



Greater Hume Council

To: «Name»

Extraordinary Meeting of Greater Hume Council

Wednesday, 7 October 2020

NOTICE is hereby given that an Extraordinary Meeting of the Greater Hume Council will be held at Community Meeting Room, Library Complex, Library Lane, Holbrook, commencing at 6.00pm. The purpose of the meeting is to discuss reports on the following matters:

- 2020 NSW Local Government Conference - consideration of motions
- Expression of Interest - 124 Albury St, Holbrook
- Proposed Voluntary Planning Agreement - Culcairn Solar Farm - SSD 10288 - Neoen

Due to COVID-19 restrictions regarding gatherings and the need to comply with social distancing measures, all Council meetings will be held at Holbrook Library Complex until further notice.

Also due to COVID-19 restrictions, and until further notice, residents will not be able to attend the Public Forum or the meeting. However, should residents have an issue they wish to bring before Council, they can provide a written statement which will be distributed to councillors, and read out prior to the commencement of the meeting. Any written statement should be provided to Council by 5pm on the day preceding the meeting.

Council live streams meetings so that the public may view the proceedings of the meeting in real time or later. View the recording of the meeting at <https://bit.ly/35uKFxX>

STEVEN PINNUCK
GENERAL MANAGER

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

Extraordinary Meeting of Greater Hume Council

Wednesday, 7 October 2020

In accordance with Council's Code of Meeting Practice, this Council Meeting is being recorded and will be placed on Council's webpage for public information.

All present today are reminded that by speaking you are agreeing to your view and comments being recorded and published. You are also reminded that, if or when speaking, you are to be respectful to others and use appropriate language. Greater Hume Council accepts no liability for any defamatory or offensive remarks or gestures during this Council Meeting.

BUSINESS:

1. OPENING THE MEETING

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

"I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people, and pay my respect to elders both past, present and emerging".

4. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

5. DISCLOSURES OF INTERESTS

6. REPORTS FROM OFFICERS

PART A For Determination

- Governance Item 1 and 2
- Environment and Planning Item 1

7. MATTERS OF URGENCY

8. COMMITTEE OF THE WHOLE - CONFIDENTIAL CLOSED COUNCIL REPORT

9. CONCLUSION OF THE MEETING

TABLE OF CONTENTS
7 OCTOBER 2020

OFFICERS' REPORTS - PART A - FOR DETERMINATION..... 3

GOVERNANCE..... 3

1. 2020 NSW LOCAL GOVERNMENT CONFERENCE – CONSIDERATION OF MOTIONS 3

2. EXPRESSIONS OF INTEREST – 124 ALBURY STREET, HOLBROOK 5

ENVIRONMENT AND PLANNING

1. PROPOSED VOLUNTARY PLANNING AGREEMENT – CULCAIRN SOLAR FARM –SSD
10288 - NEOEN..... 7

This is intentionally a blank page

**EXTRAORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 7 OCTOBER 2020**

OFFICERS' REPORTS - PART A - FOR DETERMINATION

GOVERNANCE

1. **2020 NSW LOCAL GOVERNMENT CONFERENCE – CONSIDERATION OF MOTIONS**

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Councillors to consider motions to submit to the 2020 NSW Local Government Conference to be held on Monday, 23 November 2020.

REFERENCE TO DELIVERY PLAN ACTIONS

| | |
|-------------|--|
| Objective | We lead a vibrant, connected and inclusive community |
| Outcome 1.1 | Leadership and advocacy is demonstrated and encouraged in our communities. |

DISCUSSION

As Councillors are aware, the 2020 NSW Local Government Conference will be held virtually on Monday, 23 November 2020. The 2020 Conference will still provide an opportunity for Council to submit motions for consideration.

To date the following motions has been put forward for consideration by Council for submission to the Conference.

Cr Meyer

That Local Government NSW make a case with NSW State Government for the introduction of a broad based property levy to fund the Emergency Services Levy as previously proposed.

Cr Quinn

That Local Government NSW lobby the NSW State Government to adequately resource the NSW Department of Planning, Industry and Environment so that Crown Land matters can be dealt with in an effective and timely manner.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

As Councillors are aware, the 2020 NSW Local Government Conference will be held virtually on Monday, 23 November 2020. The 2020 Conference will still provide an opportunity for Council to submit motions for consideration.

**EXTRAORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 7 OCTOBER 2020**

2020 NSW LOCAL GOVERNMENT CONFERENCE – CONSIDERATION OF MOTIONS
[CONT'D]

The following motion is recommended to Council.

RECOMMEDNATION

That the following motions be submitted to the 2020 NSW Local Government Conference:

1. *That Local Government NSW make a case with NSW State Government for the introduction of a broad based property levy to fund the Emergency Services Levy as previously proposed.*
2. *That Local Government NSW lobby the NSW State Government to adequately resource the NSW Department of Planning, Industry and Environment so that Crown Land matters can be dealt with in an effective and timely manner.*

**EXTRAORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 7 OCTOBER 2020**

2. EXPRESSIONS OF INTEREST – 124 ALBURY STREET, HOLBROOK

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider lodging an expression of interest in acquiring 124 Albury Street, Holbrook.

REFERENCE TO DELIVERY PLAN ACTIONS

| | |
|-----------|--|
| Objective | We are revitalising our communities, welcoming visitors, growing our economy |
| Outcome | We have prosperous and diverse local businesses and a growing economy. |

DISCUSSION

Reports on the possible acquisition of 124 Albury Street, Holbrook have been presented to the December 2019 and September 2020 Council meetings.

In line with the recommendation to the December 2019 Council meeting, consultants were engaged to undertake the following studies:

1. McMahon Earth Science – A detailed site soil analysis
2. Wright Barret – Building Condition Report

At the time of writing this report, the Building Condition Report has been received and the detailed Site Soil Analysis is expected to be received no later than Friday, 2 October 2020.

It is anticipated an addendum report to the confidential report to the Extraordinary Council meeting will be provided to Councillors on Tuesday, 6 October 2020.

It was stated at the December 2019 and September 2020 Council meetings that given the importance of the site to Holbrook, it may be appropriate for Council to initially acquire the site so to enable a process to be implemented to determine the best use of the site for the benefit of the Holbrook and district community.

BUDGET IMPLICATIONS

At the December 2019 Council meeting an allocation of \$25,000 was allocated to undertake the necessary investigations into the site. At this point \$18,627 has been committed to the consultancy reports.

CONCLUSION

As reported to the December 2019 and September 2020 Council had become aware that a key development site in Holbrook may be placed on the market for sale early in 2020. Subsequently the property has been listed for sale by Expression of Interest (EOI) with EOI's closing on Friday, 9 October 2020.

It is recommended that the matter be referred to Closed Council in accordance with section 10 A (2) (c) information that would, if disclosed confer an advantage on a person whom Council is conducting (or proposes to conduct) business.

**EXTRAORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 7 OCTOBER 2020**

EXPRESSIONS OF INTEREST – 124 ALBURY STREET, HOLBROOK [CONT'D]

RECOMMENDATION

That the potential purchase of 124 Albury Street, Holbrook be referred to Closed Council in accordance with section 10 A (2) (c) information that would, if disclosed confer an advantage on a person whom Council is conducting (or proposes to conduct) business.

REASON

On balance preserving the identity of the site at this early stage outweighs the public interest in maintaining openness and transparency in Council decision making as the closure of the site may compromise the position of Council in future negotiations.

**EXTRAORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 7 OCTOBER 2020**

ENVIRONMENT AND PLANNING

1. **PROPOSED VOLUNTARY PLANNING AGREEMENT – CULCAIRN SOLAR FARM
–SSD 10288 - NEOEN**

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

On 23 September Council received from NEOEN (the proponent) a confidential “offer” for a proposed Voluntary Planning Agreement (VPA) between Council and the proponent in respect of the proposed Culcairn Solar Farm development. The “offer” also contained details of a separate Community Benefit Fund (CBF) that would be established by NEOEN. The purpose of this report is to permit Council to determine whether to provide, in principle, support for the terms of the proposed VPA and associated CBF.

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

As mentioned, Council has received from the proponent details in the form of a confidential “offer” (**ANNEXURE 1**) of a proposed VPA between Council and the proponent in respect of the Culcairn Solar Farm Development. Also outlined in the “offer” is details of a CBF which will be separately administered and not form part of the VPA.

The proponent has made the “offer” to Council to satisfy commitments that were made in the Environmental Impact Statement and a subsequent document Responses to Submissions. In reply to the commitment in those documents, Council has maintained that it required a CBF to be part of a VPA which NEOEN has never agreed to do.

In addition to the “offer” NEOEN suggested an alternative being a VPA only with \$6,600,000 (over 25-30 years) in contributions paid to Council for projects in proximity to the site. Given the difference in funds paid between the alternative and the “offer” staff consider that the “offer” is superior as it maximises the quantum of funds available for projects and community activities in the vicinity of the Culcairn Solar Farm.

The terms of the VPA agreement are still being negotiated between NEOEN and Council with the finalised document to be exhibited after the determination of the Culcairn Solar Farm by the Independent Planning Commission. Any consent issued for the development by the Independent Planning Commission will include conditions requiring the preparation and compliance with both the VPA and CBF.

BUDGET IMPLICATION

A small cost will be incurred by both parties to prepare the VPA. Council will receive a considerable contribution from that VPA. The Community Benefits Fund will provide funding to projects and community activities in the vicinity of the Culcairn Solar Farm.

**EXTRAORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 7 OCTOBER 2020**

PROPOSED VOLUNTARY PLANNING AGREEMENT – CULCAIRN SOLAR FARM –SSD
10288 - NEOEN [CONT'D]

CONCLUSION

Council staff has reviewed the proposed “offer” from the proponent with respect to the planned Culcairn Solar Farm. Should the Culcairn Solar Farm be approved by the Independent Planning Commission then Council staff are of the opinion that the “offer” could form the basis of an acceptable VPA with an associated CBF.

RECOMMENDATION

That:

1. Council advise NEOEN that the “offer” could form the basis of a draft VPA which would ultimately be signed, subject to public exhibition and consent to the development being granted by the Independent Planning Commission.
2. Council agrees to the establishment of the Community Benefit Fund to align with the conditions that are part of the NEOEN “offer” dated 23 September 2020.

From: Anne Frederic
Sent: Wednesday, 23 September 2020 2:56 PM
To: 'Tatsiana Bandaruk' <Tatsiana.Bandaruk@planning.nsw.gov.au>
Cc: 'Iwan Davies' <iwan.davies@planning.nsw.gov.au>
Subject: Culcairn Solar Farm - SSD 10288 - VPA

Dear Tatsiana,

I would like to inform you that Greater Hume Council's Management and Neoen have come to the following agreement re project contributions:

- Contributions :

| Initiative | Construction | Operations (25-30y) | Total \$ contribution (indexed on CPI assumed at 2%) |
|------------------------|--------------|---------------------|--|
| VPA | \$150,000 | \$150,000 p.a. | ~ 5,000,000 |
| Community Benefit Fund | | \$150,000 p.a. | ~ 4,800,000 |
| Total Value | | | \$ 9,759,090 |

- With the following conditions attached to the Community Benefit Fund (CBF) :
 - the VPA will not cover the CBF.
 - the CBF will be administered by a non-profit community foundation. Neoen's preference is the Community Enterprise Foundation (CEF). Council's preference is the Border Trust. The CEF is acceptable to Council.
 - Council will have representation on the CBF committee.
 - Decision-making responsibility will sit with a local CBF Advisory Committee with an agreed composition (e.g. 1 GHC representative which could either be a Councillor or a council staff member, 1 rep from Culcairn Dev Committee, 1 from Walla Walla Dev Committee, 1 Neoen representative, and 1 other local community representative).

The above offer is made on the basis of a 350MWac solar farm with a CIV of \$636.6 million as described in the EIS.

While the above key terms have been agreed, Greater Hume Council and Neoen are still working on the Agreement/document.

This email will be forwarded to Steven Pinnuck and Colin Kane from the Greater Hume Council.

Please let me know if you have any questions.

Kind regards,
 Anne

Anne Frederic
 State Leader NSW
 Project Manager