date of late 2026 and as such it is likely that the two projects will be underway at the same time. The construction of the Singleton Bypass will affect traffic on both the State and Local roads, at times there is likely to be significant disruption. Close engagement with TfNSW and Singleton Council must occur prior and during construction of the Project to manage the cumulative impacts of both projects.

- The SIDRA modelling of the intersection of the New England Highway and Magpie Street appears to indicate the intersection will operate satisfactorily through the peak of construction period however the model is to be referred to TfNSW for review and concurrence. Additionally, the Singleton Bypass Project will, at times, have temporary traffic management in place at the New England Highway and Magpie Street intersection and this must be considered, and adequately managed, by the applicant.
- A dilapidation report (pre and post construction) must be prepared for the entire length of Maison Dieu Road from the New England Highway to the project site to identify any pavement damage caused by the Project. The applicant must repair any damage to the road pavement or associated infrastructure to Council's satisfaction post construction.
- A Road Safety Audit of the transport route within the Singleton LGA is to be undertaken prior to the commencement of construction. The Road Safety Audit, and the corrective action program is to be submitted to Singleton Council. The implementation of any corrective actions must be undertaken by the applicant to Council's satisfaction prior to the commencement of construction.
- Approval will be required from Singleton Council under Section 138 of the Roads Act 1993 prior to any works being undertaken, or the implementation of any temporary traffic control, on any Local or Regional roads.
- Any vehicle access that connects to a public road is to be sealed between the edge of pavement and the fence line (at a minimum).
- Any vehicle access that connects to a public road must comply with the sight distance requirements for intersections as per Austroads Guide to Road Design Part 4A specifically approach sight distance (ASD), safe intersection sight distance (SISD), and minimum gap sight distance (MGSD) must be achieved. It is noted that it is intended that traffic control will be in place during construction for the main combined entry/exit (Access A) however it will revert to a standard access post construction. Proof of compliance with sight distance requirements is to be provided to Singleton Council prior to the commencement of construction.
- Swept path analysis is required for the main temporary construction access (Access A). The TIA states that this access is to be constructed in accordance with AS2890.2-2002 and is therefore suitable for use by heavy vehicles and no swept path analysis is required. However, the OSOM Route Study indicates that the largest loads (switch rooms) that will turn into site may require a larger turning path than the standard layout specified in AS2890.2-2002. The swept path analysis for the main temporary construction access (Access A) is to be provided to Singleton Council prior to the commencement of construction.

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- The OSOM Route Study indicates that the OSOM loads will overrun the median island on Magpie Street. A dilapidation report (pre and post construction) must be prepared for the median island on Magpie Street to identify any pavement damage caused by the OSOM movements associated with the project. The applicant must repair any damage to the median island or associated infrastructure to Council's satisfaction post construction.

Decommissioning and Rehabilitation

The project has not adequately considered rehabilitation of the site once the project is decommissioned. The EIS mentions that the impacts to soil from solar panels is "inconsiderable", however there is no mention of the management of proposed lithium batteries on site following decommissioning, nor is there an assessment of the waste generated at the end of the development's life.

The preliminary hazard assessments only recommends to test the batteries to ensure prevention of fires and maintenance. There are no design measures to ensure the soils are not impacted by a chemical spill or fire.

Council requires further assessment on the decommissioning impacts and post development land use, including how the proposed development will ensure any future land uses are not constrained on or by the site due to any ongoing contamination or rehabilitation issues.

Voluntary Planning Agreement

Council and the Applicant are in discussions on a proposed Voluntary Planning Agreement (VPA) for the Project.

Council is continuing to work with the Applicant on a planning agreement outcome. To date, no agreement has been reached on a VPA quantum, as such council would ask that the Project not be determined until such time as an agreement is reached and endorsed by Council

Transmission Lines

The transmission lines between the proposed substation and the existing Ausgrid Substation are proposed to be underground or overhead cables
"The connection from the on-site substation to Ausgrid's Singleton Substation will be via underground 66kV cables or overhead 66 kV line over Maison Dieu Road to the existing Ausgrid substation. An associated access track will be constructed, which will also be used for site access. These may require works within the Maison Dieu Road reserve."

The Applicant acknowledges that a section 138 from the relevant road authority (council) is required prior to commencement of these works and is likely to seek an

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easement to enable the works to take place. Council would like to undertake further consultation with the Applicant regarding the nature of works, the easement requirements and the long-term road maintenance implications for council, when road maintenance works are required.

To date, these discussions have not taken place, and the application should not be determined until council is fully aware of the potential legal and safety consequences for such a proposal, and is seeking a Deed of Agreement that includes:

1. Any changes/upgrades required to the Maison Dieu Road pavements as a result of construction-allied activity will need to be at the Proponent's expense, and
2. An annual fee will be payable to Council for use of Maison Dieu Road for transmission purposes, and
3. The transmission infrastructure is to be removed as part of the decommissioning process so that Council is not exposed to future expenses, and
4. Provision of a Bond for the decommissioning and rehab costs of removing electricity transmission infrastructure from within the road reserve.

Singleton Council would seek additional requirements in the event that Council is required to undertake road maintenance works within the easement.

Accommodation and Employment

Housing for workers during the construction phase has been a major issue raised by Council during the engagement phases of this development.

The Social Impact Assessment (SIA) identifies the cumulative impacts of the workforce during construction of the proposed project. There are five other similar Solar Farms identified in the SIA, as well as a number of other renewable energy projects which will have a cumulative impact on both the resourcing of skilled labour for construction and associated housing.

The SIA has not adequately addressed how:

- Where the workforce during construction stage will be sourced
- Where this workforce will reside during the construction stage

The 'Social Baseline' assessment of the SIA focuses on the rural suburb of Maison Dieu and does not elaborate further on a wholistic assessment and the interconnectedness of the Singleton Township as a Hub for the LGA.

The SIA says there is no need for accommodation commitments other than an "Accommodation Strategy", developed prior to construction where the skill and training of local residents, as well as working collaborative with the other major projects to ensure no impact to short or long-term accommodation.

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The Assessment goes on to discuss the employment of the workforce during the construction phase and mentions that the workforce will be predominantly from the local areas, with training available under a “Workforce Strategy”.

The Assessment has only discussed the community profile, training opportunities, and unemployment rates in Maison Dieu and not Singleton or the wider community. There is short- and long-term accommodation shortages in Singleton and surrounds due to the cumulative impacts of mining industry and Hunter Renewable Energy Zone.

By not considering how this project will be competing for a workforce already in short supply locally is a failing of this Assessment. The Assessment must consider that a construction workforce must be brought in outside the local (drive to work everyday) area, including interstate and international workers. This will have an impact on the already constrained housing resources available in the community.

Further Council would want to see the ‘Accommodation Strategy’ and ‘Workforce Strategy’ finalised before Consent is issued to ensure that acceptable accommodation is provided to the workers without impacting the affordable accommodation or any other long-term resident.

Biodiversity

Council has reviewed the Biodiversity Assessment for the Project, and raises the following specific issues regarding the BDAR:

- The BAM Credit Summary Report indicates that the calculator has yet to be finalised. An accredited assessor must ensure the calculator has been finalised before submitting a BDAR otherwise it is considered incomplete.

It is also noted that the Project will result in the loss of 75.84 hectares of woody vegetation, a large percentage of this Central Hunter Grey Box Ironbark Woodland (Endangered, BC Act), and Central Hunter Eucalypt Forest and Woodland (Critically Endangered, EPBC Act).

Avoiding this Threatened Ecological Community all together is recommended. Tree number 78 and 80 are large hollow bearing trees with a DBH of between 50-100cm. Clearing of these trees should be avoided.

Flooding

The Flooding Assessment (Revision D), dated 15 May 2024, shows that the proposed solar array is largely situated outside the 1% AEP extent. While the project might have minimal adverse impacts on flood behaviour within the project area, downstream properties, and the floodplain. The design of the structures in these areas must be adequate to ensure the flood impacts are minimised.

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Heritage

The Heritage item (I141) 'Archerfield and outbuildings' is located on the opposite side of the Hunter River from the Project Area and was originally owned by George Bowman. The heritage curtilage of this item (that includes the entire Lot within which the item is located) is 200m at its closest point. The Archerfield homestead that comprises the heritage listing is 1.6 km northwest of the Project Area.

The Archerfield CHMP recommends the view corridors and aesthetic impacts to and from the homestead are to be maintained. This is regarded of high heritage significance to the heritage item and has not been adequately addressed. The heritage report is therefore inadequate to allow proper assessment of historic heritage impacts caused by the project.

Consultation with our Community

As part of the submission process Council consulted with members of the community that would be most likely to be impacted by the development. Concerns raised by these residents include the following:

- Not enough proposed onsite water storage for firefighting
- Safety concerns around flooding – the property has in the past been inundated by flood waters
- No access to the Major Projects Portal for 12 days – A request for a late submission was not accepted
- Visual impact and potential glare concern
- Impact to wildlife in the area – currently home to bandicoots and black swans
- Concerns around how non-recyclable waste will be disposed of at the end of the development's life and lack of life cycle analysis in the EIS
- Construction noise in close proximity to residential receivers
- Potential sterilisation of good agriculture land
- Concerns around community consultation and how that was carried out and advertised, for example:
 - i. Applicant led Zoom meeting – advertised 3 days before in Hunter River Times – older residents unable to understand and use the platform, also internet in the area of highest affectation is not reliable
 - ii. Applicant led meeting held in Library – Advertised in a small add in Hunter River Times and one other newspaper 2 days prior to the event.

Of concern to Council is the lack of extension of time provided to members of the community in order to make submissions into the Proposed Project. Council would ask that as this was not able to be provided, the Applicant undertakes additional detailed consultation with residents in the immediate vicinity of the Proposed Project and document within the Response to Submissions the issues raised, how the

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Applicant intends to address the issues raised and if not able to address the issues a justification as to why.

I would like to thank you for the opportunity to provide comment on the Maison Dieu Solar Farm Environmental Impact Statement for the proposed Project. Please contact me on 02 6578 7290 if you have any questions.

Yours sincerely



Mary-Anne Crawford
Acting Director Infrastructure and Planning

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**DI&P61/24. Council 8.2 Review of Determination - 8.2023.515 -
Temporary use of an existing building for Functions
Author:** Senior Development Planner

FILE:
8.2023.515

Executive Summary

Applicant: Le Mottee Group Pty Limited
Land and Location: Lot 1 DP 558326 - 562 Gresford Road SEDGEFIELD
Zoning: RU1 - Primary Production
Proposal: Temporary use of an existing building for Functions

Date of Section 8.2 Review of Determination Application: 10/07/2024

Development Application No. 8.2023.515.1 was lodged on 03/11/2023 and sought approval for Temporary Use of an Existing Building for Functions (Marriage Ceremony and Functions).

The application was refused on the 13/06/2024 by the General Manager as per the Determination of Development Applications by Council Policy (POL/10067), as the application had been with Council for over 100 days and the requirement to obtain a Building Information Certificate prior to determination of a Development Application.

The proposal was to utilise the existing structures on the lot to allow it to be used for weddings and other functions, including:

- Weddings and functions for 52 days in a 12-month period.
- Owing to the change of seasons, the peak wedding periods occur from March through May and September through November.
- Up to 120 guests
- 10 am to Midnight (12 am)

The constraints and impacts on site include:

- Bushfire prone land
- Riparian and Watercourse Land
- Acoustic
- Traffic
- Unauthorised structures requiring a Building Information Certificate.

These impacts and constraints were addressed in the original Development Application assessment and there is minimal environmental and social impact from the proposed development.

The original development application and accompanying information were notified for a period of 14 days from 17/11/23 to 1/12/23. As a result of the notification process a total of one (1) submission was received. This submission was concerned about the acoustic and traffic impacts which have been addressed.

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Council's building surveyor did not recommend approval of the development application on the basis that unauthorised structures on the site, which were to be relied upon for the development, were not able to be assessed against the requirements of the Building Code of Australia or the National Construction Code. The building surveyor recommended the Applicant lodge a Building Information Certificate prior to determination of the development application.

The application was refused under delegation by the Acting General Manager on 13 June 2024. The reason for refusal was that *the applicant has failed to provide information and plans to allow an assessment of the application against the Environmental Planning and Assessment Act, 1979, Singleton Local Environmental Plan 2013, and the Singleton Development Control Plan 2014.*

The applicant lodged a Section 8.2 Review of Determination Application with Council on 10/07/2024. As per Clause 8.3 of the *Environmental Planning and Assessment Act 1979*, Council has six (6) months to complete a review.

The Section 8.2 Review and accompanying information were notified for a period of 14 days from 9/10/24 to 6/11/24. As a result of the notification process no submissions were received.

During the review period, Council staff sought legal advice on whether Council could issue a determination on the basis that there were unauthorised structures on the site, which were proposed to be used as part of the Development Application. The legal advice confirmed that *"the 'proper sequence' of assessment requires determination of an application for a Building Information Certificate first ... to be obtained prior to the grant of any development consent"*.

It is recommended that Council refuse the Review of Determination on the grounds that a Building Information Certificate for the unauthorised structures be obtained prior to granting a Development Consent.

RECOMMENDED that Council refuse the Section Review of Determination on the grounds that a Building Information Certificate for the unauthorised structures be obtained prior to granting a Development Consent.

1. Report

1.1. Introduction

Under Section 8.2 of the *Environmental Planning and Assessment Act 1979*, a Review of Determination was submitted to reassess the refused Development Application.

The Development Application 8.2023.515.1 was refused on the 13/06/2024 by the General Manager as per the Determination of Development Applications by Council Policy (POL/10067.2) due to inadequate information to allow assessment, as there are unauthorised structures on site to be used as part of the development.

The proposed development is defined as Local Development with NSW Rural Fire Service as an Integrated body. The original Development Application and Review were submitted to the Building Surveyor, Development Engineer, Traffic and Road Safety Engineer, Environmental Health Officer and Environmental Compliance Officer for referral and advice.

The Development Application is proposing a Temporary Use of Land under Clause 2.8 of the Singleton Local Environmental Plan 2013 for Functions and Wedding Ceremonies, 52 days of the year.

1.2. Site History, Location and Context

The property is located at 562 Gresford Road Sedgefield Lot 1 DP 558326.

As per Clause 8.3 (4b) of the *Environmental Planning and Assessment Act 1979*, Council is the determining authority for the 8.2 Review as the original Development Application was determined by the General Manager.

The lot is zoned RU1 – Primary Production and is surrounded by a mix of Primary Production land and C4 – Conservation Living land. The closest neighbouring residential receiver is approximately 250m² from the proposed development.



Figure 1 – Site Location



Figure 2 – Development Location – Note the cadastral map does not correctly line with the aerial imagery due to parallax errors on rural imagery.

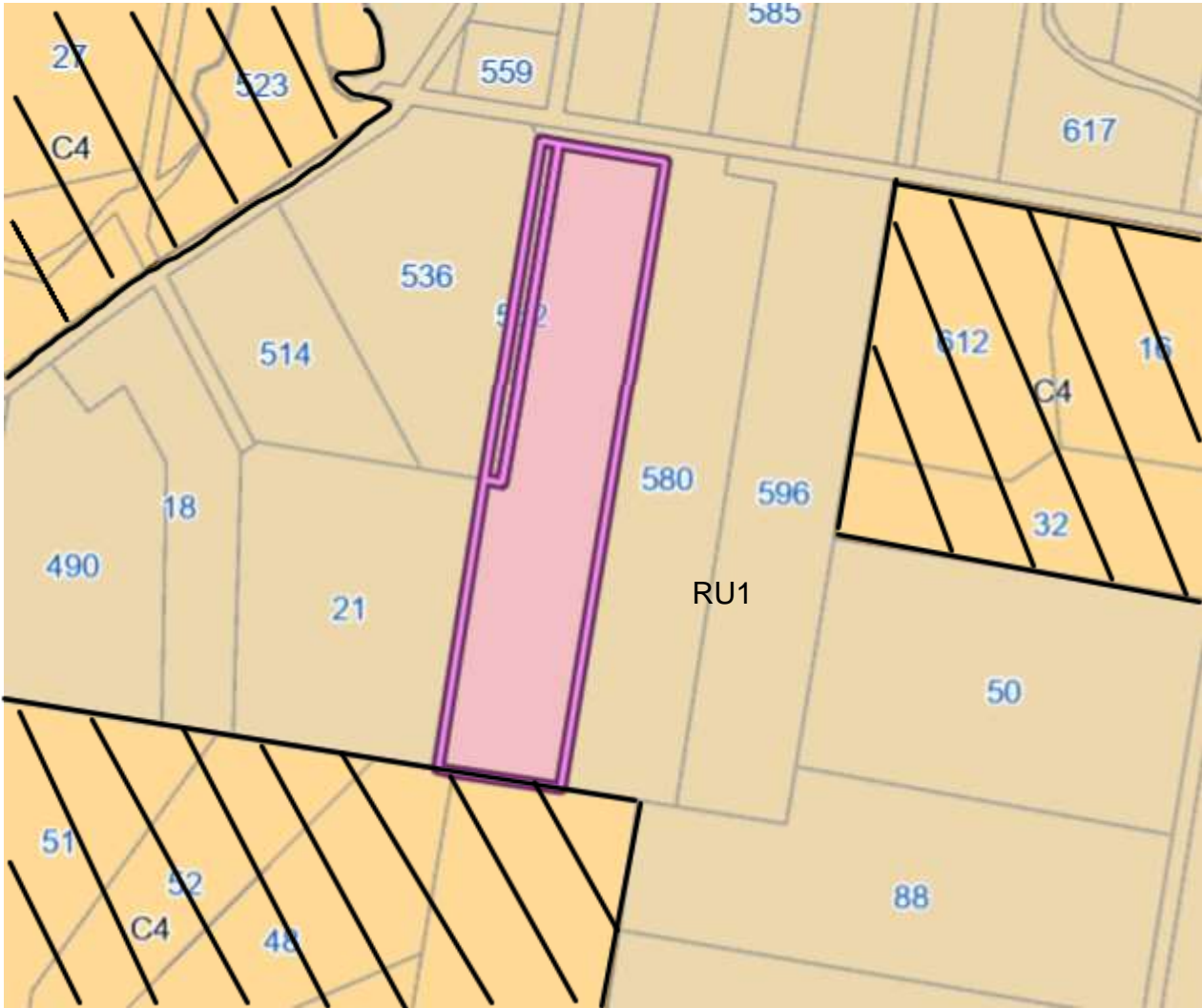


Figure 3 – Land Zoning – Note the lots coloured orange and marked with diagonal hashing are C4 Conservation Living Zone. All other areas (coloured beige not marked up) are RU1 Primary Production Zone.



Figure 3 - Receivers tested – From the Noise Assessment by Spectrum Acoustics (232350-10212), dated February 2024

2. The Proposed Development

The Development Application (8.2023.515.1) sought approval for a Section 2.8 Temporary Use of Land for functions under the Singleton Local Environmental Plan 2013.

The proposed development is only for the use of land for functions and weddings, operating between 10am and midnight, seven (7) days per week, for 52 days (maximum) per year. There is upgrading required to the main function building to meet the requirements of the National Construction Code, as part of any approval. No other building works or alterations to other existing buildings are requested.

The proposed development will allow for the building to be used again, which is currently empty due to the change of ownership. The site is serviced by rainwater and has an approved Onsite Sewer Management System. There is existing sealed carparking on site.

2.1. Previous Relevant Approvals

The previous approvals are summarised as follows:

- 8.1997.142.1 – Church – Approved the erection of a church and associated infrastructure.
- 8.1997.219.1 – Temporary Church – Approved to operate a church temporarily, conduct home activity workshop, dual occupancy and garage.
- 8.1998.95.1 – Garage and Covered Walkway Approved a garage and walkway on the dwelling, not related to the proposed function centre building.
- 8.1998.346.1 – Church - Approved use of church.

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- 8.1998.245.1 – Two Lot Subdivision – Approved new lot surrounding the church building. This has lapsed.
- 8.2001.201.1 – Alterations and Additions to Church – Approved to add a children room ancillary to the church.
- 8.2002.327.1 - Temporary and Emergency Accommodation – Refused - The application did not contain sufficient information to enable Council to undertake an assessment as per the requirements of the Environmental Planning & Assessment Act 1979.
- 8.2023.515.1 - Temporary use of an existing building for Functions – Refused - The application did not contain sufficient information to enable Council to undertake an assessment as per the requirements of the Environmental Planning & Assessment Act 1979.

Council records show that it is likely that the 8.1998.346.1 (Church) and 8.2001.201 (Alterations to Church) did not obtain an Occupation Certificate. As the proposed development seeks to upgrade the main building to the requirements of the National Construction Code, an Occupation Certificate would be issued after these works are undertaken.

3. Consultation and Submissions

The original development application and accompanying information were placed on public exhibition for a period of 14 days from 17/11/23 to 1/12/23. As a result of the notification process a total of One (1) submission was received.

The key issues raised in the submission/s include:

- Acoustic impacts to residential receivers
- Traffic impacts on Gresford Road.

The objections represent **11%** of the properties notified.

The 8.2 Review and accompanying information were placed on public exhibition for a period of 14 days from 9/10/24 to 6/11/24. As a result of the notification process nil submissions were received.

A summary **Attachment 2 Under Separate Cover** of these submissions has been included as an attachment including a response to the concerns raised.

4. 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.

4.1. Environmental Planning and Assessment Act 1979 Section 4.15 (1)(a)(i)

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This section of the Act requires the determining authority to consider the provisions of any relevant Environmental Planning Instrument (EPI). EPIs establish the permissibility of any proposed development. Relevant EPIs include State Environmental Planning Policies (SEPPs) and the Singleton Local Environment Plan. Different SEPPs will be relevant depending on the nature of the proposed development and a statement as to the reasons for applying any particular SEPP should be included.

4.1.1. Permissibility

The proposed development is located in RU1 – Primary Production zone and is not permissible in the zone.

However, Clause 2.8 allows the temporary use of the land provided it does not result in detrimental impacts and meets the objectives of the zone.

The objectives of the RU1 Primary Production zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

There is an existing approved church on the site. There is no additional impacts or structures. The proposed development is in line with the objectives of the zone and allow the further use of the building, which has been left empty for a due to the property being sold.

4.1.2. Relevant Clauses

The only Clause of the Singleton Local Environment Plan 2013 relevant to this application is Clause 2.8 Temporary use of land.

Clause 2.8 provides for the temporary use of land, provided that the use does not result in any detrimental impacts. The application provides for the temporary use of the subject land for the purposes of Functions for a period of 52 days consistent with the requirements of this clause.

The proposed development will not result in an impact upon the future use of the land or result in any detrimental impact on adjoining land uses or the amenity of the neighbourhood. Temporary use of the land will not result in any adverse impact or increase the risk of natural hazards. On completion of the temporary use, the site will be return to the pre-use state.

4.2. Environmental Planning and Assessment Act 1979 Section 4.15 (1)(a)(ii)

There are no draft EPIs related to this development. This section is not relevant.

4.3. Environmental Planning and Assessment Act 1979 Section 4.15(1)(a)(iii)

The relevant sections in the Singleton Development Control Plan 2014 are as follows:

- Chapter 2.25 Accessible design

The objective of this section is to ensure suitable arrangements are made for people with a disability.

The application was referred to Council's Building Surveyor for comment, who has confirmed that development is satisfactory having regard to the requirements of the *Disability Discrimination Act, 1992* and the *Disability (Access to Premises – Building) Standards 2010*.

The application is consistent with the provisions of section 2.25.

- Chapter 2.26 Driveway access

The objective of this section is to ensure driveways are suitably located and have an appropriate surface treatment.

Council's Development Engineer has reviewed the application, confirming the proposed driveway is consistent with the requirement of this section.

- Chapter 2.27 Minimum number of car parking spaces

The DCP requires off street car parking to be provided at a rate of 0.5 spaces per staff member + 1 space per 20m² GFA.

The statement of environmental effects does not provide information for the GFA of the development but rather caps attendance at the events to 120 persons.

In the absence of GFA, it is reasonable to allow for a vehicle occupancy rate of 2 people per vehicle for attendees, being equivalent to the RMS rate of 1 space per 2 seats and assuming 6 staff members during events. The DCP parking requirement therefore becomes:

6 attendees at 2 people per vehicle = 60 spaces

6 staff members at 1 person per vehicle = 6 spaces

TOTAL = 66 spaces required

The plans provided show that a bitumen surfaced car parking area is available and can accommodate approximately 115 cars.

The proposed arrangements are considered acceptable.

- Chapter 2.28 Design of car parking areas, loading docks and vehicle manoeuvring areas

The objectives of this section are to ensuring car parking areas, loading docks and manoeuvring areas are suitably designed and to minimise the visual impact of hard stand areas.

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The application was referred to Council's Development Engineer for comment. No concerns/issues have been raised. It is considered that the car parking area, loading dock and manoeuvring areas comply with the requirements of the DCP and relevant Australian Standards.

The application is consistent with the provisions of section 2.28.

- Chapter 2.29 Waste storage and collection areas

This section aims to ensure that suitable waste storage and collection areas are provided on site in convenient locations, reduce illegal dumping maintain hygiene standards and reduce potential impacts on amenity associated with the collection and storage of waste.

Appropriate provisions have been made for the storage and collection of waste in accordance with the DCP. The collection/storage area is suitably located, is sheltered from the weather, is able to be cleaned and is located in an area which is not visible from the street.

Waste Management Plan Provided

The application is consistent with the provisions of section 2.29.

- Chapter 4.1 Operational details

The objective of this section is to ensure than land uses are suitably managed.

Operational details associated with the development include the following:

Hours of operation:

Each wedding Reception or Ceremony is expected to occur any time between 10 am to midnight during each of the 52 days. However, time outside of these hours will involve caterers, cleaners or staff on site preparing the building for the event. It is not expected to create any adverse impacts.

Employee numbers:

It is expected that the temporary use of the site will require a range of caterers to host each event. This is inclusive of event organisers, cleaners and waiting staff.

Customer numbers:

The size of the structure has the potential to hold approximately 400 people. However, each event will only be expected to host a maximum of 120 guests.

Waste management:

Waste management on the site will be operated and managed with a private collector to pick up skip bins. As there will be no additional structures or modification to existing infrastructure, the waste management system will not need to be altered.

Waste Management Plan Provided

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P61/24***Traffic:**

The engineering plans attached herewith demonstrate the availability of 110 parking spaces, with an additional 5 designated as disabled parking. Further, events will be encouraged to arrange shared transport for guests such as buses or minibuses where parking is provided adjacent the structure. There shall be no adverse impacts on traffic generation as a result of the proposed temporary use.

Chemical use/storage:

It is not expected for the proposed temporary use to utilise or store chemicals; therefore, no adverse impacts are expected.

Emissions.

No emissions will be generated as a result of the proposed temporary use.

Information submitted with the application is satisfactory, having regard the provisions within section 4.1.

- **Chapter 4.3 Site Planning**

The objectives of this section are to ensure that development is sited having regard to the characteristics of the land, adjoining development, site constraints and infrastructure.

The subject land is considered suitable to accommodate the proposed development. Development proposed by this application has been suitably sited having regard to constraints over the land, topography, potential impacts on adjoining development, bulk, scale, pedestrian networks, streetscape and skyline.

The application is consistent with the provisions of section 4.3.

4.4. Environmental Planning and Assessment Act 1979 Section 4.15 (1)(a)(iia)

There are no planning agreements proposed with this development. This section is not relevant.

4.5. Environmental Planning and Assessment Act 1979 Section 4.15 (1)(b)

There is potential for noise impacts to the closest receivers, however the closest neighbouring receiver is approximately 250m from the proposed development. further there are a maximum of 52 events per year.

There are issues surrounding the unauthorised structures which will require a determination of a Building information Certificate prior to granting consent. Council is to be satisfied that the unapproved structures are sound and safe for the use proposed in the Development Application. This is only possible if the buildings are regularised through the Building Information Certificate process.

4.5.1. Key Assessment Issues

A Noise Assessment was provided by Spectrum Acoustics (232350-10212), dated February 2024. This was referred to the Environmental Compliance Officer who agreed that the report demonstrates that the proposed use can comply with the relevant noise emission criteria and maintain acoustic amenity when in use.

A Traffic, Parking and Access Review was provided by SECA Solution on 13 December 2023. This was referred to the Traffic and Road Safety officer who agreed with the findings of the report and found that the additional traffic movements associated with the development will have a negligible impact upon the overall operation of Gresford Road with no change to the level of service. A condition can be added to the Consent to ensure the sight distances are maintained.

The application was referred to the Building Surveyor as there are a number of unauthorised structures on site. These structures are proposed to form part of the development proposal. The Building Surveyor has taken direction from the legal advice provided with regards to the unauthorised structures, which has highlighted a number of Court cases (Ireland v Cessnock City Council [1999] NSWLEC 153 and Griffis v Tweed Shire Council [2011] NSWLEC 1126) that show the “proper sequence” of assessment, as a Development Consent can never retrospectively approve the carrying out of a development (Ku-ring-gai Council v Buyozo Pty Ltd [2021] NSWCA 177). These structures will require an assessment via an application for a Building Information Certificate. The “Unapproved Structures” are considered ancillary to the proposed function centre.

As a result of the inability for staff to assess compliance of the development with the Building Code of Australia/National Construction Code, the proposed development is not satisfactory from a Building Surveyor perspective.

As part of this review, Council sought legal advice.

Summary of Advice

- 1. “The Council is obliged to conduct an 8.2 Review if it receives a valid application. Section 8.2(3) provides a time limit on the period within which a determination or decision can be reviewed. The Council can only determine an 8.2 Review within 6 months of the date of determination, or, if class 1 proceedings are commenced by a proponent, before the Land and Environment Court finally determines those proceedings.*
- 2. If the Council has not determined an 8.2 Review within 6 months from the relevant date of determination, it has no power to do so unless the proponent commences class 1 proceedings in the Court.*
- 3. The issue of a BIC is not a prerequisite to the grant of development consent for the use of the Unapproved Structures. However, the Court has indicated in several cases that the ‘proper sequence’ of assessment requires determining an application for a BIC first before considering whether development consent should be granted for the future use of a building.*
- 4. In respect of the DA, as the Council presently has inadequate details concerning the Unapproved Structures, we agree with the approach of requiring a BIC to be obtained prior to the grant of any development consent.”*

Council’s decision to refuse the Development Application, given that it had been with the planning assessment team for over 100 days and required a Building Information Certificate for unauthorised structures, is in line with the legal advice sought.

4.5.2. Internal Referrals

The application was referred to:

Building Surveyor:

The Building Surveyor reviewed the building and regulatory aspects of the development and considered them to be unsatisfactory due to the legal advice recommendation that no Consent be granted until the "Unapproved Structures" have been assessed through the Building Information Certificate process.

The Building Surveyor reviewed the Onsite Sewer Management System and found the approval to operate was in order.

Development Engineering:

The Development Engineer reviewed the carparking and drainage aspects of the development and considered them be satisfactory subject to conditions being imposed on the notice of determination.

Environmental Health:

The Environmental Health officer reviewed the food handling and safety aspects of the development and considered them be satisfactory subject to conditions being imposed on the notice of determination.

Environmental Compliance:

The Environmental Compliance officer reviewed the Noise Assessment and considered the application to be satisfactory in relation to Environmental Compliance matters subject to conditions being imposed on the notice of determination.

Traffic and Road Safety:

The Traffic and Road Safety officer reviewed the impacts to Gresford Road of the development and considered them be satisfactory subject to conditions being imposed on the notice of determination.

4.5.3. External Referrals

The original application had a NSW Rural Fire Service referral under 100B of the Rural Fires Act 1997 and General Terms of Approval were issued on the 11 December 2023. A Bushfire Report prepared by Le Mottee (9003) dated the 20 April 2023 was submitted the NSW Rural Fire Service for review. During this review the NSW Rural Fire Service requested additional information related to the proposed use of the sheds and association to the function centre. The applicant provided this and the development is currently with NSW Rural Fire Service for review.

The legal advice provided to council said that "the Council is not required to wait for a response from approval bodies before determining an 8.2 Review".

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P61/24***4.6. Environmental Planning and Assessment Act 1979 Section 4.15 (1)(c)**

There are current approved structures on the site and the proposed development will not impact the surrounding environment. The proposed development is in line with the objectives of the zone and allow the further use of the building, which has been left empty for a due to the property being sold.

4.7. Environmental Planning and Assessment Act 1979 Section 4.15 (1)(d)

The original development application and accompanying information were placed on public exhibition for a period of 14 days from 17/11/23 to 1/12/23. As a result of the notification process a total of one (1) submission was received. This submission was concerned about the acoustic and traffic impacts which have been addressed.

Concern raised	Council comments
Concern has been raised in relation to Site Access Comment: The concern relates to the number of vehicles entering and leaving the site and the impact to Gresford Road.	This application is supported by the Traffic Engineer, and there is current approval for the number of cars to use the site.
Concern has been raised in relation to Noise Comment: The concern about having no noise impact assessment or hours of operation	The applicant supplied a Noise Assessment which was reviewed by the Environmental Compliance Officer and has been deemed satisfactory and in line with the guidelines around noise related development.

The 8.2 Review and accompanying information were placed on public exhibition for a period of 14 days from 9/10/24 to 6/11/24. As a result of the notification process nil submissions were received.

4.8. Environmental Planning and Assessment Act 1979 section 4.15 (1)(e)

The proposed development would be in the public interest if the matters relating the unauthorised development are addressed. This is because every condition must be valid if it is to be legally enforceable.

Approving the application in its current form would be inconsistent with Council's responsibilities, particularly if the unauthorised structures are to be removed as part of the Building Information Certificate requirements. Allowing the development to proceed under these circumstances would not satisfy the public interest test, as it would disregard both compliance obligations and community expectations for lawful development.

All other matters related to the development satisfy the legislative requirements and are in the public interest.

*Infrastructure & Planning Report (Items Requiring Decision) - DI&P61/24***5. Other Matters to Consider Under the *Environmental Planning and Assessment Act 1979* and Regulations****5.1. Section 77A and Schedule 3 – Designated Development**

Not relevant

5.2. Section 4.13 – Consultation and Concurrence

Not relevant

5.3. Section 4.46 – Integrated Development

Not relevant

5.4. Section 7.11 – Development Contributions

Not relevant

5.5. Schedule 1 of the EP&A Regulations

Not relevant

6. Conclusions

Council staff 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. The proposed development, 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 generally acceptable; however the proposed development is not recommended for approval due to the outstanding Building information Certificate for the unauthorised structures.

Attachments

AT-1 ↗	8.2023.515.1 - S8.2 REVIEW - Temporary use of an existing building for Functions - Planners Assessment Report - Lot: 1 DP: 558326 - Gresford Road SEDGEFIELD	Attachment Under Separate Cover
AT-2 ↗	8.2023.515.1 - 8.2 Review of Determination - Submission Collated - Lot 1 DP 558326 - 562 Gresford Road SEDGEFIELD - PAN-450601	Attachment Under Separate Cover

GM70/24. Minutes - Arts Upper Hunter Board - 25 June 2024
Author: Executive Assistant

FILE: 17/00618

Executive Summary

Arts Upper Hunter held their ordinary meeting on 25 June 2024. The minutes are shown as **Attachment 1** for Council's information.

FOR INFORMATION

Attachments

AT-1 [↓](#) Minutes - Arts Upper Hunter Board - 25 June 2024

arts UPPER HUNTER

To provide, support and promote arts and cultural opportunities for all people in the Upper Hunter.

Arts Upper Hunter Board General Meeting

Tuesday 25 June 2024

Arts Upper Hunter office, 30 Brook St Muswellbrook 2333.

Draft Minutes

Commence: 10.37am

1. **Present:** Jacqui Bakewell (Chair), Cr Michael Tobin (Dungog Shire Council), Cr Jennifer Lecky (Treasurer and Muswellbrook Shire Council), Kim Lundy and Ivan Skaines.

2. **Apologies:** Cr Dan Thompson (Singleton Council), Annie Rodgers and Martha Moderitz.

3. **Not present:** N/A

Lecky / Lundy Carried

4. **Also in attendance:** John O'Brien and Sandra Reichel

5. **Call for conflicts of interest:** None declared.

6. **Confirmation of minutes from previous meeting 19 March 2024.**

Lundy / Lecky Carried

7. **Business arising from the minutes of 19 March 2024**

7.1 Stage 2 of Create NSW RADO Review – Create NSW ACFP review.

John provided presentation of outline of the new structure. A few key points:

- 3 streams of competitive multi-year funding:
 - 8 years, 4 years, 2 years
- AUH not eligible for 8 year, so will be applying for 4 years (Oct) and if not successful will apply for 2 year.
- Have been advised a simplified application process and budget acquittal every two years.
- If successful will not be able to apply for any other funding from Create NSW eg Project Funding.
- We will also be advising many groups on their own applications for multi-year funding and Project funding in the various categories.

There was a lot of discussion.

7.2 AUH Strategic Plan for 2025-28. Discussed. The Strategic Plan will be developed for inclusion in the application to Create NSW.

Jacqui advised she is away 4 weeks October & November.

Draft Minutes for Board Meeting 25 June. Page: 1 of 3

- 7.3 DGR Status & Philanthropy group.
- Meeting held 20 May.
 - Kim put up her hand to work on the application.
- 7.4 Creative Valleys - Cultural Trails.
- Proving difficult getting event organisers to add their events to the ATDW
 - Kim asked if she could be given a letter explaining the benefits and procedure to be added to ATDW so she can pass onto event organisers she knows.
 - Events 10 is another website promoting events in our region.
- 7.5 Review of AUH Constitution. Deferred.
- Jacqui briefly referenced 8.1, 8.4 and 8.5 (Membership and terms) for particular review at next meeting.
- 7.6 Related Party Transactions Register & Policy. Deferred.
- 7.7 Regional Futures – Cultural Tourism, Horizons. See ED Report.
- 7.8 Board positions, skills matrix, renewal. Our Board is very active and has a strong skills breadth, according to our skills matrix.
- 7.9 System for contracts. Deferred.
- 7.10 Creative Hubs. Deferred.
- 7.11 Council Elections: Our understanding is that councillors remain on the board until the councillor representative is chosen. We will write to councils after the election to ask about who will be the Council Board reps.
- 7.11.1 AUH will hold an **end of year party** in one or more locations to celebrate turning 21 and our huge year with Liddell, Creative Valleys, IVAIS and so much more. Theme and ideas to come.
- 7.12 Cyber Security. Sandra and Jennifer attended a workshop hosted by A Corp, our IT provider. John and Sandra have organised a follow up meeting.
8. **Financial Report**
- 8.1 Financial Report
- Lecky/Skaines Carried
9. **ED report.**
- 9.1 Micro Grants Assessors.
- Michael Tobin and Kim Lundy to be the assessors. Ivan Skaines is backup in the event either is not able to fulfil duties.
- 9.2 LiddellWORKS, Big Ideas, monumental bench:
- LiddellWORKS
 - artworks are for sale.

- MRAC and SACC have limited capacity to run additional activities though the exhibition.
 - Next Studios (workshops) - proved popular, places sold out very quickly.
 - Monumental bench is delayed until later in the year eg November.
- 9.3 Grants. AUH has been successful with our application for an IVAIS Grant. This is embargoed.
- 9.4 Horizon Project – AUH to organise an event.
- Lundy / Moderitz Carried

10. Chair's report.

Jacqui tabled her report.

Bakewell / Skaines Carried

- 10.1 Rosslyn Thompson
 Moved that Rosslyn Thompson be appointed to the board.
 Lundy / Lecky Carried

1pm Meeting went in camera to discuss ED's wage.

1.15pm Meeting resumed. Chair to send instructions to Office Manager.

11. Board Member Reports:

- 11.1 Michael Tobin:
- He has meeting with John, Suzannah and Gareth Curtis, the GM of Dungog Shire Council.
 - The James Theatre was unsuccessful in their grant application to Office of Liquor and Gambling, and still waiting on the outcome of an application to Building Better Communities.
- 11.2 Jacqui Bakewell:
- UHSC received funding for their Open Streets Program, which will fund events in Merriwa, Murrurundi and Scone.
 - She is meeting Sally O'Regan of the Scone Literary Festival regarding funding opportunities.
- 11.3 Ivan Skaines: Muswellbrook Shire Council received funding for the Denman Wine and Food Event being held in November.

12. General Business:

- 12.1 Other urgent business. – None.
- 12.2 Next meeting Philanthropy Group. Wednesday 14 August. Morning, Time TBA.
- 12.3 Next meeting: 10.30am Thursday 5 September 2024. Singleton. Venue TBA

Closed: 1.40 pm

**GM71/24. Disclosures by Councillors and Designated Persons
Returns - 2023/2024**
Author: Governance Lead

FILE: 24/00008

Executive Summary

In accordance with the requirements of the Code of Conduct, all Councillors and designated staff members of Council must complete and lodge their Disclosure of Interests Return prior to 30 September each year.

Annual disclosure of interests returns for Councillors and designated persons have been submitted.

Information contained in returns is made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2018* and any guidelines issued by the information Commissioner.

The Office of Local Government undertake regular audits of written returns of interests lodged by Councillors and designated persons to review compliance with the requirements of the Code of Conduct.

FOR INFORMATION

Attachments

There are no attachments for this report.

**GM72/24. Annual Report on Code of Conduct Complaint
Statistics - 1 September 2023 to 31 August 2024
Author: Governance Lead**

FILE: 18/00073

Executive Summary

Clause 11.1 of Council's Procedures for the Administration of the Code of Conduct Policy (the Procedures) requires the Complaints Coordinator to report statistics relating to complaints made about Councillors and the General Manager to Council within three months of the end of September each year. This report covers the period from 1 September 2023 to 31 August 2024.

FOR INFORMATION

The reporting of complaints statistics is an important accountability mechanism that provides local communities with a valuable insight into the performance of their councils and also provides the Office of Local Government (OLG) with the means to evaluate councils' implementation of the Model Code framework and whether the framework has achieved its policy objectives.

Clause 11.1 of the Procedures requires the Complaints Coordinator to report the following statistics to Council within three months of the end of September each year:

- a) the total number of Code of Conduct complaints made about Councillors and the General Manager under the Code of Conduct in the year to September (the reporting period);
- b) the number of Code of Conduct complaints referred to a conduct reviewer during the reporting period;
- c) the number of Code of Conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints;
- d) the number of Code of Conduct complaints investigated by a conduct reviewer during the reporting period;
- e) without identifying particular matters, the outcome of investigations completed under the Procedures during the reporting period;
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews; and
- g) the total cost of dealing with Code of Conduct complaints made about Councillors and the General Manager during the reporting period, including staff costs.

A copy of the Code of Conduct complaints statistics report is shown as **Attachment 1**.

A copy of the Code of Conduct complaints statistics report has been forwarded to OLG in accordance with Clause 11.2 of the Procedures.

It is noted that OLG intends to publish this data in the Time Series Data publication and will also include the data in the next iteration of the Your Council website. This information can be viewed at <https://www.olg.nsw.gov.au/public/about-councils/comparative-council-information/>.

Attachments

AT-1 [↓](#) Annual Code of Conduct Returns - 2023 - 2024

Model Code of Conduct Complaints Statistics 2023-24 Singleton Council			
Number of Complaints			
1	The total number of complaints received in the reporting period about councillors and the General Manager (GM) under the code of conduct from the following sources:		
i	Community	2	
ii	Other Councillors	3	
iii	General Manager	0	
iv	Other Council Staff	0	
2	The total number of complaints finalised about councillors and the GM under the code of conduct in the following periods:		
i	3 Months	0	
ii	6 Months	3	
iii	9 Months	0	
iv	12 Months	0	
v	Over 12 months	0	
Overview of Complaints and Cost			
3	a	The number of complaints finalised at the outset by alternative means by the GM or Mayor	3
	b	The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0
	c	The number of code of conduct complaints referred to a conduct reviewer	2
	d	The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0
	e	The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	0
	g	Cost of dealing with code of conduct complaints via preliminary assesment	4,000
	h	Progressed to full investigation by a conduct reviewer	2
	i	The number of finalised complaints investigated where there was found to be no breach	3
	j	The number of finalised complaints investigated where there was found to be a breach	0
	k	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	
	i	ICAC	0
	ii	NSW Ombudsman	0
	iii	OLG	0
	iv	Police	0

v	Other Agency (please specify)	0
	<input type="text"/>	
l	The number of complaints being investigated that are not yet finalised	2
m	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	23,300

Preliminary Assessment Statistics		
4	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a	To take no action (clause 6.13(a) of the 2020 Procedures)	2
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	0
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	1
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	0
e	To investigate the matter (clause 6.13(e) of the 2020 Procedures)	2
f	Other action (please specify)	0
	<input type="text"/>	
Investigation Statistics		
5	The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:	
a	That the council revise its policies or procedures	0
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	0
6	The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:	
a	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures)	0
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures)	0
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures)	0
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures)	0
7	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	0

Categories of misconduct		
8	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	<input type="text" value="0"/>
b	Non-pecuniary conflict of interest (Part 5)	<input type="text" value="0"/>
c	Personal benefit (Part 6)	<input type="text" value="0"/>
d	Relationship between council officials (Part 7)	<input type="text" value="0"/>
e	Access to information and resources (Part 8)	<input type="text" value="0"/>
Outcome of determinations		
9	The number of investigated complaints resulting in a determination that there was a breach in which the council:	
a	Adopted the independent conduct reviewers recommendation	<input type="text" value="0"/>
b	Failed to adopt the independent conduct reviewers recommendation	<input type="text" value="0"/>
10	The number of investigated complaints resulting in a determination where:	
a	The external conduct reviewers decision was overturned by OLG	<input type="text" value="0"/>
b	Council's response to the external conduct reviewers recommendation was overturned by OLG	<input type="text" value="0"/>
11	Date Code of Conduct data was presented to council	<input type="text" value="26-Nov-24"/>

47. Investment Report - October 2024**FILE:** 24/00325**Author:** Finance Officer - Treasury
Chief Financial Officer

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 October 2024.

FOR COUNCIL'S INFORMATION**Report**

Council's investment portfolio returned 2.86% pa for the month versus the bank bill index benchmark return of 4.50% pa. Over the past 12 months, the investment portfolio returned 5.44% versus the bank bill index benchmark's 4.45%.

Council's total portfolio of investments was \$130.364 million with an additional \$4.313 million held in Council's operational account as of 31 October 2024.

Without marked-to-market influences, Council's investment portfolio yielded 4.79% pa for the month. This is based on the actual interest rates being received on investments and excludes the underlying changes to the market values of the bonds and TCorp growth funds.

During October, Council had \$2.250 million in deposits mature. Council did not make any new investments during the month, due to operational cash flow needs.

The NSW TCorpIM Long Term Growth Fund (October -0.41% actual) performance for the month of October was affected by a rise in both domestic and overseas bond yields and their corresponding drop in valuations, along with modest falls in shares, had an unfavourable effect on the fund.

Council has a well-diversified portfolio invested predominantly among a range of term deposits and senior ranked bonds from highly rated Australian bank issuers. Council also has exposure to growth classes, including listed property and international and domestic shares, via NSW TCorp's Long Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes. However, short-term fluctuations should be expected.

The TCorpIM Long Term Fund's investment strategy is to provide high exposure to growth assets, with a high return potential over the long term, with a high risk of negative annual returns. The investment object is to provide returns of CPI +3.5% pa over rolling 10-year periods. Council's investment in TCorp's IM Funds (long-term) is 20% of its portfolio. Council can therefore expect some fluctuations to its portfolio returns.

Corporate and Commercial Services Report (Items for Information) - DCCS47/24

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 Grant.

Council is fully compliant with the Investment Policy.

Attachment 1 to this report provides Council's Investment Summary Report for October 2024.

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 [↓](#) Singleton Investment Report - October 2024



Investment Summary Report
October 2024

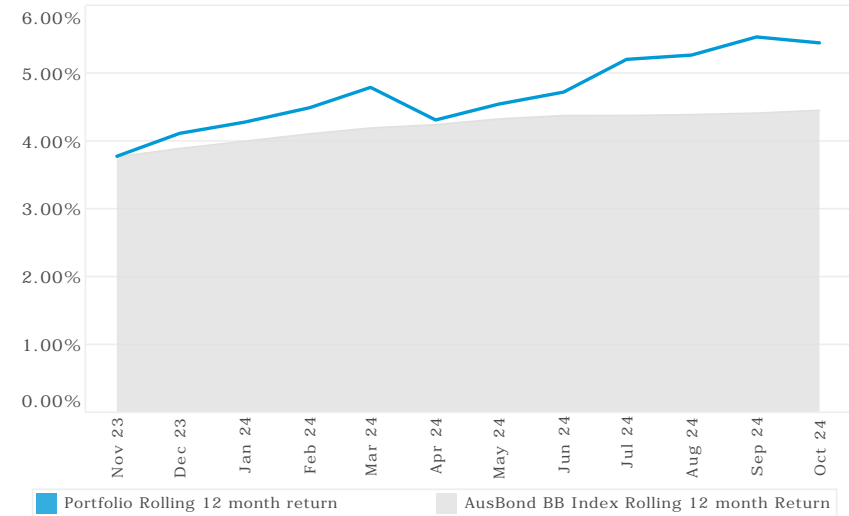
Singleton Council
Executive Summary - October 2024



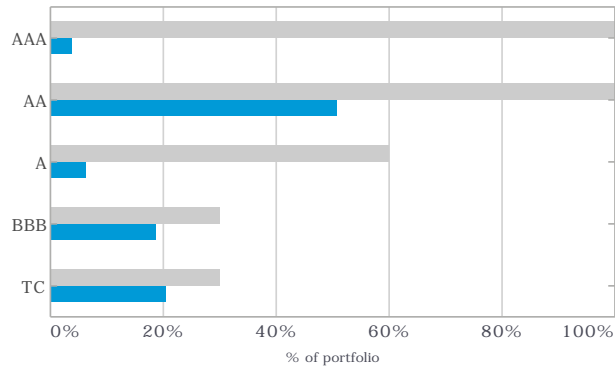
Investment Holdings

	Face Value (\$)	Current Value (\$)
Bonds	14,150,000	14,017,039
Cash	742,586	742,586
Floating Rate Note	31,250,000	31,346,193
Managed Funds	26,722,307	26,722,307
Term Deposit	57,500,000	57,500,000
	130,364,893	130,328,124

Investment Performance

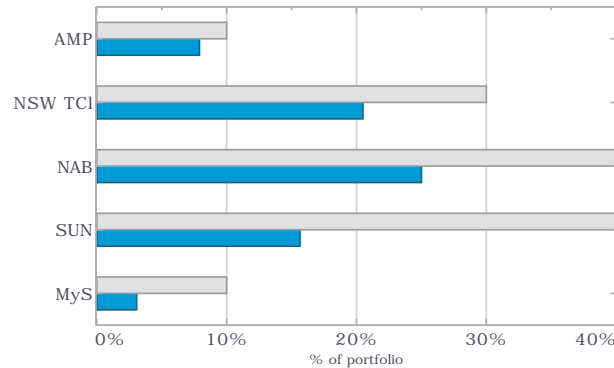


Total Credit Exposure



Investment Policy Compliance

Individual Institutional Exposures



Term to Maturities

	Face Value (\$)	Policy Max
Between 0 and 1 years	90,214,893	69% 100% a
Between 1 and 10 years	40,150,000	31% 80% a
	130,364,893	

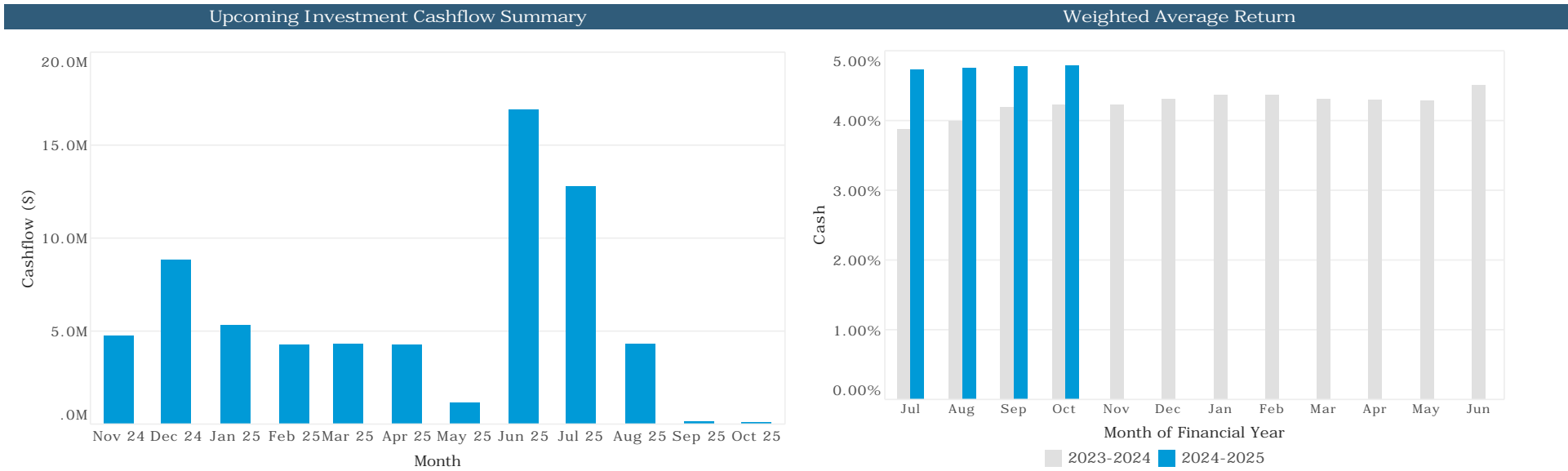
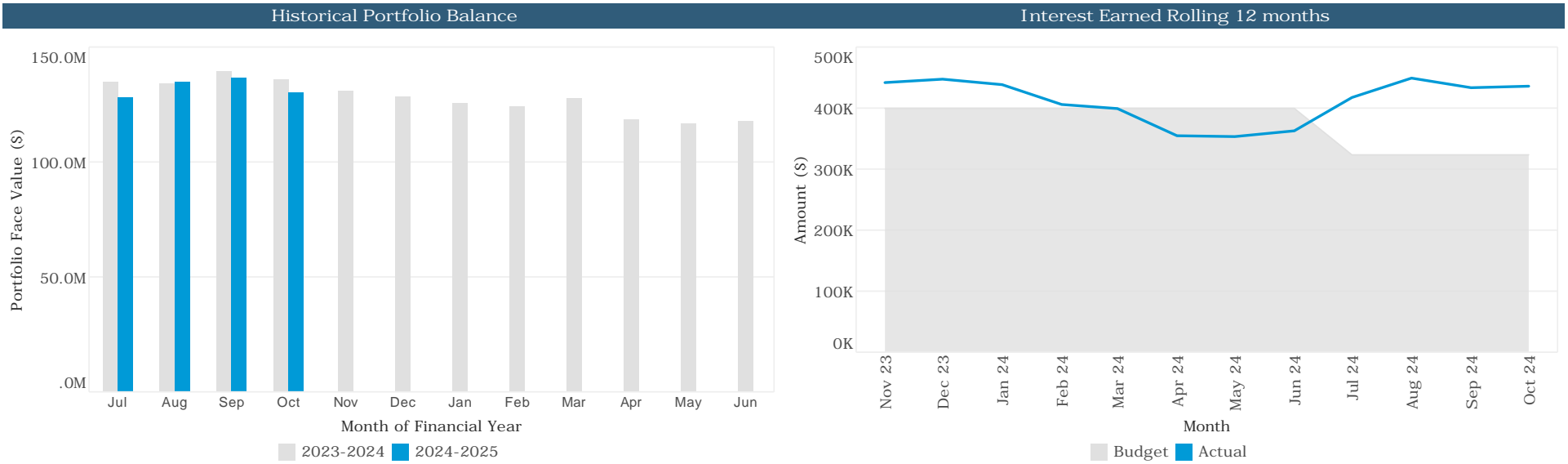
Specific Sub Limits

Between 3 and 10 years	3,100,000	2% 50% a
Between 5 and 10 years	0	0% 25% a

g Portfolio Exposure

g Investment Policy Limit

Singleton Council
Executive Summary - October 2024



Singleton Council
Investment Holdings Report - October 2024



Cash Accounts								
	Face Value (\$)	Current Rate (%)	Institution	Credit Rating		Current Value (\$)	Deal No.	Reference
	7,976.49	4.8000%	AMP Bank	BBB+		7,976.49	540079	31d Notice
	734,609.19	4.4723%	Macquarie Bank	A+		734,609.19	540145	Accelerator
	742,585.68	4.4758%				742,585.68		

Managed Funds								
	Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Funds Name	Current Value (\$)	Deal No.	Reference
	26,722,306.83	-0.4083%	NSW T-Corp (LT)	TCl	Long Term Growth Fund	26,722,306.83	544559	
	26,722,306.83	-0.4083%				26,722,306.83		

Term Deposits											
Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
6-Nov-24	2,000,000.00	5.2000%	Suncorp Bank	AA-	2,000,000.00	5-Mar-24	2,068,668.49	544910	68,668.49	At Maturity	
27-Nov-24	1,500,000.00	5.5000%	Suncorp Bank	AA-	1,500,000.00	28-Nov-23	1,576,623.29	544667	76,623.29	At Maturity	
3-Dec-24	3,000,000.00	5.4200%	Suncorp Bank	AA-	3,000,000.00	1-Dec-23	3,149,681.10	544685	149,681.10	At Maturity	
11-Dec-24	3,000,000.00	5.4000%	AMP Bank	BBB+	3,000,000.00	12-Dec-23	3,144,246.58	544711	144,246.58	At Maturity	
29-Jan-25	2,000,000.00	5.3000%	National Australia Bank	AA-	2,000,000.00	30-Jul-24	2,027,298.63	545308	27,298.63	At Maturity	
29-Jan-25	3,000,000.00	5.2200%	Suncorp Bank	AA-	3,000,000.00	29-Jan-24	3,118,844.38	544814	118,844.38	At Maturity	
4-Feb-25	2,000,000.00	5.3000%	National Australia Bank	AA-	2,000,000.00	24-Jul-24	2,029,041.10	545265	29,041.10	At Maturity	
11-Feb-25	2,000,000.00	5.3000%	National Australia Bank	AA-	2,000,000.00	26-Jul-24	2,028,460.27	545276	28,460.27	At Maturity	
4-Mar-25	2,000,000.00	5.1000%	Suncorp Bank	AA-	2,000,000.00	3-Sep-24	2,016,487.67	545438	16,487.67	At Maturity	
5-Mar-25	2,000,000.00	5.0400%	National Australia Bank	AA-	2,000,000.00	30-Aug-24	2,017,398.36	545426	17,398.36	At Maturity	
22-Apr-25	2,000,000.00	5.3500%	Suncorp Bank	AA-	2,000,000.00	19-Jun-24	2,039,575.34	545199	39,575.34	At Maturity	
29-Apr-25	2,000,000.00	5.2000%	National Australia Bank	AA-	2,000,000.00	1-Aug-24	2,026,213.70	545313	26,213.70	At Maturity	
7-May-25	1,000,000.00	5.3000%	National Australia Bank	AA-	1,000,000.00	10-May-24	1,025,410.96	545083	25,410.96	At Maturity	
4-Jun-25	1,000,000.00	5.2300%	National Australia Bank	AA-	1,000,000.00	5-Jun-24	1,021,349.86	545131	21,349.86	At Maturity	
4-Jun-25	2,000,000.00	5.3700%	Rabobank Australia	A	2,000,000.00	7-Jun-24	2,043,254.25	545156	43,254.25	Annually	

Singleton Council
Investment Holdings Report - October 2024



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
4-Jun-25	3,000,000.00	5.2500%	National Australia Bank	AA-	3,000,000.00	4-Jun-24	3,064,726.03	545127	64,726.03	At Maturity	
11-Jun-25	2,000,000.00	5.2000%	AMP Bank	BBB+	2,000,000.00	12-Aug-24	2,023,079.45	545348	23,079.45	At Maturity	
11-Jun-25	2,000,000.00	5.2000%	National Australia Bank	AA-	2,000,000.00	13-Jun-24	2,040,175.34	545179	40,175.34	At Maturity	
16-Jun-25	1,000,000.00	5.2000%	AMP Bank	BBB+	1,000,000.00	16-Aug-24	1,010,969.86	545360	10,969.86	At Maturity	
24-Jun-25	2,000,000.00	5.2500%	Suncorp Bank	AA-	2,000,000.00	18-Jun-24	2,039,123.29	545195	39,123.29	At Maturity	
2-Jul-25	4,000,000.00	5.4800%	National Australia Bank	AA-	4,000,000.00	2-Jul-24	4,073,266.85	545228	73,266.85	At Maturity	
9-Jul-25	4,000,000.00	5.4800%	National Australia Bank	AA-	4,000,000.00	2-Jul-24	4,073,266.85	545227	73,266.85	At Maturity	
23-Jul-25	2,000,000.00	5.3800%	Rabobank Australia	A	2,000,000.00	26-Jul-24	2,028,889.86	545275	28,889.86	At Maturity	
30-Jul-25	2,000,000.00	5.3000%	National Australia Bank	AA-	2,000,000.00	31-Jul-24	2,027,008.22	545310	27,008.22	At Maturity	
12-Aug-25	3,000,000.00	5.0500%	AMP Bank	BBB+	3,000,000.00	8-Aug-24	3,035,280.82	545334	35,280.82	Annually	
11-Dec-25	1,000,000.00	1.0000%	National Australia Bank	AA-	1,000,000.00	11-Dec-20	1,008,931.51	540691	8,931.51	Annually	
4-Jun-26	1,000,000.00	1.3000%	National Australia Bank	AA-	1,000,000.00	4-Jun-21	1,005,342.47	541467	5,342.47	Annually	
	57,500,000.00	5.1499%			57,500,000.00		58,762,614.53		1,262,614.53		

Floating Rate Notes

Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
22-Nov-24	1,000,000.00	4.9651%	MYS Snr FRN (Nov24) BBSW+0.60%	Baa2	1,000,000.00	22-Nov-21	1,008,766.95	542090	9,658.14	22-Nov-24	
16-Jun-25	3,000,000.00	5.0661%	MYS Snr FRN (Jun25) BBSW+0.65%	Baa2	3,000,000.00	16-Jun-21	3,019,154.02	541505	19,154.02	16-Dec-24	
9-Dec-25	750,000.00	4.8853%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	748,357.50	28-Apr-21	755,690.61	541285	5,320.29	9-Dec-24	
9-Dec-25	1,000,000.00	4.8853%	MAC Snr FRN (Dec25) BBSW+0.48%	A+	998,480.00	28-Apr-21	1,007,587.48	541286	7,093.72	9-Dec-24	
24-Feb-26	500,000.00	4.8011%	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	500,000.00	24-Feb-21	504,361.49	540950	4,406.49	25-Nov-24	
4-Mar-26	2,500,000.00	5.0394%	NPBS Snr FRN (Mar26) BBSW+0.63%	BBB+	2,500,000.00	4-Mar-21	2,515,719.53	540982	20,019.53	4-Dec-24	
24-Aug-26	1,600,000.00	4.7611%	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	1,600,000.00	24-Aug-21	1,611,823.29	541750	13,983.29	25-Nov-24	
15-Sep-26	1,500,000.00	4.8961%	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	1,500,000.00	15-Sep-21	1,507,140.64	541879	9,255.64	16-Dec-24	
23-Oct-26	1,200,000.00	5.9976%	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	1,200,000.00	23-Jan-24	1,218,064.63	544801	1,774.63	23-Jan-25	
27-Oct-26	1,000,000.00	5.1956%	BoQ Snr FRN (Oct26) BBSW+0.80%	A-	1,000,000.00	21-Oct-21	1,002,459.38	542004	569.38	28-Jan-25	
30-Oct-26	2,000,000.00	5.8905%	BOz Snr FRN (Oct26) BBSW+1.50%	BBB+	2,020,540.00	7-Jun-24	2,014,843.53	545154	645.53	30-Jan-25	

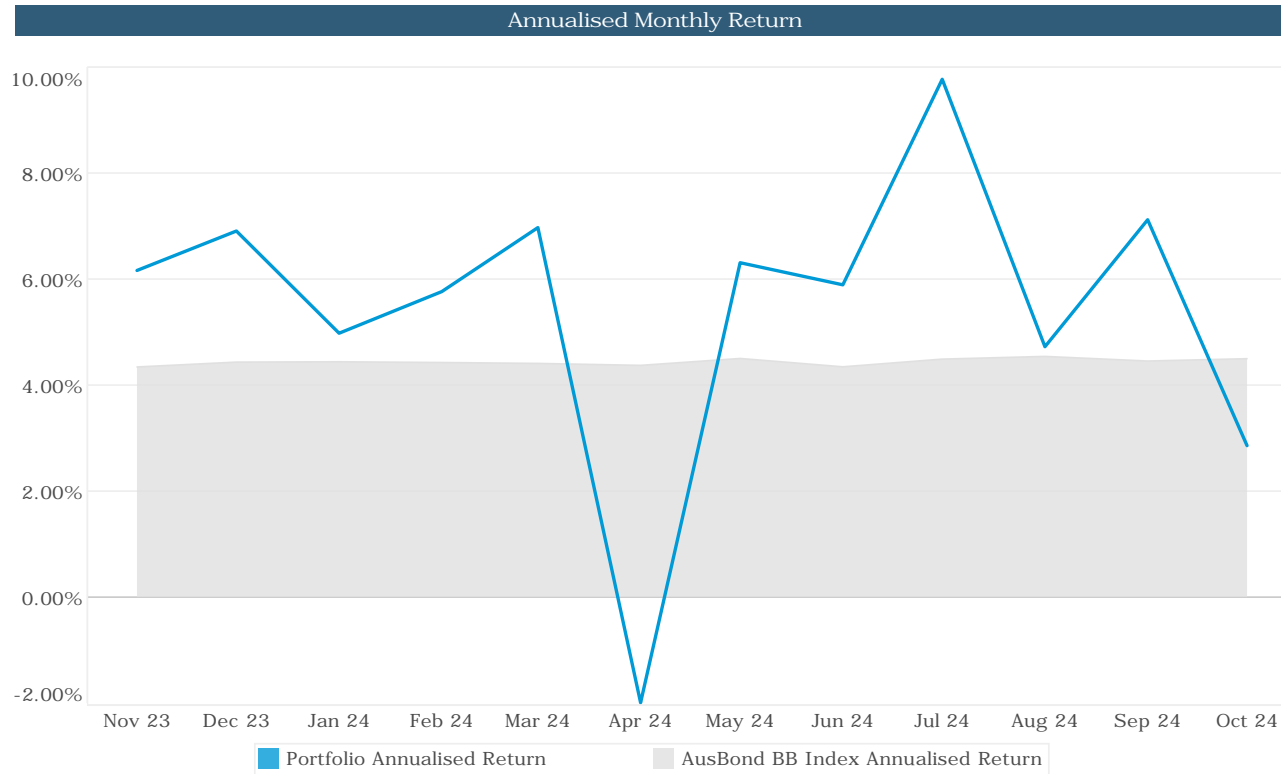
Singleton Council
Investment Holdings Report - October 2024



Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
23-Dec-26	1,000,000.00	4.8383%	CBA Green Snr FRN (Dec26) BBSW+0.41%	AA-	1,000,000.00	23-Sep-21	1,002,539.69	541918	5,169.69	23-Dec-24	
14-Jan-27	2,000,000.00	5.1150%	CBA Snr FRN (Jan27) BBSW+0.70%	AA-	2,000,000.00	14-Jan-22	2,010,764.93	542237	5,044.93	14-Jan-25	
25-Jan-27	1,000,000.00	5.0836%	WBC Snr FRN (Jan27) BBSW+0.70%	AA-	1,000,000.00	25-Jan-22	1,003,384.94	542257	974.94	28-Jan-25	
25-Jan-27	1,800,000.00	5.1636%	SUN Snr FRN (Jan27) BBSW+0.78%	AA-	1,800,000.00	25-Jan-22	1,807,254.50	542262	1,782.50	28-Jan-25	
8-Feb-27	1,400,000.00	5.9861%	HPC Snr FRN (Feb27) BBSW+1.60%	BBB+	1,400,000.00	8-Feb-24	1,438,626.33	544823	19,516.33	8-Nov-24	
10-Feb-27	1,000,000.00	5.3729%	NPBS Snr FRN (Feb27) BBSW+1.00%	BBB+	996,250.00	28-May-24	1,013,713.42	545104	11,923.42	11-Nov-24	
14-May-27	600,000.00	5.3563%	BEN Snr FRN (May27) BBSW+1.00%	A-	600,000.00	14-May-24	610,357.85	545078	6,955.85	14-Nov-24	
21-Jun-27	1,000,000.00	5.7283%	TMB Snr FRN (Jun27) BBSW+1.30%	BBB+	1,000,000.00	21-Jun-24	1,014,560.65	545188	6,120.65	23-Dec-24	
13-Sep-27	1,000,000.00	5.7545%	AusW Snr FRN (Sep27) BBSW+1.33%	Baa2	1,000,000.00	13-Sep-24	1,007,725.22	545463	7,725.22	13-Dec-24	
13-Sep-27	1,300,000.00	5.6945%	AMP Snr FRN (Sep27) BBSW+1.27%	BBB+	1,300,000.00	13-Sep-24	1,312,330.07	545482	9,938.07	13-Dec-24	
14-Dec-27	1,100,000.00	5.6661%	SUN Snr FRN (Dec27) BBSW+1.25%	AA-	1,100,000.00	14-Dec-22	1,124,156.92	543634	7,854.92	16-Dec-24	
22-Mar-29	2,000,000.00	5.3283%	NAB Snr FRN (Mar29) BBSW+0.90%	AA-	2,000,000.00	15-Mar-24	2,021,440.50	544957	11,386.50	23-Dec-24	
	31,250,000.00	5.2811%			31,263,627.50		31,532,466.57		186,273.68		

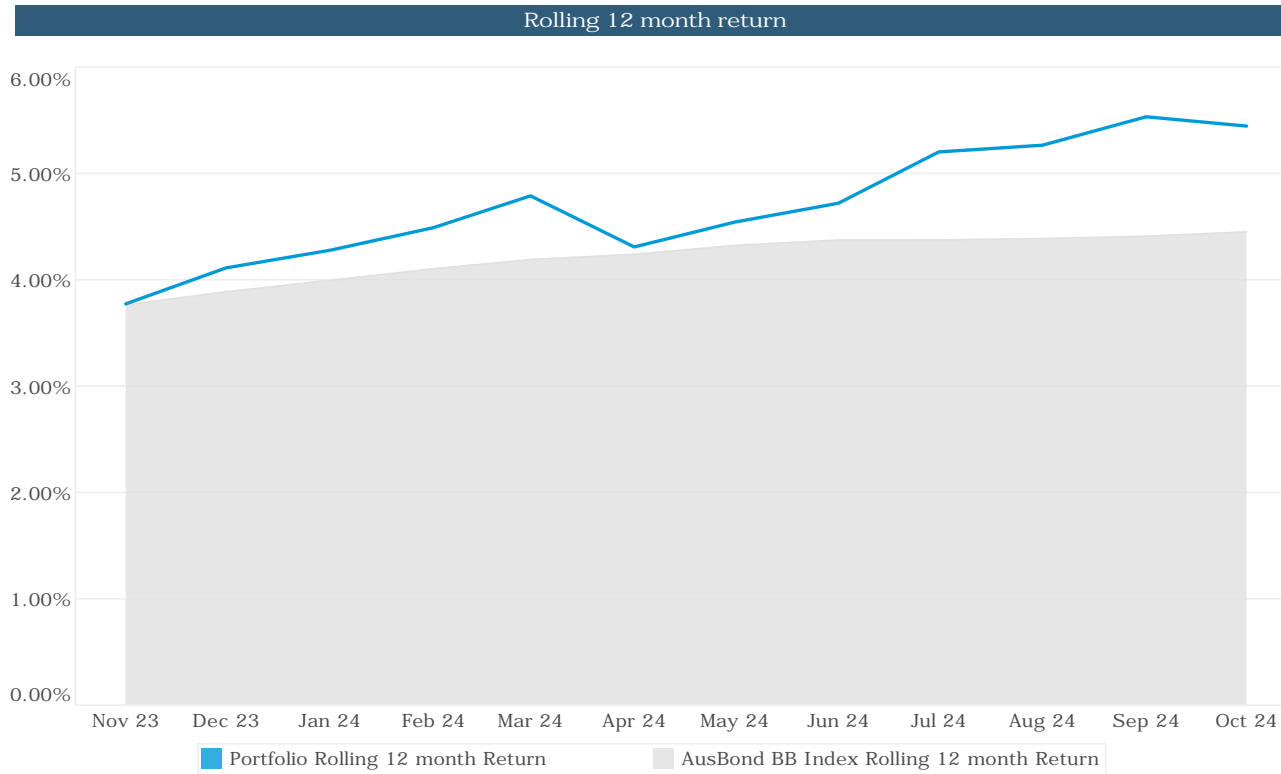
Fixed Rate Bonds											
Maturity Date	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
16-Dec-24	250,000.00	0.7000%	NT T-Corp Bond (Dec24) 0.70%	Aa3	250,000.00	23-Nov-20	251,535.42	540634	1,535.42	.70000%	
16-Dec-24	1,000,000.00	0.9000%	NT T-Corp Bond (Dec24) 0.90%	Aa3	1,000,000.00	16-Oct-20	1,007,896.46	540455	7,896.46	.90000%	
16-Dec-24	1,000,000.00	1.1000%	NT T-Corp Bond (Dec24) 1.10%	Aa3	1,000,000.00	1-Sep-20	1,009,651.23	540222	9,651.23	1.10000%	
11-Aug-25	1,000,000.00	3.9000%	WBC Snr Bond (Aug25) 3.90%	AA-	996,250.00	11-Aug-22	1,002,901.15	543161	8,631.15	4.03400%	
11-Nov-25	1,900,000.00	4.9000%	WBC Snr Bond (Nov25) 4.90%	AA-	1,895,288.00	11-Nov-22	1,948,761.31	543536	43,992.31	4.99000%	
15-Dec-25	1,000,000.00	1.2000%	NT T-Corp Bond (Dec25) 1.20%	Aa3	1,000,000.00	1-Sep-20	1,010,528.61	540223	10,528.61	1.20000%	
15-Dec-25	1,000,000.00	1.2000%	NT T-Corp Bond (Dec25) 1.20%	Aa3	1,000,000.00	10-Sep-20	1,010,528.61	540224	10,528.61	1.20000%	
15-Jun-26	2,000,000.00	1.0000%	NT T-Corp Bond (Jun26) 1.00%	Aa3	2,000,000.00	12-Feb-21	2,007,527.47	541004	7,527.47	1.00000%	
24-Aug-26	5,000,000.00	3.2500%	SUN Cov Bond (Aug26) 3.25%	AAA	5,527,000.00	28-Apr-21	4,897,910.71	541284	29,910.71	1.30500%	
	14,150,000.00	2.5466%			14,668,538.00		14,147,240.97		130,201.97	1.8809%	

Singleton Council
Investment Performance Report - October 2024



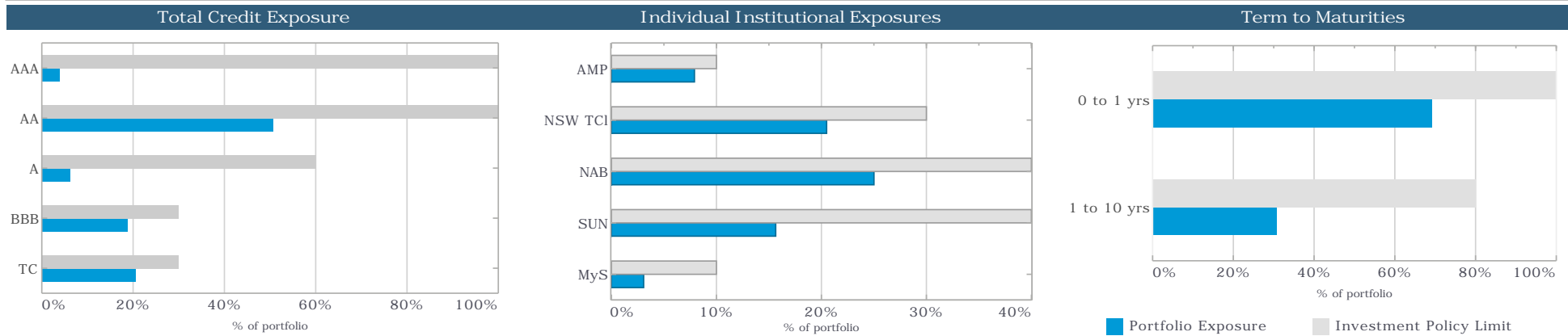
Historical Performance Summary (% pa)			
	Portfolio	Annualised BB Index	Outperformance
Oct 2024	2.86%	4.50%	-1.64%
Last 3 months	4.86%	4.50%	0.36%
Last 6 months	6.09%	4.47%	1.62%
Financial Year to Date	6.08%	4.50%	1.58%
Last 12 months	5.44%	4.45%	0.99%

Singleton Council
Investment Performance Report - October 2024



Historical Performance Summary (% actual)			
	Portfolio	Annualised BB Index	Outperformance
Oct 2024	0.24%	0.37%	-0.13%
Last 3 months	1.20%	1.12%	0.08%
Last 6 months	3.02%	2.23%	0.79%
Financial Year to Date	2.01%	1.49%	0.52%
Last 12 months	5.44%	4.45%	0.99%

Singleton Council
Investment Policy Compliance Report - October 2024



Credit Rating Group	Face Value (\$)	Policy Max
AAA	5,000,000	4%
AA	66,150,000	51%
A	8,084,609	6%
BBB	24,407,976	19%
TC	26,722,307	20%
	130,364,893	

Institution	% of portfolio	Investment Policy Limit
AMP Bank (BBB+)	8%	10%
NSW T-Corp (TCI)	20%	30%
National Australia Bank (AA-)	25%	40%
Suncorp Bank (AA-)	16%	40%
MyState Bank (Baa2)	3%	10%
Newcastle Greater Mutual Group (BBB+)	3%	10%
Bank Australia (BBB+)	2%	10%
Rabobank Australia (A)	3%	20%
NT T-Corp (Aa3)	5%	40%
Heritage and People's Choice (BBB+)	1%	10%
Suncorp Bank Covered (AAA)	4%	40%
Macquarie Bank (A+)	2%	20%
Great Southern Bank (BBB+)	1%	10%

Term	Face Value (\$)	Policy Max
Between 0 and 1 years	90,214,893	69%
Between 1 and 10 years	40,150,000	31%
	130,364,893	

Specific Sub Limits			
Between 3 and 10 years	3,100,000	2%	50%
Between 5 and 10 years	0	0%	25%

Credit Rating	Current Longest Maturity (years)	Policy Max
BBB+	2.87	3.00
BBB	2.87	3.00

a = compliant
r = non-compliant

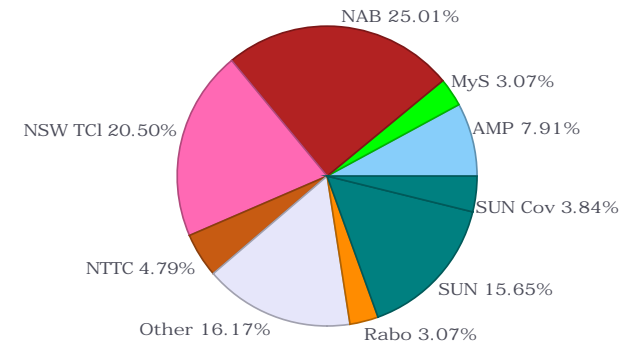
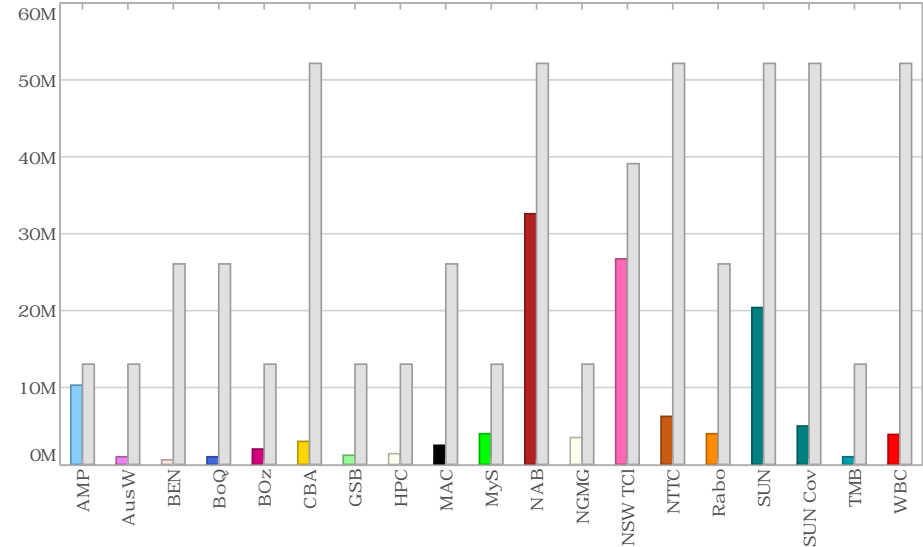
Singleton Council
Individual Institutional Exposures Report - October 2024



Individual Institutional Exposures

Individual Institutional Exposure Charts

	Current Exposures		Policy Limit		Capacity
AMP Bank (BBB+)	10,307,976	8%	13,036,489	10%	2,728,513
Auswide Bank (Baa2)	1,000,000	1%	13,036,489	10%	12,036,489
Bank Australia (BBB+)	2,000,000	2%	13,036,489	10%	11,036,489
Bank of Queensland (A-)	1,000,000	1%	26,072,979	20%	25,072,979
Bendigo and Adelaide Bank (A-)	600,000	0%	26,072,979	20%	25,472,979
Commonwealth Bank of Australia (AA-)	3,000,000	2%	52,145,957	40%	49,145,957
Great Southern Bank (BBB+)	1,200,000	1%	13,036,489	10%	11,836,489
Heritage and People's Choice (BBB+)	1,400,000	1%	13,036,489	10%	11,636,489
Macquarie Bank (A+)	2,484,609	2%	26,072,979	20%	23,588,370
MyState Bank (Baa2)	4,000,000	3%	13,036,489	10%	9,036,489
National Australia Bank (AA-)	32,600,000	25%	52,145,957	40%	19,545,957
Newcastle Greater Mutual Group (BBB+)	3,500,000	3%	13,036,489	10%	9,536,489
NSW T-Corp (TCl)	26,722,307	20%	39,109,468	30%	12,387,161
NT T-Corp (Aa3)	6,250,000	5%	52,145,957	40%	45,895,957
Rabobank Australia (A)	4,000,000	3%	26,072,979	20%	22,072,979
Suncorp Bank (AA-)	20,400,000	16%	52,145,957	40%	31,745,957
Suncorp Bank Covered (AAA)	5,000,000	4%	52,145,957	40%	47,145,957
Teachers Mutual Bank (BBB+)	1,000,000	1%	13,036,489	10%	12,036,489
Westpac Group (AA-)	3,900,000	3%	52,145,957	40%	48,245,957
	130,364,893				



Organisation and Community Capacity Report (Items for Information) - DOCC39/24

**DOCC39/24. Minutes - Audit Risk & Improvement Committee -
16/10/2024**
Author: Executive Assistant - Directors

FILE:
23/00689/005

Executive Summary

The Audit Risk and Improvement Committee held its ordinary meeting on 16 October 2024. The minutes of the meeting are shown as **Attachment 1** for Council's information.

FOR INFORMATION

Attachments

AT-1 [↓](#) MINUTES ARIC 16102024

**MINUTES
AUDIT RISK AND IMPROVEMENT COMMITTEE
2:00PM - 2:30PM WEDNESDAY 16 OCTOBER 2024**



Present	Paul Quealey – Chair Tony Harb – Independent <i>Virtual</i> Meredith Caelli – Independent <i>Virtual</i>
In Attendance	Justin Fitzpatrick-Barr, General Manager – Singleton Council Dwight Graham, Director Corporate & Commercial Services – Singleton Council Mary-Anne Crawford, Acting Director Infrastructure & Planning Services – Singleton Council Melinda Curtis, Executive Manager – Singleton Council Kelly McGowan, Chief Financial Officer – Singleton Council Cr Godfrey Adamthwaite, Councillor – Singleton Council (Observer) Luke Malone – External Auditor <i>Virtual</i> Alex Hardy – External Auditor <i>Virtual</i> Cassie Malone – NSW Audit Office <i>Virtual</i> Kirsten Torrance, Executive Assistant – Singleton Council
Meeting Location	Committee Room & virtual attendance via Microsoft Teams

1 Welcome and Apologies

- Welcome
- Acknowledgement of Country by Chair
- Apologies – Mayor Sue Moore, Vicki Brereton, Deb McDonald
- Cr Godfrey Adamthwaite has been appointed to the ARIC in the capacity of Observer.
- The ARIC Chair congratulated Cr Adamthwaite on his re-election to Council and appointment to this committee.

2 Disclosure of Interests

- Meredith Caelli disclosed that she has been appointed a member of Gilgandra ARIC and Coonamble ARIC.

3 Confirmation of Minutes

- The minutes of the Audit Risk and Improvement Committee meeting held on Wednesday 21 August 2024, were confirmed.

Moved: Meredith Caelli **Seconded:** Tony Harb
CARRIED

4 Matters arising from the Minutes

- Nil

5 Agenda Items

MINUTES
AUDIT RISK AND IMPROVEMENT COMMITTEE
2:00PM - 2:30PM WEDNESDAY 16 OCTOBER 2024



5.1 2023/2024 Annual Financial Statements

The Final 2023/2024 Annual Financial Statements were presented to the committee for endorsement and recommendation to Council.

The Director Corporate and Commercial Services acknowledged the great work of the Finance Team, led by the Chief Financial Officer, to produce quality and on-time statements and thanked all involved.

The Chief Financial Officer highlighted the document outlining changes to the Financial Statements since presented to the ARIC in August 2024. There has been a focus around reviewing and updating contract liabilities, budget variations and Council's unrestricted cash position.

Luke Malone from the External Auditors' team directed the ARIC to the audit snapshot, confirming there are no major issues or areas of concern.

Cassie Malone from the NSW Audit Office advised reports to Parliament on the Local Government Sector appear to be more thematic and insightful, on direction of the new Auditor General. Members of the Audit Office will attend an Auditor General meeting with the Hunter Joint Organisation, which will include Mayor Moore, in December 2024.

ARIC members commented on the increase in Cash and Cash Equivalents. Management confirmed the 2023 statements did not account for the Floating Rate Notes (FRN) maturing under three months. FRNs are classified according to their maturity date and are not necessarily cash in the bank.

ARIC members commented on Grants and Contributions, noting an increase of \$13M from 2023 to 2024. Management advised the difference relates to how Contract Liabilities are recorded on the balance sheet, confirming the larger capital works program in 2023-24 and the drawing down of a portion of contract liabilities were the main reasons.

ARIC members commented on Performance against Budget and Favourable and Unfavourable variances, noting a significant variation between the 2023 and 2024 budget. Management confirmed that Council budgets only for what they know is coming in, noting that a large amount of additional grants were received during the financial year. Two larger grants were identified but there were also a significant number of smaller grants. Council adopts a conservative approach when budgeting for grants.

ARIC members commented on the Infrastructure Backlog Ratio increase. Management confirmed this figure is affected by valuations, noting Council has an extensive renewals program which should yield improvements over the next few years. Management further commented that Council adopts a risk-based approach to asset management with no funds to address the short-fall. The ARIC Chair commented that they had not seen a ratio below two.

ARIC members asked about the level of unspent development contributions, identified by the auditors. Council employed a Development Contributions Officer this year for

**MINUTES
AUDIT RISK AND IMPROVEMENT COMMITTEE
2:00PM - 2:30PM WEDNESDAY 16 OCTOBER 2024**



two years, noting there is a workplan in place to review work schedules and contributions. A new plan will be presented to Council by 1 July 2025.

ARIC members commented that the statements are reflective of concerted effort by Council and congratulated them on a positive outcome.

Recommendation:

That the Audit Risk & Improvement Committee endorse the 2023/2024 Annual Financial Statements and recommend them to Council.

Moved: Tony Harb **Seconded:** Meredith Caelli

CARRIED

6 Other Business

Nil

7 Action List

Nil

8 Next Meeting

- Wednesday 20 November 2024, 2:00pm – 4:00pm

The meeting closed at 2:27pm.

Paul Quealey (Chair)

Chair

**QG7/24. Questions of Which Notice Has Been Given - 15
October 2024**
Author: Governance Lead

FILE: 21/00172

Detail

1. Cr Jenkins – Review of Water Meter Repair Procedure

FOR COUNCIL'S INFORMATION

1. Cr Jenkins – Review of Water Meter Repair Procedure

Could there please be a review of the procedure for the water meter repairs. Water was turned off at [REDACTED] this morning without any notice to the resident advising that the water was being turned off or for the duration on the disruption. We were home and had no clue until I went to use the coffee machine

Answer

Singleton Council endeavours to replace water meters on a regular basis and prioritises water meters that are over 10 years old. Water meter replacements are only undertaken when staff resourcing allows and as such are not programmed in advance.

The process for water meter replacements involves the Council Staff member arriving at the customers residence and knocking on the door to inform them of the water meter replacement if anyone is home, noting that Council staff will also continue with the water meter replacement if nobody is home or answers the door.

Water Meter Replacement is covered in Councils Water and Sewer Customer Service Plan (Section 20.8). The procedure is also included in the FAQ Section of the Water Meter Replacement Program on Councils website:

Water meters will be replaced based on age and not at the request of the customer. This means Council may not replace the whole street or suburb at the same time.

Council's water and sewer network crew will knock on the door prior to replacing the water meter. If no one is home, an information card will be left to inform the customer that the water meter has been replaced. Keeping in mind that water meter replacements have a very limited impact on customers, with outages usually less than 30 minutes.

Attachments

There are no attachments for this report.

**QG8/24. Questions of Which Notice Has Been Given - 22
October 2024**
Author: Governance Lead

FILE: 21/00172

Detail

1. Cr Daniel Thompson – Progress Update – Hunter Transition Authority

FOR COUNCIL'S INFORMATION

1. Cr Daniel Thompson – Progress Update – Hunter Transition Authority

Could council be given a report on what progress has occurred in regards the Hunter Transition Authority, in particular what engagement has occurred for our residents?

Answer

Council staff met with representatives from the Department of Primary Industries and Regional Development on Wednesday 30 October to discuss the status of the Future Jobs and Investment Authorities. The following summarises the current status:

- The NSW Government is committed to supporting communities reliant on the coal industry to secure their long-term economic future as the global demand for coal declines over time.
- The Government will establish Future Jobs and Investment Authorities made up of local representatives in coal-reliant regions (Hunter, Illawarra, Central West and North West) to advise the Government on regional priorities and investment opportunities.
- Consultation on the NSW Government's Issues Paper outlining the proposed model for the Future Jobs and Investment Authorities closed on 12 July 2024.
- The NSW Government is considering feedback from the public consultation to inform the final model for the Authorities.
- Council made a technical submission to the Issues Paper on 12 July 2024.

Attachments

There are no attachments for this report