

MINUTES OF MEETING OF SINGLETON COUNCIL HELD IN THE COUNCIL CHAMBERS QUEEN STREET SINGLETON ON TUESDAY 20 FEBRUARY 2024, COMMENCING AT 5.30PM.

PRESENT:

Crs S Moore (Mayor and Chairperson), G Adamthwaite, S George, T Jarrett, H Jenkins, S Johnstone, M McLachlan, T McNamara, and D Thompson.

APOLOGIES

V Scott

RECOMMENDATION: that the apologies from for non-attendance at the meeting be accepted.

IN ATTENDANCE

Jason Linnane, General Manager; Vicki Brereton, Director Organisation & Community Capacity; Dwight Graham, Director Corporate & Commercial Services; Justin Fitzpatrick-Barr, Director Infrastructure and Planning; Melinda Curtis, Executive Manager and Rebecca Bailey, Governance Lead. There were representatives of the media and members of the public present in the gallery.

CONFIRMATION OF MINUTES

1/24 **MOVED** Cr McLachlan **SECONDED** Cr Thompson that the minutes of Meeting of Singleton Council held on Tuesday 12 December 2023, be confirmed.

CARRIED

DISCLOSURES AND DECLARATIONS OF INTEREST

Clr McNamara declared a Non-significant non-pecuniary interest regarding DI&P1/24 & DCC32/24 – Hunter Valley Operations as he has a commercial agreement with Glencore.

Clr Jenkins declared a Non-significant non-pecuniary interest regarding DI&P1/24 & DCC32/24 – Hunter Valley Operations as her son is a Glencore employee.

WITHDRAWAL OF ITEMS AND LATE ITEMS OF BUSINESS

Nil.

Mayoral Minutes

MM1/24 Cost Shifting onto Local Government**FILE:24/00008**

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarming, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

With councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Our communities deserve better and this must stop. Prior to the most recent state election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

2/24 **MOVED** Cr Moore **SECONDED** Cr Adamthwaite that:

1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year.
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it.
3. Council write to the Premier, the NSW Treasurer, the NSW Minister for Local Government and the Member for Upper Hunter seeking that they urgently seek to

address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

CARRIED

Presentations

PR1/24 Presentation - A R Bluett Award

FILE:23/00008

The three honorary Trustees of the A R Bluett Award, Les McMahon (Chairman), Genia McCaffery and Paul Braybrooks OAM presented the award.

MOVED Cr D Thompson SECONDED Cr S George that:

**DI&P5/24 Minutes - Floodplain Risk Management Committee -
13/11/2023**

FILE:21/00268

The Floodplain Risk Management Committee held its ordinary meeting on 13 November 2023. The minutes of the meeting were circulated under separate cover for Council's consideration, along with a recommendation for Council to consider adopting the Singleton Floodplain Risk Management Study and Plan 2023 (SFRMS&P).

3/24 **MOVED** Cr Adamthwaite **SECONDED** Cr Jarrett that Council:

1. Notes the Minutes of the Floodplain Risk Management Committee; and
2. Defer the adoption of the Singleton Floodplain Risk Management Study and Plan 2023 pending consideration of points raised in Public Forum; and
3. The matter be brought back to Council for consideration following a Council Briefing.

Upon being put to the meeting, the motion was declared carried.

For the Motion were Crs S Moore, G Adamthwaite, T McNamara, D Thompson, H Jenkins, S George, T Jarrett, M McLachlan and S Johnstone Total (9).

Against the Motion was Nil Total (0).

CARRIED

General Manager's Report (Items Requiring Decision)

**GM2/24 Request for Leave of Absence - Cr Scott - 26/03/2024
to 10/04/2024**

FILE:21/00157

A report was provided to advise Councillor Val Scott has requested leave for the period from 26 March 2024 to 10 April 2024 inclusive. The reason for the leave is for a holiday.

4/24 **MOVED** Cr Jenkins **SECONDED** Cr McLachlan that Council approve leave of absence for Councillor Val Scott for the period 26 March 2024 to 10 April 2024 inclusive.

CARRIED**GM3/24 Annual Conference Attendance by Councillors FILE:21/00158/001**

A report was provided to for Council to consider annual conference attendance by Councillors in accordance with the Councillors Expenses & Facilities Policy.

5/24 **MOVED** Cr McLachlan **SECONDED** Cr Thompson that:

1. Council appoint Councillor delegates to attend each of the following conferences being held in 2024:
 - a. Local Government NSW (LGNSW) Annual Conference – The Mayor and two other Councillors, who will also be Council's three nominated voting delegates.
 - b. Australian Local Government Association (ALGA) National General Assembly of Local Government – the Mayor and Deputy Mayor, with the Mayor also being Council's voting delegate.
 - c. Australian Local Government Women's Association (ALGWA) NSW Conference – Cr Jenkins.
 - d. Local Government NSW (LGNSW) Destination and Visitor Economy Conference – The Mayor.
 - e. Local Government NSW (LGNSW) Water Management Conference – Cr George.
 - f. Local Government Aboriginal Network Conference or AbSec Biennial Conference – Cr Johnstone.
 - g. Australian Local Government Association (ALGA) National Local Roads and Transport Conference – The Mayor.
 - h. Waste Conference – Cr Jenkins
 - i. Cities Power Partnership – Climate Summit for Local Government 2024 – Cr Thompson
 - j. National Sports Convention – Cr McLachlan.
2. Council reimburse expenses in accordance with POL/1008.15 Councillors Expenses & Facilities Policy.
3. Councillor delegates provide a written report for the information of Council within three months of conference attendance.

CARRIED

Corporate and Commercial Services Report (Items Requiring Decision)

DCCS1/24 September and December 2023 Quarterly Budget Review Statement**FILE:23/00425**

The September and December 2023 Quarterly Budget Review Statement (QBRs) were presented Council. Following these reviews, Council's Net Operating Result before capital items for the year is a projected surplus of \$0.104 million compared to Council's original budget of a \$1.271 million deficit and capital expenditure is projected

to be \$47.261 million compared to the original budget of \$32.486 million.

The most significant turnaround in net operating result from the September quarter has been the increase in grant funding for operating purposes. There is a large portion of new grant funded projects that will be spent next financial year although the income is brought to account this financial year as required by the Australian Accounting Standards.

- 6/24 **MOVED** Cr McLachlan **SECONDED** Cr Thompson that Council adopts the recommended budgetary changes presented in the September 2023 and December 2023 columns of the December 2023 Quarterly Budget Review Statement except for the deferment of capital expenditure relating to the Pioneer Road Mountain Bike Track, which will continue to form part of the Open Space and Reserves Capital Program 2023-24, as originally scheduled.

CARRIED

DCCS2/24 Proposed Road Closure

FILE:23/00459

A report was provided to advising Council that a report has been prepared for Councils consideration in Closed Council as 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)

- 7/24 **MOVED** Cr McLachlan **SECONDED** Cr George that the report for the proposed road closure be considered in closed council with the press and public excluded in accordance with Section 10A (2) (c) 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.

CARRIED

DCCS3/24 Commercial Property and Landholdings Policy

FILE:20/00126/001

A report was provided to consider the updated version of the Commercial Property and Landholdings Policy (POL/30006.2).

- 8/24 **MOVED** Cr Adamthwaite **SECONDED** Cr George that Council:

1. Adopt Draft POL/30006.2 Commercial Property and Landholding Policy.
2. Rescind POL/30006.1 Commercial Property and Landholding Policy.

CARRIED

Organisation and Community Capacity Report (Items Requiring Decision)

DOCC1/24 Singleton Community Economic Development Fund -**Approval of Round Three Applications****FILE:21/00285/007**

The purpose of this report was to seek Council's approval of Round Three funding applications recommended by the Singleton Community and Economic Development Fund – Joint Management Board (CEDF-JMB).

9/24 **MOVED** Cr Adamthwaite **SECONDED** Cr George that Council:

1. Approve the allocation of \$462,521 for the following applications submitted under Round Three of the Singleton Community and Economic Development Fund.

Organisation	Amount \$
Singleton Scouts	26,925
Singleton Museum	16,000
Broke Residents Association	80,000
Lions Club	18,596
Singleton Mountain Bike Club	156,000
Around Hermitage	45,000
Business Singleton	120,000

2. Approve a further allocation of \$120,000 in 2024/2025 and 2025/2026 subject to Business Singleton demonstrating successful economic outcomes of funding provided for year one (pilot program).

CARRIED**DOCC2/24 General Manager's Performance Appraisal****FILE:HR/002366**

A report was provided to advise Council that a report has been prepared for Councils consideration in Closed Council as the matter involved personnel matters concerning a particular individual.

- 10/24 **MOVED** Cr George **SECONDED** Cr Thompson that the General Manager's Performance Appraisal be considered in Closed Council, with the press and public excluded, as provided for under Section 10A (2) of the *Local Government Act, 1993*, on the grounds that the matter will involve the discussion of personnel matters concerning a particular individual.

CARRIED*Infrastructure & Planning Report (Items Requiring Decision)***DI&P1/24 Hunter Valley Operations Continuation Project -
Voluntary Planning Agreement****FILE:M7-7**

A report was provided to advise Council that a report has been prepared for Councils consideration in Closed Council as 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.

- 11/24 **MOVED** Cr McLachlan **SECONDED** Cr Johnstone that the report on Hunter Valley Operations Continuation Project – Voluntary Planning Agreement be considered in Closed Council with the press and public excluded in accordance with Section 10A(2)(c) 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 council is conducting (or proposing to conduct) business.

CARRIED

DI&P2/24 After Hours Support Services - Animal Management Facility

FILE:24/00142

The purpose of this report was to provide an interim management response to Council resolution NM1/23, being:

1. That Council management investigates and develops a plan that would facilitate the acceptance of stray animals into the Animal Management Facility after hours, on weekends and holiday periods.
2. That Council management put together a table of costs for resourcing the service as a recurring spend from general funds keeping within budgetary constraints.
3. That a report be brought to the February 2024 council meeting for determination.

- 12/24 **MOVED** Cr Adamthwaite **SECONDED** Cr McLachlan that Council defers consideration of this matter pending a briefing of Councillors on 12 March 2024 and a more detailed report at the Council Meeting on 19 March 2024.

CARRIED

DI&P3/24 Adoption of the Draft Cemetery Management Policy and draft Cemetery Operational Plan

FILE:23/00268/005

The purpose of this report was to consider adopting the draft Cemetery Management Policy and draft Cemetery Operational Plan

- 13/24 **MOVED** Cr Jenkins **SECONDED** Cr Thompson that Council adopt the Draft POL/25045.1 Cemetery Management Policy and the Draft Cemetery Operational Plan.

CARRIED

DI&P4/24 Final Water and Sewer Technical Specifications **FILE:18/00316-07**

The purpose of this report was to consider adopting the final revised Technical Specifications – Water Infrastructure (2023) and final revised Technical Specifications – Sewer Infrastructure (2023), following public exhibition. The specifications provide standards required of developers and Council when providing new, upgraded and renewed water and sewer infrastructure in Council's water and sewer networks.

14/24 **MOVED** Cr Thompson **SECONDED** Cr Adamthwaite that Council:

1. Adopt the Technical Specifications – Water Infrastructure (2023) and Technical Specifications – Sewer Infrastructure (2023).
2. Rescind Technical Specifications – Water Infrastructure (2020) and Technical Specifications – Sewer Infrastructure (2020).

CARRIED

DI&P5/24 Minutes - Floodplain Risk Management Committee - 13/11/2023

FILE:21/00268

This item was considered earlier in the meeting.

DI&P6/24 Minutes - Extraordinary Roads Advisory Committee - 08/02/2024

FILE:20/00034

The Roads Advisory Committee held its extraordinary meeting on 8 February 2024. The minutes of the meeting were circulated with this report Council's consideration.

15/24 **MOVED** Cr Adamthwaite **SECONDED** Cr Jarrett that Council:

1. Notes the minutes of the Extraordinary Roads Advisory Committee meeting held on 8 February 2024.
2. Acknowledges and adopts the following recommendations of the Roads Advisory Committee:

Item 3.1 Proposed Road Closure

1. Consider the Confidential Report regarding the proposed road closure and endorse the report going to Council for consideration.
2. Acknowledge the hard work that has gone into the proposed road closure by Council staff and thank all staff involved for their efforts.

CARRIED

DI&P7/24 Minutes - Roads Advisory Committee - 04/12/2023

FILE:20/00034

The Roads Advisory Committee held its ordinary meeting on 4 December 2023. The minutes of the meeting were circulated with this report for Council's consideration.

16/24 **MOVED** Cr Adamthwaite **SECONDED** Cr George that Council:

1. Notes the minutes of the Roads Advisory Committee meeting held on 4 December 2023.

2. Adopts the following recommendation of the Roads Advisory Committee:

5.1 106 Sunnyside Lane - Access Road

- Notes the Crown Land Transfer of Sunnyside Lane unnamed access road to 106 Sunnyside Lane;
- Classifies the unnamed access road to 106 Sunnyside Lane as a Low Maintenance road;
- Adds the section of road to the Low Maintained Roads Priority Assessment Tool in order to determine the upgrade and maintenance regime prioritisation; and
- Advises the residents utilising the unnamed access road to obtain a s138 approval to undertake any future improvement works associated with an all-weather access to their properties.

CARRIED

**DI&P8/24 Minutes - Sustainability Advisory Committee -
07/12/2023**

FILE:19/00046/003

The Sustainability Advisory Committee held its ordinary meeting on 7 December 2023. The minutes of the meeting were circulated with the report for Council's consideration.

17/24 **MOVED** Cr George **SECONDED** Cr Johnstone that Council:

1. Notes the minutes of the Sustainability Advisory Committee meeting held on 7 December 2023.
2. Adopts the following recommendation of the Sustainability Advisory Committee:

5.4 Electric Vehicle Charging Strategy

That the Singleton Sustainability Advisory Committee, through Council officers, works with the community to co-design an Electric Vehicle (EV) Charging Strategy.

CARRIED

**DI&P9/24 Minutes - Singleton Heritage Advisory Committee -
17/11/2023**

FILE:20/00035

The Singleton Heritage Advisory Committee (SHAC) held its ordinary meeting on 17 November 2023. The minutes of the meeting were circulated with the report for Council's consideration.

18/24 **MOVED** Cr Jenkins **SECONDED** Cr Johnstone that Council:

1. Notes the minutes of the Singleton Heritage Advisory Committee (SHAC) meeting held on 17 November 2023.
2. Notes that the SHAC resolved at it's meeting on 16 February 2024 to amend Item 5.3 of the Minutes from the meeting on 17 November 2023 to read the following:

Item 5.3 – Mount Thorley Warkworth Historic Heritage Conservation Fund – Grant Application Request – 32 Bathurst Street, Singleton
Amended Recommendation - Defer consideration of this matter pending further information being provided to the SHAC in relation to the use of funds being requested by the applicant.

3. Adopts the following recommendations of the SHAC:
 - a. That Council draws down on the Mount Thorley Warkworth Historic Heritage Conservation Fund to support the following applications for Major Works (being repairs and maintenance) for: 41 – 43 George Street, Singleton in the amount of \$30,000.00.
 - b. That Council draws on the Mount Thorley Warkworth Historic Heritage Conservation Fund to support the following applications for Emergency Works and Major Works (being repairs to façade and painting) for 96 George Street, Singleton, in the amount of \$6,600.
 - c. That Council draws on the Mount Thorley Warkworth Historic Heritage Conservation Fund to support the following application for Emergency Works and Major Works (being repairs) for 245 – 255 John Street, Singleton, in the amount of \$20,535.40.

CARRIED

General Manager's Report (Items for Information)

GM4/24 Minutes - Upper Hunter County Council - 30/11/2023 FILE:24/00008

The Upper Hunter County Council held its meeting on Thursday, 30 November 2023. The Minutes for the meeting were circulated with the report for Council's information.

NOTED

**GM5/24 Conference Reports - Local Government NSW 2023 -
Councillors Moore and Jarrett FILE:24/00008**

Crs Moore and Jarrett attended the Local Government NSW, Conference in Sydney from 12 to 14 November, 2023. A copy of their reports on the event were circulated with the report for Council's information.

NOTED

GM6/24 Minutes - Australia Day Committee - 13/12/2023 FILE:18/00182/01-06

The Australia Day Committee held their ordinary meeting on 13 December 2023. The minutes of the meeting were circulated with the report for Council's information.

NOTED**GM7/24 Minutes - Arts Upper Hunter - 03/06/2023 and 04/09/2023 FILE:17/00618**

Arts Upper Hunter held their ordinary meetings on 3 June 2023 and 4 September 2023. The minutes were circulated with the report for Council's information.

NOTED*Corporate and Commercial Services Report (Items for Information)***DCCS4/24 Minutes - Property Advisory Panel - 12/12/2023 FILE:20/00126/002**

The Property Advisory Panel held its ordinary meeting on 12 December 2023. The minutes were circulated with the report for Council's information.

NOTED**DCCS5/24 Investment Report - December 2023 FILE:23/00420**

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 December 2023.

NOTED**DCCS6/24 Investment Report - January 2024 FILE:23/00420**

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 January 2024.

NOTED*Organisation and Community Capacity Report (Items for Information)***DOCC3/24 Minutes - Singleton and District Disability Advisory Committee - 05/12/2023 FILE:23/00037**

The Singleton and District Disability Advisory Committee held its ordinary meeting on 5

December 2023. The minutes were circulated with the report for Council's information.

NOTED

**DOCC4/24 Minutes - Singleton Community and Economic
Development Fund Joint Management Board Meeting -
07/12/2023**

FILE:21/00285/007

The Singleton Community and Economic Development Fund Joint Management Board Meeting held its ordinary meeting on 7 December 2023. The minutes were circulated with the report for Council's information.

NOTED*Questions Given*

**QG1/24 Questions of Which Notice Has Been Given
Detail**

FILE:24/00008

Responses were provided following Councillor questions from the 12 December 2023 Council Meeting:

1. Cr Hollee Jenkins – P Plate rider self testing course
2. Cr Hollee Jenkins – Review reinstatement of interim Occupation Certificate
3. Cr Daniel Thompson – Roadside clean up
4. Cr Sue Moore – Investigation of Rave Parties – Putty Valley
5. Cr Tony McNamara – Wollombi Road Speed Reduction

NOTED

**MOVED Cr M McLachlan SECONDED Cr D Thompson that:
RECOMMENDATION:** that Council **MOVE** to Closed Council (Confidential Section of Ordinary Meeting – Closed to the Public) at **6.41PM**.

OPEN COUNCIL RESUMED AT 6.49PM.

Closed Council

CC1/24 Proposed Road Closure

FILE:23/00459

It was **RECOMMENDED** that Council:

1. Subject to determination of the Hunter Valley Operation Continuation Project by the

Independent Planning Commission, accepts, in principle, the offer by Glencore to purchase Lemington & Old Lemington Roads.

2. Notes Glencore will build a replacement road, which will realign Lemington Road, providing access between the New England Highway and the Golden Highway, and that the new road will be created at the end of Comleroi Road and adjoin Lemington Road.
3. Subject to determination of the development by the Independent Planning Commission, authorise the General Manager to begin the public exhibition as per s38 *Roads Act, 1993* noting a further report will be brought back to Council to consider all submissions prior to determining if the road is to be closed.

CC2/24 General Manager's Performance Appraisal FILE:HR/002366

It was **RECOMMENDED** that Council approve the 3% increase in the General Manager's Total Remuneration Package, as awarded on 12 December 2023, for the duration of the General Managers Current Contract of Employment, in accordance with Clause 8.4, a) *"Each year, the Council may approve an increase in the remuneration for the employee where the performance of the employee following the annual performance review is better than satisfactory. Such an increase will apply for a twelve-month period only unless the council otherwise determines that such a pay rise is to apply for the duration of the contract."*

**CC3/24 Hunter Valley Operations Continuation Project -
Voluntary Planning Agreement**

FILE:M7-7

It was **RECOMMENDED** that Council:

1. Council accepts, in principle, the offer by the Applicant to enter into a Voluntary Planning Agreement with an amount of \$6.56 million to be directed to the Singleton Community and Economic Development Fund.
2. The General Manager or his delegate be authorised to negotiate and finalise the Planning Agreement and Explanatory Note.
3. Following determination in favour of the development by the Independent Planning Commission, submit a further report to Council to endorse the exhibition of the Planning Agreement and Explanatory Note.

19/24 **MOVED** Cr Adamthwaite **SECONDED** Cr Jarrett that the recommendations of Closed Council be adopted.

CARRIED

The meeting closed at 6.52PM and the minutes pages 1 to 15 were confirmed on 19 March 2024 and are a full and accurate record of proceedings of the meeting held on 20 February 2024.

.....
Mayor/Chairperson

.....
General Manager

**PUBLIC FORUM LIST
COUNCIL MEETING – 20/02/2024
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DI&P5/24

Minutes – Floodplain Risk Management Committee – 13/11/2023

130-135

Speakers

Speakers Against the recommendation	
Belinda Charlton	Against

Speakers For the recommendation	

Speakers Generally on the recommendation	
Jan Fallding	To read a letter on behalf of John Gould
Jan Fallding	To read a letter on behalf of Martin Fallding
Jan Fallding	Self