

**MINUTES OF MEETING OF SINGLETON COUNCIL HELD IN THE COUNCIL CHAMBERS QUEEN STREET SINGLETON ON TUESDAY 16 APRIL 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, V Scott and D Thompson.

**APOLOGIES**

Nil

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

**IN ATTENDANCE**

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

**CONFIRMATION OF MINUTES**

42/24 **MOVED** Cr Adamthwaite **SECONDED** Cr McLachlan that the minutes of Meeting of Singleton Council held on Tuesday 26 March 2024, be confirmed.

**CARRIED**

**DISCLOSURES AND DECLARATIONS OF INTEREST**

Mayor Sue Moore declared a Pecuniary Interest regarding DI&P24/24 – Minutes Singleton Roads Advisory Committee 7/3/2024 as one capital works item involves land acquisition.

Clr Jenkins declared a non-significant non-pecuniary interest regarding DI&P 20/24 – HVO Continuation Project.

**WITHDRAWAL OF ITEMS AND LATE ITEMS OF BUSINESS**

WITHDRAWN

DCCS10/24 T2023.024 - Brunners Bridge

LATE

MM2/24 Proposed Motions - 2024 Australian Local Government Association Conference  
DCCS13/24 2022/2023 Audited Financial Reports  
DCCS14/24 Potential Sale of Council Land - Mt Thorley Industrial Estate

*Mayoral Minutes*

**MM2/24 Proposed Motions - 2024 Australian Local Government Association Conference**

**FILE:21/00177**

The purpose of this report was to consider the motions Council wishes to submit to the 2024 Australian Local Government Conference which will be held from 2 – 4 July, 2024.

43/24 **MOVED** Cr Moore **SECONDED** Cr Thompson that Council endorses the following motions for submission to the 2024 Australian Local Government Conference:

That the National General Assembly of Local Government (NGA) calls on the Australian Government to:

1. Intergovernmental Relations

Lead the delivery of place-based, whole-of-government policy and planning to drive the evolution of mining-affected regions toward net zero economies. This should include:

1. A clear vision and plan for each region's economic evolution
2. A coordinating entity with the necessary authority to influence the focus and coordination of cross government and agency delivery efforts
3. Sufficient resources to deliver on the objectives established, including:
  - Supporting communities adversely impacted by the move to a net zero economy
  - Exploring city/regional deals as a mechanism for delivery
4. Support for and investment in circular economy solutions
5. Clear and certain planning pathways for the adaptive reuse of mining and industrial lands to deliver new, high-value jobs
6. A commitment to local government representation in place-based decision making that affects local and regional communities.

2. Financial Sustainability

Lead collaboration with State and Local Government to review, simplify and streamline the delivery and governance of grant funding to local government, focussing on:

1. Consolidating currently disparate funding programs delivered across various Commonwealth and State Government agencies towards a "block funding" approach to providing grant funding to local government, delivered over timeframes that align with local government planning cycles.
2. Identifying broader options than requiring direct co-contributions from

Council to access grant funding. This aims to remove the inherent disadvantage currently experienced in accessing grant funds by local Councils who do not have the financial or resource capacity to offer co-contributions, yet to whom the dependence on grant funds to deliver delivery of community services and infrastructure remains vital.

3. Reducing the administrative burden on Local Government through more consistency in the governance frameworks, systems and documentation required across various funding programs and governing agencies.

### 3. Roads and Infrastructure

Lead systems reform across all three levels of government to improve the planning, administration and delivery of road funding, with a focus on ensuring greater equity, certainty and sustainability in funding across regional and metropolitan communities.

### 4. Housing and Homelessness

Support the urgent delivery of new housing and improve housing affordability and access by:

1. Investing in the transport and community infrastructure required to unlock development-ready land
2. Leading collaboration across Australian, State and Local Government to develop a collaborate framework for biodiversity planning that will enhance conservation outcomes and provide greater planning and investment certainty for local and regional communities around the availability of land for housing.
3. Investing in additional public housing and incentivising affordable housing schemes.
4. Repurposing existing government facilities such as underutilised health facilities, or other government buildings that could be repurposed for short term housing.

**CARRIED**

#### *Notices Of Motion*

#### **NM1/24 Notice of Motion - Investigate Homeless Support FILE:21/00177**

Councillor McLachlan has given notice of her intention to move the following motion:

*Research and determine the costs, staff resourcing, property availability (including the 2 houses adjoining the waste management facility) and steps required to establish a lease agreement with Upper Hunter Homeless Support (UHHS) similar to the arrangement with Muswellbrook and Upper Hunter Council for the provision of 1 or 2 properties in the Singleton Local Government Area for short term domestic violence and homeless support.*

A copy of the Notice of Motion request form which included information provided by Councillor McLachlan and a response from the General Manager was circulated as part of this report

44/24 **MOVED** Cr McLachlan **SECONDED** Cr Thompson

1. That Council research and determine the costs, staff resourcing, property availability (including the 2 houses adjoining the waste management facility) and steps required to establish a lease agreement with Upper Hunter Homeless Support (UHHS) similar to the arrangement with Muswellbrook and Upper Hunter Council for the provision of 1 or 2 properties in the Singleton Local Government Area for short term domestic violence and homeless support.

**CARRIED**

*General Manager's Report (Items Requiring Decision)*

**GM16/24 Exhibition of the Draft Community Engagement Strategy, including Community Participation Plan FILE:23/00559**

The purpose of this report was to seek Council's approval to place the draft Create Singleton Community Engagement Strategy on public exhibition.

Following changes to the Integrated Planning and Reporting (IP&R) Framework in September 2021, Council is required to ensure that its Community Engagement Strategy relates to the development of all plans, policies, programs and activities, and not just the Community Strategic Plan.

This draft Create Singleton Community Engagement Strategy has been developed to fulfil the new requirements specified in the updated IP&R Framework and now incorporates a revised Community Participation Plan (CPP).

45/24 **MOVED** Cr Thompson **SECONDED** Cr George that Council

1. Place the draft Create Singleton Community Engagement Strategy on public exhibition for a period of 28 days and provide public notice of its intention to adopt the draft strategy subject to consideration of submissions received.
2. Adopt the draft Create Singleton Community Engagement Strategy following the public exhibition period subject to submissions received and provided there are no alterations to the draft document because of objections or feedback.
3. Should objections or feedback be received, a further report be presented to Council for the adoption of the draft Create Singleton Community Engagement Strategy with consideration of the submissions received during the public exhibition period.

**CARRIED**

**GM17/24 Minutes - Mount Thorley Warkworth Voluntary Planning Agreement Community Committee - 22/02/2024 FILE:24/00031/001-01**

The Mount Thorley Warkworth Voluntary Planning Agreement (MTW VPA) Community Committee held its ordinary meeting on 22 February. The minutes of the meeting were

circulated as part of this report for Council's consideration.

From the minutes, a recommendation for a new project proposal has been submitted by the MTW VPA Community Committee.

46/24 **MOVED** Cr Scott **SECONDED** Cr McLachlan

### **Background**

Application 1 was submitted in September 2023, using the new MTW VPA project submissions process to which the committee voted the project as;

*Recommended – with changes.*

These changes were requests for further clarification on latest refurbishments, duplications and additional governance. The applicant provided further documentation and offered a site visit to the committee members to enhance their understanding of the proposed works.

The MTW VPA committee re-voted on application 1 during their 22 February meeting and concluded;

*Recommended – yes.*

This is pending the relevant approvals:

1. Legalities with the public area around the septic tank and transpiration zone – Applicant to enquire into the septic requirements and report back to Council VPA Staff.
2. Development Application (DA) – Applicant to enquiry whether a DA is required to undertake proposed works and report back to Council VPA Staff.

A Project Summary sheet is attached for Councils information and is part of the new MTW VPA project submissions process. This document provides a summary of the project description, costs, community need and stakeholder consultation requirements and assists with informing the decision on the requested recommendation.

**RECOMMENDED** that Council approve application 1, Bulga Community Centre Improvements as a new project at a value of \$115,016.00 subject to the appropriate approvals incorporated into the funding agreements.

**CARRIED**

### *Corporate and Commercial Services Report (Items Requiring Decision)*

#### **DCCS13/24 2022/2023 Audited Financial Reports**

**FILE:22/00288**

The purpose of this report was to seek Council approval to adopt Council's audited 2022/2023 Annual Financial Statements.

47/24 **MOVED** Cr Adamthwaite **SECONDED** Cr George that Council:

1. Adopt the 2022/2023 Annual Financial Statements and Auditor's Reports for the financial year ended 30 June 2023.
2. Approve the Mayor and Deputy Mayor to sign the Statement by Councillors and Management.
3. Endorse the lodgement of the audited Annual Financial Statements with the Office of Local Government.

**CARRIED****DCCS10/24 T2023.024 - Brunners Bridge****FILE:T2023.024**

This item was withdrawn from the agenda.

**DCCS14/24 Potential Sale of Council Land - Mt Thorley  
Industrial Estate****FILE:24/00201**

The purpose of this report was to advise Council that a report has been prepared for Council's consideration in Closed Council as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

- 48/24 **MOVED** Cr George **SECONDED** Cr Adamthwaite that the report on the Potential Sale of Council Land 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***Organisation and Community Capacity Report (Items Requiring Decision)***DOCC9/24 Broke Bicentennial Financial Support****FILE:22/00403**

The purpose of this report was to seek Councils approval for financial support towards the cost of Broke Bicentenary celebrations in 2024.

- 49/24 **MOVED** Cr McNamara **SECONDED** Cr Jenkins that Council approve a financial allocation of \$5,000 for Broke Bicentenary celebrations.

**CARRIED***Infrastructure & Planning Report (Items Requiring Decision)***DI&P18/24 Water and Sewer Development Servicing Plans** **FILE:21/00079/003**

The purpose of this report was for Council to consider adoption of the draft Water and Sewer Development Servicing Plans (Water and Sewer DSPs), which were circulated as part of this report for Council's consideration.

The draft Water and Sewer DSP's provide a fair and transparent basis for assessment of charges levied to developers for the cost of water and sewer assets to support demand growth across the Local Government Area (LGA). These DSPs have been prepared based on the Department of Planning and Environment's (DPE) *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater* (the Guidelines).

The draft Water and Sewer DSPs were considered by Council at its meeting in June 2023, where it was resolved to place the documents on public exhibition. The exhibition period closed on 26 February 2024 and no comments were received.

Council's current DSP's are documented within Council Policy (POL/ 26015.1) - Water and Sewer Section 64 Developer Charges for Singleton Local Government Area. This document includes five (5) service areas for water, each with separate developer charges, along with two (2) service areas for sewer and associated charges.

Council's draft Operational Plan 2024/25 includes developer charges that are based on a CPI adjustment of the existing developer charges. The current developer charges prescribed in 2024/25 dollars (as included in the Draft Operational Plan 2024/25) range from \$3,930 to \$14,570 for water and \$4,400 to \$10,345 for sewer.

The developer charges proposed in the draft Water and Sewer DSPs are \$7,850 for water and \$2,890 for sewer. This represents a 7% increase for new water customers in the Singleton, Singleton Heights, Huntview areas and a 34% decrease for new sewer customers in the same areas, with an approximate resultant 8.5% decrease in total water and sewer developer charges for new developments in these areas.

If Council elects to endorse the draft Water and Sewer DSP's, the charges outlined above will be adjusted prior to Council's consideration of the draft Operational Plan 2024/25.

50/24 **MOVED** Cr Thompson **SECONDED** Cr George that:

1. Council adopts the draft Development Servicing Plan for Water Supply (2023) and draft Development Servicing Plan for Sewerage (2023).
2. Council updates the relevant charges included in the draft Operational Plan 2024/25, replacing the five (5) water DSP areas, and associated developer charges, and two (2) sewer DSP areas, and associated developer charges, with a single developer charge for water and sewer as proposed in the Development Servicing Plan for Water Supply (2023) and Development Servicing Plan for Sewerage (2023) respectively; and
3. Council rescinds the current Water and Sewer Section 64 Developer Charges for Singleton Local Government Area (POL - 26015.1); and
4. Council registers the Development Servicing Plan for Water Supply (2023) and Development Servicing Plan for Sewerage (2023) with the Department of Climate Change, Energy, the Environment and Water.

**CARRIED****DI&P19/24 Bulga Coal Pty Ltd Voluntary Planning Agreement -  
Request for Community Contributions Funding****FILE:M3-6**

The purpose of this report was to seek Council approval for the distribution of Community Contributions as required under Clause 6 of the Deed of Variation to the Voluntary Planning Agreement (VPA) between Bulga Coal Pty Ltd and Council, relating to the Bulga Coal Optimisation Project State Significant Development (SSD-4960).

Given the Community Contributions under Clause 6 are not tied to any Council funds, the report also seeks approval for \$23,652 of Community Contributions funds that are remaining under the VPA to be distributed in accordance with the public purposes listed within Schedule 1 of the VPA, without the need to seek further approval from Council. This amount will be indexed using the Consumer Price Index (CPI) at the time of payment.

51/24 **MOVED** Cr Thompson **SECONDED** Cr McLachlan that:

1. Council endorses Bulga Coal Pty Ltd to proceed with payment of the following funds through the Voluntary Planning Agreement relating to the Bulga Coal Optimisation Project State Significant Development (SSD-4960):
  - \$15,000 to the Broke Residents Association for the Back to Broke Bicentennial celebration;
  - \$5,000 to the Bulga Milbrodale Progress Association for the Bulga Bicentennial celebration;
  - \$3,000 to the Hunter Valley Off Road Racing Association for the Milbrodale Mountain Classic, and
  - \$8,520 to the Broke Fordwich Wine and Tourism Association for the 'A Little Bit of Broke' event
2. Council acknowledges the impact of the Covid 19 Pandemic on the disbursement of Community Contributions under Clause 6 of the Bulga Coal Voluntary Planning Agreement; and
3. Council authorises the approval of the remaining \$23,652 of Community Contributions funds to be paid under the Voluntary Planning Agreement to be distributed in accordance with the public purposes listed within Schedule 1 of the agreement.

**CARRIED**

Cr Hollee Jenkins left the meeting, the time being 05:50 PM

**DI&P20/24 Hunter Valley Operations Continuation Project -  
Council Advice on the Applicant's Response to  
Submissions****FILE:150.2023.14**

The purpose of this report was to present to Council preliminary advice on the Hunter Valley Operations Continuation Project Response to Submissions, identifying how the



Applicant has addressed the matters of concern raised by Council in its submission to the Environmental Impact Statement and recommending conditions of consent to the Department of Planning, Housing and Infrastructure. A preliminary holding submission was provided to the Department of Planning, Housing and Infrastructure on Monday 18 March 2024, subject to the endorsement of this submission by Council.

52/24 **MOVED** Cr George **SECONDED** Cr Adamthwaite that Council endorses the preliminary advice on the Response to Submissions for the Hunter Valley Operations Continuation Project.

**CARRIED**

Cr Hollee Jenkins returned to the meeting, the time being 05:51 PM

**DI&P21/24 Capital Works 2024/25 - Budget Approval**

**FILE:22/00270**

The purpose of this report was for Council to consider approving advanced budget allocations for the 2024/25 Financial Year to allow for efficient project tendering for two projects to help ensure these projects are delivered within grant funding and community expectation timeframes.

53/24 **MOVED** Cr McNamara **SECONDED** Cr Johnstone that:

Council approves advanced budget allocations in the 2024/25 Financial Year to allow for efficient project tendering of the following projects:

- \$4,000,000 for the Singleton Gym & Swim 25m Pool Dome Replacement, funded from proposed Loan Borrowings in the 2024/25 Financial Year.
- \$700,000 for Singleton Council Operations Depot Detailed Design, funded from Council's Water & Sewer Reserves.

**CARRIED**

*Corporate and Commercial Services Report (Items for Information)*

**DCCS12/24 Investment Report - March 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 30 November 2023.

**NOTED**

**DCCS11/24 Minutes - Property Advisory Panel - 12/03/2024 FILE:20/00126/002**

The Property Advisory Panel held its ordinary meeting on 12 March 2024. The minutes of the meeting were circulated as part of this report for Council's information.

**NOTED**

*Organisation and Community Capacity Report (Items for Information)***DOCC10/24 Minutes - Arts and Culture Advisory Group -  
27/02/2024****FILE:22/00156**

The Singleton Arts & Culture Advisory Group held its ordinary meeting on 27 February 2024. The minutes of the meeting were circulated as part of this report for Council's information.

**NOTED***Infrastructure & Planning Report (Items for Information)***DI&P22/24 Minutes - Singleton Sustainability Advisory Committee  
- 14/03/2024****FILE:19/00046/003**

The Singleton Sustainability Advisory Committee held its ordinary meeting on 14 March 2024. The minutes of the meeting were circulated as part of this report for Council's information.

**NOTED****DI&P23/24 Minutes - Singleton Weeds Advisory Committee -  
06/03/2024****FILE:19/00046/006**

The Singleton Weeds Advisory Committee held its ordinary meeting on 6 March 2024. The minutes of the meeting were circulated as part of this report for Council's information.

**NOTED**

Cr Sue Moore left the meeting, the time being 05:52 PM

**DI&P24/24 Minutes - Singleton Roads Advisory Committee -  
07/03/2024****FILE:20/00034**

The Singleton Roads Advisory Committee held its ordinary meeting on 7 March 2024. The minutes of the meeting were circulated as part of this report for Council's information.

**NOTED**

Cr Sue Moore returned to the meeting, the time being 05:54 PM

*Questions Given***QG3/24 Questions of Which Notice Has Been Given  
Detail****FILE:24/00199**

Responses have been provided to the following Councillor questions from the 19 March 2024 Council Meeting:

1. Cr Thompson – Progress update on the roadside e-charging.
2. Cr Jenkins - Could council investigate a possible site for the marking out in paint a motorbike practice test space.
3. Cr Jenkins – Investigate Wattle Ponds Road and Wilson Street Wattle Ponds.
4. Cr Jenkins - Tree trimming – 33 Lifestyle Drive, The Retreat

**NOTED**

54/24 **MOVED** Cr Scott **SECONDED** Cr McLachlan that Council **MOVE** to Closed Council (Confidential Section of Ordinary Meeting – Closed to the Public) at **6.03PM**

**CARRIED**

**OPEN COUNCIL RESUMED AT 6.10PM.**

*Closed Council*

**CC7/24 T2023.024 - Brunners Bridge**

**FILE:T2023.024**

This item was withdrawn from the agenda.

**CC8/24 Potential Sale of Council Land - Mt Thorley Industrial Estate**

**FILE:24/00201**

The Committee **RECOMMENDED** to Council that:

1. Reconfirm the authorisation of the sale of Lots 1 to 6 on DP 1126226 being vacant land in the Mount Thorley Industrial estate for the sale amounts suggested within this report.
2. The General Manager be authorised to negotiate sales up to 10% below the suggested sale price.
3. Delegates to the General Manager and Mayor authority to sign all documents under Council's seal, associated with the sale of Lots 1 to 6 on DP 1126226.

55/24 **MOVED** Cr Jenkins **SECONDED** Cr McLachlan that the recommendations of Closed Council be adopted.

**CARRIED**

**The meeting closed at 6.12PM and the minutes pages 1 to 12 were confirmed on 21 May 2024 and are a full and accurate record of proceedings of the meeting held on 16 April 2024.**

.....  
Mayor/Chairperson

.....  
General Manager