



Vincent Street
CESSNOCK

26 April 2019

ORDINARY MEETING OF COUNCIL

WEDNESDAY, 1 MAY 2019

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Congress - Nominations to Attend

Enclosure 1

COUNCILLOR REQUEST TO ATTEND CONFERENCE, SEMINAR OR TRAINING

COUNCILLOR DETAILS					
Name:	ANNE SANDER				
Mobile Phone Number:	0497539222	Dietary Requirements:	NIL		
CONFERENCE/SEMINAR/TRAINING DETAILS					
Course Name:	2019 LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA NATIONAL				
Organiser:	LOCAL GOVT PROFESSIONALS AUSTRALIA	Location:	DARWIN CONGRESS		
Date:	31/7/19	Cost:			
		Job Number:			
Detail benefits to you and your role in Council					
Benefit to me gaining information & new ideas to bring back to C.C. to define & drive a value proposition that will deliver results for our community					
Details of conferences / seminars / training already attended in this term of Council					
TRAVEL & ACCOMMODATION					
Accommodation					
Is Accommodation Required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
Name:	ANNE SANDER	Phone:	0497539222		
Check in Date:	30/8/19	Check out Date:	3/8/19		
Travel					
Airfare Required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
Other Transport Require?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Transport requirement:	AIRPORT TRANSFER		
Special Requirements?					
AUTHORISATION					
Mayor / Councillor					
Name:		Signature:			
		Date:			
General Manager					
Full Name:		Signature:			
		Date:			
<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved					
OFFICE USE ONLY					
	Date	Signature		Date	Reference / Reservation Number
Received by EA:			Registered in RM:		
TRIM link to HR:			Registration Booked:		
Clr Advised:			Accommodation Booked:		
			Travel Booked:		

This is Page 270 of the Agenda of the Ordinary Council Meeting of the Cessnock City Council to be held on 2 April

Report CC21/2019 - 2019 Local Government Professionals Australia National
Congress - Nominations to Attend

Enclosure 1

COUNCILLOR REQUEST TO ATTEND CONFERENCE, SEMINAR OR TRAINING

COUNCILLOR DETAILS					
Name:	Dianne Fitzgibbon				
Mobile Phone Number:	0418 9114040		Dietary Requirements:	—	

CONFERENCE/SEMINAR/TRAINING DETAILS					
Course Name:	2019 LG Professionals Australia National Congress				
Organiser:	Local Govt Professionals Aust.		Location:	Darwin	
Date:	31. 7. 19	Cost:	\$4,000	Job Number:	
Detail benefits to you and your role in Council					
Gaining information & new ideas to bring back to CCC to define & drive a value proposition that delivers results for our community					
Details of conferences / seminars / training already attended in this term of Council					
National local Govt Conference					

TRAVEL & ACCOMMODATION					
Accommodation					
Is Accommodation Required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
Name:	Dianne Fitzgibbon		Phone:	0418 911404	
Check in Date:	30. 7. 19		Check out Date:	3. 8. 19	
Travel					
Airfare Required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
Other Transport Required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Transport requirement:	Airport transfers	
Special Requirements?					

AUTHORISATION					
Mayor / Councillor					
Name:		Signature:		Date:	
General Manager					
Full Name:		Signature:		Date:	
<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved					

OFFICE USE ONLY					
	Date	Signature		Date	Reference / Reservation Number
Received by EA:			Registered in RM:		
TRIM link to HR:			Registration Booked:		
Clr Advised:			Accommodation Booked:		
			Travel Booked:		

This is Page 270 of the Agenda of the Ordinary Council Meeting of the Cessnock City Council to be held on 2 April



Thursday 2 May 2019

Special Commission of Inquiry into the
Drug 'Ice'
GPO Box 5341
SYDNEY NSW 2001

Contact: Mayor Bob Pynsent
Our Ref: DOC2019/038865

Dear Commissioner Howard SC

Cessnock City Council's Submission to the Special Commission of Inquiry into the Drug 'Ice'

Cessnock City Council welcomes the opportunity to make a submission to the Special Commission of Inquiry into the Drug 'Ice'. The increasing rates of crystal methamphetamine use within our community, the subsequent harms associated with that use and limited access to treatment and support services continue to be a concern for Council, community members and local service providers.

Cessnock Local Government Area (LGA) covers approximately 1,950 square kilometres within the Hunter Valley, 150 kilometres north of Sydney and 50 kilometres west of Newcastle. The Cessnock LGA estimated resident population for 2018 is 59,101. Our population is young, with a higher proportion of people aged under 17 years in comparison to New South Wales (NSW). Cessnock LGA faces relative disadvantage when compared with other surrounding LGAs and wider NSW. The 2016 Census data identified that Cessnock LGA had a SEIFA Index of Socio-Economic Disadvantage score of 925, which was in the bottom 20% of NSW and 42% of individuals earned a low income (less than \$500 per week), compared with 7.9% who earned a high income (\$1790 per week or more). The unemployment rate in Cessnock LGA for the 2018 December quarter was 8.01% (Australian Bureau of Statistics, 2018).

As a local government body, Council aims to provide strong and effective representation, leadership, planning and decision-making and work collaboratively to secure appropriate services for local community needs. Council recognises the broader issue of access to health services and this is reflected in strategies and planning documents. Council's Community Strategic Plan *Cessnock 2027* identifies 'Improved access to health services' as a key objective and linked to this Plan is the *Delivery Program 2017-21* and includes an action to 'Advocate for health services on behalf of the community'.

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ABN 60 919 148 928

At the Ordinary Meeting of Council held 7 November 2018, Council expressed its concern on the prevalence of 'ice' use within the community and made a commitment to investigate the scale of the issue along with treatment and support services available within the Cessnock LGA, for the purpose of lobbying for increased resources. The findings of the investigation for *Methamphetamine Use in Cessnock Local Government Area and Treatment Options* was tabled at the Ordinary Meeting of Council held 6 February 2019. The report presented information from Hunter New England Local Health District, studies by peak research bodies in the alcohol and other drug sector and anecdotal evidence collected from initial consultation with community members and local service providers to illustrate the scale of methamphetamine use and limitations in accessing treatment and support services for people living in the Cessnock LGA.

Hunter New England Local Health District (HNELHD) in their correspondence stated that between January and October 2018 Hunter New England Drug and Alcohol Clinical Services (HNEDACS) provided access to treatment for 27 individuals with a Cessnock address specifically for methamphetamine related use, 55% of these people were male and 25% were aged between 18 and 30 years. Cessnock Hospital emergency department for the same period treated 31 presentations with either intoxication including adverse effect of drug, drug not specified excluding alcohol, or overdose poisoning by unspecified drug.

The findings from the *Methamphetamine Use in Cessnock Local Government Area and Treatment Options* report, further community consultation and analysis of available research have informed the enclosed submission to the Special Commission.

The Special Commission's *Issues Paper 3 - Health and Community* identifies that certain sections of the community are affected more by amphetamine-type stimulants (ATS) use than others, and particular populations that are harmed by ATS use in unique ways include people living in rural, regional and remote communities.

The majority of issues specific to the LGA that emerged throughout Council's initial research can be classified under the following themes:

1. Scale and impact of crystal methamphetamine use
2. Lack of treatment options and support services
3. Barriers to accessing existing services

In developing the enclosed submission these themes were further explored in community consultation and have informed Council's response to the following questions posed in the Special Commission's *Issues Paper 3 – Health and Community*.

The Special Commission of Inquiry into the Drug 'Ice' presents an important opportunity for communities to highlight the needs specific to regional areas like Cessnock LGA. Thank you for the opportunity to provide input.

If you require any further information, please do not hesitate to contact Council's Principal Community Planner, Jo Dennis on telephone 02 4993 4227 or email johanna.dennis@cessnock.nsw.gov.au

Yours faithfully

Bob Pynsent
Mayor of the City of Cessnock

Stephen Glen
General Manager



Special Commission of Inquiry into the Drug 'Ice'

Cessnock City Council Submission

Issues Paper 3 - Health and Community

3.1.8 Are high-risk population groups disadvantaged by current service delivery models and location of services?

The majority of clinical treatment options for individuals living in the Cessnock Local Government Area (LGA) with Alcohol and Other Drugs (AOD) issues are through the public health system, Hunter New England Drug and Alcohol Clinical Services (HNEDACS). HNEDACS conduct individual assessments and provides access to a range of treatment types where possible through local hospitals and community health centres.

Within the Cessnock LGA adults can access assessment, treatment planning, counselling, referral and outpatient management through Cessnock Community Health Centre, located next to Cessnock Hospital. If individuals need to access withdrawal management services, or medication assisted treatment the closest available public health services are located in Newcastle. HNEDACS also facilitate a Stimulant Treatment Program (STP) that provides treatment and support services for people who use ATS. STP provides outreach counselling services to the Cessnock LGA, however medication assisted treatment is provided through its Newcastle site.

As of November 2018, HNEDACS started operating Youth Drug and Alcohol Clinical Services (YDACS) and offers treatment options for young people under 18 years with moderate to severe substance use problems. If a young person needs to access YDACS they can only do this through the Newcastle site as outreach services are not currently delivered in the Cessnock LGA.

There is one residential rehabilitation service within the HNELHD and is located in Cessnock. We Help Ourselves (WHOs) Hunter Valley is a highly regarded 24 bed residential drug free treatment program based on a therapeutic community model, for men and women. Like the majority of residential rehabilitation programs, WHOs is a non-government organisation that receives a combination of government funding and charitable donations.

The non-government sector also provide some support and casework services for adults, young people and their families within the Cessnock LGA as listed in Table 1 – AOD Treatment and Support Programs Servicing the Cessnock LGA Population.

Table 1 AOD Treatment and Support Programs Servicing the Cessnock LGA Population

Service	Geographical base (LGA)	Cessnock Outreach	Under 18 years old	Over 18 years old
Acute Clinical Services and Withdrawal Management				
Hunter New England Local Health District Drug and Alcohol Clinical Services (HNEDACS)	Newcastle	Yes (some services)	No	Yes
Youth Drug and Alcohol Clinical Services (YDACS)	Newcastle	No	Yes	No
Calvary Mater Newcastle Alcohol & Drug Unit	Waratah (Newcastle)	No	No	Yes
Hunter Primary Care	Warabrook (Newcastle)	Yes	Yes (16+)	Yes
Lakeview Withdrawal Management Service	Belmont (Lake Macquarie)	No	No	Yes
Residential Rehabilitation				
WHOs (We Help Ourselves)	Cessnock	n/a	No	Yes
Support and Casework				
Oasis Hunter (Salvation Army)	Hamilton (Newcastle)	Yes	Yes (12-18)	Yes (18-25)
McAuley Outreach Services	Waratah (Newcastle)	Yes	Yes (if parents with children under 12)	Yes (parents with children under 12)
Headspace	Maitland	Yes	Yes	Yes
Narcotics Anonymous	Cessnock	n/a	Yes	Yes
SMART Recovery Australia	Maitland	No	Yes	Yes
SMART Recovery Australia	Broadmeadow (Newcastle)	No	No	Yes

There are no government-funded residential rehabilitation services for young people under 18 years of age within the HNELHD. Currently, if a young person wishes to access a residential rehabilitation service they would need to travel to one of the following closest locations:

- Program for Adolescent Life Management, Randwick (Sydney). Approximate distance from Cessnock - 158kms.
- Kedesh Rehabilitation Services, Berkeley (Illawarra). Approximate distance from Cessnock - 266kms.
- Triple Care Farm, Robertson (Southern Highlands). Approximate distance from Cessnock - 283kms.

Crystal methamphetamine users living in the Cessnock LGA are disadvantaged by current service delivery models and face a number of barriers to accessing treatment and support services. The barriers for individuals and families affected by crystal methamphetamine use are psychological, geographical, financial or resource barriers which effect both the availability and timeliness of intervention. In a regional area where treatment and support services are limited, these barriers can further affect an individual's ability to access appropriate services.

A number of the key barriers for our population group are summarised below:

Waiting periods

Individuals seeking treatment and support services for crystal methamphetamine use are currently waiting between 3 and 8 weeks to see an AOD counsellor through their local hospital or community health centre. Individuals seeking treatment through withdrawal management and residential rehabilitation are reporting waiting periods between 6 and 20 weeks for a bed to become available.

Correspondence received from HNELHD in December 2018 stated the 'most significant challenge to drug and alcohol treatment, especially in regional and rural areas, are mismatches between demand for and supply of treatment in a timely fashion. The window of opportunity for responding to requests is often limited, and people who have to face waiting periods typically continue their substance use and related problems rather than being able to find reduction of drug use or enduring abstinence of their own accord'.

For crystal methamphetamine users, deciding to seek treatment and support can be immensely difficult and often this disclosure is the initial step families and supporters have been waiting for. When individuals are met with significant waiting periods for assessment, counselling or referral services this can weaken their resolve and commitment to seeking treatment.

There is also a need for better coordination between AOD service providers to ensure crystal methamphetamine users have a seamless transition through care pathways, specifically between withdrawal management services and residential rehabilitation. Individuals are facing significant waiting periods to access inpatient detoxification services and is a requirement for the majority of residential rehabilitation services. Once detoxification is complete people are often required to return home and wait again for a residential rehabilitation bed.

Distance

HNELHD provides a range of drug treatment and support services delivered by specialised staff. For crystal methamphetamine users living in the Cessnock LGA many of the treatment options are accessible only through service sites located in Newcastle.

The barrier of distance in accessing treatment services is compounded by the lack of public transport options for individuals living in the Cessnock LGA. For an individual living in Cessnock (suburb) to access withdrawal management services or medication assisted treatment through the STP, the closest site would take 1 hour and 45 minutes to travel to. The individual seeking treatment would need to walk a significant distance, catch a bus and a train to access the services. For individuals living in outlying communities within the LGA, transport options are even more limited.

When the only options available for inpatient treatment and support services are a significant geographical distance away, an additional barrier to accessing these services becomes the individual's reluctance to be separated from their families and support networks for long periods of time.

Cost

Cost has regularly been identified as a barrier to accessing treatment. Although the majority of government-funded treatment services are free or heavily subsidised the cost associated with accessing treatment located out of area can be preventive for

individuals and their families. Additional cost considerations include General Practitioners (GPs) that don't offer bulk-billing, public and community transport, accommodation for individuals and families, child care and prescriptions.

Families and individuals have recognised that when faced with extensive waiting periods to access residential rehabilitation programs they have often pursued services operated by the private sector which can cost upwards of \$500 a day. The cost of these private residential rehabilitation services is prohibitive for the majority of crystal methamphetamine users and their families living in Cessnock LGA.

Eligibility Criteria

Eligibility criteria for AOD services is restrictive for some individuals accessing treatment and support. Crystal methamphetamine users with complex needs and personal circumstances have had difficulties accessing treatment and support services for the following reasons:

- Personal criminal history or previous conviction for a serious criminal offence
- Being involved in ongoing criminal proceedings
- Having ongoing mental health issues without a diagnosis
- Not having a Medicare card, birth certificate or enough identification
- Not having a fixed address or stable accommodation
- Being under 18 years of age
- Having a disability and requiring additional assistance

Stigma and Fear

A reoccurring theme identified during the community consultation was stigma and fear. People were hesitant to seek treatment and support because of stigma that was associated with different types of services. The feeling of shame was associated more with users who acknowledged they were dependent in comparison to people who identified themselves as recreational users, and a fear of consequences acted as a barrier for some groups in accessing AOD services. In particular parents were hesitant to acknowledge dependence or refer themselves to services because of a fear of losing custody of their children and homeless young people felt their accommodation options became limited when they indicated they were regular users.

Appropriateness

Ensuring services are welcoming and inclusive of specific populations and groups improves overall access to treatment and support services. Culturally appropriate treatment and support services that employ Aboriginal and Torres Strait Islander staff will support better health outcomes for Aboriginal and Torres Strait Islander communities.

Treatment and support services that are located in environments that are welcoming for young people are more likely to be engage this population group.

Awareness

There is a gap in general awareness of the treatment and support services available for crystal methamphetamine users and their families and misconceptions about what services provide. Drug counselling and other clinical community-based treatment available is often overlooked, with people assuming the only appropriate interventions

are detoxification and residential rehabilitation services. Referral processes differ between AOD services which can cause confusion amongst community organisations and individuals regarding the appropriate pathways available to them to access services.

Families and local service providers have a low level of awareness for services that can provide support for families of individuals who are experiencing problems with crystal methamphetamine use.

3.1.10 Are outreach models sufficient in servicing rural/regional locations, particularly in areas of high prevalence of use? If not, why not?

The majority of AOD services listed in Table 1 – *AOD Treatment and Support Programs Servicing the Cessnock LGA Population* are based on an outreach model where the service is located out of area and staff, or teams of staff travel to the Cessnock LGA weekly or fortnightly to see local clients.

Outreach services play an important role providing treatment options in regional communities where there are no other alternatives. Outreach services often begin as 'pilot' projects, servicing communities for a limited amount of time with the aim of establishing the service and collecting data on engagement levels. These findings are then used to justify whether the service is required in that community. In regional communities it can take time for individuals and referring service providers to recognise a new service, understand its function and start connecting with that service. There are added complications for outreach services who don't have an ongoing presence within the community for example building rapport with community members and local service providers through engagement at network meetings, public events and through community development initiatives.

Non-government outreach services are often reliant on government funding grants to expand services to other localities. The instability of the funding climate, disparity in pay in comparison to the government and private sector and additional travel requirements for outreach workers can result in high staff turn-over. This can also contribute to outreach services being perceived as unstable or of low quality by individuals or local service providers who the outreach service is reliant on to refer clients.

Due to these issues it can be difficult for outreach services/models to get a true indication of community need in the 'pilot' phase, as more time and resources are often required to establish new programs in regional communities.

3.1.12 Are existing services meeting the needs of populations with specific needs, such as those set out above?

Council acknowledges the important and necessary role of HNEDACS and multiple non-government organisations in delivering AOD services in the Cessnock LGA and the work they do to prevent and minimise alcohol and drug related harm across our region. However, with the rates of harmful crystal methamphetamine use in our community increasing, the existing services are not meeting the needs of our population and significant gaps in treatment and support services remain present for users and their families.

Treatment and support services within our LGA are limited, and the assessment and counselling services that are available have significant waiting lists. There are additional barriers for individuals with severe dependence issues or complex needs seeking access to

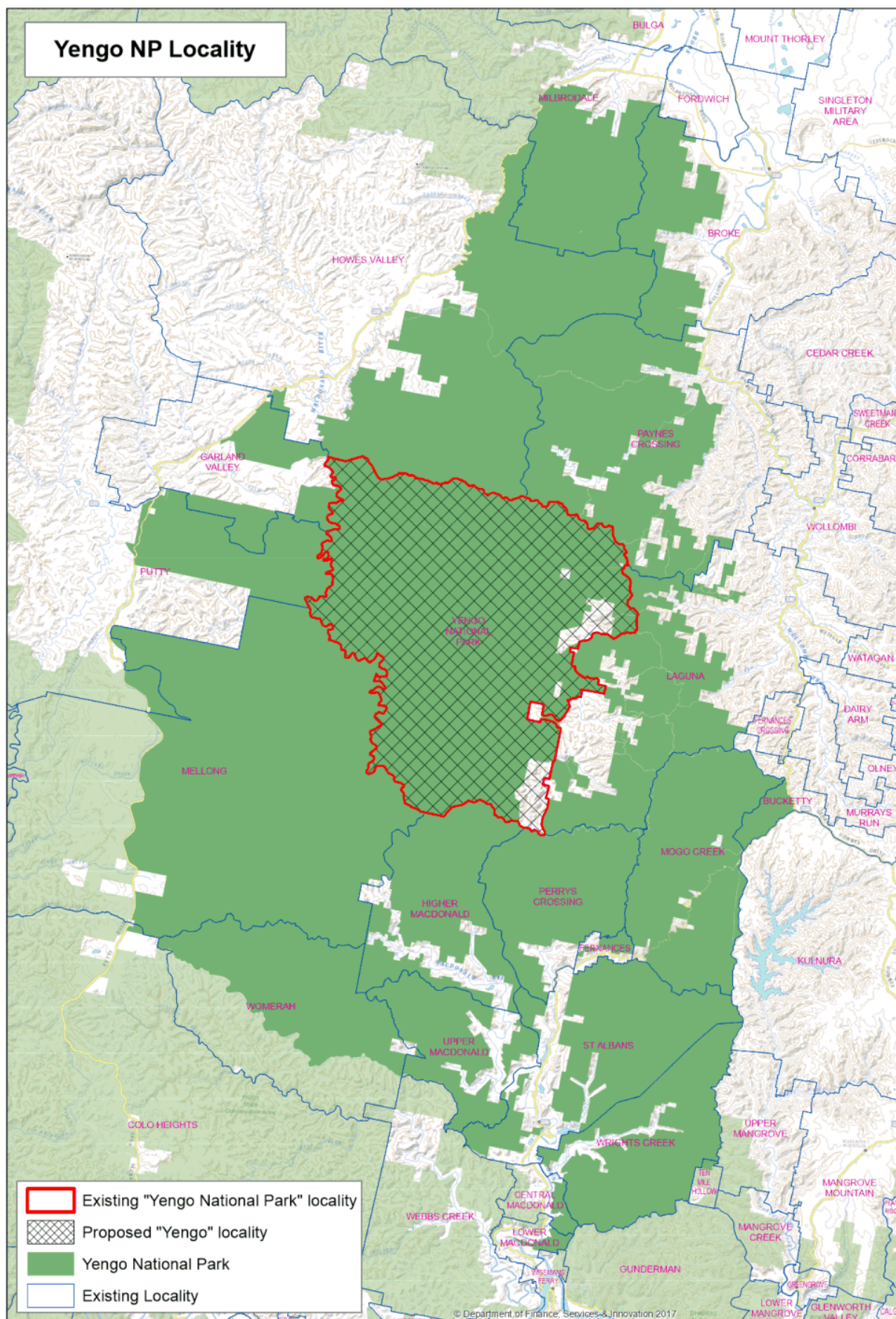
withdrawal management and residential rehabilitation programs and include service availability and timeliness, distance and cost.

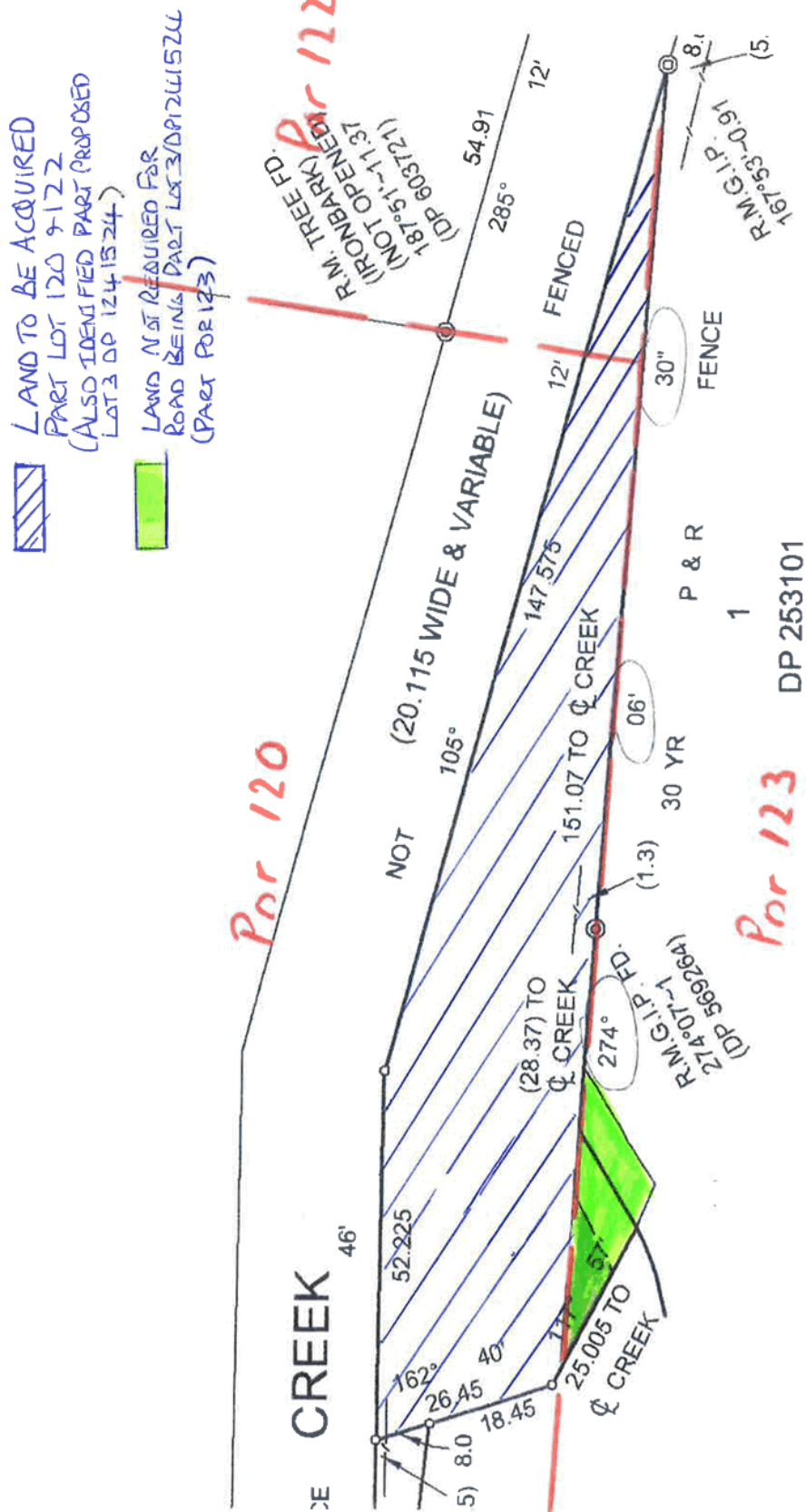
It is recognised that there are complex factors that contribute to drug use and that individuals need and respond to different interventions and treatments at different stages in their lives. A multi-faceted approach to reducing crystal methamphetamine use and its related harms should be used to ensure that the responses and strategies developed are effective in preventing use, addressing the needs of current users and supporting the people affected by that use.

Treatment and support services that meet the needs of regional and rural communities should have a visible presence and be located within these communities. Services need to be accessible and equitable with available interventions provided in a timely manner. Approaches to treatment need to be holistic with consideration given to the additional needs of some ATS users including housing, mental health, domestic violence and physical health.

A publically accessible, state register of available AOD services with associated waiting periods and referral pathways for crystal methamphetamine users and their families would assist in addressing a broad range of issues associated with current service coordination and awareness.

In the Cessnock LGA, the growing issue of crystal methamphetamine use alongside the evident gaps in service provision is putting undue pressure on local GPs, hospital emergency departments, ambulance, police and mental health services. The harms associated with crystal methamphetamine use can be extensive and profound, impacting not only those using the drug but also on their families, friends and communities. The increasing purity, availability and affordability of 'ice' suggests that these impacts are likely to continue and escalate without appropriate intervention measures.





Report To Ordinary Meeting of Council - 2 May 2018

Works and Infrastructure

Report No. WI30/2018

Works and Infrastructure



SUBJECT: AQUISITION FOR ROAD WIDENING
RESPONSIBLE OFFICER: Project Engineer - Peter Davis
Infrastructure Manager - Katrina Kerr

SUMMARY

This report seeks Council approval to acquire part of Lot 22 DP 872192 and part of Lot 120 DP 755244 for road widening of Sandy Creek Road, Mount Vincent to facilitate the replacement and realignment of Forsters Bridge.

RECOMMENDATION

1. That Council acquire part of Lot 22 DP 872192, being proposed Lot 2 on Plan of Acquisition DP 1241524 with an area of 285.2m² for road widening;
2. That Council acquire part of Lot 120 DP 755244, being proposed Lot 3 on Plan of Acquisition DP 1241524 with an area of 3,491m² for road widening;
3. That Council authorise the General Manager to negotiate compensation with the property owners by private agreement for acquisition of proposed Lots 2 and 3 on DP 1241524 accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
4. That in the event that negotiations with the property owners cannot be satisfactorily finalised, that Council make application to the Office of Local Government for approval of the Minister and the Governor to proceed with compulsory acquisition of proposed Lots 2 and Lot 3 on DP 1241524;
5. That Council authorise the Common Seal of Council to be affixed to all documents relating to the acquisitions between Cessnock City Council and:
 - i) Robert Ernest Warner, owner of proposed Lot 2 on Plan of Acquisition DP 1241524, and to any application to the Office of Local Government for the approval of the Minister and the Governor that may be required for compulsory acquisition if needed, and
 - ii) ZAP Finance Pty Ltd, owner of proposed Lot 3 on Plan of Acquisition DP 1241524, and to any application to the Office of Local Government for the approval of the Minister and the Governor for compulsory acquisition if needed.
6. That Council authorise the Mayor and the General Manager to execute all documents relating to the acquisitions between Cessnock City Council and:
 - i) Robert Ernest Warner, owner of proposed Lot 2 on Plan of Acquisition DP 1241524, and to any application to the Office of Local Government for the approval of the Minister and the Governor that may be required for compulsory acquisition if needed, and
 - ii) ZAP Finance Pty Ltd, owner of proposed Lot 3 on Plan of Acquisition DP

Page 1

Report To Ordinary Meeting of Council - 2 May 2018

Works and Infrastructure

Report No. WI30/2018

Works and Infrastructure



1241524, and to any application to the Office of Local Government for the approval of the Minister and the Governor for compulsory acquisition if needed.

BACKGROUND

In accordance with the Capital Works Program of Council's adopted Delivery Plan 2017-21, design is in progress for the replacement of Fosters Bridge on Sandy Creek Road, Mount Vincent.

Sandy Creek Road is a local public road, which is narrow and winding on its approaches to the bridge. As the Roads Authority, Cessnock City Council may acquire land for road purposes in accordance with the *Roads Act 1993* and *Land Acquisition (Just Terms Compensation) Act 1991*.

REPORT/PROPOSAL

The Concept Design for the new bridge to be located adjacent to the existing Fosters Bridge requires road widening to accommodate a more suitable alignment and road approaches. The road widening will accommodate a widened and realigned road formation and batters on the approaches. See **Figure 1 - Locality Plan** below.

In finalising the Concept Design of the road works, Council's Infrastructure Unit has engaged a registered surveyor to survey the area and prepare a Plan of Acquisition for registration with the NSW Land and Property Information (LPI). The Plan identifies 3,776.2m² to be acquired for road purposes and to be registered at LPI as proposed DP1241524. DIAGRAM 1 on the Plan showing proposed Lots 2 and 3 to be acquired is provided in **Enclosure 1 – Plan of Acquisition**.

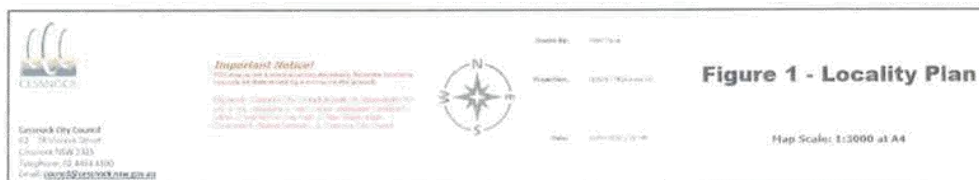
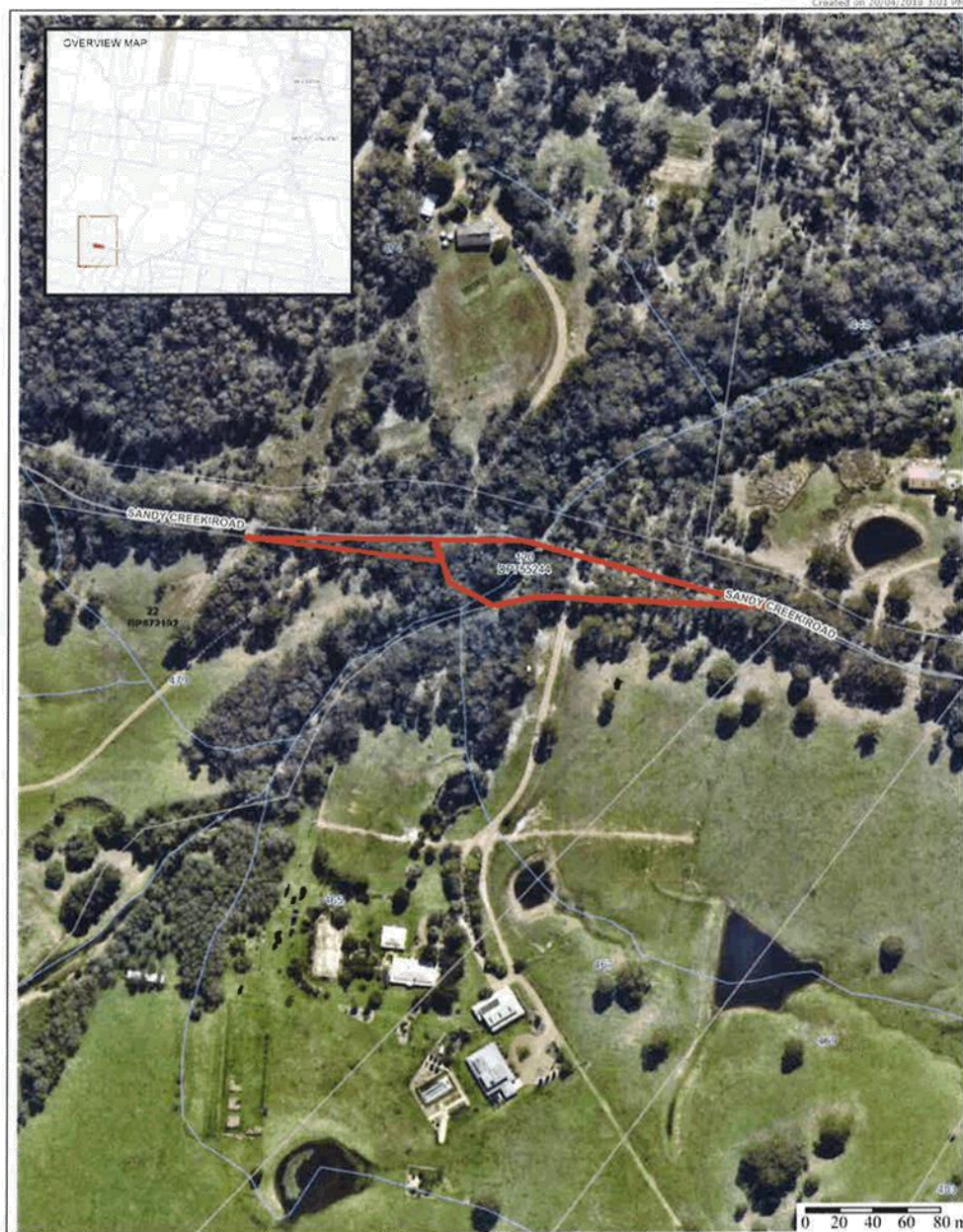
Figure 1 - Locality Plan

Report To Ordinary Meeting of Council - 2 May 2018

Works and Infrastructure

Report No. WI30/2018

Works and Infrastructure



Report To Ordinary Meeting of Council - 2 May 2018

Works and Infrastructure

Report No. WI30/2018

Works and Infrastructure



OPTIONS

Option 1: As per the recommendation, is to finalise negotiations with the land owners in accordance with section 38 of the Land Acquisition (Just Terms Compensation) Act 1991 and agree compensation; and where finalisation of the negotiation fails, make application to the Minister for compulsory acquisition of the land. This is the preferred option.

Option 2: Not undertake the acquisition, close the road for an extended period and replace the existing bridge on the same alignment. This is not the preferred option.

CONSULTATION

Regarding proposed Lot 2, Council officers have consulted and forwarded a written proposal for acquisition of proposed Lot 2 by private agreement to the owner. The proposal offered to pay compensation in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*. The owner has accepted the compensation proposal. A summary of the negotiation with the owner is provided at **Enclosure 2**.

Following further consultation, the owner also has agreed to provide access consent for the road works to proceed ahead of finalisation of the acquisition should this affect the construction program.

Regarding proposed Lot 3, attempts to contact the property owner have been unsuccessful, however efforts continue. In the event that this property owner cannot be contacted or remains unresponsive compulsory acquisition will be necessary.

STRATEGIC LINKS

a. Delivery Program

The recommendation of this report links directly with the Community Strategic Plan 2027:

- Objective 4.2 - Improving the Road Network

The recommendation of this report links directly with the Delivery Program 2017-21:

- Objective 4.2.2 – Deliver prioritised on-ground capital works and maintenance programs

b. Other Plans

The recommendation of this report links directly with the Operational Program 2017-18:

- Objective 4.2.2b – Design and document quality road work, bridges and culverts for the Capital Works Program

IMPLICATIONS

a. Policy and Procedural Implications

The following procedures have been followed in the preparation of this report:

- Use of the Common Seal, and
- Execution of Documents Matrix.

b. Financial Implications

Report To Ordinary Meeting of Council - 2 May 2018

Works and Infrastructure

Report No. WI30/2018

Works and Infrastructure



The road widening of Sandy Creek Road and the construction a new bridge is jointly funded by Council and the Federal Government's Bridges Renewal Programme. The total cost for acquisition of the land, including compensation to the land owners, works in kind, survey and plan registration, is covered by this project budget.

c. Legislative Implications

Council is given powers to acquire land including an interest in land by:

- section 177 of the *Roads Act 1993*, and
- sections 186 -190 of the *Local Government Act 1993*.

Compensation to the land owner for the acquisition is payable in accordance with:

- section 38 of the *Land Acquisition (Just Terms Compensation) Act 1991*.

Following acquisition and in accordance with section 10 of the *Roads Act 1993*, the land will be gazetted as public road.

d. Risk Implications

Council is required to compensate the owners in accordance with the *Land Acquisition (Just Terms Compensation) Act 1993* and dedicate as public road under the *Roads Act 1993*. Dedication as a public road affords protection to Council in terms of liability for damages.

e. Other Implications

The widening of Sandy Creek Road will have a positive impact on the community with the road works improving safety for road users.

CONCLUSION

Acquisition of the land by Council will enable widening of the road and facilitate construction of this important bridge and road upgrade. The project cannot be completed without this land acquisition.

ENCLOSURES

- 1 Plan of Acquisition
- 2 Confidential Summary of Negotiations - *This matter is considered to be confidential under Section 10A(2) (dii) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.*

Placeholder for Enclosure 1

Corporate and Community No. CC31/2019

Draft 2019-20 Operational Plan - Provided under
Separate Cover and Available online

Placeholder for Enclosure 2

Corporate and Community No. CC31/2019

Draft Fees & Charges made available on-line



Fact sheet for applicants

My Community Project is a NSW Government program, made possible by the NSW Generations Fund, inviting ideas from the community for projects to strengthen and enhance their local area. A public vote will be used to decide which projects are funded in each NSW electorate.

2019 key dates

2 April – 15 May

Applications open

15 July – 15 August

Public vote on eligible projects

September

Successful projects announced

Note: This fact sheet is designed to assist potential applicants for My Community Project. Please refer to the *My Community Project 2019 Program Guidelines* for full terms and conditions, available at nsw.gov.au/mcpresources



How does it work?

Step 1: Choose a project

Come up with an idea for a project that will benefit your community. For example, it could be new playground equipment, sports facilities, paths or ramps to improve access, a community garden or an event. You can seek between \$20,000 and \$200,000 for your project.

Step 2: Find a project sponsor to partner with

Reach out to an organisation who will be able to run the project if your project is successful. For example, it could be your local council, school, charity, Aboriginal Land Council, or cultural or sports club. They will receive the funding and be responsible for delivering your project. The sponsor can also be an organisation you work for.

Step 3: Submit your application

Once you have confirmed support from your project sponsor, you can submit your application together with your project sponsor. Applications open on **2 April 2019** and close at **2pm on 15 May 2019**.

You and your sponsor will be contacted by email before voting starts to let you know if your project will be published for voting.

Step 4: Encourage your community to vote

Now it's over to the vote in your electorate to decide! Voting goes live on **15 July 2019** and is open to everyone 16 years or over in NSW. You might like to consider how to encourage people to vote for your project, such as through your sponsor's regular newsletter (but note that paid advertising is not allowed). Voting closes on **15 August 2019**.

Step 5: Find out if your project was successful

Successful projects will be announced in **September 2019**. If you are successful, your project sponsor will receive the funding and be required to complete the project within 12 months.

Am I eligible to submit a project idea?

Anyone aged 16 years or over can submit a project.

To submit a project, you are required to:

- ✓ be over 16 years of age as of 15 May 2019
- ✓ live in the NSW state electorate where the project is to be delivered
- ✓ have a project sponsor who has agreed to support the delivery of your project.

What is a project sponsor?

A project sponsor is an organisation that will support your project and agree to deliver it if it is successful. See *Who can be my sponsor?* for more information.

Is my project eligible?

To be eligible for funding, your project must:

- ✓ align with at least one of the six program categories
- ✓ seek funding between \$20,000 and \$200,000 (including GST, if your sponsor is required to pay it)
- ✓ be open, accessible and available to the wider community
- ✓ be completed within 12 months of the date of signing the funding agreement
- ✓ have any other required funding sources confirmed, if additional funding is required to complete the project
- ✓ be within your NSW state electorate
- ✓ be a legal activity
- ✓ be considered a viable project (i.e. it is cost-effective and provides value for money, and the people involved have the ability to support the delivery of the project).

What are some examples of projects that could be funded?

Projects that could fall within these program categories include playgrounds, community mobility services, public gardens, upgrades to local sporting facilities, upgrades to local halls, public art, cultural festivals, programs for youth, and healthy lifestyle initiatives.

What are the program categories?

Your project must benefit the community by supporting one of the six categories of My Community Project. While your project may support more than one, you will need to decide which category is the best fit for your project.

The categories are:

Accessible communities:

Make everyday life more inclusive to all community members.

Cultural communities:

Add to the cultural and artistic life of the community.

Healthy communities:

Support the community's physical and mental wellbeing.

Liveable communities:

Improve local amenity and environment.

Revitalising communities:

Foster stronger community bonds, and encourage social engagement and participation in public programs.

Safe communities:

Promote a safe and secure community where people can participate and enjoy the benefits of community life.

Who can be my project sponsor?

Your project sponsor must be an incorporated, not-for-profit or other organisation that has a public benefit.

All sponsors must hold an Australian Business Number (ABN) and/or an Australian Company Number (ACN) or be registered under the *Associations Incorporation Act 2009*. Your sponsor must also have a minimum of \$5 million public liability insurance cover.

Examples of sponsor organisations include:

- charitable organisations
- cooperatives
- incorporated associations
- local councils
- Aboriginal Land Councils
- schools, TAFEs and universities.

Your sponsor cannot be an individual, a group of individuals, an unincorporated organisation or an organisation that acts to make a profit.

How do I submit my application?

You can submit your application online at nsw.gov.au/mycommunityproject/apply from **2 April 2019**.

You will need to have a SmartyGrants account to submit your application. If you have an existing SmartyGrants account, you can use it to apply for My Community Project. An account is free and you need a valid email address. You can find out information about the grant system at www.smartygrants.com.au

This application has two parts:

Part 1 – completed by you

This is where you provide an overview of the proposed project, including intended benefits to the local community, funds requested, a brief project plan and project sponsor details, along with a project title, summary, description and photo/image that will be posted on the My Community Project website to promote your idea to voters.

Once your part is submitted, your sponsor will be sent a link to complete Part 2. Make sure you allow plenty of time for them to do this – aim to submit by **Friday 3 May** so they have at least one week.

Part 2 – completed by your project sponsor

This is where your sponsor provides us with information about the costs and steps that will be involved to deliver your project. They also need to obtain quotes and landowner consent, so it is important you allow enough time for them to do this.

The final application must be submitted by **2pm, Wednesday 15 May 2019**. The application will only be accepted if both parts are submitted. Late submissions will not be accepted.

Why should I provide a project image?

A single image will be displayed with your project when it is published on the voting website. Your image is an important visual representation of your project and should showcase your plan and catch the voter's eye. It could be a photo or a graphic.

Your image needs to be in a JPEG format. Please choose your image carefully as once your application is submitted you will not have an opportunity to change your submission.

Because of the layout of the voting website, your photo must have an aspect ratio of 4:3. We also recommend that the image is at least 1200 pixels wide and 900 pixels high (suggested file size is 370 KB). You can find online a number of programs and websites to help you resize your image if needed.

If your image does not have the required dimensions, it will be automatically cropped and we cannot guarantee the resulting image will be the best representation of your original image.

Inappropriate images, including ones with text, website addresses, or abusive or restricted material will not be displayed.

If an appropriate image is not provided, we will apply a generic My Community Project program image.

Choosing your project image

- Use a picture that best reflects your project
- Choose a high-quality image
- Make sure you have the rights to publish any image you choose to upload

Why is the title, project summary and description so important?

This information will be published online and is your chance to tell voters about your project and why they should support it. Your title, summary and description should give voters of the public all the information they need to support your project. Talk to your project sponsor for advice in writing an engaging project description.

On the following page are some example project ideas, with summaries and descriptions.

Example project descriptions

PROJECT CATEGORY: Cultural communities

Multicultural night market

Celebrate and learn about our community's many cultures with a free night market.

This night market will be big on flavour and variety and celebrate our community's diversity.

This event will have free entry for up to 4000 attendees, bringing together community members and local businesses.

The night market will include a number of events focused on music, dance, food, visual arts and workshops exploring themes of cultural diversity. The market will also include a concert featuring local musicians and performers, food, craft and cultural stalls, and children's activities.

Benefits:

- Free-entry event that celebrates diversity
- Increased opportunities to participate in arts and cultural activities
- Fosters stronger community bonds
- Encourages social engagement and participation in public events

PROJECT CATEGORY: Revitalising communities

Rebuilding the stage at the Performing Arts Centre

A new stage in our local Performing Arts Centre will create a safer place for performers so our community can enjoy more local productions.

A new stage is needed at the Performing Arts Centre. The 50-year-old stage has been declared unsafe. The safety of performers and audience members is paramount.

The centre has held three to four productions a year since its inception, with hundreds of community members attending regularly.

The Performing Arts Centre is currently the only stage and theatre available in our shire which gives locals regular opportunities to explore their passions for performing on stage.

Benefits:

- Increases satisfaction with community facilities
- Promotes a safe and secure community environment
- Encourages social engagement

PROJECT CATEGORY: Accessible communities

All-abilities access path at Town Beach Surf Club

Upgrading the accessibility to Town Beach and ensuring all community members can enjoy it.

We all love Town Beach and everyone should be able to enjoy it. The only access to Town Beach is an uneven, eroded path, making it difficult for families with prams and less mobile members of the community to access and enjoy the beach.

This project will provide a new walking path from the Town Beach car park to the beach. The path will help connect our township to the beach and provide access for all members of the community.

Town Beach Surf Club has agreed to support and manage the building of the new 50-metre wheelchair and pram-accessible path. If the project is successful, the path will be built during winter and open in October.

Benefits:

- Easier beach access
- Improved tourism opportunities
- Family-friendly
- Safer access to the beach
- Improved lifestyle

PROJECT CATEGORY: Healthy communities

Youth outreach programs

Building digital connections to help our young people understand mental health and the resources available to support them.

This project is to establish a local campaign to raise awareness of mental health issues in young people. In doing so, this campaign will provide the community with a digital and print directory for young people.

This project will allow youth to access information about mental health and to connect to existing local services. We will hold a community event to launch this campaign with promotional materials.

Young people will learn how to get help for themselves and each other while raising awareness of mental health in the community.

Benefits:

- Improved access to local mental health support services
- Supports community mental wellbeing
- Increased awareness of mental health impacting young people in the community

How do I find a project sponsor?

You will need to find a project sponsor that is the best fit for your project. It will need to be able to provide financial and project management expertise to deliver the project. If your project is successful, your sponsor will enter into a funding agreement with the NSW Government and will be responsible for managing the funds and the project.

The program is unable to connect applicants with sponsors. To find a sponsor, we suggest you do the following:

1. Create a list of potential sponsors

- For example, you might include organisations that have sponsored past events you have attended in your community.

2. Research the potential sponsors on your list

- Look up their websites to find out more about what they do and if they have any upcoming initiatives you can align your project with. This will help when you meet them for the first time and engage them in your project idea.
- Look up their contact details. If you know the organisation well, it is a good idea to seek out a contact within the organisation who has the right decision-making ability, such as the president or secretary.

3. Prepare for the conversation

- Before you meet with your sponsor, have a clear idea of what you want your project to achieve and why you chose them to deliver it.
- Come prepared with a rough estimate of the project cost.

4. Getting the conversation started

- Introduce yourself and your idea to your potential sponsor by letter, email, phone call or in-person meeting.
- Explain what My Community Project is and provide them with a fact sheet or link to the website so they can find out more.
- Explain the project and why you chose them and what you think they will get out of it.
- Be ready to listen and make changes to your project to increase the sponsor's support for your project. You will need their support to be able to apply.
- Work with your sponsor to establish a realistic time frame for your project.
- Give them enough time to think about sponsoring your project after you meet with them and for preparing their part of the application. Factor this time in when planning to make your application.
- Follow up with your sponsor to finalise your application.

For more information

e: mycommunityproject@dpc.nsw.gov.au

p: 13 77 88

nsw.gov.au/mycommunityproject

Where can I find more information to help develop my project idea?

My Community Project 2019 Program Guidelines
nsw.gov.au/mcpresources

Premier's Priorities and State Priorities
nsw.gov.au/improving-nsw/premiers-priorities/

Regional priorities
nsw.gov.au/improving-nsw/regional-nsw/our-regions/

My Community Project website and video
nsw.gov.au/mycommunityproject

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Report To Ordinary Meeting of Council - 15 March 2017

Corporate and Community

Report No. CC17/2017

Corporate and Community Services



SUBJECT: *CESSNOCK REGIONAL ART GALLERY - REQUEST FOR FUNDING ASSISTANCE 2017/18*

RESPONSIBLE OFFICER: *Director Corporate and Community Services - Robert Maginnity*

SUMMARY

Council has received a written request for assistance from the Management Committee of the Cessnock Regional Art Gallery (CRAG) seeking funding of \$29,300 for the 2017/18 financial year to enable the engagement of a clerical assistant and a contract cleaner.

RECOMMENDATION

That Council determines the request from the Management Committee of Cessnock Regional Art Gallery, noting Council's current adopted position of not providing funding for the day to day operations of the gallery, with the exception of provision of the building rent free.

BACKGROUND

The Cessnock Regional Art Gallery (CRAG) is a community operated not-for-profit organisation that was established in 2008, with the actual gallery opening 2009. Since its inception, the CRAG has been funded by a combination of private and corporate donations, grant funding from arts organisations and Arts NSW, and some in-kind and occasional financial support from Council.

At different times since the group's establishment, Council has provided funding to enable the CRAG to continue to operate through some emergency and pre-determined funding allocations made as part of Council's annual budget process. Council also purchased the building occupied by the CRAG and later the adjacent carpark.

Council's current adopted position in regards to the CRAG is to provide the building rent free and that no further funding for day to day operations would be available.

The CRAG has requested funding of \$29,300 to support continued operations in 2017/18, for the engagement of a part time clerical assistant and contract cleaner. Refer to **Enclosure 1**.

REPORT/PROPOSAL

Council has provided various levels of support to the CRAG since its creation in 2008/09, ranging from direct financial contributions to provision of premises for operations. Council considered its position in relation to the need for an art gallery in the Local Government Area in 2014/15 and on 20 May 2015 (Report CC38/2015 – **Enclosure 2**) and resolved:

1. *That Council receives the feasibility study for the Need for an Art Gallery in the Cessnock Local Government Area.*
2. *That Council note that while there is a community desire for an art gallery, cultural and arts related services and facilities are available throughout the LGA including*

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existing programs operated through Council facilities such as the Performing Arts Centre, Libraries and Marthaville Arts and Cultural Centre.

3. That the Vincent Street property currently housing the Cessnock Regional Art Gallery Inc be included in Councils Strategic Property review.
4. That in any future strategic planning of cultural facilities for the LGA, opportunities for co-location of an art gallery be included for consideration.
5. That Council enter into discussions with the Cessnock Regional Art Gallery Committee re continuing use of the building as per their request in the letter to Councillors dated 20 May 2015, making clear that no further funding for day to day operations would be available (not including use of the building rent free).
6. That a report come back to Council in 3 months including financials.

Following that, Council further considered the operations of the CRAG on 19 August 2015 (Report CC68/2015 – **Enclosure 3**) and resolved:

1. That Council receives the report and notes the information.
2. That Council offers a new lease to Cessnock Regional Art Gallery Inc to occupy 16 Vincent Street, Cessnock for one year on terms similar to the current lease.

Since the inception of the CRAG the following direct support has been provided by Council.

Financial Year	Amount	Details	Report & Date
2009-10	\$78,000	Auspicing entity for receipt of grant funding (RLCIP) for building refurbishment. Zero net cost to Council	
2009-10	\$39,244	Emergency funding allocated as per Council resolution to enable the CRAG to "continue its operations at the lowest service level yet still remain operational in the hope that further funding is secured in the next three months to enable it to operate beyond 30 June 2010"	EE8/2010 17-Mar-10
2010-11	\$541,809 (GST exc)	Building purchase following a Notice of Motion and subsequent valuation and report to Council. Annual loan commitment is \$72,200 for 10 years Loan taken in May 2011	BN12/2010 17-Mar-10 EE20/2010 26-May-10
2010-11	\$60,000	Unconditional funding included in 2010-11 budget as per Council resolution	EE29/10 26-May-2010
2012-13	\$208,141 (GST exc)	Purchase of the carpark with the CRAG using this to fund its operations since that time. 4 year internal loan repayment of \$60,000	EE41/2011 7-Sep-11
2013-14	\$60,000	Unconditional funding included in 2013-14 budget	N/A
Since 2010	\$35,000 (Annually)	Annual provision of rent free accommodation at an estimated commercial rental of \$35,000	

Council has also incurred annual operating expenses associated with the purchase of the building and carpark (loan repayments, utilities, building maintenance etc.).

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	Loan Repayment	Internal Reserve Repayment	Building Maintenance	Utilities: Rates/Water	Yearly Total
2011-12	72,200				72,200
2012-13	72,200	60,000	3,377	81	135,658
2013-14	72,200	60,000	4,038	3,309	139,547
2014-15	72,200	60,000	5,324	3,442	140,966
2015-16	72,200	60,000	5,124	3,497	140,821
2016-17	72,200		807	3,419	76,426
Est 2017-18	72,200		6,000	3,800	82,000

Since mid 2015, the CRAG has been essentially operated by volunteers, undergone a thorough review and now has a much stronger community focus. New initiatives undertaken had been developed in part in response to some of the key findings from the community survey, which was conducted by Council as part of the study of a need for an art gallery in the Cessnock Local Government Area. The Committee has previously advised that these include: increased community support; exhibitions and events; art classes; partnerships; financial reviews; membership strategy to name a few.

A major impact on the current Committee's financial projections has been the need to address a significant electricity account. The CRAG has requested Council provide funding of \$29,300 to support continued operations in 2017/18, in particular the engagement of a part time clerical assistant and a contract cleaner.

There is no current funding allocation in the draft 2017/18 operational budget for the CRAG, so an identified source of funds would need to be considered and any inclusion of funding would need to be offset by a commensurate reduction in another project area.

Council's current adopted position in regards to operational funding is that *"no further funding for day to day operations would be available (not including use of the building rent free)"*.

OPTIONS**Option 1 – Refuse the request for funding**

This would accord to the current resolution of Council from the meeting on 20 May 2015 (Report CC38/2015) that no further funding for day to day operations of CRAG would be available. This may impact on the continued operation of the CRAG.

Option 2 - provide funding for 2017/18 only

Agree to the funding request of \$29,300 for one year only and include that amount in Council's draft Operational Plan for 2017/18. Council will need to identify an appropriate funding source for this funding allocation, being either a reallocation of funding from another designated service area or a potential deficit budget.

Option 3 - provide funding on an ongoing basis

Agree to the funding request of \$29,300 and include that amount in Council's draft Operational Plan for 2017/18 and future years. Council will need to identify an appropriate funding source for this funding allocation.

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Should Council resolve to support either option 2 or 3 to provide funding as requested, then the following motion may be appropriate;

1. That Council provide emergency funding of \$29,300 to the Cessnock Regional Art Gallery for the 2017-18 (or include other years if applicable)
2. That the amount of \$29,300 be included in the draft 2017-18 Operational Plan and 2017-21 Delivery Program
3. That funding to the following operational areas be reduced by \$29,300 to maintain Councils balanced budget strategy
 - Council to nominate the service area or areas for reduction.

CONSULTATION

- General Manager
- Directors
- Acting Cultural & Community Engagement Manager

STRATEGIC LINKS**a. Delivery Program**

This report has links to the community's desired outcomes in the "Community Strategic Plan" in the areas of "*Civic Leadership and Effective Governance*", "*A Connected, Safe & Creative Community*", and "*A Sustainable and Prosperous Economy*". In particular the following objectives:

- 1.2 - Strengthening Community Culture
- 1.4 - Fostering an Articulate and Creative Community
- 2.3 - Increasing Tourism Opportunities & Visitation in the Area
- 5.3 - Our Council is responsive to the community

b. Other Plans

N/A

IMPLICATIONS**a. Policy and Procedural Implications**

N/A

b. Financial Implications

If granted, the funding would result in a negative impact on Council's draft Operational Plan in the amount of \$29,300 in 2017/18, with no funding allocation currently existing.

c. Legislative Implications

Funding could be provided under Section 356 of the Local Government Act 1993.

d. Risk Implications

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The CRAG is seeking funding to offset operational costs for 2017/18. This request would be contrary to Council's current adopted position from 2015 that "no further funding for day to day operations would be available (not including the use of the building rent free".

In making its decision, Council needs to be mindful of its past, current and future financial position, adopted budget strategy and the need to improve Council's financial position. Council also needs to determine the impact on other operational areas if it elects to provide funding to CRAG for the operation of an art gallery.

If Council does elect to provide the funding, consideration needs to be made in regards to other community groups/organisations which may seek similar funding support from Council.

e. Other Implications

N/A

CONCLUSION

Following the temporary closure of CRAG and its re-opening as an entirely volunteer operated facility in 2015, the gallery has established a new focus and a new profile in the community in a relatively short period of time. The request from the CRAG for funding is to assist in the continuation of operations of the CRAG.

Council operates in a climate where it must be adaptive and responsive to a wide range of current and future community needs, and balance competing demands for funding and service delivery. Council's current adopted position in relation to the Art Gallery is not to provide any further financial support for day to day operations (excluding the building).

Council needs to determine the request for funding and the impact that may have on Council's operational budget, other Council services, future budget implications and equity with regards to other community groups who may seek similar funding support.

ENCLOSURES

- [1](#) Cessnock Regional Art Gallery - 2017/18 Funding Request
- [2](#) Council Report 20 May 2015
- [3](#) Council Report 19 August 2015