



13 October 2020

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that the next Ordinary Meeting of Council will be held in the Council Chambers, on Wednesday, 21 October 2020 at 6.30 pm, for the purposes of transacting the undermentioned business.

**AGENDA:**

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- (1) **OPENING PRAYER**
- (2) **ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**
- (3) **RECEIPT OF APOLOGIES**
- (4) **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**  
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- (6) **PETITIONS**
- (7) **PUBLIC ADDRESS**
- (8) **CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**
- (9) **NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION**  
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  - 27 Aberdare Street, Kitchener
  - 29 Aberdare Street, Kitchener
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**(19) REPORT OF THE CONFIDENTIAL SESSION OF THE ORDINARY COUNCIL  
MEETING ON 21 OCT 2020**

*‡ - Denotes that Report is for notation only.*



## ***Principles for Local Government***

### **Exercise of functions generally**

The following general principles apply to the exercise of functions by Councils:

- a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e) Councils should work co-operatively with other Councils and the State government to achieve desired outcomes for the local community.
- f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g) Councils should work with others to secure appropriate services for local community needs.
- h) Councils should act fairly, ethically and without bias in the interests of the local community.
- i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

### ***Council's Values***

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

### ***Our Community's Vision***

Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services which effectively meet community need.

*Cessnock – thriving, attractive and welcoming.*

### ***Our Community's Desired Outcomes***

- A connected, safe and creative community.
- A sustainable and prosperous economy.
- A sustainable and healthy environment.
- Accessible infrastructure, facilities and services.
- Civic Leadership and effective governance.





## ***Council Model Code of Conduct***

Council adopted its current Code of Conduct on 17 April 2019. This Code provides details of statutory requirements and gives guidance in respect of the way in which pecuniary and conflict of interest issues must be disclosed.

Generally, the Code outlines the following issues:

1. Councillors are under an obligation at law to disclose any interest they may have in any matter before the Council and to refrain from being involved in any consideration or to vote on any such matter
2. Councillors must disclose any interest in any matter noted in the business paper prior to or at the opening of the meeting
3. The nature of the interest shall be included in the notification
4. Councillors shall immediately and during the meeting disclose any interest in respect of any matter arising during the meeting which is not referred to in the business paper
5. All declarations of interest shall be recorded by the General Manager
6. All disclosures of interest shall as far as is practicable be given in writing
7. Any member having a pecuniary or non-pecuniary significant conflict of interest shall leave the meeting and remain absent while the subject of the interest is being considered by Council
8. The meeting shall not discuss any matter in which a Councillor has a pecuniary or non-pecuniary significant conflict of interest while the Councillor is present at the meeting



## ***Notice of Copyright and Disclaimer***

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**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 16 SEPTEMBER 2020,  
COMMENCING AT 6.30PM**

**PRESENT:** His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Olsen, Doherty, Dunn, Fagg, Stapleford, Suvaal, Fitzgibbon, Gray, Burke, Sander and Lyons.

**IN ATTENDANCE:** General Manager  
Acting Director Planning and Environment (Strategic Planning Manager)  
Director Corporate and Community Services  
Acting Director Works and Infrastructure (Infrastructure Manager)  
Development Services Manager  
Information Technology Manager  
Economic Development and Tourism Manager  
Human Resource Operations Coordinator  
Internal Auditor  
Senior Media & Communication Officer  
Corporate Governance Officer

**APOLOGY:**

**MOTION**                      **Moved:** Councillor Sander  
   **Seconded:** Councillor Fitzgibbon

1411

**RESOLVED** that the apology tendered on behalf of Councillor Dagg, for unavoidable absence, be accepted and leave of absence granted.

| FOR                   | AGAINST          |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**MINUTES:**

**MOTION**

**Moved:**

Councillor Doherty

**Seconded:**

Councillor Lyons

1412

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 19 August 2020, as circulated, be taken as read and confirmed as a correct record.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI10/2020**

**SUBJECT: DISCLOSURES OF INTEREST**

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#### **RECOMMENDATION**

**That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.**

**WI71/2020 – Weston Bears Park Masterplan** - Councillor Burke declared a Non Pecuniary Less Than Significant Interest for the reason that he knows someone who submitted a submission. Councillor Burke advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it has no impact on his decision making.

**WI71/2020 – Weston Bears Park Masterplan** - Councillor Olsen declared a Non Pecuniary Less Than Significant Conflict for the reason that his daughter made a submission. Councillor Olsen advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it has not had any influence on how he votes.

## **PETITIONS**

Nil

### **ADDRESS BY INVITED SPEAKERS**

One Submission was received from Natasha Waeger and Neville Bolam regarding DA8/2020/46/1 – 69 High Street, Greta which was tabled and read.

#### **EXTENSION OF TIME**

**Moved:**  
**Seconded:**

Councillor Fitzgibbon  
Councillor Sander

1413

#### **RESOLVED**

**That an extension of 1 minute be given to complete the reading of the submission.**

#### **FOR**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (11)**

#### **AGAINST**

Councillor Olsen

**Total (1)**

#### **CARRIED**

**PLANNING AND ENVIRONMENT NO. PE32/2020**

**SUBJECT:**     **DEVELOPMENT APPLICATION NO. 8/2020/46/1 PROPOSING:**  
**PHASE 1: DEMOLITION OF EXISTING STRUCTURES AND ONE (1)**  
**INTO SIX (6) LOT TORRENS TITLE SUBDIVISION**  
**PHASE 2: CONSTRUCTION OF SEMI-DETACHED DWELLINGS ON**  
**LOTS 5 AND 6**  
**PHASE 3: CONSTRUCTION OF SEMI-DETACHED DWELLINGS ON**  
**LOTS 3 AND 4**  
**PHASE 4: CONSTRUCTION OF SEMI-DETACHED DWELLINGS ON**  
**LOTS 1 AND 2**

**69 HIGH STREET, GRETA**

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**MOTION**            **Moved:**     Councillor Suvaal            **Seconded:**     Councillor Gray

1.     That:
- (i)     Development Application No. 8/2020/46/1 proposing a four (4) phase development at 69 High Street, Greta, as described above, be refused pursuant to Sections 4.16 and 4.17 of *the Environmental Planning and Assessment Act 1979*, for the reasons contained in this report.
  - (ii)    The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:
    - The proposed development is inconsistent with the objectives of the R2 Low Density Residential Zone of the *Cessnock Local Environmental Plan 2011*
    - The development is contrary to the development standards prescribed in Clause 4.1 – Minimum Subdivision Lot Size of *Cessnock Local Environmental Plan 2011*
    - The development is contrary to the provisions of Chapter D.1 – Subdivision Guidelines of *Cessnock Development Control Plan 2010*
    - The development is contrary to the provisions of Chapter D.2 – Urban Housing of *Cessnock Development Control Plan 2010*
    - The proposal is considered to be an over-development of the subject site
    - The subject site is not considered suitable for the proposed development
    - The proposed development is not in the public interest
  - (iii)   The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

## **REASONS FOR REFUSAL**

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1.     The proposed development is inconsistent with the objectives of the R2 Low Density Residential Zone of the *Cessnock Local Environmental Plan 2011* for the reasons outlined below:

- a) The proposed development is inconsistent with the desired character of the area and will result in a medium density development being located in a low density residential zone. The proposed built form is uncharacteristic of the surrounding low density residential character of Greta which consists predominately of small scale single-storey weatherboard dwellings.
  - b) The housing type and density represents an over-development of the site and is inconsistent with the low density residential character of the locality.
  - c) The proposed development will result in a development which increases the demand for facilities and services in a locality with limited access to facilities and services to meet the needs of the current and future population (Section 4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- 2. The development is contrary to the development standard prescribed in Clause 4.1 – Minimum Subdivision Lot Size of *Cessnock Local Environmental Plan 2011*, in that Proposed Lots 1 – 6 do not meet the minimum lot size required. Council has considered the ‘request for variation’ lodged by the applicant in respect of Clause 4.6 – Exceptions to Development Standards, and determined that the application does not satisfactorily establish that the development standard is unreasonable and unnecessary in the circumstances of the case (Section 4.15 (1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- 3. The development is contrary to the provisions of Chapter D.1 Subdivision Guidelines of Council’s Development Control Plan 2010 in that Proposed Lots 1 – 6 do not meet the minimum lot size and lot width controls (Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
- 4. The development is contrary to the provisions of Chapter D.2 – Urban Housing of Council’s Development Control Plan 2010 in that Proposed Dwellings 1 and 6 do not adequately address the streetscape or meet the front setback requirements. In addition, it is considered that the proposed development has not adequately considered the existing scale, character or massing of residential development in the immediate area, and has not demonstrated the adequateness of the landscaping proposed (Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
- 5. The subject site is not considered suitable for the proposed development for the reasons outlined below:
  - a) The proposed development is inconsistent with the low density residential character of the area.
  - b) The proposed development will have a negative impact on the adjoining local heritage item.
  - c) The proposed development will require amendments to the operation of the local road network which Council does not have the authority to approve.
  - d) The proposed development requires significant variation to a number of development controls and standards, demonstrating the proposed development represents an over-development of the subject site (Section 4.15(1)(c) *Environmental Planning and Assessment Act 1979*).
- 6. The proposed development is not in the public interest (Section 4.15(1)(e) *Environmental Planning and Assessment Act 1979*).



**AMENDMENT**    **Moved:**    Councillor Sander                    **Seconded:**    Councillor Fitzgibbon

That a report be provided to Council by the end of the year providing conditions of consent for consideration.

| FOR                   | AGAINST               |
|-----------------------|-----------------------|
| Councillor Doherty    | Councillor Olsen      |
| Councillor Dunn       | Councillor Fagg       |
| Councillor Fitzgibbon | Councillor Stapleford |
| Councillor Sander     | Councillor Suvaal     |
|                       | Councillor Gray       |
|                       | Councillor Burke      |
|                       | Councillor Lyons      |
|                       | Councillor Pynsent    |
| <b>Total (4)</b>      | <b>Total (8)</b>      |

The Amendment was **PUT** and **LOST**.

The Motion was then **PUT** and **CARRIED**.

**MOTION**                    **Moved:**    Councillor Suvaal                    **Seconded:**    Councillor Gray  
1414  
**RESOLVED**

1.    That:

- (i)    Development Application No. 8/2020/46/1 proposing a four (4) phase development at 69 High Street, Greta, as described above, be refused pursuant to Sections 4.16 and 4.17 of *the Environmental Planning and Assessment Act 1979*, for the reasons contained in this report.
- (ii)   The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:
  - The proposed development is inconsistent with the objectives of the R2 Low Density Residential Zone of the *Cessnock Local Environmental Plan 2011*
  - The development is contrary to the development standards prescribed in Clause 4.1 – Minimum Subdivision Lot Size of *Cessnock Local Environmental Plan 2011*
  - The development is contrary to the provisions of Chapter D.1 – Subdivision Guidelines of Cessnock Development Control Plan 2010
  - The development is contrary to the provisions of Chapter D.2 – Urban Housing of Cessnock Development Control Plan 2010
  - The proposal is considered to be an over-development of the subject site
  - The subject site is not considered suitable for the proposed development
  - The proposed development is not in the public interest

- (iii) The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

## REASONS FOR REFUSAL

---

1. The proposed development is inconsistent with the objectives of the R2 Low Density Residential Zone of the *Cessnock Local Environmental Plan 2011* for the reasons outlined below:
  - a) The proposed development is inconsistent with the desired character of the area and will result in a medium density development being located in a low density residential zone. The proposed built form is uncharacteristic of the surrounding low density residential character of Greta which consists predominately of small scale single-storey weatherboard dwellings.
  - b) The housing type and density represents an over-development of the site and is inconsistent with the low density residential character of the locality.
  - c) The proposed development will result in a development which increases the demand for facilities and services in a locality with limited access to facilities and services to meet the needs of the current and future population (Section 4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
2. The development is contrary to the development standard prescribed in Clause 4.1 – Minimum Subdivision Lot Size of *Cessnock Local Environmental Plan 2011*, in that Proposed Lots 1 – 6 do not meet the minimum lot size required. Council has considered the ‘request for variation’ lodged by the applicant in respect of Clause 4.6 – Exceptions to Development Standards, and determined that the application does not satisfactorily establish that the development standard is unreasonable and unnecessary in the circumstances of the case (Section 4.15 (1)(a)(i) *Environmental Planning and Assessment Act 1979*).
3. The development is contrary to the provisions of Chapter D.1 Subdivision Guidelines of Council’s Development Control Plan 2010 in that Proposed Lots 1 – 6 do not meet the minimum lot size and lot width controls (Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
4. The development is contrary to the provisions of Chapter D.2 – Urban Housing of Council’s Development Control Plan 2010 in that Proposed Dwellings 1 and 6 do not adequately address the streetscape or meet the front setback requirements. In addition, it is considered that the proposed development has not adequately considered the existing scale, character or massing of residential development in the immediate area, and has not demonstrated the adequateness of the landscaping proposed (Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
5. The subject site is not considered suitable for the proposed development for the reasons outlined below:
  - a) The proposed development is inconsistent with the low density residential character of the area.
  - b) The proposed development will have a negative impact on the adjoining local heritage item.
  - c) The proposed development will require amendments to the operation of the local road network which Council does not have the authority to approve.
  - d) The proposed development requires significant variation to a number of development controls and standards, demonstrating the proposed development represents an over-development of the subject site (Section 4.15(1)(c) *Environmental Planning and Assessment Act 1979*).

6. The proposed development is not in the public interest (Section 4.15(1)(e) *Environmental Planning and Assessment Act 1979*).

| FOR                   | AGAINST               |
|-----------------------|-----------------------|
| Councillor Olsen      | Councillor Doherty    |
| Councillor Dunn       | Councillor Fitzgibbon |
| Councillor Fagg       | Councillor Sander     |
| Councillor Stapleford |                       |
| Councillor Suvaal     |                       |
| Councillor Gray       |                       |
| Councillor Burke      |                       |
| Councillor Lyons      |                       |
| Councillor Pynsent    |                       |
| <b>Total (9)</b>      | <b>Total (3)</b>      |

**CARRIED**

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Sander

**That the Motion for Report Number PE 32/2020 be recommitted.**

The Motion was recommitted.

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
1415  
**RESOLVED**

**1. That:**

- (i) **Development Application No. 8/2020/46/1 proposing a four (4) phase development at 69 High Street, Greta, as described above, be refused pursuant to Sections 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, for the reasons contained in this report.**
- (ii) **The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:**
  - **The proposed development is inconsistent with the objectives of the R2 Low Density Residential Zone of the *Cessnock Local Environmental Plan 2011***
  - **The development is contrary to the development standards prescribed in Clause 4.1 – Minimum Subdivision Lot Size of *Cessnock Local Environmental Plan 2011***
  - **The development is contrary to the provisions of Chapter D.1 – Subdivision Guidelines of Cessnock Development Control Plan 2010**
  - **The development is contrary to the provisions of Chapter D.2 – Urban Housing of Cessnock Development Control Plan 2010**
  - **The proposal is considered to be an over-development of the subject site**

- The subject site is not considered suitable for the proposed development
- The proposed development is not in the public interest

(iii) The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

## REASONS FOR REFUSAL

---

1. The proposed development is inconsistent with the objectives of the R2 Low Density Residential Zone of the *Cessnock Local Environmental Plan 2011* for the reasons outlined below:
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  - b) The housing type and density represents an over-development of the site and is inconsistent with the low density residential character of the locality.
  - c) The proposed development will result in a development which increases the demand for facilities and services in a locality with limited access to facilities and services to meet the needs of the current and future population (Section 4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
2. The development is contrary to the development standard prescribed in Clause 4.1 – Minimum Subdivision Lot Size of *Cessnock Local Environmental Plan 2011*, in that Proposed Lots 1 – 6 do not meet the minimum lot size required. Council has considered the ‘request for variation’ lodged by the applicant in respect of Clause 4.6 – Exceptions to Development Standards, and determined that the application does not satisfactorily establish that the development standard is unreasonable and unnecessary in the circumstances of the case (Section 4.15 (1)(a)(i) *Environmental Planning and Assessment Act 1979*).
3. The development is contrary to the provisions of Chapter D.1 Subdivision Guidelines of Council’s Development Control Plan 2010 in that Proposed Lots 1 – 6 do not meet the minimum lot size and lot width controls (Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
4. The development is contrary to the provisions of Chapter D.2 – Urban Housing of Council’s Development Control Plan 2010 in that Proposed Dwellings 1 and 6 do not adequately address the streetscape or meet the front setback requirements. In addition, it is considered that the proposed development has not adequately considered the existing scale, character or massing of residential development in the immediate area, and has not demonstrated the adequateness of the landscaping proposed (Section 4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
5. The subject site is not considered suitable for the proposed development for the reasons outlined below:
  - a) The proposed development is inconsistent with the low density residential character of the area.
  - b) The proposed development will have a negative impact on the adjoining local heritage item.

- c) The proposed development will require amendments to the operation of the local road network which Council does not have the authority to approve.
  - d) The proposed development requires significant variation to a number of development controls and standards, demonstrating the proposed development represents an over-development of the subject site (Section 4.15(1)(c) *Environmental Planning and Assessment Act 1979*).
6. The proposed development is not in the public interest (Section 4.15(1)(e) *Environmental Planning and Assessment Act 1979*).

| FOR                   | AGAINST               |
|-----------------------|-----------------------|
| Councillor Olsen      | Councillor Doherty    |
| Councillor Fagg       | Councillor Dunn       |
| Councillor Stapleford | Councillor Fitzgibbon |
| Councillor Suvaal     | Councillor Sander     |
| Councillor Gray       |                       |
| Councillor Burke      |                       |
| Councillor Lyons      |                       |
| Councillor Pynsent    |                       |
| <b>Total (8)</b>      | <b>Total (4)</b>      |

**CARRIED**

## **CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**

**MOTION**                      **Moved:**    Councillor Doherty                      **Seconded:**    Councillor Suvaal  
1416

***RESOLVED that having read and considered the reports in the agenda related to items***

|              |   |     |
|--------------|---|-----|
| GMU19/2020   | Proposal to Close Council Offices Between Christmas and New Year .....  | 76  |
| ‡ GMU20/2020 | Apprentice, Trainee and Graduate Framework .....  | 78  |
| GMU21/2020   | Minutes of the Audit and Risk Committee meeting held 28 August 2020 .....   | 93  |
| PE33/2020    | Adoption of Community Engagement Strategy .....   | 167 |
| PE34/2020    | Abandoned or Unattended Shopping Trolley Policy Review .....  | 187 |
| ‡ PE35/2020  | Development Application Performance Monitoring Report – June quarter and financial year 2019/2020 .....                   | 198 |
| CC79/2020    | T072021HUN Provision of Linemarking .....   | 209 |
| CC80/2020    | Financial Statements for the Year Ended 30 June 2020 - Refer For Audit and Council Certification .....                    | 214 |
| CC82/2020    | Consideration of Councillor Numbers - 2021 Council Elections .....  | 225 |
| CC86/2020    | Display of Community Notices, Community Displays & Exhibitions and Hosting of Petitions in Council Libraries Policy ..... | 324 |
| CC87/2020    | Minutes of the Aboriginal and Torres Strait Islander Committee held on Friday 21 August 2020 .....                        | 333 |
| ‡ CC89/2020  | Disclosures of Interests in Written Returns .....   | 343 |
| ‡ CC90/2020  | Investment Report - August 2020 .....   | 346 |
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| ‡ CO12/2020  | MM4/2020 - COVID-19 Pandemic - Financial Assistance .....   | 466 |

***Council adopt the recommendations as printed for those items.***

**FOR****AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

***CARRIED UNANIMOUSLY***

# MAYORAL MINUTES

## MAYORAL MINUTES NO. MM9/2020

**SUBJECT: CHARITIES DISCOUNT FOR TEMPORARY EVENTS**

---

**MOTION**      **Moved:**      Councillor Pynsent

1417

**RESOLVED**

1. That the General Manager amends the Events DA Policy in the appropriate areas to reflect:

*“That Events run by Registered Charities, have all councils’ fees and charges applicable to Temporary Events Development Applications discounted by 50% of the adopted fees and charges”.*

2. That the 50% discounted fees be placed on public exhibition for 28 days and if no submissions are received, the 50% discount apply.

| FOR                   | AGAINST          |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**



**MAYORAL MINUTES NO. MM10/2020**

**SUBJECT: MEDICARE ELIGIBILITY FOR MAGNETIC RESONANCE IMAGING**

---

**MOTION**      **Moved:**      Councillor Pynsent

1418

**RESOLVED**

That Council write to the following Federal and State members of parliament seeking their support for a Full Medicare licence for a Magnetic Resonance Imaging (MRI) system to be installed in the new Maitland Hospital;

- The Minister for Health, the Hon Greg Hunt MP
- Minister for Aged Care and Senior Australians, Minister for Youth and Sport, Senator the Hon Richard Colbeck
- Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton MP
- Minister for Indigenous Australians, the Hon Ken Wyatt AM MP
- Minister for Families and Social Services, Senator the Hon Anne Ruston
- The NSW Premier, the Hon Gladys Berejiklian MP
- Minister for Health and Medical Research, the Hon Brad Hazzard MP
- Minister for Local Government, the Hon Shelley Hancock MP
- Member for Lyne, the Hon David Gillespie MP
- Federal Member for Hunter, the Hon Joel Fitzgibbon MP
- Federal Member for Paterson, Ms Meryl Swanson MP
- State Member for Cessnock, Mr Clayton Barr MP

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**MAYORAL MINUTES NO. MM11/2020**

**SUBJECT: LOCAL GOVERNMENT NSW CONFERENCE 2022**

---

**MOTION**            **Moved:**    Councillor Pynsent

1419

**RESOLVED**

**That the General Manager be delegated to accept the offer from LGNSW to host the 2022 LGNSW Annual Conference.**

| <b>FOR</b> | <b>AGAINST</b> |
|------------|----------------|
|------------|----------------|

|                       |  |
|-----------------------|--|
| Councillor Olsen      |  |
| Councillor Doherty    |  |
| Councillor Dunn       |  |
| Councillor Fagg       |  |
| Councillor Stapleford |  |
| Councillor Suvaal     |  |
| Councillor Fitzgibbon |  |
| Councillor Gray       |  |
| Councillor Burke      |  |
| Councillor Sander     |  |
| Councillor Lyons      |  |
| Councillor Pynsent    |  |

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## ***MOTIONS OF URGENCY***

### ***MOTIONS OF URGENCY NO. MOU10/2020***

***SUBJECT: MOTIONS OF URGENCY***

---

Nil

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU18/2020**

**SUBJECT: HUNTER VALLEY TOURISM SERVICE AGREEMENT**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke  
1420  
**RESOLVED**

1. That Council endorses the creation of a tourism service agreement between Council and the Hunter Valley Wine and Tourism Association that represents the interests of tourism operators in the Hunter Valley;
2. That Council delegates authority to the General Manager to create a tourism service agreement between Council and the Hunter Valley Wine and Tourism Association;
3. That Council notes that there will be only one membership body with a form of tiered membership for tourism operators in the proposed agreement with the fees administrated by the Hunter Valley Wine and Tourism Association;
4. That Council places the removal of tourism fees (4.a – 4.i) on public exhibition for a period of 28 days and provide public notice of the intention to remove the fees subject to consideration of submissions received;
  - a) Fee For Service – Silver Deal
  - b) Fee For Service – Gold Deal
  - c) Fee for Service – Diamond Deal
  - d) Fee for Service for Community – Not for Profit
  - e) Visitor Guide and Map listing
  - f) Fee For Service – Additional Brochure
  - g) Early bird incentives
  - h) Sequential Fee For Service: Multi packages
  - i) Accommodation and Activity Bookings Commission
5. If no submissions are received after public exhibition, adopt the Recommendation.

| <b>FOR</b>            | <b>AGAINST</b>        |
|-----------------------|-----------------------|
| Councillor Dunn       | Councillor Olsen      |
| Councillor Fagg       | Councillor Doherty    |
| Councillor Suvaal     | Councillor Stapleford |
| Councillor Fitzgibbon |                       |
| Councillor Gray       |                       |
| Councillor Burke      |                       |
| Councillor Sander     |                       |
| Councillor Lyons      |                       |
| Councillor Pynsent    |                       |
| <b>Total (9)</b>      | <b>Total (3)</b>      |

**CARRIED**

**GENERAL MANAGER'S UNIT NO. GMU19/2020**

**SUBJECT: PROPOSAL TO CLOSE COUNCIL OFFICES BETWEEN CHRISTMAS AND NEW YEAR**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1421  
**RESOLVED**

1. That Council close its offices, including Libraries, from 12 noon Thursday, 24 December 2020 and reopen on Monday, 4 January 2021.
2. That Council close the Cessnock Performing Arts Centre from Thursday, 24 December 2020 and re-open on Monday, 11 January 2021.

| FOR                   | AGAINST          |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU20/2020**

**SUBJECT: APPRENTICE, TRAINEE AND GRADUATE FRAMEWORK**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1422  
**RESOLVED**

**That Council notes the Apprentice, Trainee and Graduate Framework.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU21/2020**

**SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 28 AUGUST 2020**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1423  
**RESOLVED**

**That the Minutes of the Audit and Risk Committee Meeting held 28 August 2020 be adopted as a resolution of the Ordinary Council.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE33/2020**

**SUBJECT: ADOPTION OF COMMUNITY ENGAGEMENT STRATEGY**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1424

#### **RESOLVED**

1. That Council notes the outcome of the public exhibition process for the draft Community Engagement Strategy and Action Plan.
2. That Council adopts the Community Engagement Strategy and Action Plan.

| <b>FOR</b> | <b>AGAINST</b> |
|------------|----------------|
|------------|----------------|

|                       |                  |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**



**PLANNING AND ENVIRONMENT NO. PE34/2020**

**SUBJECT: ABANDONED OR UNATTENDED SHOPPING TROLLEY POLICY REVIEW**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1425  
**RESOLVED**

1. That Council places the revised Abandoned or Unattended Shopping Trolley Policy on public exhibition for 28 days.
2. That following public exhibition, Council adopt the revised Abandoned or Unattended Shopping Trolley Policy if there are no unresolved submissions received during the exhibition period.

| FOR                   | AGAINST          |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE35/2020**

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING  
REPORT - JUNE QUARTER AND FINANCIAL YEAR 2019/2020**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1426  
**RESOLVED**

**That Council receives and notes the Development Performance Monitoring Report for the June quarter and financial year 2019/2020.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC79/2020**

**SUBJECT: T072021HUN PROVISION OF LINEMARKING**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1427  
**RESOLVED**

1. That Council accepts the Regional Procurement Tender for the Provision of Line Marking (T072021HUN).
2. That Council accepts the panel tenderers as the preferred suppliers for Council under the Regional Procurement Tender for Provision of Line Marking (T072021HUN), in no order of preference;
  - Jenalad Pty Ltd t/a Whiteline Road Services.
  - Workforce Road Services Pty Ltd.
  - J & M Road Marking Specialists.
3. That Council notes the contract term for Tender Provision of Line Marking (T072021HUN) is from 1 October 2020 to 30 September 2022 with an option for one 12-month contract extension based on satisfactory supplier performance.

| FOR                   | AGAINST          |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC80/2020**

**SUBJECT: FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020 -  
REFER FOR AUDIT AND COUNCIL CERTIFICATION**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1428  
**RESOLVED**

1. That the financial statements are formally referred for external audit.
2. That in accordance with Section 413(2)(c) of the *Local Government Act, 1993* the General Purpose Financial Report has been prepared in accordance with:
  - *The Local Government Act 1993* and the Regulations made thereunder.
  - The Australian Accounting Standards and professional pronouncements.
  - The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these reports:

- Present fairly the Council's operating result and financial position for the year, and
- Accord with Council's accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

3. That in accordance with the Local Government Code of Accounting Practice and Financial Reporting the Special Purpose Financial Reports have been prepared in accordance with:
  - The Local Government Code of Accounting Practice and Financial Reporting.
  - NSW Government Policy Statement "Application of National Competition Policy to Local Government".
  - Department of Local Government Guidelines "Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality".

To the best of our knowledge and belief, these reports:

- Present fairly the operating result and financial position for each of Council's declared Business Activities for the year, and
- Accord with Council's accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

4. That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Council on its Opinion of the 2019-20 Financial Statements.

**FOR****AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

***CARRIED UNANIMOUSLY***

**CORPORATE AND COMMUNITY NO. CC81/2020**

**SUBJECT: ELECTION OF DEPUTY MAYOR**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke  
1429  
**RESOLVED**

**That the election of Deputy Mayor be held and determined by open ballot with the term of office to be from 19 September 2020 to 2 September 2021.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

The General Manager advised the meeting that 2 nominations had been received those being Councillors Gray and Councillor Olsen.

Voting was conducted between Councillors Gray and Olsen by way of a show of hands.

The result of the vote is as follows:

For Councillor Gray – Councillors Suvaal, Stapleford, Gray, Burke, Fitzgibbon, Sander, Lyons and Pynsent

For Councillor Olsen – Councillors Olsen, Dunn, Fagg and Doherty

The General Manager advised that Councillor Gray was the successful candidate and elected to the position of Deputy Mayor from 19 September 2020 until 2 September 2021.

**CORPORATE AND COMMUNITY NO. CC82/2020**

**SUBJECT: CONSIDERATION OF COUNCILLOR NUMBERS - 2021 COUNCIL ELECTIONS**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1430  
**RESOLVED**

**That Council maintains the current number of Councillors being 13 (one of whom is the Mayor) for the following term of office.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC83/2020**

**SUBJECT: SCHEDULE OF ORDINARY MEETINGS OF COUNCIL FOR THE  
REMAINDER OF 2020 AND UP TO THE LOCAL GOVERNMENT  
ELECTIONS IN 2021**

---

**MOTION**                      **Moved:**    Councillor Suvaal                      **Seconded:**    Councillor Burke  
1431

**RESOLVED**

1.      That Council temporarily amends clause 3.1 of the Code of Meeting Practice, which deals with the timing of Ordinary Meetings of Council, to hold one meeting per month for the months of October and November 2020, due to the ongoing uncertainty with COVID-19.
2.      That Council adopts the following schedule of Ordinary Meetings of Council for 2020:-  
  
         21 October 2020  
         18 November 2020  
         9 December 2020
3.      That Council consider the schedule of Ordinary Meetings of Council for 2021 at the ordinary meeting on 9 December 2020.
4.      That the General Manager give consideration to a trial of providing meeting agendas to Councillors at least one week prior to the scheduled meetings with the agenda review meetings forming part of the scheduled Councillor briefings.

**FOR**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (10)**

**AGAINST**

Councillor Olsen  
Councillor Stapleford  
  
  
  
  
  
  
  
  
**Total (2)**

**CARRIED**



**CORPORATE AND COMMUNITY NO. CC84/2020**

**SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2020 -  
DETERMINE VOTING DELEGATES AND MOTIONS**

---

**MOTION**                      **Moved:**    Councillor Gray                      **Seconded:**    Councillor Burke  
1432  
**RESOLVED**

1.      That Council determines voting delegates for the online Local Government NSW Annual Conference 2020 to be held on 23 November 2020 to be Mayor Pynsent and Councillors Suvaal, Gray and Dagg.
2.      That Council submits the motion relating to the usage of the NSW Waste Levy for funding of the rehabilitation of orphan landfilled sites to the Association for consideration at the Local Government NSW Annual Conference 2020.
3.      That Council determines other motions, if any, for referral to the Association for consideration at the Local Government NSW Annual Conference 2020.

| <b>FOR</b> | <b>AGAINST</b> |
|------------|----------------|
|------------|----------------|

|                       |                  |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC85/2020**

**SUBJECT: CODE OF CONDUCT AND PROCEDURES FOR ADMINISTRATION  
OF THE CODE OF CONDUCT - UPDATE TO REFLECT NEW  
PRESCRIBED MODELS**

---

**MOTION**            **Moved:**    Councillor Gray            **Seconded:**    Councillor Dunn  
1433

**RESOLVED**

1. That Council adopts the Code of Conduct and Procedures for the Administration of the Code of Conduct, which align with the recently updated Model Code of Conduct for Local Councils in NSW and Model Procedures for the administration of the Model Code of Conduct for Local Councils in NSW.
2. That the General Manager arranges a training session on the changes under the Model Code of Conduct for Local Councils in NSW.
1. That Council notes the actions proposed to ensure Council staff are provided with suitable training and information regarding the revised Model Code of Conduct for Local Councils in NSW.
2. That Council maintains Gifts and Benefits Token Value at \$50.00.

**FOR**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (11)**

**AGAINST**

Councillor Olsen

**Total (1)**

**CARRIED**

**CORPORATE AND COMMUNITY NO. CC86/2020**

**SUBJECT:     DISPLAY OF COMMUNITY NOTICES, COMMUNITY DISPLAYS &  
EXHIBITIONS AND HOSTING OF PETITIONS IN COUNCIL  
LIBRARIES POLICY**

---

**MOTION**           **Moved:**   Councillor Doherty       **Seconded:**   Councillor Suvaal  
1434

**RESOLVED**

1.     That Council places the amended Display of Community Notices, Community Displays & Exhibitions and Hosting of Petitions in Council Libraries Policy on public exhibition for 28 days.
2.     That should public submissions be received, a further report be prepared and submitted to Council for consideration.
3.     That should no public submissions be received, the amended Display of Community Notices, Community Displays & Exhibitions and Hosting of Petitions in Council Libraries Policy is adopted by Council.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC87/2020**

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE HELD ON FRIDAY 21 AUGUST 2020**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1435

**RESOLVED**

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 21 August 2020 be adopted as a resolution of the Ordinary Council.
2. That Council notes that the Aboriginal and Torres Strait Islander Committee meeting was inquorate at the commencement of the meeting and became quorate prior to the consideration of the agenda item AACLM5/2020 Council Activities for NAIDOC Week 2020.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC88/2020**

**SUBJECT: BI-ANNUAL COMPLAINT HANDLING REPORT (1 JANUARY - 30 JUNE 2020)**

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**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Suvaal  
1436  
**RESOLVED**

**That Council notes the Bi-annual Complaint Handling Report for the period 1 January to 30 June 2020.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC89/2020**

**SUBJECT: DISCLOSURES OF INTERESTS IN WRITTEN RETURNS**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1437  
**RESOLVED**

**That Council notes the tabling of the annual disclosures of interests in written returns received from designated persons and Councillors within 3 months of 30 June 2020 by the General Manager in accordance with Council's Code of Conduct.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC90/2020**

**SUBJECT: INVESTMENT REPORT - AUGUST 2020**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1438  
**RESOLVED**

**That Council receives the Investment Report for August 2020 and notes:**

- **Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order.**
- **Council's month end balance was \$44,850,207, year to date interest earned to 31 August was \$81,414 and the interest earned for August 2020 was \$39,184.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC91/2020**

**SUBJECT: RESOLUTIONS TRACKING REPORT**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1439  
**RESOLVED**

**That Council receives the report and notes the information in the Resolutions Tracking Report.**

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**



**CORPORATE AND COMMUNITY NO. CC92/2020**

**SUBJECT: DECISION MADE UNDER DELEGATED AUTHORITY - RESOURCES FOR REGIONS ROUND SEVEN - FUNDING APPLICATION AMENDMENT**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Fitzgibbon  
1440  
**RESOLVED**

That Council notes that the Mayor pursuant to section 226(d) of the *Local Government Act 1993*, between Council meetings exercised the decisions of Council due to the funding body advice of project eligibility under Resources for Regions Round Seven Program Guidelines which resulted in an amended funding submission as follows:

1. Cessnock Pool Splash Pad Stage 2 - \$420,300
2. Beatification of Rotary Park Kurri Kurri - \$482,198
3. Cessnock Disadvantaged Youth Driver Training Program - \$100,000
4. Cessnock City Cultural Hub - \$500,000 (\$309,700 within allocation and \$190,300 outside of allocation)

| FOR | AGAINST |
|-----|---------|
|-----|---------|

|                       |                  |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI69/2020**

**SUBJECT: 2019/20 AQUATIC SEASON REVIEW**

---

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Sander  
1441

**RESOLVED**

1. That Council notes the review of the 2019/20 aquatic season.
2. That the General Manager bring back a COVID-19 Plan, to address the safety of pool users and staff on the 10 free Family Fun Days to the October Ordinary Meeting of Council.
3. That Council notes the COVID-19 implications that will affect the operations and capacity of the pools for the foreseeable future.
4. That Council notes the performance of Belgravia Health & Leisure Group Pty Ltd in respect of Year 1 of the contract for management of Kurri Kurri Aquatic & Fitness Centre.

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI70/2020**

**SUBJECT: ADOPTION OF SKATE AND BMX STRATEGY**

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**MOTION**      **Moved:** Councillor Stapleford      **Seconded:** Councillor Dunn

1442

**RESOLVED**

1. That Council adopts the Skate and BMX Strategy.
2. That Council notes the implementation priorities of the Skate and BMX Strategy.
3. That the General Manager notifies those who made submissions during the public exhibition of Council's decision.
4. That Council makes provisions for the implementation of the Skate and BMX Strategy in consideration of future Operational Plans and available resources, including grant funding and development contributions.

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE NO. WI71/2020**

**SUBJECT: WESTON BEARS PARK MASTERPLAN**

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*Councillor Burke declared a Non Pecuniary Less Than Significant Interest for the reason that he knows someone who submitted a submission. Councillor Burke remained in the Chamber and participated in discussion and voting.*

*Councillor Olsen declared a Non Pecuniary Less Than Significant Conflict for the reason that his daughter made a submission. Councillor Olsen remained in the Chamber and participated in discussion and voting.*

**MOTION**            **Moved:** Councillor Doherty            **Seconded:** Councillor Suvaal  
1443

### **RESOLVED**

1. That Council adopts the Weston Bears Park Masterplan.
2. That the General Manager notifies those who made submissions, and key stakeholders, of Council's decision.
3. That Council makes provisions for implementation of the Masterplan in consideration of available resources including grant funding and development contributions.

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI72/2020**

**SUBJECT: MINUTES OF ROADS REVIEW COMMITTEE OF 14 AUGUST 2020**

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**MOTION**                      **Moved:**    Councillor Dunn                      **Seconded:**    Councillor Sander

1444

**RESOLVED**

1.      That the Minutes of the Roads Review Committee Meeting of 14 August 2020 be adopted as a resolution of the Ordinary Council.
2.      That the General Manager write to the Member for Cessnock, Clayton Barr, Parliamentary Secretary for the Hunter, Hon Catherine Cusack, and Hon Taylor Martin MLC, the Hon Paul Toole MP, Minister for Regional Transport and Roads seeking their support for MR181 – From the Central Coast Council boundary to Wollombi then via Millfield and Bellbird to Allandale Rd at Cessnock 52.4km - to be transferred to State from regional road status. Specifically noting the need for funding for the Lemming's Corner stretch of road on the Great North Road, Bucketty and Council's inability to fund such a project without external funding.
3.      That the General Manager provide any supporting evidence relating to deaths and crashes in that area in recent times, including the most recent motorbike fatality this month.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI73/2020**

**SUBJECT: HAMILTON STREET ABERNETHY  
PETITION REGARDING SEWERAGE & DRAINAGE**

---

**MOTION**                      **Moved:**    Councillor Dunn                      **Seconded:**    Councillor Suvaal  
1445

**RESOLVED**

1.     That Council notes the petition lodged by residents of Hamilton Street, Abernethy.
2.     That Council notes the outcome of an investigation of septic seepage from properties adjoining Hamilton Lane.
3.     That Council includes investigation of drainage in Hamilton Street and Hamilton Lane, Abernethy and preparation of a proposal in the Operational Plan 2020-21.
4.     That the General Manager report back to Council once investigations and a proposal have been finalised.
5.     That the General Manager notifies the petition organiser of Council's decision.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI74/2020**

**SUBJECT: SHARED PATHWAYS AND TRAILS**

---

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Gray

1446

**RESOLVED**

1. That Council notes the status of the design for the shared pathway along Wine Country Drive Nulkaba, the Pokolbin Cycling Improvements, and eight recreational trails.
2. That Council notes the total estimated costs of \$2,500,000 to progress to Preliminary Designs for the shared pathway along Wine Country Drive Nulkaba, the Pokolbin Cycling Improvements, and eight recreational trails.
3. That Council endorses the sources of funding identified as suitable to progress to Preliminary Designs with the further investigation and finalised scoping to inform the cost of Final Designs.
4. Determining the feasibility of trails 1, 3, 6 and 7 are included as well as the Abermain to Weston link and the Chinaman's Hollow and Maybury Peace Park Trails as an action in the 2021/2022 Operational Plan
5. A report back to Council with results of the feasibility study.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN**

### **BUSINESS WITH NOTICE NO. BN28/2020**

**SUBJECT: CLOSURE OF LANEWAY**

---

**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Dunn

1447

**RESOLVED**

1. That the General Manager bring a report back to Council on the process of closing the laneway from Duguid Close to Casson Avenue, Cessnock with a plan to closing this laneway to all pedestrians.
2. That the General Manager bring back a report on the process in closing laneways in the Cessnock Local Government Area.

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**



**BUSINESS WITH NOTICE NO. BN29/2020**

**SUBJECT: SHADE COVERS OVER BENCH SEATS**

---

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Sander  
1448

**RESOLVED**

**That the General Manager bring back a report on the construction of shade covers over the 4 new bench seats, situated on the paved section of the Cooper Street/Charlton Street intersections.**

| <b>FOR</b> | <b>AGAINST</b> |
|------------|----------------|
|------------|----------------|

|                       |                  |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE**

### **CORRESPONDENCE NO. CO12/2020**

**SUBJECT: MM4/2020 - COVID-19 PANDEMIC - FINANCIAL ASSISTANCE**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal

1449

#### **RESOLVED**

That Council notes the correspondence from The Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government, regarding the request for financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.

| <b>FOR</b>            | <b>AGAINST</b>   |
|-----------------------|------------------|
| Councillor Olsen      |                  |
| Councillor Doherty    |                  |
| Councillor Dunn       |                  |
| Councillor Fagg       |                  |
| Councillor Stapleford |                  |
| Councillor Suvaal     |                  |
| Councillor Fitzgibbon |                  |
| Councillor Gray       |                  |
| Councillor Burke      |                  |
| Councillor Sander     |                  |
| Councillor Lyons      |                  |
| Councillor Pynsent    |                  |
| <b>Total (12)</b>     | <b>Total (0)</b> |

**CARRIED UNANIMOUSLY**

## **COUNCILLORS REPORTS**

Councillor Lyons

### **Austar Consultative Committee – 26 August 2020**

Councillor Lyons reported on his attendance at the Austar Community Consultative Committee meeting held 26 August 2020.

Due to Austar moving into care and maintenance and Covid 19 the consultative committee is now meeting twice a year with any member able to call an extraordinary meeting if need arises.

Austar is still waiting for a decision from Yancoal as to whether the next phase of mining shall proceed, no decision has been made yet as to the future of Austar.

The last coal train left Austar on 23 March 2020.

Austar staff have either been redeployed to other Yancoal mines in the valley, or took voluntary redundancies. Only Contractors have been terminated.

44 employees remain undertaking ongoing care and maintenance. Air and water quality along with vibrations are still being monitored.

An increase in controls burns are being planned around Bellbird and Pelton for early November, the reason they were not conducted during winter as it is the breeding season of an endangered owl species found on the site.

A weed survey was in August. An ongoing weed control program is planned with a focus of Green cestrum, lantana, mother's of millions and others.

Community support program for 2020, applications closed 4 November, 16 applications were received, 9 were successful and will be notified shortly. The program will now be suspended until mining resumes at Austar.

The next meeting will be held in March 2021.

*The Meeting Was Declared Closed at 8.33pm*

**CONFIRMED AND SIGNED** at the meeting held on 7 October 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

**Disclosures Of Interest**

**Report No. DI11/2020**

**Corporate and Community Services**

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**SUBJECT:** *DISCLOSURES OF INTEREST*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

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**RECOMMENDATION**

**That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.**

**SUMMARY**

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

**ENCLOSURES**

There are no enclosures for this report.

Notice of Intention to Deal With Matters in Confidential Session

Report No. NI7/2020

Corporate and Community Services



**SUBJECT:** *NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION.*

***CC100/2020 - AUTHORISATION FOR SALE OF LAND:***

- 26 TULLOCH STREET, EAST BRANXTON***
- 27 ABERDARE STREET, KITCHENER***
- 29 ABERDARE STREET, KITCHENER***
- 29 CESSNOCK STREET, KITCHENER***
- 31 ABERDARE STREET, KITCHENER***
- 16A STEPHEN STREET, CESSNOCK***

***WI82/2020 – SOUTH CESSNOCK FLOOD MITIGATION SCHEME UPDATE***

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

**RECOMMENDATION**

1. That Council considers in Confidential Session the following matters in accordance with Sections 10A (2) (c) & (dii) of the *Local Government Act 1993*:

Report No. CC100/2020 – Authorisation of Sale of Land as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

Report No. WI82/2020 – South Cessnock Flood Mitigation Scheme Update 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.

2. That Council requests the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

**SUMMARY**

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “Confidential” business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

**ENCLOSURES**

There are no enclosures for this report.

**Motions of Urgency**

**Report No. MOU11/2020**

**Corporate and Community Services**

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**SUBJECT: MOTIONS OF URGENCY**

**RESPONSIBLE OFFICER: Finance and Administration Manager - Andrew Glauser**

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**RECOMMENDATION**

**That Councillors now indicate if there are any matters of urgency which they believe should be conducted at this meeting of Council.**

**SUMMARY**

Under Clause 10.5 of Council's Code of Meeting Practice, business may be transacted at a meeting of Council even *though* due notice of the business has not been given to the Councillors. This can only happen if a motion is passed to have the business transacted at the meeting, the Mayor rules that the business is of great urgency and the business notified in the agenda for the meeting has been disposed of.

Only the mover of such a motion can speak to the motion before it is put.

**ENCLOSURES**

There are no enclosures for this report.

General Manager's Unit  
Report No. GMU23/2020  
General Manager's Unit



**SUBJECT:** ***NSW BUSHFIRE COMMUNITY AND RESILIENCE FUND GRANT OPPORTUNITY***

**RESPONSIBLE OFFICER:** ***Economic Development & Tourism Manager - Tony Chadwick***

---

### **SUMMARY**

The purpose of this report is to inform Council about additional funding being made available via Phase 2 of the Bushfire Community Recovery and Resilience Fund.

### **RECOMMENDATION**

- 1. That Council delegates authority to the General Manager to submit grant applications under Phase 2 of the Bushfire Community Recovery and Resilience Fund that align with the expectations of bushfire affected communities; and**
- 2. That Council receives a report with the projects that are submitted under Phase 2 of the Bushfire Community Recovery and Resilience Fund.**

### **BACKGROUND**

Phase 2 of the Bushfire Community Recovery and Resilience Fund (BCRRF) is being provided through the joint Commonwealth-State Disaster Recovery Fund. BCRRF will support community recovery by funding \$25 million worth of projects that will promote community well-being, social and broader recovery and future disaster resilience following the bushfires.

BCRRF Phase 2 has been divided into two streams:

- Stream 1 is a \$250,000 allocation to Cessnock City Council for smaller-scale, short term bushfire community recovery projects (Refer **Enclosure 1**).
  - Applications open 29 September 2020,
  - Application close 27 October 2020,
  - Local councils are required to use a minimum of 25% (\$62,500) of the allocation towards a council-led community grants program to target small-scale community activities that meet one or more of the Disaster Recovery Outcomes,
  - Project Plans must be provided within 8 weeks of receiving the funding, and
  - Projects must be delivered by 30 June 2022.
- Stream 2 is a competitive grant process for projects with a value of no less than \$20,000 and no more than \$300,000 (Refer **Enclosure 2**).
  - Applications open 29 September 2020,
  - Application close 10 November 2020, and
  - Projects must be delivered by 30 June 2022.

General Manager's Unit

Report No. GMU23/2020

General Manager's Unit



## **REPORT/PROPOSAL**

Phase 2 of the BCRRF was opened for applications on 27 September 2020, leaving Council 4 weeks to submit Stream 1 applications and 6 weeks to submit Stream 2 applications.

Due to the short period of time to develop quality applications the following project schedule has been developed:

- Week beginning 5 Oct 2020 – Contact fund manager to confirm fund requirements;
- Week beginning 5 Oct 2020 – Hold an internal staff workshop;
- Week beginning 5 Oct 2020 – Start community consultation by holding meetings with eligible community groups;
- Week beginning 12 Oct 2020 – Provide fund information to the community;
- Week beginning 19 Oct 2020 – Assist community groups with grant applications;
- Week beginning 19 Oct 2020 – Prioritise Stream 1 projects based on benefit, need and deliverability;
- Week beginning 19 Oct 2020 – General Manager to approve Stream 1 projects;
- 27 Oct 2020 – Submit the Stream 1 application;
- Week beginning 2 Nov 2020 – Prioritise Stream 2 projects based on benefit, need and deliverability;
- Week beginning 2 Nov 2020 – General Manager to approve Stream 2 projects; and
- 10 Nov 2020 – Submit the Stream 2 application/s.

The General Manager will be provided with bushfire recovery project options that align with the expectations of bushfire impacted communities and that have the best chance of success.

To date the project themes provided by impacted communities include but not limited to:

- Disaster preparedness training and education programs
- Emergency signage and communication projects
- Projects that improve the capacity of the community to respond to future disasters
- Activities that promote community engagement, information sharing and connection.

## **OPTIONS**

N/A

## **CONSULTATION**

General Manager

Manager Economic Development and Tourism

Community Recovery Officer

Wollombi and Laguna community members (yet to engage with more groups)



## STRATEGIC LINKS

### a. Delivery Program

This report aligns with the following Council Delivery Program 2017 – 2021 actions:

- A Sustainable and Prosperous Economy;
  - 2.1.2 Identify opportunities and advocate for economic development and infrastructure funding,
  - 2.1.3 Implement a Business Investment Attraction Program,
  - 2.1.4 Provide support for activation of commercial centres, business engagement, promotion and support for business growth,
  - 2.3.1 Collaboratively identify markets and promote the local government area's tourism industry,
  - 2.3.2 Promote and grow the Hunter Valley Visitor Centre, and
  - 2.3.3 Support major community events and festivals.

### b. Other Plans

N/A

## IMPLICATIONS

### a. Policy and Procedural Implications

N/A

### b. Financial Implications

Phase 2 of the BCRRF will have an estimated budget impact as follows:

- 2020/2021 Operating Income \$250,000
- 2020/2021 Operating Expenditure \$80,000
- 2021/2022 Operating Expenditure \$170,000

### c. Legislative Implications

N/A

### d. Risk Implications

| Risk   | Risk Ranking | Proposed Treatment       | Proposed Risk Ranking |
|--|--------------|--------------------------|-----------------------|
| There is a risk that the Stream 1 grant application is not submitted by the due date of 27 October 2020  | Medium       | Adopt the recommendation | Low                   |
| There is a risk that the Stream 2 grant application is not submitted by the due date of 10 November 2020 | Medium       | Adopt the recommendation | Low                   |

General Manager's Unit

Report No. GMU23/2020

General Manager's Unit



|   |        |  |     |
|---|--------|--|-----|
| There is a risk of financial loss if the activities are not delivered by 30 June 2022 | Medium | Follow Council procurement and project management procedures | Low |
|---|--------|--|-----|

**e. Environmental Implications**

Nil

**f. Other Implications**

A successful grant applications under Phase 2 of the BCRRF, will result in additional but manageable workload for Council staff to deliver the selected projects by 30 June 2022.

**CONCLUSION**

To ensure Council submits Phase 2 BCRRF applications before the application due date, the General Manager requires delegation and flexibility in selecting the most suitable bushfire recovery projects.

**ENCLOSURES**

- [1↓](#) Bushfire Community Recovery and Resilience Fund Phase 2 Stream 1 Guidelines
- [2↓](#) Bushfire Community Recovery and Resilience Fund Phase 2 Stream 2 Guidelines

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 1

#### GUIDELINES



## Overview

Phase Two of the Bushfire Community Recovery and Resilience Fund (BCRRF) will support community recovery by funding \$25 million worth of projects and initiatives that will promote community well-being, social and broader recovery and future disaster resilience following the bushfires. Stream 1 will involve allocation of funds to local councils for smaller-scale, short term community projects. Stream 2 will involve allocation of grants to medium and long-term community projects. This guideline covers BCRRF Phase Two Stream 1.

The funding for the BCRRF is provided through the joint Commonwealth-State Disaster Recovery Funding Arrangements. The BCRRF guidelines have been developed in consultation with Emergency Management Australia and are supported by the National Bushfire Recovery Agency. Funding will be made available to support community recovery of areas in New South Wales impacted by the unprecedented bushfires from 31 August 2019 onwards. Resilience NSW are the lead disaster management agency for NSW, responsible for all aspects of disaster recovery and building community resilience to future disasters.

## Objective

The objective of Phase Two Stream 1 of the BCRRF is to deliver flexible, small-scale grants to local councils for smaller-scale, locally led community recovery activities. The purpose is to support communities overcome the social impacts of the bushfires.

## Funding

Phase Two Stream 1 is a non-competitive funding round that has payments available of either \$250,000 or \$100,000 to eligible, priority bushfire affected local government areas (LGAs) in NSW. Local councils eligible for Phase 2 Stream 1 have been identified through prioritised consideration of social recovery indicators including capturing residential impact, small business support needs and percentage of land scarred by the bushfires. Councils will receive notification in writing advising the total funding amount they are eligible.

Funding will be available from 29 September 2020. Funding Deeds will be executed as quickly as possible and payments made shortly after. All required documentation needs to be complete and submitted before payment will be released. Funding will be administered by Resilience NSW.

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 1

#### GUIDELINES



## Eligibility

### Applicants

Eligible applicants are local councils that have been determined as priority social recovery councils and have been declared in New South Wales (NSW) relating to bushfires from 31 August 2019 onwards, and are eligible for Category C funding assistance under the Commonwealth Disaster Recovery Funding Arrangements. These local councils are:

- |                     |                           |                   |
|---------------------|---------------------------|-------------------|
| • Armidale Regional | • Greater Hume            | • Richmond Valley |
| • Bega Valley       | • Hawkesbury              | • Shoalhaven      |
| • Blue Mountains    | • Kempsey                 | • Singleton       |
| • Central Coast     | • Kyogle                  | • Snowy Monaro    |
| • Cessnock          | • Lithgow                 | • Snowy Valleys   |
| • Clarence Valley   | • MidCoast                | • Tenterfield     |
| • Coffs Harbour     | • Mid-Western             | • Upper Lachlan   |
| • Dungog            | • Nambucca                | • Walcha          |
| • Eurobodalla       | • Oberon                  | • Wingecarribee   |
| • Glen Innes Severn | • Port Macquarie-Hastings | • Wollondilly     |
| • Goulburn Mulwaree | • Queanbeyan-Palerang     |                   |

Local councils are the only eligible applicants for Phase Two Stream 1 funding.

### Projects

Phase Two Stream 1 funding is intended to be flexible in order to meet recovery needs of local communities. Local councils are asked to undertake activities within a disaster declared LGA related to bushfires from 31 August 2019 onwards that contribute to community recovery and/or resilience including projects that support community wellbeing.

Projects will need to contribute to fulfil one or more of the following Disaster Recovery Outcomes:

- The needs of vulnerable groups are addressed in disaster recovery
- The community is aware of the disaster recovery processes
- The community can express its changing disaster recovery needs
- Community members are aware of the risks of future disasters
- The community has improved capacity and capability to respond to future disasters
- Business and not-for-profits have in place adequate mitigation practices for risks and threats
- Government, private sector, civil society and organisations are engaged in plans for preparedness and management of the recovery

Local councils are required to use a minimum of 25% of their Phase 2 Stream 1 funding towards a council-led community grants program to target small-scale community activities that meet one or more of the Disaster Recovery Outcomes. The remaining funds can be used towards other projects that meet one or more of the Disaster Recovery Outcomes. Example projects are provided overleaf.

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 1

#### GUIDELINES



#### Local council-led grants program

For local council-led community grants program, the application must include a Grants Outline Program that details how the program outcomes are consistent with this guideline, details of eligibility and duration of the program as well as detail on the selection process. Use of BCRRF funds for the administration costs to run the council-led grants program are permissible as reasonable program management costs from the remaining 75% of the overall Phase 2 Stream 1 funds per local council. This may be re-assessed on a case-by-case basis.

Resilience NSW must be consulted with prior to any changes to outcomes or duration to the local council's grants program after award of Phase Two Stream 1 funding. Delivery of the local council's grants program must be consistent with the guideline. Local councils will be responsible for providing evidence that the grants program, as a project, complies with the auditing and reporting requirements outlined in this guideline.

#### Example Projects

Projects eligible for funding could include but are not limited to:

- Regional social events and digital communication initiatives that support social recovery, commemoration and improve community connectedness;
- Programs and initiatives that support community recovery and well-being including support for connectedness, improved identity of place and cultural heritage;
- Community education programs to improve regional knowledge and resilience in response and preparedness to future disasters and how to be better prepared for hazards into the future;
- Neighbourhood and community strengthening activities that focus specifically on capacity building, and knowledge building and sharing.

Local councils are encouraged to partner with local organisations and community interest groups to design and deliver the projects.

#### Activities that are not eligible for funding

- Application that seek support for supplementing, increasing or continuing ongoing service delivery that is the core business of the council;
- Applications that request ongoing program funding;
- Applications for projects and/or activities that are not related to the community recovery attributed to the bushfire event;
- Applications that request covering existing debts or budget deficits.

#### How to Apply

Local councils will be provided a link to fill in a simple [online application form](#) in Enquire2 portal. New users will need to register a new account. Information required includes:

- Local council contact details,
- Grants Outline Program (template provided in the [online application form](#)) for the council-led community grants program,
- Proposed activity(s) and estimated costs,
- Nomination of which Disaster Recovery Outcomes align with the proposed activity(s),

Only one application is allowed per local council. Multiple activities may be included as part of an application. Resilience NSW will review and approve the application. Should insufficient or unaligned information be provided Resilience NSW may request further clarification from councils.



## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 1

#### GUIDELINES



Local councils will need to enter into a legally binding funding agreement with Resilience NSW (NSW Government) to receive funding. Late application requests for submission extension must be made in writing to Resilience NSW setting out the reasons for the request prior to the application close date. A funding agreement will be issued to the local council upon award. Applicants will be expected to have an appropriate level of insurance cover the details of which will be determined in the funding agreement. Applications will be reviewed and awarded as promptly as possible.

At the completion of the project(s), local councils will be asked to provide a brief summary of the activities that were funded and evidence of expenditure via the Enquire2 portal.

### Review Process and Timeframes

Local councils are asked to submit the online forms as soon as possible. Phase Two Stream 1 funding will be open for applications until midday 27 October 2020. Applications will be reviewed by Resilience NSW to ensure:

- All required documentation is complete and submitted,
- Proposed projects align with funding objectives outlined in this guideline.

Councils will receive notification in writing advising the total funding amount they are eligible for. Funding Agreements will be drafted as soon as possible. Councils will be informed in writing on the status of their application. Successful councils will be informed of the status of their successful application executed as soon as possible and payments released soon after. Further financial management requirements will be outlined in the funding agreement.

Local councils must complete projects and expenditure by 30 June 2022. Extensions may be considered on a case-by-case basis. Extensions cannot be granted without prior approval from Resilience NSW and the Australian Government.

Projects will be monitored for compliance and progress during delivery in alignment with the guideline and the funding agreement requirements. Local councils will be required to provide an update report quarterly at the end of each quarter, until the completion of the project. This includes report of actual expenditure under the grant. A short completion report and evidence of expenditure will be required to be submitted within 2-months of project completion.

### Contact

For further information and technical queries relating to the application form and Enquire please contact the Resilience NSW via email at [bcrf@resilience.nsw.gov.au](mailto:bcrf@resilience.nsw.gov.au).

### Public Acknowledgment

Under the Disaster Recovery Funding Arrangements, all projects under the BCRRF must appropriately acknowledge and recognise that it is jointly funded under the Commonwealth/State Disaster Recovery Funding Arrangements.

Local councils must acknowledge the funding contributions of the Commonwealth and New South Wales Governments at any public events, in announcements, or any other promotional material or publicity relating to the projects funded the Bushfire Community Recovery and Resilience Funding Program. Should any materials differ from the Disaster Recovery Funding Arrangement requirements the local council must seek prior approval from the Commonwealth.

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## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 1

#### GUIDELINES



New South Wales Governments, the material contained herein does not necessarily represent the views of either Government'.

## Governance

### Record keeping

For expenditure under the BCRRF, Local councils must keep an accurate audit trail for seven (7) years from the end of the financial year in which the expenditure is claimed, or until such time as the claim is acquitted by the Commonwealth Government. This will require transaction listing of eligible expenditure that reconcile to the claimed amount and support each transaction.

For assurance purposes, the Commonwealth Government may at any time, through the Resilience NSW request documentation request from local councils to evidence the state's compliance under the Disaster Recovery Funding Agreements.

### Assurance activities

The Commonwealth Government or NSW Government may at any time undertake assurance activities to reconcile audited state claims either directly or via an independent advisor. Eligible local councils may be required to provide documentation to support assurance activities.

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## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



### Overview

Phase Two of the Bushfire Community Recovery and Resilience Fund (BCRRF) will support community recovery by funding \$25 million worth of projects that will promote community well-being, social and broader recovery and future disaster resilience following the bushfires. Stream 1 involves allocation of funds to local councils for smaller-scale, short term community projects. Stream 2 will involve allocation of grants to medium and long-term community projects. This guideline covers BCRRF Phase Two Stream 2.

The funding for the BCRRF is provided through the joint Commonwealth-State Disaster Recovery Funding Arrangements. The BCRRF guidelines have been developed in consultation with Emergency Management Australia and are supported by the National Bushfire Recovery Agency. Funding will be made available to support community recovery of areas in New South Wales impacted by the unprecedented bushfires from 31 August 2019 onwards. Resilience NSW are the lead disaster management agency for NSW, responsible for all aspects of disaster recovery and building community resilience to future disasters.

### Objective

The objective of Phase Two Stream 2 of the BCRRF is to support social recovery from bushfires for affected local communities to:

- reduce the adverse impact of the bushfires and make a sustained recovery, and
- be more resilient to future disasters and improve general wellbeing.

### Funding

Phase Two Stream 2 will allocate funding aligned with the bushfire declared Local Government Areas (LGAs) in the form of a competitive grants program. Funding is available for approved projects with a value of no less than \$20,000 and no more than \$300,000. Funding will be administered by Resilience NSW.

Funding will be provided for the value of the project as per the submission. Funding may be provided in instalment(s) depending on the proposed project size and delivery duration stipulated in the application.

Applications will be assessed at a regional level using Regional Panels (RPs); Southern RP, Northern RP and Greater Sydney, Hunter & Central RP. The remit of each RP is to assess BCRRF Phase 2 Stream 2 proposals specific to the declared LGAs in the table below.



## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



| Regional Panel                   | LGA Remit   |
|----------------------------------|---|
| Northern                         | Armidale, Ballina, Bellingen, Byron, Clarence Valley, Coffs Harbour, Glen Innes Severn, Gwydir, Inverell, Kempsey, Kyogle, Lismore, MidCoast, Nambucca, Narrabri, Port Macquarie-Hastings, Richmond Valley, Tamworth, Tenterfield, Tweed, Uralla, Walcha. |
| Greater Sydney, Hunter & Central | Blue Mountains, Central Coast, Cessnock, Dungog, Hawkesbury, Ku-ring-gai, Lake Macquarie, Lithgow, Mid-Western, Muswellbrook, Oberon, Penrith, Singleton, Sutherland, Upper Hunter, Wollondilly.  |
| Southern                         | Bega, Cootamundra-Gundagai, Eurobodalla, Goulburn Mulwaree, Greater Hume, Queanbeyan-Palerang, Shoalhaven, Snowy Monaro, Snowy Valleys, Upper Lachlan, Wagga Wagga, Wingecarribee.  |

### Eligibility

#### Applicants

Eligible applicants, referred to as lead organisations, are:

- incorporated non-government organisations including not-for-profit organisations, local community groups, business chambers and industry groups/peak bodies,
- local councils,
- joint organisations of council, and
- unincorporated community groups auspiced by an organisation that is eligible to apply in their own right

Auspice is defined as an incorporated organisation who receives, administers and acquits Resilience NSW' funding on behalf of an applicant. The auspice is required to:

- enter into a funding agreement with Resilience NSW
- accept grant funds and pay the auspiced grant applicant
- monitor and acquit the use of funds at the completion of the project.

Ideally the auspice will have the technical skills to guide and support the applicant in the delivery of the project, while acknowledging project decisions remain with applicant

Eligible lead organisations must be located within, operate within or intend to deliver the project to a NSW declared LGA(s) relating to bushfires from 31 August 2019 onwards.

Each project should have a clearly identified lead organisation that has:

- the capacity and capabilities to establish, manage and be held accountable for the delivery of the project and intended outcomes,
- the ability to report on the progress and agreed outcomes of the project,
- the ability to enter a legally binding funding agreement with the NSW Government

Lead organisations are encouraged to be formed through partnerships of one or more different types of eligible applicants listed above. Partnerships are encouraged for the purpose maximising the

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



reach and efficacy of a proposed project. In this instance the lead organisation will be recognised as the partnering entity.

#### Projects

Phase Two Stream 2 funding is focused on delivering projects that support sustained community recovery and improved community resilience in bushfire impacted areas. Projects can be aligned to local, regional or across multiple Local Government Areas. Projects will need to contribute to one or more of the following Disaster Recovery Outcomes:

- The needs of vulnerable groups are addressed in disaster recovery
- The community is aware of the disaster recovery processes
- The community can express its changing disaster recovery needs
- Community members are aware of the risks of future disasters
- The community has improved capacity and capability to respond to future disasters
- Business and not-for-profits have in place adequate mitigation practices for risks and threats
- Government, private sector, civil society and organisations are engaged in plans for preparedness and management of the recovery

#### Example projects

Projects eligible for funding could include but are not limited to:

- Regional social events and digital communication initiatives that support social recovery, commemoration and improve community connectedness;
- Programs and initiatives that support community recovery and well-being including support for connectedness, improved identity of place, cultural heritage and environmental restoration;
- Community education programs to improve regional knowledge and resilience in response and preparedness to future natural disasters and how to be better prepared for hazards into the future;
- Local and Regional community strengthening activities that focus specifically on capacity building, and knowledge building and sharing.

#### Activities that are not eligible for funding

- Applications that seek support for supplementing, increasing or continuing ongoing service delivery that is the core business of the lead organisation;
- Activities that have already occurred or are part-completed at the time of the application.
- Duplication of the same or similar project applications by the same lead organisation between BCRRF Stream 1, BCRRF Stream 2 and other similar government funding programs;
- Applications that request ongoing program funding;
- Applications for projects and/or activities that are not related to the community recovery attributed to the bushfire event;
- Applications that request covering existing debts or budget deficits;
- Works that involve building new assets or infrastructure capital works.

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



### Submission and Assessment Process



#### 1. Submission of projects proposals

A nominated representative(s) from the applying lead organisation will submit the project proposal online through the Resilience NSW [Online Grants Portal](#). All applications need to be completed in full and submitted prior to the closing date. The required information will include:

- Details of the project,
- The LGA(s) the project is being delivered within/ for,
- Needs justification,
- Geographical reach,
- Social benefits and community engagement,
- Key milestones,
- Risks and evaluation,
- Planned outcomes, and
- The value of the project and associated costs

Late application requests for submission extension must be made in writing to Resilience NSW setting out the reasons for the request prior to the application close date. Each application's eligibility will be confirmed. Additional information may be requested of the lead organisation at this stage of the process.

#### 2. Assessment of projects applications

Applications will be assessed only once the application period has closed. Applications will be checked for alignment with eligibility criteria and only eligible applicants will then be assessed by the Regional Panels. Each application will be delegated to the respective Regional Panel based on the LGA remit listed in the above table. The Regional Panel will assess each proposal and short-list priority proposals. Where a proposed project covers more than one region a joint Regional Assessment Panel will be convened. The Regional Panels may comprise of representatives from:

- Resilience NSW,
- Regional NSW,
- the Bushfire Regional Recovery Committee or sub-committees for the respective bushfire recovery region or equivalent

The following factors will be taken into consideration when determining priority projects:

- identified need and level of community support for the delivery of the project,

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



- the geographical reach of the project within the affected bushfire region as well as the engagement reach within those communities
- how the project supports the local area's and/or region's social, community and broader recovery,
- how the project will improve the community resilience to future natural disasters,
- the project meets a local recovery need not covered by existing programs,
- whether the project aligns with existing government commitments and priorities,
- how the project result in ongoing and sustainable benefit to the community,
- Alignment to one or more of the Disaster Recovery Outcomes,
- The value for money that the project provides,
- The consideration of evaluation in the project's design and delivery

#### 4. Approval of projects proposal

Each bushfire Regional Panel will inform Resilience NSW of the short-listed proposals that are supported for approval by Resilience NSW. Additional information will be requested of applicants if required. These supported proposals will be reviewed by Resilience NSW to ensure:

- Required documentation is complete,
- The lead organisation meets the eligibility criteria,
- Project(s) align with the program objectives and selection considerations,
- The proposal does not contain ineligible costs, and
- The proposal does not contain any sensitive or contentious activities.

Successful proposals must be approved for funding by Resilience NSW before project contracting and delivery. Applicants will be informed of the status of their application as soon as possible after approval. Applicants will be informed in writing on whether the application has been successful or unsuccessful.

#### Project Contracting and Delivery Process

Before a funding agreement (contract) is signed, Resilience NSW may request further details be provided by the lead organisation including further detail on the budget or project plan. The funding agreement is based on the information contained in the application and any additional information provided. Applicants will be expected to have an appropriate level of insurance cover the details of which will be determined in the funding agreement





## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



#### 1. Project contracting

Successful lead organisations will be notified in writing via email and/ or letter. Applicants may be requested to keep the grant confidential if an announcement will be made by the NSW Government or the Australian Government.

The nominated representative(s) from the successful lead organisation will need to enter into a legally binding funding agreement with the Resilience NSW to receive funding.

Funding may be provided in instalments over the project delivery duration, depending on the project value, size and delivery duration; as determined in the funding agreement. Any unspent monies must be returned to Resilience NSW.

Delivery milestone reporting will be negotiated between Resilience NSW and the lead organisation/ nominated representative(s), dependent on the risk profile, size and type of project activities to be delivered.

#### 2. Project delivery

Lead organisations and the nominated representative(s) will be responsible for delivering their project(s) in accordance with the funding agreement, including evidence of expenditure, completion of milestone activities and any outcomes via Resilience NSW [Online Grants Portal](#). Resilience NSW will monitor the progress of each activity for compliance against the funding agreement.

#### 3. Outcomes reporting

Lead organisations and the nominated representative(s) will be responsible for reporting on the project progressively through milestone reporting periods established in the funding agreement. Quarterly reporting will be required as a minimum for all lead organisations. More regular reporting may be required dependent on the risk profile, size and type of project activities to be delivered. Similarly, a completion report will be required by all lead organisations within two months after the completion of the project. This can include collecting information on how the completed activities have met the Disaster Recovery Outcomes of the BCRRF. Lead organisations must provide proper financial reports and operational records and registers. Failure to do so may affect an organisation's eligibility for continued funding through the BCRRF Program.

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



## Timeframes

| Activity                          | Dates   |
|-----------------------------------|---|
| Submissions of projects           | 29 September 2020 to midday 10 November 2020.   |
| Project review and Approval       | Assessment and approval expected in late November, early December 2020.   |
| Contracting of lead organisations | As approved. Final contracts expected to be completed by 30 December 2020.  |
| Project delivery                  | Commence once contracted. Projects and expenditure completed by 30 June 2022. Extensions may be considered on a case-by-case basis. Extensions cannot be granted without prior approval from Resilience NSW and the Australian Government   |
| Reporting                         | Minimum quarterly reporting is required by all lead organisations. More regular reporting may be required based on the risk profile, size and delivery duration of the project. Completion reports due two months after project completion. Additional reporting on outcomes may be required up to 12 months from completion. |

## Contact

For further information and technical queries relating to the application form and Enquire please contact the Resilience NSW via email at [bcrf@resilience.nsw.gov.au](mailto:bcrf@resilience.nsw.gov.au).

## Public Acknowledgment

Under the Disaster Recovery Funding Arrangements, all projects under the BCRRF must appropriately acknowledge and recognise that it is jointly funded under the Commonwealth/State Disaster Recovery Funding Arrangements.

Lead organisations must acknowledge the funding contributions of the Australian Government and New South Wales Governments at any public events, in announcements, or any other promotional material or publicity relating to the projects funded the Bushfire Community Recovery and Resilience Funding Program. Should any materials differ from the Disaster Recovery Funding Arrangement requirements the lead organisation must seek prior approval from the Australian Government.

These publications must also include both the Australian Government and State Government logos and the following disclaimer: 'Although funding for this product has been provided by both the Australian and New South Wales Governments, the material contained herein does not necessarily represent the views of either Government'.

## Governance

### Record keeping

For expenditure under the BCRRF, lead organisations must keep an accurate audit trail for seven (7) years from the end of the financial year in which the expenditure is claimed, or until such time as

## Bushfire Community Recovery and Resilience Fund

### PHASE TWO STREAM 2

#### GUIDELINES



the claim is acquitted by the Australian Government. This will require transaction listing of eligible expenditure that reconcile to the claimed amount and support each transaction.

For assurance purposes, the Australian Government may at any time, through the Resilience NSW request documentation request from lead organisations to evidence the state's compliance under the Disaster Recovery Funding Agreements.

#### Assurance activities

The Australian Government or NSW Government may at any time undertake assurance activities to reconcile audited state claims either directly or via an independent advisor. Eligible lead organisations may be required to provide documentation to support assurance activities.

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**SUBJECT:** *AMENDED PLANNING PROPOSAL FOR THE CESSNOCK COMMERCIAL PRECINCT*

**RESPONSIBLE OFFICER:** *Acting Strategic Planning Manager - Iain Rush*

### **SUMMARY**

Council submitted the Cessnock Commercial Precinct Planning Proposal to the former Department of Planning and Environment (now Planning, Industry and Environment) in April 2017. A conditional Gateway determination was subsequently issued requiring Council to obtain agreement for various ministerial directions relating to flooding, mine subsidence and reserving land for public purposes. It also required Council to consult with the former Roads and Maritime Services (now Transport for NSW), the former Office of Environment and Heritage (now Environment, Energy and Science) and Subsidence Advisory (SA).

Environment, Energy and Science (EES) have objected to various aspects of the Planning Proposal due to flood impacts. These items are unlikely to be resolved, at least in the medium term, and may jeopardise any further progress of the Planning Proposal. As a result, the Planning Proposal has been significantly revised to remove the opportunities for EES to object, while still achieving the intent of the original Planning Proposal.

Transport for NSW (TfNSW) has declined to be the acquisition and road authority for the proposed road extension from Snape Street to James Street. This item has been removed as there are alternative solutions to achieve this future link, if required.

A number of other items have been removed from the original proposal as they require further discussion with landowners, they are no longer necessary, or there are alternative means to achieve the same outcome.

|                              |  |
|------------------------------|--|
| <b>APPLICATION NUMBER:</b>   | 18/2017/1/1                                    |
| <b>PROPOSAL:</b>             | Cessnock Commercial Precinct Planning Proposal |
| <b>PROPERTY DESCRIPTION:</b> | Cessnock CBD                                   |
| <b>PROPONENT:</b>            | Cessnock City Council                          |

### **RECOMMENDATION**

1. That Council requests an amended Gateway determination from the Department of Planning, Industry and Environment for the Planning Proposal – Cessnock Commercial Precinct.
2. That Council undertakes consultation with public authorities and the community as determined by the Department of Planning, Industry and Environment's amended Gateway determination.
3. That Council receives a report back on the Planning Proposal if unresolved written objections are received during consultation with the community; otherwise forward the Planning Proposal to the Department of Planning, Industry and Environment requesting the Plan be made.



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## BACKGROUND

Council has undertaken comprehensive strategic planning to guide development and growth in the Cessnock Commercial Precinct. The following documents, adopted in September 2017, are the result of these strategic planning exercises:

- Cessnock Commercial Centre Master Plan;
- Cessnock Public Domain Plan and Implementation Plan; and
- Cessnock Commercial Precinct Development Control Plan.

The objective of the original Planning Proposal submitted to the Department of Planning, Industry and Environment was to amend the *Cessnock Local Environmental Plan 2011* (the LEP) to implement these strategies. The proposed amendments to the LEP included:

- changes in land use zoning;
- the introduction of residential flat buildings into the B3 Commercial Core Zone;
- changes to the permissible height of buildings and floor space ratios;
- introduction of a design excellence clause and development incentives for catalyst sites; and
- identification of land to be acquired for future roads and public space.

Council submitted the Cessnock Commercial Precinct Planning Proposal to the Department of Planning, Industry and Environment in April 2017. A conditional Gateway determination was issued requiring Council to obtain agreement on various ministerial directions relating to flooding, mine subsidence and reserving land for public purposes through consultation with Transport for NSW (TfNSW), Environment, Energy and Science (EES) and Subsidence Advisory (SA).

EES have objected to various elements of the Planning Proposal relating to flooding. These are unlikely to be resolved, at least in the medium term, and may jeopardise any further progress of the Planning Proposal. In addition, TfNSW has refused to be the acquisition and road authority for the proposed road extension from Snape Street to James Street.

The Planning Proposal (**Enclosure 1**) has been significantly revised to address the issues raised by TfNSW, EES and SA. Furthermore, a number of other items have been removed from the original proposal as they require further discussion with landowners, they are no longer necessary, or there are alternative means to achieve the same outcome.

## Chronology

| Date          | Action  |
|---------------|---|
| 19 April 2017 | Council resolved to request a Gateway determination in relation to Planning Proposal – Cessnock Commercial Precinct |
| 3 May 2017    | Council requested a Gateway determination from the Department of Planning, Industry and Environment                 |

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|                   |  |
|-------------------|--|
| 25 September 2017 | Council received a conditional Gateway determination requiring Ministerial Direction sign-off and consultation with government agencies. |
| 22 November 2017  | Council consulted TfNSW, EES and SA.   |
| 7 November 2018   | Final agency response received from TfNSW.   |

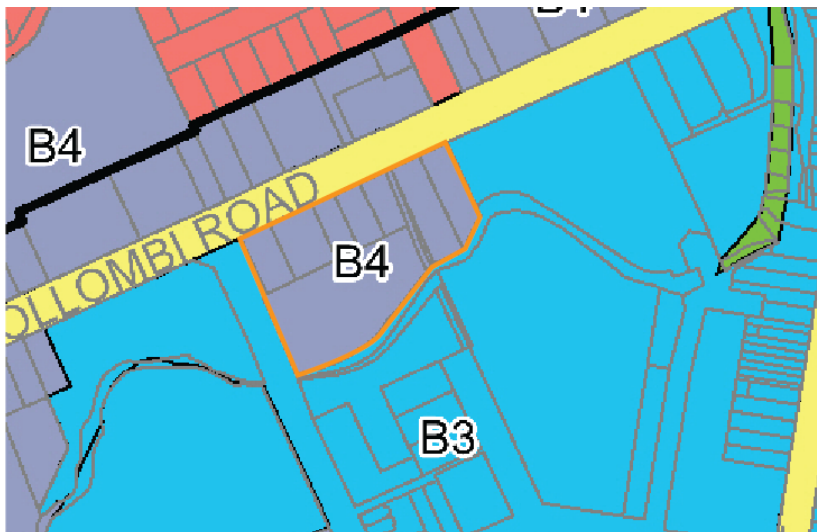
**REPORT/PROPOSAL**

The Planning Proposal originally submitted to the Department of Planning and Environment dealt with a number of items in the Cessnock Commercial Precinct. The following discussion lists each of the items for which an amendment is proposed and provides a recommendation to simplify the Planning Proposal, or to address the concerns of EES and TfNSW.

**Rezone from B4 Mixed Use to B3 Commercial Core –**

Properties affected:

Lot 22 DP 579269, Lot 4, 7 & 8 DP 38740, Lot 56 DP 614109, Lot 1 DP 112703, Lot 1 DP 721821, Lot 1 DP 979574, part of Lot 1 DP 1097308 and part of Lot 1 DP 340072 (*Various lots along Wollombi Road*) – See below.



Issue:

This is an existing area of B4 Mixed Use along Wollombi Road (including the Cessnock Vet Clinic and the Cessnock Leagues Club). There are very few differences in land-use permissibility between the B4 and B3 zones, with many of these being inconsequential. Mixed use is a good fit for the existing uses and it will allow a mixture of appropriate uses in the future, including shop-top housing and residential flat buildings. This amendment will also simplify the zones within the Cessnock CBD.

Recommendation:

Remove item 1A from the Planning Proposal and retain the lots as B4 Mixed Use.

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**Rezone from RE1 Public Recreation to B4 Mixed Use**

Properties affected:

Lot 16 DP 48151 and Lot 261 DP 666805 (*the pool site*) – See below.



Issue:

This is the pool site on the corner of Allandale Road and Wollombi Road. According to the Black Creek Stage 1 Flood Study the site is flood affected and there is no flood free access to the site. Hazard categories range from H1 (generally safe for vehicles, people and buildings) to H3 (Unsafe for vehicles, children and the elderly).

Ministerial Direction 4.3(5) states: “A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.”

A planning proposal may be inconsistent with this direction if the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.

If Council wishes to pursue the rezoning of this site then a detailed site flood study will be required. If this item is retained in the current Planning Proposal there is a high risk that it will significantly delay the proposal further.

Recommendation:

Remove item 1B and if Council wishes to pursue this item, to do this as a separate planning proposal after a site specific flood study is complete.

**Amend the Floor Space Ratio (FSR) Map pertaining to land within the precinct from a FSR of 1.5:1 or no FSR to a FSR of 1.5:1, 2.0:1 and 2.5:1; and Amend the Height of Building (HOB) Map pertaining to land within the precinct from a 12m or no HOB control to a HOB control of 12m, 15m, 18m and 21m;**

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Issue:

OEH have objected to changes in the FSR and HOB provisions where those controls infer a higher development potential in flood affected areas of the city centre. However, these FSR and HOB controls already exist in the DCP and these DCP controls can guide development outcomes in the centre. It is unlikely that OEH will remove their objections. Therefore, it is proposed to remove all floor space ratio and height of building controls for the Cessnock Commercial Precinct from the LEP and defer to the existing provisions in the DCP. This approach will remove OEH's opportunity to object.

Recommendation:

Remove all floor space ratio and height of building controls for the Cessnock Commercial Precinct from the LEP and defer to the existing provisions in the DCP.

**Amend the Land Reserved for Acquisition Map to include Land Reserved for Acquisition within the precinct for the purposes of Classified Road (SP2) and Local Open Space (RE1).**

Issue:

There are seven items nominated for acquisition in the Planning Proposal, three are proposed to be removed, as follows.

*Acquisition Site 1 (for removal):* RMS (now TfNSW) is nominated as the acquisition authority for a future road link between James Street and Snape Street. TfNSW has stated that it will not be the acquisition or the road authority for this item. Council could become the acquisition authority; however, if Council wishes to achieve the link then it could be conditioned on a future development consent.



Recommendation: Remove Acquisition Site 1 (future road link between James and Snape Street) from the Planning Proposal and amend the DCP to show the road link so that it can be considered in any DA for the site.

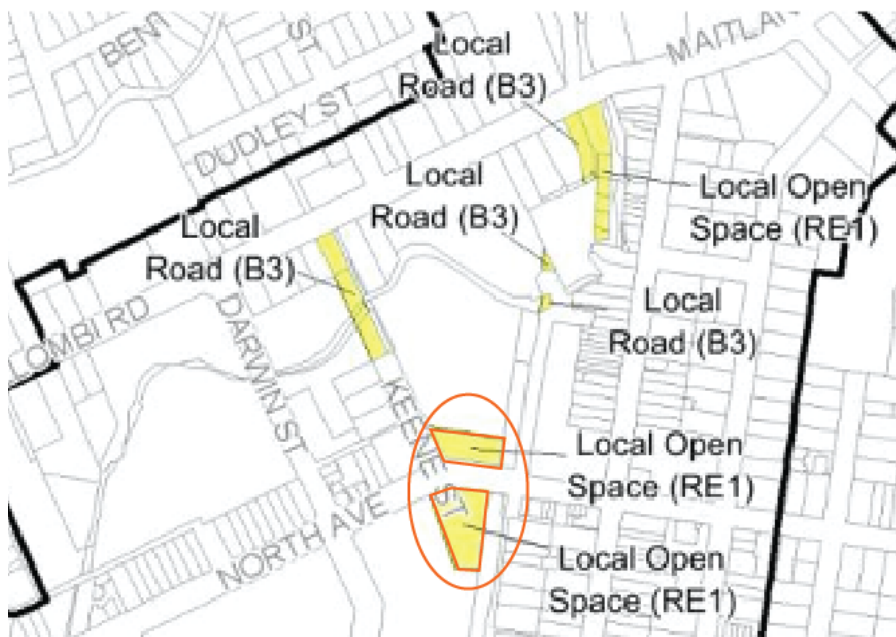
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*Acquisition Sites 2 and 3 (for removal):* The areas proposed on both the Lederer Group (Lederer Plaza) and Hunter Valley Investments properties (Coles/Target) (highlighted in orange) are also identified for acquisition and rezoning to RE1 Public Recreation. Detailed design for these items has not been undertaken and therefore the exact footprint for the land acquisition is not known. Negotiation with the affected land owners has not been undertaken at this stage and car parking offset arrangements are not in place to compensate for the loss of onsite car parking. As a result, there is no certainty regarding the extent of the acquisition area for sites 2 and 3 at this point in time.



The remaining acquisition items (to accommodate the extension of Keene Street and Charlton Street) will remain in the planning proposal. Council officers have already commenced discussions with Leagues Club (owners of the Keene Street extension sites).

Recommendation:

Remove Acquisition sites 2 and 3 (Lederer Plaza and Hunter Valley Investments' property) from the Planning Proposal and pursue these items at a later date when the design is further advanced, car parking is addressed and negotiations with the landowners have commenced.

**Enable residential flat buildings (RFBs) to be permitted with consent within the B3 Commercial Core zone.**

Issue:

OEH have argued that RFBs should not be included in the B3 Commercial Core Zone because most of the B3 Zone in the Cessnock City Centre is flood affected. OEH argues that RFBs risk introducing higher density residential uses and therefore more people in a flood affected area.

Council would be justified to argue this further as there are areas that are not affected by flooding that could accommodate RFBs. However, shop-top housing is already permitted in the B3 Zone and is a more appropriate, higher-density, residential outcome than RFBs, as the residential component must be above commercial or retail premises.

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Recommendation:

Remove item 4 from the Planning Proposal.

**Introduce a new clause to require all residential flat buildings in zone B3 Commercial Core to be developed only as part of a mixed-use development.**

Issue:

This would be a redundant clause because it is the same as shop-top housing, which is already permitted with consent in the B3 Commercial Core Zone. Shop-top housing is defined as: 'one or more dwellings located above ground floor retail premises or business premises'.

Recommendation:

Remove item 5 from the Planning Proposal.

**Introduce a new clause to encourage design excellence on key sites identified within the Cessnock Commercial Precinct.**

Issue:

A design excellence clause is an admirable aspiration for Cessnock; however, the city's modest development climate, is unlikely to provide the conditions necessary for these concessions to be taken up.

It is also argued that there is sufficient rigour in the existing assessment system to encourage good development outcomes, particularly where residential flat buildings / shop-top housing is proposed, as these development types need to be designed in accordance with the *State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development* and the Department of Planning and Environment's Apartment Design Guidelines.

The Cessnock Commercial Precinct DCP already identifies 'catalyst sites' and additional design guidance for these sites and other sites. Rather than burdening the LEP with additional local clauses, it is proposed to defer to the requirements in the DCP. This will save having to read between the two policy documents.

Additional local clauses and development controls increase the complexity of the local regulatory system. This needs to be balanced against the anticipated benefits of the additional controls. It is argued that at this time, the additional LEP clause is unlikely to derive any significant benefits over the provisions that already exist in the DCP.

Recommendation:

To remove item 6 from the Planning Proposal.

**Introduce Key Sites mapping in association with the introduction of the design excellence clause.**

Issue:

This would no longer be necessary if the design excellence clause is removed from the proposed LEP. The catalyst sites are already listed in the DCP including those listed as key sites.

Recommendation:

To remove item 7 from the Planning Proposal.



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In summary, if the recommendations of this Report are adopted, the amended proposal should address the concerns of OEH and RMS and the proposal will be significantly simplified to the following items:

1. Rezone from:
  - B3 Commercial Core to RE1 Public Recreation – Part of Lot 1 DP 450874 (Sternback Park)
  - B4 Mixed Use to RE1 Public Recreation – part of Lot 1 DP 577260 (TAFE Park) and Lot 7009 DP 1030585 (Council-owned car park on Cumberland Street).
2. Remove the maximum floor space ratio mapping controls for the Cessnock Commercial Centre from the LEP
3. Remove the maximum height of buildings mapping controls for the Cessnock Commercial Precinct from the LEP
4. Amend the Land Reserved for Acquisition Map to include Land Reserved for Acquisition within the precinct for the purposes of Local Road (SP2) and Local Open Space (RE1).

**OPTIONS**

1. Support the recommendation of this report to request an amended Gateway determination from the Department of Planning, Industry and Environment for the Planning Proposal – Cessnock Commercial Precinct. *This is the recommended option.*
2. Not support the recommendation to amend the Planning Proposal for the following reasons:

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*(To be provided by Council).*

This option is not recommended as it would significantly impact the timeframe for finalising the Planning Proposal and will not address the issues raised by TfNSW and EES.

**CONSULTATION**

Extensive consultation has been undertaken on the Cessnock Commercial Precinct Project, which includes the Cessnock Commercial Precinct Master Plan, Development Control Plan and Public Domain and Implementation Plan.

Pre-exhibition consultation has been undertaken with RMS, OEH and SA as required by the Gateway determination. It is anticipated that the amended proposal will be sent to these agencies for further consideration as part of the revised Gateway determination.

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Public exhibition of the Planning Proposal will be undertaken in accordance with the requirements of the Gateway determination. Landowners directly affected by the proposal will be notified and the Planning Proposal will be available at the Administration Building and libraries and on Council's website.

***STRATEGIC LINKS***

**Delivery Program**

A Sustainable and Healthy Environment: Objective 3.1 Protecting and Enhancing the Natural Environment and the Rural Character of the Area.

**Other Plans**

Cessnock Commercial Precinct Master Plan 2017  
Cessnock Development Control Plan 2011 – E16 Cessnock Commercial Precinct  
Cessnock Public Domain Plan and Implementation Plan 2017

***IMPLICATIONS***

**a. Policy and Procedural Implications**

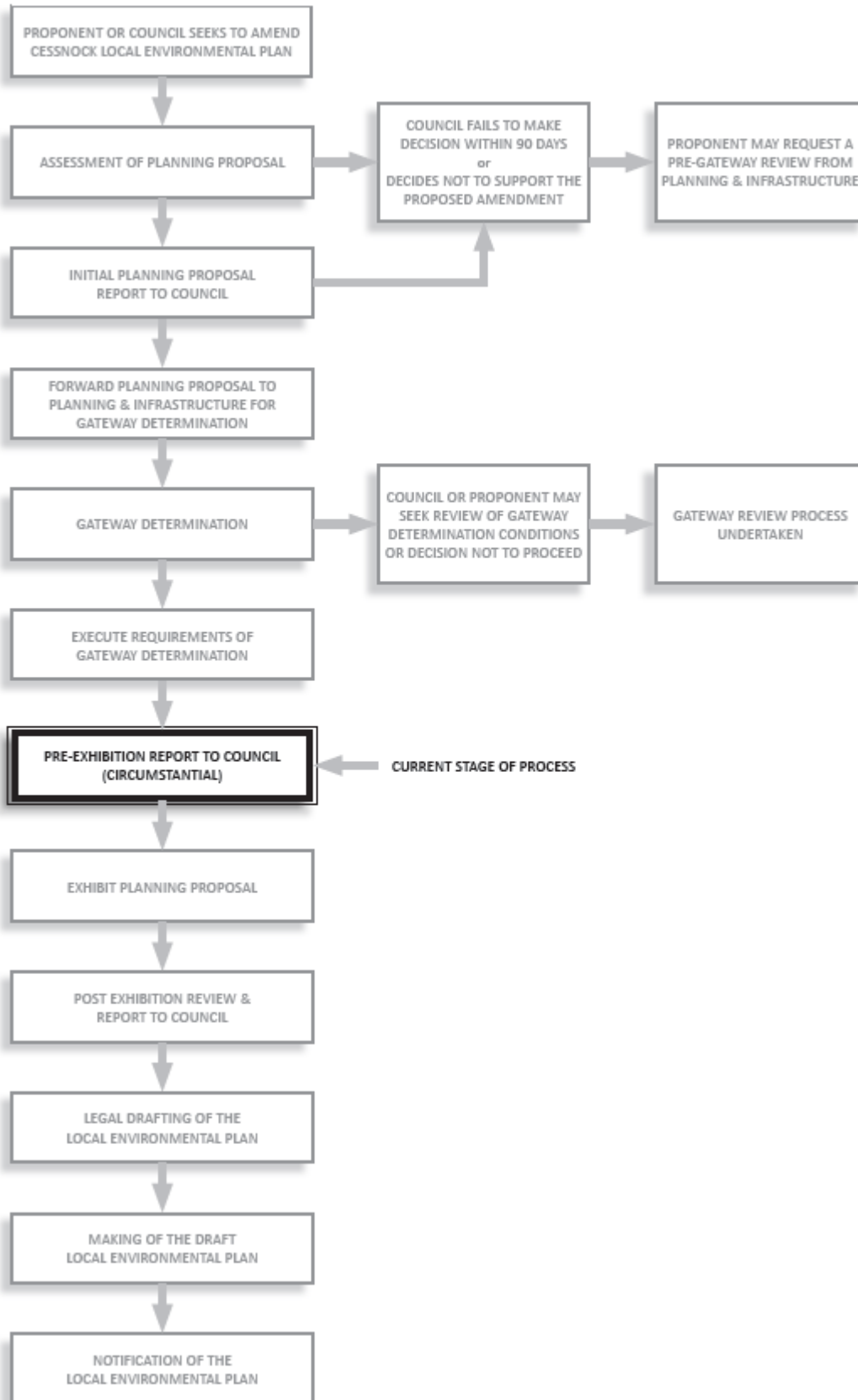
The proposal has direct implications for the Cessnock Local Environmental Plan 2011 and the Cessnock Development Control Plan 2011.



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PLAN MAKING PROCESS - LOCAL ENVIRONMENTAL PLAN



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**b. Financial Implications**

Nil

**c. Legislative Implications**

Amendments to the *Cessnock Local Environmental Plan 2011* will be undertaken in accordance with the *Environmental Planning and Assessment Act 1979* and its regulation.

**d. Risk Implications**

If the Planning Proposal is not amended to address the objections of EES and TfNSW, there is a risk that significant further delays will occur with the progress of the Planning Proposal.

**e. Environmental Implications**

Nil

**f. Other Implications**

Nil

**CONCLUSION**

The proposed amendments to the original Planning Proposal will address the concerns that have been raised by OEH and RMS. The proposed amendments will simplify the passage of this Planning Proposal through the process while still achieving the intent of the original Planning Proposal.

If no further objections are raised by these agencies, the Planning Proposal will be exhibited for a period of 28 days.

It is recommended that, if no unresolvable objections are raised during the exhibition period, the Planning Proposal be adopted and the changes to the LEP be undertaken. If unresolvable objections are received during the exhibition process a further report will be brought back to Council for consideration.

**ENCLOSURES**

- 1 [↓](#) Revised Planning Proposal - Provided Under Separate Cover

# Placeholder for Enclosure 1

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Revised Planning Proposal - Provided Under Separate  
Cover

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**SUBJECT:** ***EXHIBITION OF DRAFT CESSNOCK URBAN GROWTH MANAGEMENT PLAN AND HOUSING STRATEGY***

**RESPONSIBLE OFFICER:** ***Acting Strategic Planning Manager - Iain Rush***

## **SUMMARY**

The purpose of this report is to outline key elements of the draft Cessnock Urban Growth Management Plan (UGMP) and the draft Cessnock Housing Strategy and to seek Council's endorsement to place both documents on public exhibition for 28 days.

## **RECOMMENDATION**

1. That Council places the draft Cessnock Urban Growth Management Plan and draft Cessnock Housing Strategy on public exhibition for a period of 28 days.
2. That Council receives a further report following public exhibition of the draft documents.

## **BACKGROUND**

On 17 June 2020, Council adopted the Cessnock Local Strategic Planning Statement (LSPS). The LSPS sets the vision and priorities for land-use planning across the Cessnock Local Government Area (LGA) for the next 20 years and identifies planning priorities and principles relating to urban growth.

The Urban Growth Management Plan (UGMP) and the Housing Strategy are actions of the LSPS. The Housing Strategy is also a requirement of the Greater Newcastle Metropolitan Plan.

## **REPORT/PROPOSAL**

### **Draft Urban Growth Management Plan (UGMP)**

The current population of Cessnock is 59,985. The Department of Planning, Industry and Environment (DPIE) estimate that an additional 6,500 dwellings will be required in the Cessnock LGA in the next 20 years to accommodate anticipated growth to 2036; this equates to 325 new dwellings per annum. Based on various projection scenarios, demand for housing in Cessnock in the medium term is likely to remain modest at 300 to 400 dwellings per year. The approval of dwellings is consistently above 300 per annum based on residential building approvals (2001-2020) with approximately 418 new lots released to the market each year.

The DPIE Hunter Regional Plan 2036 and the National Housing Supply Council State of Supply Report 2009 recommends that Councils maintains a 10-15 years land supply to accommodate the land supply pipeline. This is considered an adequate timeframe to bring new development areas online and it encourages fewer development fronts so that infrastructure can be funded and rolled-out in a more logical and efficient manner.

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Council has undertaken an assessment of the existing zoned residential land in its urban release areas and tested this against a high and low growth scenario and two additional scenarios based on the actual minimum lot size of 450m<sup>2</sup> and a more likely lot size of 600m<sup>2</sup>.

Table 1: Number of years supply of zoned residential land.

|                   | Scenario 1*<br>(based on min. lot size. e.g.<br>450m <sup>2</sup> ) | Scenario 2#<br>(based on larger lot-size.<br>e.g. 600m <sup>2</sup> ) |
|-------------------|---|---|
| 300 dwellings p/a | 31 years  | 26 years  |
| 400 dwellings p/a | 24 years  | 19 years  |

\* Scenario 1 is based on known or expected lots and applying the minimum lot size to the remaining area.

# Scenario 2 is based on known or expected lots and applying a more likely minimum lot sizes (i.e. 600m<sup>2</sup>) to the remaining area.

Based on these scenarios, Cessnock currently has at least 25 years of existing zoned residential land. This figure is based on a number of assumptions, including that a single dwelling will be sited on a single lot. However, in reality, a moderate proportion of all new dwellings will be dual occupancies (9%), secondary dwellings (6%) and apartment (0.5%) typologies.

The Greater Newcastle Metropolitan Plan 2036 requires councils to contribute towards the 60% infill target for the sub-region and infill development is already contributing to the delivery of new housing across Cessnock. The SGS Housing Preferences Study that helped informed the draft Housing Strategy has also revealed that there is a greater demand for dual occupancies and medium-density housing in Cessnock than is currently being provided. Therefore, some of the 300-400 new dwellings needed each year to house growth will be provided within the existing urban footprint or in medium-density developments, meaning fewer greenfield lots will be required. This further increases the existing land supply.

Furthermore, the scenarios did not include the Vintage and Golden Bear tourism developments, Hydro, the unknown residential potential in the Huntlee B4 zone. It also did not include the additional capacity of the Anvil Creek Urban Release Area to accommodate residential growth above the 1364 residential lots identified in the planning agreement if components of that development do not proceed.

In summary, there is a significant excess of zoned, residential land available (above the recommended 10-15 year supply) for greenfield development purposes across Cessnock. It is now up to the development and housing industries to respond to the market and develop the land for urban purposes. Council's main role going forward is to monitor growth, new housing and the take up of residential land and when land supply reaches the 15-year supply threshold, to begin investigating other areas for urban development so that the pipeline remains active and responsive.

Despite having a significant excess of zoned land available for development and acknowledging the need to return to a 15-year supply threshold before investigating new areas, the UGMP has been proactive to identify those areas that are most likely to provide future demand. The plan also provides a process and criteria for developers to advance future investigation areas.

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This plan also provides three lifestyle categories that represent different lifestyle opportunities across Cessnock. These are: Commuter Urban, Established Urban and Village Lifestyle and are mapped in the UGMP. Within each of these lifestyle categories, investigation areas have been nominated to direct the investigation of new areas when land supply of that category reaches the 15-year threshold.

Category 1 (Commuter Urban) and category 2 (Established Urban) will primarily be driven by supply and demand, but category 3 (Village Lifestyle) will require a more considered approach in accordance with the LSPS principles about protecting rural uses, amenity, conflict and protecting the integrity of the village structure. All investigation areas will be assessed against the following UGMP planning principles:

1. The proposal must address and be consistent with the LSPS Planning Priorities and Principles.
2. There must be demonstrated 15-year or less supply of land for the lifestyle category. This must be justified by a comprehensive land supply analysis and economic analysis prepared by a suitably qualified expert.
3. For those areas in the lifestyle village category additional analysis will be required to satisfy the LSPS planning principles relating to the protecting the village structure, rural amenity, land-use conflict etc.
4. All investigation areas require a comprehensive Social Impact Assessment.
5. All Investigation areas require a Structure Plan.
6. As the 15-year supply threshold is reached, rezoning land for urban purposes will be prioritised within the Maitland Growth Corridor and the Bellbird to Maitland Growth Corridors in accordance with the Hunter Regional Plan.
7. Within each investigation area, priority will be given to those areas immediately adjoining serviced urban areas and where services can be reasonably extended and funded by the developer.
8. Contributions and voluntary planning agreements will need to be in place to ensure future development meets the costs of the provision of infrastructure and facilities without burdening the existing community, and, ensures that development is funded without subsidy from public funds.

**Draft Housing Strategy**

The Greater Newcastle Metropolitan Plan 2036 requires councils to prepare a housing strategy that investigates the housing needs of their communities and to provide policy responses to support the delivery of housing. Council has considered the full spectrum of housing needs including:

- Homelessness
- Emergency shelter or crisis housing
- Permanent supportive housing
- Seniors' housing and seniors' living
- Specialist disability accommodation
- Aboriginal Housing
- Social or community housing
- Housing affordability (home-ownership and rental)
- Market-based housing

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For the preparation of the draft Housing Strategy Council engaged community housing providers, Mindaribba Local Aboriginal Land Council, a local specialist disability accommodation provider, two local real estate agents and a housing development company who construct housing across Cessnock.

In addition to the extensive pre-consultation, Council prepared a Housing Preferences Study that investigated the housing preferences of the Cessnock community. The Study included three tasks:

1. Housing preference survey
2. Choice modelling exercise
3. Simulation.

The study revealed the following:

- There is an unmet demand for more compact dwelling types
- Price and affordability drive location and housing choice
- Housing preference varies considerably with age and household type
- Affordability is the main barrier to obtaining preferred housing
- People value rural-living on large blocks.

The draft Housing Strategy contains actions for council to support each housing category.

Community and specialist housing providers

Council has little opportunity to directly influence community and specialist housing outcomes. However, it can advocate for the housing providers operating in the community and there may be opportunities to support providers by providing fee waivers for development applications and planning proposals, reduce and/or defer contributions and enter into joint venture or partnership arrangements with those providers.

Seniors' housing and seniors' living

There is anecdotal evidence that older people are leaving the community and relocating elsewhere because there is a limited supply of seniors' housing available locally. Again, Council has a limited role in this housing area; so, one of the actions is to engage the development industry to understand any barriers to provision of this housing type in Cessnock and to identify any opportunity for Council to facilitate the provision of this housing type locally.

Affordable housing (home-ownership and rental)

Housing affordability is a defined threshold. Housing is said to be affordable if less than 30% of household income is spent on housing costs (mortgage repayments or rental payments). According to the definition, home-ownership and rental for housing across Cessnock is affordable for all but low or low-medium income households.

To ensure that housing remains affordable the draft Strategy includes actions to improve regulatory efficiency and effectiveness, to investigate ways to delay contribution payments to the point of completion of the development, increase housing diversity and to promote infill development.

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Market-based housing

Market-based housing (purchase and rental) is provided by the development and housing industries. However, council does have a significant role in market-based housing under the following areas:

1. Land supply

As the UGMP demonstrates, council has a significant surplus of vacant, zoned residential land. Therefore, additional land supplies do not need to be investigated until the supply reaches the 10-15 year threshold within a lifestyle category. Council may have a role to help the development and housing industries deliver existing land supply and to overcome some infrastructure blockages.

2. Zoning and permissibility

The permissibility of housing is mostly determined by Council's Local Environmental Plan (LEP) and what type of housing is permitted where, through land-use zoning. The LEP has not been comprehensively reviewed since it was introduced in 2011. Therefore, there is a need to undertake a comprehensive review of the residential zones and controls to ensure that it supports the delivery of appropriate housing across Cessnock.

3. Development controls and assessment

Council's assessment timeframes are significant shorter than the State average. The draft Strategy seeks to maintain these through regulatory and administrative efficiency mechanisms like e-planning.

Built form outcomes for some housing types are assessed against council's LEP and Development Control Plan. Again, a comprehensive review of these controls is necessary to encourage high quality development outcomes and ensure that the controls are practical and feasible. To this end, an action of the draft Housing Strategy is to work closely with the housing industries to review development controls.

4. Development contributions

For all development, the Cessnock s7.11 Contribution Plan requires that contributions are paid at the first of the following stages in the development process: construction certificate, subdivision works construction certificate or complying development certificate, subdivision works certificate or subdivision certificate. The timing of this condition reduces the risk to Council; however, it is a financial overhead that the development and housing industry wear until the development is sold. While this is accepted practice, an alternative approach could be to move the contribution payment point to the occupation certificate or subdivision certificate stage. Council cannot initiate this alone and it will require State Government intervention but Council could lobby for a review of the contributions system to reduce the financial burden on the development and housing industries to reduce housing costs.



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Housing Diversity

Most of the housing built across Cessnock each year is detached dwellings on single lots (91%). The SGS Housing Preferences Study has indicated a greater demand for other types of dwellings such as dual occupancies and multi-unit dwellings as well as apartment style living. Greater housing diversity improves a household's abilities to choose housing that best matches their needs and lifestyles aspirations and allows individuals and households to move into different housing types as their circumstances change throughout their lives.

Cessnock has a diverse community; however, the housing is not. Council has little influence on the types of housing that is provided by the housing and development industries but council should review the LEP to allow for different types of housing in appropriate locations across Cessnock and to promote the value of infill development which is more likely to yield different housing typologies than in greenfield development.

**OPTIONS**

Nil

**CONSULTATION**

Extensive pre-consultation has been undertaken with community housing providers, a local specialist disability housing providers, two local real estate agents, Mindaribba Local Aboriginal Land Council and a housing development company. These discussions have helped informed the draft Housing Strategy.

On 2 September 2020, councillors were briefed on the draft UGMP and draft Housing Strategy. Comments from that briefing have been incorporated into the draft strategies.

The draft UGMP and draft Housing Strategy will be placed on public exhibition for a period of 28 days. The exhibition period will be promoted through a dedicated webpage on Council's website, social media and newspapers. Consultation will also occur with the Urban Development Institute of Australia, Planning Institute of Australia and the Department of Planning, Industry and Environment. A further report to council is proposed detailing any submissions that are received during the exhibition period.

**STRATEGIC LINKS**

**a. Delivery Program**

Cessnock 2027 Community Strategic Plan

The draft strategies align to the following objectives of the CSP:

Objective 1.1: Promoting social connections

Objective 1.2: Strengthening community culture

Objective 2.1: Diversifying local business options

Objective 2.2: Achieving more sustainable employment opportunities

Objective 3.1: Protecting & enhancing the natural environment & the rural character of the area

Objective 4.1: Better transport links

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Local Strategic Planning Statement 2036

The draft strategies are an action of the LSPS and align to the following planning principles of the LSPS:

Planning Priority 1: Our urban areas are compact.

Planning Priority 2: Housing is diverse, adaptable and affordable and our urban areas facilitate affordable living

Planning Priority 3: The character and vitality of our town centres and villages is protected and enhanced.

Planning Priority 5: Infrastructure and services meet the needs of our community and are appropriately funded.

Planning Priority 6: Rural residential, large lot residential development and environmental living are considered in limited and appropriate locations

Planning Priority 7: Urban development is encouraged in areas with existing infrastructure.

Planning Priority 8: Our rural land is protected from incompatible development.

Planning Priority 13: Our industrial land is developed in an orderly manner and meets future development needs.

Planning Priority 17: Our lands of environmental value are protected and enhanced.

Planning Priority 21: Developments minimise environmental impacts and respond to site environmental characteristics and natural hazards.

Planning Priority 22: Our rural landscape is retained and enhanced.

Planning Priority 30: Growth of our villages occurs in a way that protects their character and setting in the rural and environmental landscape and responds to risk of bushfire and flooding.

**b. Other Plans**

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 (HRP) provides the overarching strategic framework to guide the NSW Government's land use planning priorities and decisions in the Hunter Region. The NSW Government's vision for the Hunter is, "the leading regional economy in Australia with a vibrant new metropolitan city at its heart." To achieve this vision the Government has set four goals for the region:

1. The leading regional economy in Australia
2. A biodiversity-rich natural environment
3. Thriving communities
4. Greater housing choice and jobs.

Greater Newcastle Metropolitan Plan

The Greater Newcastle Metropolitan Plan 2036 (GNMP) sets out strategies and actions to capitalise on investment in aviation, transport, education, health and tourism that will drive sustainable growth across the Greater Newcastle. The plan also helps achieve the HRP vision to be a leading regional economy in Australia.

The Housing Strategy is an action of the GNMP.

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**IMPLICATIONS**

**a. Policy and Procedural Implications**

Once the Urban Growth Management Plan is endorsed by Council, any planning proposals to rezone new greenfield areas will need to be in accordance and assessed against the defined principles of the plan.

There are several actions in the Housing Strategy that will lead to the review of council's LEP and DCP and its contributions framework.

**b. Financial Implications**

NIL

**c. Legislative Implications**

The UGMP will be a matter for consideration for any planning proposal seeking to rezone greenfield land across Cessnock under Part 3 of the *Environmental Planning and Assessment Act 1979*.

**d. Risk Implications**

NIL

**e. Environmental Implications**

NIL

**f. Other Implications**

NIL

**CONCLUSION**

There is a significant surplus of residentially vacant, zoned land available to support the growth of Cessnock for at least the next 25 years. The recommended threshold of residentially zoned vacant land is 10-15 years meaning that there is a surplus of at least 10-15 years. The focus for Council over the next 10-15 years is to help bring these existing supplies online and return the supply back into the 10-15 years range.

The UGMP defines three lifestyle scenarios and identifies areas within each of those to direct future investigation as the supply within that category falls within the 10-15 years supply range. The UGMP provides a methodology to apply to rezone an investigation area and criteria that any proposal must meet.

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The Housing Strategy has demonstrated that:

- Community housing providers play an important role in housing provision in the Cessnock community
- Housing (purchase and renting) currently falls within the affordability threshold
- There is sufficient zoned residential land to meet housing needs for the medium to long-term
- The housing and development industries are consistently delivering sufficient lots and housing to meet demand
- There is a significant mismatch between the diversity of our community and housing
- Greater housing diversity required because it Improves affordability by providing greater housing choice and price points; it caters for different life stages and it encourages people to remain in the community.

**ENCLOSURES**

- 1 [↓](#) Draft Cessnock Urban Growth Management Plan - Provided under Separate Cover
- 2 [↓](#) Draft Cessnock Housing Strategy - Provided under Separate Cover

# Placeholder for Enclosure 1

Planning and Environment No. PE37/2020

Draft Cessnock Urban Growth Management Plan -  
Provided under Separate Cover

## Placeholder for Enclosure 2

Planning and Environment No. PE37/2020

Draft Cessnock Housing Strategy - Provided under  
Separate Cover

Corporate and Community

Report No. CC93/2020

Corporate and Community Services



**SUBJECT:** ***COUNCILLOR PROFESSIONAL DEVELOPMENT AND TRAINING REPORT***

**RESPONSIBLE OFFICER:** ***Finance and Administration Manager - Andrew Glauser***

### **SUMMARY**

This report outlines the professional development and training offered to Councillors for 2019-20 in accordance with Council's [Councillor Training and Development Policy \(Policy\)](#) and proposes a *Professional and Development Plan (PDP)* (**Enclosure 1**) to 30 June 2021.

### **RECOMMENDATION**

1. That Council adopts the Councillor Professional Development Plan 2020-21.
2. That Council notes the Councillor Professional Development Report 2019-20.

### **BACKGROUND**

Council is committed to developing a Plan for the Mayor and Councillors to assist them in fulfilling their civic roles and responsibilities. To this end, Council adopted its Policy on 15 August 2018 which was based on the model proposed within the [Councillor Induction and Professional Development Guidelines](#) (Guidelines) prepared by the Office of Local Government (OLG) in 2018.

The Guidelines propose the 70/20/10 principle as an approach to tailoring professional development activities for the PDP:

- 70% of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice
- 20% of learning activities are provided via learning and developing through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations
- 10% of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the council, external training providers or industry bodies.

### **The 2019-20 PDP – How was the training delivered?**

The 2019-20 PDP training consisted of:

- in-house and online Council briefings and workshops
- online training provided by LGNSW and ICAC
- information resources prepared by Council staff
- online and self-guided courses
- conferences and seminars

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- any professional development identified by individual Councillors additional to their individual PDP.

The topics targeted by the professional development activities included media skills, chairing and effective meetings, fraud and corruption prevention and privacy and personal information.

Council supported the implementation of the Plan by providing Councillors with a weekly circular and other communications containing information on further professional development opportunities on offer, updates and information of importance communicated by key stakeholder bodies and organisations, information on community matters of importance. The purpose of these circulars and communications were to enable Councillors to identify further development opportunities as appropriate.

**REPORT/PROPOSAL**

It is recognised that it is essential to provide Councillors with ongoing professional development and training, as well as relationship building between Councillors if the community is to be well served by their elected representatives. It is also recognised in the Policy that the Mayor and each Councillor must make all reasonable endeavours to attend and participate in professional development activities arranged for them.

**Reporting on the 2019-20 PDP**

To demonstrate transparency and accountability, the Policy requires the General Manager to report annually on the training and development opportunities provided to Councillors as well as attendance and any identified areas for improvement.

The adopted PDP for 2019-20 lists the professional development for all Councillors to undertake and these are outlined in **Enclosure 2**. The data also provides information on Councillor attendance for each professional development opportunity.

Councillors were then encouraged to individualise their PDP according to their needs and the areas for improvement PD in a Box has identified specifically for them, based on the responses they provided to the capability assessment. As the individual PDPs managed through PD in a Box are confidential in nature, they are not able to be shared. For this reason, Council will evaluate the professional development program at the end of each Council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfill their civic roles. This is in line with the model policy provided within the Guidelines. Furthermore, Council already reports on the training and professional development activities offered to the Mayor and Councillors in Council's annual report, in line with the model policy provided for in the Guidelines and the *Local Government (General) Regulation 2005* (NSW) (**Regulation**).

**Draft 2020-21 PDP**

The draft 2020-21 PDP has been created keeping in mind that the Council Election is scheduled for September 2021 and contains a selection of generic proposed learning activities and are not intended to be a one-size-fits-all, but a guide to assist in putting together a plan for Councillors. Individual PDP's will be tailored to meet each individual Councillor's needs and will be assessed according to priority, need and budget.



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Councillors are encouraged to identify appropriate professional development opportunities that may assist in performing their civic duties and seek approval from the General Manager to attend such activities. Approval of training, payment and reimbursement for expenses related to professional development will be determined in accordance with Council's [Councillor Expenses and Facilities Policy](#).

The Public Officer will continue to maintain data pertaining to Councillor professional development activities and attendance.

**OPTIONS**

N/A

**CONSULTATION**

General Manager  
Mayor and Councillors  
Director Corporate and Community Services  
Finance and Administration Manager  
Governance Team  
Executive Assistant to the General Manager

**STRATEGIC LINKS**

**a. Delivery Program**

This report links directly to the community's desired outcome of: "*Civic Leadership and Effective Governance*" and in particular the objectives of:

5.1 Fostering & supporting community leadership

5.1.1 Foster professional development of Councillors.

5.1.2 Conduct pre-induction and induction programs for the 2020 Local Government Election.

5.3 Making Council more responsive to the community

5.3.7 Continue to educate staff on statutory obligations.

5.3.8 Carry out governance functions, provide advice and conduct education programs to comply with legislation and best practice.

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The recommendations outlined in this report are in accordance with the Policy and Guidelines.

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**b. Financial Implications**

Professional development and training for Councilor's has been included in the budget for Councillor Expenses and Facilities.

**c. Legislative Implications**

The Guidelines have been issued under section 23A of the *Local Government Act 1993* (NSW) (**Act**) to assist general managers and council staff to develop, deliver, evaluate and report on the induction and professional development programs they are required to provide mayors and councillors under the Regulation. Councils are required to consider the Guidelines when undertaking these activities.

The Guidelines have also been developed to ensure mayors and councillors are aware of the knowledge, skills and personal attributes expected of them in their civic roles under the Act and support their council should be providing to ensure they are able to effectively fulfil their roles.

**d. Risk Implications**

The Guidelines and Regulation set out reporting requirements in regard to the training and ongoing development of elected members. Non-compliance with these reporting requirements may expose Council to review by the OLG.

**e. Environmental Implications**

N/A

**f. Other Implications**

N/A

**CONCLUSION**

This report outlines the professional development and training provided to Councillors for 2019-20 in accordance with Council's [Policy](#) and proposes a **PDP** to 30 June 2021.

**ENCLOSURES**

- [1↓](#) Draft Councillor Professional Development and Training Plan 2020-21
- [2↓](#) Councillor Training and Development offered in 2019-20 FY

**Councillor Professional Development and Training Plan 2020/2021****Self-Paced Learning:**

The following Learning Activities are self-paced activities that can be done by Councillors via the PD in a Box Portal at no cost. These activities provide Councillors with knowledge and skills specific to Elected Members.

| Capability                           | Learning Activity   |
|--------------------------------------|---|
| Technology and Information           | Champion the introduction of new technologies to support the work of the governing body |
| Plan and prioritise                  | Initiate strategic planning conversations with fellow councillors and executive staff   |
| Manage self                          | Register to receive the LGNSW weekly newsletter for upcoming councillor training        |
| Manage self                          | <a href="#">Take an online survey to identify your leadership strengths</a>             |
| Manage self                          | Regularly update your development plan with feedback from peers and others              |
| Make Quality Decisions               | <a href="#">Review the role of the governing body in the NSW LG Act</a>                 |
| Inspire Direction and Purpose        | <a href="#">Review the NSW legislation on guiding principles for councils</a>           |
| Displays Resilience and Adaptability | <a href="#">Take this emotional intelligence questionnaire</a>                          |
| Community and Customer Focus         | Familiarise yourself with the community profile of your LGA                             |
| Community and Customer Focus         | <a href="#">Visit the ABS quick stats on LGA community</a>                              |
| Assets and Tools                     | <a href="#">Visit the IPWEA NSW online publication library</a>                          |
| Act with Integrity                   | <a href="#">Read the OLG Inquiry reports into breaches of conduct and governance</a>    |

**Structured Learning:**

The following activities were identified as learning activities of interest and benefit and have a cost. These structured learning activities would be provided in accordance with Council's Councillor Expenses and Facilities Policy.

| Capability             | Learning Activity   | Cost per Councillor |
|------------------------|---|---------------------|
| Represents Communities | Cultural Awareness Training   | TBA                 |
| Act with Integrity     | Code of Conduct Training  | TBA                 |
| Communicate and Engage | <a href="#">Community and Stakeholder Engagement</a><br><br>Many tasks at the core of a council's operations require effective engagement - with local communities, the business sector, NGOs and other levels of government. | \$440.00            |

|                        |  |          |
|------------------------|--|----------|
|                        | <p>These engagement tasks can often be challenging, with a need to balance and respond to many different points of view.</p> <p><b>Benefits</b></p> <p>This program is designed to give the participants improved skills and insights into effective community and stakeholder engagement.</p> <p>With a specific local government focus, the program addresses key aspects of the engagement process, drawing on participant and presenter experience to provide context in operational areas such as corporate strategy, community development, service delivery and land use planning.</p> <p><b>Presentation format</b></p> <p>Small group exercises and open discussion, as a basis for the day's learning. All participants will be provided with a comprehensive work book for future reference and guidance following the course.</p> <p><b>Content</b></p> <ul style="list-style-type: none"> <li>• Insights into the principles of effective stakeholder engagement</li> <li>• Consideration and analysis of the different levels of engagement</li> <li>• Practical approaches to enable effective stakeholder identification</li> <li>• Tools for effective evaluation of agency practices and processes in stakeholder engagement</li> <li>• A detailed account of stakeholder engagement methods and when to apply them</li> <li>• Practical experience in planning stakeholder engagement activities and processes</li> <li>• An account of processes for effective facilitation of groups and meetings.</li> </ul> |          |
| Communicate and Engage | <p><a href="#">Communicating Council Priorities</a></p> <p>Effectively Communicating Council Information – priorities and initiatives</p> <p>Learn how to convert complex topics into easy to digest information that engages non-technical audiences.</p> <p><b>Overview</b></p> <p>This practical full-day workshop demonstrates preparation and delivery of audience-centred and action-oriented messages.</p> <p><b>Benefits</b></p> <p>Learn to communicate clearly and succinctly.</p> <p>Develop skills to deliver audience-centred messages.</p> <p>Increase effectiveness and save time communicating.</p> <p>Practice message delivery and receive feedback.</p> <p><b>Content</b></p> <ul style="list-style-type: none"> <li>• Frameworks for             <ul style="list-style-type: none"> <li>◦ identifying the “what, why and how” of communicating council priorities and initiatives</li> <li>◦ ensuring any communication is audience-centred and aims to generate clear outcomes.</li> </ul> </li> <li>• How to craft clear, succinct and relevant messages.</li> <li>• How to deliver these messages in public forums and maintain control.</li> <li>• Thinking on your feet to ensure messages are heard and understood.</li> <li>• Delivering verbal messages and receiving individual feedback.</li> </ul>  | \$440.00 |

|                        |  |          |
|------------------------|--|----------|
|                        | <ul style="list-style-type: none"> <li>• Drafting written messages and receiving individual feedback.</li> <li>• Open forum – an opportunity to explore and discuss issues pertaining to your role that may not have been covered in the formal part of the program.</li> </ul>  |          |
| Represents Communities | <p><a href="#">Public Speaking and Presentation Skills</a></p> <p>Public speaking, speaking with authority and confidence is a learned skill. We may be talking to colleagues, to the community in general, or to constituents. How do we get our message across effectively? Do we have simple, easy to use tools to prepare what we are going to say? Can we deal effectively with questions and with aggressive behaviour?</p> <p>Public Speaking and Presentation Skills training takes some of the fear out of speaking and presenting and replaces it with confidence and professionalism. It is designed for people who have to speak publicly often. We will combine practical planning, techniques and delivery skills that result in more powerful speaking and improved delivery.</p> <p><b>Content</b></p> <ul style="list-style-type: none"> <li>• Planning what to say</li> <li>• Structuring your talk</li> <li>• Delivery Skills</li> <li>• What turns you on and off?</li> <li>• Voice</li> <li>• Body language</li> <li>• Increasing confidence</li> <li>• Influence and inspire</li> <li>• Personal presentation pointers</li> <li>• How to use a checklist</li> <li>• Using aids to support not dominate</li> <li>• Tips for using equipment more effectively</li> <li>• Dealing with tough audiences</li> <li>• Practice</li> <li>• Process</li> </ul> <p>The facilitator will use a questionnaire, personal and participant examples, group discussions and individual exercises to assist the participants to become more confident and more dynamic in their public speaking and or presentations.</p> | \$770.00 |

Councillors can nominate other learning activities specific to their own learning needs and these can be assessed according to priority, need and budget.

**Training and Professional Development offered to Councillors in 2019/20 FY**

| Councillor Attendance                   | Date           | Pynsent | Burke | Dagg | Doherty | Dunn | Fagg | Fitzgibbon | Gray | Lyons | Olsen | Sander | Stapleford | Suvaal |
|---|----------------|---------|-------|------|---------|------|------|------------|------|-------|-------|--------|------------|--------|
| Chairing and Effective Meetings - LGNSW | 22 April 2020  | X       | X     | X    |         | X    |      | X          | X    | X     |       | X      | X          | X      |
| Media Skills - LGNSW                    | 2 June 2020    | X       | X     | X    |         | X    | X    |            | X    |       |       |        | X          | X      |
| Fraud and Corruption Training - ICAC    | 12 August 2020 | X       | X     |      |         | X    | X    | X          | X    | X     |       | X      | X          | X      |

Briefings were provided 1-2 times per month regarding matters to be discussed at the following Council Meeting. Additionally individual Councillors undertook and attended various training, seminars and conferences as required in addition to the above in-house professional development and training offered. Due to the pandemic all training offered to Councillors were delivered via online platforms.

Corporate and Community

Report No. CC94/2020

Corporate and Community Services



**SUBJECT:** *CARRYOVER AND REVOTING OF EXPENDITURE FROM 2019-20 TO 2020-21*

**AUTHOR:** *Finance and Administration Manager - Andrew Glauser*

### **SUMMARY**

This report provides Council information on funds carried over from 2019-20 to 2020-21 relating to projects that had commenced prior to 30 June 2020 and highlights that there is no revoting of funds required on projects budgeted for 2019-20 but not commenced as at 30 June 2020.

### **RECOMMENDATION**

1. That Council notes that there are no revotes for 2019-20.
2. That Council notes the carryover of funds totalling \$9,201,968 from 2019-20 to 2020-21 for a number of projects contained in the report that commenced prior to 30 June 2020.

### **BACKGROUND**

All projects which were in progress as at 30 June 2020 are treated as carryover projects under Council's *Project Authorisation and Revotes Policy* and do not require Council authorisation to continue.

Projects which were within the Operational Plan 2019-20 but had not been commenced as at 30 June 2020 require Council authorisation as a revote to enable the works to be undertaken in 2020-21. There were no revotes for 2019-20.

### **REPORT**

All projects in this report were commenced as at 30 June 2020 and as such there are no revotes requiring authorisation. Funds that were carried over at 30 June 2020 for commenced projects are summarised in the following table by Program. The total to be carried over from 2019-20 to 2020-21 is \$9,201,968 and consists of \$1,679,588 general funds, \$445,599 developer contributions, \$1,627,393 special rate, \$560,722 internally restricted assets (reserves), \$3,274,745 grants, \$1,315,306 loan and \$298,615 other contributions. **Enclosure 1** lists carryovers by project.

The projects were reviewed by the responsible line Managers and endorsed by the responsible Director.

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**Carryovers 2019-20 to 2020-21**

| <b>Project</b>                                       | <b>General Funds</b> | <b>Developer Contributions</b> | <b>Special Rate</b> | <b>Reserves</b> | <b>Grants</b>    | <b>Loan</b>      | <b>Other Contributions</b> | <b>Total</b>     |
|--|----------------------|--------------------------------|---------------------|-----------------|------------------|------------------|----------------------------|------------------|
| Strategic Asset Planning                             | 53,036               |                                |                     |                 | 31,243           |                  |                            | 84,279           |
| Pre-Construction Design                              | 5,930                |                                |                     |                 |                  |                  |                            | 5,930            |
| Community Buildings Renewal Program (RBC)            | 47,920               |                                |                     |                 | 29,681           |                  |                            | 77,601           |
| Cemetery Facilities Construction Program (CFC)       | 7,077                |                                |                     |                 |                  |                  |                            | 7,077            |
| Recreation Buildings Renewal Program (RBR)           | 29,533               |                                |                     |                 |                  |                  |                            | 29,533           |
| Pool Facilities Renewal Program (RFP)                | 54,902               |                                |                     |                 |                  |                  |                            | 54,902           |
| Branxton Town Centre Program (CTB)                   |                      |                                |                     |                 | 100,240          |                  |                            | 100,240          |
| Kurri Town Centre Program (CTK)                      |                      |                                |                     |                 | 182,241          |                  |                            | 182,241          |
| Cessnock Civic Precinct Revitalisation Program (RCC) | 193,548              | 40,000                         |                     |                 | 693,190          |                  |                            | 926,738          |
| Signage Program (CRV)                                |                      |                                |                     |                 | 240,492          |                  |                            | 240,492          |
| Drainage Construction Program (CDR)                  |                      |                                |                     | 235,997         |                  |                  |                            | 235,997          |
| Floodplain Management Program (PMF)                  | 8,167                |                                |                     | 32,394          | 26,355           |                  | 5,000                      | 71,916           |
| Recreation Facilities Construction Program (CFR)     | 88,415               | 1,599                          |                     | 95,000          | 21,150           |                  |                            | 206,164          |
| Recreation Buildings Construction Program (CBR)      |                      |                                |                     |                 |                  | 56,312           |                            | 56,312           |
| Bridge Construction Program (CBS)                    | 316,048              |                                |                     | 197,331         | 280,451          |                  | 273,615                    | 1,067,445        |
| Local Road Construction Program (CRL)                | 136,631              |                                | 644,575             |                 | 929,939          | 1,258,994        |                            | 2,970,139        |
| Local Road Renewal Program (RRL)                     | 536,284              | 404,000                        | 532,818             |                 | 731,651          |                  |                            | 2,204,753        |
| Traffic Facilities Program (CFT)                     | 199,122              |                                |                     |                 |                  |                  |                            | 199,122          |
| Regional Road Renewal Program (RRR)                  | 2,975                |                                | 450,000             |                 | 8,112            |                  | 20,000                     | 481,087          |
| <b>Total</b>   | <b>1,679,588</b>     | <b>445,599</b>                 | <b>1,627,393</b>    | <b>560,722</b>  | <b>3,274,745</b> | <b>1,315,306</b> | <b>298,615</b>             | <b>9,201,968</b> |

The amount being carried forward reflects a number of grant funded projects where timeframes are not aligned to the end of the financial year, rather to grant funding milestones. This amount adds to an already significant Capital Works Program being managed with a combination of in-house and external resources. A review of the Capital Works Program is in progress to identify how we can better secure available resources to execute the increased number of funded projects.

***OPTIONS***

N/A



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## **CONSULTATION**

Relevant Budget Managers

Relevant Directors

## **STRATEGIC LINKS**

### **a. Delivery Program**

These documents are a part of the organisation's governance framework – providing feedback on the progress against the budget adopted by Council – in line with the community's desired outcome of: *Civic Leadership and Effective Governance*.

The carryover of funds noted in this report will enable the delivery of outcomes detailed within the Operational Plan 2019-20 and Delivery Program 2017-2021.

### **b. Other Plans**

N/A

## **STATUTORY IMPLICATIONS**

### **a. Policy and Procedural Implications**

This report conforms with the requirements of Councils adopted Project Authorisation and Revotes Policy.

### **b. Financial Implications**

As part of the year end procedures Council funds were transferred to restricted assets to ensure funding is available for carryover projects.

### **c. Legislative Implications**

Clause 211 of the Local Government (General) Regulation 2005 requires Council to revoke the funds necessary to meet the expenditure required for projects not commenced by 30 June 2020 to 2020-21 financial year. There are no revotes requiring such authorisation as all projects are deemed to be carryover.

### **d. Risk Implications**

N/A

### **e. Other Implications**

N/A

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***CONCLUSION***

There are no revotes for 2019-20. Carryovers from 2019-20 to 2020-21 were \$9,201,968.

***ENCLOSURES***

[1](#) Carryovers 2019-20 to 2020-21

| Project   | General Funds | Developer Contributions | Reserves | Grants  | Loan | Other Contributions | Total   |
|---|---------------|-------------------------|----------|---------|------|---------------------|---------|
| <b>Strategic Asset Planning</b>   |               |                         |          |         |      |                     |         |
| Cessnock Pool Splash Pad Design   | 19,071        |                         |          |         |      |                     | 19,071  |
| Crown Land Plans of Management  |               |                         |          | 30,000  |      |                     | 30,000  |
| Millfield Skatepark - Aboriginal Cultural Heritage Report                                       | 7,385         |                         |          |         |      |                     | 7,385   |
| Richmond Vale Rail Trail – Specialist Reports   | 15,150        |                         |          | 1,243   |      |                     | 16,393  |
| Trail Strategy (from Bicycle Strategy)  | 11,430        |                         |          |         |      |                     | 11,430  |
| <b>Pre-Construction Design</b>  |               |                         |          |         |      |                     |         |
| Hydro Regional Sports Facility – Concept Masterplan   | 5,840         |                         |          |         |      |                     | 5,840   |
| Miller Park - Pre-Construction Survey   | 90            |                         |          |         |      |                     | 90      |
| <b>Community Buildings Renewal Program (RBC)</b>  |               |                         |          |         |      |                     |         |
| RBC-2019-004 Jeffries Park Toilet Block Renewal   | 3,081         |                         |          |         |      |                     | 3,081   |
| RBC-2020-002 Kurri Senior Citizens Hall painting  | 1,148         |                         |          |         |      |                     | 1,148   |
| RBC-2020-004 North Cessnock Community Hall - Upgrade toilets                                    |               |                         |          | 2,701   |      |                     | 2,701   |
| RBC-2020-005 Weston Civic Centre Toilet Upgrade   | 11,183        |                         |          | 6,736   |      |                     | 17,919  |
| RBC-2020-016 Abermain Plaza Hall - Internal Repairs & Painting                                  | 7,508         |                         |          |         |      |                     | 7,508   |
| RBC-2020-017 Marthaville Timber Slab Shed   | 25,000        |                         |          |         |      |                     | 25,000  |
| RFC-2019-003 Richmond Main ablutions block restoration  |               |                         |          | 20,244  |      |                     | 20,244  |
| <b>Cemetery Facilities Construction Program (CFC)</b>   |               |                         |          |         |      |                     |         |
| CFC-2016-003 Cemeteries - Signage renewal   | 946           |                         |          |         |      |                     | 946     |
| Cemeteries Mapping System   | 6,131         |                         |          |         |      |                     | 6,131   |
| <b>Recreation Buildings Renewal Program (RBR)</b>   |               |                         |          |         |      |                     |         |
| RBR-2015-002 Cessnock Civic Indoor Sports Floor   | 6,816         |                         |          |         |      |                     | 6,816   |
| RBR-2020-003 Norman Brown Memorial Park Greta - Public Toilet Renewal                           | 22,717        |                         |          |         |      |                     | 22,717  |
| <b>Pool Facilities Renewal Program (RFP)</b>  |               |                         |          |         |      |                     |         |
| RFP-2020-001 Branxton Pool Renewal Works  | 46,125        |                         |          |         |      |                     | 46,125  |
| RFP-2020-003 Kurri Kurri Aquatic & Fitness Centre - Renewal Works                               | 8,777         |                         |          |         |      |                     | 8,777   |
| <b>Branxton Town Centre Program (CTB)</b>   |               |                         |          |         |      |                     |         |
| CTB-2019-001 Maitland St, Branxton (north side) - Pavement and Street Trees                     |               |                         |          | 79,372  |      |                     | 79,372  |
| CTB-2019-002 Branxton - Public Domain Works   |               |                         |          | 20,868  |      |                     | 20,868  |
| <b>Kurri Town Centre Program (CTK)</b>  |               |                         |          |         |      |                     |         |
| CTK-2020-001 Kuri Kuri Commercial Centre  |               |                         |          | 182,241 |      |                     | 182,241 |
| <b>Cessnock Civic Precinct Revitalisation Program (RCC)</b>                                     |               |                         |          |         |      |                     |         |
| RCC-2017-001 Bridges Hill Park Playground   | 15,463        |                         |          | 98,602  |      |                     | 114,065 |
| RCC-2017-002 Improve walking path across from CBD to Bridges Hill Park                          | 46,561        |                         |          | 574,594 |      |                     | 621,155 |
| RCC-2019-005 Off Wollombi Road, Cessnock - Create new pedestrian links across drainage channels | 99,024        | 40,000                  |          |         |      |                     | 139,024 |
| RCC-2019-007 Facilitate Public Art with solar and signage                                       | 32,500        |                         |          |         |      |                     | 32,500  |
| RCC-2019-008 Upgrade of Vincent St laneways, lighting and public art                            |               |                         |          | 19,994  |      |                     | 19,994  |
| <b>Signage Program (CRV)</b>  |               |                         |          |         |      |                     |         |
| CRV-2020-001 Various - Hunter Valley Wine Country Tourist Signage                               |               |                         |          | 240,492 |      |                     | 240,492 |
| <b>Drainage Construction Program (CDR)</b>  |               |                         |          |         |      |                     |         |
| CDR-2019-004 Cooper St, Heddon Greta  |               |                         | 126,399  |         |      |                     | 126,399 |
| CDR-2019-006 Edward St Kurri I&D  |               |                         | 2,180    |         |      |                     | 2,180   |
| CDR-2020-000 13 -15 Cambage Street, Bellbird  |               |                         | 18,600   |         |      |                     | 18,600  |
| CDR-2020-000 Mount View Detention Basin   |               |                         | 20,000   |         |      |                     | 20,000  |
| CDR-2020-000 Stormwater Warning Signage   |               |                         | 10,316   |         |      |                     | 10,316  |
| CDR-2020-004 Booth St, Kurri Kurri - Drainage improvements                                      |               |                         | 29,732   |         |      |                     | 29,732  |
| CDR-2020-006 Thomas St, North Rothbury - Drainage upgrade                                       |               |                         | 18,087   |         |      |                     | 18,087  |
| Whitburn Estate Greta Stage 1 & 2 Additional Work   |               |                         | 10,683   |         |      |                     | 10,683  |

| Project  | General Funds    | Developer Contributions | Reserves         | Grants           | Loan             | Other Contributions | Total            |
|--|------------------|-------------------------|------------------|------------------|------------------|---------------------|------------------|
| <b>Floodplain Management Program (PMF)</b>   |                  |                         |                  |                  |                  |                     |                  |
| PMF-2018-002 South Cessnock bund wall and channel  | 6,167            |                         |                  | 12,332           |                  |                     | 18,499           |
| PMF-2018-005 Cessnock FWS Design   | 2,000            |                         | 18,297           | 14,023           |                  |                     | 34,320           |
| PMF-2020-0011 Black Creek (Cessnock) & Swamp Creek   |                  |                         | 11,097           |                  |                  |                     | 11,097           |
| PMF-2020-002 Wollombi - Flood warning system operational                                     |                  |                         | 3,000            |                  |                  | 5,000               | 8,000            |
| <b>Recreation Facilities Construction Program (CFR)</b>                                      |                  |                         |                  |                  |                  |                     |                  |
| CFR-2020-001 Bluey Frame Weston, Brunner Park East Branxton - Playground replacement program | 87,882           |                         |                  | 10,000           |                  |                     | 97,882           |
| CFR-2020-005 Miller Park Branxton - Masterplan implementation                                | 533              | 1,599                   | 95,000           | 11,150           |                  |                     | 108,282          |
| <b>Recreation Buildings Construction Program (CBR)</b>                                       |                  |                         |                  |                  |                  |                     |                  |
| CBR-2020-001 Bridges Hill Park - Amenities Block   |                  |                         |                  |                  | 56,312           |                     | 56,312           |
| <b>Bridge Construction Program (CBS)</b>   |                  |                         |                  |                  |                  |                     |                  |
| CBS-2017-005 Nelson St, Greta - Anvil Creek Bridge   | 253,706          |                         | 197,331          |                  |                  |                     | 451,037          |
| CBS-2017-014 Colliery Street, Aberdare - Culvert Replacement                                 |                  |                         |                  | 128,000          |                  |                     | 128,000          |
| CBS-2018-005 Kline St, Weston - Kline St Bridge  | 10,000           |                         |                  |                  |                  |                     | 10,000           |
| CBS-2018-006 Laguna - Watagan Creek #3 refurbishment   | 42,342           |                         |                  |                  |                  |                     | 42,342           |
| CBS-2019-001 Paynes Crossing Rd, Paynes Crossing - Paynes Crossing Bridge                    |                  |                         |                  | 152,451          |                  | 273,615             | 426,066          |
| CBS-2019-002 Ferguson Street, Cessnock   | 10,000           |                         |                  |                  |                  |                     | 10,000           |
| <b>Local Road Construction Program (CRL)</b>   |                  |                         |                  |                  |                  |                     |                  |
| CRL-2018-001 Sandy Creek Rd, Mount Vincent - Fosters Bridge road component                   | 136,631          |                         | 391,369          | 784,808          | 1,258,994        |                     | 2,571,802        |
| CRL-2018-002 Frame Drive, Abermain Power Relocation  |                  |                         |                  | 95,131           |                  |                     | 95,131           |
| CRL-2019-007 Gingers Lane, Sawyers Gully - Upgrade   |                  |                         | 253,206          |                  |                  |                     | 253,206          |
| CRL-2020-001 Murrays Run - Road Embankment Restoration Investigation and Design              |                  |                         |                  | 50,000           |                  |                     | 50,000           |
| <b>Local Road Renewal Program (RRL)</b>  |                  |                         |                  |                  |                  |                     |                  |
| RRL-2019-005 Macquarie Ave, Cessnock - From Sargent St to Wangi Ave                          | 7,000            |                         |                  | 170,612          |                  |                     | 177,612          |
| RRL-2019-007 Heddon Street, Kurri Kurri  |                  |                         | 340,000          |                  |                  |                     | 340,000          |
| RRL-2019-010 Government Rd, Cessnock - from Anzac to Pangari                                 |                  |                         | 80,222           |                  |                  |                     | 80,222           |
| RRL-2020-004 Various - Carpark Resurfacing/ Rehabilitation                                   | 50,781           |                         |                  |                  |                  |                     | 50,781           |
| RRL-2020-008 Butler Pde, Kurri Kurri - From Deakin to Deakin                                 | 5,000            |                         |                  | 127,144          |                  |                     | 132,144          |
| RRL-2020-009 Buckland Ave, Cessnock - From MacLean St Bridge to Burnett St                   | 162,703          |                         |                  |                  |                  |                     | 162,703          |
| RRL-2020-010 Sanctuary Road, Paxton - From CH1300 to CH1800                                  |                  |                         | 36,316           |                  |                  |                     | 36,316           |
| RRL-2020-011 Quorrobolong St, Kitchener - From Stanford St North to CH2830                   |                  | 144,000                 |                  |                  |                  |                     | 144,000          |
| RRL-2020-012 Deasy's Rd, Pokolbin - From LGA Boundary to Deasys Bridge                       | 7,000            | 260,000                 |                  | 68,080           |                  |                     | 335,080          |
| RRL-2020-013 South Ave, Cessnock - From Darwin St to Vincent St                              | 193,660          |                         |                  |                  |                  |                     | 193,660          |
| RRL-2020-014 Camp Rd, Greta - From Mansfield St to CH1320                                    | 110,140          |                         | 76,280           | 365,815          |                  |                     | 552,235          |
| <b>Traffic Facilities Program (CFT)</b>  |                  |                         |                  |                  |                  |                     |                  |
| Barton St Kurri Disabled Carpark   | 45,000           |                         |                  |                  |                  |                     | 45,000           |
| CFT-2019-005 Fourth Street Weston  | 30,000           |                         |                  |                  |                  |                     | 30,000           |
| CSB-2020-001 Various - 4 New Bus Stops/Shelters, 5 Upgrades                                  | 98,322           |                         |                  |                  |                  |                     | 98,322           |
| Guard Rail Neath Road Culvert  | 25,800           |                         |                  |                  |                  |                     | 25,800           |
| <b>Regional Road Renewal Program (RRR)</b>   |                  |                         |                  |                  |                  |                     |                  |
| CRL-2019-012 Great North Road, Laguna - Ramsays Leap   |                  |                         |                  | 8,112            |                  | 20,000              | 28,112           |
| RRR-2020-003 MR181 Wollombi Rd Millfield - Stage 6   | 2,975            |                         | 80,000           |                  |                  |                     | 82,975           |
| RRR-2020-004 George Downes Rd, Bucketty - Geotechnical Risk Assessment                       |                  |                         | 170,000          |                  |                  |                     | 170,000          |
| RRR-2021-003 MR181 Wollombi Rd Millfield Cedar Ck to Hayes Stage 1                           |                  |                         | 200,000          |                  |                  |                     | 200,000          |
| <b>Total</b>   | <b>1,679,588</b> | <b>445,599</b>          | <b>2,188,115</b> | <b>3,274,745</b> | <b>1,315,306</b> | <b>298,615</b>      | <b>9,201,968</b> |

Corporate and Community

Report No. CC95/2020

Corporate and Community Services



**SUBJECT:** *FUNDING FOR THE PURCHASE OF REPLACEMENT COMPUTER ASSETS*

**RESPONSIBLE OFFICER:** *Information Technology Manager - Steven Hepple*

### **SUMMARY**

This report is seeking Council approval to use investment funds to purchase replacement computers assets rather than leasing of the equipment.

### **RECOMMENDATION**

1. That Council approves the use of an “internal loan” up to \$400,000 against Council’s available internal reserves to purchase replacement computer assets rather than the higher cost option of a leasing arrangement.
2. That Council notes that the budgeted lease payments will be used to repay the internal loan resulting in a higher investment return for these Council funds than would be realised from investing these funds externally.

### **BACKGROUND**

Council’s computer assets are regularly replaced to ensure they are fit for purpose and can be repaired in the event of failure. Council has previously leased the computer assets with the lease arranged through a Local Government Procurement Tender. The finance provider for the current leases is Macquarie Equipment Finance.

### **REPORT/PROPOSAL**

The majority of Council’s computer assets are due to be returned to the lease company during November 2020 when the current 4 year lease expires. It is proposed to use Council investment assets to fund the replacement computers, valued at approximately \$400,000, rather than enter into a new lease.

The purchase of the computer assets using Council investment funds will be treated like an operating lease. Funds allocated in the Information Technology budget, to cover lease payments, will be used to repay the money from the investment fund. Interest will be payable equivalent to current market rates. A net saving to Council of approximately 2% or \$8,000 per annum on the current lease costs will be made. This is equal to the profit margin attributable to the existing leases.

### **OPTIONS**

Option 1 – That Council approves the use of an “internal loan” up to \$400,000 against Council’s available internal reserves to purchase replacement computer assets rather than the higher cost option of a leasing arrangement.

Option 2 – No change and lease the new assets using the Local Government Procurement tender for leasing services.

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Option 1 is the recommended option.

**CONSULTATION**

Finance and Administration Manager  
Director Corporate and Community Services

**STRATEGIC LINKS**

**a. Delivery Program**

Nil

**b. Other Plans**

Nil

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

A saving of approximately \$8,000 per annum will result from the change in financing practices. These savings will be captured as higher Investment returns rather than savings available for the IT budget. There will be no change to the Information Technology operating budget.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Environmental Implications**

Nil

**f. Other Implications**

Nil

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***CONCLUSION***

It is recommended that Council approve the change in funding source for the information technology asset purchase, with repayments to the reserve to be funded from existing operation lease budget allocations.

***ENCLOSURES***

There are no enclosures for this report

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**SUBJECT:** *PUBLIC ART POLICY*

**RESPONSIBLE OFFICER:** *Community and Cultural Engagement Manager – Natalie Drage*

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### **SUMMARY**

The Public Art Policy (the Policy) was adopted by Council on 15 November 2017. A recent review of the Policy has been undertaken and the amended Policy is provided for Council's endorsement (*Enclosure 1*).

### **RECOMMENDATION**

1. That Council places the amended Public Art Policy on public exhibition for 28 days.
2. That should public submissions be received, a further report be prepared and submitted to Council for consideration.
3. That should no public submissions be received, the amended Public Art Policy is adopted by Council.

### **BACKGROUND**

The Policy was developed in 2017 to establish a transparent and planned approach to resourcing, commissioning, managing, and maintaining public art on Council owned or managed land. The Policy supports the development and commissioning of a diverse range of public art in public spaces that contribute to the social, cultural, environmental and economic value of the area.

### **REPORT/PROPOSAL**

At the Ordinary Meeting of Council held 15 November 2017, Council considered report PE62/2017 – Cessnock Public Art Policy and resolved (inter-alia):

**1. That Council adopt the Cessnock Public Art Policy.**

In undertaking the Policy's first review since its adoption, amendments have been made to ensure the Policy refers to current Council policies, plans and New South Wales legislation. The amended Policy has been moved into the current template which includes new sections for Policy Scope, Roles and Responsibilities and Policy Authorisations.

Table 1 identifies new items that have been included in the amended Policy and any changes to the Policy's content.



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Table 1: Differences between the current Policy and the proposed Policy.

| Current Policy (adopted 2017)  | Proposed Policy (reviewed in 2020)  |
|--|---|
| <p>Extract from Section 2. Policy Statement</p> <p>This Policy applies to public art which is located on Council owned or managed land or buildings including but not limited to works commissioned, developed, purchased or maintained by Council. This Policy excludes existing public art projects on Council owned land or buildings which are already managed through existing approvals and/or agreements at the date of the adoption of this Policy.</p> <p>This Policy excludes public art on private property. It does not cover historical/commemorative plaques, interpretive signs, or advertising material.</p> | <p>Comment:<br/>Content removed from Policy Statement and moved to Section 2. Policy Scope with the inclusion of Item 2.3.</p> <p>Proposed wording Item 2.3<br/>This policy applies to Council staff and Councillors.</p>   |
| <p>Extract from Section 2. Policy Statement</p> <p>This Policy is relevant to everyone from artists, art groups, residents, community groups, developers, philanthropic organisations, government agencies, traders, artistic advisors, funding bodies and Council Officers.</p>   | <p>Comment:<br/>Content removed from Policy Statement and used to inform the definition of Proposals in Section 10. Policy Definitions.</p> <p>Proposed wording Section 10<br/>Proposals – means Public Art Proposals but not limited to artists, art groups, residents, community groups, developers, philanthropic organisations, government agencies, traders, artistic advisors and funding bodies.</p> |
| <p>Extract from Section 3. Planning and Commissioning Public Art</p> <p>Public art is an important aspect of major public space design projects. Where appropriate, public art will be considered in the preparation of concepts for streetscape and open space improvements.</p> <p>Public art within or on Council owned or controlled land requires approval. However, most site-specific curated public art proposals, streetscape, temporary, ephemeral and lighting scheme proposals will be considered either “Exempt Development” or “Complying Development”</p>   | <p>Comment:<br/>Content removed from Planning and Commissioning Public Art and moved to Section 3. Policy Statement with the inclusion of Item 3.3.</p> <p>Proposed wording Item 3.3<br/>A license agreement must be entered into with Council for the Temporary occupation of Public Spaces.</p>   |

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| Current Policy (adopted 2017)   | Proposed Policy (reviewed in 2020)  |
|---|---|
| <p>under the Cessnock Local Environmental Plan.</p> <p>A License Agreement must be obtained from Council for the temporary occupation of the public domain.</p>   |   |
| <p>Extract from Section 4. Collaboration</p> <p>Council recognises that public art is most effective when it is a collaboration. Collaboration in this sense could be between artist and designer, landscape architects, planners and developers, or artist and the community and other key stakeholders as appropriate (i.e. local historical societies, chambers of commerce, community based organisations, youth, multicultural and Aboriginal representatives).</p> <p>The active participation of the community in the creation of public spaces can make a positive contribution to the development of public spaces, by enhancing a sense of belonging and place, and can also be a factor in the reduction of vandalism.</p> | <p>Comment:</p> <p>Content removed from Collaboration and moved to Item 3.4 and Item 3.5 Policy Statement.</p>  |
| <p>Extract from Section 5. Implementation</p> <p>Public Art Working Groups will be linked to Councils Section 94 Steering Group when utilising development contributions and selected and convened by the Policy Owner (or there representative) on a project by project basis.</p>   | <p>Comment:</p> <p>Content amended to reflect name change for Section 7.11. (i.e. Developer Contributions).</p> <p>Proposed wording Item 5.2</p> <p>Public Art Working Groups will be linked to Council's Section 7.11 Steering Group when utilising development contributions and selected and convened by the policy Owner (or there representative) on a project by project basis.</p> |
| <p>Extract from Section 6. Funding</p> <p>Section 94A Development Contribution funds collected,</p>   | <p>Comment:</p> <p>Content amended to reflect name change for Section 7.12. (i.e. Developer Contributions).</p> <p>Proposed wording Item 6.1.3</p> <p>Section 7.12 Developer Contribution funds collected;</p>  |
| <p>Extract from Section 6. Funding</p>  | <p>Comment:</p> <p>Content amended to reflect name of grant scheme.</p>   |

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| <b>Current Policy (adopted 2017)</b>   | <b>Proposed Policy (reviewed in 2020)</b>  |
|--|--|
| Council will also provide support through the Arts and Cultural Development Program for public artworks initiated by the community and artists.  | Proposed wording Item 6.2<br>Council will also provide support through the Community and Cultural Development Dollar for Dollar Grant Scheme for Public Artworks.  |
| Extract from Section 8. Decommission of Public Art<br><br>If Council cannot identify or locate the artist, or the artist's representative, then the Council may dispose of the public artwork as it sees fit. All decisions and actions should be fully documented. Artworks should first be offered for sale at a price based on independent valuation, first to the artist, then to other institutions or the public or at an auction. | Comment:<br>Content amended to reflect the Council Disposal of Assets (excluding Infrastructure or Property Assets) Policy.<br><br>Proposed wording Item 8.2<br>If Council cannot identify or locate the artist, or the artist's representative, then Council should dispose of the Public Artwork in accordance with the Council Disposal of Assets (excluding Infrastructure or Property Assets) Policy. |
| Extract from Section 8. Decommission of Public Art<br><br>Objects which are destroyed should be disposed of in a responsible manner.   | Comment:<br>Content removed as the Council Disposal of Assets (excluding Infrastructure or Property Assets) Policy has been referenced.  |
| Comment: Policy did not advise Roles and Responsibilities.   | Proposed inclusion of Section 9. Roles and Responsibilities and lists in heading format:<br><br><ul style="list-style-type: none"> <li>• Principal Community Planner</li> <li>• Public Art Working Group</li> <li>• Community and Cultural Engagement Manager</li> <li>• Elected Council</li> <li>• Records Management</li> <li>• Complaints Management</li> </ul>   |
| Extract from Section 10. Policy Administration<br><br>Responsible Officer: Director of Corporate and Community Services  | Comment:<br>Responsible Officer has been amended to align with proposed Roles and Responsibilities and Policy Authorisations.<br><br>Proposed wording Section 11<br>Responsible Officer/Policy owner – Principal Community Planner   |
| Comment: Policy did not advise Associated Procedure in Policy Administration.  | Proposed inclusion of Associated Procedure in Section 11. Policy Administration.<br><br>Proposed wording Section 11  |

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| <b>Current Policy (adopted 2017)</b>   | <b>Proposed Policy (reviewed in 2020)</b>  |
|--|--|
|  | Procedure for Public Art (on Council Land and Facilities) Assessment and Approval  |
| <p>Extract from Section 10. Policy Administration</p> <p>Policy Review Date: 2021</p>  | <p>Comment:<br/>Policy review date has been amended to be consistent with Council's Controlled Documents Protocol.</p> <p>Proposed wording Section 11<br/>Policy Review Date – Three years from date of adoption unless legislated otherwise.</p>                      |
| <p>Comment: Policy did not advise Relevant desired outcome or objectives as per Council's Delivery Program in Policy Administration.</p>   | <p>Proposed inclusion of relevant desired objective as per Council's Delivery Program in Section 11. Policy Administration:</p> <p>A connected, safe and creative community<br/>Objective 1.3. Strengthening Community Culture</p>                                     |
| <p>A number of Policies/Protocols/Procedures were listed in Section 10. Policy Administration.</p>   | <p>Comment:<br/>Related Policies/Protocols/Procedures/Documents have been included in Section 11. Policy Administration and lists current policies, plans, procedures and guidelines relevant to the Policy.</p>   |
| <p>Comment: Policy did not advise Policy Authorisations.</p>   | <p>Proposed inclusion of Section 12. Policy Authorisations outlining the authorised functions of:</p> <ul style="list-style-type: none"> <li>• Principal Community Planner</li> <li>• Community and Cultural Engagement Manager</li> <li>• Elected Council.</li> </ul> |
| <p>Appendix A, Guidelines for Implementing Public Art, 6. Cessnock City Council Policies and Plans lists documents that were current at the time of Policy adoption in 2017.</p> | <p>Comment:<br/>Appendix A has been amended to reflect current Council Policies, Plans and Strategies.</p>   |

**OPTIONS**

N/A

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**CONSULTATION**

In the review of the Policy, consultation was undertaken with:-

Senior Legal and Governance Officer  
Team Leader Contracts and Tendering  
Strategic Planning  
Senior Property Officer  
Principal Recreation & Community Facilities Planner  
Business Unit Managers.

The amended Policy was endorsed by the Executive Leadership Team.

**STRATEGIC LINKS**

**a. Delivery Program**

The Policy is aligned to the Delivery Program 2017-2021 strategic direction 'Making Council more responsive to the community'.

**b. Other Plans**

The Operational Plan 2020-21 lists the Policy for review with a timeframe target 'Policy reviewed and reported to Council by 31 October 2020.'

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The Procedure for Public Art (on Council Land and Facilities) Assessment and Approval was developed to outline the steps involved in assessing public art applications, and is informed by the Policy. The procedure has been reviewed and updated in accordance with the Policy review.

**b. Financial Implications**

The Policy identifies sources of funding that can be pursued for public art. The Policy also states that funds from any decommissioned public artwork should be reused for new or upgraded public art within the local government area.

**c. Legislative Implications**

Relevant legislation listed in Policy Administration that is considered when implementing the Policy includes:

- The *Environment Planning and Assessment Act 1979 (NSW)* establishes the system of planning and legislative framework for the state, and *Cessnock Local Environmental Plan 2011* provides development and land use regulations. For the purpose of the Policy, this legislation outlines public art that requires approvals and proposals that will be considered either 'Exempt Development' or 'Complying Development'.

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- The *Roads Act 1993 (NSW)* outlines the regulation of works, structures and activities on public roads.

**d. Risk Implications**

The Policy ensures risk is considered in the assessment, planning and commissioning of public art. Council's Risk Team are included in project specific Public Art Working Groups. The Policy has provision for a community consultation process to assist in identifying potential reputational risks associated with proposals.

**e. Environmental Implications**

Nil

**f. Other Implications**

Nil

**CONCLUSION**

Since the adoption of the Policy, it has been used to inform the assessment, determination and commissioning of public art located on Council owned or managed land. The review of the Policy has required minimal changes and primarily includes current policies, plans and legislation referenced in the Policy.

**ENCLOSURES**

[1](#) Public Art Policy



## Cessnock City Council Public Art Policy

Date Adopted xx/xx/2020 Revision: 2

### 1. POLICY OBJECTIVES

- 1.1. To develop a Public Art collection that is progressive, innovative, contemporary, challenging and stimulating, and that explores a variety of mediums, scales and approaches.
- 1.2. To support the development and commissioning of a diverse range of Permanent, Temporary and Ephemeral Public Art in Public Spaces which contribute to the social, cultural, environmental and economic value of the area.
- 1.3. To support integration of Public Art into the urban and natural landscape through adopting a whole of Council approach to planning, selection and maintenance of Public Art.
- 1.4. To support local established and emerging artists and facilitate community participation.
- 1.5. To improve the quality of the built environment and enhance the relationship between the community and their urban landscape providing an increased sense of identity, ownership, place and pride.
- 1.6. To pursue a range of funding sources.

### 2. POLICY SCOPE

- 2.1. This policy applies to Public Art which is located on Council owned or managed land or buildings including but not limited to works commissioned, developed, purchased or maintained by Council.
- 2.2. This policy excludes:
  - 2.2.1. Existing Public Art projects on Council owned land or buildings which are already managed through existing approvals and/or agreements at the date of adoption of Revision 1 of this policy and was 15 November 2017.
  - 2.2.2. Public Art on private property.
  - 2.2.3. Historical/commemorative plaques, interpretive signs, or advertising material.
- 2.3 This policy applies to Council staff and Councillors.

### 3. POLICY STATEMENT

- 3.1. Public Art is an important aspect of major Public Space design projects. Where appropriate, Public Art will be considered in the preparation of concepts for streetscape and open space improvements.



3.2. Public Art within or on Council owned or controlled land requires approval. However, most site-specific curated Public Art Proposals, streetscape, Temporary, Ephemeral and lighting scheme Proposals will be considered either "Exempt Development" or "Complying Development" under the Cessnock Local Environmental Plan.

3.3. A license agreement must be entered into with Council for the Temporary occupation of Public Spaces.

3.4. Council recognises that Public Art is most effective when it is a collaboration. Collaboration in this sense could be between artist and designer, landscape architects, architects, planners and developers, or artist and the community and other key stakeholders as appropriate (i.e. local historical societies, chambers of commerce, community based organisations, youth, multicultural and Aboriginal representatives).

3.5. The active participation of the community in the creation of Public Spaces can make a positive contribution to the development of Public Spaces, by enhancing a sense of belonging and place, and can also be a factor in the reduction of vandalism.

#### **4. PLANNING AND COMMISSIONING PUBLIC ART**

4.1. Council will support the development and commissioning of a diverse range of Public Art in Public Spaces that adds to the social, cultural, environmental and economic value of the area.

4.2. Consideration will be given to:

- 4.2.1. Integrity of the work;
- 4.2.2. Relevance and appropriateness of the work to the context of the site;
- 4.2.3. Consistency with planning, heritage and environmental policies and strategies, design guidelines, plans of management and masterplans;
- 4.2.4. Public safety and public access;
- 4.2.5. Sustainability and functionality;
- 4.2.6. Sustainability of funding including ongoing maintenance;
- 4.2.7. Maintenance and durability;
- 4.2.8. Non-duplication of monuments commemorating the same or similar events.

4.3. Where there is publicly accessible space, Council will encourage the provision of Public Art in private developments.

4.4. The commissioning of local artists will be supported and encouraged.

4.5. Where appropriate, suitable levels of community consultation will be held.

#### **5. IMPLEMENTATION**

5.1. Council will establish a project specific Public Art Working Group to assess and advise on Public Art Proposals, projects and commissions (including proposed gifts, bequests, loans, memorials) in accordance with the Guidelines for Implementing Public Art, provided as Appendix A to this policy.





5.2. Public Art Working Groups will be linked to Council's Section 7.11 Steering Group when utilising development contributions and selected and convened by the policy Owner (or their representative) on a project by project basis. It may consist of relevant Council staff (representing Community and Cultural Engagement, Open Space and Community Facilities, Design Delivery, Strategic Asset Planning and Strategic Land Use Planning), artists and curators and other key stakeholders of the project as appropriate (i.e. local historical societies, chambers of commerce, community based organisations, youth, multicultural and Aboriginal representatives).

5.3. All Public Art commissioned will be in accordance with the National Association of Visual Arts (NAVA) contract agreement guidelines.

5.4. Council will maintain a register of Public Art (Permanent and Temporary) as part of the implementation of this policy.

## 6. FUNDING

6.1. Council will pursue a range of ways to build its financial base for Public Art so that it is viable and sustainable into the future. Sources of funding will be actively pursued including via:

- 6.1.1. Development requirements and/or conditions;
- 6.1.2. Development Contribution Plans and/or Planning Agreements;
- 6.1.3. Section 7.12 Development Contribution funds collected;
- 6.1.4. Private sector support (i.e. sponsorship, donations and partnerships);
- 6.1.5. Commonwealth and State Government funding and grants.

6.2. Council will also provide support through the Community and Cultural Development Dollar for Dollar Grant Scheme for Public Artworks.

## 7. MAINTENANCE OF PUBLIC ART

7.1. Maintenance shall be carried out in accordance with a Council approved Maintenance Plan.

## 8. DECOMMISSION OF PUBLIC ART

8.1. Where the work has been severely damaged or has lost the original intent or relevance, or Council is redeveloping the area, Council has the right to decommission the work and make reasonable effort to contact the artist.

8.2. If Council cannot identify or locate the artist, or the artist's representative, then Council should dispose of the Public Artwork in accordance with the Council Disposal of Assets (excluding Infrastructure or Property Assets) Policy.

8.3. Funds from any decommissioned Public Artwork should be reused for new or upgraded Public Art within the local government area.

## 9. ROLES AND RESPONSIBILITIES

### 9.1. Principal Community Planner



- 9.1.1. Ongoing monitoring and review of the policy and maintains the register of Public Art.
- 9.1.2. Facilitates and co-ordinates the assessment process with the Public Art Working Group.
- 9.1.3. Issues correspondence to the applicant once the Proposal has been determined including outlining conditions of approval identified by the Public Art Working Group.

## 9.2. Public Art Working Group

- 9.2.1. Project specific Public Art Working Group comprising relevant Council staff that undertake an assessment of the Public Art Proposal including identifying conditions of approval relevant to their business unit.

## 9.3. Community and Cultural Engagement Manager

- 9.3.1. Determines Public Art Proposals in accordance with this policy where there is no significant public objection.

## 9.4. Elected Council

- 9.4.1. Where there is significant public objection for a Proposal the determination will be at the discretion of Council.

## 9.5. Records Management

- 9.5.1. Staff must maintain all records relevant to administering this policy in accordance with Council's Records Management Policy.

## 9.6. Complaints Management

- 9.6.1. Any complaints under this policy will be managed in accordance with Council's Complaint Handling Policy.

# 10. POLICY DEFINITIONS

|                     |   |
|---------------------|---|
| <b>Council</b>      | means Cessnock City Council   |
| <b>Ephemeral</b>    | means any art form that is transitory, changing and exists for a brief time only in the public domain.  |
| <b>Proposals</b>    | means Public Art Proposals but not limited to artists, art groups, residents, community groups, developers, philanthropic organisations, government agencies, traders, artistic advisors and funding bodies.  |
| <b>Permanent</b>    | means any work this is Permanently sited in the public domain and made to withstand wear and tear and, as far as possible, withstand vandalism.   |
| <b>Public Art</b>   | means artistic works created for, or located in part of, a Public Space or facility and/or accessible to the public. The site may be built, landscaped or natural or in parts of buildings frequented by the public. It may be a commissioned work by professional artist/s or a community inspired collaboration between an artist/s, multi-disciplinary teams and members of a community. Some examples include; sculpture, monuments, memorials, mosaics, murals, paintings, new media, land or earth art, kinetic works, functional art such as street furniture. |
| <b>Public Space</b> | means including, but not limited to streets, squares, parks and spaces that are within buildings that are accessible to the general public and in the ownership of, or under the control of Council.  |



|                  |  |
|------------------|--|
| <b>Temporary</b> | means any work that has a limited life such as at a special event or less than five years. |
|------------------|--|

## 11. POLICY ADMINISTRATION

|   |  |
|---|--|
| <b>Business Group</b>   | Corporate and Community Services   |
| <b>Responsible Officer / Policy owner</b>   | Principal Community Planner  |
| <b>Associated Procedure (if any, reference document(s) number(s))</b>                     | Procedure for Public Art (on Council Land and Facilities) Assessment and Approval (DOC2019/033144)   |
| <b>Policy Review Date</b>   | Three years from date of adoption unless legislated otherwise  |
| <b>File Number / Document Number</b>  | DOC2017/021619   |
| <b>Relevant Legislation (reference specific sections)</b>                                 | <ul style="list-style-type: none"> <li>• Local Government Act 1993 (NSW)</li> <li>• Environmental Planning and Assessment Act 1979 (NSW)</li> <li>• Roads Act 1993 (NSW)</li> </ul>  |
| <b>Relevant desired outcome or objectives as per Council's Delivery Program</b>           | A connected, safe and creative community<br>Objective 1.3. Strengthening Community Culture   |
| <b>Related Policies / Protocols / Procedures / Documents (reference document numbers)</b> | <ul style="list-style-type: none"> <li>• Records Management Policy (DOC2019/038769)</li> <li>• Complaint Handling Policy (DOC2018/048382)</li> <li>• Procurement Policy (DOC2013/047731)</li> <li>• Code of Conduct (DOC2018/086716)</li> <li>• Disposal of Assets (excluding Infrastructure or Property Assets) Policy (DOC2020/032161)</li> <li>• Procedure for Public Art (on Council Land and Facilities) Assessment and Approval (DOC2019/033144)</li> <li>• Consultation Protocol for the Referral of Matters to the Cessnock City Council Aboriginal and Torres Strait Islander Advisory Committee (DOC2020/118298)</li> <li>• Dollar for Dollar Grant Scheme Guidelines (DOC2019/041036)</li> <li>• City Wide Infrastructure Contributions Plan 2020 (DOC2019/111310)</li> <li>• Guidelines for Implementing Public Art</li> <li>• National Association of Visual Arts (NAVA) contract agreement guidelines</li> <li>• Public Art (Permanent and Temporary) Register (DOC2020/137141)</li> </ul> |



## 12. POLICY AUTHORISATIONS

| No. | Authorised Function  | Authorised Business Unit / Role(s)        |
|-----|--|---|
| 1   | Ongoing monitoring and review of the policy and maintains the register of Public Art. Facilitates and co-ordinates the assessment process with the Public Art Working Group. Issues correspondence to the applicant once the Proposal has been determined including outlining conditions of approval identified by the Public Art Working Group. | Principal Community Planner               |
| 2   | Determines Public Art Proposals in accordance with this policy where there is no significant public objection.   | Community and Cultural Engagement Manager |
| 3   | Where there is significant public objection for a Proposal the final determination will be at the discretion of Council.   | Elected Council                           |

## 13. POLICY HISTORY

| Revision | Date Approved / Authority     | Description Of Changes |
|----------|-------------------------------|------------------------|
| 1        | 15 November 2017<br>PE62/2017 | New policy adopted     |
| 2        | XX October 2020               | Periodic Review        |





## 14. APPENDICES

### Appendix A Guidelines for Implementing Public Art

#### 1. Project Description

|   |   |
|---|---|
| Directorate:                                  |   |
| Project Title:                                |   |
| Asset Owner:                                  | <i>Eventual asset owner <b>must</b> be identified at this point</i>   |
| Public Art Working Group Members:             |   |
| Cost Centre/Project/Task No. for Procurement: | <i>The source of funds for procurement <b>must</b> be identified at this point</i>                          |
| Cost Centre/Project/Task No. for maintenance: | <i>The source of funds for on-going maintenance of the artwork <b>must</b> be identified at this point.</i> |

#### 2. Project Budget

|         |  |
|---------|--|
| Budget: | <i>Budget should include the projected cost of the artwork at handover:</i> <ul style="list-style-type: none"> <li><i>Procurement costs, e.g., advertising, selection, consultancies, artist(s) fees for concept design and design development);</i></li> <li><i>Artist fees including fabrication; and,</i></li> <li><i>Site preparation and installation.</i></li> </ul> |
|---------|--|

#### 3. Project Milestones

Provide timelines and milestones as applicable for the particular project. Attach GANTT Charts if appropriate

|                                       |  |
|---------------------------------------|--|
| Community Consultation:               |  |
| Call for Tender/Invitations to Quote: |  |
| Artist Selection:                     |  |
| Developed Design:                     |  |
| Construction:                         |  |
| Handover:                             |  |

#### 4. Site Assessments

Assessing a site for its social, cultural, historical and environmental significance can help ensure that the final artwork is site specific.



For some Public Art projects, the process is as important as the outcome. A community mosaic project, for example, may employ an artist who, with the community utilises the services of a local historical society or library to research historical significance of the site as part of the project itself.

For any project, however, an adequate site assessment can ensure that Public Art projects are relevant and appropriate for their sites, and have meaning and resonance in the community.

|                                |  |
|--------------------------------|--|
| Location of Public Art:        |  |
| Environmental Features:        |  |
| Social Significance:           |  |
| Historical Significance:       |  |
| Cultural Significance:         |  |
| Community Stakeholders:        |  |
| Accessibility and Current Use: |  |
| Economic and Community Impact: |  |

## 5. Risk Assessments

A thorough investigation into risks associated with the project in consultation with the asset owner, is necessary.

|                     |  |
|---------------------|--|
| Public Safety:      | <i>Will the work be directly accessible to the public?<br/>What is required to ensure it does not present an unacceptable safety risk to the public?</i> |
| Durability:         | <i>What durability factors are involved?</i>   |
| Willful Damage:     | <i>What would be unsuitable materials to be used?</i>  |
| Legal Requirements: | <i>What legal requirements are involved?</i>   |
| Other Risk Issues:  | <i>Is the work near or on a road?<br/>Does this impact upon the design or materials used?<br/>Will young people be involved in the project?</i>          |

## 6. Cessnock City Council Policies and Plans

|  |   |
|--|---|
| Cessnock City Council Public Art Policy:               | <i>All Public Art projects should be considered within the context of the Cessnock City Council Public Art Policy.<br/>How are the principles of the Policy supported?<br/>What objectives of the Policy will be implemented?</i> |
| Other Relevant Council Policies, Plans and Strategies: | Other relevant Council Policies, Plans and Strategies e.g.:<br><ul style="list-style-type: none"> <li>Local Strategic Planning Statement</li> </ul>   |



|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>• Economic Development Strategy</li> <li>• Heritage studies</li> <li>• Recreation &amp; Open Space Strategic Plan</li> <li>• Community Infrastructure Strategic Plan</li> <li>• Indigenous and Youth policies, plans and/or programs</li> <li>• Crime Prevention Through Environmental Design</li> </ul> |
|--|---|

## 7. Type of Project

|              |   |
|--------------|---|
| Description: | <p>Public Art can include a diversity of art forms and projects could provide an opportunity for a number of different types of artworks or practice including one or a combination of the following:</p> <ul style="list-style-type: none"> <li>• Performing arts, visual arts, including sculpture and text-based work</li> <li>• Hybrid works including multimedia</li> <li>• Workshops, residencies and mentorships associated with Public Artwork</li> </ul> <p>For many projects it may be appropriate to attach a site map here.</p> |
|--------------|---|

## 8. Values Statement

|   |   |
|---|---|
| The Themes, Values and Concepts Which Inform the Project Brief: | <p>Drawing on information derived above, the themes, values and concepts that will inform the project brief need to be articulated. These will be utilised by the artists when they prepare their concept designs, and can also be used to inform public discussion of the finished artworks.</p> <p>Areas of potential risk should be identified to guide the artists.</p> |
|---|---|

## 9. Procurement Process

|                      |   |
|----------------------|---|
| Procurement Process: | <p>When deciding on the most appropriate procurement process, the following points should be considered:</p> <ul style="list-style-type: none"> <li>• Procurement Policy requirements</li> <li>• Public Art Policy</li> <li>• Objectives of the project</li> <li>• Current and projected needs in relation to the site and the local community</li> <li>• Public Art Working Group comments</li> <li>• Size and budget of the project</li> </ul> <p>Council's Procurement Policy explains in detail the procurement processes to be followed. Information provided here should include whether an invitation to quote or call for tender is required, and whether the process followed will have concept design and/or design development phases.</p> |
|----------------------|---|

## 10. Additional Resources

|  |  |
|--|--|
| Additional Resources, Expertise, Consultancy Needed: | <p>Individual Public Art projects may need additional resources, expertise and consultancies for the selection process, the procurement process, and fabrication and installation. These may include Indigenous leaders to help with consultation with aboriginal communities, people experienced in working with young people, professional curators for aesthetic issues or engineers required to assess specialist reports.</p> |
|--|--|

**11. Public Art Working Group**

Public Art Working  
Group Comments  
Attached:

*For larger projects, the project scope may be circulated to members of the Public Art working group for further comment.*

DRAFT



Corporate and Community

Report No. CC97/2020

Corporate and Community Services



**SUBJECT:** ***ANNUAL UNREASONABLE CUSTOMER CONDUCT REPORT***

**RESPONSIBLE OFFICER:** ***Finance and Administration Manager - Andrew Glauser***

### **SUMMARY**

The purpose of this report is to present to Council the Annual Unreasonable Customer Conduct Report for the period 19 September 2019 to 30 September 2020. This is the first report since Council adopted the Unreasonable Customer Conduct (UCC) Policy and Guidelines on 18 September 2019.

### **RECOMMENDATION**

1. That Council notes the Annual Unreasonable Customer Conduct Report for the period 19 September 2019 to 30 September 2020.
2. That Council notes that in the reporting period there was 8 instances of customers deemed to have exhibited unreasonable conduct in accordance with the Policy.
3. That Council notes that in the reporting period there was 5 customers that had been deemed to have exhibited unreasonable conduct in accordance with the Policy that had a scheduled review. All 5 customers had the imposed restrictions lifted.

### **BACKGROUND**

The UCC Policy was adopted by Council on 18 September 2019 and this report is provided in accordance with clause 21.1 of the Guideline which provides:

*21.1 An information report will be presented to the elected Council annually detailing the number of persons deemed to have behaved unreasonably, why they were deemed unreasonable and how Council is handling/managing each Customer in response to their behaviour, including any restrictions imposed and the review date.*

### **REPORT/PROPOSAL**

For the reporting period 19 September 2019 to 30 September 2020, the UCC Register showed that eight individuals were deemed to have displayed unreasonable behaviour under the Policy and were dealt with in accordance with the Policy.

It should be noted that there were eight people who had previously been deemed unreasonable prior to the adoption of the UCC Policy and this reporting period, one of which received two separate restrictions for two separate incidents of unreasonable behaviour.

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Due to the ongoing and serious nature of the unreasonable persistence and unreasonable arguments of six of these UCCs, Council has imposed restrictions to the effect that their correspondence/enquiries in relation to that matter only will be noted with no action to be taken and this has no expiry date at this stage. All of those affected by this ongoing restriction have the ability to request a review of the restriction, however it would need to be supported by an extended period of exemplary behaviour in accordance with the UCC Policy.

The UCC Policy outlines the following restrictions that Council may impose on proven Unreasonable Conduct:

**6.1. Changing or Restricting a Customer's Access to Council Services or Facilities**

*6.1.1. Incidents involving Unreasonable Customer Conduct will generally be managed by limiting or adapting the ways that Council interacts with and/or delivers services to Customers by restricting:*

- i. Who they have contact with – e.g. limiting a Customer to a sole contact person/Council Official.*
- ii. What they can raise with Council – e.g. restricting the subject matter of communications that Council will consider and respond to.*
- iii. When they can have contact – e.g. limiting a Customer's contact with Council to a particular time, day, or length of time, or curbing the frequency of their contact with Council.*
- iv. Where they can make contact – e.g. limiting the locations where Council will conduct face-to-face interviews to secured facilities or areas of the office.*
- v. How they can make contact – e.g. limiting or modifying the forms of contact that the Customer can have with Council. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to Council premises, contact through a representative only, taking no further action or terminating Council services altogether.*

*6.1.2. When using the restrictions provided in this section, Council recognises that discretion will need to be used to adapt them to suit a Customer's personal circumstances, level of competency, literacy skills, etc. In this regard, Council also recognises that more than one strategy may need to be used in individual cases to ensure their appropriateness.*

**Categories of Behaviour:**

As per the UCC Policy the following are the behaviour categories:

- Unreasonable persistence;
- Unreasonable demands outside the scope of Council's scope and capacity for provision of services;
- Unreasonable lack of cooperation;
- Unreasonable arguments; and
- Unreasonable behaviours.

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The below table shows the number of UCCs Council dealt with in this reporting period.

| <b>Category of Behaviour</b> | <b>Number</b> |
|------------------------------|---------------|
| Unreasonable arguments       | 1             |
| Unreasonable behaviours      | 7             |
| <b>Total</b>                 | <b>8</b>      |

**Restrictions:**

Most restrictions have a 12 month review date at which time the customer is invited to outline any reasons to support their restriction being lifted.

In the reporting period the Public Officer imposed various types of restrictions including contacting Council in writing only, restricted access to Council facilities, restricted to contact with one contact officer only or that their correspondence in relation to a particular matter will be filed and noted with no response.

- One person was restricted to contact in writing only to the Public Officer for unreasonable behaviour regarding their matter, they were given a 12 month restriction with a review to remove or extend after 12 months.
- One was advised that their contact would be noted and no action taken due to unreasonable arguments for a period of 12 months in regard to that matter only.
- Two were expelled from Council recreational facilities for unreasonable behaviour, one with a 12 month restriction from entering the specific facility and one restricted until the end of the season (8.5 months).
- One was restricted from all council facilities completely for unreasonable behaviour for a period of 12 months.

Three people were given warning letters for aggressive behaviour however they did not progress to a restriction.

| <b>Restriction Imposed</b>                          | <b>Number</b> |
|---|---------------|
| Warning Issued only                                 | 3             |
| In writing to the Public Officer                    | 1             |
| Noted / No Action                                   | 1             |
| Restricted from using Council Recreational Facility | 2             |
| Restricted contact at all Council facilities        | 1             |
| <b>Total</b>  | <b>8</b>      |

**Restrictions Reviewed in previous 12 months:**

When the Public Officer reviews any restrictions imposed the customer is invited to provide reasons to support their restriction being lifted. The table below shows the number of restrictions reviewed in the reporting period, with five restrictions reviewed of which three were restricted prior to the UCC Policy being adopted in September 2019.

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| Review Date | Type of Behaviour       | Type of Restriction                   | Review Outcome      |
|-------------|-------------------------|---------------------------------------|---------------------|
| 15/06/2020  | Unreasonable behaviours | In writing to the Public Officer only | Restriction Removed |
| 3/07/2020   | Unreasonable behaviours | In writing to the Public Officer only | Restriction Removed |
| 20/08/2020  | Unreasonable behaviours | Recreation Facility expulsion         | Restriction Removed |
| 23/09/2020  | Unreasonable behaviours | Recreation Facility expulsion         | Restriction Removed |
| 23/09/2020  | Unreasonable behaviours | Recreation Facility expulsion         | Restriction Removed |

There are three outstanding restrictions due for review in the next reporting period, two for unreasonable behaviour and one for unreasonable arguments.

**OPTIONS**

N/A

**CONSULTATION**

Executive Leadership Team  
Governance Team

**STRATEGIC LINKS**

**a. Delivery Program**

Council's Unreasonable Customer Conduct Policy and Guidelines are consistent with the community's desired outcome of *Civic Leadership and Effective Governance* and in particular Objective 5.3 *Making Council more responsive to the community*.

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

N/A

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**c. Legislative Implications**

N/A

**d. Risk Implications**

The appropriate management of Unreasonable Customer Conduct assists to ensure the safety of Council employees and users of Councils facilities, and outlines the expected standards of behaviour for both staff and Customers.

**e. Environmental Implications**

N/A

**f. Other Implications**

N/A

***CONCLUSION***

This report is provided in accordance with clause 21.1 of the Guidelines of the Unreasonable Customer Conduct Policy, which requires an annual report to Council on customers deemed to be exhibited unreasonable conduct in accordance with the Policy.

***ENCLOSURES***

There are no enclosures for this report.

Corporate and Community

Report No. CC98/2020

Corporate and Community Services



**SUBJECT:** *INVESTMENT REPORT - SEPTEMBER 2020*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

### **SUMMARY**

Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy require a monthly report to Council detailing all money invested.

### **RECOMMENDATION**

That Council receives the Investment Report for September 2020 and notes:

- Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order.
- Council's month end balance was \$49,129,057, year to date interest earned to 30 September was \$119,224 and the interest earned for September 2020 was \$37,809.

### **BACKGROUND**

The *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Investment Policy requires a monthly report to Council detailing all money invested.

### **REPORT**

#### **Statement by the Responsible Accounting Officer**

I, Robert Maginnity, as Responsible Accounting Officer, hereby certify that this report is produced in accordance with Clause 212 of the *Local Government (General) Regulation 2005* and that all investments have been made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

#### **General Investment Commentary**

Following assessment of projected cash flow requirements, surplus funds are invested in accordance with Council's Investment Policy. Investment revenues to the end of September 2020 exceeded the benchmark in the Investment Policy with an actual level of return at 146.74% of the year to date budget.

The Reserve Bank of Australia (RBA) official cash rate as at 30 September 2020 was 0.25%. Scheduled RBA Board meetings are held on the first Tuesday of each month (excluding January) at which the official cash rate is one of the matters considered. The meeting held on 6 October 2020 retained the official cash rate at 0.25%.

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Interest rates remain at historical lows, with current investment rates being below 1% p.a. This will present challenges for Council to attain budgeted interest income levels during the 2020/21 year. This will continue to be monitored and any necessary adjustment to budgeted income will be reported in future quarterly budget reviews.

**Investment Portfolio Information**

**Table 1** Total cash and investments held by Council as at 30 September 2020

| <b>Invest No</b> | <b>Financial Institution Investment Held With</b> | <b>Invest Type</b> | <b>Interest Coupon Term</b> | <b>Maturity / Next Coupon Date</b> | <b>Current Coupon Rate</b> | <b>Par Value \$'000</b> |
|------------------|---|--------------------|-----------------------------|------------------------------------|----------------------------|-------------------------|
|                  | Commonwealth Bank                                 | CASH               |                             |                                    | 0.00%                      | 5,888                   |
|                  | Commonwealth Bank                                 | At Call            |                             |                                    | 0.05%                      | 41                      |
| 1243             | AMP Bank  | At Call            |                             |                                    | 0.55%                      | 500                     |
| 1325d            | Members Equity Bank                               | TD                 | 168                         | 03-Nov-20                          | 1.25%                      | 900                     |
| 1330d            | National Bank                                     | TD                 | 309                         | 04-May-21                          | 0.94%                      | 900                     |
| 1341c            | AMP Bank  | TD                 | 182                         | 10-Nov-20                          | 1.65%                      | 1,000                   |
| 1345d            | National Bank                                     | TD                 | 161                         | 13-Oct-20                          | 1.00%                      | 800                     |
| 1358c            | National Bank                                     | TD                 | 357                         | 29-Jun-21                          | 0.95%                      | 1,000                   |
| 1361b            | AMP Bank  | TD                 | 188                         | 10-Dec-20                          | 1.55%                      | 1,000                   |
| 1362b            | AMP Bank  | TD                 | 189                         | 16-Dec-20                          | 1.55%                      | 1,000                   |
| 1369b            | National Bank                                     | TD                 | 322                         | 18-May-21                          | 0.95%                      | 1,000                   |
| 1370b            | IMB Bank  | TD                 | 208                         | 19-Jan-21                          | 0.85%                      | 1,000                   |
| 1371b            | Members Equity Bank                               | TD                 | 161                         | 16-Feb-21                          | 0.60%                      | 1,000                   |
| 1374a            | National Bank                                     | TD                 | 272                         | 27-Oct-20                          | 1.50%                      | 1,000                   |
| 1375a            | National Bank                                     | TD                 | 259                         | 20-Oct-20                          | 1.48%                      | 1,000                   |
| 1381a            | Macquarie bank                                    | TD                 | 364                         | 06-Apr-21                          | 1.70%                      | 1,000                   |
| 1383a            | Macquarie bank                                    | TD                 | 357                         | 13-Apr-21                          | 1.70%                      | 1,000                   |
| 1384a            | Macquarie bank                                    | TD                 | 357                         | 20-Apr-21                          | 1.40%                      | 1,000                   |
| 1398             | National Bank                                     | TD                 | 239                         | 06-Oct-20                          | 1.53%                      | 1,500                   |
| 1400             | Macquarie bank                                    | TD                 | 290                         | 14-Dec-20                          | 1.55%                      | 1,000                   |
| 1401             | Macquarie bank                                    | TD                 | 284                         | 08-Dec-20                          | 1.55%                      | 1,000                   |
| 1403             | Macquarie bank                                    | TD                 | 286                         | 22-Dec-20                          | 1.65%                      | 1,200                   |
| 1404             | Macquarie bank                                    | TD                 | 244                         | 17-Nov-20                          | 1.60%                      | 1,200                   |
| 1405a            | Suncorp Bank                                      | TD                 | 157                         | 05-Mar-21                          | 0.63%                      | 1,000                   |
| 1407a            | Commonwealth Bank                                 | TD                 | 274                         | 23-Mar-21                          | 0.75%                      | 1,000                   |
| 1409             | National Bank                                     | TD                 | 294                         | 16-Mar-21                          | 1.00%                      | 1,000                   |
| 1410             | National Bank                                     | TD                 | 181                         | 25-Nov-20                          | 0.95%                      | 1,000                   |
| 1411a            | Westpac Bank                                      | TD                 | 193                         | 09-Mar-21                          | 0.70%                      | 1,000                   |
| 1412a            | Westpac Bank                                      | TD                 | 161                         | 09-Feb-21                          | 0.70%                      | 1,000                   |
| 1413             | ANZ Bank  | TD                 | 222                         | 05-Jan-21                          | 0.88%                      | 1,000                   |
| 1414             | ANZ Bank  | TD                 | 244                         | 27-Jan-21                          | 0.90%                      | 1,000                   |
| 1416             | Westpac Bank                                      | TD                 | 245                         | 23-Feb-21                          | 0.89%                      | 1,200                   |
| 1417a            | Commonwealth Bank                                 | TD                 | 186                         | 02-Feb-21                          | 0.73%                      | 1,000                   |
| 1418             | Westpac Bank                                      | TD                 | 314                         | 15-Jun-21                          | 0.88%                      | 1,000                   |
| 1419             | Westpac Bank                                      | TD                 | 321                         | 22-Jun-21                          | 0.88%                      | 1,000                   |
| 1420             | Westpac Bank                                      | TD                 | 231                         | 30-Mar-21                          | 0.87%                      | 1,000                   |
| 1421             | Westpac Bank                                      | TD                 | 259                         | 27-Apr-21                          | 0.87%                      | 1,000                   |

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| Invest No    | Financial Institution Investment Held With | Invest Type | Interest Coupon Term | Maturity / Next Coupon Date | Current Coupon Rate | Par Value \$'000 |
|--------------|--|-------------|----------------------|-----------------------------|---------------------|------------------|
| 1422         | ANZ Bank                                   | TD          | 264                  | 11-May-21                   | 0.80%               | 1,000            |
| 1423         | ANZ Bank                                   | TD          | 134                  | 14-Jan-21                   | 0.66%               | 1,000            |
| 1424         | ANZ Bank                                   | TD          | 280                  | 09-Jun-21                   | 0.73%               | 1,000            |
| 1425         | ANZ Bank                                   | TD          | 260                  | 02-Jun-21                   | 0.73%               | 1,000            |
| 1426         | ANZ Bank                                   | TD          | 287                  | 29-Jun-21                   | 0.73%               | 1,000            |
| 1427         | ANZ Bank                                   | TD          | 280                  | 06-Jul-21                   | 0.73%               | 1,000            |
| 1428         | ANZ Bank                                   | TD          | 287                  | 13-Jul-21                   | 0.73%               | 1,000            |
| 1429         | Commonwealth Bank                          | TD          | 111                  | 19-Jan-21                   | 0.59%               | 1,000            |
| <b>TOTAL</b> |  |             |                      |                             |                     | <b>49,129</b>    |

**Table 2** Level of funds held and the percentage invested with financial institutions

| Financial Institution | Rating | Maximum Counterparty | Amount \$'000 | % of Portfolio |
|-----------------------|--------|----------------------|---------------|----------------|
| Commonwealth Bank     | A1+    | 25%                  | 8,929         | 18.16%         |
| IMB Bank              | A2     | 10%                  | 1,000         | 2.04%          |
| National Bank         | A1+    | 25%                  | 9,200         | 18.73%         |
| Suncorp Bank          | A1     | 25%                  | 1,000         | 2.04%          |
| Members Equity Bank   | A2     | 10%                  | 1,900         | 3.87%          |
| AMP Bank              | A2     | 10%                  | 3,500         | 7.12%          |
| Westpac Bank          | A1+    | 25%                  | 7,200         | 14.66%         |
| Macquarie bank        | A1     | 25%                  | 7,400         | 15.06%         |
| ANZ Bank              | A1+    | 25%                  | 9,000         | 18.32%         |
| <b>TOTAL</b>          |        |                      | <b>49,129</b> | <b>100.00%</b> |

**Table 3** Investment types, risk assessment, amount and percentage invested compared to the total

| Investment Type       | Risk Assessment |          | Amount \$'000 | % of Portfolio |
|-----------------------|-----------------|----------|---------------|----------------|
|                       | Capital         | Interest |               |                |
| Term Deposits         | Low             | Low      | 42,700        | 86.91%         |
| Cash/At Call Deposits | Low             | Low      | 6,429         | 13.09%         |
| <b>TOTAL</b>          |                 |          | <b>49,129</b> | <b>100.00%</b> |



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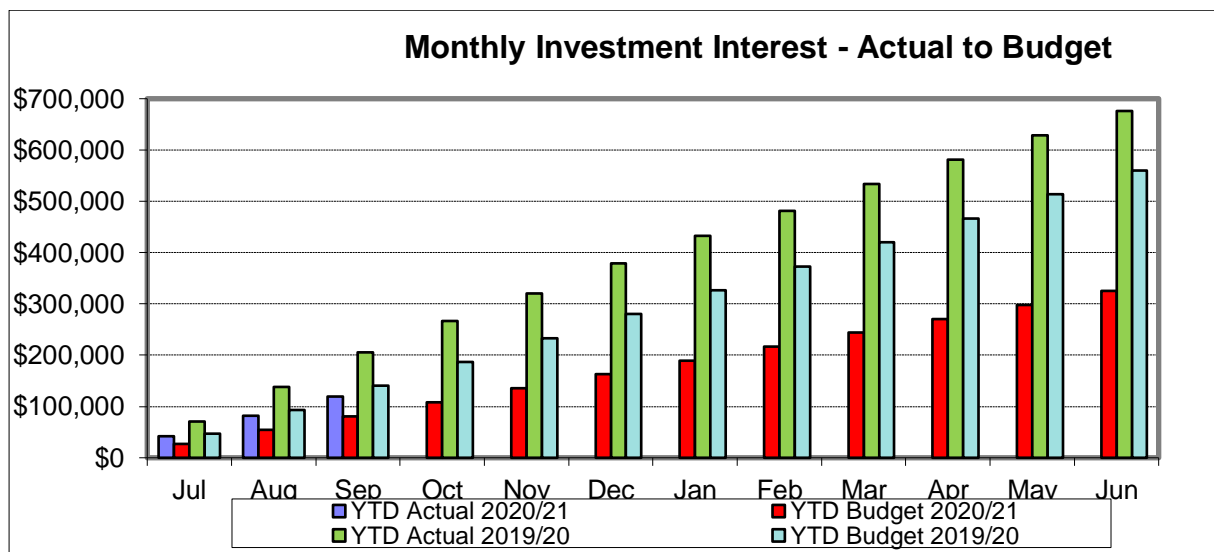
## Corporate and Community Services

**Table 4** Comparison of interest rates, earnings and balances this year to last year

| Performance Measures                              | This Year | Last Year |
|---|-----------|-----------|
| Portfolio Average Interest Rate (year to date)    | 1.07%     | 2.08%     |
| BBSW Average Interest Rate (year to date) *       | 0.10%     | 1.02%     |
| Actual Investment Interest Earned (for the month) | \$37,809  | \$66,965  |
| Actual Investment Interest Earned (year to date)  | \$119,224 | \$205,305 |
| Budget Investment Interest (year to date)         | \$81,249  | \$215,000 |
| Original Budget Investment Interest (Annual)      | \$325,000 | \$860,000 |
| Revised Budget Investment Interest (Annual)       | \$325,000 | \$860,000 |

| Investment Balances (Par Value) | This Year    | Last Year    |
|---------------------------------|--------------|--------------|
| Opening Balance as at 1 July    | \$47,140,822 | \$39,874,176 |
| Month End Current Balance       | \$49,129,057 | \$41,269,809 |

- BBSW 90 day Bank Bill Reference Rate (performance measure as per Council's Investment Policy)

**Graph 1** Actual interest earned to budget for this year and last year

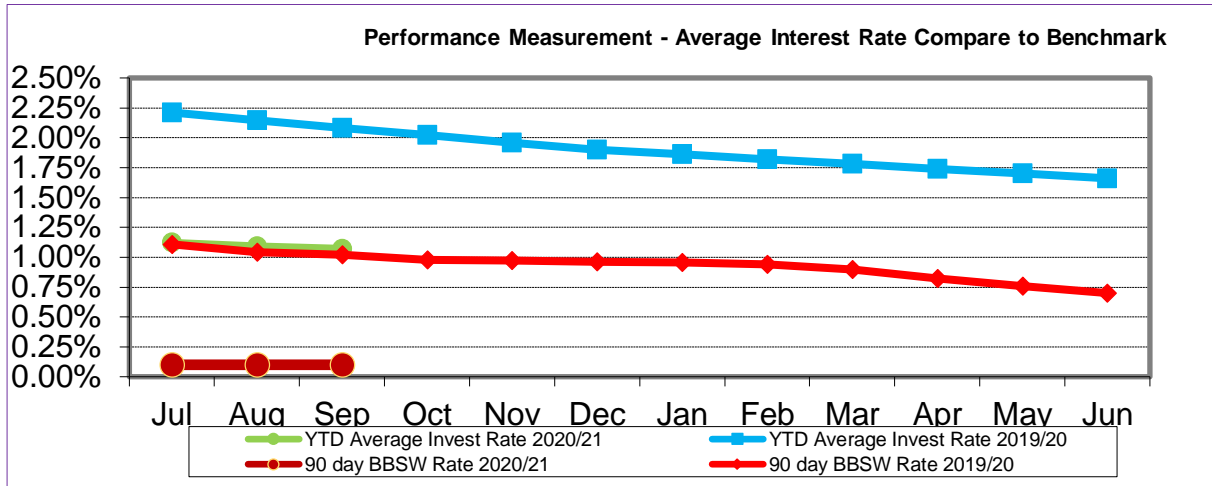
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**Graph 2** Current year portfolio performance to prior year performance



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**Table 5** Internal and external restrictions over cash and investments held

| <b>Month End Totals \$'000</b>            | <b>Sep 2020</b> | <b>Aug 2020</b> | <b>July 2020</b> | <b>June 2020</b> | <b>May 2020</b> | <b>Apr 2020</b> |
|---|-----------------|-----------------|------------------|------------------|-----------------|-----------------|
| Developer contributions                   | 12,512          | 12,444          | 11,428           | 13,895           | 13,777          | 13,645          |
| Committed Developer contributions         | 3,580           | 3,580           | 3,580            | 1,130            | 1,130           | 1,130           |
| RMS contributions                         | 2,090           | 2,090           | 2,090            | 2,090            | 2,083           | 2,083           |
| Specific purpose unexpended grants        | 2,718           | 2,718           | 5,855            | 3,732            | 3,870           | 3,954           |
| Domestic waste management reserve         | 430             | 430             | 430              | 430              | 430             | 430             |
| Stormwater management                     | 852             | 854             | 461              | 21               | 50              | 50              |
| <b>External Restrictions</b>              | <b>22,182</b>   | <b>22,116</b>   | <b>23,844</b>    | <b>21,298</b>    | <b>21,340</b>   | <b>21,292</b>   |
| <b>Month End Totals \$'000</b>            | <b>Sep 2020</b> | <b>Aug 2020</b> | <b>July 2020</b> | <b>June 2020</b> | <b>May 2020</b> | <b>Apr 2020</b> |
| Plant and vehicle replacement             | 1,963           | 1,770           | 1,680            | 1,694            | 1,452           | 1,509           |
| Employees leave entitlement               | 2,891           | 2,891           | 2,891            | 3,076            | 3,076           | 3,076           |
| Carry over works                          | 1,392           | 495             | 495              | 495              | 532             | 666             |
| Bridge replacement                        | 566             | 1,067           | 711              | 909              | 906             | 909             |
| Lawn cemeteries                           | 0               | 0               | 0                | 69               | 69              | 69              |
| Computer services                         | 268             | 268             | 268              | 327              | 366             | 366             |
| Energy efficiency                         | 91              | 91              | 91               | 101              | 101             | 101             |
| Insurance provisions                      | 1,128           | 1,303           | 1,483            | 1,415            | 1,420           | 1,420           |
| Miscellaneous and property                | 1,543           | 1,648           | 1,659            | 1,946            | 1,617           | 1,617           |
| Financial Assistance Grant ( in advance ) | 0               | 0               | 0                | 3,866            | 3,866           | 0               |
| Grant Fund Leverage                       | 757             | 769             | 795              | 768              | 774             | 774             |
| Operations and programs                   | 429             | 429             | 429              | 436              | 538             | 604             |
| Property investment fund                  | 628             | 628             | 439              | 862              | 862             | 741             |
| Rezoning fees                             | 85              | 85              | 85               | 85               | 85              | 85              |
| Civil Works                               | 1,677           | 1,827           | 599              | 599              | 596             | 596             |
| Waste depot and rehabilitation            | 5,218           | 5,218           | 5,218            | 3,998            | 3,998           | 3,998           |
| Unexpended loan funds                     | 36              | 66              | 140              | 140              | 141             | 141             |
| Committed projects(SRV)                   | 1,331           | 1,633           | 336              | 970              | 977             | 1,320           |
| Security deposits and bonds               | 5,605           | -               | -                | -                | -               | -               |
| <b>Internal Restrictions</b>              | <b>25,608</b>   | <b>20,188</b>   | <b>17,319</b>    | <b>21,756</b>    | <b>21,376</b>   | <b>17,992</b>   |
| <b>Unrestricted - Balance of funds</b>    | <b>1,339</b>    | <b>2,546</b>    | <b>2,590</b>     | <b>4,087</b>     | <b>5,855</b>    | <b>2,108</b>    |
| <b>Total Cash &amp; Investments</b>       | <b>49,129</b>   | <b>44,850</b>   | <b>43,753</b>    | <b>47,141</b>    | <b>48,571</b>   | <b>41,392</b>   |

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The level of unrestricted funds has decreased from the August reported figure by \$1.20 million. This variation primarily relates to the recording of security deposits and bonds as internally restricted funds. Security deposits and bonds have generally remained a fairly stable source of funding in past with refunds replaced with new security deposits and bonds. In this more difficult economic environment bank guarantees are becoming a preferred approach and balances associated with security deposits and bonds is expected to decrease. Capturing this category as an internal restriction will provide greater transparency of changes. This has been offset by operational grant income received in the month including a significant payment from Transport for NSW of approximately \$2.6m and receipts from rates from the first rate instalment that was due by 30 September 2020 (temporary COVID19 amendment due date).

The overall level of cash and investments generally remains relatively stable with increases during months when rate installments are due (September, November, February and May).

Other variations in income, which create exceptions to this general trend, will occur when grant funding is received which is not directly related to expenditure incurred in that month for the grant purpose. The Financial Assistance Grant forms a large part of Council revenue and is received in equal instalments in August, November, February and May each year, with the exception of any early prepayment made. Monthly expenditure is relatively static throughout the year, with the exception where major payments are made for such things as contracts, insurances or other significant payments.

It should be noted that the Grant Fund Leverage allocation has been fully committed:

|   |                  |
|---|------------------|
| Miller Park Masterplan – Cricket Infrastructure   | \$95,000         |
| New Strategic Planning Projects ( <i>refer note 1 below</i> )                           | \$400,000        |
| Resourcing review of Cessnock LGA Traffic & Transport Strategy & Implementation Program | \$140,000        |
| Miller Park Community Hub   | \$121,200        |
| Branxton to Greta Cycleway (balance of funds)   | \$39,250         |
| <b>Total</b>  | <b>\$795,450</b> |

**Note 1:** Funds have been reserved for new Strategic Planning Projects as per council resolution for PE19/2020. This expenditure has not been included as part of the September QBRS as projects and estimated costs are still being determined.

**OPTIONS**

N/A

**CONSULTATION**

Director Corporate and Community Services  
Management Accountant

**STRATEGIC LINKS****a. Delivery Program**

Investment returns are an integral part of funding sources for future services and community expectations within the Delivery Program and Operational Plan.

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This report is a part of the organisation's governance framework – providing feedback on the progress against the investment policy and budget adopted by Council. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance*" and more specifically links to strategic direction:

5.3.7: Continue to educate staff on statutory compliance obligations.

5.3.8: Carry out governance functions to comply with legislation and best practice.

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Investments are held in accordance with Council's Investment Policy.

**b. Financial Implications**

Investment returns are included in Council's Delivery Program and Operational Plan. Amendments are effected through the Quarterly Budget Review process. Investment portfolio performance is detailed within the report with comparisons to prior year and budget.

A portion of the portfolio and its associated investment income is restricted as it relates to funds held from Developer Contributions, Domestic Waste Management and Property Investment Reserve and is not available for operational projects.

**c. Legislative Implications**

This report meets Council's statutory obligations under the *Local Government (General) Regulation 2005* and the *Local Government Act 1993*.

**d. Risk Implications**

Investment risks are detailed within this report.

**e. Other Implications**

There are no environmental, community, consultative or other implications to this report.

**CONCLUSION**

The report details investments held at month end and meets Councils reporting obligations.

**ENCLOSURES**

There are no enclosures for this report.

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**SUBJECT:** *RESOLUTIONS TRACKING REPORT*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

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**SUMMARY**

The enclosure contains pending actions from previous meetings as well as completed actions for period 10 September 2020 to 12 October 2020.

**RECOMMENDATION**

That Council receives the report and notes the information in the Resolutions Tracking Report.

**ENCLOSURES**

- [1](#) Completed Actions
- [2](#) Outstanding Actions

## Report CC99/2020 - Resolutions Tracking Report

Enclosure 1

| Type   | Meeting                     | Officer/Director | Subject                                      | Est. Compl. | Emailed    | Completed |
|--|-----------------------------|------------------|--|-------------|------------|-----------|
|  | Ordinary Council 15/07/2020 | Harris, Kate     | Multipurpose Half court within Ellalong Park | 30/10/2020  | 17/07/2020 | 9/10/2020 |
| BN19/2020<br><a href="#">1365</a><br>12 Aug 2020 - 1:37 PM - Kate Harris<br>1. This action has commenced. A full multipurpose court is not in line with design guidelines for a local park (a half court is already present which is in line with guidelines). Prior to addressing exercise equipment, design guidelines are to be developed for outdoor fitness stations - this has commenced.<br>2. To commence following the completion of Item 1.<br>12 Aug 2020 - 1:40 PM - Kate Harris<br>Revised Target Date changed by: Harris, Kate From: 12 Aug 2020 To: 11 Sep 2020<br>Reason: Design principles are required to be developed for outdoor fitness stations<br>2 Sep 2020 - 4:36 PM - Kate Harris<br>Revised Target Date changed by: Harris, Kate From: 11 Sep 2020 To: 30 Oct 2020<br>Reason: planning works required on design guidelines/principles prior to this action being addressed.<br>9 Oct 2020 - 11:52 AM - Kate Harris<br>Action completed by: Benson, Nicole<br>Report to October Ordinary Council meeting addresses the resolutions in BN19/2020. |                             |                  |  |             |            |           |

| Type  | Meeting                     | Officer/Director   | Subject            | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|--------------------|--------------------|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Vandermeer, Warren | Closure of Laneway | 14/10/2020  | 21/09/2020 | 13/10/2020 |
| BN28/2020<br><a href="#">1447</a><br>23 Sep 2020 - 12:52 PM - Katrina Kerr<br>Item 1 - Commenced preparation of report re Duguid Close and Casson Ave Laneway.<br>Item 2 - Commenced preparation of report on process of closing laneways.<br>7 Oct 2020 - 12:39 PM - Katrina Kerr<br>Item 1 - Prepared report for Meeting of 21 October 2020.<br>Item 2 - Prepared report for Meeting of 21 October 2020.<br>13 Oct 2020 - 7:41 AM - Warren Vandermeer<br>Action completed by: Larsen, Robyn<br>Report prepared for 21 October Council meeting |                             |                    |                    |             |            |            |

| Type  | Meeting                     | Officer/Director | Subject                       | Est. Compl. | Emailed    | Completed |
|---|-----------------------------|------------------|-------------------------------|-------------|------------|-----------|
|   | Ordinary Council 16/09/2020 | Benson, Nicole   | Shade Covers over bench seats | 14/10/2020  | 21/09/2020 | 1/10/2020 |
| BN29/2020<br><a href="#">1448</a><br>1 Oct 2020 - 3:22 PM - Nicole Benson<br>Action completed by: Lewis, Linda<br>The response will be considered at Council's Ordinary Meeting of 21 October 2020. |                             |                  |                               |             |            |           |

| Type  | Meeting                     | Officer/Director | Subject                             | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|------------------|-------------------------------------|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Wade, Craig      | T072021HUN Provision of Linemarking | 14/10/2020  | 21/09/2020 | 21/09/2020 |
| CC79/2020<br><a href="#">1427</a><br>21 Sep 2020 - 3:06 PM - Craig Wade<br>Regional Procurement advised of Council resolution<br>21 Sep 2020 - 3:07 PM - Craig Wade<br>Action completed by: Wade, Craig<br>Regional procurement advised of council resolution and acceptance. |                             |                  |                                     |             |            |            |

## Report CC99/2020 - Resolutions Tracking Report

Enclosure 1

| Type  | Meeting                     | Officer/Director  | Subject  | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|-------------------|--|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Grosbernd, Paul   | Financial Statements for the Year Ended 30 June 2020 - Refer For Audit and Council Certification | 14/10/2020  | 21/09/2020 | 21/09/2020 |
| CC80/2020<br><a href="#">1428</a><br>21 Sep 2020 - 12:36 PM - Paul Grosbernd<br>Action completed by: Grosbernd, Paul<br>Annual Financial Statements have been referred to external audit and audit process (by Pitcher Partners) is currently underway. |                             | Maginnity, Robert |  |             |            |            |

| Type  | Meeting                     | Officer/Director  | Subject                  | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|-------------------|--------------------------|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Maginnity, Robert | Election of Deputy Mayor | 14/10/2020  | 21/09/2020 | 22/09/2020 |
| CC81/2020<br><a href="#">1429</a><br>22 Sep 2020 - 10:37 AM - Robert Maginnity<br>Action completed by: Maginnity, Robert<br>instructions issued to reflect the election of Councillor Gray as Deputy, including change to Deputy Mayor allowance, Council website and OLG advised |                             | Maginnity, Robert |                          |             |            |            |

| Type  | Meeting                     | Officer/Director  | Subject  | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|-------------------|--|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Chadwick, Teressa | Consideration of Councillor Numbers - 2021 Council Elections | 14/10/2020  | 21/09/2020 | 30/09/2020 |
| CC82/2020<br><a href="#">1430</a><br>30 Sep 2020 - 7:30 AM - Teressa Chadwick<br>Action completed by: Chadwick, Teressa<br>Councillors Numbers to remain the same. No changes for the next term of Council. |                             | Maginnity, Robert |  |             |            |            |

| Type  | Meeting                     | Officer/Director  | Subject   | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|-------------------|---|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | McGowan, Kelly    | Schedule of Ordinary Meetings of Council for the Remainder of 2020 and up to the Local Government Elections in 2021 | 14/10/2020  | 21/09/2020 | 22/09/2020 |
| CC83/2020<br><a href="#">1431</a><br>22 Sep 2020 - 4:19 PM - Kelly McGowan<br>Action completed by: McGowan, Kelly<br>Noted. Council report to the December Meeting with proposal and outcomes of the trial of the new meeting schedule. |                             | Maginnity, Robert |   |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject  | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|--|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Hottes, Kylie    | Local Government NSW Annual Conference 2020 - Determine Voting Delegates and Motions | 14/10/2020  | 21/09/2020 | 22/09/2020 |
| CC84/2020<br><a href="#">1432</a><br>22 Sep 2020 - 10:39 AM - Robyn Keegan<br>Action reassigned to Hottes, Kylie by: Keegan, Robyn for the reason: Register Motions on LGNSW Website as per procedure.<br>22 Sep 2020 - 1:48 PM - Kylie Hottes<br>Voting Delegates have been registered with LGNSW.<br>22 Sep 2020 - 2:33 PM - Kylie Hottes<br>Motion submitted via the LGNSW Application Portal.<br>22 Sep 2020 - 2:33 PM - Kylie Hottes<br>Action completed by: Hottes, Kylie<br>Voting delegates registered and Motion submitted. |                             | Jackson, Lotta   |  |             |            |            |



## Report CC99/2020 - Resolutions Tracking Report

Enclosure 1

| Type  | Meeting                     | Officer/Director  | Subject  | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|-------------------|--|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Miller, Jo        | Minutes of the Aboriginal and Torres Strait Islander Committee held on Friday 21 August 2020 | 14/10/2020  | 21/09/2020 | 30/09/2020 |
| CC87/2020<br><a href="#">1435</a><br>30 Sep 2020 - 9:03 AM - Jo Miller<br>Action completed by: Miller, Jo<br>Action completed |                             | Maginnity, Robert |  |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject  | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|--|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Huthnance, Sonia | Proposal to Close Council Offices Between Christmas and New Year | 14/10/2020  | 21/09/2020 | 30/09/2020 |
| GMU19/2020<br><a href="#">1421</a><br>30 Sep 2020 - 4:22 PM - Sonia Huthnance<br>Action completed by: Huthnance, Sonia<br>Payroll have been notified of the shutdown period and communication will be sent to all staff. |                             | Jackson, Lotta   |  |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject   | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|---|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Varghese, Arun   | Minutes of the Audit and Risk Committee meeting held 28 August 2020 | 14/10/2020  | 21/09/2020 | 22/09/2020 |
| GMU21/2020<br><a href="#">1423</a><br>22 Sep 2020 - 10:04 AM - Arun Varghese<br>Action completed by: Varghese, Arun<br>All the actions are added to Pulse and assigned to responsible officers. Actions arising from previous minutes are included in the agenda for the next meeting. |                             | Jackson, Lotta   |   |             |            |            |

| Type  | Meeting                     | Officer/Director | Subject   | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|------------------|---|-------------|------------|------------|
|   | Ordinary Council 16/09/2020 | Jackson, Lotta   | Medicare Eligibility for Magnetic Resonance Imaging | 14/10/2020  | 21/09/2020 | 21/09/2020 |
| MM10/2020<br><a href="#">1418</a><br>21 Sep 2020 - 4:40 PM - Lotta Jackson<br>Action completed by: Hottes, Kylie<br>Letters drafted and signed by General Manager to be emailed on 22 September 2022. |                             | Jackson, Lotta   |   |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject                              | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|--------------------------------------|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Jackson, Lotta   | Local Government NSW Conference 2022 | 14/10/2020  | 21/09/2020 | 30/09/2020 |
| MM11/2020<br><a href="#">1419</a><br>30 Sep 2020 - 9:22 AM - Kylie Hottes<br>Response sent to LGNSW on 22-09-20 DOC2020/151969 confirming host LGNSW Annual Conference 2022.<br>30 Sep 2020 - 9:23 AM - Lotta Jackson<br>Action completed by: Hottes, Kylie<br>Response sent to LGNSW on 22-09-20 - DOC2020/151969 |                             | Jackson, Lotta   |                                      |             |            |            |

| Type  | Meeting                    | Officer/Director | Subject                                | Est. Compl. | Emailed   | Completed |
|---|----------------------------|------------------|--|-------------|-----------|-----------|
|   | Ordinary Council 4/03/2020 | Jackson, Lotta   | Volunteer Firefighters Thank You Event | 1/12/2020   | 6/03/2020 | 9/10/2020 |
| MM2/2020<br><a href="#">1187</a><br>6 Mar 2020 - 12:26 PM - Linda Lewis<br>The CPAC will be hosting this event. Date and time of event yet to be determined.<br>14 May 2020 - 9:59 AM - Linda Lewis<br>Revised Target Date changed by: Lewis, Linda From: 1 Apr 2020 To: 01 Jul 2020<br>Reason: Due to COVID-19 restrictions, event postponed until regulations ease<br>28 May 2020 - 1:16 PM - Kylie Hottes<br>Revised Target Date changed by: Hottes, Kylie From: 1 Jul 2020 To: 01 Aug 2020<br>Reason: COVID-19 Restrictions and Reopening of facility.<br>28 May 2020 - 2:43 PM - Kylie Hottes<br>Revised Target Date changed by: Hottes, Kylie From: 1 Aug 2020 To: 01 Dec 2020<br>Reason: As the function will cater to 400 people we cannot anticipate the target date at this stage due to COVID-19 restrictions. Will be updated pending further updates.<br>8 Oct 2020 - 3:29 PM - Kylie Hottes<br>GM has emailed Mayor regarding proposed event to be confirmed for November 2020.<br>9 Oct 2020 - 12:55 PM - Kylie Hottes<br>Mayor approved for proposed event to take place in November.<br>9 Oct 2020 - 12:56 PM - Lotta Jackson<br>Action completed by: Hottes, Kylie<br>Event has been approved and confirmed to take place in November 2020 as organised by Tony Chadwick and Melissa Boucher. |                            |                  |  |             |           |           |

| Type   | Meeting                     | Officer/Director | Subject            | Est. Compl. | Emailed    | Completed |
|--|-----------------------------|------------------|--------------------|-------------|------------|-----------|
|  | Ordinary Council 16/09/2020 | Larsen, Robyn    | Motions of Urgency | 14/10/2020  | 21/09/2020 | 1/10/2020 |
| MOU10/2020<br>Maginnity, Robert<br><br>1 Oct 2020 - 1:49 PM - Robyn Larsen<br>Action completed by: Larsen, Robyn<br>No action required |                             |                  |                    |             |            |           |

| Type  | Meeting                     | Officer/Director | Subject                             | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|------------------|-------------------------------------|-------------|------------|------------|
|   | Ordinary Council 15/07/2020 | Chisholm, Alison | Draft Community Engagement Strategy | 30/09/2020  | 17/07/2020 | 21/09/2020 |
| PE24/2020<br><a href="#">1343</a><br>20 Jul 2020 - 12:56 PM - Alison Chisholm<br>Draft Community Engagement Strategy and Action Plan was placed on public exhibition on 20 July 2020.<br>17 Aug 2020 - 6:52 AM - Alison Chisholm<br>Public exhibition closed 16 August 2020.<br>27 Aug 2020 - 2:11 PM - Alison Chisholm<br>Report seeking adoption of Strategy is on the agenda for 16 September, 2020 Council meeting.<br>21 Sep 2020 - 9:05 AM - Alison Chisholm<br>Strategy adopted by Council, 16 September 2020<br>21 Sep 2020 - 9:08 AM - Alison Chisholm<br>Action completed by: Chisholm, Alison<br>Strategy adopted 16 September 2020. |                             |                  |                                     |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject  | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|--|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Ryl, Julia       | Development Application No. 8/2020/46/1 proposing:<br>Phase 1: Demolition of Existing Structures and One (1) into Six (6)<br>Lot Torrens Title Subdivision<br>Phase 2: Construction of Semi-Detached Dwellings on Lots 5 and 6<br>Phase 3: Construction of Semi... | 14/10/2020  | 21/09/2020 | 25/09/2020 |
| PE32/2020<br><a href="#">1415</a><br>22 Sep 2020 - 3:58 PM - Julia Ryl<br>Requested Business Support typing of Notice of Determination.<br>25 Sep 2020 - 2:20 PM - Julia Ryl<br>Determination Document Reviewed by Senior Planning Assessment Officer, Development Services Team Leader, Development Services Manager and Acting Director of Environment and Planning.<br>Notice of Determination signed by Acting Director of Environment and Planning.<br>Notice of Determination to be issued to Applicant.<br>25 Sep 2020 - 2:30 PM - Julia Ryl<br>Action completed by: Ryl, Julia<br>Notice of Determination signed by Acting Director Environment and Planning. Notice of Determination to be issued to Applicant. |                             | Johnson, Martin  |  |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject                                   | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|---|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Chisholm, Alison | Adoption of Community Engagement Strategy | 14/10/2020  | 21/09/2020 | 23/09/2020 |
| PE33/2020<br><a href="#">1424</a><br>23 Sep 2020 - 7:29 AM - Alison Chisholm<br>Action completed by: Chisholm, Alison<br>Strategy and Action Plan adopted on 16 September 2020. Adopted Strategy was made available on Council's website from 22 September 2020. |                             | Johnson, Martin  |   |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject                             | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|-------------------------------------|-------------|------------|------------|
|  | Ordinary Council 15/04/2020 | Jeffery, Warren  | Cessnock CBD - Street Parking Audit | 7/10/2020   | 17/04/2020 | 15/09/2020 |
| WI32/2020<br><a href="#">1260</a><br>21 Apr 2020 - 2:50 PM - Tracey Cocking<br>Item 1 - Noted.<br>Item 2 - Noted.<br>Item 3 - Retained existing Multi-Use Zones and Special Purpose Zones within the Cessnock CBD.<br>Item 4 - Requested a Briefing for September 2020.<br>28 May 2020 - 3:53 PM - Tracey Cocking<br>Item 4 - Requested Briefing for September 2020.<br>3 Aug 2020 - 11:14 AM - Tracey Cocking<br>Item 4 - Booked Councillor briefing for 2 September 2020.<br>15 Sep 2020 - 12:42 PM - Tracey Cocking<br>Item 4 - Presented Councillor briefing 9 September 2020.<br>15 Sep 2020 - 12:44 PM - Warren Jeffery<br>Action completed by: Cocking, Tracey<br>Presented Councillor Briefing 9 September 2020. |                             | Kerr, Katrina    |                                     |             |            |            |

| Type  | Meeting                     | Officer/Director | Subject  | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|------------------|--|-------------|------------|------------|
|   | Ordinary Council 15/04/2020 | Conner, Martin   | Minutes of the Confidential Floodplain Management Committee Meeting held on 4 March 2020 | 30/09/2020  | 17/04/2020 | 21/09/2020 |
| WI35/2020<br><a href="#">1266</a><br>20 Apr 2020 - 3:56 PM - Rachael O'Hara<br>Item 4 - Prepared letter<br>Item 5 - Prepared newsletter.<br>29 May 2020 - 1:51 PM - Rachael O'Hara<br>Item 4 - Letter sent.<br>Item 5 - Drafted newsletter.<br>4 Aug 2020 - 11:56 AM - Rachael O'Hara<br>Item 5 - Reviewing newsletter.<br>8 Sep 2020 - 3:50 PM - Rachael O'Hara<br>Item 5 - Completed newsletter.<br>21 Sep 2020 - 4:36 PM - Martin Conner<br>Action completed by: O'Hara, Rachael<br>Complete |                             | Kerr, Katrina    |  |             |            |            |

| Type   | Meeting                     | Officer/Director   | Subject  | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|--------------------|--|-------------|------------|------------|
|  | Ordinary Council 20/05/2020 | Vandermeer, Warren | Minutes of Roads Review Committee Meeting held on 9 April 2020 | 25/09/2020  | 22/05/2020 | 28/09/2020 |
| WI42/2020<br><a href="#">1298</a><br>29 May 2020 - 9:31 AM - Vivian Waugh<br>Item 2 - Drafted letter for Transport NSW for consideration to transfer nominated roads.<br>29 Jun 2020 - 3:25 PM - Vivian Waugh<br>Item 2 - Revised time frame by Transport NSW<br>13 Aug 2020 - 10:05 AM - Vivian Waugh<br>Item 2 - Prepared report for Roads Review Committee RRC07/2020 to include policy principles for the background paper<br>13 Aug 2020 - 10:10 AM - Vivian Waugh<br>Revised Target Date changed by: Waugh, Vivian From: 15 Jul 2020 To: 31 Aug 2020<br>Reason: Revised timelines<br>25 Aug 2020 - 9:53 AM - Warren Vandermeer<br>Revised Target Date changed by: Vandermeer, Warren From: 31 Aug 2020 To: 25 Sep 2020<br>Reason: Extended Closing Date<br>15 Sep 2020 - 2:29 PM - Vivian Waugh<br>Item 2. Roads Review Committee Minutes being reported to Council 16/09/2020<br>28 Sep 2020 - 10:34 AM - Vivian Waugh<br>Item 2 - 1. That the Minutes of the Roads Review Committee Meeting of 14 August 2020 be adopted as a resolution of the Ordinary Council.<br><br>2. That the General Manager write to the Member for Cessnock, Clayton Barr, Parliamentary Secretary for the Hunter, Hon Catherine Cusack, and Hon Taylor Martin MLC, the Hon Paul Toole MP, Minister for Regional Transport and Roads seeking their support for MR181 – From the Central Coast Council boundary to Wollombi then via Millfield and Bellbird to Allandale Rd at Cessnock 52.4km - to be transferred to State from regional road status. Specifically noting the need for funding for the Lemming's Corner stretch of road on the Great North Road, Bucketty and Council's inability to fund such a project without external funding.<br><br>3. That the General Manager provide any supporting evidence relating to deaths and crashes in that area in recent times, including the most recent motorbike fatality this month.<br>Application submitted to Transport NSW 24/09/2020<br>28 Sep 2020 - 10:37 AM - Warren Vandermeer<br>Action completed by: Waugh, Vivian<br>Application for reclassification or transfer submitted to Transport NSW 24/09/2020 |                             | Kerr, Katrina      |  |             |            |            |

| Type  | Meeting                     | Officer/Director | Subject                      | Est. Compl. | Emailed    | Completed  |
|---|-----------------------------|------------------|------------------------------|-------------|------------|------------|
|   | Ordinary Council 17/06/2020 | Harris, Kate     | Draft Skate and BMX Strategy | 18/09/2020  | 19/06/2020 | 21/09/2020 |
| <p>W148/2020<br/> <a href="#">1323</a><br/> 25 Jun 2020 - 12:10 PM - Kate Harris<br/> 1. The draft Skate and BMX Strategy will be placed on Public exhibition from Monday 29 June until Sunday 26 July.<br/> 2. To commence following the completion of item 1.<br/> 25 Jun 2020 - 12:13 PM - Kate Harris<br/> Revised Target Date changed by: Harris, Kate From: 15 Jul 2020 To: 31 Jul 2020<br/> Reason: To align with the public exhibition period for the draft Strategy<br/> 3 Aug 2020 - 6:45 AM - Kate Harris<br/> 1. The exhibition period for the draft Skate and BMX Strategy was extended until 9 August due to the exhibition period being in school holidays.<br/> 2. To commence following the completion of item 1.<br/> 3 Aug 2020 - 6:46 AM - Kate Harris<br/> Revised Target Date changed by: Harris, Kate From: 31 Jul 2020 To: 31 Aug 2020<br/> Reason: The draft document is still on public exhibition<br/> 27 Aug 2020 - 2:54 PM - Kate Harris<br/> Revised Target Date changed by: Harris, Kate From: 31 Aug 2020 To: 18 Sep 2020<br/> Reason: A report for adoption of the Skate and BMX Strategy is being presented to the 16 September Council meeting.<br/> 21 Sep 2020 - 11:49 AM - Kate Harris<br/> 1. Complete<br/> 2. Complete - a report was presented to the 16 September Council meeting outlining outcomes from the exhibition period and providing a prioritised skatepark list. The Strategy has now been adopted.<br/> 21 Sep 2020 - 11:50 AM - Kate Harris<br/> Action completed by: Harris, Kate<br/> The Strategy has been adopted.</p> |                             |                  |                              |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject  | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|--|-------------|------------|------------|
|  | Ordinary Council 15/07/2020 | Conner, Martin   | Minutes of the Confidential Floodplain Management Committee Meeting held 3 June 2020 | 16/12/2020  | 17/07/2020 | 21/09/2020 |
| <p>W164/2020<br/> <a href="#">1371</a><br/> 21 Jul 2020 - 4:08 PM - Rachael O'Hara<br/> Item 1 - Noted<br/> FLOCLM8/2020<br/> Item 2 - Preparing the draft Heddon Greta Minor Flood Study and Concept Design for public exhibition.<br/> 4 Aug 2020 - 11:59 AM - Rachael O'Hara<br/> Item 1 - Noted<br/> Item 2 - FLOCLM8/2020 a) Preparing public exhibition of the draft Heddon Greta Minor Flood Study and Concept Design.<br/> 8 Sep 2020 - 12:31 PM - Rachael O'Hara<br/> Item 6 - The study is on exhibition until 21 September. Following this a report will be presented to the Floodplain Management Committee and Ordinary Meetings in December 2020.<br/> 21 Sep 2020 - 4:37 PM - Rachael O'Hara<br/> Item 6 - Completed exhibition.<br/> 21 Sep 2020 - 4:37 PM - Martin Conner<br/> Action completed by: O'Hara, Rachael<br/> Item 6 - Completed exhibition.</p> |                             |                  |  |             |            |            |

| Type  | Meeting                     | Officer/Director | Subject                       | Est. Compl. | Emailed    | Completed |
|---|-----------------------------|------------------|-------------------------------|-------------|------------|-----------|
|   | Ordinary Council 16/09/2020 | Eveleigh, Nathan | 2019/20 Aquatic Season Review | 14/10/2020  | 21/09/2020 | 9/10/2020 |
| WI69/2020<br><a href="#">1441</a><br>28 Sep 2020 - 12:24 PM - Nathan Eveleigh<br>A COVID-19 Plan to address the safety of pool users and staff on the 10 free Family Fun Days is being prepared for the October Ordinary Meeting of Council.<br>9 Oct 2020 - 11:47 AM - Nathan Eveleigh<br>Action completed by: Benson, Nicole<br>COVID-19 Plan, to address the safety of pool users and staff on the 10 free Family Fun Days to be considered at October Ordinary Meeting of Council |                             |                  |                               |             |            |           |

| Type   | Meeting                     | Officer/Director | Subject                            | Est. Compl. | Emailed    | Completed  |
|--|-----------------------------|------------------|------------------------------------|-------------|------------|------------|
|  | Ordinary Council 16/09/2020 | Harris, Kate     | Adoption of Skate and BMX Strategy | 14/10/2020  | 21/09/2020 | 24/09/2020 |
| WI70/2020<br><a href="#">1442</a><br>24 Sep 2020 - 8:26 AM - Kate Harris<br>1. Complete<br>2. Complete<br>3. Those who made submissions during the public exhibition period have been notified.<br>4. This is action is noted and will be ongoing.<br>24 Sep 2020 - 8:27 AM - Kate Harris<br>Action completed by: Harris, Kate<br>The Strategy has been adopted and those who made submissions have been notified. |                             |                  |                                    |             |            |            |

| Type   | Meeting                     | Officer/Director | Subject                      | Est. Compl. | Emailed    | Completed |
|--|-----------------------------|------------------|------------------------------|-------------|------------|-----------|
|  | Ordinary Council 16/09/2020 | Crosdale, Emma   | Weston Bears Park Masterplan | 14/10/2020  | 21/09/2020 | 1/10/2020 |
| WI71/2020<br><a href="#">1443</a><br>1 Oct 2020 - 2:18 PM - Emma Crosdale<br>Action completed by: McCloy, Natalie<br>Council Adopted Masterplan 16-9-2020. |                             |                  |                              |             |            |           |

| Type  | Meeting                        | Officer/Director                 | Section                 | Subject                     | Est. Compl. | Completed |
|---|--------------------------------|----------------------------------|-------------------------|-----------------------------|-------------|-----------|
| BN12/2020   | Ordinary Council<br>18/03/2020 | Kerr, Katrina                    | Business With<br>Notice | Traffic Issues Heddon Greta | 16/09/2020  |           |
| <a href="#">1230</a><br><b>MOTION</b><br>1230<br><b>MOTION</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Gray | <b>Seconded:</b>        | Councillor Burke            |             |           |
| <p><b>That the General Manager Investigate the concerns of the residents of Heddon Greta with the installation of traffic lights at Heddon Street and Main Road and the potential impact on the local road network. In particular investigating the excessive speeding issues that are now prevalent along Radford Street and surrounding feeder roads, with traffic calming options.</b></p> <p>8 Apr 2020 - 7:27 AM - Robyn Larsen<br/>Under investigation.</p> <p>14 Apr 2020 - 2:36 PM - Janine Maher<br/>Comments inserted into draft Councillor memo prepared by W&amp;I. Referred to Infrastructure Manager for finalisation and issuing.</p> <p>14 Apr 2020 - 2:38 PM - Janine Maher<br/>Action reassigned to Kerr, Katrina by: Maher, Janine for the reason: Draft memo prepared by W&amp;I. Action re-allocated to enable matter to be updated when memo is issued.</p> <p>11 May 2020 - 12:53 PM - Katrina Kerr<br/>Sought further input from Development Services Manager.</p> <p>5 Jun 2020 - 11:58 AM - Katrina Kerr<br/>Finalised memo with input re Traffic Signals from Development Services Manager.</p> <p>8 Jul 2020 - 9:21 AM - Kelly Paterson<br/>Reviewed memo to consider surrounding traffic issues.</p> |                                |                                  |                         |                             |             |           |

| Type   | Meeting                        | Officer/Director                       | Section                 | Subject                    | Est. Compl. | Completed |
|--|--------------------------------|--|-------------------------|----------------------------|-------------|-----------|
| BN19/2019  | Ordinary Council<br>21/08/2019 | Alexander, Michael                     | Business With<br>Notice | Bee Friendly Tree Giveaway | 25/11/2020  |           |
| <a href="#">943</a><br><b>MOTION</b><br>943<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Stapleford | <b>Seconded:</b>        | Councillor Fitzgibbon      |             |           |
| <p><b>That Council ask the General Manager to request a briefing with National Parks to discuss ways Council can improve the local ecology and biodiversity including threatened species such as Bees and Regent Honey Eaters.</b></p> <p>3 Sep 2019 - 12:20 PM - Michael Alexander<br/>Sustainability Officer to make contact with National Parks to determine availability or seek advice that provides response to the question/request</p> <p>5 Sep 2019 - 9:47 AM - Michael Alexander<br/>Request for response forwarded to National Parks - key personnel on extended leave and response not anticipated for approx. 2 months</p> <p>2 Oct 2019 - 9:45 AM - Michael Alexander<br/>Contact officer at NPWS scheduled to return from maternity leave Oct 2019. Correspondence requesting information/advice forwarded</p> <p>6 Dec 2019 - 12:58 PM - Carly Thompson<br/>National Parks have been contacted a number of time and response is they can do nothing until the fire season is over</p> <p>5 Feb 2020 - 10:41 AM - Debbie Kellehear<br/>National Parks and Wildlife Services have reaffirmed that they are unavailable for input until the current fire season settles. Karinda Stone will continue to liaise with Brooke from National Parks and Wildlife Services.</p> <p>3 Mar 2020 - 2:13 PM - Debbie Kellehear<br/>Reason: National Parks and Wildlife Services are still unavailable and will be available for comment after the fire season.</p> <p>31 Mar 2020 - 10:18 AM - Debbie Kellehear<br/>National Parks &amp; Wildlife have been contacted and they are now deciding which agency is most appropriate to make a presentation to Council. National Parks &amp; Wildlife or Department of Planning, Industry and Environment will come back to Council when a decision has been made.</p> <p>4 May 2020 - 10:38 AM - Debbie Kellehear<br/>Revised Target Date changed by: Kellehear, Debbie From: 1 May 2020 To: 01 Jun 2020<br/>Reason: National Parks and Wildlife have advised that they will be making the presentation to Council. A suitable date now needs to be arranged for the presentation to be conducted at a future Council meeting.</p> |                                |  |                         |                            |             |           |

29 May 2020 - 9:43 AM - Carly Thompson

Revised Target Date changed by: Thompson, Carly From: 1 Jun 2020 To: 01 Jul 2020

Reason: National Parks & Wildlife Service have advised that the Biodiversity Conservation Division of the Department of Planning, Industry and Environment are much better placed to prepare a presentation more relevant to the specific content (ecology, biodiversity, Regent Honeyeaters and bees) requested by council. The BCD have agreed to work closely with National Parks to prepare and make a presentation to Council.

Councillor Briefing date to be set in the near future

30 Jun 2020 - 9:23 AM - Debbie Kellehear

Department of Planning, Industry & Environment have been contacted and advised of the Councillor Briefing dates for August. Awaiting response.

30 Jun 2020 - 9:25 AM - Debbie Kellehear

Revised Target Date changed by: Kellehear, Debbie From: 1 Jul 2020 To: 03 Aug 2020

Reason: Awaiting response from DPIE

10 Aug 2020 - 11:53 AM - Debbie Kellehear

Department of Planning Industry & Environment to make a presentation to Councillor on Threatened Species Management in Cessnock. Briefing requested for 25 November 2020.

27 Aug 2020 - 11:38 AM - Carly Thompson

Council briefing is tentative for 25 November 2020.

| Type   | Meeting                        | Officer/Director                       | Section                 | Subject   | Est. Compl. | Completed |
|--|--------------------------------|--|-------------------------|---|-------------|-----------|
| BN20/2020  | Ordinary Council<br>19/08/2020 | Kerr, Katrina                          | Business With<br>Notice | Nulkaba shared Pathway and Hunter Valley Wine country Vineyard Cycleway | 16/09/2020  |           |
| <a href="#">1403</a><br><b>MOTION</b><br>1403<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Fitzgibbon | <b>Seconded:</b>        | Councillor Dunn   |             |           |
| <ol style="list-style-type: none"> <li>That Council advance and finalise the detailed design works, for the construction of the Off-road Nulkaba Shared Pathway via Wine Country Drive from Kerlew Street, Nulkaba to Broke Road, Pokolbin and the High Priority Works identified in the Pokolbin Cycling Improvements of the Section 7.12 Levy Contributions Plan. The design and cost will include suitable trees, identified in the Street Tree Strategy, along the paths, where suitable.</li> <li>That Council finalise the detailed design works for the 8 Council managed recreational trails across the Cessnock LGA as identified in the adopted Trails Strategy.</li> <li>That the Nulkaba Shared Pathway via Wine Country Drive, High Priority works identified in the Pokolbin Cycling Improvement 7.12 Contribution Plan and the 8 formalised Council managed Trails be added to the 20/21 Operational Plan subject to Grant Funding.</li> <li>That the General Manager bring back a report to the next meeting of Council with:- <ol style="list-style-type: none"> <li>Estimated costs of the proposed design works for the projects listed</li> <li>Funds available in the 7.11 and 7.12 Contributions Plans suitable for the design works</li> <li>Recommendations for other funding sources if necessary.</li> </ol> </li> </ol> |                                |  |                         |   |             |           |
| <p>4 Sep 2020 - 11:02 AM - Katrina Kerr</p> <p>Item 1 - Reviewed status of designs for Nulkaba Pathway, Pokolbin Cycling Improvement, and 8 recreational trails.</p> <p>Item 2 - Reviewed status of design of 8 recreational trails.</p> <p>Item 3 - Listed inclusion of Nulkaba Pathway, Pokolbin Cycling Improvement, and 8 recreational trails in the Operational Plan 2020/212 for acceptance in the September Quarterly Review.</p> <p>Item 4 - Drafted report.</p>   |                                |  |                         |   |             |           |



| Type   | Meeting                        | Officer/Director                  | Section                 | Subject            | Est. Compl. | Completed |
|--|--------------------------------|-----------------------------------|-------------------------|--------------------|-------------|-----------|
| BN21/2020  | Ordinary Council<br>19/08/2020 | Kerr, Katrina                     | Business With<br>Notice | Frame Drive Bridge | 16/09/2020  |           |
| <a href="#">1404</a><br><b>MOTION</b><br>1404<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Burke | <b>Seconded:</b>        | Councillor Gray    |             |           |
| <p>That the General Manager supply a Councillor Memo explaining why the road on Frame Drive on the northern side of the bridge has dropped and</p> <p>a) What is council doing to resolve the issue<br/>b) An approximate cost for the repairs<br/>c) Timeline for when this will be completed.</p> <p>8 Sep 2020 - 9:44 AM - Kelly Paterson<br/>Item 1 - Drafted Councillor memo.<br/>25 Sep 2020 - 12:09 PM - Kelly Paterson<br/>Item 1 - All Councillor memo was sent to Councillors on Thursday 25 September 2020.</p> |                                |                                   |                         |                    |             |           |

| Type   | Meeting                        | Officer/Director                  | Section                 | Subject                      | Est. Compl. | Completed |
|--|--------------------------------|-----------------------------------|-------------------------|------------------------------|-------------|-----------|
| BN23/2020  | Ordinary Council<br>19/08/2020 | Conner, Martin                    | Business With<br>Notice | Cleaning of Waterways/Creeks | 21/10/2020  |           |
| <a href="#">1405</a><br><b>MOTION</b><br>1405<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Olsen | <b>Seconded:</b>        | Councillor Fitzgibbon        |             |           |
| <p>That the General Manager speak to Hunter Water and Water NSW to discuss ways for the clearing of our waterways to help with the flow of water and to minimise flooding in high risk areas.</p> <p>8 Sep 2020 - 12:32 PM - Rachael O'Hara<br/>Item 1 - Prepared Position Paper for discussion with Hunter Water Corporation and Water NSW.</p> |                                |                                   |                         |                              |             |           |

| Type   | Meeting                        | Officer/Director                   | Section                 | Subject                         | Est. Compl. | Completed |
|--|--------------------------------|------------------------------------|-------------------------|---------------------------------|-------------|-----------|
| BN24/2020  | Ordinary Council<br>19/08/2020 | Alexander, Michael                 | Business With<br>Notice | Clean Up of Waste from Bushland | 16/09/2020  |           |
| <b>MOTION</b><br>1406<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Suvaal | <b>Seconded:</b>        | Councillor Gray                 |             |           |
| <p>1. That the General Manager investigate an external source of funding to assist the current work of the RID Squad in cleaning up waste illegally dumped on Council owned land in the Cessnock Local Government Area.</p> <p>2. That the General Manager speaks to Crown Land and Forestry Department to ask for assistance in cleaning up rubbish on their land as well.</p> <p>9 Sep 2020 - 1:03 PM - Michael Alexander<br/>Correspondence forwarded to RID Coordinator to seek collaborative meeting with stakeholders to determine best course of action</p> |                                |                                    |                         |                                 |             |           |

| Type  | Meeting                        | Officer/Director                    | Section                 | Subject                    | Est. Compl. | Completed |
|---|--------------------------------|-------------------------------------|-------------------------|----------------------------|-------------|-----------|
| BN25/2020   | Ordinary Council<br>19/08/2020 | Davis, Colin                        | Business With<br>Notice | Parking Policy Enforcement | 31/10/2020  |           |
| <a href="#">1407</a><br><b>MOTION</b><br>1407<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Olsen | <b>Seconded:</b>        | Councillor Dunn            |             |           |
| <p>That the General Manager review Cessnock City Council Parking Enforcement Policy and under section 3.4 Footway Parking, Number 2 Vehicles must not double park be removed for clarity of all residents.</p> <p>26 Aug 2020 - 3:41 PM - Yvonne Blake<br/>Action reassigned to Davis, Colin by: Blake, Yvonne for the reason: Officer wrote report and is working on the updating the policy<br/>31 Aug 2020 - 7:45 AM - Colin Davis<br/>Revised Target Date changed by: Davis, Colin From: 16 Sep 2020 To: 31 Oct 2020<br/>Reason: Report being prepared on review of Parking Enforcement Policy in accordance with Operational Plan actions. This matter will be addressed at that time.</p> |                                |                                     |                         |                            |             |           |

| Type   | Meeting                        | Officer/Director                   | Section                 | Subject  | Est. Compl. | Completed |
|--|--------------------------------|------------------------------------|-------------------------|--|-------------|-----------|
| BN26/2020  | Ordinary Council<br>19/08/2020 | Alexander, Michael                 | Business With<br>Notice | draft 2020-25 Waste and Resource Recovery Strategy | 16/09/2020  |           |
| <a href="#">1408</a><br><b>MOTION</b><br>1408<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Suvaal | <b>Seconded:</b>        | Councillor Gray                                    |             |           |
| <p>That the General Manager hold a face to face workshop (if possible under Covid regulations) for Councillors on the draft 2020-25 Waste and Resource Recovery Strategy prior to the strategy being reported to Council.</p> <p>9 Sep 2020 - 1:02 PM - Michael Alexander<br/>Workshop to be arranged in consultation with GM and considering Covid restrictions. Date to be advised</p> |                                |                                    |                         |  |             |           |

| Type  | Meeting                        | Officer/Director                       | Section                 | Subject                  | Est. Compl. | Completed |
|---|--------------------------------|--|-------------------------|--------------------------|-------------|-----------|
| BN27/2020   | Ordinary Council<br>19/08/2020 | Jeffery, Warren                        | Business With<br>Notice | Cycleways/Share Pathways | 16/09/2020  |           |
| <a href="#">1409</a><br><b>MOTION</b><br>1409<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Fitzgibbon | <b>Seconded:</b>        | Councillor Sander        |             |           |
| <ol style="list-style-type: none"> <li>That the General Manager bring back a report in 3 months recommending 3 Options in each of the Local Government Area wards (12 projects/project segments), identified in the adopted Cycling Strategy, for Councils adoption of 1 project in each of the 4 Local Government area Wards (4 projects) for fast tracking.</li> <li>The 12 projects to be recommended on the basis of the following priorities:- <ol style="list-style-type: none"> <li>Cost/Benefit</li> <li>Eligible for Developer contribution funds allocation</li> <li>Connectivity to maximise increased use of existing facilities eg parks, schools, fields.</li> </ol> </li> <li>Projects chosen from the recommendation are to be added to the 20/21 Operational Plan subject to Grant Funding.</li> </ol> |                                |  |                         |                          |             |           |

4 Sep 2020 - 11:11 AM - Katrina Kerr  
 Item 1 - Commenced draft report.  
 Item 2 - Considered 12 potential projects.  
 Item 3 - Commenced draft update to Operational Plan 2020/21 for acceptance in the December Quarterly Review.  
 8 Sep 2020 - 10:14 AM - Linda Lewis  
 Action reassigned to Jeffery, Warren by: Lewis, Linda for the reason:  
 23 Sep 2020 - 12:21 PM - Tracey Cocking  
 Item 1 - Conducted meeting of Infrastructure staff to identify suitable projects. Drafting report to Council.  
 Item 2 - Noted  
 Item 3 - Noted selected projects will be added to 20/21 Operation Plan after Council resolution grant funding dependant.

| Type  | Meeting                       | Officer/Director                       | Section                 | Subject                   | Est. Compl. | Completed |
|---|-------------------------------|--|-------------------------|---------------------------|-------------|-----------|
| BN28/2019   | Ordinary Council<br>6/11/2019 | Harris, Kate                           | Business With<br>Notice | Fenced Off Leash Dog Area | 30/10/2020  |           |
| <a href="#">1056</a><br><b>MOTION</b><br>1056<br><b>RESOLVED</b>  | <b>Moved:</b>                 | Kerr, Katrina<br>Councillor Fitzgibbon | <b>Seconded:</b>        | Councillor Dagg           |             |           |
| <p>1. That Council wait for the delivery of the off leash dog exercise area strategy as identified in the 2019/20 Operational Plan.</p> <p>2. That the Carmichael Park Masterplan be considered in the Off Leash Dog Exercise Area Strategy.</p> <p>23 Jan 2020 - 3:22 PM - Nicole Benson<br/>                     Development of Off Leash Dog Exercise Strategy underway.<br/>                     Off Leash Dog Exercise area included in draft Carmichael Park Masterplan<br/>                     23 Jan 2020 - 3:25 PM - Nicole Benson<br/>                     Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 30 Jun 2020<br/>                     Reason: To align with Operational Plan.<br/>                     25 Jun 2020 - 12:26 PM - Kate Harris<br/>                     Revised Target Date changed by: Harris, Kate From: 30 Jun 2020 To: 28 Aug 2020<br/>                     Reason: Additional time is required to complete the strategy due to staffing resources and prioritising the grant funded Richmond Vale Rail Trail specialist document.<br/>                     27 Aug 2020 - 3:09 PM - Kate Harris<br/>                     Revised Target Date changed by: Harris, Kate From: 28 Aug 2020 To: 30 Oct 2020<br/>                     Reason: The draft Strategy is currently being drafted but not yet finalised.</p> |                               |  |                         |                           |             |           |

| Type   | Meeting                       | Officer/Director                       | Section                    | Subject  | Est. Compl. | Completed |
|--|-------------------------------|--|----------------------------|--|-------------|-----------|
| CC30/2019  | Ordinary Council<br>1/05/2019 | Rathborne, Michael                     | Corporate and<br>Community | Acquisition of land for road widening - Sandy Creek Road, Mt Vincent | 30/09/2020  |           |
| <a href="#">893</a><br><b>MOTION</b><br>893<br><b>RESOLVED</b>   | <b>Moved:</b>                 | Maginnity, Robert<br>Councillor Suvaal | <b>Seconded:</b>           | Councillor Fitzgibbon  |             |           |
| <p>1. That Council acquire the land part Lot 120 and part Lot 122 of DP 755244 being land currently comprised in Conveyance Book 3144 No 987 and Conveyance Book 3333 No 5 for road purposes and dedicate the land to the public as public road;</p> <p>2. That Council authorise the General Manager to negotiate compensation with the property owners by private agreement for acquisition of the Land subject to an independent valuation report and in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p> <p>3. 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 the Land being part Lot 120 and Part Lot 122 DP 755244;</p> |                               |  |                            |  |             |           |

4. That Council authorise the Common Seal of Cessnock City Council to be affixed to the plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244;
5. That Council authorise the General Manager and Mayor/Councillor to execute the Plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244.

4 Jun 2019 - 11:44 AM - Susanne Brinkworth

Revised Target Date changed by: Brinkworth, Susanne From: 29 May 2019 To: 28 Jun 2019

Reason: Awaiting advice from landowner

9 Aug 2019 - 9:04 AM - Susanne Brinkworth

Revised Target Date changed by: Brinkworth, Susanne From: 31 Jul 2019 To: 30 Aug 2019

Reason: Owner has agreed to compensation. Deed of agreement prepared and surveyor engaged to prepare plan of subdivision

3 Sep 2019 - 9:23 AM - Susanne Brinkworth

Revised Target Date changed by: Brinkworth, Susanne From: 30 Aug 2019 To: 21 Sep 2019

Reason: Awaiting owner to execute agreement to lodge plan of subdivision

9 Mar 2020 - 3:41 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 31 Oct 2019 To: 31 Mar 2020

Reason: waiting on amendments to plans

12 Mar 2020 - 11:01 AM - Michael Rathborne

Email sent to Solicitor for owners requesting owners consent, and agreement to be returned to CCC.

8 Apr 2020 - 10:17 AM - Michael Rathborne

Still awaiting response from land owner. Additional letter sent to their solicitor 6.4.2020

8 Apr 2020 - 10:50 AM - Robyn Keegan

Revised Target Date changed by: Keegan, Robyn From: 31 Mar 2020 To: 30 Jun 2020

Reason: Still awaiting response from land owner. Additional letter sent to their solicitor 6.4.2020.

27 Apr 2020 - 12:38 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 30 Jun 2020 To: 30 Jun 2020

Reason: waiting on surveyors to identify the land in question so that the easement can be completed.

28 May 2020 - 3:21 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 30 Jun 2020 To: 30 Jun 2020

Reason: Requested plans from surveyor to finalise the matter.

25 Jun 2020 - 11:53 AM - Robyn Keegan

Revised Target Date changed by: Keegan, Robyn From: 30 Jun 2020 To: 30 Sep 2020

Reason: Still waiting on Surveyor for the plans to create the acquisitions. Will follow up again 25/6/20.

4 Aug 2020 - 1:27 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 30 Sep 2020 To: 30 Sep 2020

Reason: MR contacted by owners who want this matter finalised. Surveyor has been contacted to respond asap.

5 Aug 2020 - 10:43 AM - Robyn Keegan

Owner has contacted Council this week and wants to finalise this matter. Surveyor has been contacted to move ASAP.

31 Aug 2020 - 12:27 PM - Robyn Keegan

CCC Property Officer has spoken with the solicitor for the owners of the land we are to acquire last week and he has an issue with probate over the land ownership. Apparently when this matter commenced the site was owned by mother and son, after the passing of the father. Now, more recently, like late 2019, mother has passed and there are issues with the ownership transfer, which he is resolving now. Once this is in the son's name we can finalise the acquisition.

30 Sep 2020 - 9:18 AM - Robyn Larsen

still pending resolution of ownership before we can proceed to finalise acquisition. I spoke with the solicitor for the "owners" this morning again and he believes the matter should be resolved within a week.

| Type  | Meeting                        | Officer/Director                       | Section                    | Subject   | Est. Compl. | Completed |
|---|--------------------------------|--|----------------------------|---|-------------|-----------|
| CC38/2020   | Ordinary Council<br>15/04/2020 | Rathborne, Michael                     | Corporate and<br>Community | Sale of Council Land at 10 & 12 Quorrobolong Road, Cessnock | 18/12/2020  |           |
| <a href="#">1265</a><br><b>MOTION</b><br>1265<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Maginnity, Robert<br>Councillor Suvaal | <b>Seconded:</b>           | Councillor Dunn   |             |           |
| <p>1. That Council sells the two parcels of land known as 10 Quorrobolong Road, Cessnock (being Lot 507 DP755215 ) and 12 Quorrobolong Road, Cessnock (being Lot 508 DP755215) by private treaty using agents listed on the Cessnock City Council Real Estate Panel;</p> <p>2. That Council authorises the General Manager to negotiate the sale of each property for no less than 90% of the independent valuation;</p> <p>3. That Council authorises the General Manager and Mayor to execute the Transfer documentation between Cessnock City Council and the purchasers.</p> <p>4. That Council allocates the proceeds of sale in accordance with the adopted Property Investment Fund Policy.</p> <p>27 Apr 2020 - 12:43 PM - Michael Rathborne<br/>Revised Target Date changed by: Rathborne, Michael From: 13 May 2020 To: 18 Dec 2020<br/>Reason: Approval granted to sell 15.4.2020. Two lots to be listed for sale after contracts prepared, then marketed for sale.</p> <p>25 Jun 2020 - 11:55 AM - Robyn Keegan<br/>Revised Target Date changed by: Keegan, Robyn From: 18 Dec 2020 To: 18 Dec 2020<br/>Reason: Deposits taken on both sites at \$190,000 and \$150,000 respectively pending finance and exchange of contracts.</p> <p>4 Aug 2020 - 1:29 PM - Michael Rathborne<br/>Revised Target Date changed by: Rathborne, Michael From: 18 Dec 2020 To: 18 Dec 2020<br/>Reason: 10 Quorrobolong st will settle 7 August 2020. 12 Quorrobolong is still being marketed.</p> <p>5 Aug 2020 - 10:41 AM - Robyn Keegan<br/>10 Quorrobolong Street will settle 7 August 2020, but 12 Quorrobolong Street, is still being marketed for sale.</p> <p>31 Aug 2020 - 12:33 PM - Robyn Keegan<br/>As at 28/08/2020, Number 10 has settled now and 12 is currently under consideration of an offer received today.</p> <p>30 Sep 2020 - 9:19 AM - Robyn Larsen<br/>10 has settled, 12 has exchanged this week and is due to settle within 42 days</p> |                                |  |                            |   |             |           |

| Type   | Meeting                       | Officer/Director                        | Section                    | Subject  | Est. Compl. | Completed |
|--|-------------------------------|---|----------------------------|--|-------------|-----------|
| CC4/2020   | Ordinary Council<br>5/02/2020 | Rathborne, Michael                      | Corporate and<br>Community | Acquisition of land by boundary adjustment to add to Turner Park and granting an easement for stormwater within Turner Park Lot 501 DP 1108309 | 30/10/2020  |           |
| <a href="#">1139</a><br><b>MOTION</b><br>1139<br><b>RESOLVED</b>   | <b>Moved:</b>                 | Maginnity, Robert<br>Councillor Doherty | <b>Seconded:</b>           | Councillor Suvaal  |             |           |
| <p>1. That Council consents to the boundary adjustment and gaining that additional land marked on the attached plans:</p> <p>a) That Council authorises the General Manager to negotiate the agreement between the adjoining owners on Aberdare Road, Cessnock;</p> <p>b) That Council authorises for the Common Seal of Cessnock City Council to be affixed to the related documents between Cessnock City Council and the owner of Lot 3 Section 50 DP 758002, Aberdare Road, Cessnock</p> <p>c) That Council authorises the Mayor and the General Manager to execute all documents relating to the land transfer.</p> <p>2. That Council consents to the granting of an easement benefiting Lot 3 Section 50 DP 758002 burdening Council land being Lot 501 DP 1108309 for stormwater purposes subject to the following:</p> <p>a) The easement, of no greater than 1.5m wide to be located on the eastern boundary of Cessnock Tennis Courts Lot 501 DP 1108309 and in accordance with approved plans;</p> |                               |   |                            |  |             |           |

- b) That the stormwater drainage infrastructure be constructed underground within the easement;
- c) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement;
- d) That Council advises the applicant that all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner;
- e) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and
- f) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.

9 Mar 2020 - 3:43 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 4 Mar 2020 To: 31 Mar 2020

Reason: Almost completed.

8 Apr 2020 - 10:15 AM - Michael Rathborne

Awaiting final plan from Surveyors, due 23.4.2020

8 Apr 2020 - 10:53 AM - Robyn Keegan

Revised Target Date changed by: Keegan, Robyn From: 31 Mar 2020 To: 30 Jun 2020

Reason: Awaiting final plan from Surveyors, due 23.4.2020

28 May 2020 - 3:24 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 30 Jun 2020 To: 30 Jun 2020

Reason: Spoke with client 10 May and his surveyor will issue plans for easement and acquisition.

25 Jun 2020 - 11:52 AM - Robyn Keegan

Revised Target Date changed by: Keegan, Robyn From: 30 Jun 2020 To: 30 Sep 2020

Reason: Waiting on the surveyor for the land owner to produce a plan for the boundary adjustment. Will follow up with him again 25/6/20.

4 Aug 2020 - 1:28 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 30 Sep 2020 To: 30 Sep 2020

Reason: owner contacted council this week with plans of easement and land boundary adjustment to move towards finalisation.

5 Aug 2020 - 10:44 AM - Robyn Keegan

Updated plans received this week from the owner. He had been delayed due to some sewer issues on the site. CCC currently assessing the plans and will respond ASAP.

31 Aug 2020 - 12:32 PM - Robyn Keegan

CCC Property Officer spoke with the land owner in regards to the swap of land for easement last week and they are to meet onsite next week to resolve the placement of the easement so that his surveyor can finalise their plan and CCC can proceed with the transaction.

4 Sep 2020 - 11:56 AM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 30 Sep 2020 To: 30 Oct 2020

Reason: MR met with landowner 1.9.2020 to expedite the plans for council signature and lodgement.

30 Sep 2020 - 9:19 AM - Robyn Larsen

I received the final plans of easement yesterday that need to be reviewed and signed. Hopefully this should be signed, if correct, by the end of this week and returned for registration.

| Type   | Meeting   | Officer/Director                        | Section                    | Subject   | Est. Compl. | Completed |
|--|---|---|----------------------------|---|-------------|-----------|
| CC51/2020  | Ordinary Council<br>17/06/2020  | Drage, Natalie                          | Corporate and<br>Community | Minutes of the Cultural Facilities Committee meeting held 21 May 2020 | 30/10/2020  |           |
| <a href="#">1317</a><br><b>MOTION</b><br>1317<br><b>RESOLVED</b> | <b>Moved:</b>   | Maginnity, Robert<br>Councillor Doherty | <b>Seconded:</b>           | Councillor Gray   |             |           |
| 1.   | That the Minutes of the meeting of the Cultural Facilities Committee held on 21 May 2020 be adopted as a resolution of the Ordinary Council.  |   |                            |   |             |           |
| 2.   | That the Cultural Facilities Committee be dissolved in accordance with the terms of reference and that any future reports for cultural facilities be tabled to the Strategic Property and Community Facilities Committee. |   |                            |   |             |           |
| 3.   | That the Strategic Property and Community Facilities Committee undertake a review of the Committee's Terms of Reference to include the functions of the Cultural Facilities Committee.                                    |   |                            |   |             |           |

4. That Council notes the total indicative costs of \$2 million for removal and replacement of Aluminium Composite Panels, amendments to the loading dock and redesign of Cessnock Performing Arts Centre to achieve a cultural hub and that the priority project is the removal and replacement of Aluminium Composite Panels.
5. That the General Manager prepare a report identifying opportunities for funding the removal and replacement of Aluminium Composite Panels, amendments to the loading dock and redesign of Cessnock Performing Arts Centre to achieve a cultural hub and the General Manager actively pursue other funding opportunities as they arise for these projects.

25 Jun 2020 - 11:44 AM - Natalie Drage

Resolution 1, 2 and 4 noted. Strategic Property & Community Facilities Committee to be made aware of resolution 3 - undertake a review of the Committee's Term of Reference to include the functions of the Cultural Facilities Committee. Resolution 5 - Report to be prepared for funding opportunities to achieve a Cultural Hub at Cessnock Performing Arts Centre.

8 Jul 2020 - 9:35 AM - Natalie Drage

Resolution 5 - Report for funding opportunities to achieve a Cultural Hub at Cessnock Performing Arts Centre will be reported at an upcoming Strategic Property & Community Facilities Committee.

8 Jul 2020 - 9:40 AM - Natalie Drage

Revised Target Date changed by: Drage, Natalie From: 15 Jul 2020 To: 31 Aug 2020

27 Aug 2020 - 2:03 PM - Natalie Drage

Revised Target Date changed by: Drage, Natalie From: 31 Aug 2020 To: 30 Oct 2020

Reason: Resolution 3 & 5 - A report will be tabled at the upcoming Strategic Property & Community Facilities Committee for review of the Committee's Term of Reference and funding opportunities for the cultural hub at Cessnock Performing Arts Centre.

30 Sep 2020 - 8:52 AM - Natalie Drage

Resolution 5 - Report for funding opportunities to achieve a Cultural Hub at Cessnock Performing Arts Centre will be reported at the Strategic Property & Community Facilities Committee scheduled to be held October.

| Type   | Meeting   | Officer/Director                           | Section              | Subject                                   | Est. Compl. | Completed |
|--|---|--|----------------------|---|-------------|-----------|
| CC6/2018   | Ordinary Council<br>7/03/2018   | Drage, Natalie                             | Deferred<br>Business | Richmond Main Colliery - Remediation Plan | 27/11/2020  |           |
| <a href="#">433</a><br><b>MOTION</b><br>433<br><b>RESOLVED</b>   | <b>Moved:</b>   | Maginnity, Robert<br>Councillor Fitzgibbon | <b>Seconded:</b>     | Councillor Gray                           |             |           |
| 1.   | That Council allocate funding of \$50,500 from the Miscellaneous and Property Reserve, for the preparation of a Remediation Action Plan, development application and continuation of temporary fencing at Richmond Main Colliery.                   |  |                      |   |             |           |
| 2.   | That a further report be prepared for Council detailing the estimated costs of implementing the Remediation Action Plan once they are known.  |  |                      |   |             |           |
| 3.   | That any future Richmond Main Colliery reports include the cumulative total of expenditure since the September 2017 fire.   |  |                      |   |             |           |
| 4.   | That the General Manager prepare a report in consultation with the site users, including an inventory of equipment, and removal of non essential items from the historic site, with the view to improving visual site amenity, safety and security. |  |                      |   |             |           |
| 13 Mar 2018 - 10:40 AM - Katrina Patch<br>Request for Quote Documentation being prepared in order to engage consultancy to prepare the RAP.<br>13 Mar 2018 - 10:43 AM - Katrina Patch<br>Revised Target Date changed by: Patch, Katrina From: 4 Apr 2018 To: 04 Aug 2018<br>Reason: Engagement of vendor and preparation of RAP estimated to take 5 months.<br>4 Apr 2018 - 12:09 PM - Katrina Patch<br>The Request For Quote for the preparation of the Remediation Action Plan closes on Tuesday 10 April.<br>7 May 2018 - 2:48 PM - Robyn Keegan<br>GHD was the successful quote and has been engaged. Inception meeting occurred 2 May 2018, and the project has commenced.<br>23 May 2018 - 5:25 PM - Natalie Drage<br>A request for quote has been distributed for the appointment of an external site auditor and is a requirement in accordance with the Contaminated Land Management Guidelines (NSW EPA) and closes 28 May 2018. |   |  |                      |   |             |           |



*5 Jul 2018 - 12:17 PM - Robyn Keegan*

Revised Target Date changed by: Keegan, Robyn From: 4 Aug 2018 To: 31 Oct 2018  
Reason: Engagement of vendor and preparation of RAP estimated to take 5 months.

*5 Jul 2018 - 12:17 PM - Robyn Keegan*

External site Auditor has been appointed with a site visit to occur with the Auditor during mid July.

*24 Jul 2018 - 3:10 PM - Natalie Drage*

The report to Council tabled 4 July 2018, included the cumulative total of expenditure since the September 2017 fire.

Resolution 4 - the report to Council on the 4 July 2018 provided an update on the outcome of discussions to date with the Society regarding preparation of an inventory. The Society have been encouraged to commence the removal of non-museum items from the second floor of the museum building. This item will be incorporated into the Site Management Action Plan.

*6 Aug 2018 - 9:38 AM - Natalie Drage*

Site visit to Richmond Main occurred with the external auditor and consultant preparing the RAP on 1 August 2018. Consultation to occur with the Preservation Society to assist with understanding current and potential future land uses within Precinct C. This consultation process will be an agenda item for the next meeting with Council staff and the Society Board.

*29 Aug 2018 - 2:43 PM - Natalie Drage*

Consultant preparing the Remediation Action Plan met with Council staff and the Board of the Richmond Main Preservation Society on 22 August 2018. The consultation session considered Precinct C, its future uses and identification of priority locations.

*5 Oct 2018 - 12:50 PM - Natalie Drage*

Meeting held with GHD and Council staff to discuss the Remediation Action Plan and confirming the high priority areas at the site.

*26 Oct 2018 - 11:44 AM - Natalie Drage*

The Richmond Main Preservation Society at the meeting held with Council officers on 23 October 2018 tabled a report advising of site clean up activities undertaken to date within Precinct B.

*21 Jan 2019 - 12:28 PM - Natalie Drage*

The report to Council on 21 November 2018 included an update for clean up activities undertaken by the Richmond Main Preservation Society in improving the visual amenity of the site.

*7 Feb 2019 - 3:59 PM - Natalie Drage*

Costing options for soil sampling has occurred to inform the development of the Remediation Action Plan in consultation with GHD (consultant).

*4 Mar 2019 - 10:52 AM - Natalie Drage*

Soil sampling for Precinct C (Stage 1) to occur and will inform the actions of the RAP.

*3 Apr 2019 - 11:48 AM - Natalie Drage*

Awaiting outcome of soil sampling from consultant preparing the RAP.

*2 May 2019 - 12:10 PM - Natalie Drage*

Meeting held at Richmond Main Colliery with consultant preparing the RAP to confirm locations for soil sampling. Stage 1 Area Assessment Sampling, Analysis and Quality Plan (developed by Consultant) provided to external auditor for review and upon the completion of the review soil sampling will commence.

*1 Jul 2019 - 4:08 PM - Natalie Drage*

External auditor has reviewed and provided comments for Stage 1 Area Assessment Sampling, Analysis and Quality Plan. Consultant to commence soil sampling July 2019.

*7 Aug 2019 - 2:46 PM - Natalie Drage*

Soil sampling process commenced.

*3 Sep 2019 - 2:30 PM - Natalie Drage*

Soil sampling process completed.

*2 Oct 2019 - 2:39 PM - Natalie Drage*

With the soil sampling analysis now complete, the consultant is finalising the Remediation Action Plan.

*23 Oct 2019 - 2:51 PM - Natalie Drage*

Meeting held on 21 October 2019 with consultant preparing the Remediation Action Plan for overview of soil sampling findings.

*23 Oct 2019 - 2:55 PM - Natalie Drage*

Revised Target Date changed by: Drage, Natalie From: 31 Oct 2019 To: 20 Dec 2019

Reason: Soil sampling findings will inform the Remediation Action Plan.

*3 Dec 2019 - 9:17 AM - Natalie Drage*

Draft Preliminary Contamination Assessment of Stage 1 Area received by Consultant and forwarded to external site auditor for review.

*4 Feb 2020 - 10:34 AM - Natalie Drage*

External Auditor has reviewed the Draft Preliminary Contamination Assessment of Stage 1 Area and feedback is being incorporated into the document by the Consultant.

*6 Mar 2020 - 11:14 AM - Natalie Drage*

Amended Contamination Assessment of Stage 1 Area Report received and will be forwarded to External Auditor upon completion of staff review.

*1 Apr 2020 - 9:11 AM - Natalie Drage*

Draft Remediation Action Plan received. Both the Draft Remediation Action Plan and Contamination Assessment of Stage 1 Area Report received and forwarded to External Auditor for review.

*28 Apr 2020 - 9:19 AM - Natalie Drage*

Costings are being prepared by the Consultant for the Draft Remediation Action Plan.

*13 May 2020 - 10:05 AM - Natalie Drage*



Revised Target Date changed by: Drage, Natalie From: 29 May 2020 To: 31 Jul 2020  
Reason: Review of Draft Remediation Action Plan by External Auditor pending.  
25 Jun 2020 - 11:49 AM - Natalie Drage  
Review of Draft Remediation Action Plan by External Auditor has occurred.  
8 Jul 2020 - 9:41 AM - Natalie Drage  
Review comments by the External Auditor has been forwarded to the Consultant for consideration.  
27 Jul 2020 - 2:17 PM - Natalie Drage  
Revised Target Date changed by: Drage, Natalie From: 31 Jul 2020 To: 30 Sep 2020  
Reason: With the Remediation Action Plan finalised by the Consultant it will have a final review by the External Auditor.  
27 Aug 2020 - 1:59 PM - Natalie Drage  
Revised Target Date changed by: Drage, Natalie From: 30 Sep 2020 To: 27 Nov 2020  
Reason: The Remediation Action Plan is currently being reviewed by the External Auditor.  
30 Sep 2020 - 8:53 AM - Natalie Drage  
The Remediation Action Plan is undergoing final review by the External Auditor seeking endorsement.

| Type  | Meeting                       | Officer/Director                     | Section                    | Subject   | Est. Compl. | Completed |
|---|-------------------------------|--------------------------------------|----------------------------|---|-------------|-----------|
| CC63/2019   | Ordinary Council<br>7/08/2019 | Holliday, Jennifer                   | Corporate and<br>Community | Tender Evaluation Report for T1819-16 - Website Development and<br>Implementation | 31/12/2020  |           |
| <a href="#">939</a><br><b>MOTION</b><br>939<br><b>RESOLVED</b>  | <b>Moved:</b>                 | Maginnity, Robert<br>Councillor Dagg | <b>Seconded:</b>           | Councillor Gray   |             |           |
| <p>1. That Council accept the tender from OpenCities Pty Ltd for a lump sum of \$308,000 (including GST) for a period of up to five years, to develop, implement and provide ongoing maintenance for the following Council websites:</p> <ul style="list-style-type: none"> <li>* Cessnock City Council corporate website; and</li> <li>* Three smaller satellite websites: <ul style="list-style-type: none"> <li><input type="checkbox"/> Building Certifiers</li> <li><input type="checkbox"/> Cessnock Performing Arts Centre</li> <li><input type="checkbox"/> Cessnock City Council Libraries</li> </ul> </li> </ul> <p>2. That the General Manager investigate the development and cost of a mobile device app to integrate into the updated Council website.</p> <p>14 Aug 2019 - 2:44 PM - Robyn Keegan<br/> Revised Target Date changed by: Keegan, Robyn From: 7 Aug 2019 To: 03 Jul 2020<br/> Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019.<br/> 14 Aug 2019 - 2:44 PM - Robyn Keegan<br/> Revised Target Date changed by: Keegan, Robyn From: 3 Jul 2020 To: 03 Jul 2020<br/> Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019.<br/> 14 Aug 2019 - 2:45 PM - Robyn Keegan<br/> Revised Target Date changed by: Keegan, Robyn From: 3 Jul 2020 To: 03 Jul 2020<br/> Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019. 2. Request for Quotations to be address for mobile device app.<br/> 7 Nov 2019 - 3:14 PM - Robyn Keegan<br/> OpenCities are developing the new Website. Quotations are being researched.<br/> 6 Feb 2020 - 2:09 PM - Robyn Keegan<br/> Website being developed.<br/> 28 Apr 2020 - 8:44 AM - Robyn Keegan<br/> New corporate website was delivered on 25 March 2020. The CPAC, Libraries and Building Certifiers sub-sites are now under development.<br/> 25 Jun 2020 - 11:59 AM - Robyn Keegan</p> |                               |                                      |                            |   |             |           |

Revised Target Date changed by: Keegan, Robyn From: 3 Jul 2020 To: 31 Dec 2020  
 Reason: Building Certifiers website - revised completion date of 31 July  
 - Site will be delivered four weeks later than planned due to development delays.  
 CPAC website - revised completion to 31 December  
 - Site will launch in Q4 to coincide with re-opening of CPAC performances to public.  
 Libraries website - revised completion to 30 September  
 - Site launch delayed due to conflicting operational priorities  
 4 Aug 2020 - 10:45 AM - Robyn Keegan  
 Building Certifiers website - revised completion date of 14 August 2020.

| Type   | Meeting                        | Officer/Director                      | Section                    | Subject  | Est. Compl. | Completed |
|--|--------------------------------|---------------------------------------|----------------------------|--|-------------|-----------|
| CC66/2020  | Ordinary Council<br>15/07/2020 | Rush, Iain                            | Corporate and<br>Community | Minutes of the Strategic Property & Community Facilities Committee Meeting<br>held 2 July 2020 | 30/06/2021  |           |
| <a href="#">1354</a><br><b>MOTION</b><br>1354<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Doherty | <b>Seconded:</b>           | Councillor Fitzgibbon  |             |           |
| <p>1. That the Minutes of the Strategic Property &amp; Community Facilities committee meeting of 2 July 2020 be adopted as a resolution of the Ordinary Council.</p> <p>2. That Council amends the Cessnock Local Environmental Plan 2011 to reclassify the following properties from Community to Operational land:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 204 - 218 Vincent Street &amp; 2 Cessnock Street Cessnock (nine lots)</li> <li><input type="checkbox"/> Cessnock Road Weston Lot: 18 Sec: 27 DP: 979187</li> <li><input type="checkbox"/> 6 William Street Cessnock Lot: 3 SEC: J DP: 4927</li> </ul> <p>27 Jul 2020 - 9:13 AM - Peter Waghorn<br/>                 Noted. The authorised actions will be actioned as part of comprehensive review of Cessnock LEP to be undertaken by Strategic Planning; advised timeframe 2020/21<br/>                 27 Jul 2020 - 9:18 AM - Peter Waghorn<br/>                 Revised Target Date changed by: Waghorn, Peter From: 12 Aug 2020 To: 30 Jun 2021<br/>                 Reason: To be actioned by Strategic Planning as part of comprehensive review of Cessnock LEP<br/>                 27 Jul 2020 - 10:38 AM - Peter Waghorn<br/>                 Action reassigned to Rush, Iain by: Waghorn, Peter for the reason: Per email advice CM document reference DOC2020/121946<br/>                 23 Sep 2020 - 4:30 PM - Tyler Borowiec<br/>                 Added to Strategic Planning LEP working program.</p> |                                |                                       |                            |  |             |           |

| Type  | Meeting                        | Officer/Director                     | Section                    | Subject   | Est. Compl. | Completed |
|---|--------------------------------|--------------------------------------|----------------------------|---|-------------|-----------|
| CC85/2020   | Ordinary Council<br>16/09/2020 | Maginnity, Robert                    | Corporate and<br>Community | Code of Conduct and Procedures for Administration of the Code of Conduct -<br>Update to Reflect New Prescribed Models | 14/10/2020  |           |
| <a href="#">1433</a><br><b>MOTION</b><br>1433<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Maginnity, Robert<br>Councillor Gray | <b>Seconded:</b>           | Councillor Dunn   |             |           |
| <p>1. That Council adopts the Code of Conduct and Procedures for the Administration of the Code of Conduct, which align with the recently updated Model Code of Conduct for Local Councils in NSW and Model Procedures for the administration of the Model Code of Conduct for Local Councils in NSW.</p> <p>2. That the General Manager arranges a training session on the changes under the Model Code of Conduct for Local Councils in NSW.</p> <p>1. That Council notes the actions proposed to ensure Council staff are provided with suitable training and information regarding the revised Model Code of Conduct for Local Councils in NSW.</p> <p>2. That Council maintains Gifts and Benefits Token Value at \$50.00.</p> |                                |                                      |                            |   |             |           |

22 Sep 2020 - 4:55 PM - Robert Maginnity  
Council website updated with revised Code of Conduct following the meeting

| Type   | Meeting                        | Officer/Director                        | Section                    | Subject   | Est. Compl. | Completed |
|--|--------------------------------|---|----------------------------|---|-------------|-----------|
| CC86/2020  | Ordinary Council<br>16/09/2020 | Drage, Natalie                          | Corporate and<br>Community | Display of Community Notices, Community Displays & Exhibitions and Hosting of Petitions in Council Libraries Policy | 20/11/2020  |           |
| <a href="#">1434</a><br><b>MOTION</b><br>1434<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Maginnity, Robert<br>Councillor Doherty | <b>Seconded:</b>           | Councillor Suvaal   |             |           |
| <p>1. That Council places the amended Display of Community Notices, Community Displays &amp; Exhibitions and Hosting of Petitions in Council Libraries Policy on public exhibition for 28 days.</p> <p>2. That should public submissions be received, a further report be prepared and submitted to Council for consideration.</p> <p>3. That should no public submissions be received, the amended Display of Community Notices, Community Displays &amp; Exhibitions and Hosting of Petitions in Council Libraries Policy is adopted by Council.</p> |                                |   |                            |   |             |           |
| <p>30 Sep 2020 - 8:50 AM - Natalie Drage<br/>Policy is on public exhibition with submissions closing 23 October 2020.</p>  |                                |   |                            |   |             |           |

| Type  | Meeting                        | Officer/Director                    | Section                   | Subject                                 | Est. Compl. | Completed |
|---|--------------------------------|-------------------------------------|---------------------------|---|-------------|-----------|
| GMU18/2020  | Ordinary Council<br>16/09/2020 | Chadwick, Tony                      | General<br>Manager's Unit | Hunter Valley Tourism Service Agreement | 14/10/2020  |           |
| <a href="#">1420</a><br><b>MOTION</b><br>1420<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Jackson, Lotta<br>Councillor Suvaal | <b>Seconded:</b>          | Councillor Burke                        |             |           |
| <p>1. That Council endorses the creation of a tourism service agreement between Council and the Hunter Valley Wine and Tourism Association that represents the interests of tourism operators in the Hunter Valley;</p> <p>2. That Council delegates authority to the General Manager to create a tourism service agreement between Council and the Hunter Valley Wine and Tourism Association;</p> <p>3. That Council notes that there will be only one membership body with a form of tiered membership for tourism operators in the proposed agreement with the fees administrated by the Hunter Valley Wine and Tourism Association;</p> <p>4. That Council places the removal of tourism fees (4.a – 4.i) on public exhibition for a period of 28 days and provide public notice of the intention to remove the fees subject to consideration of submissions received;</p> <p>a) Fee For Service – Silver Deal</p> <p>b) Fee For Service – Gold Deal</p> <p>c) Fee for Service – Diamond Deal</p> <p>d) Fee for Service for Community – Not for Profit</p> <p>e) Visitor Guide and Map listing</p> <p>f) Fee For Service – Additional Brochure</p> <p>g) Early bird incentives</p> <p>h) Sequential Fee For Service: Multi packages</p> <p>i) Accommodation and Activity Bookings Commission</p> |                                |                                     |                           |   |             |           |

**5. If no submissions are received after public exhibition, adopt the Recommendation.**

8 Oct 2020 - 1:20 PM - Tony Chadwick

The following actions have been taken.

Item 2. Council has drafted a legal agreement that will form the contract between HVWTA and Council. Council has asked for feedback from HVWTA and HVWTA are seeking independent legal advice.

Item 4. Council have placed the tourism fees removal plan on public exhibition. Public exhibition closes on 28 Oct 2020.

| Type   | Meeting                        | Officer/Director                        | Section         | Subject                                 | Est. Compl. | Completed |
|--|--------------------------------|---|-----------------|---|-------------|-----------|
| MM9/2020   | Ordinary Council<br>16/09/2020 | Glauser, Andrew                         | Mayoral Minutes | Charities Discount for Temporary Events | 14/10/2020  |           |
| <a href="#">1417</a><br><b>MOTION</b><br>1417<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Maginnity, Robert<br>Councillor Pynsent |                 |   |             |           |
| <p>1. That the General Manager amends the Events DA Policy in the appropriate areas to reflect:</p> <p><i>“That Events run by Registered Charities, have all councils’ fees and charges applicable to Temporary Events Development Applications discounted by 50% of the adopted fees and charges”.</i></p> <p>2. That the 50% discounted fees be placed on public exhibition for 28 days and if no submissions are received, the 50% discount apply.</p> <p>23 Sep 2020 - 12:17 PM - Yvonne Blake<br/>Action reassigned to Rush, Iain by: Blake, Yvonne for the reason: Officer to update policy. Once completed to be reallocated to Andrew Glauser to update and exhibit the changes in current budget.<br/>23 Sep 2020 - 4:16 PM - Tyler Borowiec<br/>Resolution added to Strategic Planning's DCP work program.<br/>23 Sep 2020 - 4:19 PM - Tyler Borowiec<br/>Action reassigned to Glauser, Andrew by: Borowiec, Tyler for the reason: Reallocated to Finance for required fees and charges amendment.</p> |                                |   |                 |   |             |           |

| Type   | Meeting                        | Officer/Director                      | Section                  | Subject  | Est. Compl. | Completed |
|--|--------------------------------|---------------------------------------|--------------------------|--|-------------|-----------|
| PE25/2020  | Ordinary Council<br>15/07/2020 | McCauley, Hannah                      | Planning and Environment | Planning Proposal: Additional Permitted Use at The Vintage | 31/12/2020  |           |
| <a href="#">1344</a><br><b>MOTION</b><br>1344<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Doherty | <b>Seconded:</b>         | Councillor Fitzgibbon                                      |             |           |
| <p>1. That Council requests a Gateway determination for the Planning Proposal – Residential Flat Buildings Additional Permitted Use at ‘The Vintage’ from the Department of Planning, Industry and Environment pursuant to the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>2. That Council requests authorisation under Section 3.31 of the <i>Environmental Planning and Assessment Act 1979</i> to act as the local plan-making authority to make the Local Environmental Plan.</p> <p>3. That Council undertakes consultation with public authorities and the community as determined by the Gateway determination.</p> <p>4. That Council receives a report back on the Planning Proposal if unresolved written objections are received during consultation with the community; otherwise, forward the Planning Proposal to the Department of Planning, Industry and Environment requesting that the Plan be made.</p> <p>27 Jul 2020 - 9:44 AM - Hannah McCauley<br/>1. Planning Proposal sent to the DPIE on 24 July 2020 seeking Gateway determination.<br/>27 Jul 2020 - 9:53 AM - Hannah McCauley</p> |                                |                                       |                          |  |             |           |

Revised Target Date changed by: McCauley, Hannah From: 31 Aug 2020 To: 30 Nov 2020  
Reason: Date revised to allow for processing times at the DPIE.  
1 Oct 2020 - 2:27 PM - Hannah McCauley  
Gateway determination received on 18 September. Staff working to satisfy the Gateway conditions.

| Type  | Meeting                        | Officer/Director                   | Section                     | Subject   | Est. Compl. | Completed |
|---|--------------------------------|------------------------------------|-----------------------------|---|-------------|-----------|
| PE26/2020   | Ordinary Council<br>15/07/2020 | McCauley, Hannah                   | Planning and<br>Environment | Planning Proposal: Reclassification and rezoning of Council owned land. | 31/12/2020  |           |
| <a href="#">1345</a><br><b>MOTION</b><br>1345<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Gray | <b>Seconded:</b>            | Councillor Burke  |             |           |
| <p>1. That Council requests a Gateway determination for the Planning Proposal – Reclassification and rezoning of properties at Cessnock, East Branxton, Greta, Pelaw Main, and Weston from the Department of Planning, Industry and Environment pursuant to the <i>and Assessment Act 1979</i>.</p> <p>2. That Council requests authorisation under Section 3.31 of the <i>Environmental Planning and Assessment Act 1979</i> to act as the local plan-making authority to make the Local Environmental Plan.</p> <p>3. That Council undertakes consultation with public authorities and the community as determined by the Gateway determination.</p> <p>4. That Council receives a report back on the Planning Proposal if unresolved written objections are received during consultation with the community; otherwise forward the Planning Proposal to the Department of Planning, Industry and Environment requesting that the Plan be made.</p> <p>5. That Item 7 Maitland Street and Part of 107 Lang St Kurri Kurri be moved as per resolution to operational Land, with the rezoning being deferred for a further briefing to Council regarding future options regarding this site.</p> <p>27 Jul 2020 - 9:50 AM - Hannah McCauley<br/>1. Planning Proposal sent to the DPIE on 24 July 2020 seeking Gateway determination.<br/>2. Staff are working on briefing. Currently assessing Strategic Planning workload and prioritising tasks.<br/>27 Jul 2020 - 9:53 AM - Hannah McCauley<br/>Revised Target Date changed by: McCauley, Hannah From: 12 Aug 2020 To: 30 Nov 2020<br/>Reason: Date revised to allow for processing times at the DPIE.</p> |                                |                                    |                             |   |             |           |

| Type  | Meeting                        | Officer/Director                         | Section                     | Subject   | Est. Compl. | Completed |
|---|--------------------------------|--|-----------------------------|---|-------------|-----------|
| PE31/2020   | Ordinary Council<br>19/08/2020 | Rush, Iain                               | Planning and<br>Environment | Local Policy Framework for the Cessnock LGA Vineyard's District | 30/06/2021  |           |
| <a href="#">1388</a><br><b>MOTION</b><br>1388<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Stapleford | <b>Seconded:</b>            | Councillor Fitzgibbon   |             |           |
| <p>1. That Council prepare a 'Local Character Statement' for the Cessnock LGA Vineyard's District, with a focus on the following Key Strategic Areas:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> strategic agricultural land;</li> <li><input type="checkbox"/> important vegetation and fauna corridors;</li> <li><input type="checkbox"/> visually significant land; and</li> <li><input type="checkbox"/> centre and nodes.</li> </ul> <p>2. That Council implement the local policy framework as part of the comprehensive review of the Cessnock <i>Local Environmental Plan 2011</i> and representatives from the established viticultural areas in Cessnock and in consultation with members of the Cessnock Vineyards District Community Reference Group to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> give effect to the Local Character Statement through the Cessnock Local Environmental Plan 2011;</li> </ul> |                                |  |                             |   |             |           |

- ☐ investigate an appropriate zone for the Vineyard's District centre and nodes;
- ☐ review the range of permitted land-uses in the RU4 Primary Production Small Lots Zone and SP3 Tourist Zone; and
- ☐ review clause 7.6 of the Cessnock Local Environmental Plan 2011 relating to the minimum requirement of 10 hectares for tourist and visitor accommodation in the RU4 Primary Production Small Lots Zone.

8 Sep 2020 - 2:06 PM - Iain Rush

Revised Target Date changed by: Rush, Iain From: 16 Sep 2020 To: 30 Jun 2021

Reason: Council resolved to proceed with recommended policy framework for the Vineyards District at the meeting of Council on 19 August 2020. In accordance with the resolution, staff will proceed to draft new policy framework and implement as a component of the comprehensive LEP/DCP review.

| Type  | Meeting                        | Officer/Director                      | Section                     | Subject  | Est. Compl. | Completed |
|---|--------------------------------|---------------------------------------|-----------------------------|--|-------------|-----------|
| PE34/2020   | Ordinary Council<br>16/09/2020 | Davis, Colin                          | Planning and<br>Environment | Abandoned or Unattended Shopping Trolley Policy Review | 30/10/2020  |           |
| <a href="#">1425</a><br><b>MOTION</b><br>1425<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Doherty | <b>Seconded:</b>            | Councillor Suvaal                                      |             |           |
| <p>1. That Council places the revised Abandoned or Unattended Shopping Trolley Policy on public exhibition for 28 days.</p> <p>2. That following public exhibition, Council adopt the revised Abandoned or Unattended Shopping Trolley Policy if there are no unresolved submissions received during the exhibition period.</p> |                                |                                       |                             |  |             |           |
| <p>29 Sep 2020 - 10:25 AM - Yvonne Blake</p> <p>Revised Target Date changed by: Blake, Yvonne From: 14 Oct 2020 To: 30 Oct 2020</p> <p>Reason: Policy to be placed on exhibition</p>  |                                |                                       |                             |  |             |           |

| Type   | Meeting                       | Officer/Director                   | Section                     | Subject  | Est. Compl. | Completed |
|--|-------------------------------|------------------------------------|-----------------------------|--|-------------|-----------|
| PE56/2019  | Ordinary Council<br>7/08/2019 | Taylor, Holly                      | Planning and<br>Environment | Strategic Land Use Plan - Heddon Greta, Cliftleigh | 30/03/2021  |           |
| <a href="#">934</a><br><b>MOTION</b><br>934<br><b>RESOLVED</b>   | <b>Moved:</b>                 | Johnson, Martin<br>Councillor Gray | <b>Seconded:</b>            | Councillor Burke                                   |             |           |
| <p>1. That Council note the information contained within this report.</p> <p>2. That Council progress the development of the Heddon Greta-Cliftleigh Strategic Land use Plan, noting that the project will require the engagement of a consultant to prepare the Plan.</p> <p>3. That the Heddon Greta-Cliftleigh Strategic Land use Plan be funded from the Rezoning reserve and section 7.11 where appropriate.</p> <p>4. That a further report on the progress of the development of the Strategic Land Use Plan be provided to Council within 6 months.</p>  |                               |                                    |                             |  |             |           |
| <p>15 Aug 2019 - 9:14 AM - Martin Johnson</p> <p>Revised Target Date changed by: Johnson, Martin From: 4 Sep 2019 To: 05 Feb 2020</p> <p>Reason: Project status report due February 2020. Consultant and project brief to be prepared. Meeting with RMS arranged to discuss project.</p> <p>4 Feb 2020 - 11:05 AM - Hannah McCauley</p> <p>Draft Corridor Strategy being prepared, draft anticipated to be available in mid 2020.</p> <p>4 Feb 2020 - 11:07 AM - Hannah McCauley</p> <p>Revised Target Date changed by: McCauley, Hannah From: 5 Feb 2020 To: 30 Jun 2020</p> <p>Reason: Working on drafting document.</p> <p>1 Jun 2020 - 12:11 PM - Yvonne Blake</p> |                               |                                    |                             |  |             |           |

Revised Target Date changed by: Blake, Yvonne From: 30 Jun 2020 To: 30 Sep 2020

Reason: Delays relating to Covid

29 Sep 2020 - 12:31 PM - Holly Taylor

Revised target date due to DPIE funding additional modelling. Project has been pushed back to assess additional options and won't be available until early 2021

| Type  | Meeting                        | Officer/Director                   | Section                     | Subject   | Est. Compl. | Completed |
|---|--------------------------------|------------------------------------|-----------------------------|---|-------------|-----------|
| PE7/2020  | Ordinary Council<br>19/02/2020 | Taylor, Holly                      | Planning and<br>Environment | Heddon Greta and Clifftleigh Urban Corridor Masterplan Project Update | 30/03/2021  |           |
| <a href="#">1164</a><br><b>MOTION</b><br>1164<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Johnson, Martin<br>Councillor Gray | <b>Seconded:</b>            | Councillor Burke  |             |           |
| <p>1. That Council notes the update regarding the Heddon Greta Clifftleigh Urban Corridor Masterplan Project.</p> <p>2. That the General Manager bring back a report at the end of August updating Councillors on the RMS traffic study and timeline for the completion of the Heddon Greta Clifftleigh Urban Corridor Masterplan Project.</p> <p>6 Mar 2020 - 3:11 PM - Holly Taylor<br/>Movement and Place Workshop scheduled. Exhibition anticipated to occur mid year<br/>1 Jun 2020 - 12:11 PM - Yvonne Blake<br/>Revised Target Date changed by: Blake, Yvonne From: 1 Jun 2020 To: 30 Sep 2020<br/>Reason: Delays relating to Covid<br/>28 Jul 2020 - 8:24 AM - Holly Taylor<br/>Report to Council once reviewed in accordance with the TfNSW regional corridor strategy. This has been delayed, however, revised release is for early October<br/>29 Sep 2020 - 12:33 PM - Holly Taylor<br/>Revised Target date due to additional modelling work being undertaken. Will be publically available in early 2021</p> |                                |                                    |                             |   |             |           |

| Type  | Meeting                        | Officer/Director                 | Section                     | Subject                                   | Est. Compl. | Completed |
|---|--------------------------------|----------------------------------|-----------------------------|---|-------------|-----------|
| WI100/2019  | Ordinary Council<br>11/12/2019 | Kerr, Katrina                    | Works and<br>Infrastructure | Building Better Regions Fund - Round Four | 31/12/2020  |           |
| <a href="#">1123</a><br><b>MOTION</b><br>1123<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Dagg | <b>Seconded:</b>            | Councillor Suvaal                         |             |           |
| <p>1. That Council endorses the submission of an application under the Building Better Regions Fund: <i>Infrastructure Projects Stream, Round Four – Drought Support</i> for the Branxton to Greta Cycleway project,</p> <p>2. That Council allocates a co-contribution of \$650,000 (25%) from within Council operational funding for cycleways, the grant funding leverage reserve and potential loans to fund the project, should the grant be successful.</p> <p>3. That the General Manager work towards ensuring that more projects are shovel ready from adopted strategies across the whole LGA.</p> <p>4. That Council write to the Federal Member for Hunter seeking his support.</p> <p>7 Feb 2020 - 12:46 PM - Katrina Kerr<br/>Item1 - Submitted grant application Dec 2019.<br/>Item 2 - Awaiting outcome of grant application.<br/>Item 3 - Progressed list of projects from adopted Strategies suited to future grant applications.<br/>Item 4 - Sent correspondence to Federal Member December 2019.<br/>9 Mar 2020 - 5:59 PM - Katrina Kerr</p> |                                |                                  |                             |   |             |           |



Item 2 - Awaiting outcome of grant application.  
 Item 3 - Progressed list of projects from adopted Strategies suited to future grant applications.  
 5 Jun 2020 - 11:50 AM - Katrina Kerr  
 Item 3 - Progressed list of projects from adopted Strategies suited to future grant applications.  
 8 Jul 2020 - 9:26 AM - Kelly Paterson  
 Item 1 - Received advice of successful grant  
 Item 2 - Requested allocation of funds  
 Item 3 - Initiated log of projects suited to future grant applications with readiness status  
 Item 4 - Sent correspondence to Federal Member December 2019  
 13 Aug 2020 - 11:36 AM - Kelly Bates  
 Revised Target Date changed by: Bates, Kelly From: 29 Jul 2020 To: 31 Dec 2020  
 Reason: Item 3 - Added to log of projects suited to future grant application with readiness status

| Type   | Meeting                       | Officer/Director                 | Section                     | Subject                   | Est. Compl. | Completed |
|--|-------------------------------|----------------------------------|-----------------------------|---------------------------|-------------|-----------|
| W118/2018  | Ordinary Council<br>7/03/2018 | Harris, Kate                     | Works and<br>Infrastructure | Options for Cessnock Pool | 30/10/2020  |           |
| <a href="#">441</a><br><b>MOTION</b><br>441<br><b>RESOLVED</b>   | <b>Moved:</b>                 | Kerr, Katrina<br>Councillor Gray | <b>Seconded:</b>            | Councillor Sander         |             |           |
| <p>1. That Council notes the Report and endorses Option C (relocate to Turner Park) as the long term strategic direction for Cessnock Pool.</p> <p>2. That Council undertakes further work to determine the scope, design and cost of Option C (relocate to Turner Park), incorporating indoor and outdoor water and play features, with an estimated capital cost of up to \$20M to be partly funded through development contributions.</p> <p>3. That Council endorses Option B (upgrade at current location) as an interim strategic direction for Cessnock Pool.</p> <p>4. That Council undertakes further work to develop the scope, design and cost of upgrades identified in Option B (upgrade at current location).</p> <p>5. That Council receives a further report on how Options B (upgrade at current location) and C (relocate to Turner Park) will be staged and funded with consideration to the outcomes and recommendations of the Review of Plant at the existing Cessnock Pool.</p> <p>19 Mar 2018 - 3:19 PM - Rebecca Bailey<br/>                     Work on upgrade to current location has commenced. Work on scope design, and cost for relocation to Turner Park is presently unfunded. Report to Council on these matters scheduled for late 2018.<br/>                     Item 1: Complete<br/>                     Item 2: Pending budget allocation<br/>                     Item 3: Noted<br/>                     Item 4: Cessnock Pool Masterplan has been adopted. Detailed designs for the splashpad currently being prepared<br/>                     Item 5: Reliant on resolution 4 to be finalised<br/>                     14 Jun 2018 - 9:52 AM - Kristy Meyers<br/>                     Ongoing.<br/>                     31 Oct 2018 - 10:48 AM - Natalie McCloy<br/>                     Revised Target Date changed by: McCloy, Natalie From: 1 Nov 2018 To: 06 Mar 2019<br/>                     Reason: Design Brief currently being developed with a view to finalise in November 2019<br/>                     5 Mar 2019 - 11:44 AM - Vickie Stovell<br/>                     Revised Target Date changed by: Stovell, Vickie From: 6 Mar 2019 To: 29 Mar 2019<br/>                     Reason: Design brief advertised and closes on 22 March 2019. Once a consultant has been engaged the timeframes will be added.<br/>                     17 Apr 2019 - 12:43 PM - Natalie McCloy<br/>                     Revised Target Date changed by: McCloy, Natalie From: 29 Mar 2019 To: 19 Apr 2019<br/>                     Reason: Design brief closed. Consultant to be engaged.<br/>                     7 Jun 2019 - 8:40 AM - Natalie McCloy</p> |                               |                                  |                             |                           |             |           |



Revised Target Date changed by: McCloy, Natalie From: 19 Jun 2019 To: 19 Jun 2019  
Reason: Facility Design Group has been engaged. Community engagement has commenced.  
10 Jul 2019 - 9:17 AM - Nicole Benson

Item 3: Complete

Item 4: Works underway and report to Council due September  
3 Sep 2019 - 12:20 PM - Nicole Benson

Item 4: Council briefed on 28 August and report to be considered on 18 September  
15 Oct 2019 - 7:22 AM - Kate Harris

Item 4: Draft Cessnock Pool Masterplan placed on Public Exhibition. Exhibition period closes on 22 October 2019.  
3 Nov 2019 - 10:25 AM - Kate Harris

Item 4: Draft Cessnock Pool Masterplan placed on Public Exhibition. Submissions currently being collated with a view to report to Council before the end of the year.  
3 Nov 2019 - 10:26 AM - Kate Harris

Revised Target Date changed by: Harris, Kate From: 31 Oct 2019 To: 06 Dec 2019  
Reason: Masterplan has not yet been adopted by Council  
21 Jan 2020 - 2:40 PM - Vickie Stovell

Revised Target Date changed by: Stovell, Vickie From: 31 Mar 2020 To: 31 Mar 2020  
Item 4: Cessnock Pool Masterplan has been adopted. Detailed designs for the splashpad currently being prepared.  
2 Apr 2020 - 10:58 AM - Kate Harris

Item 4: Cessnock Pool Masterplan has been adopted. Construction plans and estimate delayed by consultant until April 2020. R report continues to be drafted inclusive of funding options.  
2 Apr 2020 - 11:00 AM - Kate Harris

Revised Target Date changed by: Harris, Kate From: 31 Mar 2020 To: 04 May 2020  
Reason: Detailed designs are currently being finalised.  
2 Apr 2020 - 11:11 AM - Kate Harris

Revised Target Date changed by: Harris, Kate From: 4 May 2020 To: 30 Jun 2020  
Reason: Awaiting consultants to complete detailed designs  
28 May 2020 - 3:13 PM - Nicole Benson

Item 4: Cessnock Pool Masterplan has been adopted. Construction plans and estimate reviewed by staff and back with consultants for final changes. Report continues to be drafted inclusive of funding options for July meeting.  
3 Aug 2020 - 6:54 AM - Kate Harris

Item 4: Cessnock Pool Masterplan has been adopted. Construction plans and estimate are complete. A report was provided to Council outlining funding options in July 2020 and was deferred pending a Councillor briefing. A further report will be provided to Council in September following the briefing.  
3 Aug 2020 - 6:57 AM - Kate Harris

Revised Target Date changed by: Harris, Kate From: 31 Jul 2020 To: 30 Sep 2020  
Reason: A councillor briefing is required.  
9 Oct 2020 - 11:56 AM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 30 Sep 2020 To: 30 Oct 2020  
Reason: Councillor briefing scheduled for 14 October and report included in 21 October Ordinary Council meeting agenda to address Item 4.

| Type  | Meeting                       | Officer/Director                    | Section                     | Subject   | Est. Compl. | Completed |
|---|-------------------------------|-------------------------------------|-----------------------------|---|-------------|-----------|
| WI21/2020   | Ordinary Council<br>4/03/2020 | Conner, Martin                      | Works and<br>Infrastructure | Minutes of Extraordinary Floodplain Management Committee 19 February 2020 | 16/12/2020  |           |
| <a href="#">1196</a><br><b>MOTION</b><br>1196<br><b>RESOLVED</b>  | <b>Moved:</b>                 | Kerr, Katrina<br>Councillor Doherty | <b>Seconded:</b>            | Councillor Suvaal   |             |           |
| That the Minutes of the Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council. |                               |                                     |                             |   |             |           |
| <b>FLOCLM4/2020</b> - That Council notes that preparation of the <i>Cessnock City Wide Flood Study</i> is in progress.                        |                               |                                     |                             |   |             |           |
| <b>FLOCLM5/2020:</b>  |                               |                                     |                             |   |             |           |
| 1. That Council notes the findings of the <i>Draft Heddon Greta Minor Study and Concept Design</i> .  |                               |                                     |                             |   |             |           |

2. That Council endorses a grant application under the NSW Floodplain Management Program to fund flood mitigation works in the upper catchment to address over floor flooding in Clift Street, Heddon Greta.
3. That Council defers the previously planned drainage works lower in the catchment, which sought to address yard inundation in Cooper Street, Heddon Greta.
4. That Council renegotiates the existing Deed of Agreement with the owner of 12 Cooper Street, Heddon Greta.
5. That Council lists investigation and augmentation of street drainage between Main Road and Bowden Street for inclusion in the Delivery Program 2021-25 to alleviate over floor flooding in Trenchard Street, Heddon Greta.
6. That Council considers updating s10.7 Planning Certificates once the final *Heddon Greta Minor Study and Concept Design* is adopted.

9 Mar 2020 - 10:28 AM - Rachael O'Hara

FLOCLM4/2020

Item 1 - Noted

FLOCLM5/2020:

Item 1 - Noted

Item 2 - Prepared draft grant application for submission by April 2020.

Item 3 - Deferred drainage works in Cooper Street, Heddon Greta.

Item 4 - Arranged consultation with owner of 12 Cooper Street, Heddon Greta.

Item 5 - Listed drainage in Trenchard Street, Heddon Greta for consideration in the Delivery Program 2021-25.

Item 6 - Finalising Draft Heddon Greta Minor Study and Concept Design, preparing report and recommendation to Floodplain Management Committee endorsing exhibition of Final Study

2 Apr 2020 - 1:30 PM - Katrina Kerr

FLOCLM5/2020:

Item 2 - Finalised draft grant application for submission by April 2020.

Item 4 - Consulted with owner of 12 Cooper Street, Heddon Greta.

Item 5 - Listed drainage in Trenchard Street, Heddon Greta for consideration in the Delivery Program 2021-25.

Item 6 - Finalised Draft Heddon Greta Minor Study and Concept Design, preparing report and recommendation to Floodplain Management Committee endorsing exhibition of Final Study.

29 May 2020 - 1:38 PM - Rachael O'Hara

FLOCLM5/2020:

Item 2 - Submitted grant.

Item 4 - Negotiated unsuccessfully, proceeding with Works in Kind as per the Deed of Agreement.

Item 5 - Listed drainage in Trenchard Street, Heddon Greta for consideration in the Delivery Program 2021-25.

Item 6 - Finalised Draft Heddon Greta Minor Study and Concept Design, preparing report and recommendation to Floodplain Management Committee endorsing exhibition of Final Study.

4 Aug 2020 - 11:54 AM - Rachael O'Hara

Item 6 - Prepared and distributed Heddon Greta Flood Study and Concept Design for exhibition. Preparing lists of flood controlled lots.

8 Sep 2020 - 12:28 PM - Rachael O'Hara

Item 6 - Placed study on exhibition until 21 September. Following this a report will be presented to the Floodplain Management Committee and Ordinary Meetings in December 2020.

1 Oct 2020 - 3:20 PM - Rachael O'Hara

Item 6 - Prepared report for FPMC meeting 3 December 2020.

| Type   | Meeting                        | Officer/Director                  | Section                     | Subject  | Est. Compl. | Completed |
|--|--------------------------------|-----------------------------------|-----------------------------|--|-------------|-----------|
| WI35/2017  | Ordinary Council<br>21/06/2017 | Kerr, Katrina                     | Works and<br>Infrastructure | Hydro Aluminium Kurri Kurri Pty Ltd Proposed Road Closures | 30/09/2020  |           |
| <a href="#">278</a><br><b>MOTION</b><br>278<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Burke | <b>Seconded:</b>            | Councillor Sander  |             |           |
| <p>1. That Council resolve to make an application to NSW Department of Industry - Lands to close those parts of Bishops Bridge Road, McGarva Avenue, Horton Road and Dickson Road (hereafter referred to as Proposed Closed Roads) as indicated in the Property Location Plan in accordance with the provisions of the Roads Act 1993.</p> <p>2. That Council comply with the provisions of Section 35 of the Roads Act 1993 and the Memorandum of Understanding entered into with the Department of Lands, now the NSW Department of Industry - Lands, with respect to notifications and advertising in the local newspaper.</p> <p>3. That provided no unresolved submissions are received following notifications and advertising, Council proceed under the provisions of Section 37 of the Roads Act 1993 to advise NSW Department of Industry - Lands to place a notice in the Government Gazette to close the Proposed Closed Roads.</p> <p>4. That Council authorise the Common Seal of Cessnock City Council to be affixed to the Plan of Road Closure if required.</p> <p>5. That Council authorise the Mayor and the General Manager to execute the Plan of Road Closure for the Proposed Closed Roads if required.</p> <p>6. That following successful Gazettal of the closed roads and the land vesting in Council, Council grant to the General Manager delegated authority to negotiate the sale (based on an independent valuation) by private treaty with the adjoining landowner.</p> <p>8 Aug 2017 - 2:43 PM - Bruce Hughes<br/>Council has completed the first step in advertising the proposal and waiting 28 days for any submissions. The searches necessary to make application to Crown Lands have also been completed. Next step is to make application to Crown Lands for the proposed closure.</p> <p>10 Oct 2017 - 9:42 AM - Bruce Hughes<br/>Item 1 - Council has made an application to NSW Department of Industry - Lands to close the subject roads.<br/>Item 2 - Council has advertised the proposed road closures in the local newspaper and notified the necessary agencies. The Department requested Council notify two additional agencies.<br/>item 3 - Council is presently waiting the required minimum 28 days for any submissions from these agencies before proceeding.<br/>Item 4 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action.<br/>Item 5 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action.<br/>Item 6 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action.</p> <p>6 Nov 2017 - 2:17 PM - Rachael O'Hara<br/>Item 2 - Council has advertised the proposed road closures in the local newspaper and notified the necessary agencies.<br/>item 3 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action.<br/>Item 4 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action.<br/>Item 5 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action.<br/>Item 6 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action.</p> <p>12 Jul 2018 - 1:40 PM - Katrina Kerr<br/>Item 1 - Completed.<br/>Item 2 - Completed.<br/>Item 3 - Awaiting NSW Dept of Industry.<br/>Item 4 - Awaiting NSW Dept of Industry.<br/>Item 5 - Awaiting NSW Dept of Industry.<br/>Item 6 - Awaiting NSW Dept of Industry.</p> <p>8 Aug 2018 - 3:01 PM - Bruce Hughes<br/>Item 3 - Waiting on further information from the Applicant due to a change in legislation.<br/>Item 4 - Awaiting the resolution of submissions to be completed prior to this action.<br/>Item 5 - Awaiting the resolution of submissions to be completed prior to this action.</p> <p>25 Oct 2018 - 2:11 PM - Bruce Hughes</p> |                                |                                   |                             |  |             |           |

Item 3 - Followed up with applicant and still waiting for further information.

6 Mar 2019 - 11:41 AM - Bruce Hughes

Item 3 - Awaiting advice from applicant before proceeding

Item 4 - Item 3 needs to be completed before proceeding

Item 5 - Item 3 needs to be completed before proceeding

Item 6 - Item 3 needs to be completed before proceeding

3 May 2019 - 8:47 AM - Bruce Hughes

Item 3 - Followed up with applicant and awaiting advice before proceeding.

5 Jul 2019 - 11:43 AM - Bruce Hughes

Item 3 - Contacted applicant seven times. Awaiting advice before proceeding.

9 Sep 2019 - 11:45 AM - Bruce Hughes

Revised Target Date changed by: Hughes, Bruce From: 2 Oct 2019 To: 04 Dec 2019

Reason: Waiting on advice from Hydro before proceeding

9 Sep 2019 - 11:46 AM - Bruce Hughes

Item 3 - Contacted applicant in August. Awaiting advice before proceeding.

4 Nov 2019 - 12:59 PM - Bruce Hughes

Revised Target Date changed by: Hughes, Bruce From: 4 Dec 2019 To: 05 Feb 2020

Reason: Waiting on advice from Hydro before proceeding

5 Feb 2020 - 8:39 AM - Kelly Paterson

Awaiting advice from Hydro before proceeding

13 Aug 2020 - 9:38 AM - Kelly Bates

Revised Target Date changed by: Bates, Kelly From: 15 Jul 2020 To: 30 Sep 2020

Reason: Awaiting advice from Hydro before proceeding

| Type   | Meeting                        | Officer/Director                   | Section                     | Subject  | Est. Compl. | Completed |
|--|--------------------------------|------------------------------------|-----------------------------|--|-------------|-----------|
| WI40/2019  | Ordinary Council<br>17/07/2019 | Vandermeer, Warren                 | Works and<br>Infrastructure | Minutes of the Local Traffic Committee of 24 June 2019 | 31/10/2020  |           |
| <a href="#">921</a><br><b>MOTION</b><br>921<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Sander | <b>Seconded:</b>            | Councillor Fitzgibbon                                  |             |           |
| <p>1. That the Minutes of the Local Traffic Committee of 24 June 2019 be adopted as a resolution of the Ordinary Council, with the exception of TC20/2019 – Heddon Street, Kurri Kurri:</p> <p>1. TC21/2019 - That Council authorise the temporary regulation of traffic for the winery running festival in accordance with the enclosed various roads Rothbury, winery running festival TCP's.</p> <p>2. TC22/2019 - That Council authorise installation of line marking at the intersection of Sandy Creek Road and Wollong Road, Quorrobolong in accordance with the enclosed Sandy Creek Road Quorrobolong, signage and line marking diagram.</p> <p>3. TC23/2019 - That Council authorise installation of line marking on Colliery Street, Aberdare in accordance with the enclosed Colliery Street Aberdare, line marking diagrams.</p> <p>4. TC24/2019 - That Council authorise installation of bus zone signage on Vincent Street, Cessnock, in accordance with the enclosed Vincent Street Cessnock bus zone signage diagram.</p> <p>5. TC25/2019 - That Council authorise installation of line marking at the intersection of Barton and Stanford Streets, Kurri Kurri in accordance with the enclosed Barton Street Kurri Kurri, line marking diagram.</p> <p>6. TC26/2019 - That Council authorise installation of signage and line marking on Rugby and Olney Streets, Ellalong in accordance with the enclosed Rugby Street Ellalong, signage and line marking diagram.</p> <p>7. TC27/2019 - That Council authorise installation of line marking on McDonalds Road Pokolbin, in accordance with the enclosed McDonalds Road Pokolbin, line marking diagram.</p> <p>2. TC20/2019 – Heddon Street Kurri Kurri – that this matter be referred to the General Manager for review to back to grass nature strip and further report back to Council</p> |                                |                                    |                             |  |             |           |

8 Aug 2019 - 9:27 AM - Nathan Goodbun

Item 1.1 - Provided approval to applicant 18 July 2019

Item 1.2 - Preparing detailed plans and CRM to works

Item 1.3 - Preparing detailed plans and CRM to works

Item 1.4 - Preparing detailed plans and CRM to works

Item 1.5 - Advised Development services of approval

Item 1.6 - Works currently being completed

Item 1.7 - Advised Development services of approval

Item 2 - Preparing report to Council

2 Sep 2019 - 2:16 PM - Nathan Goodbun

Item 1.2 - Issued CRM 16206/2019 to Works & Ops.

Item 1.3 - Scheduled for resurfacing prior to line marking.

Item 1.4 - Issued CRM 16213/2019 to Works & Ops.

Item 1.6 - Issued CRM 16149/2019 to Works & Ops.

Item 2 - Prepared report to Council.

5 Sep 2019 - 9:58 AM - Tracey Cocking

Item 2 - Allocation to Roads Officers to prepare report to Council.

5 Feb 2020 - 7:58 AM - Warren Vandermeer

Item 2 - Prepared Report W14/2020 to be considered at Ordinary Meeting of Council on 5 February 2020 providing update.

12 Mar 2020 - 2:43 PM - Katrina Kerr

Revised Target Date changed by: Kerr, Katrina From: 18 Mar 2020 To: 15 Apr 2020

31 Mar 2020 - 10:37 AM - Vivian Waugh

Item 1. Inspected by officer and instructions given in letters sent to developer

3 Apr 2020 - 2:35 PM - Vivian Waugh

Item 1 - Arranging for works to be undertaken by Council.

29 May 2020 - 6:18 PM - Warren Vandermeer

Item 1 - Followed up with developer to undertake reinstatement works.

13 Aug 2020 - 10:01 AM - Vivian Waugh

Item 1 - Sent letter 9 July for developer to undertake works

15 Sep 2020 - 2:27 PM - Vivian Waugh

Item 1. Developer has commenced reinstatement works

| Type   | Meeting   | Officer/Director                    | Section                     | Subject  | Est. Compl. | Completed |
|--|---|-------------------------------------|-----------------------------|--|-------------|-----------|
| WI46/2020  | Ordinary Council<br>17/06/2020  | Benson, Nicole                      | Works and<br>Infrastructure | Community Resilience Funding Laguna and Wollombi Village | 27/11/2020  |           |
| <a href="#">1321</a><br><b>MOTION</b><br>1321<br><b>RESOLVED</b>   | <b>Moved:</b>   | Kerr, Katrina<br>Councillor Doherty | <b>Seconded:</b>            | Councillor Gray  |             |           |
| 1.   | That Council notes the information contained within the report.   |                                     |                             |  |             |           |
| 2.   | That Council reallocates \$4,000 from the \$40,000 allocated through the Federal Government’s Disaster Recovery Funding Arrangement (DRFA) to fund the purchase of a 23,000L water tank for the Wollombi Village. |                                     |                             |  |             |           |
| 3.   | That the installation of the tank be funded by the Wollombi community.  |                                     |                             |  |             |           |
| 1 Jul 2020 - 11:18 AM - Natalie McCloy   |   |                                     |                             |  |             |           |
| Report to Council 17 June 2020.  |   |                                     |                             |  |             |           |
| \$4,000 has been allocated to the Community Resilience Fund to purchase a water tank for the Wollombi Village. Council officers are currently investigating options for replacement of water tank at Wollombi on Council land. |   |                                     |                             |  |             |           |
| 3 Aug 2020 - 8:35 AM - Natalie McCloy  |   |                                     |                             |  |             |           |

Revised Target Date changed by: McCloy, Natalie From: 15 Jul 2020 To: 30 Sep 2020  
 Reason: Council Officers have undertaken a site inspection with key stakeholders and are in the process of arranging for approvals and works to be completed.  
 9 Oct 2020 - 11:42 AM - Nicole Benson  
 Revised Target Date changed by: Benson, Nicole From: 30 Sep 2020 To: 27 Nov 2020  
 Reason: Suitable site for tank under investigation in conjunction with Progress Association.

| Type  | Meeting                        | Officer/Director                       | Section                     | Subject                                       | Est. Compl. | Completed |
|---|--------------------------------|--|-----------------------------|---|-------------|-----------|
| WI59/2020   | Ordinary Council<br>15/07/2020 | Crosdale, Emma                         | Works and<br>Infrastructure | Baddeley Park and Carmichael Park Masterplans | 18/11/2020  |           |
| <a href="#">1357</a><br><b>MOTION</b><br>1357<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Stapleford | <b>Seconded:</b>            | Councillor Fitzgibbon                         |             |           |
| <p>1. That Council places the draft Baddeley Park and Carmichael Park Masterplans on public exhibition for a minimum period of 28 days and invite public submissions with the following amendments to the Baddeley Park Masterplan.</p> <p>a) The training field at the end of the sportsground be made into a second full sized ground.</p> <p>b) The carpark at the end of the sportsground have a connecting car bridge to the carpark across the creek.</p> <p>c) That a track be built along the creek bank and around the rest of the park joining up to the track on Cessnock Street behind the highschool.</p> <p>d) The main cricket ground be kept as a cricket ground and the second cricket ground be used as an extra soccer ground.</p> <p>2. That the following points be investigated by Council for possible inclusion at a later date:-</p> <p>e) A portion of the land across the road from the sportsground be acquire and made into a formalized carpark with three rows of 90 degree parking.</p> <p>f) The Old Southey Dam be acquired by Council as an alternative water supply to the sporting complex.</p> <p>3. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final suite of Masterplans.</p> <p>28 Jul 2020 - 11:59 AM - Natalie McCloy<br/>             Council Officers are liaising with the Consultant to amend the draft Masterplan for Baddeley Park, as per the Council resolution. Carmichael Park and Baddeley Park draft Masterplans will be placed on public exhibition once amendments are complete.<br/>             12 Aug 2020 - 2:59 PM - Vickie Stovell<br/>             Revised Target Date changed by: Stovell, Vickie From: 19 Aug 2020 To: 19 Sep 2020<br/>             Reason: Going out on Public Exhibition 17/8/2020<br/>             27 Aug 2020 - 9:40 AM - Emma Crosdale<br/>             Revised Target Date changed by: Crosdale, Emma From: 19 Sep 2020 To: 30 Sep 2020<br/>             Reason: Masterplans are currently on public exhibition until 15 September 2020.<br/>             1 Oct 2020 - 2:11 PM - Natalie McCloy<br/>             Council officers reviewing public submissions with a further report to Council for adoption.</p> |                                |  |                             |   |             |           |

| Type   | Meeting                       | Officer/Director                  | Section                     | Subject  | Est. Compl. | Completed |
|--|-------------------------------|-----------------------------------|-----------------------------|--|-------------|-----------|
| WI60/2018  | Ordinary Council<br>1/08/2018 | Harris, Kate                      | Works and<br>Infrastructure | BMX & Skate Facilities Within the Cessnock Local Government Area | 27/11/2020  |           |
| <a href="#">598</a><br><b>MOTION</b><br>598<br><b>RESOLVED</b>   | <b>Moved:</b>                 | Kerr, Katrina<br>Councillor Burke | <b>Seconded:</b>            | Councillor Lyons   |             |           |
| <p>1. That Council note the progress of the implementation of the Cessnock Skate and BMX Facilities Needs Assessment 2020.</p> <p>2. That Council complete a detailed review of the Cessnock Skate and BMX Facilities Needs Assessment 2020.</p> <p>3. That following the review, a further report be prepared for Council's consideration outlining key findings and recommendations.</p> <p>4. That following the completion of the Skate and BMX Facilities Needs Assessment, a review is undertaken of the Carmichael Park Masterplan, incorporating findings from the revised assessment as well as Council's adopted Recreation and Open Space Strategic Plan and other relevant documents and reported to Council.</p> <p>8 Aug 2018 - 2:02 PM - Kate Harris<br/>Item 1: Complete<br/>Item 2: Complete<br/>Item 3: Report in draft format - to be finalised following completion of Masterplan<br/>Item 4: Masterplan for Carmichael Park has commenced, analysis report and draft Masterplan has been completed for each site with final revisions being made.</p> <p>8 Aug 2018 - 2:11 PM - Kate Harris<br/>Revised Target Date changed by: Harris, Kate From: 29 Aug 2018 To: 21 Nov 2018<br/>Reason: The review of the BMX and Skate Facilities Needs Assessment needs to occur prior to reporting back to Council</p> <p>5 Mar 2019 - 11:45 AM - Vickie Stovell<br/>Revised Target Date changed by: Stovell, Vickie From: 28 Feb 2019 To: 31 May 2019<br/>Reason: A detailed audit/condition assessment is required to be undertaken for Council's 3 existing skateparks. Outcomes from this audit will inform the Needs Assessment and enable the strategy to be completed.</p> <p>7 Jun 2019 - 8:51 AM - Natalie McCloy<br/>Item 3: Report being drafted<br/>Item 4: Carmichael Park Masterplan scheduled for 2019/20 FY</p> <p>3 Sep 2019 - 12:28 PM - Nicole Benson<br/>Item 3: Report in draft format.</p> <p>10 Sep 2019 - 1:19 PM - Natalie McCloy<br/>Item 4: A consultant has been engaged to prepare a Masterplan for Carmichael Park. The Masterplan is scheduled to commence late September 2019.</p> <p>10 Sep 2019 - 1:24 PM - Natalie McCloy<br/>Revised Target Date changed by: McCloy, Natalie From: 27 Sep 2019 To: 31 Oct 2019<br/>Reason: Masterplan scheduled to commence late September 2019.</p> <p>15 Oct 2019 - 7:26 AM - Kate Harris<br/>Item 3: Report in draft format - to be finalised following completion of Masterplan<br/>Item 4: Masterplan for Carmichael Park has commenced and community engagement held with key stakeholders.</p> <p>3 Nov 2019 - 10:23 AM - Kate Harris<br/>Item 4: Masterplan for Carmichael Park has commenced, draft design options report has been provided for Council's review.</p> <p>3 Nov 2019 - 10:25 AM - Kate Harris<br/>Revised Target Date changed by: Harris, Kate From: 31 Oct 2019 To: 06 Dec 2019<br/>Reason: Masterplan has not yet been finalised.</p> <p>21 Jan 2020 - 2:41 PM - Vickie Stovell<br/>Revised Target Date changed by: Stovell, Vickie From: 6 Dec 2019 To: 30 Apr 2020<br/>Reason: Item 4: Masterplan for Carmichael Park has commenced, analysis report and draft Masterplan has been completed for each site with final revisions being made.</p> <p>24 Apr 2020 - 8:56 AM - Kate Harris<br/>Revised Target Date changed by: Harris, Kate From: 30 Apr 2020 To: 29 May 2020<br/>Reason: The draft document is still being prepared.</p> |                               |                                   |                             |  |             |           |



28 May 2020 - 1:03 PM - Kate Harris  
 Item 3: The Draft Skate and BMX Strategy is complete and proposed to be presented a Council meeting in the near future.  
 Item 4: A Draft Masterplan for Carmichael Park is complete - Awaiting outcomes from Councillor Site Inspection  
 28 May 2020 - 1:07 PM - Kate Harris  
 Revised Target Date changed by: Harris, Kate From: 29 May 2020 To: 26 Jun 2020  
 Reason: Awaiting outcome from Councillor Site inspection of Carmichael Park  
 25 Jun 2020 - 12:16 PM - Kate Harris  
 Item 3: Complete  
 Item 4: The Draft Carmichael Park Masterplan is being reported to Council in July  
 3 Aug 2020 - 6:50 AM - Kate Harris  
 Item 3: Complete  
 Item 4: The draft Carmichael Park Masterplan was reported to Council in July. Awaiting public exhibition which is anticipated to be in August.  
 3 Aug 2020 - 6:52 AM - Kate Harris  
 Revised Target Date changed by: Harris, Kate From: 31 Jul 2020 To: 30 Sep 2020  
 Reason: The public exhibition period for the draft Masterplan has not yet commenced  
 9 Oct 2020 - 11:50 AM - Nicole Benson  
 Revised Target Date changed by: Benson, Nicole From: 30 Sep 2020 To: 27 Nov 2020  
 Reason: Carmichael Park Masterplan to be considered by Council late 2020.

| Type  | Meeting                        | Officer/Director                 | Section                     | Subject                           | Est. Compl. | Completed |
|---|--------------------------------|----------------------------------|-----------------------------|-----------------------------------|-------------|-----------|
| WI66/2020   | Ordinary Council<br>19/08/2020 | Donnelly, Patricia               | Works and<br>Infrastructure | Revolving Energy Fund Action Plan | 26/05/2021  |           |
| <a href="#">1400</a><br><b>MOTION</b><br>1400<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Gray | <b>Seconded:</b>            | Councillor Dagg                   |             |           |
| <p>1. That Council utilises the Revolving Energy Fund to undertake the solar projects listed in Table 2 of this report in the 2020-21 Financial Year, being;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Administration Building 60kW System</li> <li><input type="checkbox"/> Cessnock Library Building 29.6kW System</li> <li><input type="checkbox"/> Hunter Visitor Information Centre 26.4 kW System</li> </ul> <p>2. That the General Manager explores the feasibility of refitting the Abermain School of Arts and other Council Community Buildings as part of future Light efficiency Projects</p> <p>3. That a further report be brought back to Council when the works are completed.</p> <p>10 Sep 2020 - 10:55 AM - Patricia Donnelly<br/>             Request for Quote being prepared. DPIE have funded consultants to draft technical specifications and assess quotes independently.<br/>             10 Sep 2020 - 10:58 AM - Patricia Donnelly<br/>             Revised Target Date changed by: Donnelly, Patricia From: 16 Sep 2020 To: 26 May 2021<br/>             Reason: These works will take time to procure and install before reporting completion<br/>             29 Sep 2020 - 9:29 AM - Patricia Donnelly<br/>             Request for quote closes 15 October 2020</p> |                                |                                  |                             |                                   |             |           |



| Type  | Meeting                        | Officer/Director                 | Section                     | Subject   | Est. Compl. | Completed |
|---|--------------------------------|----------------------------------|-----------------------------|---|-------------|-----------|
| W172/2020   | Ordinary Council<br>16/09/2020 | Vandermeer, Warren               | Works and<br>Infrastructure | Minutes of Roads Review Committee of 14 August 2020 | 30/10/2020  |           |
| <a href="#">1444</a><br><b>MOTION</b><br>1444<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Dunn | <b>Seconded:</b>            | Councillor Sander                                   |             |           |
| <p>1. That the Minutes of the Roads Review Committee Meeting of 14 August 2020 be adopted as a resolution of the Ordinary Council.</p> <p>2. That the General Manager write to the Member for Cessnock, Clayton Barr, Parliamentary Secretary for the Hunter, Hon Catherine Cusack, and Hon Taylor Martin MLC, the Hon Paul Toole MP, Minister for Regional Transport and Roads seeking their support for MR181 – From the Central Coast Council boundary to Wollombi then via Millfield and Bellbird to Allandale Rd at Cessnock 52.4km - to be transferred to State from regional road status. Specifically noting the need for funding for the Lemming's Corner stretch of road on the Great North Road, Bucketty and Council's inability to fund such a project without external funding.</p> <p>3. That the General Manager provide any supporting evidence relating to deaths and crashes in that area in recent times, including the most recent motorbike fatality this month.</p> <p>28 Sep 2020 - 10:38 AM - Vivian Waugh<br/>Item 1. 1. That the Minutes of the Roads Review Committee Meeting of 14 August 2020 be adopted as a resolution of the Ordinary Council.</p> <p>2. That the General Manager write to the Member for Cessnock, Clayton Barr, Parliamentary Secretary for the Hunter, Hon Catherine Cusack, and Hon Taylor Martin MLC, the Hon Paul Toole MP, Minister for Regional Transport and Roads seeking their support for MR181 – From the Central Coast Council boundary to Wollombi then via Millfield and Bellbird to Allandale Rd at Cessnock 52.4km - to be transferred to State from regional road status. Specifically noting the need for funding for the Lemming's Corner stretch of road on the Great North Road, Bucketty and Council's inability to fund such a project without external funding.</p> <p>3. That the General Manager provide any supporting evidence relating to deaths and crashes in that area in recent times, including the most recent motorbike fatality this month.<br/>Application submitted to Transport NSW 24/09/2020<br/>28 Sep 2020 - 10:38 AM - Vivian Waugh<br/>Revised Target Date changed by: Waugh, Vivian From: 14 Oct 2020 To: 30 Oct 2020</p> |                                |                                  |                             |   |             |           |

| Type   | Meeting                        | Officer/Director                 | Section                     | Subject   | Est. Compl. | Completed |
|--|--------------------------------|----------------------------------|-----------------------------|---|-------------|-----------|
| W173/2020  | Ordinary Council<br>16/09/2020 | Conner, Martin                   | Works and<br>Infrastructure | Hamilton Street Abernethy<br>Petition Regarding Sewerage & Drainage | 16/12/2020  |           |
| <a href="#">1445</a><br><b>MOTION</b><br>1445<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Dunn | <b>Seconded:</b>            | Councillor Suvaal   |             |           |
| <p>1. That Council notes the petition lodged by residents of Hamilton Street, Abernethy.</p> <p>2. That Council notes the outcome of an investigation of septic seepage from properties adjoining Hamilton Lane.</p> <p>3. That Council includes investigation of drainage in Hamilton Street and Hamilton Lane, Abernethy and preparation of a proposal in the Operational Plan 2020-21.</p> <p>4. That the General Manager report back to Council once investigations and a proposal have been finalised.</p> <p>5. That the General Manager notifies the petition organiser of Council's decision.</p> <p>1 Oct 2020 - 3:21 PM - Rachael O'Hara</p> |                                |                                  |                             |   |             |           |

Item 1 – Noted  
 Item 2 – Noted  
 Item 3 – Undertaken Preliminary investigation, identified immediate minor maintenance works and included potential long term works on prioritisation spreadsheet for inclusion in future Drainage Construction Program.  
 Item 4 – Commenced draft report  
 Item 5 – Prepared letter.

| Type  | Meeting                        | Officer/Director                       | Section                     | Subject                    | Est. Compl. | Completed |
|---|--------------------------------|--|-----------------------------|----------------------------|-------------|-----------|
| WI74/2020   | Ordinary Council<br>16/09/2020 | Kerr, Katrina                          | Works and<br>Infrastructure | Shared Pathways and Trails | 14/10/2020  |           |
| <a href="#">1446</a><br><b>MOTION</b><br>1446<br><b>RESOLVED</b>  | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Fitzgibbon | <b>Seconded:</b>            | Councillor Gray            |             |           |
| <ol style="list-style-type: none"> <li>That Council notes the status of the design for the shared pathway along Wine Country Drive Nulkaba, the Pokolbin Cycling Improvements, and eight recreational trails.</li> <li>That Council notes the total estimated costs of \$2,500,000 to progress to Preliminary Designs for the shared pathway along Wine Country Drive Nulkaba, the Pokolbin Cycling Improvements, and eight recreational trails.</li> <li>That Council endorses the sources of funding identified as suitable to progress to Preliminary Designs with the further investigation and finalised scoping to inform the cost of Final Designs.</li> <li>Determining the feasibility of trails 1, 3, 6 and 7 are included as well as the Abermain to Weston link and the Chinaman's Hollow and Maybury Peace Park Trails as an action in the 2021/2022 Operational Plan</li> <li>A report back to Council with results of the feasibility study.</li> </ol> <p>23 Sep 2020 - 12:33 PM - Katrina Kerr<br/>           Item 1 - Noted<br/>           Item 2 - Noted<br/>           Item 3 - Requested allocation of funding.<br/>           Item 4 - Listed Feasibility Study of Trails for inclusion in 2021-22 Operational Plan.<br/>           Item 5 - Commenced draft report for completion in fin year 2021-22.</p> |                                |  |                             |                            |             |           |

| Type   | Meeting                        | Officer/Director                    | Section                     | Subject  | Est. Compl. | Completed |
|--|--------------------------------|-------------------------------------|-----------------------------|--|-------------|-----------|
| WI88/2019  | Ordinary Council<br>11/12/2019 | Jeffery, Warren                     | Works and<br>Infrastructure | Traffic & Transport Strategy - Resourcing for Implementation Program | 16/09/2020  |           |
| <a href="#">1111</a><br><b>MOTION</b><br>1111<br><b>RESOLVED</b>   | <b>Moved:</b>                  | Kerr, Katrina<br>Councillor Doherty | <b>Seconded:</b>            | Councillor Suvaal  |             |           |
| <ol style="list-style-type: none"> <li>That Council endorses the 12 month appointment of a Traffic Engineer and part time Technical Support Officer dedicated to developing an Implementation Program to deliver outcomes of the adopted Cessnock LGA Traffic and Transport Strategy Report 2018 Technical Report.</li> <li>That Council allocates \$140,000 from the funds reserved for potential leverage against grant funding opportunities to fund the temporary appointment of the dedicated staff as detailed in the report.</li> </ol> <p>4 Feb 2020 - 11:49 AM - Warren Jeffery<br/>           Item 1 - Commenced drafting Position Descriptions for recruitment process.<br/>           Item 2 - Scheduled allocation of \$140,000 in the 2020-21 Quarterly Budget Review.</p> |                                |                                     |                             |  |             |           |

*4 Mar 2020 - 3:23 PM - Katrina Kerr*

Item 1 - Advertised and interviewed candidates 19/02/20.

Item 2 - Complete.

*1 Apr 2020 - 9:43 AM - Tracey Cocking*

Item 1 - Confirmed commencement of selected Traffic Engineer and commenced recruitment process for Technical support Officer.

*28 May 2020 - 3:40 PM - Tracey Cocking*

Item 1 - Employed Traffic Engineer and recruitment process for Technical Support Officer in progress.

*6 Jul 2020 - 11:47 AM - Tracey Cocking*

Item 1 - Called for expressions of interest for temporary Technical Support Officer, closing 10 July 2020.

*13 Aug 2020 - 11:59 AM - Tracey Cocking*

Item 1 - Appointed Traffic Engineer who is currently developing an implementation program. Recruitment of support officer in process.

*23 Sep 2020 - 12:17 PM - Tracey Cocking*

Item 1 - Developing implementation program for priority treatments for community consultation. Received no internal expressions of interest, considering direct appointment.

Corporate and Community

Report No. CC101/2020

Corporate and Community Services



**SUBJECT:** *MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING OF 7 OCTOBER 2020*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

**RECOMMENDATION**

1. That the Minutes of the Strategic Property and Community Facilities Committee of 7 October 2020 be adopted as a resolution of the Ordinary Council.
2. That Council adopts the Strategic Property and Community Facilities Committee Charter, inclusive of terms of reference revised to include responsibilities of the former Cultural Facilities Committee;
3. That Council revokes the Strategic Property and Community Facilities Committee Terms of Reference dated 7 June 2017.

***MINUTES OF STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE OF THE CESSNOCK CITY COUNCIL HELD IN VIA ZOOM ON WEDNESDAY, 7 OCTOBER 2020, COMMENCING AT 3.30PM***

**PRESENT:** His Worship the Mayor, Councillor B Pynsent (in the Chair) and Councillors Fitzgibbon, Sander, Dunn and Lyons (arrived at meeting 3:44pm).

**IN ATTENDANCE:** General Manager  
Acting Director Planning & Environment (Strategic Planning Manager)  
Acting Director Corporate & Community (Finance & Administration Manager)  
Acting Director Works and Infrastructure (Infrastructure Manager)  
Senior Strategic Property Specialist  
Senior Property Officer  
Community & Cultural Engagement Manager  
Economic Development and Tourism Manager  
Corporate Governance Officer – Minute Taker

**MINUTES:** **MOTION** **Moved:** Councillor Dunn  
**Seconded:** Councillor Sander

**RECOMMENDED** that the Minutes of the Strategic Property & Community Facilities Committee held on 2 July 2020, as circulated, be taken as read and confirmed as a correct record.

**CARRIED UNANIMOUSLY**

## **OFFICER'S REPORTS**

### **OFFICER'S REPORTS NO. SPOR8/2020**

**SUBJECT: FUNDING OPPORTUNITIES FOR CESSNOCK PERFORMING ARTS CENTRE REFURBISHMENT**

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Sander

#### **RECOMMENDATION**

That the Strategic Property & Community Facilities Committee notes the progress for funding the refurbishment of the Cessnock Performing Arts Centre creating a cultural hub.

**CARRIED UNANIMOUSLY**

### **OFFICER'S REPORTS NO. SPOR9/2020**

**SUBJECT: COMMITTEE CHARTER & ANNUAL PERFORMANCE REVIEW**

**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Fitzgibbon

#### **RECOMMENDATION**

1. That the Committee recommends Council adopt the Strategic Property and Community Facilities Committee Charter, inclusive of terms of reference revised to include responsibilities of the former Cultural Facilities Committee;
2. That the Committee recommends Council revoke the Strategic Property and Community Facilities Committee Terms of Reference dated 7 June 2017; and
3. That the Committee notes the annual performance review report and notes the Facilitator will include a performance review in annual reports to the elected Council in compliance with clause 7 of the Committee Charter.

**CARRIED UNANIMOUSLY**

**OFFICER'S REPORTS NO. SPOR10/2020**

**SUBJECT: VINEYARD GROVE ESTATE STAGE 8 UPDATE**

*Councillor Lyons attended the meeting, the time being 3.44pm*

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Sander

**RECOMMENDATION**

That the Committee notes the Vineyard Grove Estate Stage 8 development update and recommended path for progressing the project:

- Call for expressions of interest for englobo purchase of the site to obtain offers and gauge market interest;
- Complete an updated evaluation of the option of Council developing the land in accordance with development modification DA 2002/287/4; and
- Report findings and recommendations back to the Committee for consideration.

**CARRIED UNANIMOUSLY**

**OFFICER'S REPORTS NO. SPOR11/2020**

**SUBJECT: STRATEGIC PROPERTY REVIEW UPDATE**

**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Dunn

**RECOMMENDATION**

That the Committee notes progress with implementing strategy recommendations of the Strategic Property Review project.

**CARRIED UNANIMOUSLY**

**Corporate and Community**

**Report No. CC101/2020**

**Corporate and Community Services**

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*The Meeting Was Declared Closed at 3.59pm*

**ENCLOSURES**

[1](#) Strategic Property and Community Facilities Committee Charter

# **Cessnock City Council**

## **Draft Strategic Property and Community Facilities Committee Charter**

Date Adopted: **XX/XX/2020** Revision: **1**

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### **1. Committee Authority**

- 1.1. The Strategic Property and Community Facilities Committee has been established under clause 20 of Council's Code of Meeting Practice and a resolution of Council.

### **2. Committee Dissolution**

- 2.1. This Committee will remain in existence until one day prior to Council's next ordinary election or until it is otherwise dissolved by Council.

### **3. Responsibilities of the Committee**

- 3.1. The responsibilities of the Committee are as follows:

- 3.1.1. Review and evaluate information submitted by Council Officers concerning Council's property assets and make appropriate recommendations to the elected Council which support Council's Financial Sustainability Initiative and Delivery Program.
- 3.1.2. Examine submitted information regarding strategic property investment, development and divestment projects in order to make recommendations which maximise community benefit and generate sustainable revenue streams that fund the level of services and infrastructure agreed with our community.
- 3.1.3. Encourage ongoing investigation of opportunities to co-locate cultural facilities within existing cultural and arts related services and facilities which support Council's Financial Sustainability Initiative and Delivery Program.
- 3.1.4. The Committee recommendations will be in line with Council's Property Investment Policy, Property Management Policy and Property Management Guidelines.
- 3.1.5. The Committee will adopt a risk management focus in its considerations and recommendations to the elected Council.



## **4. Members**

4.1. The Committee's membership comprises:

4.1.1. The Mayor and

4.1.2. three (3) Councillors

4.2. The Mayor will chair the committee.

4.3. Each Member is entitled to vote.

## **5. Responsibility of Members**

5.1. Members are expected to:

5.1.1. understand the relevant legislative and regulatory requirements applicable to Council;

5.1.2. be able to contribute the time needed to understand the Committee's business papers and to attend Committee meetings; and

5.1.3. provide advice and feedback on matters brought before the Committee pursuant to clause 3 of the Charter.

## **6. Conduct by Members**

6.1. Members must conduct themselves in accordance with Council's Code of Conduct.

6.2. Members must comply with this Charter.

6.3. Conflicts of interest must be declared and managed in accordance with Council's Code of Conduct. A record of a declared conflict of interest in the committee meeting minutes is sufficient.

6.4. Pecuniary or significant non-pecuniary conflicts of interest must be managed by the Member by excluding themselves from the meeting during the discussion and voting of the relevant agenda item. Such exclusion should be recorded in the minutes.

## **7. Performance of the Committee**

7.1. The Facilitator must undertake a review and tabling of the Committee's performance annually using the template at Appendix A.

7.2. The performance review must to be completed in conjunction with a member of Council's Governance team.

7.3. The completed performance review must be endorsed by the Committee before it is included in the Committee's annual report to the elected Council.

7.4. The Committee's annual report, including the completed performance review, must be tabled at a September Council meeting each year.

## **8. Termination of Membership**

**8.1.** Each Member shall remain a member of the Committee until:

- 8.1.1. one day prior to Council's next ordinary election;
- 8.1.2. the Committee is otherwise dissolved, pursuant to clause 2 of this Charter;  
or
- 8.1.3. the Member resigns.

**8.2.** A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:

- 8.2.1. has been absent from three (3) consecutive meetings of the committee without  
having given reasons acceptable to the committee for the member's absences,
- 8.2.2. has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.; or
- 8.2.3. the Member's conduct has been inconsistent with this Charter or Council's Code of Conduct.

**8.3.** Councillor membership terminates immediately upon a Councillor Member ceasing to be a Councillor.

## **9. Attendance at Meetings**

**9.1.** Attendees can be:

- 9.1.1. The General Manager or their delegate;
- 9.1.2. a Director;
- 9.1.3. the Facilitator;
- 9.1.4. Councillors who are not already Members;
- 9.1.5. the Secretary.

**9.2.** Attendees are not entitled to vote and are present in an observer capacity only.

**9.3.** Attendance at any meeting of the Committee is limited to the following:

- 9.3.1. Members;
- 9.3.2. Attendees; and
- 9.3.3. Council staff, Councillors and external parties by invitation of the Committee or General Manager.

## **10. Election and responsibility of Chairperson**

**10.1.** If the Chairperson is absent from a Committee meeting, a Member of the Committee will be nominated by the Committee to chair the meeting.

- 10.2. The Chairperson will remain until the dissolution date, unless the Chairperson resigns and in this case, a new Chairperson should be appointed in accordance with this clause.

## **11. Quorum**

- 11.1. A quorum is constituted by attendance of a majority of Members.
- 11.2. If a quorum is not achieved, an informal meeting may be conducted at the discretion of the Chairperson.

## **12. Minutes**

- 12.1. The Committee is to keep full and accurate minutes of the proceedings of its meetings in accordance with clause 20.22 of Council's Code of Meeting Practice.
- 12.2. Minutes for inquorate meetings will note the informality of the meetings and no recommendations are to be recorded. In other words, such minutes will be for informational purposes only.

## **13. Resolutions of the Committee**

- 13.1. Resolutions of the Committee must be consistent with this Charter.
- 13.2. The Committee is expected to make recommendations by open vote and record its resolutions in the minutes of the Committee meeting.

## **14. Reports to Council**

- 14.1. It is the responsibility of the Facilitator to report to the elected Council:
  - 14.1.1. The final minutes of each Committee Meeting,
  - 14.1.2. at least annually, which will include attendance records, performance reviews of Members and a summary of key items of business;
  - 14.1.3. if and when the Charter is to be adopted or due to a review in accordance with clause 21; and
  - 14.1.4. where a Council resolution is required to enact a recommendation of the Committee, or where the Committee otherwise wishes to report information to the elected Council.
- 14.2. Committee recommendations to the elected Council are usually in the form of: *"The Committee recommends to the Council that..."* and are to be the same as resolved by the Committee.
- 14.3. Where the recommendation to the elected Council is not the same as resolved by the Committee, the Facilitator is to outline within the report how and why the recommendation to the elected Council is different to the resolution by the Committee.

## 15. Meeting agendas and business papers

- 15.1. The Facilitator will ensure that notice of meetings, including the agenda and business papers, is provided to the Committee at least five (5) business days prior to the day of the meeting. These may be transmitted electronically.

## 16. Meeting schedule

- 16.1. The Committee will meet at least four (4) times per year or as otherwise resolved by the Committee.
- 16.2. Meeting dates will be agreed by the Committee by no later than November each year for the following calendar year.
- 16.3. Additional meetings may be scheduled by the:
- 16.3.1. Chairperson;
  - 16.3.2. Committee by resolution;
  - 16.3.3. Elected Council; or
  - 16.3.4. General Manager.
- 16.4. Unless otherwise resolved by the Committee, all meetings of the Committee will be closed to the general public.

## 17. Public Comment

- 17.1. The Mayor/Administrator is the official spokesperson for Council, in accordance with Council's Media Policy, and no Members should speak to the media or members of the public on behalf of Council or the Committee.

## 18. Review of Charter

- 18.1. This Charter will be reviewed at the commencement of each Council term, or as otherwise determined by the elected Council, and may only be amended by a Council resolution.

## 19. Charter Definitions

|                    |   |
|--------------------|---|
| <b>Act</b>         | means the <i>Local Government Act 1993</i> (NSW).   |
| <b>Attendee</b>    | means Council staff or Councillors (not a committee member) or an external party listed at clause 10 who are invited to attend a meeting/s. |
| <b>Chairperson</b> | means the Mayor of Council, unless the Chairperson is absent in which case the Committee will nominate a member to chair the meeting.       |

|                    |   |
|--------------------|---|
| <b>Committee</b>   | means the Strategic Property and Community Facilities Committee.  |
| <b>Council</b>     | means Cessnock City Council and where appropriate includes its administration.  |
| <b>Facilitator</b> | means the Senior Strategic Property Specialist or their delegate responsible for the tasks set out in clause 12.              |
| <b>Member</b>      | means each of the individuals described in clause 4.  |
| <b>Observer</b>    | means an attendee of a meeting who is not entitled to vote and may only address the committee at the invitation of the Chair. |
| <b>Secretary</b>   | means a Council staff member appointed to fulfil the tasks set out in clause 13.  |

## **20. Charter Administration**

|  |   |
|--|---|
| <b>Committee type:</b>   | Strategic Property and Community Facilities Committee   |
| <b>Charter Owner:</b>  | Director Corporate and Community Services   |
| <b>Prepared by:</b>  | Senior Strategic Property Specialist  |
| <b>Charter Review Date:</b>  | Each Council term or as required  |
| <b>File Number / Document Number:</b>  | DOC2020/113652  |
| <b>Relevant strategic direction and or objectives within Council's Community Strategic Plan:</b> | Civic Leadership and Effective Governance<br><br>Objective 5.3.9: Action the Strategic Property Review.   |
| <b>Related Policies / Protocols / Procedures / Documents:</b>                                    | <ul style="list-style-type: none"> <li>▪ Code of Conduct (DOC2018/086716)</li> <li>▪ Code of Meeting Practice (DOC2018/103094)</li> <li>▪ Council Committee Register (DOC2019/013443)</li> <li>▪ Property Investment &amp; Development Policy (DOC2018/063559)</li> <li>▪ Property Management Policy (DOC2018/063689)</li> <li>▪ Property Management Guidelines (DOC2018/063690)</li> </ul> |
| <b>Dissolution date</b>  | One day prior to Council's next ordinary election, unless otherwise resolved by Council.  |

## **21. Charter History**

| <b>Revision</b> | <b>Date Approved / Authority</b> | <b>Description of Changes</b> |
|-----------------|----------------------------------|-------------------------------|
| 1               | 27 February 2019                 | New charter adopted           |
| 2               | TBA                              | Periodic review               |

## **22. Appendices**

Appendix A – Report to Strategic Property and Community Facilities Committee

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## APPENDIX A

### REPORT TO STRATEGIC PROPERTY AND COMMUNITY FACILITIES COMMITTEE

**SUBJECT:            REVIEW OF STRATEGIC PROPERTY AND COMMUNITY  
FACILITIES COMMITTEE PERFORMANCE**

**REPORT BY: [DIRECTORATE / BUSINESS UNIT / FACILITATOR]**

**DATE:            [DATE]**

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#### PURPOSE

This performance review is presented to the Strategic Property and Community Facilities Committee (**Committee**) in compliance with clause 7 of the Committee Charter.

#### RECOMMENDATION

1. The Strategic Property and Community Facilities Committee endorses the performance review at **Attachment A** and notes the Facilitator will include the performance review report in the annual report to the elected Council.

#### KEY ISSUES

1. It is important that Council committees operate effectively and in accordance with the Charters adopted by the elected Council.
2. Committee performance reviews are a mechanism of monitoring effective performance.

**Attachment A - Performance of the Strategic Property and Community Facilities  
Committee**

*[Note: Committee performance is based on the previous year  
- eg. review carried out in 2019 on Committee's performance in 2018]*

1. Did the Strategic Property and Community Facilities Committee (**Committee**) report to the elected Council as required by its Charter? (the report should detail the dates of each report/s to the elected Council)
2. Detail the number of meetings required to be held per calendar year as provided for in the Charter.
3. Detail the number of meetings held in [insert year], that were quorate.
4. The Committee Charter requires members of the Committee to conduct themselves in accordance with the Code of Conduct. Does the agenda include a standing item for Members to declare a conflict of interest? (yes/no)
5. Do Business papers of meetings:
  - a. Include relevant background information necessary to enable Members to make informed decisions (Yes/No).
  - b. Are distributed to Members in accordance with the timeframe set out in the Charter (Yes/No).
6. Do minutes of meetings:
  - a. Contain a summary of the decisions (Yes/No).
  - b. Are adopted by the Committee at a subsequent meeting (Yes/No).
  - c. Are distributed to Members in the timeframe set out in the Charter (yes/no – if no list details of reasons for delay).
7. Attach annual attendance details.

**Approval**

**Committee Facilitator**

Name:

Signature:

Date:

**Governance**

Name:

Signature:

Date:



**SUBJECT:** *CESSNOCK POOL SPLASH PAD*  
**RESPONSIBLE OFFICER:** *Open Space and Community Facilities Manager - Nicole Benson*

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### **SUMMARY**

This purpose of this report is to address resolution of Council WI74/2018 of 19 September 2018 regarding the final design of the Cessnock Pool splash pad and additional funding and funding sources to undertake the project.

### **RECOMMENDATION**

1. That Council notes details of the final design of the Cessnock Pool Splash Pad.
2. That Council notes the current cost estimate of \$1.5 Million plus or minus 10% and status of grant funding.
3. That Council approves the use of up to \$420,300 of Developer Contributions as an alternate funding source for the Cessnock Pool Splash Pad in the event that the funding application under Resources for Regions Round 7 is unsuccessful.

### **BACKGROUND**

At its Ordinary Meeting of 19 September 2018, Council resolved (WI74/2018) inter-alia:

*That a further report be brought back to Council detailing the final design of the Cessnock Pool Splash Pad, along with information on additional funding needs and funding sources to undertake the project.*

The relevant section of Report WI74/2018 stated:

*Splash Pad for Cessnock Pool \$242,355*

*The project includes the installation of a splash pad at Cessnock Pool incorporating slides, fountains, tipping buckets, soft fall, shade and associated plant and equipment.*

*In order to complete this project, currently valued at \$922,150 a Council contribution will be required. It is recommended that a further report be brought back to Council detailing the final design and financial implication in proceeding with this project.*

A Masterplan for Cessnock Pool was adopted on 20 November 2019. The planning and final design of the Cessnock Pool splash pad is now complete and the project is shovel ready for procurement and construction.

This report provides details about the final design of the Cessnock Pool Splash Pad, and information on additional funding and funding sources required to undertake the project.

**Works and Infrastructure**  
**Report No. WI75/2020**  
**Works and Infrastructure**



**REPORT/PROPOSAL**

**Final Design**

Working drawings and specifications for construction, request for tender documents, and cost estimates have now been compiled to deliver the splash pad in accordance with the Masterplan.

The final design, which is founded on more thorough site investigations including site survey, location of services and analysis of existing plant capacity, covers an increased scope of works including:

- protection improvements with safety barrier seating and shade structure to perimeter of splash pad providing a barrier from splash pad to the deep end of the 50m pool;
- car barrier concrete wall protecting splash pad users from errant vehicles on Allandale Road); and
- new reticulation as a result of the splash pad installation.

**Estimated Cost**

The initial cost estimate of \$922,150 was prepared for and application under the 2018 Round 2 Stronger Country Communities Program. The estimate was based on a concept option and quotation provided at the time by a splash pad supplier.

The Opinion of Probable Costs included in the 2019 Masterplan was based on a furthered concept design.

The current cost estimate to deliver the splash pad is \$1.5M, within a 10% order of accuracy. This estimate is significantly higher than the initial estimate as it reflects the increased scope of works in the final design and includes project management, preliminaries and contingencies.

**Sources of Funding**

The current sources of funding for delivery of the splash pad is a combination of:

1. grant funding, and
2. development contributions.

The status of the current sources of funding is as shown in **Table 1** below.

**Table 1: Sources of Funding for Cessnock Pool Splash Pad**

| Source                                 | Amount             |
|--|--------------------|
| Stronger Country Communities - Round 2 | \$242,355          |
| Stronger Country Communities - Round 3 | \$0                |
| Development Contributions              | \$872,345          |
| Resources for Regions Fund - Round 7   | \$420,300*         |
| <b>TOTAL</b>                           | <b>\$1,535,000</b> |

*\*To be announced in November 2020*

**Works and Infrastructure**

**Report No. WI75/2020**

**Works and Infrastructure**



**1. Grant Funding:** With the part funding previously secured through Round 2 of the Stronger Country Communities Program, in July 2019 Council officers applied for further funding under Round 3 of the same program. Subsequently, in March 2020, Council was notified that the application was unsuccessful. Officers participated in a feedback session with the Department of Regional NSW to understanding the unsuccessful outcome and were advised that while the submission met all the criteria, Round 3 was highly competitive, due to a large volume of applications.

On 2 September 2020, following Council's resolution of 15 July 2020 to seek funds through the Resources for Regions Round 7 Program and subsequent workshop with the funding Program Manager, an application seeking \$420,300 for Cessnock Pool Splash Pad Stage 2 was lodged. At the time of lodgment, part of the workshop discussions with the Program Manager included a variation to the funding deed for the monies received in Round 2 of the Stronger Country Communities Program, as the project scope had increased and timeframes for completion of the project by 20 November 2020 could no longer be met.

A variation to the original Stronger Country Communities funding deed was lodged with the funding Program Manager on the basis that the successful Resources for Regions Round 7 applications will be announced early November 2020 and both stages of the splash pad construction would dovetail with each other. The variation has been approved and if Council's Resources for Regions application is successful, a construction tender will be invited immediately to enable Council to meet the project milestones as outlined in **Table 2** below.

Should the Resources for Regions application be unsuccessful, an alternate source of funding for \$420,300 will be required, particularly as Council officers have been strongly advised that there can be no further variations to the Stronger Country Communities deed. Furthermore, to meet timeframes, tenders need to be invited in November to allow a construction contract to be awarded in early 2021.

**Development Contributions:** The upgrade to Cessnock Pool is included in the City Wide Local Infrastructure Contributions Plan 2020.

As funding to undertake the project is currently reliant on the success of the application for \$420,300 made under the Resources for Regions Round 7 an alternate source for the possible balance of funds required, however, alternate sources of funds available in the required timeframe are very limited.

In the event that Council's Resources for Regions application is unsuccessful, it is proposed that the balance of funds required be borrowed from unallocated funds from recently repealed Developer Contributions Plans. This option has been endorsed by the internal Development Contributions Steering Group.

**Timeframes**

Once all funds for the splash pad project have been confirmed, the construction is planned to commence in late March 2021 when the pool swimming season closes. Where possible, non-disruptive preliminary works will be commenced before March in preparation for major site works to enable a smoother construction process.

**Works and Infrastructure****Report No. WI75/2020****Works and Infrastructure**

Based on similar projects undertaken by other Councils, the construction timeframe is expected to be between six and seven months depending on site conditions. On this basis, disruption to the operation of the Cessnock Pool would be minimal as the pool traditionally opens for the aquatic season in late September.

The milestones relevant to the Stronger Country Communities (SCC) and Resources for Regions (R4R) grants are shown in **Table 2** below.

**Table 2: Cessnock Pool Splash Pad – Grant Milestones**

| <b>Project Scope/Deliverables</b>   | <b>Grant</b> | <b>Milestone</b> |
|---|--------------|------------------|
| <b>Milestone 1</b><br>Execution of Funding Deed   | SCC          | Complete         |
| Additional reporting on progress  | SCC          | 31/12/20         |
| <b>Milestone 2</b><br>A minimum of 50% of total grant spent on completion of the installation of plant room equipment, plumbing and piping.   | SCC          | 30/04/21         |
| <b>Milestone 3</b><br>Remaining scope of works complete including: <ul style="list-style-type: none"> <li>• Installation of water play equipment; safety surfacing and associated supporting equipment to create splash pad area including ground sprays, spray tunnel, splash blaster, water and tower spray.</li> <li>• Installation of safety surfacing and supporting equipment including; balance tank, water treatment system, control system, eyewash station and 16m<sup>2</sup> plant room with well ventilation and roller access.</li> </ul> | SCC          | 31/08/21         |
| <b>Milestone 1</b><br>Execution of Funding Deed   | R4R          | TBA by R4R       |
| <b>Milestone 2</b><br>Site preparation, concourse, reticulation & safety barrier  | R4R          | 30/06/21*        |
| <b>Milestone 3</b><br>Safety Barrier seating, shade structures, and new fencing/boundary alignment  | R4R          | 31/08/21*        |

*\*Proposed milestones included in funding submission.*

In the event that Council's Resources for Regions application is unsuccessful, Council could resolve to change the current adopted capital works program i.e. deferring one or a number of projects to fund the construction of the splash pad. This is not preferred as, due to the lead-time required for the tender process there is insufficient time to consult and report to Council, meaning projects would have to be identified without opportunity for community or stakeholder engagement.

**OPTIONS**

N/A

**Works and Infrastructure**

**Report No. WI75/2020**

**Works and Infrastructure**



**CONSULTATION**

**Internal Consultation:** This report has been prepared in consultation with the following Council officers:

- Finance Team members
- Strategic Planning team members

**External Consultation:** External stakeholders have been consulted including:

- Facility Design Group
- Program Managers for Stronger Countries and Resources for Regions

**STRATEGIC LINKS**

**a. Delivery Program**

**Operational Plan 2020-21**

The splash Pad project is included in the current adopted Operational Plan 2020-21 under the Pools Facilities Renewal Program.

**b. Other Plans**

- Cessnock Pool Masterplan 2019
- City Wide Local Infrastructure Contributions Plan 2020

**IMPLICATIONS**

**a. Policy and Procedural Implications**

**Development Contributions:** Council's procedure for the allocation of collected development contributions is in accordance with adopted Development Contribution Plans and Section 7.11 and S7.12 Levy Contribution Plans.

Through these Plans, Council collects contributions from development over time towards augmentation or provision of infrastructure. Until required, contributions may be invested or lent to the extent that they are available to invest in infrastructure when required.

The allocation of contributions is assessed by Council's internal Development Contributions Steering Group to ensure compliance with the Plans under which the funds were collected and with Council's current adopted Strategies and Plans for the provision of infrastructure.

**b. Financial Implications**

The current total estimated cost of the splash pad based on the Final Design is \$1.5M plus or minus 10%. Funds that have been secured to date include \$242,355 from Stronger Country Communities and \$872,345 through development contributions.

**Works and Infrastructure**

**Report No. WI75/2020**

**Works and Infrastructure**



The \$242,355 Stronger Country Communities Round 2 funding was accepted on the basis that the splash pad project would be completed. A variation to the funding deed has been approved by the Department of Regional NSW and ties directly with the milestones nominated in the Resources for Regions application.

Council officers have been advised that any further requests for variations to the Stronger Country Communities are unlikely to be favorably considered.

There is a potential funding shortfall of \$420,300 for the project if the Resources for Regions application is unsuccessful. Council does not have the necessary funds available (either in general funds or reserves) to allocate to the project without reducing other existing funding allocations in the current financial period.

In the event that Council's Resources for Regions application is unsuccessful, it is proposed that the possible balance of funds required be borrowed internally from contributions collected from development under Council's existing Development Contributions Plans, to be repaid over time from future contributions.

**c. Legislative Implications**

**Environmental Planning and Assessment Act 1979:** The Act enables Council as consent authority to levy contributions for public amenities and services required as a consequence of development. Development Contributions Plans are prepared in accordance with the requirements of the EPA Act, and associated regulations.

**d. Risk Implications**

**Financial Risk:** There is a financial risk if the Resources for Regions Round 7 submission is unsuccessful and the \$420,300 requested through this program is not able to be immediately accessed via alternate means. In this event, \$242,355 from the Stronger Country Communities Round 2 Program will need to be returned to the Department of Regional NSW as Council will not meet the milestones required by the funding deed.

**e. Environmental Implications**

**Environmental Impact:** The environmental impact of the construction of the splash pad will be managed by preparation, implementation and monitoring of a Site Specific Construction Environmental Management Plan.

The environmental impact of the operation of the splash pad had been considered in the choice of efficient equipment. The operation of Cessnock Pool is monitored to minimise the impact on amenity of the amenity of the neighboring area.

**f. Other Implications**

**Community Satisfaction:** There is an expectation within the community that a splash pad is to be constructed at Cessnock Pool. The expectation is evidenced by the support of the funding allocated by the State Government, the exhibition and adoption of the Cessnock Pool Masterplan 2019, and inclusion of the project in Council's current adopted Operational Plan 2020-21.

**Works and Infrastructure**

**Report No. WI75/2020**

**Works and Infrastructure**

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***CONCLUSION***

The planning and design of the Cessnock Pool splash pad is complete and the project is shovel ready for procurement and construction.

The current source of funds are a combination of grant funds and development contribution. Current grant funding is reliant on a successful Resources for Regions application for \$420,300.

In the event that the grant application is unsuccessful, it may be appropriate to borrow development contributions internally to be repaid over time from future contributions.

***ENCLOSURES***

There are no enclosures for this report

Works and Infrastructure  
Report No. WI76/2020  
Works and Infrastructure



**SUBJECT:** ***AQUATIC FACILITY FAMILY FUN DAYS AND COVID-19 SAFETY PLANS***

**RESPONSIBLE OFFICER:** ***Open Space and Community Facilities Manager - Nicole Benson***

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### **SUMMARY**

This purpose of this report is to address Council resolution WI69/2020 of 16 September 2020 regarding safety at Family Fun Days at Council's aquatic facilities.

### **RECOMMENDATION**

1. That Council notes the impact of COVID-19 Safety Plans on the operation of Council's aquatic facilities.
2. That Council endorses the provision of 10 free Family Fun Days at Kurri Kurri Aquatic & Fitness Centre only until Public Health Orders are favorably changed at an estimated cost of \$16,000, and
3. That Council supports consideration of alternate family activities suitable to be hosted by Council's aquatic facilities.

### **BACKGROUND**

At its Ordinary Meeting of 16 September 2020, Council resolved (WI69/2020) inter alia:

*That the General Manager bring back a COVID-19 Safety Plan, to address the safety of pool users and staff on the 10 free Family Fun Days to the October Ordinary Meeting of Council.*

This report addresses the safety of pool users and staff on the ten free Family Fun Days at

- Branxton and Cessnock outdoor pools, managed and staffed by Council, and
- Kurri Kurri Aquatic & Fitness Centre (KKAFC), managed by Belgravia Health & Leisure Group Pty Ltd.

### **REPORT/PROPOSAL**

#### **Free Family Fun Days**

In 2019/20, the ten free Family Fun Days at Branxton and Cessnock outdoor pools, and KKAFC attracted a total recorded attendance of 7,988. This was a 20% decrease from the 2018/19 recorded attendances across the three aquatic facilities.

As previously reported, Council staff have experienced difficulties in managing pool patron's behaviour, particularly of young persons attending the pool without direct parental supervision. Should the downward trend of attendance continue, Council staff may be better able to manage patrons at Family Fun Days during the 2020-21.



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**COVID-19 Safety Plans**

Critical to managing community spaces such as aquatic facilities during the COVID-19 pandemic is reducing capacities as prescribed under the *Public Health, (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020* (PHO).

There are significant additional risks associated with COVID-19 and a safe plan has been developed in conjunction with staff to mitigate the risks. The completion and enforcement of a COVID-19 Safety Plan will ensure that Council does not breach the PHO.

**Council Managed Outdoor Pools:** The COVID-19 Safety Plans for Branxton and Cessnock Pools are attached as **Enclosures 1** and **2** respectively.

To address the safety of pool users and staff on the 10 free Family Fun Days, key elements of these COVID-19 Safety Plans are:

- Two sessions at each pool:
  - Session 1 from 10.00am to 12.45pm, and
  - Session 2 from 1.15pm to 4.00pm.
- Capacity reduced for each pool:
  - Branxton Pool reduced from 60 to 50.
  - Cessnock Pool reduced from 75 to 60.
- Hiring of private security contractors:
  - One at Branxton Pool, and
  - Two at Cessnock Pool.
- Council Pool staff will be required to:
  - Undertake additional cleaning requirements, and
  - Enforce pool rules and the COVID-19 Safety Plans.
- Council Customer Service Officers will be required to provide efficient service at the kiosk to minimise patrons gathering around the kiosk and pool entrance.
- Private security contractors will be required to monitor patron numbers and advise pool staff of the capacity of the pool and ensure that all patrons check-in using the QR code on display at the pool entrance as required under the PHO.

Staff at the outdoor pools have already experienced abuse from recreation swimming customers upon entering pools with the current restrictions in place. There are concerns this may be exacerbated on Family Fun Days when the capacity of each pool is even more reduced in line with the Family Fun Day COVID-19 Safe Plans as there are significant difficulties at the outdoor pools with maintaining social distancing and appropriate behaviour in a COVID-19 safe manner.

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Successful facilitation of the Free Family Fun Days relies on the orderly implementation of the COVID-19 Safety Plan. Implementation of the Plan relies in turn on the understanding and cooperation of pool patrons. Given past experiences, Council staff have shared reservations about conducting Free Family Fun Days, including the stress of confrontation and personal safety.

**Kurri Kurri Aquatic & Fitness Centre:** KKAFC is Council's year round aquatic facility managed by Belgravia Health & Leisure Group Pty Ltd. KKAFC has a significantly different business model to that of Local Government operations, specifically around staff structure, workplace agreements and Industry Awards etc.

Belgravia Health & Leisure Group Pty Ltd have advised Council officers they are well equipped to host the Family Fun Days and have a COVID-19 Safety Plan as required. They have also advised that their kiosk sales are high on these days, which may support the additional resources required.

Furthermore, Council provides Belgravia a subsidy for each person attending the Fun Days. The cost to Council in 2018/19 was \$17,908 based on 3,198 attendances at \$5.60 each. In 2019/20, 2,625 attendances at \$5.70 each cost Council \$14,962.

The estimated cost to Council of the proposed 10 free Family Fun Days at KKAFC, based on the previous two years costs, is \$16,000.

**Alternate Family Activities**

Going forward, consideration may be given to family friendly celebrations at Council's outdoor pools in 2021 as and when COVID restrictions are eased or lifted.

Celebrations such as Australia Day featuring blow up inflatable activities, or dive in movie evenings could see the pools utilised as venues to facilitate opportunities for affordable social connection with organised activities to regulate behaviour and monitor safety for all pool users.

**OPTIONS**

**Option 1.**

1. That Council notes the impact of COVID-19 Safety Plans on the operation of Council's aquatic facilities.
2. That Council endorses the provision of 10 free Family Fun Days at Kurri Kurri Aquatic & Fitness Centre only until Public Health Orders are favorably changed at an estimated cost of \$16,000, and
3. That Council supports consideration of alternate family activities suitable to be hosted by Council's aquatic facilities.

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**CONSULTATION**

**Internal Consultation:** This report has been prepared in consultation with the following Council officers:

- Aquatic Facilities Coordinator
- Finance team members
- Open Space & Community Facilities team members
- Other Local Council managed aquatic facilities
- Payroll team members
- Risk & Safety team members

**External Consultation:** External stakeholders have been consulted including:

- Aquatic & Recreation Institute
- Belgravia Health & Leisure Group Pty Ltd
- Royal Life Saving NSW

Details of the COVID-19 Safety Plan and operation of the pools will be communicated to the community so they are aware that appropriate restrictions are in place for their own health and safety as well as the staff working in the pools.

**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017-21:** The recommendation of this report aligns with the following objective:

- 5.3 – Making Council more responsive to the community

**b. Other Plans**

The recommendation of this report align with the following plans:

- Pool Operations Manual (2020)
- RLSSA Aquatic Facility Safety Assessment (2018)

**IMPLICATIONS**

**a. Policy and Procedural Implications**

An annual review of policies and procedures has been undertaken in the lead up to the 2020/21 pool season to ensure they are compliant with current government legislation, regulations and industry standards.

The Pool Operations Manual, an internal working document containing guidelines, policies and procedures, which guide safe pool operations across the outdoor facilities has been amended to reflect operational changes required to manage the COVID-19 pandemic at Council's outdoor pools. This document and associated risk assessments will be updated should Family Fun Days proceed in 2020/21.

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**Works and Infrastructure****b. Financial Implications**

**Cost to the Community:** Estimated staffing costs to operate 10 free Family Fun Days at Branxton and Cessnock outdoor pools in line with the associated COVID-19 Safety Plans are anticipated to be similar to the costs for previous years.

In addition to Council's permanent, full time Senior Pool Attendants, additional casual resources including Security, Customer Service Officers and Lifeguards are employed on each Family Fun Day. The main responsibilities are patron management, which during COVID-19 will require enforcement of social distancing and additional cleaning duties.

The estimated cost of casual staffing for 10 free Family Fun Days at Branxton and Cessnock outdoor pools is as shown in **Table 1** below.

**Table 1: Cost of Casual Staff 10 Free Family Fun Days**

| Service                   | Cost per hour | Number of hours | Total           |
|---------------------------|---------------|-----------------|-----------------|
| Security                  | \$79.96       | 210             | \$16,792        |
| Customer Service Officers | \$82.08       | 140             | \$11,491        |
| Lifeguards                | \$75.57       | 140             | \$10,580        |
| <b>Total</b>              |               |                 | <b>\$38,863</b> |

This cost of \$38,863 is in line with the additional cost to manage the 10 free Family Fun Days conducted last year.

The estimated cost to Council of the proposed 10 free Family Fun Days at KKAFC, based on the previous two years costs, is \$16,000.

**Legislative Implications**

The following legislation affects management and operation of Council's aquatic facilities:

- AS/NZS 2416.1:1010 Water Safety Signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas
- *Child and Young Persons (Care and Protection) Act 1998*
- *Civil Liability Act 2002*
- *Commission for Children and Young People Act 1998*
- *Local Government Act 1993*
- Local Government Regulation (General) 2005
- Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020
- *Public Health Act 2010*
- *Work Health and Safety Act 2011*

**c. Risk Implications**

**Safety Risks:** A number of health and safety risks have been considered and addressed for the 2020/21 season. These include, but are not limited to:

- How staff will enforce patron compliance with the PHO.

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- Maintaining physical distancing of patrons within the pool grounds, amenities and the pool itself which will change the way the pools operate and how patrons and staff can interact.
- Reduced capacity during peak periods due to the PHO.
- Families waiting outside pools to enter for periods of time when the pool is at capacity as prescribed in the COVID-19 Safety Plan.
- Free Family Fun Days and events such as this pose a large reputational and safety risk to Council and pool staff due to the strict requirements around record keeping, physical distancing, regular disinfecting of amenities and high touch points and ensuring that capacities prescribed in the PHO are maintained.
- Ensuring patrons attending are not from a declared “hot spots” if community transmission rates occur in the future.
- Family Fun Days attract behavioral and supervision issues, such that ensuring adherence to the PHO on these occasions is challenging and may subject the community, Council and its staff or contractors to a higher level of risk.

Comprehensive risk management measures have previously been updated and implemented to Family Fun Day operations as they continue to evolve. Should the Family Fun Days continue at outdoor pools in 2020/21 all plans and risk assessments will be adjusted and aligned to the outdoor pools Family Fun Day COVID-19 Safety Plans.

Continued compliance with the following industry documents will assist minimise risks associated with aquatic facility operation and aims to ensure a safe and enjoyable experience for all patrons.

- Council's Enterprise Risk Management Framework,
- Council's Pool Facility Operations Manual,
- Office of Local Government – NSW Health Practice Note 15 – Water Safety, and
- RLSSA Guidelines for Safe Pool Operations.

**Financial Risk:** It is an offence to not comply with the PHO. Individual penalties of up to 6 months imprisonment and/or a fine of up to \$11,000, and a further \$5,500 fine each day the offence continues applies.

Corporations that fail to comply with the PHO are liable to a fine of \$55,000, and \$27,500 each day the offence continues.

**d. Environmental Implications**

Nil

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**e. Other Implications**

**Community Satisfaction:** The significant reduction of capacity within the pools, whilst required to be enforced to comply with the PHO and COVID-19 Safety Plans, has the potential to cause social issues if there are large numbers of patrons waiting to be let into the pool as they congregate around the entrance to the pools. This will need to be managed and communicated clearly should the Family Fun Days be offered in 2020/21 as the pools reach their nominated capacity.

**CONCLUSION**

There are significant additional risks associated with conducting free Family Fun Days this swimming season due to COVID-19. COVID-19 Safety Plans have been developed in conjunction with staff to mitigate the risks. The completion and enforcement of a COVID-19 Safety Plan aims to ensure that Council does not breach the PHO.

Successful management of the Family Fun Day in accordance with the COVID-19 Safety Plans is considered achievable at KAFC, but is not without concerns at Council's outdoor aquatic facilities.

It is worth considering alternate family fun activities suitable to be hosted by Council's outdoor aquatic facilities.

**ENCLOSURES**

- [1](#) ↓ Branxton Pool - Family Fun Day COVID-19 Safety Plan
- [2](#) ↓ Cessnock Pool - Family Fun Day COVID-19 Safety Plan

## Cessnock City Council COVID-19 Safety Plan Family Fun Days – Branxton Pool

This plan has been adapted from the NSW Government "Swimming pools (including spa pools, saunas and steam rooms)" template - version issued 30 June 2020 - [www.nsw.gov.au](http://www.nsw.gov.au)

**Council has developed this COVID-19 Safety Plan to help create and maintain a safe environment for the community and visitors to the LGA.**

This plan will help slow the spread of COVID-19 and reassure our community, user groups and visitors that they can safely visit our facilities. The plan may need updates in the future, as restrictions and advice changes.

The current COVID-19 Public Health Order has been followed in implementing this plan, and also manage risks to staff and other people in accordance with Work Health and Safety laws.

### CESSNOCK CITY COUNCIL - BRANXTON POOL FACILITY

|                           |   |
|---------------------------|---|
| <b>Plan completed by:</b> | Nathan Eveleigh – Recreation & Community Facilities Coordinator |
| <b>Approved by:</b>       | Lotta Jackson - General Manager                                 |
| <b>Date:</b>              | 29 September 2020   |

## REQUIREMENTS

### WELLBEING OF STAFF AND VISITORS

| Requirements  | Actions  |
|---|--|
| Exclude staff, volunteers and visitors who are unwell.  | <ul style="list-style-type: none"><li>Anybody showing signs, symptoms or feeling unwell will be asked to leave the facility.</li><li>If Council staff are feeling unwell, they need to notify their Supervisor as soon as possible and complete the COVID-19 Advice Form.</li></ul>  |
| Provide staff and volunteers with information and training on COVID-19, including when to get tested, physical distancing and cleaning, and how to manage a sick visitor. | <ul style="list-style-type: none"><li>Liaise with staff and contractors to advise maximum number of patrons in the facility and the updated conditions of entry.</li><li>Signage &amp; markers installed around the facility reminding patrons to physical distance.</li><li>Masks and PPE provided to staff.</li><li>Sanitising stations at facility entrance for patrons.</li><li>Visitors deemed by staff to be ill will be asked to leave.</li></ul> |
| Make staff aware of their leave entitlements if they are sick or required to self-isolate.  | <ul style="list-style-type: none"><li>COVID-19 training and entitlements conducted as part of 2020/21 pre-season training.</li><li>Splinter award provisions in place and staff informed.</li><li>COVID-19 Advice Form (DOC2020/040328) available to staff.</li><li>COVID-19 information available on Council's intranet.</li></ul>  |
| Display conditions of entry (website, social media, venue entry).   | <ul style="list-style-type: none"><li>Appropriate signage installed at entrance to the facility.</li><li>Terms and Conditions are displayed at the facility entrance and communicated via social media.</li></ul>  |

## WELLBEING OF STAFF AND VISITORS

| Requirements  | Actions  |
|---|--|
|   | <ul style="list-style-type: none"> <li>Any changes are communicated to the community via media communications.</li> </ul>  |
| <p>Ensure COVID-19 Safety Plans are in place, where relevant, for:</p> <ul style="list-style-type: none"> <li>Gyms</li> <li>Restaurants and Cafes (for kiosks or canteens)</li> </ul> | <ul style="list-style-type: none"> <li>COVID-19 Safety Plan available on site for inspection at all times.</li> <li>Will be updated as required in-line with the Public Health Order or WHS requirements.</li> <li>A staff member will be designated to ensure compliance with the COVID-19 Safety Plan at all times.</li> <li>All staff are delegated to ensure patron compliance with this Safety Plan.</li> </ul> |

## PHYSICAL DISTANCING

| Requirements   | Actions  |
|--|--|
| <p>Ensure the number of people in a facility does not exceed one person per 4 square metres (excluding staff).</p>   | <ul style="list-style-type: none"> <li>Maximum capacity signage installed at facility entrance and entry points to change rooms, club room, staff amenities etc.</li> <li>Security will be engaged to monitor capacity, ensure all patrons check-in on arrival as per this COVID-19 Safety Plan.</li> <li>Maximum number of patrons allowed in the facility is 50 people (excluding staff).</li> <li>Family Fun Days will be split into two sessions (10.00am - 12.45pm and 1.15pm - 4.00pm) with a 30 minute clean in between sessions.</li> <li>All patrons will vacate the facility during this time, but be allowed to re-enter the facility provided capacity is not exceeded on re-entry.</li> </ul> |
| <p>Ensure classes have no more than 20 participants, plus the instructor and any assistants, per space that complies with one person per 4 square metres. There may be multiple classes in a pool if there is sufficient space to accommodate this and the classes remain separate. Ensure participants maintain 1.5 metres physical distance where practical.</p> | <ul style="list-style-type: none"> <li>There will be no programmed classes on Family Fun Days.</li> </ul>  |
| <p>Ensure any spectators comply with 1.5 metres physical distance where practical, such as through staggered seating. People who live in the same household are not required to distance.</p>  | <ul style="list-style-type: none"> <li>Pool staff member or contracted security guard to ensure physical distancing is being adhered to.</li> <li>Markings on the concourse and seating in high traffic areas.</li> <li>Announcement over PA system as required to remind patrons of physical distancing requirements.</li> </ul>  |
| <p>Saunas and spa pools can have up to 20 people inside at any one time provided non-household contacts can maintain 1.5 metres physical distancing. If capacity cannot be closely monitored then these facilities should remain closed.</p>   | <p>Not applicable.</p>   |
| <p>Steam rooms are higher risk and should have no more than 20 people</p>  | <p>Not applicable.</p>   |



## PHYSICAL DISTANCING

| Requirements   | Actions  |
|--|--|
| inside at any one time or one person per 4 square metres, whichever is the lesser. Clean steam rooms with a detergent and disinfectant several times per day, should the facility choose to open them for use. |  |
| Ensure communal facilities such as showers, change rooms and lockers have strategies in place to reduce crowding and promote physical distancing.  | <ul style="list-style-type: none"> <li>All change room amenities will be open but with maximum capacity restrictions on each amenities (based on 1 person/4 square metres) with physical distancing to be practiced at all times.</li> <li>Change rooms have signage displayed to encourage physical distancing.</li> <li>Patrons will be encouraged to turn up ready to swim in correct attire and encouraged to leave the facility in same attire and shower/change when they get home.</li> </ul> |
| Where practical, stagger the use of communal facilities. Strongly encourage visitors to shower/change at home where possible.  | <ul style="list-style-type: none"> <li>Participants will be encouraged to turn up ready to swim in correct attire.</li> <li>Indicator markers on floors/walls showing 1.5m physical distancing.</li> </ul>   |
| Reduce crowding wherever possible and promote physical distancing with markers on the floor, including where people are asked to queue.  | <ul style="list-style-type: none"> <li>Advisory signage on walls showing 1.5m physical distancing.</li> <li>Markers on the ground at high traffic areas (kiosk &amp; entry etc.).</li> </ul>   |
| Have strategies in place to manage gatherings that may occur immediately outside the premises.   | <ul style="list-style-type: none"> <li>Staff to liaise with patrons to ensure 1.5m physical distancing (markers on concourse and seating to advise of distances).</li> </ul>   |
| Use telephone or video platforms for essential staff meetings where practical.   | <ul style="list-style-type: none"> <li>Zoom platform available to staff for meetings as required.</li> <li>Where video meetings are impractical, face to face meetings will occur ensuring physical distancing (toolbox talks etc.)</li> </ul>   |
| Review regular business deliveries and request contactless delivery and invoicing where practical  | <ul style="list-style-type: none"> <li>All deliveries are made on receipt of a Council generated purchase order, and paid via invoice using Council's EDMS system.</li> <li>All delivery drivers required to check-in via the "1Breadcrumb" app.</li> </ul>  |

## HYGIENE AND CLEANING

| Requirements   | Actions  |
|--|--|
| Adopt good hand hygiene practices.   | <ul style="list-style-type: none"> <li>Council will provide hand sanitiser stations at facility entrance and ensure soap dispensers in change rooms are stocked.</li> <li>Staff amenities, including lunch room and club room and change rooms have appropriate hand wash facilities available.</li> </ul> |
| Ensure hand sanitiser is accessible at the venue entry and throughout the facility or ground.                    | <ul style="list-style-type: none"> <li>Council will provide hand sanitiser stations at facility entrance and ensure soap dispensers in change rooms are stocked.</li> </ul>  |
| Ensure bathrooms are well stocked with hand soap and paper towels or hand dryers. Consider providing visual aids | <ul style="list-style-type: none"> <li>Pool staff to clean and sanitise facilities regularly.</li> <li>Hourly bathroom checks to ensure amenities are well stocked and sanitised as per COVID-19 cleaning guidelines.</li> </ul>   |

| HYGIENE AND CLEANING  |   |
|---|---|
| Requirements  | Actions   |
| above hand wash basins to support effective hand washing.   | <ul style="list-style-type: none"> <li>Hand hygiene signage is installed above all hand basins in the facility.</li> <li>Paper towel/hand dryers are not installed given that patrons will have their own towels and the risk of vandalism, theft or misuse of paper towel/hand dryers. This is consistent with other Council public amenities.</li> </ul>  |
| Clean frequently used indoor hard surface areas, including children's play areas, at least daily; first with detergent and water, and then disinfect. Clean frequently touched areas and surfaces, including in communal facilities, several times per day. | <ul style="list-style-type: none"> <li>Pool staff to clean frequently used indoor hard surfaces daily.</li> <li>User groups responsible for sanitising their own equipment as per COVID-19 cleaning guidelines.</li> <li>Frequently touched areas and surfaces will be cleaned hourly, including hand rails, taps, door handles and turnstiles.</li> <li>Children's playground is to remain closed to reduce risk and cleaning schedule.</li> </ul> |
| Clean steam rooms with a detergent and disinfectant several times per day, should the facility choose to open them for use.   | Not applicable.   |
| Reduce sharing of any equipment where practical and ensure these are cleaned with detergent and disinfectant between use.   | <ul style="list-style-type: none"> <li>No training equipment is to be shared.</li> <li>All patrons are to bring their own full drink bottle and equipment.</li> <li>No swimming aids or equipment is to be loaned out to patrons.</li> <li>Staff have been provided their own cleaning PPE (face shield, gloves and bucket etc.).</li> </ul>  |
| Maintain proper disinfectant levels and pH of pools and spas.   | <ul style="list-style-type: none"> <li>Pool staff will maintain water quality as per NSW Health Pool &amp; Spa Advisory Document and GSPO.</li> </ul>   |
| Disinfectant solutions need to be maintained at an appropriate strength and used in accordance with the manufacturers' instructions.  | <ul style="list-style-type: none"> <li>Pool staff will ensure that all chemicals kept on site are used as per safety data sheet (SDS) instructions for storage, dilution and use.</li> </ul>  |
| Staff are to wear gloves when cleaning and wash hands thoroughly before and after with soap and water.  | <ul style="list-style-type: none"> <li>Pool staff will comply with safe work method statement (SWMS) when cleaning ensuring correct PPE is worn.</li> </ul>   |
| Encourage contactless payment options.  | <ul style="list-style-type: none"> <li>Signage at the kiosk encouraging EFTPOS payment method or correct change to be given.</li> <li>EFTPOS is to have clear removable/disposable film over screen (replaced daily) or wiped and sanitised after each use.</li> <li>In the event that money is to be handled, staff are to wear disposable gloves and practice good hand hygiene.</li> </ul>   |

| RECORD KEEPING  |  |
|---|--|
| Requirements  | Actions  |
| Keep a record of name and a mobile number or email address for all staff, volunteers, visitors and contractors for a period of at least 28 days. Ensure records are used only for the purposes of tracing COVID-19 infections and are stored confidentially and securely. | <ul style="list-style-type: none"> <li>The "1Breadcrumb" app has been purchased by Council to allow all patrons to check-in to the facility. Instructions on how to download are displayed at the facility entrance.</li> <li>Multiple QR Codes are displayed at the facility entrance for those not wishing to download and "1Breadcrumb" app.</li> <li>Staff have the ability to check-in patrons via the "1Breadcrumb" website if they do not have a mobile device with them.</li> <li>Security guards will be tasked with ensuring patrons check-in on entry to the pool.</li> </ul> |
| Make your staff and visitors aware of the COVIDSafe app and its benefits to support contact tracing if required.  | <ul style="list-style-type: none"> <li>COVID-19 related signage has been installed around the facility.</li> </ul>   |
| Cooperate with NSW Health if contacted in relation to a positive case of COVID-19 at your workplace, and notify SafeWork NSW on 13 10 50  | <ul style="list-style-type: none"> <li>Information shall be made available by request in line with Council Policies and Procedures.</li> </ul>   |

#### COVID-19 SAFETY PLAN HISTORY

| Revision | Date Approved / Authority | Description Of Changes  |
|----------|---------------------------|---|
| 1        | 23 September 2020         | Creation of this COVID-19 Plan (applicable for Family Fun Days only). |
| 2        |                           |   |

## Cessnock City Council COVID-19 Safety Plan Family Fun Days – Cessnock Pool

This plan has been adapted from the NSW Government "Swimming pools (including spa pools, saunas and steam rooms)" template - version issued 30 June 2020 - [www.nsw.gov.au](http://www.nsw.gov.au)

**Council has developed this COVID-19 Safety Plan to help create and maintain a safe environment for the community and visitors to the LGA.**

This plan will help slow the spread of COVID-19 and reassure our community, user groups and visitors that they can safely visit our facilities. The plan may need updates in the future, as restrictions and advice changes.

The current COVID-19 Public Health Order has been followed in implementing this plan, and also manage risks to staff and other people in accordance with Work Health and Safety laws.

### CESSNOCK CITY COUNCIL - CESSNOCK POOL

|                           |   |
|---------------------------|---|
| <b>Plan completed by:</b> | Nathan Eveleigh – Recreation & Community Facilities Coordinator |
| <b>Approved by:</b>       | Lotta Jackson - General Manager                                 |
| <b>Date:</b>              | 29 September 2020   |

## REQUIREMENTS

### WELLBEING OF STAFF AND VISITORS

| Requirements  | Actions  |
|---|--|
| Exclude staff, volunteers and visitors who are unwell.  | <ul style="list-style-type: none"><li>Anybody showing signs, symptoms or feeling unwell will be asked to leave the facility.</li><li>If Council staff are feeling unwell, they need to notify their Supervisor as soon as possible and complete the COVID-19 Advice Form.</li></ul>  |
| Provide staff and volunteers with information and training on COVID-19, including when to get tested, physical distancing and cleaning, and how to manage a sick visitor. | <ul style="list-style-type: none"><li>Liaise with staff and contractors to advise maximum number of patrons in the facility and the updated conditions of entry.</li><li>Signage &amp; markers installed around the facility reminding patrons to physical distance.</li><li>Masks and PPE provided to staff.</li><li>Sanitising stations at facility entrance for patrons.</li><li>Visitors deemed by staff to be ill will be asked to leave.</li></ul> |
| Make staff aware of their leave entitlements if they are sick or required to self-isolate.  | <ul style="list-style-type: none"><li>COVID-19 training and entitlements conducted as part of 2020/21 pre-season training.</li><li>Splinter award provisions in place and staff informed.</li><li>COVID-19 Advice Form (DOC2020/040328) available to staff.</li><li>COVID-19 information available on Council's intranet.</li></ul>  |
| Display conditions of entry (website, social media, venue entry).   | <ul style="list-style-type: none"><li>Appropriate signage installed at entrance to the facility.</li><li>Terms and Conditions are displayed at the facility entrance and communicated via social media.</li></ul>  |

## WELLBEING OF STAFF AND VISITORS

| Requirements  | Actions  |
|---|--|
|   | <ul style="list-style-type: none"> <li>Any changes are communicated to the community via media communications.</li> </ul>  |
| <p>Ensure COVID-19 Safety Plans are in place, where relevant, for:</p> <ul style="list-style-type: none"> <li>Gyms</li> <li>Restaurants and Cafes (for kiosks or canteens)</li> </ul> | <ul style="list-style-type: none"> <li>COVID-19 Safety Plan available on site for inspection at all times.</li> <li>Will be updated as required in-line with the Public Health Order or WHS requirements.</li> <li>A staff member will be designated to ensure compliance with the COVID-19 Safety Plan at all times.</li> <li>All staff are delegated to ensure patron compliance with this Safety Plan.</li> </ul> |

## PHYSICAL DISTANCING

| Requirements   | Actions  |
|--|--|
| <p>Ensure the number of people in a facility does not exceed one person per 4 square metres (excluding staff).</p>   | <ul style="list-style-type: none"> <li>Maximum capacity signage installed at facility entrance and entry points to change rooms, club room, staff amenities etc.</li> <li>Security will be engaged to monitor capacity, ensure all patrons check-in on arrival as per this COVID-19 Safety Plan.</li> <li>Maximum number of patrons allowed in the facility is 60 people (excluding staff).</li> <li>Family Fun Days will be split into two sessions (10.00am - 12.45pm and 1.15pm - 4.00pm) with a 30 minute clean in between sessions.</li> <li>All patrons will vacate the facility during this time, but be allowed to re-enter the facility provided capacity is not exceeded on re-entry.</li> </ul> |
| <p>Ensure classes have no more than 20 participants, plus the instructor and any assistants, per space that complies with one person per 4 square metres. There may be multiple classes in a pool if there is sufficient space to accommodate this and the classes remain separate. Ensure participants maintain 1.5 metres physical distance where practical.</p> | <ul style="list-style-type: none"> <li>There will be no programmed classes on Family Fun Days.</li> </ul>  |
| <p>Ensure any spectators comply with 1.5 metres physical distance where practical, such as through staggered seating. People who live in the same household are not required to distance.</p>  | <ul style="list-style-type: none"> <li>Pool staff member or contracted security guards to ensure physical distancing is being adhered to.</li> <li>Markings on the concourse and seating in high traffic areas.</li> <li>Announcement over PA system as required to remind patrons of physical distancing requirements.</li> </ul>   |
| <p>Saunas and spa pools can have up to 20 people inside at any one time provided non-household contacts can maintain 1.5 metres physical distancing. If capacity cannot be closely monitored then these facilities should remain closed.</p>   | <p>Not applicable.</p>   |
| <p>Steam rooms are higher risk and should have no more than 20 people</p>  | <p>Not applicable.</p>   |

## PHYSICAL DISTANCING

| Requirements   | Actions  |
|--|--|
| inside at any one time or one person per 4 square metres, whichever is the lesser. Clean steam rooms with a detergent and disinfectant several times per day, should the facility choose to open them for use. |  |
| Ensure communal facilities such as showers, change rooms and lockers have strategies in place to reduce crowding and promote physical distancing.  | <ul style="list-style-type: none"> <li>All change room amenities will be open but with maximum capacity restrictions on each amenities (based on 1 person/4 square metres) with physical distancing to be practiced at all times.</li> <li>Change rooms have signage displayed to encourage physical distancing.</li> <li>Patrons will be encouraged to turn up ready to swim in correct attire and encouraged to leave the facility in same attire and shower/change when they get home.</li> </ul> |
| Where practical, stagger the use of communal facilities. Strongly encourage visitors to shower/change at home where possible.  | <ul style="list-style-type: none"> <li>Participants will be encouraged to turn up ready to swim in correct attire.</li> <li>Indicator markers on floors/walls showing 1.5m physical distancing.</li> </ul>   |
| Reduce crowding wherever possible and promote physical distancing with markers on the floor, including where people are asked to queue.  | <ul style="list-style-type: none"> <li>Advisory signage on walls showing 1.5m physical distancing.</li> <li>Markers on the ground at high traffic areas (kiosk &amp; entry etc.).</li> </ul>   |
| Have strategies in place to manage gatherings that may occur immediately outside the premises.   | <ul style="list-style-type: none"> <li>Staff to liaise with patrons to ensure 1.5m physical distancing (markers on concourse and seating to advise of distances).</li> </ul>   |
| Use telephone or video platforms for essential staff meetings where practical.   | <ul style="list-style-type: none"> <li>Zoom platform available to staff for meetings as required.</li> <li>Where video meetings are impractical, face to face meetings will occur ensuring physical distancing (toolbox talks etc.)</li> </ul>   |
| Review regular business deliveries and request contactless delivery and invoicing where practical  | <ul style="list-style-type: none"> <li>All deliveries are made on receipt of a Council generated purchase order, and paid via invoice using Council's EDMS system.</li> <li>All delivery drivers required to check-in via the "1Breadcrumb" app.</li> </ul>  |

## HYGIENE AND CLEANING

| Requirements   | Actions  |
|--|--|
| Adopt good hand hygiene practices.   | <ul style="list-style-type: none"> <li>Council will provide hand sanitiser stations at facility entrance and ensure soap dispensers in change rooms are stocked.</li> <li>Staff amenities, including lunch room and club room and change rooms have appropriate hand wash facilities available.</li> </ul> |
| Ensure hand sanitiser is accessible at the venue entry and throughout the facility or ground.                    | <ul style="list-style-type: none"> <li>Council will provide hand sanitiser stations at facility entrance and ensure soap dispensers in change rooms are stocked.</li> </ul>  |
| Ensure bathrooms are well stocked with hand soap and paper towels or hand dryers. Consider providing visual aids | <ul style="list-style-type: none"> <li>Pool staff to clean and sanitise facilities regularly.</li> <li>Hourly bathroom checks to ensure amenities are well stocked and sanitised as per COVID-19 cleaning guidelines.</li> </ul>   |



| HYGIENE AND CLEANING  |   |
|---|---|
| Requirements  | Actions   |
| above hand wash basins to support effective hand washing.   | <ul style="list-style-type: none"> <li>Hand hygiene signage is installed above all hand basins in the facility.</li> <li>Paper towel/hand dryers are not installed given that patrons will have their own towels and the risk of vandalism, theft or misuse of paper towel/hand dryers. This is consistent with other Council public amenities.</li> </ul>  |
| Clean frequently used indoor hard surface areas, including children's play areas, at least daily; first with detergent and water, and then disinfect. Clean frequently touched areas and surfaces, including in communal facilities, several times per day. | <ul style="list-style-type: none"> <li>Pool staff to clean frequently used indoor hard surfaces daily.</li> <li>User groups responsible for sanitising their own equipment as per COVID-19 cleaning guidelines.</li> <li>Frequently touched areas and surfaces will be cleaned hourly, including hand rails, taps, door handles and turnstiles.</li> <li>Children's playground is to remain closed to reduce risk and cleaning schedule.</li> </ul> |
| Clean steam rooms with a detergent and disinfectant several times per day, should the facility choose to open them for use.   | Not applicable.   |
| Reduce sharing of any equipment where practical and ensure these are cleaned with detergent and disinfectant between use.   | <ul style="list-style-type: none"> <li>No training equipment is to be shared.</li> <li>All patrons are to bring their own full drink bottle and equipment.</li> <li>No swimming aids or equipment is to be loaned out to patrons.</li> <li>Staff have been provided their own cleaning PPE (face shield, gloves and bucket etc.).</li> </ul>  |
| Maintain proper disinfectant levels and pH of pools and spas.   | <ul style="list-style-type: none"> <li>Pool staff will maintain water quality as per NSW Health Pool &amp; Spa Advisory Document and GSPO.</li> </ul>   |
| Disinfectant solutions need to be maintained at an appropriate strength and used in accordance with the manufacturers' instructions.  | <ul style="list-style-type: none"> <li>Pool staff will ensure that all chemicals kept on site are used as per safety data sheet (SDS) instructions for storage, dilution and use.</li> </ul>  |
| Staff are to wear gloves when cleaning and wash hands thoroughly before and after with soap and water.  | <ul style="list-style-type: none"> <li>Pool staff will comply with safe work method statement (SWMS) when cleaning ensuring correct PPE is worn.</li> </ul>   |
| Encourage contactless payment options.  | <ul style="list-style-type: none"> <li>Signage at the kiosk encouraging EFTPOS payment method or correct change to be given.</li> <li>EFTPOS is to have clear removable/disposable film over screen (replaced daily) or wiped and sanitised after each use.</li> <li>In the event that money is to be handled, staff are to wear disposable gloves and practice good hand hygiene.</li> </ul>   |

## RECORD KEEPING

| Requirements  | Actions  |
|---|--|
| Keep a record of name and a mobile number or email address for all staff, volunteers, visitors and contractors for a period of at least 28 days. Ensure records are used only for the purposes of tracing COVID-19 infections and are stored confidentially and securely. | <ul style="list-style-type: none"> <li>The "1Breadcrumb" app has been purchased by Council to allow all patrons to check-in to the facility. Instructions on how to download are displayed at the facility entrance.</li> <li>Multiple QR Codes are displayed at the facility entrance for those not wishing to download and "1Breadcrumb" app.</li> <li>Staff have the ability to check-in patrons via the "1Breadcrumb" website if they do not have a mobile device with them.</li> <li>Security guards will be tasked with ensuring patrons check-in on entry to the pool.</li> </ul> |
| Make your staff and visitors aware of the COVIDSafe app and its benefits to support contact tracing if required.  | <ul style="list-style-type: none"> <li>COVID-19 related signage has been installed around the facility.</li> </ul>   |
| Cooperate with NSW Health if contacted in relation to a positive case of COVID-19 at your workplace, and notify SafeWork NSW on 13 10 50  | <ul style="list-style-type: none"> <li>Information shall be made available by request in line with Council Policies and Procedures.</li> </ul>   |

## COVID-19 SAFETY PLAN HISTORY

| Revision | Date Approved / Authority | Description Of Changes  |
|----------|---------------------------|---|
| 1        | 29 September 2020         | Creation of this COVID-19 Plan (applicable for Family Fun Days only). |
| 2        |                           |   |



**Works and Infrastructure**  
**Report No. WI77/2020**  
**Works and Infrastructure**



**SUBJECT:** ***CESSNOCK CBD SPACE - SHADE OVER BENCH SEATS***  
**RESPONSIBLE OFFICER:** ***Open Space and Community Facilities Manager - Nicole Benson***

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**SUMMARY**

The purpose of this report is to respond to Council resolution BN29/2020 regarding shade covers over four new bench seats on the paving at the intersection of Cooper Street and Charlton Streets, Cessnock.

**RECOMMENDATION**

1. That Council notes the recent trimming of trees and cleaning of bench seats.
2. That Council notes the constraints on structures in the flood zone and the planned future provision of bench seats in shaded locations.

**BACKGROUND**

At its Ordinary Meeting of 16 September 2020, Council resolved (BN29/2020):

*That the General Manager bring back a report on the construction of shade covers over the 4 new bench seats, situated on the paved section of the Cooper Street/Charlton Street intersections.*

This report responds to the above resolution by reporting on the immediate action taken to minimise the impact of bird droppings, providing information about the erection of shade covers and additional seating in shaded locations.

**REPORT/PROPOSAL**

**Cessnock Civic Precinct**

As part of the Cessnock Civic Precinct Revitalisation Program, four new bench seats were installed on the paved area at the intersection of Cooper and Charlton Streets, Cessnock.

The Civic Precinct is traversed by Black Creek, which is subject to flooding. The selection and location of street furniture took account of the flood hazard and aimed to minimise impacts during a flood event. As the bench seats are located directly over the storm water channel conveying Black Creek, consideration was given to the weight and shape of structures as impediments in the flood zone with the potential to create debris which may cause blockages.

The bench seats are also located to take advantage of winter sun.

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**Impact of Birds**

To reduce opportunities for birds to perch and cause droppings on the bench seats, trees overhanging the seats were trimmed on 15 September. As part of the routine street cleaning maintenance schedule, seats and pavers in this area are cleaned on a weekly basis and there has been a noted reduction in the amount of bird droppings since the trees were trimmed.

**Provision of Shade**

Due to the location in a flood zone, installation of additional structures to create a shade canopy over the bench seats in this location is problematic.

Relocation of the bench seats was considered however, this option is expensive and does not align with the design intention to provide seats to take advantage of winter sun.

Installation of additional bench seating, in a shaded location is anticipated as part of a future stage of Civic Precinct Revitalisation. The final outcome would be seating to take advantage of both winter sun and summer shade.

Council could investigate the design of shade covers suitable for use in the flood zone however, this is not preferred due to the cost and intention to provide additional bench seating in shaded locations in a future stage of the Civic Precinct Revitalisation.

**OPTIONS**

N/A

**CONSULTATION**

**Internal Consultation:** This report has been prepared in consultation with the following Council officers:

- Open Space & Community Facilities team members
- Infrastructure team members
- Strategic Planning team members

**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017-21:** The recommendation of this report aligns with the following objective of the Program:

- Objective 3.2: Better utilisation of existing open space with the strategic directions that our open spaces have suitable amenities and plenty of shade.

**b. Other Plans**

The subject of this report links to the following Strategies and Plans:

- Cessnock CBD Masterplan 2012
- Cessnock Commercial Precinct Public Domain and Implementation Plan 2017

## **IMPLICATIONS**

### **a. Policy and Procedural Implications**

Nil.

### **b. Financial Implications**

**Cost to Community:** Installation of shade covers over the existing bench seating would require a dedicated budget to fund the design, supply and installation. Depending on the design, supply and installation costs will vary.

Provision of additional seats in a shaded location are anticipated as part of a future stage of the Cessnock Civic Precinct Revitalisation.

### **c. Legislative Implications**

Nil.

### **d. Risk Implications**

**Flood Risk:** The Civic Precinct is traversed by Black Creek, which is subject to flooding. Structures and features that may generate debris have the potential to cause blockage particularly where the storm water channel conveying Black Creek has been covered with structures and pavement.

Blockages form when items such as shopping trolleys and debris are washed into pinch points and accumulate. Blockages hold back floodwater and may cause flood levels to rise in unexpected ways.

### **e. Environmental Implications**

Nil.

### **f. Other Implications**

Nil.

## **CONCLUSION**

Trees overhanging the new bench seating have been trimmed, and the seats and pavement are being regularly cleaned to minimise the impact of bird droppings.

To avoid locating structures with the potential to become debris in the flood zone, rather than provision of shade covers over the new bench seating, additional seating in a shaded location is planned in a future stage of the Civic Precinct Revitalisation.

Seating in locations to take advantage of winter sun and summer shade will provide amenity in the Civic Precinct.

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***ENCLOSURES***

There are no enclosures for this report

**SUBJECT:** *MULTIPURPOSE HALF COURTS AND OUTDOOR EXERCISE EQUIPMENT IN COUNCIL OPEN SPACE*

**RESPONSIBLE OFFICER:** *Open Space and Community Facilities Manager - Nicole Benson*

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### **SUMMARY**

This purpose of this report is to address resolution of Council BN19/2020 of 16 July 2020 and present the outcome of investigations into the feasibility of a multipurpose half court or exercise equipment in Ellalong Park.

### **RECOMMENDATION**

1. That Council notes the outcome of the investigation into a multipurpose half court or outdoor exercise equipment in Ellalong Park.
2. That the General Manager writes to the organiser of the petition regarding Ellalong Park to advise the outcome of the investigation.
3. That Council lists construction of a pathway connecting the existing multipurpose half court at Ellalong Park for consideration in the Recreation Facilities Renewal Program of the 2021-22 Operational Plan.
4. That Council lists preparation of an Open Space Guideline for Multipurpose Courts and Outdoor Exercise Equipment as an action for inclusion in the 2021-22 Operational Plan.
5. That the General Manager prepares a report to present the completed Open Space Guideline for Multipurpose Courts and Outdoor Exercise Equipment including proposed locations and costs.

### **BACKGROUND**

At its Ordinary Meeting of 15 July 2020, Council resolved (BN19/202):

1. *That the General Manager investigate the possibilities and cost of a multipurpose half court within Ellalong Park or exercise equipment.*
2. *That also in this investigation additional locations where multipurpose half courts or exercise equipment might be installed, such as Wollombi, Pokolbin, O'Neill park West Cessnock.*

At the same Meeting, a petition regarding Ellalong Park was tabled.

This report responds to the petition tabled and both items of the above resolution.

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**REPORT/PROPOSAL**

**Resolution Item 1 - Ellalong Park**

The possibility of a multipurpose half court or exercise equipment within Ellalong Park have been investigated. Ellalong Park located at 22 Helena Street, Ellalong is categorised as a Local Park. See the site map at **Enclosure 1**.

The park currently contains:

- A local playground,
- A multipurpose half court,
- Large open space area containing football/rugby league goalposts, and
- Supporting park infrastructure including a shelter, seating and a drinking bubbler.

**Multipurpose Half Court:** In line with Council's Recreation and Open Space Strategic Plan 2019, Design Guidelines for Parks & Sportsgrounds have been established for each of Council's open space areas. The Guidelines propose multipurpose half courts be considered at Local Parks. See Design Guidelines for Parks & Sportsgrounds at **Enclosure 2**.

As a Local Park, a multipurpose half court is already provided in Ellalong Park. A condition audit of the facility was carried out. The audit found the half court to be aging, with:

- dated basketball/netball rings,
- no line marking,
- limited accessibility from the car parking area, and
- cracks within the surface of the court.

Consequently, replacement of backboards and rings, earthworks, line marking, pressure washing and concrete repairs are in progress. Construction of a pathway from Helena Street to the courts is also recommended for inclusion in the 2021-22 Recreation Facilities Renewal Program.

**Petition – Ellalong Park**

A petition with 102 signatories was tabled. See petition at **Enclosure 3**.

The petition, on behalf of residents of Ellalong, requested “a multi-purpose park” and for “Council to invest in upgrading Ellalong Park for great community access and utilisation” by providing a “full sized multi-purpose court and other outdoor exercise equipment”.

The investigation required by Council resolution BN19/2020 addresses the petition. It is appropriate that a letter be provided to the petition organiser summarising the outcome of the investigation as detailed below.

**Multipurpose Full Size Court:** The request for a full size multipurpose court is not supported in Ellalong Park as it is a Local Park and does not align with the adopted Design Guidelines.

The adopted Design Guidelines support consideration of full size multipurpose courts at District and Regional Parks based on their catchment size, which is the number of people within proximity to the park, and to compliment and support existing park infrastructure.

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The adopted Design Guidelines aim to provide a diversity of recreation offerings across Council's open space network. The Design Guidelines have also been developed so that open space areas can be adequately maintained and renewed into the future in accordance with Council's adopted Asset Management Plan for Open Space and Other Structures.

**Outdoor Fitness Equipment:** Provision of exercise equipment or outdoor fitness equipment at Ellalong Park aligns with Council's Design Guidelines for facilities in a Local Park. While there is sufficient space in Ellalong Park, this request requires further detailed consideration as outlined below.

**Resolution Item 2 - Wollombi, Pokolbin, or West Cessnock**

The possibility of multipurpose half courts or exercise equipment in other locations such as Wollombi, Pokolbin, and O'Neill Park, West Cessnock has been investigated.

The investigation found that locations could not be readily identified with any certainty and that a strategic approach to the installation of multipurpose half courts and outdoor fitness equipment is required to ensure recreation opportunities are planned and not unnecessarily duplicated. This will enable high potential locations for these embellishments to be identified across the LGA.

The development of an Open Space Guideline outlining design principles and criteria for multipurpose half and full courts, and outdoor exercise equipment in Council owned open space will ensure a strategic approach is taken for provision of these unique recreation items and an informed decision made as to where they should be located.

The investigation also found that design principles and criteria need to be established to assess the suitability of sites to support outdoor fitness equipment.

While Action 2.4.4 of the Recreation and Open Space Strategic Plan is to investigate installing full size multi-purpose courts at District and Regional facilities in line with the existing Design Guidelines for Parks & Sportsgrounds, the development of an Open Space Guideline for Multipurpose and Outdoor Exercise Equipment is a substantial task not included in the adopted 2020-21 Operational Plan.

**OPTIONS**

N/A

**CONSULTATION**

**Internal Consultation:** Consultation occurred with the following Council Officers:

- Open Space and Community Facilities Manager
- Asset Engineering Officer - Building
- Parks and Reserves Coordinator
- Senior Legal and Governance Officer

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**External Consultation:** A submission has been received regarding the park from the Ellalong community containing 102 signatures.

**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017-21:** The provision of outdoor fitness equipment and multipurpose half courts aligns with the following objectives of the program:

- Objective 1.2 – strengthening community culture, and
- Objective 3.2 – better utilisation of existing open space.

**b. Other Plans**

Planning for the provision of multipurpose half courts and outdoor fitness equipment aligns with the following plans:

- Recreation and Open Space Strategic Plan 2019
- Open Space and Other Structures Asset Management Plan 2018
- Park Generic Plan of Management 2014

While Action 2.4.4 of the Recreation and Open Space Strategic Plan 2019 is to investigate installing full size multi-purpose courts at District and Regional facilities in line with the existing Design Guidelines for Parks & Sportsgrounds, the development of an Open Space Guideline for Multipurpose and Outdoor Exercise Equipment is a substantial task not included in the adopted 2020-21 Operational Plan

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil.

**b. Financial Implications**

**Cost to the Community**

**Renewal Works - Ellalong Park:** The cost to replace the backboards and rings, complete earthworks, line marking, pressure washing and concrete repairs is in the vicinity of \$3,000 and can be covered in the current Parks Renewal and Maintenance budgets.

**Pathway - Ellalong Park:** Construction of a pathway from the multipurpose half court to the pedestrian pathway on Helena Street has been estimated to cost \$4,000. It is recommended that this work will be listed for consideration in the 2021-22 Recreation Facilities Renewal Program.

**Multipurpose Courts:** The cost of providing multipurpose courts varies with grade, access, ground conditions and the like. Base cost estimates will be developed as part of preparing the Open Space Guidelines.



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**Outdoor Exercise Equipment:** Similarly, base cost estimates for providing equipment will be developed as part of preparing the Open Space Guidelines.

**c. Legislative Implications**

Nil

**d. Risk Implications**

**Safety Risks:** The current repairs and proposed upgrade works to the existing multipurpose half court in Ellalong Park aims to improve the safety of the court and ensure it is fit for purpose.

**e. Environmental Implications**

Nil

**f. Other Implications**

**Healthy Lifestyles:** Participation in physical activity creates a wide range of benefits for individuals and the communities they live in. When people are physically active they are healthier, happier and more socially inclusive. By providing opportunities for social interaction, sport and recreation can help enhance community identity and promote community integration. Individuals learn and share community values and attitudes and can gain a better understanding of other groups in society. Participation in physical activity can also have a positive effect on anti-social behaviour including vandalism and petty crime.

**CONCLUSION**

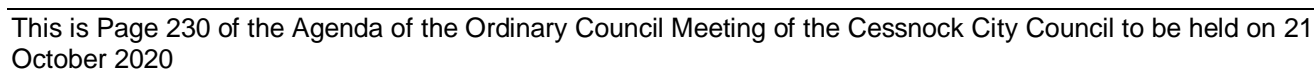
There is an increasing demand for recreational pursuits in parks, open spaces and natural environments in both urban and non-urban areas. More effective planning and management practices will enable resources and facilities to be better utilised in a manner that is sustainable and equitable, improving the quality of life of individuals and the community in which they live.

The development of an Open Space Guideline for Multipurpose Courts (including half courts) and Outdoor Exercise Equipment will ensure an informed strategic approach is taken to plan and provide recreation infrastructure that meets demand.

Repair of the existing multipurpose half courts in Ellalong Park are in progress to allow immediate community use of the courts and further improvements are planned for next financial year to ensure this infrastructure is fit for purpose and more aligned with the needs of local residents.

**ENCLOSURES**

- 1 Site Map - 22 Helena Street, Ellalong
- 2 Design Guidelines for Parks & Sportsgrounds
- 3 Petition for Improvements to Ellalong Park







### **Enclosure 1 - Design Guidelines**

The following design guidelines for parks and sportsgrounds have been developed to assist in translating the previous design principles into design outcomes. It is important to note, that each open space area will be assessed on a case by case basis, and as such, essential embellishments may vary based on the sites location, demographics and other factors influencing demand. Further to this, the list of essential embellishments is not all inclusive, and there may be occasions where unique or alternate embellishments are proposed based upon the open space area being considered.

| <b>Passive Park</b>                  |   |
|--------------------------------------|---|
| Type                                 | Embellishments  |
| Pocket Park                          | Fencing and barriers; paths; picnic table and benches; picnic shelters; trees; turf; signage  |
| Civic Square                         | Trees; turf; decorative paving; fountain; gardens/hedging; irrigation; seating; public art; signage, paths; bollards; bicycle parking   |
| Scenic Park                          | Paths; viewing platforms; fencing and barriers; toilets; car parking; picnic shelters; picnic bench and tables; bins; interpretive signage  |
| Town Park                            | Fountain; gazebo; stage; memorial; lighting; gardens; irrigation; seating; paths; public art; signage; bins; picnic table and benches; picnic shelters; local playground; toilets; car parking; canopy trees; turf; fencing and barriers; café/kiosk; bicycle parking; water bubbler; signage |
| Natural Area                         | Vegetation regeneration; boardwalks; trails and tracks; paths; viewing platform; fencing and barriers; seating; picnic benches and tables; picnic shelter; signage, car parking   |
| Utility                              | Fencing and barriers; paths; picnic table and benches; picnic shelters; trees; turf; signage  |
| Green Corridor                       | Directional signage; trees; turf; paths; seating; picnic benches and seating; picnic shelter  |
| <b>Local Park</b>                    |   |
| Size                                 | Minimum 0.5ha of useable land   |
| Catchment                            | Within 500m of most residents   |
| Shape                                | The preferred shape is square to rectangular with side no greater than 2:1.   |
| Road Frontage                        | 50% of the perimeter to have direct road frontage (preferably 2 active street frontages).   |
| Gradient                             | Maximum grade of 1:10 for 80% of the park. To facilitate wheelchair access to parks, areas with a grade of 1:14 will also be provided, where possible. Variable topography is satisfactory for the remaining area.  |
| Flood Immunity                       | 15% of total park area to be above the 1:100 year flood level and free of hazards   |
| Potential Embellishments – Essential | <ul style="list-style-type: none"> <li>• mix of activity nodes (2-3)<br/>typical activity nodes include: <ul style="list-style-type: none"> <li>○ rebound wall</li> </ul> </li> </ul>   |

|  |   |
|--|---|
| elements to be confirmed with Council Officers upon assessment and review.                                       | <ul style="list-style-type: none"> <li>○ multi-functional gazebo</li> <li>○ a play spot containing one or two play elements catering for the 0 – 5 age bracket (eg a swing and see-saw)</li> <li>○ small path circuit</li> <li>○ flat kick-a-bout area.</li> <li>○ outdoor exercise stations</li> <li>○ play equipment catering for 0-9 age bracket <ul style="list-style-type: none"> <li>▪ Agreed safety surfacing</li> <li>▪ All abilities play</li> <li>▪ shade</li> <li>▪ small play unit containing slide, climbing apparatus, swing, spring rocker</li> </ul> </li> <li>○ multi-purpose half court</li> <li>• fencing to prohibit vehicle access</li> <li>• synthetic shade or clustered shade trees near activity nodes (shade coverage at maturity)</li> <li>• turf</li> <li>• lighting</li> <li>• pathways</li> <li>• signage</li> <li>• drinking fountain</li> <li>• bench seats</li> <li>• picnic/gathering shelter</li> <li>• picnic setting and table</li> <li>• bins</li> <li>• Irrigated gardens</li> </ul> |
| <b>District Park</b>   |   |
| Size   | Minimum 2ha of useable land   |
| Catchment  | Within 5km of most residents  |
| Shape  | The preferred shape is square to rectangular with side no greater than 2:1.   |
| Road Frontage  | 50% of the perimeter to have direct road frontage (preferably 2 active street frontages).   |
| Gradient   | Maximum grade of 1:10 for 80% of the park. To facilitate wheelchair access to parks, areas with a grade of 1:14 will also be provided, where possible. Variable topography is satisfactory for the remaining area.  |
| Flood Immunity   | At least 25% of total area to be above 1:50 year flood level with main activity areas above 1:100 year flood level.   |
| Potential Embellishments<br>Essential elements to be confirmed with Council Officers upon assessment and review. | <ul style="list-style-type: none"> <li>• mix of playground activity nodes (6-8):<br/>typical activity nodes include (in addition to that of local) <ul style="list-style-type: none"> <li>○ free water play</li> <li>○ multipurpose Court with Hit Up Wall</li> <li>○ skate/bmx park</li> <li>○ learn-to-cycle facility</li> <li>○ outdoor exercise stations</li> <li>○ play equipment catering for the 0-12 age bracket. Teens to also be catered for:</li> </ul> </li> </ul>  |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"> <li>▪ Agreed safety surfacing</li> <li>▪ all-abilities play</li> <li>▪ climbing structures</li> <li>▪ Medium-sized play unit containing a slide, climbing apparatus, swing set, spring rockers and slide.</li> </ul> <ul style="list-style-type: none"> <li>• fencing - bollards or log and rail to prohibit car access</li> <li>• synthetic shade clustered shade trees near activity nodes (shade coverage at maturity)</li> <li>• turf and irrigated gardens</li> <li>• lighting</li> <li>• pathways</li> <li>• bicycle parking</li> <li>• internal pathways</li> <li>• signage</li> <li>• drinking fountain</li> <li>• bench seats</li> <li>• picnic/gathering shelter</li> <li>• picnic seating and table</li> <li>• bins</li> <li>• car park (10-20 spaces)</li> <li>• Fenced off leash dog exercise area</li> <li>• Electric Barbeques</li> <li>• Toilet facilities</li> <li>• RV facilities</li> </ul> |
| <b>Regional Park</b>   |   |
| Size   | Minimum 5 ha of useable land  |
| Catchment  | Within 15km of most residents   |
| Shape  | The preferred shape is square to rectangular with side no greater than 2:1.   |
| Road Frontage  | Between 30-50% of the perimeter to have direct road frontage (preferably more than one road frontage).  |
| Gradient   | Average grade of 1:20 for main use areas, 1:50 for kick about areas and variable topography for the remainder.  |
| Flood Immunity   | At least 50% of total area to be above 1:50 year flood level with main activity areas above 1:100 year flood level.   |
| Potential Embellishments<br>Essential elements to be confirmed with Council Officers upon assessment and review. | <ul style="list-style-type: none"> <li>• mix of activity nodes (10-12)<br/>typical activity nodes include: <ul style="list-style-type: none"> <li>○ large skate/bmx facility</li> <li>○ multi-purpose court with Hit Up Wall</li> <li>○ variety of pathways and circuits</li> <li>○ amphitheater</li> <li>○ lookouts</li> <li>○ Outdoor fitness stations</li> <li>○ play equipment catering to all ages <ul style="list-style-type: none"> <li>▪ Agreed safety surfacing</li> <li>▪ all-abilities play</li> <li>▪ large climbing structure</li> </ul> </li> </ul> </li> </ul>   |

|  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>▪ flying fox</li><li>▪ obstacle course</li><li>▪ sensory play</li><li>▪ water play</li><li>▪ Large play centre incorporating slide, climbing apparatus, swing set, spring rockers and vertical spinners</li></ul> <ul style="list-style-type: none"><li>• fencing - bollards or log and rail to prohibit car access</li><li>• synthetic shade clustered shade trees near activity nodes (shade coverage at maturity)</li><li>• turf</li><li>• lighting</li><li>• pathways</li><li>• bicycle parking</li><li>• irrigation (gardens and turf)</li><li>• internal pathways</li><li>• signage</li><li>• drinking fountain</li><li>• bench seats</li><li>• picnic/gathering shelter s</li><li>• picnic seating and tables</li><li>• electric barbecues</li><li>• bins</li><li>• car park (50-100 spaces)</li><li>• internal road</li><li>• toilet block</li><li>• Artwork</li><li>• Fenced off leash dog exercise area</li><li>• RV Facilities</li><li>• Stage</li></ul> |
|--|---|

## Upgrade Ellalong park to a multipurpose activity centre.

To: Cessnock Council.

The residents of Ellalong want a multi-purpose park that can be utilised by the whole community. The residents of Ellalong ask Cessnock Council to invest in upgrading Ellalong Park for greater community access and utilisation.

### **Why is this important?**

As the town has grown the park is no longer only used by children to play on the play equipment. Many residents currently use the area for outdoor exercise and social sporting activity, often bringing their own equipment to compensate for the lack of facility. A full sized multi-purpose court and other outdoor exercise equipment will enable residents of all ages a more active community space.

Signed by 102 people:

| <b>Name</b>         | <b>Postcode</b> | <b>Occupation</b>            | <b>Union Member</b> |
|---------------------|-----------------|------------------------------|---------------------|
| Leigh Shears        | 2325            | Campaigns Organiser          | x                   |
| Kirsty Formosa      | 2325            | Home duties                  |                     |
| Lisa Hendrick       | 2325            | Office Manager               |                     |
| Tamara Braovic      | 2325            | Nurse                        | x                   |
| Tammy Reed          | 2325            | School administrator         | x                   |
| Madelyn Parsons     | 2325            | Tourism Coordinator          |                     |
| Ellie L             | 2325            | Early childhood educator     |                     |
| Chandi Cornell      | 2325            | Sales representative         |                     |
| Adam Grieve         | 2325            | Paramedic                    | x                   |
| Annalise Winchester | 2325            | Mother                       |                     |
| Stephen Sills       | 2325            | Sole Trader                  | x                   |
| Kris stride         | 2325            | sparky                       |                     |
| Kareena Coleman     | 2325            | Teacher                      | x                   |
| Sinead Sperrin      | 2325            | Physio                       |                     |
| Jo Musgrove         | 2325            | Member Service Officer       |                     |
| Fiona Benson        | 2325            | Event Coordinator            | x                   |
| Kelly Holden        | 2325            | Public Servant               |                     |
| Georgia Hodgins     | 2325            | Food and beverage Supervisor | x                   |



| <b>Name</b>              | <b>Postcode</b> | <b>Occupation</b>          | <b>Union Member</b> |
|--------------------------|-----------------|----------------------------|---------------------|
| Janette Merrett          | 2325            | Home duties                |                     |
| Rachel Gilbert           | 2325            | Retired                    |                     |
| Donnelle Phipps          | 2325            | Teller                     | x                   |
| Sarah Garaty             | 2325            | Home maker                 |                     |
| Jake McCarthy            | 2325            | Assistant Plant Controller | x                   |
| Jessica O'Hearn          | 2325            | Facility Officer           |                     |
| Tonia Edmonds            | 2325            | Retired                    | x                   |
| Katie Davis              | 2325            | Finance broker             | x                   |
| Alissa Tildesley         | 2325            | Childcare educator         |                     |
| Jordan pettit            | 2325            | Cool dude                  | x                   |
| Georgina Perrin          | 2325            | Child care educator        | x                   |
| Abbey Christina Shalhoub | 2325            | Waitress                   | x                   |
| Melanie Werdmuller       | 2325            | Administrator              |                     |
| Ranaye Davis             | 2287            |                            | x                   |
| melinda gregory          | 2325            |                            |                     |
| Lynette McLachlan        | 2325            | Retired                    |                     |
| Angie Graham             | 2325            | Home Duties                |                     |
| Michael Metz             | 2325            | Telecommunications tech    | x                   |
| Denise Davidson          | 2325            | Self employed              |                     |
| Peter Norley             | 2425            | Electrician                | x                   |
| Stacey Thomas            | 2325            | Placement Consultant       | x                   |
| caitlin thomas           | 2325            | education support worker   | x                   |
| Linda Miles              | 2334            | Retired                    |                     |
| Leonie Sweeny            | 2325            | Nurse                      | x                   |
| Pam Field                | 232T            | Retired                    |                     |
| Christopher Smith        | 2325            | Vineyard forman            |                     |
| Leonie Stothard          | 2325            |                            | x                   |
| Bec Elliott              | 2325            | Registered nurse           | x                   |
| Dale Perry               | 2325            | Truck driver               | x                   |
| Carol McDonald           | 2325            | Grandmother                |                     |
| Sabrina Panarotto        | 2325            | Support worker             | x                   |

| <b>Name</b>        | <b>Postcode</b> | <b>Occupation</b>           | <b>Union Member</b> |
|--------------------|-----------------|-----------------------------|---------------------|
| Melanie Gane       | 2325            | Disability support          | x                   |
| Hannah Davies      | 2325            | Teacher                     |                     |
| Carly Passfield    | 2325            | Stay At home mum            |                     |
| Jake Kelso         | 2325            | Mining                      | x                   |
| Lilli Chisholm     | 2325            | Food and beverage attendant |                     |
| Kate Noble         | 2325            | Teacher                     |                     |
| Katie Chisholm     | 2325            | Student                     |                     |
| Jodie Bazley       | 2325            | Teacher's aid               |                     |
| Tara Grieve        | 2325            | Stay at home Mum            |                     |
| Cassie white       | 2325            | Cleaner                     |                     |
| Amber hannan       | 2325            | stay at home mum            | x                   |
| Nicholas Wallace   | 2325            | Business owner              | x                   |
| Amanda King        | 2325            | Carer                       | x                   |
| Brooklyn Perry     | 2325            |                             | x                   |
| Caitlin Owen       | 2325            | Carer                       | x                   |
| Sarah Farley       | 2322            | Stay home mum               | x                   |
| Rachael Chapman    | 2325            | Shop assistant              | x                   |
| Maree Jones        | 2325            | Teacher                     | x                   |
| Samantha Rees      | 2325            | Administration              |                     |
| Kylie Harris       | 2325            | Home Duties                 | x                   |
| Marsha Williams    | 2325            | Florist                     |                     |
| Adriana Rueda      | 2325            | Manager                     |                     |
| Vesinia Karaitiana | 2325            | Aged care nurse             | x                   |
| Lani stone         | 2325            | stay at home mum            | x                   |
| Marion Rees        | 2325            | Grandparent                 | x                   |
| Shania Lambie      | 2325            | Administration              |                     |
| Shannon Bisset     | 2325            | Home Duties                 | x                   |
| Debbie Mckinney    | 2325            | Support worker              | x                   |
| Louise Mackay      | 2325            | Stay home mum               |                     |
| vanessa Gallagher  | 2325            |                             | x                   |
| Casie Metz         | 2325            | Disability support person   | x                   |

| <b>Name</b>      | <b>Postcode</b> | <b>Occupation</b>        | <b>Union Member</b> |
|------------------|-----------------|--------------------------|---------------------|
| Nicole Hammond   | 2325            | Nurse                    | x                   |
| Tara Perrin      | 2325            | Comms tech               |                     |
| Jade Lance       | 2325            |                          | x                   |
| Ada Berry        | 2325            | RN                       | x                   |
| kimi karaitiana  | 2425            |                          | x                   |
| Cheril Moran     | 2325            | Administration           | x                   |
| david xenos      | 2325            | Genious                  | x                   |
| Lisette Townsend | 2325            | Admin assistant          | x                   |
| Kellie Sheehan   | 2325            | Administration           | x                   |
| Sue Beckett      | 2325            | Retired                  |                     |
| Lino Diola       | 2325            | Operator                 |                     |
| Jessica Shears   | 2325            | Small business owner     | x                   |
| Amber Huolohan   | 2325            | Self employed            | x                   |
| Gary Piper-page  | 2325            | Carpenter                |                     |
| Kate Burgess     | 2325            | Looking for work         |                     |
| Emily Teasdale   | 2325            | Early Childcare Educator | x                   |
| Michael McKenzie | 2335            | Teacher                  | x                   |
| Gaynor Craft     | 2325            | Support Officer          | x                   |
| Alison Ramage    | 2323            | Teacher Librarian        | x                   |
| SHAYNE COXON     | 2299            | teacher                  | x                   |
| Samantha Bagg    | 2325            | Retail                   | x                   |
| linda bray       | 2325            | pensioner                | x                   |

**SUBJECT:** *CLOSURE OF LANEWAY*

**RESPONSIBLE OFFICER:** *Acting Infrastructure Manager \_ Renae Leayr*

### **SUMMARY**

The purpose of this report is to respond to Council resolution BN28/2020 of 16 September 2020 regarding the process of closing laneways, and in particular the laneway from Duguid Close to Casson Avenue, Cessnock.

### **RECOMMENDATION**

1. That Council notes the statutory process required to close a laneway on a Council public road.
2. That Council notes that the pathway between Duguid Close and Casson Avenue, Cessnock is the property of Housing NSW.
3. That Council notes the actions taken to curtail alleged antisocial and criminal behaviour in the area.

### **BACKGROUND**

At its Ordinary Meeting of 16 September 2020, Council resolved (BN28/2020):

1. *That the General Manager bring a report back to Council on the process of closing the laneway from Duguid Close to Casson Avenue, Cessnock with a plan to closing this laneway to all pedestrians.*
2. *That the General Manager bring back a report on the process in closing laneways in the Cessnock Local Government Area.*

This report responds to both items of the above resolution.

### **REPORT/PROPOSAL**

#### **Process for Closure of Roads/Laneways**

Roads and laneways providing vehicular access are usually identified as public, Crown or private roads and are subject to the provision of the *Roads Act 1993*.

As roads authority for council public roads, Under the Act, Council may close council public roads or laneways, which are on council public road reserves, in three different ways depending on the circumstance:

1. **Temporary Closure** by installing barriers or the like such as for an event.
2. **Physical Closure** by installing barriers or the like, to limit access for reasons such as safety, amenity, or environmental protection.

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3. **Formal Closure** by a process of consultation and gazettal, such that the land ceases to be a council public road and returns to real property.

**Formal Closure**

Part 4 Section 38 of the Act sets out the conditions under which Council may formally close a road as follows:

*A council may propose the closure of a council public road for which it is the roads authority if—*

- (a) the road is not reasonably required as a road for public use (whether for present or future needs), and*
- (b) the road is not required to provide continuity for an existing road network, and*
- (c) if the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.*

The process of closure prescribed by the Act requires:

- notification,
- invitation and receipt of public submissions,
- the giving of a notice, and
- gazettal.

**Duguid to Casson Pathway**

The strip of land providing a pedestrian connection between Duguid Close and Casson Ave is a pedestrian pathway. The land does not provide vehicular access and is not a public, Crown or private road. As such, it is not subject to the provision of the *Roads Act 1993*.

**Housing Commission:** Duguid Close and Casson Avenue are located in a housing estate in East Cessnock west of Old Maitland Road. This estate was developed by the then Housing Commission. Government Gazette 30/11/1979 Folio 6077 states 'Housing Commission Subdivision' when describing the location of these streets. Deposited Plan 700484 does not declare any of the roads or pathways within this subdivision as Council public property.

**NSW Housing:** In 2013, Council officers requested land titles search consultants, Dutton & Tanko to investigate the status of road ownership within this estate in East Cessnock. Search results confirmed that the roads and pathways within this subdivision (DP 700484) are in the ownership of Housing NSW. Housing NSW is an agency of the Department of Communities and Justice that is responsible for the provision and management of public housing services with the aim to prevent homelessness in the state of New South Wales.

**Not Owned by Council:** Some streets in the area west of Old Maitland Road are council public roads. See Notice at **Enclosure 1**.

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Records show that the roads and pathways in the subject estate, including the pathway between Duguid Close and Casson Avenue have never been dedicated to Council and remain the property of the original sub-divider being Housing NSW. Therefore, the pathway is not Council public property and Council is not the Road Authority. Council has no authority nor care and control over the pathway. As such, Council is not able to apply the provision of the *Roads Act 1993* including the process of road closure as described above.

**Closing the Pathway**

It is appropriate that any request to close the pathway be made to the pathway owner being Housing NSW. It is noted that Housing NSW may not support closure as the pathway is intended to provide connectivity and access to community facilities such as the nearby Public School for residents, particularly those without private transport in an area of some social disadvantage.

Walking and pedestrian access is to be encouraged as an environmental friendly mode of transport, and promotes a healthy lifestyle choice. The route also provides a safe place for young cyclists.

**Antisocial and Criminal Behaviour**

As alleged antisocial and criminal behaviour appear to be the primary driver for the requested closure of the pathway, affected residents may be encouraged and supported to directly report such incidents to the NSW Police Assistance line on 131 444 or Crime Stoppers on 1800 333 000. Representation by Council officers behalf of the affected community to the local Community Safety Precinct Committee may also be beneficial.

To this end Council officers have passed on concerns of alleged antisocial and criminal behaviour to Cessnock Police.

**OPTIONS**

N/A

**CONSULTATION**

**Internal Consultation:** This report has been prepared in consultation with the following Council officers:

- Asset Engineer – Roads
- Principal Engineer – Traffic & Transport

**External Consultation:** External stakeholders have been consulted including:

- Cessnock Police

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**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017-21:** The recommendation of this report aligns with the following objective of the Program:

- Objective 1.1: Objective 1.1 Promoting social connections
- Objective 1.2: Strengthening Community Culture – We have adequate recreation facilities
- Objective 3.1: Protecting and enhancing the natural environment and the rural character of the area.
- Objective 3.2: Better utilisation of existing open space
- Objective 4.1 Better transport Links – our communities are linked by walking and bike tracks
- Objective 4.2: Improving the road network

**b. Other Plans**

The subject of this report links to the following Strategies and Plans:

- Pedestrian Access & Mobility Plan 2016

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil.

**b. Financial Implications**

Nil.

**c. Legislative Implications**

**Roads Act 1993:** The process of formal road closure under the Act applies to closure of roads and laneways on land dedicated as council public road.

**d. Risk Implications**

Nil.

**e. Environmental Implications**

Nil.

**f. Other Implications**

Nil.

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***CONCLUSION***

The process to formally close a laneway on a council public road requires consultation, advertising, approval by the Minister and gazettal.

The pathway between Duguid and Casson is not a council public road. The pedestrian pathway is on land owned by Housing NSW.

Council officers have reported the issue of antisocial and criminal behaviour on the pathway to Cessnock Police. It is appropriate that residents witnessing such incidents report directly to Crime Stoppers on 131 444.

***ENCLOSURES***

[1](#) Government Gazette Notice 20 September 1996 Folio 6489



20 September 1996

OFFICIAL NOTICES

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## SCHEDULE

| Name and address of Licensee  | Date of Issue of Licence |
|---|--------------------------|
| ROHAN JAMES LLOYD<br>"Krui Airstrip"<br>Moree, N.S.W. 2400.                         | 29 AUGUST 1996.          |
| NEIL MERVYN HABERMANN<br>Farm 1009 Pike Lane M/S Green<br>Coleambally, N.S.W. 2707. | 29 AUGUST 1996.          |
| MATTHEW LEONARD ANNAN<br>c/o Lake Tandoy<br>P.O. Box 19<br>Menindee, N.S.W. 2879    | 11 SEPTEMBER 1996.       |

## PIPELINES ACT 1967

Wilton to Horsley Park Natural Gas Pipeline Licence  
No. 1 to AGL Gas Company Limited (N.S.W.)

It is notified that His Excellency the Governor, with advice of the Executive Council, has approved the grant of Renewal of Licence No. 1 to AGL Gas Company (N.S.W.) Limited (A.C.N. 003 004 322), the applicant having complied with the provisions of the Pipelines Act as required relating to the renewal of pipeline licences. Subject to the Act, the licence remains in force until 26 November 2016, and includes the lands indicated in the schedule.

Signed at Sydney this 20th day of September, 1996.

G. SAMUELS,  
Governor.

By His Excellency's Command

MICHAEL EGAN, M.L.C.,  
Minister for Energy.

## SCHEDULE

All those pieces or parcels of land contained in Deposited Plan 499001 registered in the Land Titles Office, Sydney.

## POISONS AND THERAPEUTIC GOODS ACT 1966

Order under Clause 151 (1),  
Poisons and Therapeutic Goods Regulation 1994

Withdrawal of Drug Authority

IN accordance with the provisions of Clause 151 (1) of the Poisons and Therapeutic Goods Regulation 1994, an Order has been made on Dr David John Allen of 97 Kennedy Drive, Tweed Heads 2485, prohibiting him until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by Clause 103 of the Regulation and issuing a prescription for a drug of addiction as authorised by Clause 79 of the Regulation.

This Order is to take effect on and from Thursday, 19 September 1996.

JOHN WYN OWEN,  
Director-General.

Department of Health, New South Wales,  
Sydney, Tuesday, 17 September 1996.

## ROADS ACT 1993

## PROCLAMATION

Governor

I, *The Honourable Gordon Samuels A. C.*, Governor of the State of New South Wales, with the advice of the Executive Council, on the recommendation of the Minister for Urban Affairs and Planning and Minister for Housing and in pursuance of section 13 of the Roads Act, 1993, do, by this my Proclamation, dedicate as a public road each parcel of land referred to in the Schedule to this Proclamation.

Signed and sealed at Sydney, this 28th day of August 1996.

By His Excellency's Command,

CRAIG KNOWLES M.P.,  
Minister for Urban Affairs and Planning  
Minister for Housing.

GOD SAVE THE QUEEN!

## SCHEDULE

The land shown as Whitbeck Place, Pendock Road, and Seaton Crescent and splays on the plan of the land at Cranebrook, in the City of Penrith, Parish of Castlereagh, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 260672 and shown coloured brown on diagram "A". (Project 12034/1).

The land shown as Aquarius Crescent, and the splays on the plan of the land at Erskine Park, in the City of Penrith, Parish of Melville, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 786164 and shown coloured brown on diagram "B". (Project 12052/2).

The land shown as Andromeda Drive and the splays on the plan of the land at Cranebrook, in the City of Penrith, Parish of Castlereagh/Melville/Strathdon, County of Cook/Cumberland, registered in the Land Titles Office as Deposited Plan No. 801781 and shown coloured brown on diagram "D". (Project 12244/1).

The land shown as Goldmark Crescent, Andromeda Drive, Britten Close and road widenings and splays on the plan of the land at Cranebrook, in the City of Penrith, Parish of Castlereagh, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 803591 and shown coloured brown on diagram "E". (Project 12244/1).

The land shown as Andromeda Drive and splays on the plan of the land at Cranebrook, in the City of Penrith, Parish of Castlereagh, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 817298 and shown coloured brown on diagram "F". (Project 12595/1).

The land shown as the pathway on the plan of the land at Emu Plains, in the City of Penrith, Parish of Strathdon, County of Cook, registered in the Land Titles Office as Deposited Plan No. 776516 and shown coloured brown on diagram "G". (Project 12166/6).

NEW SOUTH WALES GOVERNMENT GAZETTE No. 107

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## OFFICIAL NOTICES

20 September 1996

The land shown as Sculptor Place, and the pathways and splays on the plan of the land at Erskine Park, in the City of Penrith, Parish of Melville, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 786811 and shown coloured brown on diagram "H". (Project 12052/32).

The land shown as Holstein Place and splays on the plan of the land at Emu Plains in the City of Penrith, Parish of Strathdon, County of Cook, registered in the Land Titles Office as Deposited Plan No. 776517 and shown coloured brown on diagram "I". (Project 12166/1).

The land shown as Alkira Avenue, Hungerford Close, Road (18 Wide) South East of Lot 189 and splays on the plan of land at East Cessnock in the Cessnock City Local Government Area, Parish of Cessnock, County of Northumberland, registered in the Land Titles Office as Deposited Plan No. 813145 and shown coloured brown on diagram "J". (Project 07957).

The land shown as Karie Place and road widenings (A) and Pathway on the plan of land at Rathmines in the Lake Macquarie Local Government Area, Parish of Awaba, County of Northumberland, registered in the Land Titles Office as Deposited No. 825407 and shown coloured brown on diagram "K". (Project 12824/001).

The land shown as Moorina Close, Ryder Road and the splays on the plan of the land at St Johns Park in the City of Fairfield, Parish of St Luke, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 262261 and shown coloured brown on diagram "L". Project 12039/1.

The land shown as Gurley Place, Kincumber Road, Fagan Place, Echuca Close, Kindee Avenue, Harrah Close and the splays and pathways on the plan of the land at Bonnyrigg in the City of Fairfield, Parish of St Luke, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 261621 and shown coloured brown on diagram "M". Project 12041/1.

The land shown as Lot 2 (part of Eastbank Avenue) on the plan of the land at Cabramatta in the City of Fairfield, Parish of St Luke, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 616942 and shown coloured brown on diagram "N". Project 12068/1.

The land shown as Lot 2190 (part of Stockdale Crescent) on the plan of the land at Abbotsbury in the City of Fairfield, Parish of Melville, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 774903 and shown coloured brown on diagram "O". Project 12205/1.

The land shown as Province Street, Falmer Street, Whitley Place, Darling Street, Dalbertis Street, Belette Close, Gouda Close, Procter Close, Ogden Close and the splays on the plan of the land at Abbotsbury in the City of Fairfield, Parish of Melville, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 736996 and shown coloured brown on diagram "O1". Project 12205/1.

\*ERRATUM. SHOULD BE DE 736966 GAZ. 17-10-1997 FOL. 8622

The land shown as Road Widening on the plan of the land at Newport the Municipality of Pittwater, Parish of Narrabeen, County of Cumberland, registered in the Land Titles Office as Deposited Plan No. 773649 and shown coloured brown on diagram "P". Project 12900/1.

The land shown as Lot 300 and those shown as Road Widenings on the plan of the land at Drummoyne, in the Municipality of Drummoyne, Parish of Concord, County of Cumberland, registered in the Land Titles Office as deposited Plan No. 812686 and shown coloured brown on diagram "Q". (Project 08986/1).

## WORKERS' COMPENSATION ACT 1987

## NOTICE

(Concerning indexation of WorkCover benefits and damages)

THE WorkCover Authority, pursuant to section 82 of the Workers' Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and after 1 October 1996, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

TABLE

| Provision specifying, or providing for, the adjustable amount. | Column 1<br>Adjustable<br>Amount<br>\$ | Column 2<br>Adjusted<br>Amount<br>\$ |
|--|--|--------------------------------------|
| <b>WORKERS' COMPENSATION ACT 1987</b>                          |  |                                      |
| s.25 (1) (a)   | 211,850.00                             | 230,200.00                           |
| s.25 (1) (b)   | 66.60                                  | 72.40                                |
| s.35   | 1,000.00                               | 1,086.40                             |
| s.37 (1) (a) (i)   | 235.20                                 | 255.50                               |
| s.37 (1) (a) (ii)  | 187.10                                 | 203.30                               |
| s.37 (1) (a) (iii)   | 170.00                                 | 184.70                               |
|  | 153.00                                 | 166.20                               |
| s.37 (1) (b)   | 62.00                                  | 67.40                                |
| s.37 (1) (c)   | 44.30                                  | 48.10                                |
|  | 99.10                                  | 107.70                               |
|  | 164.16                                 | 178.30                               |
|  | 230.90                                 | 250.80                               |
|  | 66.60                                  | 72.40                                |
| s.63A (3)  | 1,500.00                               | 1,629.60                             |
| s.40   | 1,000.00                               | 1,086.40                             |
| s.151G (3)   | 204,000.00                             | 221,650.00                           |
| s.151G (4)   | 36,000.00                              | 39,150.00                            |
| s.151G (5)   | 36,000.00                              | 39,150.00                            |
|  | 48,000.00                              | 52,150.00                            |
| s.151H (2A) (b)  | 48,000.00                              | 52,150.00                            |
| Sch.6 Pt.4 Cl.7  | 341.30                                 | 370.80                               |

(Latest Index Number : 142.1)

IAN RAMSAY,  
General Manager,  
WorkCover Authority.

## WORKERS' COMPENSATION ACT 1987

## NOTICE

(Concerning indexation of benefits covered by Workers' Compensation Act 1926)

THE WorkCover Authority, pursuant to section 82 of, and Parts 3-4 of Schedule 6 to the Workers' Compensation Act 1987, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and after 1 October 1996, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Works and Infrastructure  
Report No. WI80/2020  
Works and Infrastructure



**SUBJECT:** *MINUTES OF CESSNOCK LOCAL TRAFFIC COMMITTEE OF 21 SEPTEMBER 2020*

**RESPONSIBLE OFFICER:** *Acting Infrastructure Manager \_ Renae Leayr*

**RECOMMENDATION**

That the Minutes of the Cessnock Local Traffic Committee meeting of 21 September 2020 be adopted as a resolution of the Ordinary Council.

1. TC24/2020 - That Council authorises the installation of a pedestrian crossing and regulatory signage on Empire Street and Town Lane, North Rothbury in accordance with the Empire Street North Rothbury \_ Signage and Line Marking Diagram.
2. TC25/2020 - That Council authorises the installation of regulatory parking signage on Charlton Street, Cessnock in accordance with the revised Charlton Street Cessnock \_ Signage & Line Marking Diagram.
3. TC26/2020 - That Council authorises the installation of Bus Zone signage on Wollombi Road, Bellbird, in accordance with the Wollombi Road Bellbird (Hetton Street) \_ Bus Zone Signage Diagram.
4. TC27/2020 - That Council authorises the installation of Bus Zone signage on Wollombi Road, Bellbird, in accordance with the Wollombi Road, Bellbird (Abbotsford Street) \_ Bus Zone Signage Diagram.
5. TC28/2020 - That Council authorises the installation of regulatory parking signage and line marking on McDonalds Road, Pokolbin, in accordance with the McDonalds Road Pokolbin \_ Information Bay Signage & Line Marking Diagram.

**MINUTES OF TRAFFIC COMMITTEE MEETING OF CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS – ANTE ROOM ON MONDAY, 21 SEPTEMBER 2020**

**OPENING:** The meeting was opened at 9.34am

**PRESENT:** Councillor Gray (In the Chair) [via ZOOM]  
Mrs Anne Lomas – NSW State Member Representative  
Mr John Markulin – Transport for NSW

**IN ATTENDANCE:** Mr Nathan Goodbun – Engineering Officer – Traffic & Transport  
Mr Warren Jeffery – Acting Infrastructure Manager  
Mr John Meldrum – Hunter Valley Buses [via ZOOM]  
Ms Alison Shelton – Road Safety Officer  
Mrs Tracey Cocking (Minute Taker)

Works and Infrastructure

Report No. WI80/2020

Works and Infrastructure

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## ***APOLOGIES***

***RESOLVED*** that the apologies tendered for unavoidable absence be accepted on behalf of:

Mr Clayton Barr MP – NSW State Member  
Mr Jamie Smoother – Transport for NSW  
Senior Constable Sweeney – NSW Police  
Acting Inspector Robert Taylor – NSW Police Force

## ***CONFIRMATION OF MINUTES***

***NOTED*** that the Minutes of the Local Traffic Committee held on 20 July 2020, as circulated, were previously confirmed as a true and correct record.

## ***DISCLOSURES OF INTEREST***

Nil

## ***BUSINESS ARISING FROM PREVIOUS MINUTES***

Nil

Works and Infrastructure

Report No. WI80/2020

Works and Infrastructure



### **LISTED MATTERS**

**SUBJECT:** **EMPIRE STREET & TOWN LANE, NORTH ROTHBURY  
PEDESTRIAN CROSSING**

**REPORT NO.:** **TC24/2020**

**REFERENCE:** **DOC2020/132687**

**MATTER:** The construction of a new Coles supermarket as part of the Huntlee development has necessitated the relocation of an existing marked pedestrian (zebra) crossing on Empire Street, North Rothbury, and the installation of regulatory parking controls and car park entry/exit controls.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

- It was noted that the R3-1 PEDESTRIAN CROSSING (symbolic) signs are to be duplicated as per Australian Standard 1742.10; and
- The TfNSW Warrant for Installation of Pedestrian Crossings was discussed. It was noted that the original zebra crossing was installed as a component of a green field development, based on the associated Traffic Impact Assessment for the Huntlee and Coles developments, and was reliant on modelled / predicted traffic and pedestrian volumes. It was also noted that a licensed tavern is scheduled to open in November 2020, on the southern side of Empire Street, which will lead to increased pedestrian movements.

### **RECOMMENDATION**

**That Council authorises the installation of a pedestrian crossing and regulatory signage on Empire Street and Town Lane, North Rothbury in accordance with the Empire Street North Rothbury \_ Signage and Line Marking Diagram.**

**SUPPORT:** Unanimous

**Works and Infrastructure**  
**Report No. WI80/2020**  
**Works and Infrastructure**



**SUBJECT:** **CHARLTON STREET (NORTH), CESSNOCK  
INTERSECTION CONTROLS AND LINE MARKING**

**REPORT NO.:** **TC25/2020**

**REFERENCE:** **DOC2020/033855**

**MATTER:** For the purpose of these deliberations, reference to 'Charlton Street' includes the length of road being the continuation of Charlton Street at the rear of Cessnock Library, across the drainage channel, through the area adjoining the Cessnock Market Place car park to Wollombi Road (as the Market Place access road connecting to Charlton Street is currently unnamed).

Works have recently commenced in Charlton Street, Cessnock, in furtherance of the adopted Cessnock CBD Masterplan, consisting of the realignment of Charlton Street, and the installation of traffic calming devices and pedestrian pathway.

These works make up Stage 1 of the Wollombi Road to Cessnock CBD - Pedestrian Links project, which will ultimately provide improved pedestrian and vehicular access between Vincent Street, Cooper Street, Charlton Street and Wollombi Road.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

- It was agreed to install audio tactile BB centre line;
- It was raised by the TfNSW representative that the zebra crossing effectively covers 3 travel lanes, rather than 2 as envisaged by the relevant standard. In mitigation of this anomaly it was noted that the zebra crossing is a typical shopping centre type, on a privately owned car park, in a low speed environment and that site constraints prohibit any feasible alternative; and
- It was further agreed to install yellow pedestrian (zebra crossing) cross walk line marking to replace the existing deteriorated pedestrian (zebra) crossing markings on the section of Charlton Street contained within the private Cessnock Market Place car park.

**RECOMMENDATION**

**That Council authorises the installation of regulatory parking signage on Charlton Street, Cessnock in accordance with the revised Charlton Street Cessnock \_ Signage & Line Marking Diagram.**

**SUPPORT:** Unanimous



Works and Infrastructure

Report No. WI80/2020

Works and Infrastructure



**SUBJECT:** **WOLLOMBI ROAD, BELLBIRD (HETTON STREET)  
BUS ZONE**

**REPORT NO.:** **TC26/2020**

**REFERENCE:**

**MATTER:** A Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) project to upgrade bus stops within the LGA to meet *Disability Discrimination Act (1992)* (DDA) standards requires the upgrading of the existing bus stop on Wollombi Road, Bellbird to enable the installation of a compliant boarding platform.

Consultation with Rover Coaches indicated that buses are required to enter the bus stop on Wollombi Road, Bellbird after turning from Hetton Street, and regularly have to negotiate parked vehicles in the statutory NO STOPPING area relating to the existing Bus Stop. To reinforce the parking restrictions, it is proposed to install a Bus Zone at the location, in addition to NO STOPPING signage to reinforce the statutory 10m NO STOPPING rule (*Reg. 170 Road Rules 2014*).

**DISCUSSION:** The matter was described as per the report, without further discussion.

**RECOMMENDATION**

**That Council authorises the installation of Bus Zone signage on Wollombi Road, Bellbird, in accordance with the Wollombi Road Bellbird (Hetton Street) \_ Bus Zone Signage Diagram.**

**SUPPORT:** Unanimous

Works and Infrastructure

Report No. WI80/2020

Works and Infrastructure



**SUBJECT:** **WOLLOMBI ROAD, BELLBIRD (ABBOTSFORD STREET)  
BUS ZONE**

**REPORT NO.:** **TC27/2020**

**REFERENCE:**

**MATTER:** A Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) project to upgrade bus stops within the LGA to meet *Disability Discrimination Act (1992)* (DDA) standards requires the upgrading of the existing bus stop on Wollombi Road, Bellbird to enable the installation of a compliant boarding platform.

The intersection of Wollombi Road and Abbotsford Street has been identified for a future upgrade to traffic signals. Accordingly, in consultation with Rover Coaches, it is proposed to install a Bus Zone at the location, making provision for the statutory 20m NO STOPPING rule (*Reg. 170 Road Rules 2014*).

This is the statutory NO STOPPING distance that will apply when traffic signals are eventually installed at the location, accordingly it is preferred to reflect this at the time of the current upgrade rather than have to make future infrastructure adjustments.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

- It was agreed that the NO STOPPING sign on Abbotsford Street be posted to a position 10m from the intersection as an interim treatment, pending completion of the adjacent development.

**RECOMMENDATION**

**That Council authorises the installation of Bus Zone signage on Wollombi Road, Bellbird, in accordance with the Wollombi Road, Bellbird (Abbotsford Street) \_ Bus Zone Signage Diagram.**

**SUPPORT:** Unanimous



Works and Infrastructure

Report No. WI80/2020

Works and Infrastructure



**SUBJECT:** *MCDONALDS ROAD, POKOLBIN  
REGULATORY SIGNAGE AND LINE MARKING*

**REPORT NO.:** *TC28/2020*

**REFERENCE:**

**MATTER:** The imminent installation of a Visitor Information Bay as part of the implementation of the Hunter Valley Wine Country Signage Strategy has resulted in the construction of an accompanying parking facility on McDonalds Road, Pokolbin, necessitating the installation of regulatory parking controls and line marking.

**DISCUSSION:** The matter was described as per the report, without further discussion.

**RECOMMENDATION**

That Council authorises the installation of regulatory parking signage and line marking on McDonalds Road, Pokolbin, in accordance with the McDonalds Road Pokolbin \_ Information Bay Signage & Line Marking Diagram.

**SUPPORT:** Unanimous

**CLOSURE:** The meeting was declared closed at 10.06am

**NSW POLICE TECHNICAL REVIEW**

Given the absence of a NSW Police representative at the meeting due to unforeseen circumstances it was agreed that an individual technical review of the reports on the Listed Matters would be undertaken. Reply pending.

**ENCLOSURES**

There are no enclosures for this report

Works and Infrastructure  
Report No. WI81/2020  
Works and Infrastructure



**SUBJECT:** *MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE 2 SEPTEMBER 2020*

**RESPONSIBLE OFFICER:** *Acting Infrastructure Manager \_ Renae Leayr*

**RECOMMENDATION**

1. That the Minutes of the Floodplain Management Committee of 2 September 2020 be adopted as a resolution of the Ordinary Council.
2. *FLOCLM14/2020*  
2) That Council endorses public exhibition of the draft Cessnock City Wide Flood Study 2020.
3. *FLOCLM16/2020*  
2) That Council endorses an application for a grant under the NSW Floodplain Management Program for a new Cessnock Flood Study following adoption of a Climate Change Strategy to guide selection of an appropriate Australian Rainfall and Runoff climate change scenario.

**MINUTES OF FLOODPLAIN MANAGEMENT COMMITTEE MEETING OF THE  
CESSNOCK CITY COUNCIL HELD IN THE GMMR AND ZOOM  
ON WEDNESDAY, 2 SEPTEMBER 2020, COMMENCING AT 9:01AM**

**PRESENT:** The Mayor, Councillor Pynsent (Chair)  
Councillor Gray  
Councillor Lyons  
Ms Angela Halcrow – Dept. of Planning, Industry & Environment  
Ms Alison Dee – SES Cessnock  
Mr Jesse Roberts – SES  
Ms Mandy Bramble - SES Northern Zone  
Mr Simon Merrick – Central Hunter Commander  
Ms Kirsty Jones – Hunter Water Corporation  
Mr Craig Schultz of Cessnock

**IN ATTENDANCE:** Ms Lotta Jackson – General Manager  
Mr Martin Johnson – Acting Director Planning & Environment  
Mrs Katrina Kerr – Acting Director of Works & Infrastructure  
Mr Martin Conner - Principal Engineer - Environmental Infrastructure  
Mr Phillip Townsend – Projects Engineer  
Ms Rachael O'Hara – Technical Support Officer (Minute Taker)

**INVITEES:** Nil

Works and Infrastructure

Report No. WI81/2020

Works and Infrastructure



## **APOLOGIES**

**MOTION**

**Moved:** Councillor Gray

**Seconded:** Councillor Lyons

**RECOMMENDED** that the apologies tendered on behalf of the following, for unavoidable absence, be accepted:

Mr Adam Davies – Community Representative  
Ms Julia Irwin – Hunter Water Corporation

**CARRIED UNANIMOUSLY**

## **CONFIRMATION OF MINUTES**

**MOTION**

**Moved:** Councillor Gray

**Seconded:** Councillor Lyons

**NOTED** that Minutes of the Floodplain Management Committee held on 3 June 2020, as circulated, were previously confirmed as a true and correct record, adopted at the Ordinary Meeting of Council on 15 July 2020.

**NOTED** that Hunter Water Corporation have made comment on the previous minutes in relation to South Cessnock, and that a further report on South Cessnock will be presented to the December 2020 Meeting of the Floodplain Management Committee.

**CARRIED UNANIMOUSLY**

## **DISCLOSURES OF INTEREST**

Nil

## **LISTED MATTERS**

**REPORT:** NO. FLOCLM14/2020

**SUBJECT:** CESSNOCK CITY WIDE FLOOD STUDY - PUBLIC EXHIBITION

**MATTER:** Seek endorsement to place the Study on public exhibition for community comment.

**DISCUSSION:** Council's Principal Engineer - Environmental Infrastructure provided an overview of the purpose and outputs of the Cessnock City Wide Flood Study.

Regarding accuracy and limitations of the Flood Study outputs:

- Accuracy of this study is typically with 0.3m of calculated flood levels of the adopted flood study levels with differences up to 0.9m.
- The model is more accurate in rural areas at which adopted flood mapping data is limited.
- Although the data can be used for s10.7 Planning Certificates, it is not considered accurate enough to determine Flood Planning Levels.

The Department of Planning, Industry & Environment representative pointed out that:

- The flood mapping followed natural watercourses where development should be treated with caution, and identifies flood affectation.
- Adoption of the Flood Study would assist in the identification of areas requiring a detailed flood study in accordance with NSW Floodplain Development Manual and sites requiring a Minor Flood Assessment Report in accordance of the Cessnock DCP.
- It would be remiss not to have notification to these owners that there are flood related development controls, even if Council cannot currently give an accurate Flood Planning Level.
- Identification of all flood controlled lots will ensure flooding is appropriately considered in development.

Regarding preparation of Flood Assessment Reports for development:

- Development proposals may need to be supported by a Report.
- The alternative approach may be to allow extra freeboard to cover for inaccuracies.
- Proposed changes to the Floodplain Development Manual will provide the ability to set varying freeboards when the accuracy of the model is not great.

Regarding the number of flood controlled lots:

- The Flood Study identified 9,594 lots within the Flood Planning Area, an increase of 3,800 lots.
- There are many natural and unnatural waterways in Cessnock. History shows many more floods than have been encoded.
- Encoding of new flood controlled lots may be unpopular with some, however this was a responsible action for Council to take.

**Works and Infrastructure**

**Report No. WI81/2020**

**Works and Infrastructure**



- An alternative to identify flood prone land is to map riparian zones using stream order. This methodology whilst affordable is considered less accurate than the methodology used in this Flood Study.
- The accuracy is considered higher in rural locations rather than in urban locations because culverts and piped systems are not included in this Flood Study.

**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Craig Schultz

**RECOMMENDATION**

1. That the Committee notes the outcomes of the draft Cessnock City Wide Flood Study 2020.
2. That the Committee endorses public exhibition of the draft Cessnock City Wide Flood Study 2020.

**CARRIED UNANIMOUSLY**

Works and Infrastructure

Report No. WI81/2020

Works and Infrastructure



**REPORT:** NO. FLOCLM15/2020

**SUBJECT:** CESSNOCK, ABERMAIN AND WESTON - UPDATE ON FLOOD WARNING SYSTEMS

**MATTER:** Outcomes of the investigation and concept design of proposed flood warning systems for:

- Black Creek at Cessnock, and
- Swamp Creek at Abermain and Weston.

**DISCUSSION:** Council's Projects Engineer - Environmental Infrastructure provided an overview of the Cessnock, Abermain and Weston Flood Warning concept designs.

Regarding the purpose of the flood warning systems:

- The proposed systems are designed to save lives first and reduce flood losses second. In particular to wake residents and allow for evacuation.
- The siren system is seen as more reliable than a system sending notifications via SMS. Some of the residents may not use a mobile phone.
- The system is designed to manually (by NSW SES), or automatically sound a siren to notify residents of flood risk. Sirens are important in waking people up if a flood happens at night.

Regarding response to the flood warnings:

- After final design is completed a response plan will be developed in partnership with NSW SES.

Regarding cost:

- The cost estimates include a cost for construction and operation of the systems.
- Maintenance of the systems will be by private contractors.

Regarding system reliability:

- The two major reliability issues are vandalism and connectivity.
- Systems can use radio and mobile phone transmission.
- Locations for gauges selected on ability to transmit data.

Regarding Concept Design:

- Rain gauges are optional. Rain gauges allow flood warnings to be issued earlier based on a rainfall volume/time threshold trigger.
- The rain gauges also provide useful data for the calibration of flood models. There are no continuous rainfall gauges in the upper Black Creek and Swamp Creek catchments.
- The Mayor put forward Kearsley Community Hall as a potential site for a rain gauge in preference to Jeffery Park as shown in the Concept Design plan. He identified vandalism as a risk within Jeffery Park.

**Works and Infrastructure**

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**Works and Infrastructure**



- The Bureau of Meteorology generally no longer pays for and maintains new rainfall gauges. Dept. of Planning, Industry and Environment will only assist with the costs of constructing new rainfall gauges when they are part of a flood warning system.

**MOTION**      **Moved:** Councillor Gray      **Seconded:** Councillor Lyons

**RECOMMENDATION**

1. That the Committee endorses the outcome of the Cessnock Flood Warning System Concept Design report.
2. That the Committee endorses the outcome of the Abermain & Weston Flood Warning System Concept Design report.
3. That the Committee notes submission of applications under the NSW Floodplain Management Program on 30 April 2020 for the construction of the first stage of the Cessnock Flood Warning System and construction of the Abermain & Weston Flood Warning System.

**CARRIED UNANIMOUSLY**

Works and Infrastructure

Report No. WI81/2020

Works and Infrastructure



**REPORT:** NO. FLOCLM16/2020

**SUBJECT:** CESSNOCK FLOOD WARNING SYSTEM CONCEPT DESIGN FLOOD STUDY UPDATE 2020

**MATTER:** Present draft Cessnock Flood Warning System Concept Design Flood Study Update 2020 and presents critical information for review.

**DISCUSSION:** Council's Principal Engineer - Environmental Infrastructure provided an overview of the purpose and outputs of the Cessnock Flood warning System Concept design Flood Study Update 2020.

Regarding adoption of the Flood Study Update:

- The Flood Study Update was undertaken using the latest Australian Rainfall and Runoff guidelines but was not able to consider climate change risk due to model instability. The 2016 Cessnock (Black Creek) Floodplain Risk Management Study and Plan Flood Study Update considered climate change risk but not in a robust manner that conforms to the current methodology in ARR19.
- The Flood Study Update in general resulted in lower flood levels – typically 0.1 to 0.5m lower. This resulted in a net reduction 310 properties within the Flood Planning Area.

Regarding climate change:

- The Community Representative pointed to the need to be very cautious about lowering flood levels. As climate change is likely to increase flood levels, there was support to reject the outcomes of Flood Study Update.
- Deferring the decision to lower flood levels until climate change can be adequately addressed was supported.
- Agreed that climate change must be considered before changing the adopted flood levels.

Regarding accuracy of Flood Study Update outputs:

- ARR2019 is very complex. There are two parts to a flood study - the hydrology and the hydraulics. The hydrology was considered in the Update and minor changes were undertaken to the hydraulics (culvert and bridge blockages).
- This study is considered a sensitivity test because there was no model calibration. The new rainfall data in ARR19 is not overly useful because there are no continuous rainfall gauges in the upper Black Creek catchment. These new flood levels are not correlating with recorded flood levels. Anecdotal evidence does not support lowering of flood levels.
- The Black Creek catchment runs southeast to north and is considered particularly vulnerable to east coast lows that drive rainfall inland like the June 2007 flood event. The new ARR19 methodology does not consider how rainfall patterns change through a catchment.
- A typical east coast low reinforces the flood wave travelling down the Black Creek catchment. Model calibration can be used to account for catchment characteristics.



**Works and Infrastructure**

**Report No. WI81/2020**

**Works and Infrastructure**



**MOTION**      **Moved:** Craig Schultz      **Seconded:** Councillor Gray

**RECOMMENDATION**

1. That the Committee notes the outcome of the draft Cessnock Flood Warning System Concept Design Flood Study Update 2020.
2. That the Committee endorses and application for a grant under the NSW Floodplain Management Program for a new Cessnock Flood Study following adoption of a Climate Change Strategy to guide selection of an appropriate Australian Rainfall and Runoff climate change scenario.

**CARRIED UNANIMOUSLY**

**CLOSED:** The Meeting was declared closed at 9.57am.

**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN30/2020

General Manager's Unit



***NOTICES OF MOTION No. BN30/2020***

**SUBJECT:** *FACT SHEET FOR A DANGEROUS DOG DECLARATION*

**COUNCILLOR:** *Jay Suvaal*

***MOTION***

1. That the General Manager develop a fact sheet to provide to residents following a dangerous dog declaration initially being made.
2. That the fact sheet include the following information:
  - The process to be followed by the Council;
  - The appeal rights and process for the dog owner;
  - The compliance obligations and legal requirements of Council and the dog owner;
  - Where the dog owner can source further information or assistance regarding compliance; and
  - Any other relevant information.
3. That once developed a briefing on the fact sheet be provided to Councillors.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 21 October 2020.

**RATIONALE**

Following concerns raised by a resident in regards to the process around the declaration of a dangerous dog and the appeal and compliance process I believe a fact sheet with all this relevant information would help dog owners understand the process and make the overall declaration process easier for Council.

**SOURCE OF FUNDING:**

N/A

**DELIVERY PROGRAM:**

N/A

Sgd: Jay Suvaal

Date: 8 October 2020

**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN31/2020

General Manager's Unit



***NOTICES OF MOTION No. BN31/2020***

**SUBJECT:** *GAS FIRED POWER STATION*

**COUNCILLOR:** *Rod Doherty*

***MOTION***

1. That the General Manager write to the Prime Minister, The Hon Scott Morrison MP, Federal Minister for Energy, The Hon Angus Taylor MP, the Premier of NSW, The Hon Gladys Berejiklian MP, the Minister for Energy and Environment NSW, The Hon Matthew Kean MP, Cessnock State Member, Clayton Barr MP and Federal Member for Hunter, The Hon Joel Fitzgibbon MP and ask that they show their support for a gas-fired power generator in Kurri Kurri.
2. As part of the letter Cessnock City Council highlights the economic, employment, social and environmental benefits this project will bring to the Hunter in particular the Cessnock Local Government Area.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 21 October 2020.

**RATIONALE**

By the year 2023 NSW will lose one of its major power generation plants in Liddell Power Station thus reducing available base-load power in NSW by 2,000 Megawatts.

The Prime Minister in this year's budget aims to increase manufacturing in Australia to become a more sustainable country post COVID 19. This will require a reliable source of energy.

The proposed site at Kurri Kurri has the necessary electrical infrastructure already in place to support a gas-fired generator.

The ultimate approval and construction of this gas-fired power generator of 1,000 Megawatts will go some way to closing the gap.

**SOURCE OF FUNDING:**

Not applicable.

**Notices Of Motion**

**Report No. BN31/2020**

**General Manager's Unit**

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**DELIVERY PROGRAM:**

Objective:

A sustainable and prosperous economy.

Objective: Diversifying local business options

Objective: Achieving more sustainable employment opportunities

Sgd: Rod Doherty

Date: 8 October 2020

***ENCLOSURES***

There are no enclosures for this report

Correspondence

Report No. CO13/2020

Corporate and Community Services



**SUBJECT:** *LOCAL GOVERNMENT EXCLUSION FROM NATIONAL CABINET - MAYORAL MINUTE MM8/2020*

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

#### **RECOMMENDATION**

That Council notes the correspondence from the Premier, the Hon Gladys Berejiklian MP; Federal Member for Paterson, Meryl Swanson MP and Federal Member for Hunter, the Hon Joel Fitzgibbon MP, in relation to having Local Government representation on National Cabinet.

At its Ordinary Meeting of 19 August 2020 Council considered a Mayoral Minute MM8/2020 – Local Government Exclusion from National Cabinet and resolved:

1. That Council agrees to send a letter to the Premier, the Hon Gladys Berejiklian MP, the Hon Joel Fitzgibbon MP, Federal Member for the Hunter, Meryl Swanson MP, Federal Member for Paterson and the State Member for Cessnock, Clayton Barr MP respectively which highlights the critical necessity for Local Government representation on the newly formed National Cabinet and seeks their assistance in requesting that First Ministers review the decision to exclude Local Government.
2. That Council notes that the Australian Local Government Association, Local Government NSW and other state/territory local government associations will continue to advocate for local government representation on the National Cabinet and for Local Government's interests in all relevant forums.

Correspondence regarding Council's letter seeking support for the inclusion of Local Government in National Cabinet has been received from the following:

- Premier of New South Wales, the Hon Gladys Berejiklian MP on 8 September 2020. The correspondence advises that the "NSW Government is committed to working with the Local Government sector to ensure that issues facing councils as a result of the coronavirus pandemic are considered and addressed". **Enclosure 1.**
- Federal Member for Paterson, Meryl Swanson MP on 11 September 2020. The correspondence advises that the Member will continue to advocate on behalf of Local Government to have the Prime Minister reverse this decision. **Enclosure 2.**
- Federal Member for Hunter, Shadow Minister for Agriculture and Resources, the Hon Joel Fitzgibbon MP on 15 September 2020. The correspondence advises that the Member will continue to fight on Cessnock Council's behalf to ensure that Local Government have a say in national decision making. **Enclosure 3.**

Copies of the correspondence are attached to this report.

Correspondence

Report No. CO13/2020

Corporate and Community Services

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**ENCLOSURES**

- 1 [↓](#) Response - The Hon Gladys Berejiklian MP
- 2 [↓](#) Response - Meryl Swanson MP
- 3 [↓](#) Response - The Hon Joel Fitzgibbon MP



Ref: A3793887

Councillor Bob Pynsent  
Mayor  
Cessnock City Council  
lotta.jackson@cessnock.nsw.gov.au

Ms Lotta Jackson  
General Manager

08 SEP 2020

Dear Mayor and Ms Jackson,

Thank you for your correspondence of 25 August 2020 regarding Local Government representation at National Cabinet.

I note your views on this matter.

The NSW Government is committed to working with the Local Government sector to ensure that issues facing councils as a result of the coronavirus pandemic are considered and addressed.

Thank you for taking the time to bring this matter to my attention.

Yours faithfully,



Gladys Berejiklian MP  
Premier



**MERYL SWANSON** MP  
FEDERAL MEMBER FOR PATERSON  
SHADOW ASSISTANT MINISTER FOR DEFENCE

31 August 2020

Mr Bob Pynsent  
Mayor  
Cessnock City Council  
Po Box 152  
Cessnock NSW 2325

Dear Mayor Pynsent

Thank you for writing to me about the Government's exclusion of local government from the National Cabinet.

My colleague, Jason Clare, Shadow Minister for Regional Services, Local Government and Territories, raised this issue in May when the National Cabinet was announced. Labor's call to recognise Local Governments as an essential part of Australia's recovery from the COVID crisis has fallen on deaf ears.

This decision demonstrates that the Government doesn't understand or appreciate the important role that local government plays in creating jobs, building communities and delivering essential services.

Local councils are critical to the economic recovery of Australia and, as the tier of government closest to the community, are best placed to understand, and fight for, what their communities need.

It is important that local government has a voice in national decision making and my colleagues and I will continue to advocate on behalf of local government to urge the Prime Minister to reverse this bad decision.

Yours Sincerely

Meryl Swanson MP

**Electorate Office:** 35 Sturgeon Street (PO Box 156), Raymond Terrace NSW 2324

**Canberra Office:** Parliament House Suite R2.97 (PO Box 6022), Canberra ACT 2600



02 4983 2401



meryl.swanson.mp@aph.gov.au



merylswanson.com.au








**THE HON JOEL FITZGIBBON MP**

FEDERAL MEMBER FOR HUNTER  
SHADOW MINISTER FOR AGRICULTURE AND RESOURCES

27 August, 2020

Cr Bob Pynsent  
Mayor  
Cessnock City Council  
PO Box 152  
CESSNOCK NSW 2325

Dear Mayor  Pynsent

**LOCAL GOVERNMENT REPRESENTATION IN THE NATIONAL CABINET**

Thank you for your letter dated 25 August, 2020 expressing Cessnock Council's disappointment that Local Government does not have a seat at the National Cabinet table.

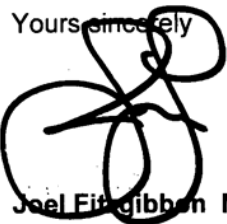
It is most important Local government has a voice in national decision making and my colleague, the Hon Jason Clare, Shadow Minister for Regional Services, Local Government and Territories raised this issue following the announcement of National Cabinet back in May.

Labor believes Local Governments are both essential and critical to the economic recovery of Australia during the covid19 pandemic.

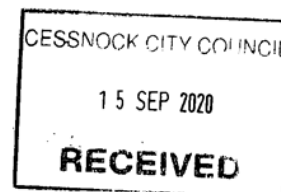
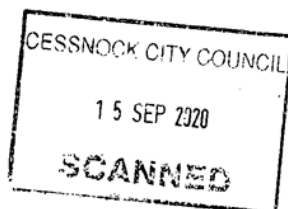
I believe Council's play a vital role in building communities, creating jobs and delivering essential services as they understand what is needed in the community.

Be assured I will continue to fight on Cessnock Council's behalf.

Yours sincerely



Joel Fitzgibbon MP



Electorate Office: 3 Edward Street, PO Box 526  
CESSNOCK NSW 2325

Phone: 02 4991 1022  
Facsimile: 02 4991 2322

Email: joel.fitzgibbon.mp@aph.gov.au  
Web: www.joelfitzgibbon.com

Follow me on Twitter and Facebook



Canberra Office: PO Box 6022  
CANBERRA ACT 2600

Phone: 02 6277 4550  
Facsimile: 02 6277 8556

Correspondence

Report No. CO14/2020

Corporate and Community Services



**SUBJECT:** *WOLLOMBI COALMINING PROPOSAL - MAYORAL MINUTE MM7/2020*

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

#### **RECOMMENDATION**

That Council notes the correspondence from the Deputy Premier, the Hon John Barilaro MP in relation to Council's concern that the historic Wollombi Valley has been included in "potential areas for release for coal exploration under the Strategic Release Framework".

At its Ordinary Meeting of 15 July 2020 Council considered a Mayoral Minute MM7/2020 – Wollombi Coalmining Proposal and resolved:

1. That Council has recognised within its Local Strategic Planning Statement 2036 the unique heritage of national significance within the Wollombi Valley, and the importance of supporting and protecting the established and emerging tourism industry.
2. That Council writes to the Deputy Premier, The Hon John Barilaro MP, outlining Council's concern that the historic Wollombi Valley has been included in "potential areas for release for coal exploration under the Strategic Release Framework".
3. That Council requests a briefing from the Deputy Premier, The Hon John Barilaro MP, outlining the nature of the mining and the specific boundaries outlined.
4. That Council acknowledges the importance and economic benefit, of coalmining within the Cessnock Local Government Area and supports its continuation and establishment in other more conducive locations.

Correspondence was received on 29 September 2020 from the Hon. John Barilaro MP, Deputy Premier, Minister for Regional New South Wales, Minister for Industry and Trade in response to the Council resolution. A copy of the correspondence is attached to this report.

#### **ENCLOSURES**

- [1](#) Response - The Hon John Barilaro MP



**The Hon. John Barilaro MP**  
Deputy Premier  
Minister for Regional New South Wales  
Minister for Industry and Trade

Our ref: 20/36#19  
Your ref: DOC 2020/118665

Clr Bob Pynsent and Ms Lotta Jackson  
PO Box 152  
CESSNOCK NSW 2325

Dear Mayor and General Manager

Thank you for your correspondence of 21 July 2020 noting the Mayoral minute in relation to Wollombi Valley following the release of the NSW Government's *Strategic Statement on Coal Exploration and Mining in NSW*.

The Department of Regional NSW has long held a number of coal exploration licences to identify coal resources across NSW, and has held a coal exploration licence (AUTH263) over the Wollombi area since the early 1980s.

Indeed, your Council's own records will reflect that fact – as part of the community consultation process, my Department writes annually to Singleton Council, Local Aboriginal Land Councils and to your Council as well.

I have enclosed a copy of the most recent letter as confirmation of that.

The government has not made a decision to release the Wollombi area for commercial coal exploration or mining. Furthermore, the granting of a coal exploration licence does not provide the right to mine.

It's also important to note that AUTH263 excludes the townships of Broke and Wollombi. The Department of Regional NSW is currently in the process of relinquishing a number of coal exploration licences. Once this is complete, the Government will have reduced the area covered by Crown-held exploration licences from 18,635 km<sup>2</sup> to 1,507 km<sup>2</sup>.

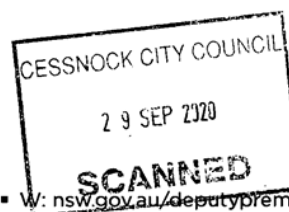
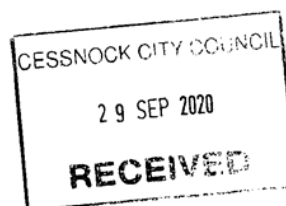
I trust this information is of assistance to you, and I note your Council's ongoing support of coal mining.

Yours sincerely

  
**The Hon. John Barilaro MP**  
Deputy Premier  
Minister for Regional New South Wales  
Minister for Industry and Trade

16 SEP 2020

Encl.



GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 5150 ■ F: (02) 9339 5558 ■ W: [nsw.gov.au/deputy-premier](http://nsw.gov.au/deputy-premier)



Planning,  
Industry &  
Environment

Mr Stephen Glen  
General Manager  
Cessnock Council  
PO Box 152  
CESSNOCK NSW 2325

Our ref: DOC19/951162

28 January 2020

Dear Mr Glen,

**Subject: Coal Authorisation 263**

I am writing this letter to update you about Group 9 (Coal) Authorisation 263 (AUTH263) that is held by the Secretary of the Department of Planning, Industry and Environment.

There are no planned activities within AUTH263 for the calendar year 2020. If future activities are planned within your LGA, the Council will be contacted and fully briefed on these activities.

If you have any enquiries regarding this licence you can contact me on (02) 4063 6726 or by email at [coal.geology@planning.nsw.gov.au](mailto:coal.geology@planning.nsw.gov.au).

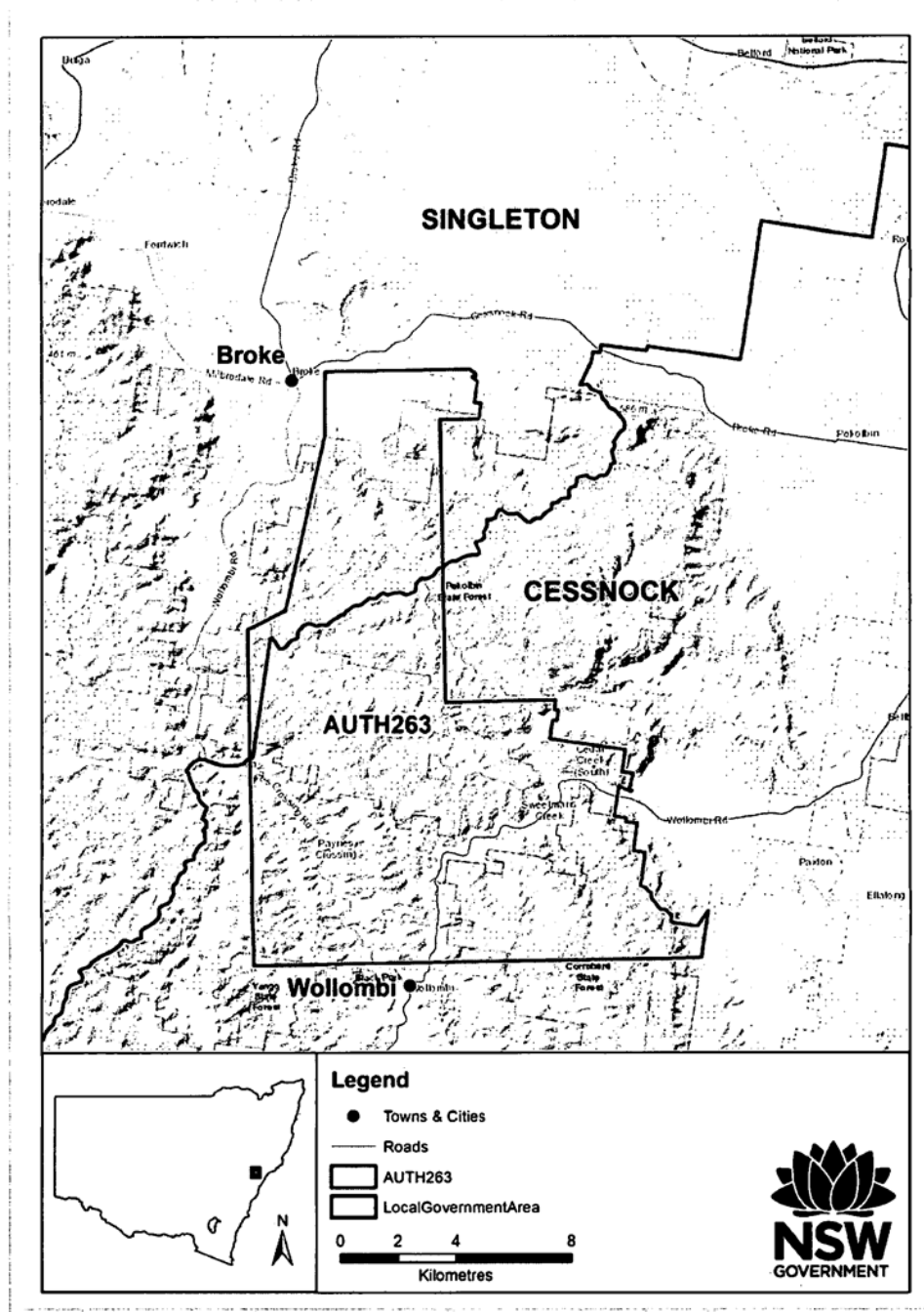
Yours sincerely,  
Dr Kevin Ruming

A handwritten signature in black ink that reads 'Kevin Ruming'.

Director  
Strategic Resource Assessment and Advice  
Division of Resources and Geoscience



Planning,  
Industry &  
Environment



AUTH263 with Local Government Areas.

Correspondence

Report No. CO15/2020

Corporate and Community Services



**SUBJECT:** *BN10/2020 NOM - FUNDING SUPPORT FOR YOUTH PROGRAMS*

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

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**RECOMMENDATION**

**That Council notes the correspondence from the Office of the Hon. Greg Hunt MP, Minister for Health, Minister Assisting the Prime Minister for the Public Service and Cabinet in relation to the establishment of a full service Headspace in Cessnock.**

At its Ordinary Meeting of 15 July 2020 Council in considering a response from The Hon. Bronnie Taylor MLC, Minister for Mental Health, Regional Youth and Women in relation to Council's request, advocating for increased funding support to further expand local youth programs (Report CO10/2020 - BN10/2020 NOM – Funding Support for Youth Programs) resolved (inter alia):

- 2. That Council write to the Hon Greg Hunt MP Minister of Health asking him to honour the Coalitions pre election promise to establish a full service Headspace in Cessnock**

A response has been received from the Office of the Hon. Greg Hunt MP, Minister for Health, Minister Assisting the Prime Minister for the Public Service and Cabinet in relation to Council's request relating to Headspace in Cessnock.

A copy of the correspondence is attached for Council's information.

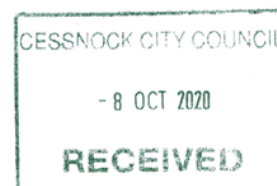
**ENCLOSURES**

- [1](#) Response - Hon. Greg Hunt MP





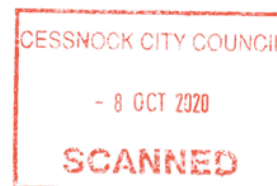
**Office of the Hon Greg Hunt MP**  
**Minister for Health**  
**Minister Assisting the Prime Minister for the**  
**Public Service and Cabinet**



Ref No: MC20-030604

Ms Lotta Jackson  
General Manager  
Cessnock City Council  
PO Box 152  
CESSNOCK NSW 2325

23 SEP 2020



Dear Ms Jackson

I refer to your letter of 27 July 2020 to the Minister for Health, the Hon Greg Hunt MP, concerning the establishment of a full headspace service Cessnock. The Minister has asked me to reply on his behalf.

I commend your commitment to supporting the mental health of young people in the Hunter region and appreciate your acknowledgement of the recently established satellite service in Cessnock. As you are aware, improving mental health and wellbeing for all Australians is a priority of the Australian Government with a strong focus on youth mental health.

headspace is a trusted model of care that is recognised by young people, their families and communities for providing youth-friendly mental health support. The Government is implementing the largest expansion of the headspace network to date, with the current network of 123 services to grow to 153 services nationally by 2022.

Decisions to establish headspace centres or satellites are based on identified need determined on a national basis, and include consideration of youth population, availability of workforce, proximity to public transport, linkages to other primary and tertiary services, and sustainability of services. Based on these factors, Cessnock was determined to be an appropriate location for a satellite service.

In line with the election commitment and announcement, headspace Cessnock opened on 7 July 2020 as a permanent facility managed by the parent headspace centre, headspace Maitland. The service provides mental health support, vocational support, and alcohol and other drug services.

The Hunter New England and Central Coast (HNECC) Primary Health Network (PHN) is responsible for commissioning headspace services, including the headspace satellite service in Cessnock. I would encourage you to continue conversations with the PHN about the needs of the community. The HNECC PHN can be contacted on 1300 859 028 or via email to: [info@hneccphn.com.au](mailto:info@hneccphn.com.au).

Parliament House Canberra ACT 2600 Telephone: (02) 6277 7220

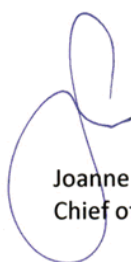
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Young people in the Cessnock region are also able to access eheadspace, which provides free, confidential and anonymous telephone and web-based support services to young people aged 12 to 25 years with, or at risk of, developing mild to moderate mental illness. This service is an alternative approach for young people to access support and help. eheadspace can be contacted on 1800 650 890 or via its website at: [www.headspace.org.au/eheadspace](http://www.headspace.org.au/eheadspace).

The Department of Health has also commenced an independent evaluation of the national headspace network in July 2020. The evaluation aims to improve our understanding of the appropriateness and effectiveness of headspace, including resourcing requirements of its network.

Thank you for writing on this matter.

Yours sincerely

A handwritten signature in blue ink, consisting of a large loop followed by a smaller loop and a short horizontal stroke.

Joanne Tester  
Chief of Staff



Correspondence

Report No. CO16/2020

Corporate and Community Services



**SUBJECT:** *MM10/2020 - MEDICARE ELIGIBILITY FOR MAGNETIC RESONANCE IMAGING*

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

#### **RECOMMENDATION**

That Council notes the correspondence from The Hon. Brad Hazzard MP, Minister for Health and Medical Research and The Hon. Gabrielle Upton MP, Parliamentary Secretary to the Premier in relation to Medicare eligibility for Magnetic Resonance Imaging Unit at the new Maitland Hospital.

At its Ordinary Meeting of 16 September 2020 Council considered Mayoral Minute 10/2020 – Medicare Eligibility for Magnetic Resonance Imaging Unit at the New Maitland Hospital and resolved (inter alia):

4. That Council write to the following Federal and State members of parliament seeking their support for a Full Medicare licence for a Magnetic Resonance Imaging (MRI) system to be installed in the new Maitland Hospital;
- The Minister for Health, the Hon Greg Hunt MP
  - Minister for Aged Care and Senior Australians, Minister for Youth and Sport, Senator the Hon Richard Colbeck
  - Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coultan MP
  - Minister for Indigenous Australians, the Hon Ken Wyatt AM MP
  - Minister for Families and Social Services, Senator the Hon Anne Ruston
  - The NSW Premier, the Hon Gladys Berejiklian MP
  - Minister for Health and Medical Research, the Hon Brad Hazzard MP
  - Minister for Local Government, the Hon Shelley Hancock MP
  - Member for Lyne, the Hon David Gillespie MP
  - Federal Member for Hunter, the Hon Joel Fitzgibbon MP
  - Federal Member for Paterson, Ms Meryl Swanson MP
  - State Member for Cessnock, Mr Clayton Barr MP

A letter dated 6 October 2020 has been received from The Hon. Bard Hazzard MP, Minister for Health and Medical Research in relation to Council's request regarding Medicare Eligibility for Magnetic Resonance Imaging Unit at the New Maitland Hospital.

A letter dated 12 October 2020 has been received from The Hon Gabrielle Upton MP, Parliamentary Secretary to the Premier on behalf of the Premier advising that as the matter is the responsibility of the Federal Government and the Hon Brad Hazzard MP, Minister for Health and Medical Research, Councils correspondence has been forwarded for consideration and reply.

Copies of the correspondence are attached for Council's information.

Correspondence

Report No. CO16/2020

Corporate and Community Services

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**ENCLOSURES**

- [1](#)↓ The Hon Brad Hazzard MP - Minister for Health and Medical Research
- [2](#)↓ The Hon Gabrielle Upton MP - Parliamentary Secretary to the Premier



**The Hon. Brad Hazzard MP**  
Minister for Health and Medical Research

Mr Bob Pynsent  
Mayor, Cessnock City Council  
Email: [council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au)

Ms Lotta Jackson  
General Manager, Cessnock City Council

Your ref DOC2020/151396  
Our ref M20/14919

Dear Councillor and Ms Jackson

Thank you for your letter on behalf of Cessnock City Council about Medicare eligibility for a magnetic resonance imaging (MRI) unit at the new Maitland Hospital.

The NSW Government has committed \$470 million for the new Maitland Hospital. The new hospital is on schedule to open in early 2022 and includes a 3T MRI and shell space for the MRI.

The Australian Government assigns full and partial Medicare eligible licences for MRIs to private and public MRI service providers across Australia. It made 50 Medicare Benefits Schedule (MBS) MRI licences available Australia-wide in its most recent Invitation to Apply process in 2018.

Hunter New England Local Health District applied for an MBS licence for the Maitland Hospital. The NSW Ministry of Health advised the Department of Health of its support, but unfortunately the application was not approved.

The Australian Government has not announced any process for additional MBS MRI licences. I have written to the Hon. Greg Hunt MP, Federal Minister for Health, to request an MRI licence for the new Maitland Hospital.

NSW supports the provision of MRI services in public hospitals to enable more timely and accurate clinical decision making and ultimately better health outcomes.

Thank you again for writing. If you would like more information, please contact Ms Vanessa Clements, Director, Specialty Services and Technology Unit, Strategic Reform and Planning Branch, NSW Ministry of Health, at [vanessa.clements@health.nsw.gov.au](mailto:vanessa.clements@health.nsw.gov.au) or on 9391 9952.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Brad Hazzard', with a date stamp '06 OCT 2020' below it.

06 OCT 2020

**The Hon. Brad Hazzard MP**  
Minister for Health and Medical Research



**The Hon Gabrielle Upton MP**  
Parliamentary Secretary to the Premier

Ref: A3924124

12 October 2020

Ms Lotta Jackson  
General Manager  
Cessnock City Council  
Lotta.jackson@cessnock.nsw.gov.au

Mr Bob Pynsent  
Mayor  
Cessnock City Council

Dear Ms Jackson and Mr Pynsent

Thank you for your correspondence of 22 September 2020 regarding Medicare. I am replying on behalf of the Premier and I appreciate you expressing your views on this matter.

As the matter raised falls under the responsibility of the Federal Government, it is appropriate that they consider your correspondence and I have forwarded it accordingly.

Additionally, as the matter raised also falls under the responsibility of The Hon Brad Hazzard MP, Minister for Health and Medical Research. It is appropriate that the Ministers consider your correspondence and I have forwarded it accordingly.

If you have any further enquiries about this matter, please contact the Office of Minister Hazzard on (02) 8574 6000.

Thank you for taking the time to bring this matter to the Government's attention.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Gabrielle Upton'.

**Gabrielle Upton MP**  
**Parliamentary Secretary to the Premier**

CC: The Hon Greg Hunt MP, Minister Assisting the Prime Minister for the Public Service and Cabinet, Minister for Health  
The Hon Brad Hazzard MP, Minister for Health and Medical Research