



Vincent Street  
CESSNOCK

5 December 2023

## ORDINARY ENCLOSURES FOR COUNCIL

### WEDNESDAY, 13 DECEMBER 2023

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## INTRODUCTION

The Audit and Risk Committee (Committee) plays an important role in Cessnock City Council's governance framework. The Committee provides independent assurance on risk management, control, governance and external accountability.

The Committee operates under a Charter adopted by Council that contains the Committee's responsibilities. Clause 16.4 requires the Chair of the Committee to provide an Annual Report to Council on Committee's operations, including member's attendance.

This Annual Report documents the operation and activities of the Committee for Cessnock City Council from 1 July 2022 to 30 June 2023.

## MEMBERSHIP, MEETINGS AND PERFORMANCE

### Membership

In accordance with the Charter, the Committee comprises three independent members, one of whom is the Chair, and two Councillors. The Committee comprises the following members:

Independent Members	Councillor Members
Jennifer Hayes (Chair)	Mayor Jay Suvaal
William Bill Middleton	Cr. Paul Paynter
Damien Connor	

### Meetings and Attendance

The Committee met six times during the period on the following dates:



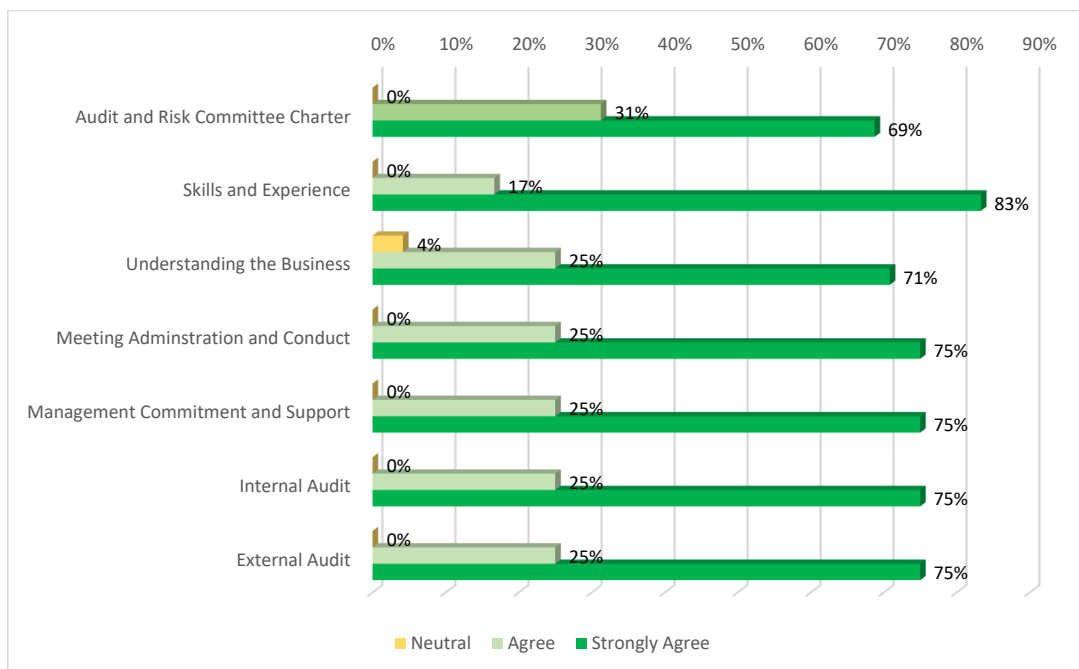
Attendance at the Committee meetings outlined below:

Name	Role	Eligible	Attended
Jennifer Hayes	Independent Chair	6	5
William Middleton	Independent Member	6	5
Damien Connor	Independent Member	6	6
Mayor Jay Suvaal	Councillor	6	5
Cr Paul Paynter	Councillor	6	6
Deputy Mayor Cr Moores	Councillor	1	1

**Performance – Self Assessment**

In accordance with the Committee’s Charter, the Committee completed the biennial self-assessment for 2020-2022 which is a mechanism for monitoring effective performance, instilling good governance and thus promoting openness and transparency.

The below chart summarises the results of the five voting members of the Committee from each area assessed in the survey questionnaire:



The results reflect that the Committee is working well and highlighted the quality content of reports and papers provided to the Committee.

**MATTERS CONSIDERED BY THE COMMITTEE**

The following table outlines the activities of the Committee during the reporting period under the areas of responsibilities defined within the Audit and Risk Committee Charter.

Committee Charter	Compliance
<b>Committee meetings</b>	A quorum was met at every meeting.
<b>Composition</b>	3 Independent members 2 Councillors
<b>Broad range of skills and experience</b>	The Committee consists of a diverse range of extensive experience across risk management, internal audit, local government and commercial activities.
<b>Functional separation</b>	The Committee has no executive powers.

Committee Charter	Compliance
<b>Sufficient time allocated to tasks</b>	The Committee agenda facilitated adequate time to discuss internal audit reviews, external audit reviews, update on the progress of the implementation of audit actions.
<b>Probity</b>	<p>Members declared conflicts of interest if they arose.</p> <p>Risk management activities reported to the Committee during the year included</p> <ul style="list-style-type: none"> <li>- Insurance Renewals</li> <li>- Periodic risk update (flood events and associated insurance claims)</li> </ul> <p><b>Risk management</b></p> <p>The following risk management activities have been included in the Committees forward calendar to be presented in 2023-24</p> <ul style="list-style-type: none"> <li>- Work health and safety</li> <li>- Enterprise Risk Management Framework</li> <li>- Business Continuity Management</li> </ul>
<b>Control framework</b>	<p>The Committee effectively reviewed controls, policies and procedures through audit reports and high-level briefings received.</p> <p>The Committee received and reviewed a number of Governance updates including:</p> <ul style="list-style-type: none"> <li>- Privacy Management Plan</li> <li>- Gifts and Benefits Register 1 January 2021 – 30 June 2022</li> <li>- Legislative Compliance Management Register 2021-2022</li> <li>- Statutory Reporting and Compliance Protocol</li> </ul>
<b>Governance</b>	<p>Reviewed and approved the internal audit coverage and Council's internal audit plan, ensuring it considered the risk management plan. Consideration was given to the identification of significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices. The Committee monitored the implementation of internal audit recommendations by management.</p>
<b>Internal audit</b>	<p>The Committee has continued to review Council's financial position and commitment towards achieving financial sustainability.</p> <p>The Committee met in August and October 2022 to receive briefings Council's financial statements in respect of the year ended 30 June 2022. The management report of Significant Financial Matters for the year ended 30 June 2022 was reviewed including the Engagement Closing Report and Conduct of the Audit Report.</p>
<b>External audit</b>	

Committee Charter	Compliance
<b>External accountability</b>	The Committee acts as a forum for communication between the Council, the General Manager, senior management, internal audit, external auditors and the Auditor Office of NSW.
<b>Financial management</b>	The Committee receives and reviews the Quarterly Budget Review report at each meeting.
<b>Other</b>	<p>The Committee receives and reviews other matters as they arise throughout the year. Other matters reviewed include:</p> <ul style="list-style-type: none"> <li>- Office of Local Government Credit Card Management Guidelines</li> <li>- Audit Office of NSW 2021 Report on Local Government</li> <li>- Rural Fire Service Assets</li> <li>- Records Management Compliance Assessment</li> </ul>
<b>Self assessment</b>	The Committee conducted a self-assessment to determine the extent to which it is achieving its overall objective to provide independent assurance and assistance to Council on risk management, control, governance, and legal and regulatory obligations; and assess the performance of Council's internal audit function. The self-assessment for 2021 to 2022 was completed by the Committee in October 2022.

## INTERNAL AUDIT

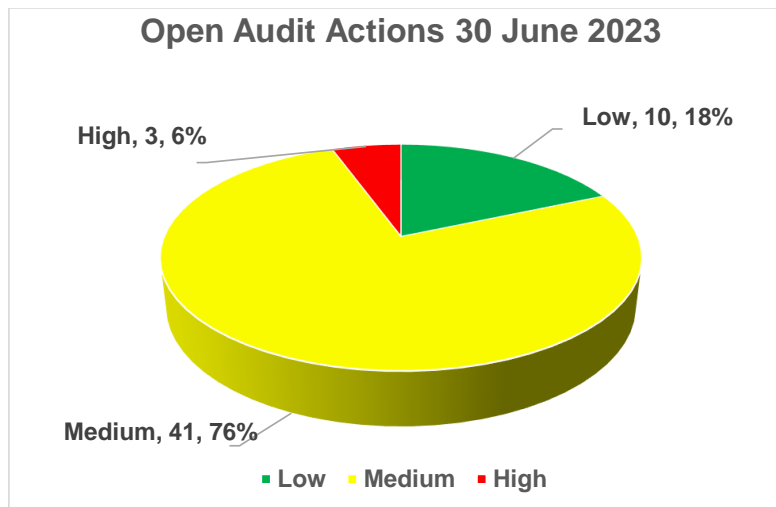
The role of Internal Audit is to provide independent assurance to Council's operations. It assists Council by evaluating and assessing the effectiveness of risk management, control and governance processes. Council's internal audit function is resourced by an in-house Internal Auditor.

The Committee received quarterly updates from the Internal Auditor on the progress of the Internal Audit Plan and the implementation of the recommendations made. During the period, the following Internal Audit Reports were received by the Committee:

- Volunteer Management
- Cash Handling Customer Relations
- DRIVES24 2022
- Information Security
- Volunteer Planning Agreements
- Fraud Control Framework

The Committee also focused on tracking the completion of agreed management responses to various internal audit recommendations. Below is the snapshot of open recommendations as at 30 June 2023:





Due to the vacancy in the Internal Auditor position from March 2023 the Annual Internal Audit Plan approval was deferred to November 2023.

#### **EXTERNAL AUDIT**

The external auditor is invited to all Committee meetings. Representatives from the NSW Audit Office and their appointed contractor (RSM Australia 2021/22, Prosperity Advisors 2022/23) attended the meetings via Teams.

During the period, the Committee:

- Received the draft Financial Statements for the FY 2021-22 before the external audit, and recommended Council to formally refer for the external audit.
- Received the audited Financial Statements for the FY 2021-22.
- Received the Engagement Closing Report and the Conduct of the Audit Report.
- Received an Interim Management Letter and the Final Management Letter with the issues raised by the external auditor and the management responses to the issues raised.
- Considered the Annual Client Engagement Plan prepared by the external auditor for FY 2022-23 audit.

#### **FORWARD PLAN**

The Committee has set the dates for its meetings for the next FY 2023-24 during the May 2023 meeting. A tentative forward plan is prepared and presented in each meeting to plan the activities and reports for the following four or five meetings. The Committee is aware of the proposed *Guidelines on Risk Management and Internal Audit for Local Councils in NSW* issued by the Office of the Local Government, and intends to review the Charter in early 2024 to comply with the regulated requirements effective 1 July 2024.



## Cessnock City Council Climate Change Policy

Date Adopted xx/xx/2023 Revision: 2

### 1. POLICY OBJECTIVES

The objectives of this policy are to:

- 1.1. enable Council to align its operational and strategic planning with the policy of the NSW Government;
- 1.2. provide a whole of Council commitment to managing climate change risks within the Cessnock Local Government Area (LGA);
- 1.3. support community initiatives to deal with climate change;
- 1.4. empower Council as a leader for action on climate change;
- 1.5. ensure that the risks to the environment and community associated with climate change are understood and managed by Council and communicated to the community;
- 1.6. inform core functions and operations of Council – climate change must be considered in strategic decision making, planning processes and day to day operations;
- 1.7. provide direction on climate change for Council and the Cessnock community; and
- 1.8. commit Council to the Policy Commitments outlined in clause 6.

### 2. POLICY SCOPE

This policy applies to all Council functions and operations, and Council Officials.

### 3. POLICY STATEMENT

This policy sets out Council's position and response on climate change.

### 4. LEGISLATIVE CONTEXT

- 4.1. The NSW and Australian Governments have made commitments regarding Greenhouse Gas Emission reduction targets. In 2015, 195 countries signed on to the United Nations Paris Agreement (**Paris Agreement**) on climate change. The main objective of this agreement was to reaffirm the goal of limiting global temperature increase to well below 2 degrees, while actively pursuing efforts to limit the rise to 1.5 degrees. By limiting the rise to 1.5 degrees, the global community could avoid some of the most damaging impacts of climate change. The Paris Agreement aims to achieve net zero emissions globally by the second half of the century.
- 4.2. The Australian Government ratified the Paris Agreement in 2016. In 2022 the Australian Government announced new targets to reduce national greenhouse gas emissions by 43% compared to 2005 levels. The national target is net zero emissions by 2050.



- 4.3. The NSW Government endorsed the Paris Agreement in 2016. The NSW Government, through the *Climate Change Policy Framework*, set NSW the target of achieving zero net emissions by 2050. In 2022 the NSW Government strengthened its short-term emissions target to a 70% reduction in greenhouse gas emissions compared to 2005 levels through the Net Zero Plan.
- 4.4. The target of net zero emissions is a guiding principle for decision-making in the *Hunter Regional Plan 2041* and is reflected as a key objective of the Plan. This target is reiterated in the *Greater Newcastle Metropolitan Plan 2036 (Metro Plan)*.
- 4.5. All NSW councils are required to prepare local plans that are consistent with NSW State policies. This policy demonstrates that Council is meeting its State legislative obligations in regards to climate change, by adopting and actively working towards achieving the NSW Government's target of achieving zero net emissions by 2050.

## 5. GUIDING PRINCIPLES

Council shall integrate the following principles into its day to day operations and decision making processes:

**Principle 1:** Council endorse the principles of *Ecologically Sustainable Development (ESD)* by integrating social, economic and environmental considerations in decision making through the implementation of the four ESD principles:

- a) *The precautionary principle* - If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- b) *The principle of inter-generational equity* – the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;
- c) *The conservation of biological diversity and ecological integrity* should be a fundamental consideration in decision making; and
- d) *Improved valuation, pricing and incentive mechanisms* should be promoted. Specifically, that environmental factors should be included in the valuation of assets and services.

**Principle 2:** Council adopt a '*Collaborative Decision Making*' approach, partnering with the community, business and other stakeholders in planning and implementing climate change actions by acknowledging our shared responsibility.

**Principle 3:** Council implement a program of '*Continuous Improvement*' in relation to improving energy efficiency and reducing greenhouse gas emissions of Council buildings, operations and assets.

**Principle 4:** Council implement a decision-making approach that is based on the best '*Scientific Evidence*' available for reducing greenhouse gas emissions, adapting and building resilience to climate change.

**Principle 5:** Council implement a '*Flexible and Proactive*' approach to managing the complex and evolving challenges posed by climate change.

## 6. POLICY COMMITMENTS

Council supports the people of the Cessnock LGA and will work with State and Federal Governments to ensure the sustainable, fair and equitable transition to a net zero emissions



region. Following the adoption of this policy, Council's decision making shall be guided by the following policy commitments:

#### **Governance**

- 6.1. Council implements actions to meet the adopted Greenhouse Gas Emissions reduction target of net zero emissions by 2050, in line with the NSW Government's target.
- 6.2. Implement the Climate Change Resilience Plan, which identifies actions for reducing greenhouse gas emissions, mitigating the impacts of climate change and building climate resilience.
- 6.3. Recognise the importance of shared responsibility across all levels of government, Council, community and businesses in addressing climate change and transitioning towards a net zero emissions region.
- 6.4. Identify and develop systems and relevant planning mechanisms to consider Council's corporate climate change risks, ongoing disaster response and recovery activities. Integrate climate change planning within Council's Integrated Management System.

#### **Collaboration**

- 6.5. Engage with the community and other stakeholders in implementing the actions of the *Climate Change Resilience Plan*.
- 6.6. Establish partnerships between Council and the community with the goal of identifying investment opportunities for economic stability and sustainable growth.
- 6.7. Support initiatives and education programs to enhance the community's understanding and resilience to climate change risks.
- 6.8. Council will provide support and advice to residents on ways to reduce greenhouse gas emissions and build resilience to climate change (i.e. people wanting to reduce their emissions and build resilience on their own property).

#### **Managing Risks & Building Resilience**

- 6.9. Consider climate risks in Council's strategic planning process - including land use planning, the development of planning controls and the development of guidelines to facilitate local investments.
- 6.10. Capture climate change planning within Council's IP&R framework.
- 6.11. Establish a holistic and systematic approach to monitor and understand climate change risks and their impact on ecological, social, economic and physical built forms.
- 6.12. Actively pursue funding opportunities for projects within the Cessnock LGA that build resilience to climate change.
- 6.13. Identify and pursue climate resilience opportunities through advancing technology, innovation and continuous improvement in the planning and management of existing built and natural assets, infrastructure projects and renewable resources.

#### **Energy Efficiency & Emissions Reductions**

- 6.14. Develop a Cessnock Greenhouse Gas Emissions inventory using regional data and establish baseline emissions for the region. Undertake regular monitoring so that Council knows if the actions being employed to reduce emissions are succeeding and can amend actions if required.
- 6.15. Undertake an annual corporate Greenhouse Gas Emissions inventory including Scope 1 (direct) and Scope 2 (indirect) emissions utilising the *National Greenhouses and Energy Reporting Act 2007* (Cth).



- 6.16. Implement the actions of the *Climate Change Resilience Plan* to encourage government and private sector investment in renewable energy generation and energy storage projects (in suitable locations) and encourage the renewal of Council's energy using assets.
- 6.17. Commit to continually improving energy efficiency, reducing Greenhouse Gas Emissions and improving climate change resilience at all Council sites/assets. When replacing assets, more efficient and low greenhouse gas emitting assets shall be selected.
- 6.18. Review Council's procurement processes with the aim of reducing Greenhouse Gas Emissions in the production, use and disposal of goods.

## 7. ROLES AND RESPONSIBILITIES

### All Council Officials

- 7.1. All Council Officials are responsible for:
  - 7.1.1. familiarising themselves with this policy;
  - 7.1.2. considering climate change in the IP&R framework, decision making, and day to day operations; and
  - 7.1.3. Integrating the five principles and policy commitments into day to day operations and decision making processes.

### The General Manager

- 7.2. The General Manager is responsible for the implementation of this policy and ensuring regular reports are provided to the elected Council.

### Directors and Managers

- 7.3. All Directors and Managers are responsible for supporting Council Officials to apply the strategies in this policy and for ensuring compliance with this policy.

### Reporting

- 7.4. No additional reporting is required.

### Records management

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

## 8. POLICY DEFINITIONS

<b>Council</b>	means Cessnock City Council.
<b>Council Officials</b>	includes Councillors, members of staff of a council whether be employees or contractor, administrators, Council committee members, delegates of Council, Council advisors and volunteers.
<b>Climate Adaptation</b>	means consideration of the actions on an on-going basis for preparation in dealing with the impacts of climate change.
<b>Climate Mitigation</b>	means consideration of the actions to reduce the impacts of climate change.
<b>Climate Resilience</b>	means building capacity to cope with climate change, to recover from the impacts of climatic changes and to adapt using a combination of sustainable adaptation and mitigation measures.



<b>Greenhouse Gas Emissions</b>	means emissions of carbon dioxide, methane, nitrous oxide, sulphur hexafluoride, a hydrofluorocarbon gas, a perfluorocarbon gas or any other gas prescribed by the legislation for the purposes of this definition.
<b>IP&amp;R Framework</b>	Council's Integrated Planning and Reporting Framework

## 9. POLICY ADMINISTRATION

<b>Business Group</b>	Planning and Environment
<b>Responsible Officer</b>	Manager Strategic Planning
<b>Policy Review Date</b>	Three years from date of adoption unless legislated otherwise
<b>File Number / Document Number</b>	DOC2023/138991
<b>Relevant Legislation</b>	This policy supports Council's compliance with the following legislation: <ul style="list-style-type: none"> <li>▪ <i>Environmental Planning and Assessment Act 1979</i> (NSW)</li> <li>▪ <i>Local Government Act 1993</i> (NSW)</li> <li>▪ <i>National Greenhouse and Energy Reporting Act 2007</i> (Cth)</li> </ul>
<b>Relevant desired outcome or objectives</b>	A sustainable and healthy environment Objective 3.1: Protecting & enhancing the natural environment & the rural character of the area.
<b>Related Policies / Protocols / Procedures / Documents</b>	The following policies, protocols and procedures are related to this policy: <ul style="list-style-type: none"> <li>▪ Records Management Policy (DOC2019/038769)</li> <li>▪ Climate Change Resilience Plan (DOC2023/143327)</li> <li>▪ Cessnock Development Control Plan 2010</li> <li>▪ Cessnock Local Environmental Plan 2011</li> <li>▪ Greater Newcastle Metropolitan Plan 2036</li> <li>▪ NSW Government Climate Change Policy Framework</li> <li>▪ Net Zero Plan Stage 1:2020-2030</li> </ul>



Integrity, Respect, Teamwork, Accountability and Excellence

**10. POLICY AUTHORISATIONS**

No.	Authorised Function	Authorised Business Unit / Role(s)
1	NIL	NIL

**11. POLICY HISTORY**

Revision	Date Approved / Authority	Description Of Changes
2	[add info]	Inclusion of Climate Change Resilience Plan Minor wording amendments and updating of actions
1	20 May 2020 PE17/2020	New Policy Adopted

DRAFT



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## Cessnock City Council Contaminated Land Policy – Land Use Planning

Date Adopted xx/xx/2023 Revision: 2

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### 1. OBJECTIVES

The objectives of this policy are to:

- 1.1. Ensure that changes in land use will not increase the risk to human health or the environment;
- 1.2. Consider the likelihood of land contamination as early as possible in the planning and development control process;
- 1.3. Link decisions about the development of land with the information available about possible Contamination;
- 1.4. Ensure Council exercise its functions relating to the development of Contaminated Land with a reasonable standard of care and diligence;
- 1.5. Ensure the site investigations and remediation works are carried out in a satisfactory manner, and where appropriate, are independently verified by a Site Auditor;
- 1.6. Avoid inappropriate restrictions on land use arising from Contamination.
- 1.7. Provide information to support decision making, and to inform the community of potential restrictions on property arising from Contaminated Land matters.
- 1.8. Minimise the financial and corporate risks to Council associated with our management of Contaminated Lands.





## 2. SCOPE

This policy applies to all relevant Council staff and contractors:

- 2.1. when assessing or determining Development Applications;
- 2.2. undertaking Planning Proposals;
- 2.3. are enforcing conditions prescribed in accordance with this policy;
- 2.4. Councillors determining Development Applications or endorsing Planning Proposals;  
and
- 2.5. Proponents of Development Applications or Planning Proposals requiring handling or assessment pursuant to this policy.

## 3. PURPOSE

- 3.1. The purpose of this policy is to provide a framework for Council to appropriately manage land contamination through the land use planning process, and in doing so, ensure Council acts in “good faith” with its legislative obligations.
- 3.2. This policy sets out the preferred practice of Council employees in relation to:
  - 3.2.1. Identifying, evaluating and managing Contaminated Land through the land use planning process;
  - 3.2.2. Recording, managing and disclosing Contaminated Land information;
  - 3.2.3. Reporting Contamination to the NSW Environment Protection Authority (EPA);
  - 3.2.4. Preventing or minimising the potential for contamination.
- 3.3. It is not the intent of this policy that an act or omission of any Council staff member shall be called into question or held to be invalid on the grounds of failure to comply with this policy.

## 4. CONTAMINATED LAND

- 4.1. Council shall not approve a Development Application or support a Planning Proposal unless it is satisfied on the basis of information available to it, under this policy that:
  - 4.1.1. Contamination has been considered;
  - 4.1.2. If the land is contaminated, that the land is suitable in its contaminated state (or will be suitable following remediation) for all intended uses under the approval or proposal; or
  - 4.1.3. If the land is contaminated, that conditions can be placed in planning instruments, or development control plans (DCP) or on development consents and approvals under Part 4 of the *Environment Planning and Assessment Act 1979* (EP&A Act) that will ensure any Contaminated Land can be remediated to a level appropriate to its intended use, prior to, or during the development stage.
- 4.2. Council will develop and maintain a Contaminated Land Information System to facilitate compliance with statutory obligations, support its planning functions, and provide relevant and accurate information on Contaminated Land to the community in



accordance with the *Government Information (Public Access) Act 2009 NSW (GIPA Act)*.

- 4.3. Once Council has a Contaminated Land Information System in place, and inclusion of a property in the system has the potential to restrict the development of the land, the property owner will be notified of the inclusion.
- 4.4. Council requires all Contaminated Land reports provided, exempt Council from any claim for copyright that may restrict Council's ability to provide information to the public in accordance with the GIPA Act and the *Contaminated Land Management Act 1997 (NSW) (CLM Act)*.

## 5. CONTAMINATED LAND REPORTS

- 5.1. Contaminated Land reports are to be prepared, or reviewed and approved by an appropriately qualified and certified environmental consultant (for any reports submitted from date of policy adoption and onwards). Currently, the certification schemes recognised by the NSW EPA and Council are (noting other schemes may become recognised):
  - 5.1.1. Site Contamination Practitioners Australia (SCPA) scheme;
  - 5.1.2. Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) scheme;
  - 5.1.3. Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.
- 5.2. All investigations and accompanying reports provided to Council are to be completed in accordance with EPA prepared and adopted guidelines.
- 5.3. All Contaminated Land reports provided to Council are required to include a summary report synthesising key findings and recommendations.
- 5.4. An Initial Evaluation is to be completed by Council for all land use planning applications.
- 5.5. A Preliminary Site Investigation is required when an Initial Evaluation identifies that contamination is, or may be present on the site, or if potential or actual contamination on an adjacent area has the potential to migrate to the site.
- 5.6. A Detailed Site Investigation is required:
  - 5.6.1. Where the Preliminary Site Investigation indicates that the land is, or may be contaminated;
  - 5.6.2. When the site is, or was, formally used for an activity listed in Table 1 of the Planning Guidelines (refer to **Appendix B**), or other potentially contaminating activities known to Council, and a land use change is proposed that has the potential to increase the risk of exposure to contamination;
  - 5.6.3. To accompany a remediation proposal or notification.
- 5.7. A Remedial Action Plan is required where the Detailed Site Investigation identifies that remediation or management is needed to render the site suitable for its intended land use.
- 5.8. A Remedial Action Plan (and accompanying investigation reports) must accompany the Planning Proposal where development consent is required for remediation (i.e. 'Category 1 Remediation Works' as defined in **Appendix C**).



- 5.9. A Remedial Action Plan (and accompanying investigation reports) must accompany any notification to Council for proposed '*Category 2 Remediation Work*'.
- 5.10. A Validation Report (including monitoring results where applicable) is required to validate the completion and effectiveness of all remediation works for which consent has been provided by Council (i.e. '*Category 1 Remediation Works*').
- 5.11. The Notice of Completion provided to Council for any '*Category 2 Remediation Works*' is to include the Validation Report.
- 5.12. An on-going '*Environmental Management Plan*' is required to be provided to Council and implemented where Contamination remains on site, and there is uncertainty as to its potential to migrate; and / or the effectiveness of the management measures implemented to contain the Contamination following remediation and validation; and / or monitoring and ongoing management forms part of the remediation strategy.
- 5.13. Council may require a Site Audit be to be carried out where Council:
  - 5.13.1. Believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete;
  - 5.13.2. Wishes to verify whether the information provided by the proponent has adhered to appropriate standards, procedures and guidelines; or
  - 5.13.3. Does not have the internal resources to conduct its own technical review.
- 5.14. A Site Audit, which provides a site audit certificate and a site audit statement, can review any stage of the contaminated land process including a Preliminary Site Assessment, Detailed Site Assessment, Remedial Action Plan and validation. A site audit shall identify whether the land is suitable for its intended use.
- 5.15. A Site Audit can only be conducted by an EPA accredited Site Auditor under the CLM Act.
- 5.16. All costs associated with providing a Site Audit are to be borne by the proponent.
- 5.17. Development consent is required for the following remediation work:
  - 5.17.1. '*Category 1 Remediation Work*' requiring consent as defined by *State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4* (refer to **Appendix C**).
  - 5.17.2. Proposed works that are inconsistent with the requirements of this policy (i.e. remediation works that do not comply with the conduct of remediation works specified in **Appendix D**, and are thereby reclassified as '*Category 1 Remediation Work*'). On-site containment as a remediation method is classified as '*Category 1 remediation Work*'.
- 5.18. Council must be notified in writing of proposed '*Category 2 Remediation Works*' no less than 30 days prior to their scheduled commencement.
- 5.19. Where Council considers that Contamination on a site triggers the duty to report Contamination, and it is not clear if the polluter or site owner has reported the Contamination then Council will notify the EPA for possible action under the CLM Act.
- 5.20. For potentially polluting activities, Council will apply and enforce conditions of development consent that ensure effective and ongoing control measures are implemented.
- 5.21. Council will proactively undertake compliance inspections of potentially contaminating industries / activities, subject to risk assessments and Council

resourcing availability, to ensure compliance with consent conditions and environment protection legislation

## 6. SECTION 10.7 PLANNING CERTIFICATES

6.1. Section 10.7(2) Planning Certificates (EP&A Act) issued by Council are to:

- 6.1.1. Contain information on matters prescribed under section 59(2) of the CLM Act that are relevant to the property;
- 6.1.2. Identify whether or not any adopted policy of Council or any other public authority restricts the development of the land (the subject of the certificate) because of the likelihood of any risk of contamination;
- 6.1.3. Provide notations on the certificates as per **Appendix A**.

6.2. Following the establishment of Council's Contaminated Land Information System, section 10.7(5) Planning Certificates issued by Council are to provide information that is provided to councils by the EPA in accordance with section 58 of the CLM Act, which is not already included in a Section 10.7(2) Planning Certificate.

6.3. Following the establishment of Council's Contaminated Land Information System, if Council is aware that a site has been notified to the EPA under section 60 of the CLM Act, but is currently in various stages of it being reviewed by the EPA to assess if the Contamination is significant enough to warrant regulation, it will provide information to this effect on the Section 10.7(5) Planning Certificate.

6.4. Once Council has a Contaminated Land Information System in place, the following additional information included in the system will be provided on Section 10.7(5) Planning Certificates:

- 6.4.1. Contamination category;
- 6.4.2. Any activities listed in Table 1 of the Planning Guidelines that Council records show have occurred on the land;
- 6.4.3. Any information to Council's knowledge, that indicates the property may be affected by emerging contaminants or contaminating activities of concern;
- 6.4.4. References to any site investigations included in the register;
- 6.4.5. Any notification of remediation.

## 7. ROLES AND RESPONSIBILITIES

### *Compliance, monitoring and review*

7.1. Compliance with clause 4.1 of this policy will be the responsibility of the following Council staff

- 7.1.1. Planning proposals: Strategic Planning Manager
- 7.1.2. Development Application assessment: Development Services Manager

7.2. Compliance with clause 4.2 and 4.3 of this policy will be the responsibility of the Strategic Planning Manager.

### *Reporting*

7.3. Reporting on the number of new properties added to the Contaminated Land Information System will be undertaken every 6 months and added to the Pulse Reporting System.



**Privacy and personal information handling**

- 7.4. Any personal information provided in Contaminated Land reports will be collected as part of a Development Application or notification under the EP&A Act or through a notification or submission of documentation under the CLM Act. Any personal information will be used for the purpose outlined, related administrative functions, compliance and complaint handling, internal auditing, and in accordance with Council's Privacy Management Plan and Privacy Statement which can be found on Council's website.
- 7.5. Any personal information submitted to Council regarding Contaminated Land reports is intended to be received by staff delegated and/or authorised to process or Councillors to decide Development Applications, or the documentation submitted under the CLM Act.
- 7.6. Contaminated Land reports submitted under the EP&A Act are subject to the requirements of Schedule 1 of the *Government Information (Public Access) Regulation 2018* (NSW) and are prescribed as open access information. This means Council is required to provide access to them one way free of charge to anyone that requests them. Council will take reasonable action to protect the privacy of individuals and redact personal information access to these reports has been requested.
- 7.7. Contaminated land reports may be disclosed to other relevant government agencies in relation to contamination matters.
- 7.8. Collected personal information will be kept in Council's Information Management System in accordance with relevant legislation. Council's address is 62-78 Vincent Street CESSNOCK NSW 2325.
- 7.9. Personal information may be accessed, corrected or updated by visiting [Council's website](#), contacting Council's Privacy Contact Officer on 4993 4100 or by sending an email to [council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au).

**Records management**

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

**8. POLICY DEFINITIONS**

<b>Contamination</b>	The condition of land or water where any chemical substance or waste has been added as a direct or indirect result of human activity at above background level and represents, or potentially represents, an adverse health or environmental impact.
<b>Contaminated Land</b>	Contaminated Land may be the result of past or current uses. The land may be contaminated by a current or historical land use activity directly on the site or through migration of contamination from adjacent sites.
<b>Contaminated Land Information System</b>	A Contaminated Land Information System comprises two components: <ul style="list-style-type: none"> <li>• The systematic handling and management of information by Council staff; and</li> <li>• A Contaminated Land Information Register.</li> </ul>
<b>Council</b>	Cessnock City Council
<b>Detailed Site Investigation</b>	An investigation with the objective to define the nature, extent and degree of contamination; assess potential risk posed by contaminants to health



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	and the environment; and obtain sufficient information to develop a Remedial Action Plan (if needed).
<b>Development Application</b>	A Development Application is a formal request for consent to carry out development and is considered under Part 4 of the <i>Environmental Planning &amp; Assessment Act 1979</i> .
<b>Initial Evaluation</b>	An evaluation undertaken by Council to determine whether contamination is likely to be an issue, and to assess whether further information is required for it to conduct its planning functions in good faith.
<b>Planning Proposal</b>	A formal proposal to amend the Cessnock Local Environmental Plan
<b>Preliminary Site Investigation</b>	An investigation to identify any past or present potentially contaminating activities to provide a preliminary assessment of any site contamination, and if required, to provide a basis for a more detailed investigation.
<b>Remedial Action Plan</b>	A plan that sets out objectives, and documents the process for remediating a contaminated site.
<b>Section 10.7 Planning Certificates</b>	Means a Planning Certificate under Section 10.7 of the NSW <i>Environmental Planning and Assessment Act 1979</i>
<b>Site Audit</b>	An independent review by a Site Auditor of any or all stages of the site investigation process conducted in accordance with the <i>Contaminated Land Management Act 1997</i> .
<b>Site Auditor</b>	Means a person for the time being accredited under Part 4 of the <i>Contaminated Land Management Act 1997</i> .
<b>Validation Report</b>	The objective of the Validation Report is to demonstrate whether or not the objectives stated in the Remedial Action Plan have been achieved.



## 9. POLICY ADMINISTRATION

<b>Business Group</b>	Planning and Environment
<b>Responsible Officer</b>	Manager Strategic Planning
<b>Policy Review Date</b>	Three years from date of adoption unless legislated otherwise
<b>File Number / Document Number</b>	DOC2019/073601
<b>Relevant Legislation (reference specific sections)</b>	<p>Cessnock City Council's decisions regarding management of contaminated lands will be underpinned by the provisions, principles, directions and recommendations contained in:</p> <ul style="list-style-type: none"> <li>• <i>Contaminated Land Management Act 1997</i></li> <li>• <i>Contaminated Land Management Regulation 2022</i></li> <li>• <i>Environmental Planning and Assessment Act 1979</i></li> <li>• <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>• <i>Government Information (Public Access) Act 2009</i></li> <li>• Guidelines provided or endorsed by the NSW EPA under the CLM Act</li> <li>• <i>Local Government Act 1993 (NSW)</i></li> <li>• <i>Local Government (General) Regulation 2021 (NSW)</i></li> <li>• Managing Land Contamination Planning Guidelines – SEPP 55 Remediation of Land</li> <li>• National Environment Protection (Assessment of Site Contamination) Measure 1999, amended in 2013</li> <li>• State Environmental Planning Policy (Resilience and Hazards 2021)</li> <li>• Cessnock Local Environmental Plan 2011</li> <li>• Cessnock Development Control Plan 2010</li> </ul>
<b>Relevant desired outcome or objectives</b>	<p>A sustainable &amp; healthy environment</p> <p>Objective 3.1: Protecting &amp; enhancing the natural environment &amp; the rural character of the area</p> <p>Objective 3.3: Better waste management and recycling</p>
<b>Related Policies / Protocols / Procedures</b>	<ul style="list-style-type: none"> <li>▪ Records Management Policy (DOC2019/038769)</li> </ul>



## 10. POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
1	NIL	NIL

## 11. POLICY HISTORY

Revision	Date Approved	Author	Description Of Changes
2	[add detail]	Mark Manning	Revision of legislation Change in Section ordering Addition of Section 8.
1	26 March 2020 PE8/2020	Emma McDermott	New policy adopted

## 12. Appendices

- Appendix A – Notations for s10.7 Certificates
- Appendix B – Potentially Contaminating Activities
- Appendix C – Category 1 Remediation Works
- Appendix D – Site Management Requirements Remediation Works





## Appendix A - Notations for s.10.7 Certificates

The following notations will be provided on Section 10.7(2) Planning Certificates

1. Notations advising of matters included under Section 59(2) of the Contaminated Land Management Act 1997 as specified under Schedule 4 of the Environmental Planning & Assessment Regulation 2000 (EP&A Reg).

Where Council records identify:	Notation to be included on Section 10.7(2) Certificate
That the property is declared as significantly contaminated under the CLM Act (as at date certificate issued)	<i>The land or part of the land is declared to be significantly contaminated land under Part 3 of the Contaminated Land Management Act 1997 (NSW) at the date of issue of the certificate</i>
That the property is subject to a management order under the CLM Act (as at date certificate issued)	<i>The land or part of the land is subject to a management order within the meaning of the Contaminated Land Management Act 1997 (NSW) at the date of issue of the certificate</i>
That the property is subject to an approved voluntary management proposal	<i>The land or part of the land is the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 (NSW) at the date of issue of the certificate</i>
That the property in question is subject to an ongoing maintenance order under the CLM Act (as at date certificate issued)	<i>The land or part of the land is subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 (NSW) at the date of issue of the certificate</i>
That a site audit statement has been provided to Council <i>at any time</i>	<i>The land or part of the land has been the subject of a site audit statement provided to Cessnock City Council.</i>

2. Notations advising that Council has adopted a policy that restricts the development of the land due to potential contamination
3. The policy will be listed under Clause 7 council and other public authority policies on hazard risk restrictions of the EP&A Reg as a council policy, which restricts the development of the land because of the likelihood of a contaminated land risk



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**General Policy Notation for Section 10.7(2) Certificates**

Where Council records identify:	Notation to be included on Section 10.7(2) Certificate
<p>That a potentially contaminating activity may have previously occurred or is currently occurring on the property; however no further information is available.</p>	<p><i>“Council has adopted by resolution a policy on contaminated land which may restrict the development of the land to which this certificate relates. This policy is implemented when zoning or land use changes are proposed on lands which:</i></p> <ul style="list-style-type: none"> <li><i>• are considered to be contaminated; or</i></li> <li><i>• which have previously been used for certain purposes; or</i></li> <li><i>• which have previously been used for certain purposes but Council’s records do not have sufficient information about previous use of the land to determine whether the land is contaminated; or</i></li> <li><i>• have been remediated for a specific use.</i></li> </ul> <p><i>Consideration of Council’s adopted policy and the application of provisions under relevant State legislation is warranted”.</i></p>



## Appendix B - Potentially Contaminating Activities

Source: Managing Land Contamination. Planning Guidelines SEPP 55 – Remediation of Land (1998)

**Table 1. Some Activities that may Cause Contamination**

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production, disposal and demolition
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosive industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture, including lead paint contamination
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

**Note:** It is not sufficient to rely solely on the contents of this Table to determine whether a site is likely to be contaminated or not. This Table is a guide only. A conclusive status can only be determined after a review of the site history and, if necessary, sampling and analysis.



## Appendix C - Category 1 Remediation Works

State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4 Section 4.8 defines 'Category 1 Remediation Work' as work needing consent under the EP&A Act:

*For the purposes of this policy, a category 1 remediation work is a remediation work (not being a work to section 4.11(b) applies) that is:*

- (a) designated development, or
- (b) carried out or to be carried out on land declared to be a critical habitat, or
- (c) likely to have a significant effect on a critical habitat or a threatened species, population or ecological community, or
- (d) development for which another State environmental planning policy or a regional environmental plan requires development consent, or
- (e) carried out or to be carried out in an area or zone to which any classifications to the following effect apply under an environmental planning instrument:
  - i. coastal protection,
  - ii. conservation or heritage conservation,
  - iii. habitat area, habitat protection area, habitat or wildlife corridor,
  - iv. environment protection,
  - v. escarpment, escarpment protection or escarpment preservation,
  - vi. floodway,
  - vii. littoral rainforest,
  - viii. nature reserve,
  - ix. scenic area or scenic protection,
  - x. wetland, or
- (f) carried out or to be carried out on any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the Council for any local government area in which the land is situated (or if the land is within the unincorporated area, the Western Lands Commissioner).

Note.

*See Section 5A of the Environmental Planning and Assessment Act 1979 (NSW) for the factors to be taken into account in assessing whether there is likely to be a significant effect as referred to in paragraph (c) above. The terms used in that paragraph are defined in that Act by reference to both the Threatened Species Conservation Act 1995 and the Fisheries Management Act 1994."*

Please note that while the Note above is still contained within Section 4.8 of State Environmental Planning Policy (Resilience and Hazards) 2021 the Note relates to the revised Section 1.7 of the Environmental Planning and Assessment Act 1979.



## Appendix D - Site Management Requirements Remediation Works

All 'Category 2 Remediation Works' must be carried out in accordance with the following site management requirements. These have been established to prevent Category 2 work adversely impacting on the environment and public amenity.

Category 2 remediation works that do not comply with these requirements will be classified as Category 1 remediation work and will require development consent.

### Remediation Work

All remediation work must be carried out in accordance with:

- Managing Land Contamination Planning Guidelines SEPP 55- Remediation of Land
- Any guidelines published by the NSW Environment Protection Authority under the *Contaminated Land Management Act 1997*.

### Hours of Operation

All remediation work must be carried out between the following hours:

Monday – Friday	7.00am to 6.00pm
Saturday	7.00am to 5.00pm
No work is permitted on Sundays or Public Holidays	

### Site Signage

A sign displaying the contact details of the remediation contractor and site manager (if different from the remediation contractor) must be displayed on the site adjacent to the site access, including a contact telephone number that is available 24 hours a day, 7 days a week. The sign must be clearly legible from the street and be displayed for the duration of the remediation works.

### Notification of Adjacent Owners and Occupiers

The occupiers of all directly adjoining premises must be notified of the proposed remediation works at least 30 days before the works commence.

### Site Security

The site must be securely fenced and any other necessary precautions taken, to prevent unauthorised entry to the site for the duration of the remediation works.

### Toilet Facilities

Toilet facilities must be provided for workers in accordance with the publication titled *Code of Practice: Amenities for Construction Work* (WorkCover, 1996).

[Note: Toilets for workers must be connected to the sewerage system where practicable. Alternatively, portable chemical closets on the site must be subject to a waste collection agreement with a suitably licensed contractor.



### **Soil and Water Management**

All remediation work must be carried out in accordance with a soil and water management plan. A copy of the soil and water management plan must be kept on-site and be made available to Council Officers on request.

### **Sediment and Erosion Controls**

Appropriate sediment and erosion controls must be installed before remediation works are commenced and be maintained in a functional condition until site stabilisation works have been completed.

Prior to the commencement of any remedial work, an erosion and sediment control plan prepared by a suitably qualified person in accordance with *"The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction"* (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including (and not limited to) catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

### **Stockpiles**

No stockpiles of soil or other materials are to be placed on footpaths or nature strips without the prior written approval of Council.

All stockpiles of soil or other materials must be placed away from drainage lines, gutters, stormwater pits or inlets, trees or native vegetation and be provided with appropriate erosion, sediment and leachate management controls.

All stockpiles of soil or other materials likely to generate dust or odours must be covered or where this is not practicable managed to prevent generation of dust and odours.

All stockpiles of contaminated soil must be secured from public access.

### **Site Access**

Vehicular access to the site must be restricted to a stabilised access point.

### **Protection of Public Roads**

Appropriate measures must be taken to prevent the spreading of mud, soil or sediment by vehicles leaving the site. These measures could include the installation of shaker grids or wash-down bays to minimise the transportation of sediment.

Any wastewater from washing the wheels and underbodies of vehicles must be collected and disposed of in a manner that does not pollute waters.

Any mud, soil or sediment tracked or spilled on the roadway must be swept or shovelled up immediately. Hosing of the roadway is not permitted.

### **Disposal of Water from Excavations**

All excavation pump-out water must also be analysed for suspended solids, pH and any contaminants of concern identified during the contamination assessment phase, and comply with relevant EPA and ANZECC water quality criteria prior to discharge to the stormwater system.

Other options for the disposal of excavation pump-out water include disposal to sewer with the prior approval of the relevant water utility, or off-site disposal by a licensed liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.



### Site Stabilisation and Revegetation

All exposed areas shall be progressively stabilised and revegetated or resealed on the completion of remediation works.

### Bunding

All land farming areas of hydrocarbon contaminated soils must be bunded to contain surface water runoff and to prevent the leaching of contaminants into the underlying soils. This will typically require placement on a sealed surface or on durable plastic.

All contaminated water from bunded areas must be discharged to sewer with the prior approval of the relevant water authority, or be disposed of off-site by a licensed liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

### Protection of Trees

Trees on the site must not be removed, lopped or otherwise trimmed without the prior approval of Council.

Trees to be retained on the site must be protected from damage to their foliage and root systems. Suitable measures may include erecting fences or barriers to keep earthmoving equipment and heavy vehicles well clear of trees.

### Noise

Noise must be minimised as far as practicable, by the selection of appropriate methods and equipment, and by the use of silencing devices where practicable.

Noise from remediation work must comply with the guidelines for construction site noise specified in the *interim Construction Noise Guideline* (OE&H- EPA 2009) as updated from time to time.

Cessnock Council is the appropriate regulatory authority for noise from non-scheduled construction activities in its area, except as described in Section 6(2) of the *POEO Act 1997*. Any noise monitoring must be carried out by a suitably qualified Acoustical Consultant if complaints are received, or if directed by Council, and any noise control measures recommended by the Acoustical Consultant must be implemented throughout the remediation work.

### Vibration

The use of plant or machinery must not cause vibrations to be felt on any other premises.

### Air Quality - Dust Control

Dust emissions must be confined within the site boundaries. The following dust control measures may be employed to comply with this requirement:

- Erection of dust screens around the perimeter of the site
- Use of water sprays across the site to suppress dust
- Keeping excavation surfaces moist
- Covering of all stockpiles of soil and other materials likely to generate dust or where this is not practicable managed to prevent generation of dust.
- Securely covering all loads entering or exiting the site.

### Asbestos

Works involving the potential disturbance of asbestos containing materials must be carried out in strict accordance with SafeWork NSW requirements.



### Odour Control

Remediation work must not result in the emission of odours that can be detected at any boundary of the site by an Authorised Council Officer. The following measures may be employed to comply with this requirement:

- Use of appropriate covering techniques, such as the use of plastic sheeting to cover excavation faces or stockpiles
- Use of fine mist sprays
- Use of mitigating agents on hydrocarbon impacted areas or materials
- Maintaining equipment and machinery to minimise exhaust emissions.

If odours are detected, the site is to be inspected by a suitably qualified Environmental Consultant and any recommended control measures are to be implemented throughout the remediation process.

### Burning of Materials

No materials are to be burned on site.

### Transport

All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to meet the following objectives:

- Comply with all road traffic rules
- Minimise noise, vibration and odour to adjacent premises
- Minimise use of local roads.

All transport operators and drivers transporting soil, materials, equipment or machinery to and from the site must:

- Use the designated haulage routes and site access points
- Make all deliveries and pick-ups between the hours specified in Hours of Operation
- Securely cover all loads to prevent any dust or odour emissions during transportation
- Not track soil, mud or sediment onto the road.

### Hazardous Wastes

Hazardous wastes arising from the remediation work must be removed, stored and disposed of in accordance with the requirements of the EPA and SafeWork NSW, including the following legislation and guidelines:

- *Work Health & Safety Act 2011*
- *Work Health & Safety Regulation 2011*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations (Waste) Regulation 2005*
- Waste Classification Guidelines (NSW EPA, 2014), and associated addenda (available on <http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm>), resource recovery orders and exemptions (current list available on <http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm>)
- *Environmentally Hazardous Chemicals Act 1997.*

Documentary evidence verifying that all wastes have been classified and disposed of appropriately must be included in the Monitoring and Validation report for the site.





### Disposal of Contaminated Soil

Contaminated soil must be disposed of in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and Regulations and any relevant NSW EPA guidelines such as the publication titled *Waste Classification Guidelines* (NSW EPA, 2014) and associated addendum (available on <http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm>), and resource recovery orders and exemptions (current list available on <http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm>)

NOTE: If contaminated soil or other waste is transported to a site unlawfully, the owner of the waste and the transporter are both guilty of an offence.

### Importation of Fill

Fill material must be validated (at its source if practicable), prior to being imported onto the site. The validation must indicate that the material is free of contaminants (i.e. comprises Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM)) or as otherwise approved by the NSW EPA, or the relevant resource recovery exemptions and orders. Fill imported on to the site should also be compatible with the existing soil characteristic for site drainage purposes.

Fill material may be validated by one or both of the following methods:

- The fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known past history of the site where the material is obtained
- The fill should be sampled and analysed in accordance with the relevant EPA Guidelines, to ensure that the material is not contaminated.

Documentary evidence verifying that any fill material has been appropriately validated must be included in the Validation Report for the Site.

### Groundwater

An appropriate licence must be obtained from the NSW Office of Water for approval to extract groundwater. Prior to discharge to the stormwater system, site groundwater must be analysed for any contaminants of concern and comply with relevant EPA and ANZECC water quality criteria.

Other options for the disposal of groundwater include disposal to sewer with the prior approval of the appropriate water authority, or off-site disposal by a liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

### Removal of Underground Storage Tanks

The removal of underground storage tanks (UST) must be undertaken in accordance with the requirements of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014*, WorkSafe NSW and relevant Australian Standards. Following the removal of USTs, the tank pits must be remediated and validated in accordance with *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014* and relevant guidelines provided under the Regulation.

### Excavation and Backfilling Work

All excavation and backfilling work must be carried out by competent persons in accordance with WorkSafe requirements, including the publication titled *Excavation Work Code of Practice: (WorkCover, 2015)*.

If it is necessary to excavate adjacent to an adjoining building or structure, and the excavation work may damage or impair the stability of the building or structure, the person proposing to carry out the work must:



- Take all necessary precautions to protect the building or structure from damage, including any shoring or underpinning where appropriate
- Provide details of the proposed work to the adjoining owner at least seven (7) days before the works commence.

**Building and Demolition Work**

Development consent may be required from Council for any associated building or demolition work.

DRAFT



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## Cessnock City Council Heritage Policy 2023

Date Adopted: xx xx 2023 Revision: 3

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### 1. POLICY OBJECTIVES

1.1. The objectives of this policy are to:

- 1.1.1. outline Council's commitment to the principles in this policy and expectations of our community of which all Council officials must adhere;
- 1.1.2. establish clear principles and guidelines to assist Council, staff and the community on best practice principles and procedures; and
- 1.1.3. ensure Council acts promptly, consistently and effectively in response to heritage dealings.

1.2. This policy sets out Council's position on heritage and aims to:

- 1.2.1. enable Council to align its operational and strategic planning with the policy of the NSW Government;
- 1.2.2. provide a whole of Council commitment to managing heritage within the Cessnock Local Government Area (LGA);
- 1.2.3. engage with Local Aboriginal Land Councils and Council's Aboriginal and Torres Strait Islander Committee;
- 1.2.4. support community initiatives that deal with heritage;
- 1.2.5. empower Council as a leader for protection of Aboriginal and European cultural heritage;
- 1.2.6. ensure that the risks to the environment and cultural heritage are understood and managed by Council and communicated to the community;
- 1.2.7. inform core functions and operations of Council – heritage must be considered in strategic decision making, planning processes and day to day operations;
- 1.2.8. provide direction on heritage for Council and the Cessnock community; and
- 1.2.9. commit Council to the Principles outlined in clause 4.

### 2. POLICY SCOPE

This policy applies to all councillors, Council staff, contractors and infrastructure owned by Council.

### 3. POLICY STATEMENT

Council is committed to recognising, protecting, enhancing and promoting European and Aboriginal cultural heritage in the Cessnock LGA. This includes Heritage Items, Heritage Conservation Areas, archaeological sites and places of Aboriginal and cultural heritage significance, together with associated fabric, settings and views.

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#### 4. PRINCIPLES

- 4.1. Council recognises that heritage is the cumulative memory of community which anchors a sense of place and is a key factor to the identity and character of Cessnock.
- 4.2. Council's decision making is guided by the following principles:
  - 4.2.1. The Articles of the Australia ICOMOS Burra Charter (2013), which underpin Council's approach to heritage conservation and management.
  - 4.2.2. Council recognises the importance of European and Aboriginal cultural heritage in creating, defining and reinforcing the identity, character and sense of place within the Cessnock LGA.
  - 4.2.3. Council is committed to identifying, protecting, promoting and enhancing European and Aboriginal cultural heritage in the Cessnock LGA.
  - 4.2.4. Council recognises and respects the importance that both Aboriginal and European cultural heritage contributes to our collective history and sense of place.
  - 4.2.5. Council will establish and review existing methods of managing heritage matters that align with current legislative requirements and best practice in heritage management and conservation practice.
  - 4.2.6. Long term planning for the Cessnock LGA considers the importance and value of heritage.
  - 4.2.7. Council acknowledges the importance of consultation with relevant Aboriginal communities and heritage groups.
  - 4.2.8. Good heritage management and practice encourages the adaptive and compatible re-use of heritage buildings and places.
  - 4.2.9. Heritage management recognises the contribution heritage makes to increasing tourism opportunities and visitation to the area.
  - 4.2.10. Council will actively seek grant funding to assist in recognising, protecting, enhancing and promoting European and Aboriginal cultural heritage in the Cessnock LGA.
  - 4.2.11. Council will advocate for the protection and promotion of European and Aboriginal cultural heritage in the Cessnock LGA, including supporting conservation and management of Heritage Items and places, including those privately owned and 'heritage listed' through the *Cessnock Local Environmental Plan 2011*.

#### 5. ROLES AND RESPONSIBILITIES

##### ***The General Manager***

- 5.1. The General Manager is responsible for the implementation of this policy.

##### ***Directors and Managers***

- 5.2. Directors and managers are responsible for supporting Council officials to apply the strategies in this policy and for ensuring compliance with this policy.

##### ***Council officials***

- 5.3. Council officials are responsible for:
  - 5.3.1. familiarising themselves with this policy;



- 5.3.2. considering heritage in decision making, and day to day operations; and
- 5.3.3. integrating the 11 principles outlined in clause 4.2 into Council day to day operations and decision making processes.

**Records management**

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

**6. POLICY DEFINITIONS**

<b>Burra Charter</b>	means the publication – Australia ICOMOS <i>the Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance</i> (2013).
<b>Community Strategic Plan Cessnock 2027: our people, our place, our future</b>	<p><i>Community Strategic Plan Cessnock 2027: our people, our place, our future</i> outlines five (5) key aims which are supported by objectives and strategic directions. A number of the strategic directions in the <i>Community Strategic Plan</i> contribute to the principles of the Cessnock City Council Heritage Policy.</p> <p>To ensure Council decisions related to heritage align with the <i>Community Strategic Plan</i>, Council decision making is guided by the following additional principles:-</p> <ul style="list-style-type: none"> <li>• To contribute to a connected, safe and creative community, cultural precincts in the Local Government Area celebrate the heritage and culture of the area.</li> <li>• To contribute to a safe and healthy environment, the rural character and heritage of the Cessnock Local Government Area is protected.</li> </ul>
<b>Conservation</b>	means all of the processes for caring for heritage items and places as defined by the Burra Charter including stabilisation, preservation, adaptation, repair, reconstruction and restoration.
<b>Council</b>	means Cessnock City Council
<b>Heritage conservation area</b>	<p>has the same meaning as in the <i>Cessnock Local Environmental Plan 2011</i>.</p> <p>Note: The term is defined as follows:-</p> <p>Heritage conservation area means an area of land of heritage significance:-</p> <p>(a) shown on the Heritage Map as a heritage conservation area; and</p> <p>(b) the location and nature of which is described in Schedule 5,</p> <p>and, includes any heritage items situated on or within that area.</p>
<b>Heritage item</b>	<p>has the same meaning as in the <i>Cessnock Local Environmental Plan 2011</i>.</p> <p>Note: the term is defined as follows:-</p> <p>Heritage item means a building, work, place, relic, tree, object or archaeological site, the location and nature of which is described in Schedule 5.</p>
<b>Heritage significance</b>	<p>has the same meaning as in the <i>Cessnock Local Environmental Plan 2011</i>.</p> <p>Note: the term is defined as follows:-</p> <p>Heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.</p>



## 7. POLICY ADMINISTRATION

<b>Business Group</b>	Planning and Environment
<b>Responsible Officer</b>	Strategic Planning Manager
<b>Policy Review Date</b>	Three years from date of adoption unless legislated otherwise.
<b>File Number / Document Number</b>	DOC2023/133399
<b>Relevant Legislation (reference specific sections)</b>	<ul style="list-style-type: none"> <li>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</li> <li>Heritage Act 1977</li> <li>Hunter Regional Environmental Plan 1989 (Heritage)</li> <li>Local Government Act 1993</li> <li>National Parks and Wildlife Act 1974</li> <li>NSW Environmental Planning and Assessment Act 1979</li> <li>Cessnock Local Environmental Plan 2011</li> <li>Environmental Planning and Assessment Regulation 2021</li> </ul>
<b>Relevant desired outcome or objectives</b>	Protection of Aboriginal and European Cultural Heritage. Objective 3.1: Protecting & enhancing the natural environment & the rural character of the area.
<b>Related Policies / Protocols / Procedures</b>	<ul style="list-style-type: none"> <li>Australian International Council of Monuments and Sites (ICOMOS) <i>The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance</i> (2013)</li> <li>Cessnock Development Control Plan 2010</li> <li>Cessnock Local Government Area Aboriginal Heritage Study 2014</li> <li>City of Cessnock Heritage Study 1994, Pike, Walker and Associates</li> <li>NSW Heritage Management System (including the State Heritage Inventory Database)</li> <li>Draft Council Policy on the protection and management of sandstone kerbs and gutters DOC2021/047208.</li> <li>Roadside Drainage Strategy 2019 DOC2017/048855</li> </ul>

## 8. POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
	Nil.	Nil.

## 9. POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
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*Integrity, Respect, Teamwork, Accountability and Excellence*

1	Report No. PE47/2016	Adoption of Cessnock City Council Heritage Policy 2016.
2	Report No. PE22/2020	Review of Cessnock City Council Heritage Policy 2016. Adoption of Cessnock City Council Heritage Policy 2020.
3		Review of Cessnock City Council Heritage Policy 2020. Changes to formatting and updates to related policies section.

DRAFT

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## **INTRODUCTION AND LEGISLATIVE CONTEXT**

### **Title**

The name of this plan is the Cessnock Development Control Plan 2010 (CDCP).

### **Commencement**

This Chapter commenced on **[INSERT at finalisation]**.

### **Land to which the CDCP applies**

This CDCP applies to all land within the Cessnock Local Government Area.

### **Environmental Planning Instrument to which the CDCP applies**

Cessnock Local Environmental Plan 2011 (Cessnock LEP)

### **Purpose of the CDCP**

The purpose of CDCP is to make detailed provisions to guide the design of development proposals to;

- give effect to the aims of the Cessnock LEP;
- facilitate development that is permissible under the Cessnock LEP and;
- achieve the objectives of land zones under the Cessnock LEP.

This CDCP has also been prepared to provide for public advertising and notification of development applications for specified development.

### **Where the CDCP does not apply**

This DCP does not apply to development that is:

- Identified as being *Permissible without consent* by the Cessnock LEP.
- Exempt and complying development as defined by the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or within Schedules 2 and 3 of the Cessnock LEP, other than when specifically referenced in the exempt or complying development criteria under the Environmental Planning Instrument.
- Carried out under Part 5 of the *Environmental Planning and Assessment Act 1979*.
- Assessed under the provisions of another Environmental Planning Instrument (such as a State Environmental Planning Policy) that excludes the provisions of the Cessnock LEP and/or this CDCP.

### **Relationship to legislation, other plans, and policies**

This DCP:

- was prepared in accordance with Section 3.43 of the *Environmental Planning and Assessment Act 1979* and Clause 16 of the *Environmental Planning and Assessment Regulations 2000*;
- identifies further detail of Council's requirements for local development seeking consent under CLEP;
- is generally consistent with the provisions of the LEP and other applicable Environmental Planning Instrument/s (EPI). However, in the event of any inconsistency, the requirements of the EPI will prevail to the extent of the inconsistency.
- does not apply, in whole or part, where specifically excluded by an EPI as per Section 3.45 (3) of the *Environmental Planning and Assessment Act 1979*.
- is applied in conjunction with other Council development guidelines, policy, and/or technical manuals, where identified.

### **Definitions**

A word or expression used in this development control plan has the same meaning as it has in the *Cessnock Local Environmental Plan 2011*, unless it is otherwise defined in the dictionary or within individual chapters.

### **References**

Council has included references to external documents that are relevant to the interpretation and/or application of the development control. Council does not have control over these documents and these may change over time. Where an external document is no longer contemporary, the reference should be interpreted as "or the equivalent document".

### **Structure and how to use this plan**

#### Parts

The Cessnock Development Control Plan is comprised of 4 parts. Development applications must address all relevant sections of Part 2, Part 3 and Part 4.

#### **Part 1: Administration**

#### **Part 2: Development-based controls**

#### **Part 3: Issue-based controls**

#### **Part 4: Area-based controls**

There are self-contained chapters for a number of urban release areas (URAs) in the existing CDCP, meaning that all relevant DCP controls that apply to development within the URA are contained within a single chapter. As these chapters are reviewed, the generic controls will be moved out of those URA chapters and only those controls unique to the URA will remain in an area-based chapter for that URA.

Clause 6.3 of the Cessnock LEP mandates that a DCP that addresses the list of requirements is prepared for an Urban Release Area. Where these controls exist within the 'Issue-based' or 'Development-based' provisions, these are deemed to satisfy this requirement.

#### Area based provisions

Area-based provisions apply to discrete areas and may include provisions that are different from those in Parts 2 and 3 of the CDCP. Where there is a difference between any development provision/s in Parts 2 or 3 and Part 4, the provision/s in Part 4 prevail for that area.

Development Guidelines and Merit-based Solutions

Cessnock City Council is committed to encouraging innovation through a merit-based approach to development standards in the CDCP. This needs to be supported by a robust, decision-making framework. The approach is detailed below.

To provide a robust, decision-making framework each development control is accompanied by one or more objectives. The development control will generally be a prescriptive standard. For example; the front setback is 4.5m. If the application meets the prescriptive standards then no further consideration will be given to it and the application will generally be approved. If a prescriptive standard/s cannot be met, then the proponent must demonstrate how the alternative solution meets the objective/s of that control and any other applicable objective/s.

Objective/s	Development Control
Objective 1	Development Control 1
Objective 2	

A proposal that pursues an alternative solution to a prescriptive control must justify the variation, including the manner in which the corresponding objective/s will be met. This may require the inclusion of specialist studies or reports.

**Transitional arrangements**

Council is undertaking a comprehensive review of the Cessnock LEP and the Cessnock DCP. The amendments will occur in stages and they will generally be based on themes. However, many chapters of the CDCP are independent of a theme and therefore will progress separately.

Over this period, the CDCP will be presented in different formats and development controls may change from point to point. So, it is recommended that you ensure you are using the most current version of the relevant chapter. If you have any questions, please contact Council to discuss.

At the end of the comprehensive review, an administrative amendment will be undertaken that will complete the table of contents and update numbering throughout the document.

Advisory Notes

Advisory notes (provided in the footnotes where relevant) are for information or clarification only.

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## DEVELOPMENT-BASED PROVISIONS

### Centres

#### Preamble

Arguably, centres are the most diverse and important component of the urban environment. Centres house the businesses and services that we rely on and they generate economic activity that supports jobs and growth. They are the areas in which we come together to celebrate and to seek entertainment. The streets, laneways, parks and public squares are the public domain and play a vital role in how we perceive the centre and how we move around it. Vibrant, attractive, active centres are important to support the ongoing success of the businesses located within them and to foster a community identity.

Council has undertaken comprehensive planning for the Cessnock Commercial Precinct and the Kurri Kurri, Weston and Branxton Town Centres. This has informed area-based provisions for each of these centres. Where there is a development provision that is different from the area-based provisions, the area-based provisions apply to the extent of the difference.

The Huntlee Town Centre has been comprehensively planned and a detailed, area-based DCP applies to that Huntlee, so these provisions do not apply to that centre.

#### Application

This chapter applies to all assessable development in E1 Local Centre, E2 Commercial Centre and MU1 Mixed Use zones. Additional area-based provisions apply to Cessnock, Kurri Kurri, Branxton, Weston.

These provisions do not apply to development in the Huntlee Town Centre.

#### Development provisions

##### Active street frontages<sup>1</sup>

Objective/s	Development Controls
To encourage lively, active streets.	Active street frontages are provided on primary road frontages.
To promote pedestrian activity and safety in the public domain.	

<sup>1</sup> Active frontages include entrances that are directly accessible from a public space, with doors and windows that maintain clear views to and from the street with minimal blank walls. These provide informal surveillance opportunities and often improve the vitality and safety of an area. Note: Frosted glass, signage or glass covered with excessive imaging is considered non-active frontage.

Objective/s	Development Controls
<p>To achieve strong, consistent built form.</p> <p>To maximise active street frontages in town and village centres.</p>	
	<p>Active street fronts are required on the ground level of all retail and commercial development fronting:</p> <ul style="list-style-type: none"> <li>• the primary road frontage,</li> <li>• new pedestrian laneways<sup>2</sup>; and</li> <li>• public park or square.</li> </ul>
	<p>Corner buildings fronting a road, laneway or public space are to provide an active frontage that wraps around the corner.</p>
	<p>An active frontage is not required for any part of a building that is used for any of the following:</p> <ul style="list-style-type: none"> <li>• entrances and lobbies (including as part of mixed-use development);</li> <li>• access for fire services; and</li> <li>• vehicle access.</li> </ul>
<p>To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.</p> <p>To allow for outlook to and surveillance of the street.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	<p>Active frontages are to be designed in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>• The ground floor level is at the same level as the footpath.</li> <li>• At a minimum, 70% of the ground floor frontage is to be transparent glazing.</li> <li>• Enclosed glazed shopfronts are preferred to open shopfronts, except for food and drink premises, which are encouraged to provide open shopfronts.</li> <li>• Residential foyer spaces are a maximum of 8m-width of a street frontage.</li> <li>• Security grilles may only be fitted internally behind the glazed shopfront and are to be fully retractable and at least 50% transparent when closed.</li> </ul>

<sup>2</sup> This applies only where the primary frontage is the laneway. Where a development is on the corner of a road and a laneway, the active frontage need only wrap around the corner of the laneway and the requirement for 70% of the frontage to be glazed does not apply.



Objective/s	Development Controls
The built form of large format retail <sup>3</sup> positively contributes to the activation of the street and the public domain.	Large format retail developments are to provide an active street frontage along the primary road frontage.
	Parking areas for large format retail are to be sleeved or hidden by the retail and commercial uses.

Addressing the Street and Public Domain

Objective/s	Development Controls
High quality, fine-grain tenancy frontages address the street and the public domain.	Entries to retail and commercial premises are directly accessible from the street and public domain.
	Entrances are to be visible to the street and well lit.
Minimise and ameliorate the effect of blank walls to the street and public domain.	Blank walls are only permitted on the sides and at the rear of buildings.
	Alternative treatments, for example changes in materials, artwork, articulated wall elements are required where walls are visible from public spaces.

Awnings

Objective/s	Development Controls
Pedestrian pavements are sheltered and provide for comfortable pedestrian environments.	Awnings are to be provided on all active street frontages.
The street edge is clearly and consistently defined.	Awnings shall be provided in accordance with the following:
Materials should encourage high quality design and amenity in the public domain.	<ul style="list-style-type: none"> <li>• Wrap awnings around corners on street corner buildings.</li> <li>• Cantilever awnings from buildings are to have a minimum soffit height of 3.2m and a maximum of 4.5m.</li> <li>• Low profile awnings with slim vertical fascia and/or eaves (not to exceed 300 mm) are encouraged.</li> <li>• Awnings are to be a minimum of 2.5m deep (dependent on street width) and setback from the kerb a minimum of 1000mm.</li> <li>• Steps for design articulation or to accommodate sloping streets are to be integrated with the building design and should not exceed 700mm.</li> </ul>
There is adequate clearance for street furniture, regulatory signage and trees.	

<sup>3</sup> Large format retail includes supermarkets and specialised retail premises.

	<ul style="list-style-type: none"> <li>All adjoining awnings should be of consistent height and depth and of complementary design and materials.</li> <li>New awning fascia should be coordinated with adjacent awning fascia where they exist.</li> </ul>
	Awnings and/or canopies should be provided elsewhere to define public entrances to buildings, including residential flat buildings.
To encourage the night use and activation of centres.	Under awning lighting is provided.
To assist public safety in centres after dark.	
	Lighting is to be recessed into the soffit of the awning, or wall mounted onto the building.
To provide adequate distance between pedestrians and overhead signage.	Any under awning signage is to maintain a minimum clearance of 2.7m from the level of the pavement.

Building materials, finishes and colours

Objective/s	Development Controls
Encourage building materials, finishes and colours that create a finer texture and add visual interest to streetscapes.	Developments are to use a combination of colour, texture and/or materials.
To provide visual interest in building facades.	

Built Form, Setbacks<sup>4</sup> and Street Hierarchy

Objective/s	Development Controls
Development within existing or established centres is consistent with the existing or established setbacks in the street.	Where there is an established zero metre setback on one or both adjoining buildings, the setback is zero metres.
To achieve strong, consistent built form of streetscapes and all other areas of public domain.	
	Where a zero metre setback is not achievable or is not desirable, the setback should be consistent with the established setback in the street.
	Where there is no established setback, the setback is within 20% of the average of adjoining building/s.

<sup>4</sup> Additional setback controls apply to Active street frontages.

	Where there is no adjoining building/s, the front setback is zero metres.
Built to side boundary streetscapes in established centres is facilitated.	No windows are permitted on the side boundaries that abut another developable site.
The scale, modulation and façade articulation of development is consistent with, or reflective of established buildings in the streetscape.	Each building facade is to be well-articulated using of changes in materiality, articulated elements like recesses in facades, awnings, and recessed doorways etc.
	Articulation treatments are the same or similar to existing buildings in the streetscape.
	The design of the building includes clear differentiation between the base, middle and top.
Large expanses of similar façade treatments are avoided.  A sense of fine-grain tenancy frontages is provided.	Frontages that exceed 20m must incorporate design elements to differentiate and interrupt the façade such as changes in materials and or building elements.

Building height<sup>5</sup>

Objective/s	Development Controls
The bulk and scale of the building is consistent with, or complimentary to the established buildings in the street and the streetscape.  Avoid significant overshadowing of parks, public streets and places.  A pedestrian-scale streetscape is maintained.	Buildings are a maximum of 2-storeys in height.
The vertical dominance of the building is reduced.  Avoid significant overshadowing of parks, public streets and places.  A pedestrian-scale streetscape is maintained.	An additional storey may be permitted if the top storey is setback a minimum of 3.0m from the building line.
	Where the proposal is higher than the heights in the established streetscape, the proposal must be accompanied by design justification demonstrating that the greater height will not adversely impact on the established streetscape or adjoining buildings.

<sup>5</sup> Where an approved master plan or public domain plan supports additional height, this has been included in the Area-based provisions.

Roof form

Objective/s	Development Controls
Roof form is consistent with the established streetscape.	New roofs should take design cues from existing buildings in the streetscape including form, pitch and materials.
Roof design contributes positively to the skyline and streetscape.	Variations in roof form including the use of skillions, gables and hips are to be provided in the development.
Roof plant and structures should not be visible from the street.	Lift over-runs and service plant must be concealed within roof structures.
	All roof plant must be represented on plans and elevations.
Green roofs and the use of roof space for recreational purposes is encouraged.	Outdoor recreation areas on flat roofs are to be landscaped and incorporate shade structures and wind screens to encourage use.

Gateways and landmark sites

Objective/s	Development Controls
Landmark sites are distinctive and unique.  Buildings that will form gateways to town centres and business or commercial precincts are distinctive.  To reinforce the way finding attributes and significance of focal points.	The design of buildings on corner sites, including laneways or at the ends of business or commercial zones, should emphasise the importance of the corner as a focal point.
	The tallest portion of the building should be on the corner.
	Buildings on corner sites or at the ends of business or commercial zones should be constructed to the boundary or with a minimal setback with no car parking or servicing between the site boundary and the building.
	Awnings must wrap around the corners of buildings.
	Design devices such as: <ul style="list-style-type: none"> <li>• increased wall heights,</li> <li>• splayed corner details,</li> <li>• expression of junction of building planes,</li> <li>• contrasting building materials; and</li> <li>• other architectural features;</li> </ul> should be used.

Site servicing

Objective/s	Development Controls
Site facilities are functional and accessible to all occupants and are easy to maintain.  Site facilities are thoughtfully integrated into the development and are visually and physically unobtrusive.	Garbage, mail box structures, service meters, air conditioners and the like are to be integrated with the overall design of the buildings and/or landscaping.
The visual and acoustic impact of site servicing businesses in the centre is minimised.	Garbage storage areas are not permitted along the primary or secondary street frontage.
	Ventilation stacks are to be utilised wherever possible to vent shops and basements.

Landscaping

Objective/s	Development Controls
High quality, easy-to-maintain and enduring landscaping is provided within developments.  The public landscape should create visual interest and character that is interconnected to public open space and the public domain.  The causes and impacts of the urban heat island effect are minimised.  Trees are maintained to a high standard.	New large format retail developments must be accompanied by a landscape plan that includes: <ul style="list-style-type: none"> <li>• Plant species palette,</li> <li>• Planting layout,</li> <li>• Planting densities,</li> <li>• Irrigation detail, and</li> <li>• Maintenance schedule.</li> </ul>
	Landscaping shall be consistent with Council's <a href="#">Engineering Standards and Specifications</a> .
	Plant species are chosen to ensure longevity and vigour.
Landscaping reinforces the public domain plans for the centre.  Landscaping helps integrate the site into the centre.	Plant selection and landscape design should be consistent and complementary with any adopted public domain plans for the centre.
	Plant selection along pathways ensures: <ul style="list-style-type: none"> <li>• a clear trunk height of minimum 1.8m at maturity;</li> <li>• a shrub height of maximum 1m at maturity.</li> </ul>
Landscaping is protected from car damage.	Development provides planting areas within car parking areas that are protected by wheel stops or bollards.

Sustainable Development and Water Sensitive Urban Design

Objectives	Development controls
The environmental impacts of development are minimised.  Water consumption is minimised.	All new water fittings and fixtures (e.g. showerheads, water tap outlets, urinals and toilets) are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.
Energy consumption is minimised.	The development is to be designed to minimise the need for active heating and cooling by incorporating passive design measures related to glazing, natural ventilation, thermal mass, external shading and vegetation.
	Lighting shall be energy-efficient lighting.
	Rooftop photovoltaic solar panels are encouraged.
Water Sensitive Urban Design (WSUD) is used in large developments to: <ul style="list-style-type: none"> <li>• reduce onsite water consumption,</li> <li>• reduce the volume and extend the period of stormwater entering hard stormwater infrastructure, and</li> <li>• improve the quality of stormwater.</li> </ul>	New developments 1,000sqm or greater in area are to incorporate Water Sensitive Urban Design (WSUD) measures in their stormwater management systems.
	Development Applications are to be accompanied by a WSUD Report outlining the measures to be incorporated in the proposal.

Parking and access

Objective/s	Development Controls
Business and commercial development is pedestrian orientated whilst providing for appropriate vehicular access.	No direct vehicular access to at grade or basement car parking from the active street frontage is permitted in E1 Local Centre, E2 Commercial Centre or MU1 Mixed Use zones.
	The number of vehicular crossovers should be kept to a minimum and appropriate sight lines provided to encourage safe integration of pedestrian and vehicular movement.
	Any car park ramps are located largely within the building footprint.
	Underground car parks should be designed to enable all vehicles to access and egress in a forward direction.
	All stairs and elevators in the parking structure are clearly visible.
	Vehicular entrances to underground car parks are to be: <ul style="list-style-type: none"> <li>• Located on minor streets;</li> <li>• Have a maximum crossover of 6.0m;</li> </ul>

	<ul style="list-style-type: none"> <li>• Shall be signed and lit appropriately;</li> <li>• Shall be designed so that exiting vehicles have clear sight of pedestrians and cyclists.</li> </ul>
	At-grade / surface car parking areas adjacent to streets should be generally avoided. Where it is not possible, car parking areas are landscaped and integrate into the public domain.
The impact of service access on pedestrians and retail, commercial and residential frontage is minimised.	Loading facilities must be located to the rear of each development.
	All service areas are to be screened from existing developments.
	Where servicing is able to be provided, service access is from rear lanes, side streets or right of ways.
	Service vehicles must be able to enter/exit in a forward direction.
	The access points and movement paths of service vehicles are separated from customer vehicles where possible.

## **AREA-BASED PROVISIONS**

### **Cessnock Commercial Precinct**

#### **Preamble**

Cessnock is the primary strategic centre for the Cessnock Local Government Area. It provides high level retail, services and entertainment venues.

Cessnock is a key location within the region as the first point of contact for visitors, the majority of whom travel to the region from the south. It is positioned to harness the influx of visitors making their way to the wineries further north, building upon its current identity as a regional centre.

Council has undertaken comprehensive strategic planning for the centre including the adoption of the [Cessnock Commercial Precinct Master Plan](#) and [Public Domain Plan](#). These plans have informed many of the development provisions and initiatives in this Development Control Plan.

#### **Application**

These provisions apply to the Cessnock Commercial Precinct as illustrated in Figure 1.





Figure 1: Cessnock Commercial Precinct.

**Development provisions**

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Cessnock Commercial Precinct.	The development is consistent with the <a href="#">Cessnock Commercial Precinct Master Plan</a> and <a href="#">Public Domain Plan</a> .

Active street frontages

Objective/s	Development Controls
<p>To encourage lively, active streets.</p> <p>To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.</p> <p>To promote pedestrian activity and safety in the public domain.</p> <p>To allow for outlook to and surveillance of the street.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	<p>Active street frontages are provided in accordance with Figure 2.</p>

Built Form, Setbacks and Street Hierarchy

Objective/s	Development Controls
<p>Development within existing or established centres is consistent with the existing or established setbacks in the street.</p> <p>Achieve strong, consistent built form definition of streetscapes and all other areas of public domain.</p>	<p>Setbacks are consistent with Figure 3.</p>

Building height

Objective/s	Development Controls
<p>The bulk and scale of the building is consistent with, or complimentary to the established buildings in the street and the streetscape.</p> <p>Avoid significant overshadowing of parks, public streets and places.</p> <p>A pedestrian-scale streetscape is maintained.</p>	<p>The maximum height of buildings is in accordance with Figure 6.</p>

Parking and Access<sup>6</sup>

Objective/s	Development Controls
<p>Adequate car parking to meet the needs of the Commercial Precinct is to be provided.</p> <p>Economic growth within the Commercial Precinct is encouraged through reduced parking requirements for nominated uses.</p>	<p>No parking is required for development in the Commercial Precinct for the purposes of a neighbourhood shop, a restaurant or café, a take away food and drink premises, or small bar where this is accommodated in an existing premises.</p>
<p>Prioritise pedestrian and bicycle access, connectivity and safety in the Commercial Precinct.</p> <p>Promote cycling through the mandatory provision of bike storage for nominated land uses.</p>	<p>Provision of cycleways, through-links and bike parking facilities<sup>7</sup> are provided generally in accordance with Figure 5.</p>
	<p>Through-site links are to be designed to:</p> <ul style="list-style-type: none"> <li>• generally, have a minimum width of 4m, or 6m where bike access is provided;</li> <li>• generally, be open to the sky or provide naturally ventilated glazed roofs for weather protection;</li> <li>• have a clear line of sight between public places;</li> <li>• be fully accessible 24 hours per day; and</li> <li>• be well lit for the safety of users.</li> </ul>

Public art

Objective/s	Development Controls
<p>To develop a Public Art collection that is progressive, innovative, contemporary, challenging and stimulating, and that explores a variety of mediums, scales and approaches.</p> <p>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.</p>	<p>Any public art installed at the locations identified in Figure 8 is consistent with Council's <a href="#">Public Art Policy</a> for guidelines.</p>

<sup>6</sup> All other development is assessed against the requirements of the car parking and access chapter.

<sup>7</sup> Bike parking facilities and the thresholds for provision are provided in DCP Chapter: Parking and Access.

<p>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.</p> <p>To support local established and emerging artists and facilitate community participation.</p> <p>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.</p>	
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Existing and future desired character

The [Cessnock Commercial Precinct Master Plan](#) includes statements about the future desired character of specific sites in the precinct.

The following provisions apply to development sites listed in

Table 1.

Objective/s	Development Controls
<p>The development of specific sites achieves excellent design outcomes.</p> <p>Key sites provide a catalyst for other development in the area.</p>	<p>Development is strongly encouraged to meet the future desired character for the site as listed in</p> <p>Table 1.</p>
<p>Provide development incentives to enable design excellence and sustainable design for new development within Catalyst Sites.</p> <p>Identify redevelopment opportunities and development objectives for Catalyst Sites.</p> <p>Reduce the isolated nature of the major shopping centre areas.</p> <p>Improve the appearance and reduce the environmental impacts of public car parks.</p> <p>Identify options for the redevelopment of the TAFE site as a regional cultural/educational centre and district-level park.</p> <p>Identify the long-term renewal plan for the Commercial Precinct's major stormwater canal as an attractive landscaped linear green space and access way.</p>	<p>Development of 'Catalyst Sites' shown in Figure 4 in accordance with the development opportunities and objectives outlined in</p> <p>Table 1 and that achieves design excellence<sup>8</sup> are eligible for the following reduced car parking rates:</p> <ul style="list-style-type: none"> <li>• 25% less than the required for land uses including business &amp; office premises; entertainment facilities; function centre; places of public worship; restaurant; shops and general business; or</li> <li>• 50% less than that required for shop top housing including business &amp; office premises; entertainment facilities; function centre; places of public workshop; restaurant; shops and the residential component as a floor space equal to or greater than 50% of the total floor space of the development.</li> </ul>
	<p>In considering whether the development exhibits design excellence, the council must have regard to the following matters:</p> <ol style="list-style-type: none"> <li>1. whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</li> <li>2. whether the form and external appearance of the development will improve the quality and amenity of the public domain,</li> <li>3. whether the development detrimentally impacts on view corridors identified in the <a href="#">Cessnock Commercial</a></li> </ol>

<sup>8</sup> In considering whether the development exhibits design excellence, the council must have regard to the matters listed below.

Objective/s	Development Controls
	<p data-bbox="869 414 1189 459"><a href="#">Precinct Master Plan</a> and <a href="#">Public Domain Plan</a>,</p> <ol style="list-style-type: none"> <li data-bbox="829 465 1236 526">4. how the development addresses the following matters:                             <ol style="list-style-type: none"> <li data-bbox="829 526 1157 582">a. the suitability of the land for development,</li> <li data-bbox="829 582 1220 638">b. existing and proposed uses and use mix,</li> <li data-bbox="829 638 1181 694">c. heritage issues and streetscape constraints,</li> <li data-bbox="829 694 1236 873">d. the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</li> <li data-bbox="829 873 1197 929">e. bulk, massing and modulation of buildings,</li> <li data-bbox="829 929 1101 963">f. street frontage heights,</li> <li data-bbox="829 963 1220 1052">g. environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</li> <li data-bbox="829 1052 1244 1108">h. the achievement of the principles of ecologically sustainable development,</li> <li data-bbox="829 1108 1244 1164">i. pedestrian, cycle, vehicular and service access, circulation and requirements,</li> <li data-bbox="829 1164 1236 1220">j. the impact on, and any proposed improvements to, the public domain.</li> </ol> </li> </ol>

Table 1: Existing and future desired character. Important sites and catalyst sites (Refer Figure 4).

Site	Existing character	Future desired character
1	South Avenue properties	<p>These sites include modern commercial premises, vacant land and a large industrial site.</p> <p>Properties along South Avenue have important frontages and visually prominent to proposed future Bypass route (Snape to James Streets). The development of high quality commercial, retail and business premises are encouraged on these sites.</p>
2	TAFE	<p>This site provides both an important educational facility and a significant green space in the Cessnock Commercial Centre.</p> <p>To redevelop as a revived educational facility serving the region.</p> <p>There is an opportunity to better define and activate adjoining streets, rather than current significant setbacks.</p> <p>To encourage the continuing use of the TAFE site as an education hub, potentially in conjunction with a compatible civic use.</p>
3	Coles supermarket	<p>A large, and key site in the heart of the Centre and a major retail destination. A key site on the Cooper Street cross axis link to 'Main Street' and with an important frontage to TAFE Park.</p> <p>To better define and activate adjoining streets, and proposed Town Square, rather than current blank walls or activity setback from street frontages by large parking areas on the east and south.</p> <p>To better screen 'back of house' activities on west. To provide improved weather protection for pedestrians - to better link supermarket and 'Main Street' retail.</p>
4	Cessnock Plaza	<p>A large, and key site in the heart of the Centre and a major retail destination. A key site on the Cooper Street cross axis link to 'Main Street' and with important street frontages.</p> <p>To better define and activate adjoining streets, rather than current setbacks for parking on west, south and east. To upgrade the environment along the canal to the north. To coordinate/ collaborate with IGA site to realise a better urban development outcome. To provide weather protection (e.g. awnings) for pedestrians - to better link supermarket and 'Main Street' retail.</p>
6	Former cinema and carpark	<p>A prominent 'Main Street' corner property with</p> <p>To re-establish as a night-time entertainment venue, to better</p>

	(catalyst site)	significant frontage to Cooper Street and an important west-east connector street. The former cinema provided one of the few night-time entertainment venues in the Commercial Centre.	define and activate adjoining streets, particularly Charlton Street, and to screen existing parking area with active ground level frontages.
7	Vincent Street car park site (Cumberland Street)	Consolidated, current carpark site in the heart of the commercial precinct, with both Vincent Street and Cumberland Street frontages. Elevated with views west over the valley. (Note: the Vincent Street lot has been developed).	To realise a high-quality urban development outcome - a 'model' mixed-use development of high-quality architecture with attractive landscaped street frontages.
8	Cessnock City Council (catalyst site)	Current Cessnock City Council, Council Chamber, offices, public address and associated car parking. A key consolidated site within the precinct with Vincent Street, Cooper Street and Cumberland Street frontages.	To realise a high-quality urban development outcome - a 'model' civic development of high-quality architecture with attractive, landscaped street frontages.
9	Public carpark (Cumberland Street)	Consolidated Commercial Centre site, currently used for public car park. Significant CBD corner/street frontages.	To develop as multi-level car park, sleeved with ground level retail/active street frontages. To develop rooftop as hotel/motel accommodation, private apartments or affordable housing. Potential to be a relocation site for Council.
10	Mixed use & public carpark site (Cessnock Leagues Club)	Large consolidated site, including on-site parking and green space.	To ensure any future development of the site achieves high quality architectural design and public domain outcomes.
11	Public carpark (CPAC)	Consolidated Commercial Centre site currently used for public car park that services CPAC and Pedens Bar and Restaurant. Significant corner/street frontages.	To develop as multi-level car park, sleeved with ground level retail/active street frontages. To develop rooftop as hotel/motel accommodation, private apartments or affordable housing.
12	Vincent St site	Consolidated, prominent 'Main Street' corner site, currently three-quarters vacant. Significant issues with	Any development of this site should be designed in a way that provides a high-quality



	(Corner Vincent Street and Aberdare Road)	flooding and contamination are present that would need to be addressed to allow development.	gateway to the Cessnock Commercial Precinct.
13	Hall St site (Corner of Hall and Cumberland Streets)	Prominent centre corner site, currently vacant.	To realise a high-quality urban development outcome - a 'model' mixed use development of high-quality architecture with attractive landscaped street frontages.
14	Potential multi-storey public carpark (Charlton Street car park).	Consolidated Commercial Centre site currently used for public car park.	To develop a new multi-level public carpark with potential ground floor active uses.

Design Excellence

Objective/s	Development Controls
<p>Design excellence is encouraged for development of key sites in the precinct.</p> <p>Development exhibits design excellence that contributes to the natural, cultural, visual and built character of the Cessnock Commercial Precinct.</p>	<p>These provisions apply only to sites listed in Table 2 and Figure 4.</p>
	<p>Consent may be granted for the erection or alteration of a building that has:</p> <ol style="list-style-type: none"> <li>1. A floor space ratio of not more than 20% greater than that allowed by Figure 7; and/or</li> <li>2. A height of not more than 3 metres greater than that allowed by Figure 7,</li> </ol> <p>but only if:</p> <ol style="list-style-type: none"> <li>1. the design of the building or alteration has been reviewed by a design review panel<sup>9</sup> that determines the development exhibits design excellence, and</li> <li>2. the council considers that the development exhibits design excellence; and</li> </ol>

<sup>9</sup> In this clause design review panel has the same meaning as it has in the [State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development](#).

	<ol style="list-style-type: none"> <li>3. the development within Area B, C or D (Figure 4) achieves a minimum Floor Space Ratio (FSR) that is 80% of the maximum FSR identified on Figure 7; and</li> <li>4. the development achieves a 5 Star Green Star rating; and</li> <li>5. the development is designed by a registered Architect; and</li> <li>6. the development meets the specifications in Table 2.</li> </ol>
	<p>In considering whether the development exhibits design excellence, the council must have regard to the following matters:</p> <ol style="list-style-type: none"> <li>1. whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</li> <li>2. whether the form and external appearance of the development will improve the quality and amenity of the public domain,</li> <li>3. whether the development detrimentally impacts on view corridors identified in the <a href="#">Cessnock Commercial Precinct Master Plan</a> and <a href="#">Public Domain Plan</a>,</li> <li>4. how the development addresses the following matters:             <ol style="list-style-type: none"> <li>a. the suitability of the land for development,</li> <li>b. existing and proposed uses and use mix,</li> <li>c. heritage issues and streetscape constraints,</li> <li>d. the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</li> <li>e. bulk, massing and modulation of buildings,</li> <li>f. street frontage heights,</li> <li>g. environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</li> <li>h. the achievement of the principles of ecologically sustainable development,</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>i. pedestrian, cycle, vehicular and service access, circulation and requirements,</li> <li>j. the impact on, and any proposed improvements to, the public domain.</li> </ul>
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Table 2: Design excellence sites and criteria.

Site		Specifications relating to site
B	Vincent Street car park site (Cumberland Street)	<p>The proposed development includes a publicly accessible through-site pedestrian link with a minimum width of 4 metres connecting Vincent Street to Cumberland Street and Council Car Park adjacent.</p> <p>The proposed development includes active frontages in accordance with the Figure 2.</p>
C	Former Cinema & carpark	<p>The proposed development includes a publicly accessible through site pedestrian link, centrally positioned along the eastern façade, with a minimum width of 4 metres connecting Charlton Street to Vincent Street.</p> <p>The proposed development includes public entertainment uses such as a cinema.</p> <p>The proposed development includes active frontages in accordance with the Figure 2.</p> <p>The proposed development provides a sensitive or complimentary response to heritage items in the vicinity of the site.</p>
D	Mixed use & public carpark site (Cessnock Leagues Club)	<p>The proposed development is a mixed-use development including residential flats.</p> <p>The proposed development includes active frontages in accordance with the Figure 2.</p>
E	Aberdare Road / Vincent Street car park	<p>The proposed development architecturally presents as a major gateway to the city.</p> <p>The proposed development is sympathetic or complimentary to the character of heritage items.</p>



Figure 2: Active street frontages in the Cessnock Commercial Precinct.



Figure 3: Setbacks in the Cessnock Commercial Precinct.



Figure 4: Catalyst and key development sites.

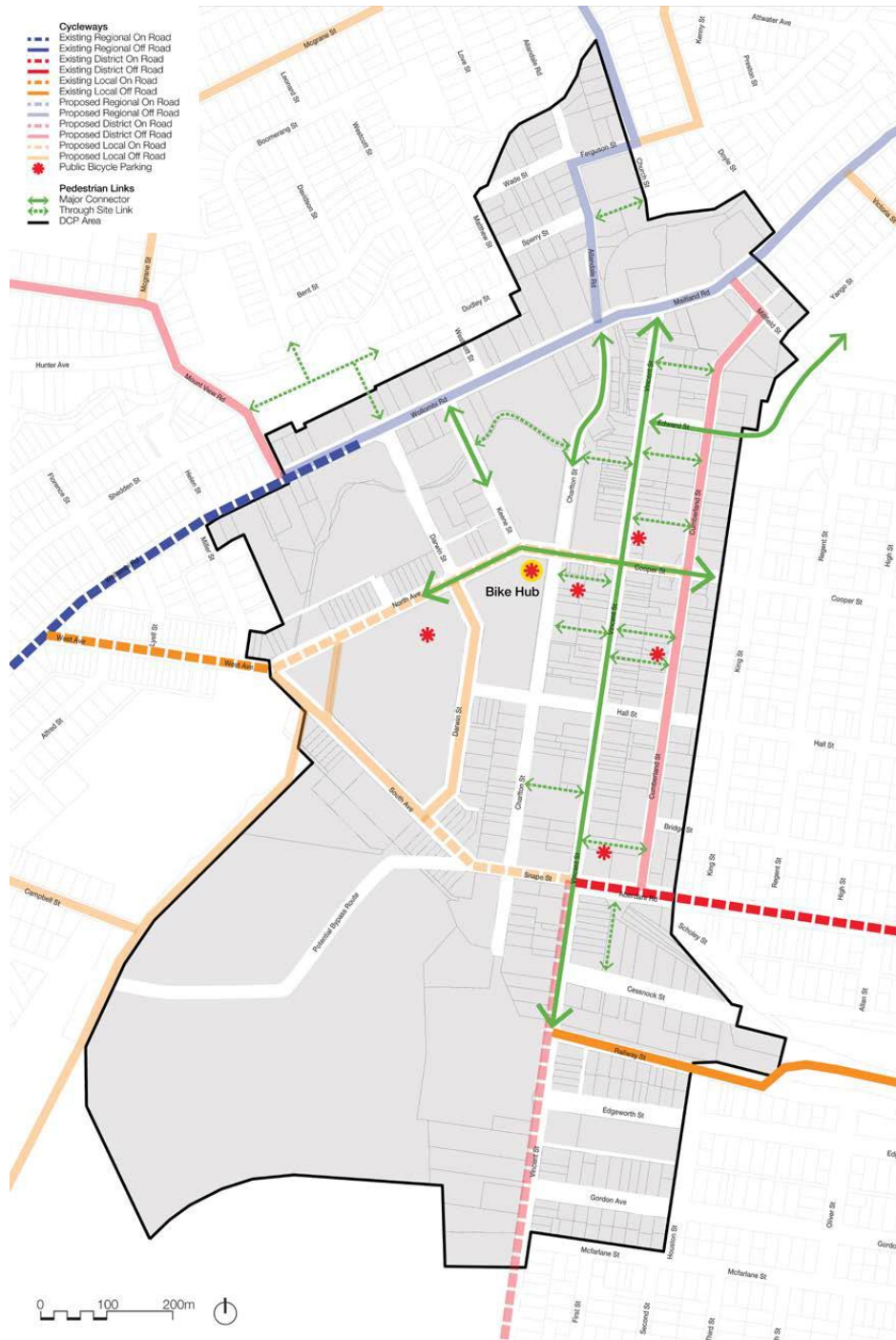


Figure 5: Active transport map.



Figure 6: Height of buildings in the Cessnock Commercial Precinct.



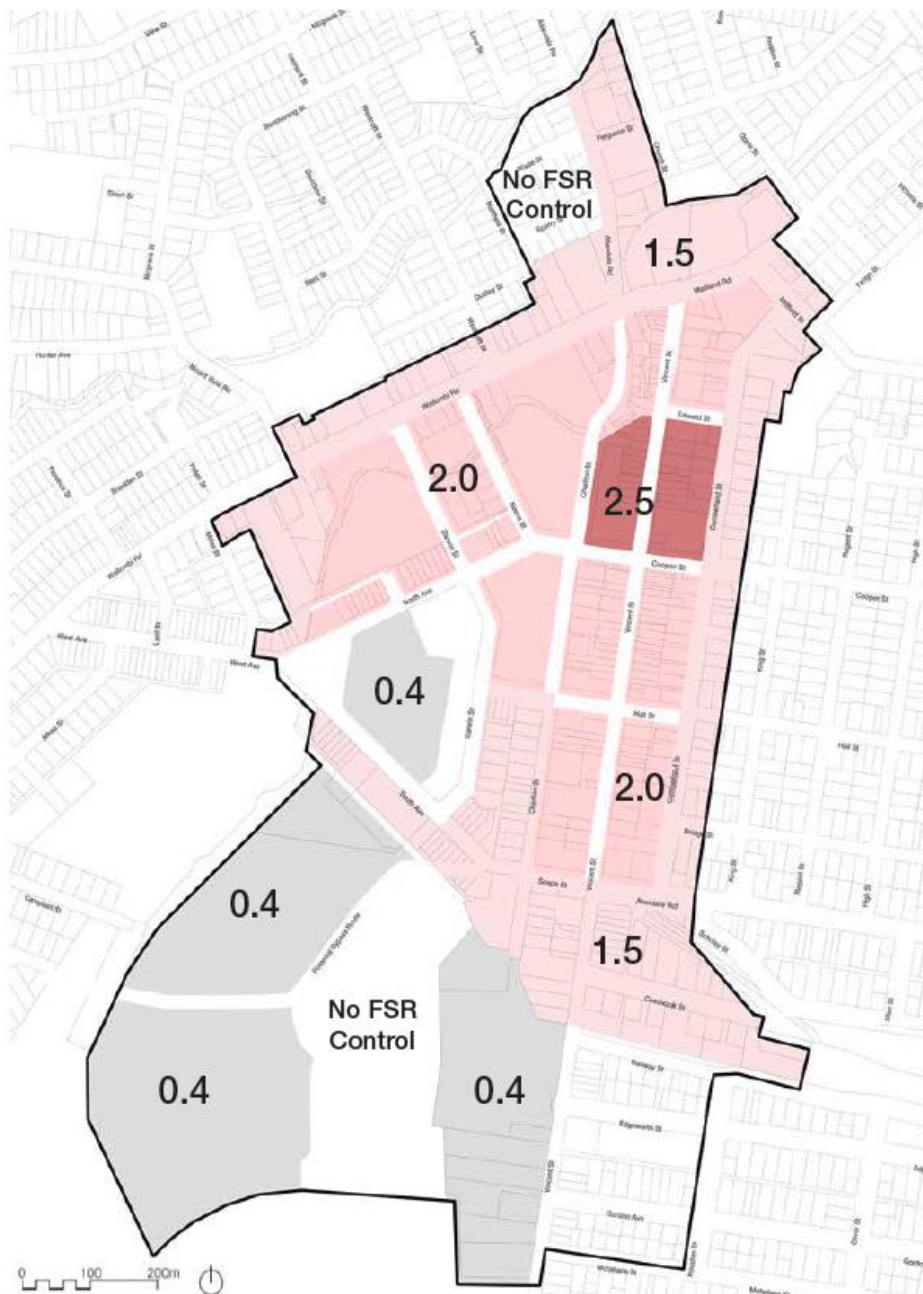


Figure 7: Floor space ratios in the Cessnock Commercial Precinct.



Figure 8: Open space strategy.

## Kurri Kurri Town Centre

### Preamble

Kurri Kurri is a unique town and important retail centre in the Cessnock Local Government Area (LGA). Kurri Kurri has a distinct character and history and is identified as a 'gateway' to the Hunter Valley Wine Region.

The Kurri Kurri District is located approximately 15 minutes from the major regional centres of Cessnock and Maitland and is the second largest settlement in the Cessnock LGA.

The Centre contains a primary area of activity along Lang Street between Hampton and Victoria Streets and less active commercial fringe, zoned MU1 Mixed Use.

### Application

The provisions apply to the Kurri Kurri Town Centre.



Figure 9: Kurri Kurri Town Centre.

### Development provisions

#### Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Kurri Kurri Commercial Precinct.	The development is consistent with the <a href="#">Kurri Kurri District Plan</a> and <a href="#">Master Plan</a> .

Building height

Objective/s	Development Controls
Height controls (on Lang Street and Barton Street in particular) to retain streetscape and 'country town' character.	Height of buildings are a maximum of two storeys.
Building heights should not impact on the visual curtilage of heritage buildings.  To protect significant views to significant buildings.  Ensure long distance views along streets are maintained and framed where possible.	Additional storeys may be permitted where they are supported by a visual design analysis that demonstrates that the additional height: <ul style="list-style-type: none"> <li>• does not impact on the visual curtilage of heritage buildings.</li> <li>• protects significant views to significant buildings.</li> <li>• ensures long distance views are maintained and framed.</li> </ul>

Active street frontages

Objective/s	Development Controls
To encourage lively, active streets.  To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.  To promote pedestrian activity and safety in the public domain.  To allow for outlook to and surveillance of the street.  Development contributes to the quality, activity, safety and amenity of streets and public domain.	Active street frontages are to be provided along: <ol style="list-style-type: none"> <li>1. Barton Street between Allworth and Hampden Streets; and</li> <li>2. Lang Street between Allworth and Mitchell Avenue.</li> </ol>

Awnings

Objective/s	Development Controls
Shelter is provided for public streets where most pedestrian activity occurs.  The pedestrian environment is comfortable through the provision of awnings.  The street edge is clearly and consistently defined.	A continuous awning is provided along: <ol style="list-style-type: none"> <li>1. Barton Street between Allworth and Hampden Streets; and</li> <li>2. Lang Street between Allworth and Mitchell Avenue.</li> </ol>

Parking and access

Objective/s	Development Controls
<p>A through-link is provided between Lang Street and Barton Street.</p> <p>Greater pedestrian permeability is provided between the Lang Street and parking facilities in the centre.</p>	<p>An open arcade is provided from Lang Street to Barton Street in accordance with the <a href="#">Kurri Kurri Master Plan</a>.</p>
<p>The arcade is designed in accordance with the <a href="#">Master Plan</a>.</p>	<p>The through-link:</p> <ul style="list-style-type: none"> <li>• provides tree planting within the arcade;</li> <li>• is an active frontage which may include outdoor dining, a new entry to the supermarket, specialist retail;</li> <li>• is appropriately signed; and</li> <li>• establishes setbacks to open and improve sight lines along the length of the arcade.</li> </ul>



Figure 10: Pedestrian arcade 172 Lang Street, Kurri Kurri.

Mixed use sites

Objective/s	Development Controls
<p>Mixed-use developments are encouraged in the Kurri Kurri Town Centre.</p> <p>The Kurri Kurri Town Centre is activated by increased residential uses.</p> <p>Key developments sites in the centre provide a mixture of commercial and residential development.</p> <p>Mixed use development is designed to respect the heritage streetscape, heritage items and views into, through and out of the centre.</p>	<p>Shop top housing is encouraged throughout the town centre.</p>
	<p>Up to three storeys, shop-top housing is strongly encouraged for the redevelopment of:</p> <ul style="list-style-type: none"> <li>• 209 Lang Street (former Workers Club site);</li> <li>• 247/249 Lang Street (Goodyear Auto Care); and</li> <li>• the Kingsway Plaza site.</li> </ul>
	<p>Development of these sites must be supported by a design statement that:</p> <ul style="list-style-type: none"> <li>• Exhibits a high standard of architectural design, materials and detailing appropriate to the building type and location,</li> <li>• Demonstrates that the form and external appearance of the development will improve the quality and amenity of the public domain,</li> <li>• Addresses the following matters:                         <ul style="list-style-type: none"> <li>○ the suitability of the land for development,</li> <li>○ existing and proposed uses and use mix,</li> <li>○ heritage issues and streetscape constraints,</li> <li>○ the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</li> </ul> </li> </ul>

Objective/s	Development Controls
	<ul style="list-style-type: none"><li>○ bulk, massing and modulation of buildings,</li><li>○ street frontage heights,</li><li>○ environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</li><li>○ the achievement of the principles of ecologically sustainable development,</li><li>○ pedestrian, cycle, vehicular and service access, circulation and requirements,</li><li>○ the impact on, and any proposed improvements to, the public domain.</li></ul>

## Weston Town Centre

### Preamble

Weston is a small town centre between Cessnock and Kurri Kurri. The commercial centre is predominantly along Station Street between Cessnock Road and First Street; however commercial uses extend from Scott Street to First Street.

Cessnock Road, Station Street and First Street are the main thoroughfare between Cessnock and Kurri but the installation of the Frame Drive/Gingers Lane bypass to the Hunter Expressway has reduced traffic volumes travelling through the centre.

A [Master Plan](#) has been prepared for Weston that aims to reinvigorate the centre through public domain works.

### Application

These provisions apply to the Weston Town Centre as illustrated in Figure 11.



Figure 11: Weston Town Centre.



**Development provisions**

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Weston Commercial Precinct.	The development is consistent with the <a href="#">Kurri Kurri District Plan</a> <sup>10</sup> and <a href="#">Weston Commercial Precinct Master Plan</a> .

Active street frontages

Objective/s	Development Controls
To encourage lively, active streets.	Active street frontages are to be provided along Station Street between Cessnock Road and First Street.
To contribute to the vitality of streets by maximising entries and display windows to retail uses and minimising blank walls.	
To promote pedestrian activity and safety in the public domain.	
To allow for outlook to and surveillance of the street.	
Development contributes to the quality, activity, safety and amenity of streets and public domain.	

Awnings

Objective/s	Development Controls
Shelter is provided for public streets where most pedestrian activity occurs.	Awnings are to be provided along Station Street between Cessnock Road and First Street.
The pedestrian environment is comfortable through the provision of awnings.	
The street edge is clearly and consistently defined.	

<sup>10</sup> The Kurri Kurri District Plan includes the Weston Town Centre. The Weston Town Centre has its own Commercial Precinct Master Plan.

Building height

Objective/s	Development Controls
<p>Height controls (on Station Street in particular) retain the established streetscape and town character.</p> <p>Building heights do not impact on the visual curtilage of heritage buildings.</p> <p>The dominance of the Criterion Hotel in the streetscape is maintained.</p>	<p>Development is restricted to a single storey.</p>
	<p>A second storey is permitted if the second storey is setback 3.0m from the building line.</p>

## **Branxton Town Centre**

### **Preamble**

Branxton is a small township with a distinct heritage character and rural landscape setting. Its main street, Maitland Street, forms part of the old New England Highway. A number of heritage buildings address the street. Most of the town centre is within a Heritage Conservation Area which requires assessment against [Clause 5.10](#) of the Cessnock Local Environmental Plan 2011.

There are two significant changes that have occurred or are occurring in the area that have implications for the Branxton Town Centre.

Until recently, the centre had serviced passing trade associated with the New England Highway. Since the opening of the Hunter Expressway, there has been a significant reduction in traffic volumes. However, this has contributed greatly to the amenity of the centre and provides opportunities to reclaim the corridor for more people-friendly activities and functions.

The second major change in the area is the development of the Huntlee Town Centre. Branxton has been the focus of commercial and social activities for the broader sub-region. The Huntlee Town Centre comprises a mixed-use area of approximately 200 hectares. Plans indicate that the centre will provide a range of uses including retail, service industries, bulky goods, commercial, entertainment, residential, educational and community. The size and diversity of uses at Huntlee will service the Branxton Sub-regional Area. However, Branxton has a unique streetscape that contains many heritage buildings. With appropriate treatment, Branxton will become a very attractive and unique centre.

### **Application**

The following controls apply to the Branxton Town Centre illustrated in Figure 12.

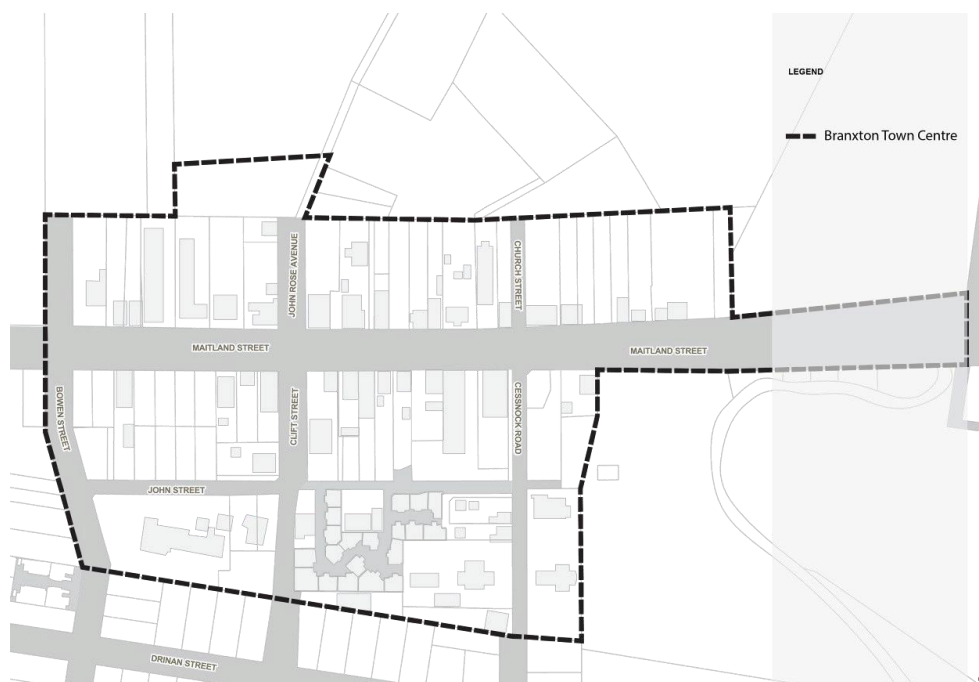


Figure 12: Branxton Town Centre DCP.

**Development provisions**

Master plan and public domain plan

Objective/s	Development Controls
The development contributes to the strategic vision for the Branxton Town Centre.	The development is consistent with the <a href="#">Branxton Town Centre Master Plan</a> and <a href="#">Public Domain Plan</a> .

Active street frontages

Objective/s	Development Controls
<p>Lively, active streets are created through a diversity of commercial and retail premises.</p> <p>Pedestrian movement in the centre is safe, convenient and intuitive.</p> <p>Improved surveillance of the street and the public domain is achieved.</p> <p>Development contributes to the quality, activity, safety and amenity of streets and public domain.</p>	Active street frontages are provided in accordance with Figure 12.

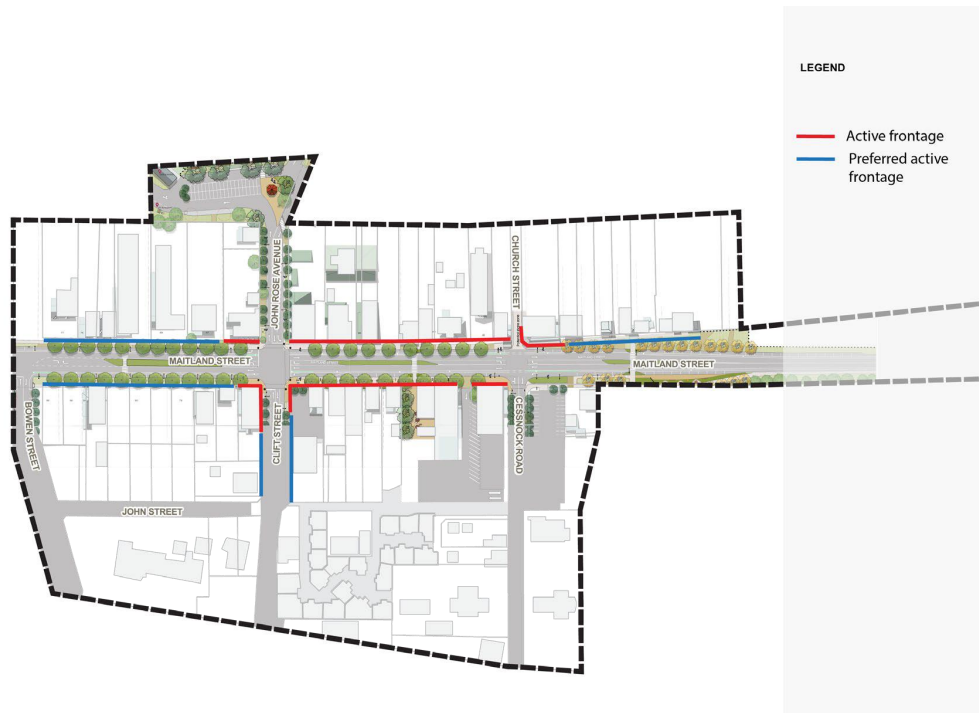


Figure 13: Active Street Frontages Brantxton Town Centre.

Building materials, finishes and colours

Objective/s	Development Controls
<p>The built heritage of the centre is respected, protected and celebrated.</p> <p>New buildings complement the existing built heritage of the centre.</p>	<p>Building materials and finishes should be reflective of, or complimentary to the built heritage in the centre.</p>

Built Form, Setbacks<sup>11</sup> and Street Hierarchy

Objective/s	Development Controls
Development reinforces the existing and desired character of the centre.	Development shall be within 20% of the average setback of buildings on each side. If there is no building on one side; within 20% of the other building. If there are no buildings, generally consistent with the streetscape.
Development creates a legible street environment with a good human scale.	
	Each building facade is to be well articulated to differentiate between the base, middle and top.
	Building design shall reflect design elements of the established buildings in the streetscape; including roof pitch, bulk and scale, materials and verandahs.
	Side setback should maintain the rhythm of the buildings in the street.

Building height

Objective/s	Development Controls
The height of buildings reinforces the desired future character of the centre.	Building heights should be within 20% of the average height of the adjoining buildings.
View corridors from the Town Centre to the surrounding rural areas are protected.	
	If there is an adjoining building on one side or the building is on a corner, the building height is within 20% of the adjoining building.
	If there is no adjoining building the maximum height of the building is 8.5 metres (2 storeys).
	Taller buildings may be considered on the corners of Maitland Street where it is demonstrated that the building design contributes positively to the streetscape.

Signage

Objective/s	Development Controls
Signage is respectful of the heritage setting of the town and the era and architecture of the heritage buildings.	Development within the heritage conservation area shall be accompanied by a signage strategy that is approved by Council's Heritage Advisor.
Signage does not dominate the building or streetscape.	

<sup>11</sup> Additional setback controls apply to Active street frontages.

Parking and Access

Objective/s	Development Controls
<p>Parking is provided in accordance with Cessnock DCP Chapter <i>Parking and Access</i>.</p> <p>Parking arrangements consider the recommendations of the Branxton Town Centre Public Domain Plan (see Figure 14).</p>	<p>Where car parking cannot be achieved in accordance with Figure 14, or it is varied because of impact on heritage or streetscape, council will consider entering into a Planning Agreement to contribute to car parking facilities or access improvements (for example; bus, cycle or walking facilities) elsewhere in the town centre.</p>



Figure 14: Indicative integrated parking solution and development opportunity area at the rear of buildings - Maitland Street (Southern side).

Public Open Space and Landscaping

Objective/s	Development Controls
<p>To integrate high quality, consistent landscaping into the built environment of the Branxton Town Centre.</p>	<p>Development is to be consistent with the with <a href="#">Branxton Town Centre Public Domain Plan</a>.</p>

Summary of submissions to Public Exhibition of draft 'Centres' Development Control Plan Chapter			
Submitter	Issue	Response	Outcome
Submitter 1	DCP has an over-reliance and focus on the provision of off-street parking for individual uses (in Branxton). This contradicts the Branxton Town Centre Master Plan which identifies rationalisation of car parking as an objective.	The draft 'Centres' DCP Chapter has been amended to remove parking rates for Branxton. This section now refers to the Cessnock DCP Chapter <i>Parking and Access</i> , which will apply parking rates equally throughout the Cessnock LGA. Council officers are progressing a revised draft Parking and Access Chapter. This draft Chapter is proposed to include provisions that allow developers to provide parking consistent with any Masterplan or Public Domain plan adopted by Council, ensuring that local factors are considered. Additionally, this would give developers the option of reducing on-site car parking spaces by entering into a Planning Agreement.	Parking rates are no longer included in the draft 'Centres DCP' Chapter. The updated draft continues to refer to the recommendations of the Branxton Town Centre Public Domain Plan.
	Current parking rates in the DCP for Branxton do not match the demand created by the anticipated uses, and this high level of parking results in poor urban design outcomes and impedes development. As it stands, lost opportunities for development at the rear of sites are happening due to the focus on providing off street carparking for individual properties.	As above. The rationalisation of parking at the rear of buildings is an action recommended by the Public Domain Plan for Branxton Town Centre. This may be reviewed at a later stage however the draft DCP includes recommendations of the currently adopted version of the Public Domain Plan.	As above.
	Parking for the whole Town Centre to be delivered on Council land at either end of the Branxton Town Centre, as envisaged by the Public Domain Plan.	As above.	As above.
	The submission included a number of recommendations focussed on the implementation of the Branxton Public Domain Plan.	Noted. The implementation of the Branxton Public Domain Plan is a separate issue to the current draft DCP Chapters. This is subject to funding availability and an ongoing works schedule.	No change.



Model Code of Conduct Complaints Statistics 2022-23 Cessnock City Council			
<b>Number of Complaints</b>			
1	The total number of complaints <b>received</b> in the reporting period about councillors and the General Manager (GM) under the code of conduct from the following sources:		
i	Community	3	
ii	Other Councillors	4	
iii	General Manager		
iv	Other Council Staff	2	
2	The total number of complaints <b>finalised</b> about councillors and the GM under the code of conduct in the following periods:		
i	3 Months	1	
ii	6 Months	1	
iii	9 Months	1	
iv	12 Months		
v	Over 12 months		
<b>Overview of Complaints and Cost</b>			
3	a	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	
	b	The number of complaints <b>referred to the Office of Local Government (OLG)</b> under a special complaints management arrangement	
	c	The number of code of conduct complaints <b>referred to a conduct reviewer</b>	6
	d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	1
	e	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	1
	f	The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	3
	g	Cost of dealing with code of conduct complaints via preliminary assesment	24,381
	h	Progressed to <b>full investigation by a conduct reviewer</b>	4
	i	The number of finalised complaints investigated where there was found to be <b>no breach</b>	1
	j	The number of finalised complaints investigated where there was found to be <b>a breach</b>	1
	k	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, OLG or the Police	
	i	ICAC	

ii	NSW Ombudsman	
iii	OLG	1
iv	Police	
v	Other Agency (please specify)	
	<input type="text"/>	
l	The number of complaints being investigated that are <b>not yet finalised</b>	4
m	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	49,716

Preliminary Assessment Statistics	
4	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:
a	To take no action (clause 6.13(a) of the 2020 Procedures) <input type="text"/>
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures) <input type="text"/>
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures) <input type="text" value="1"/>
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures) <input type="text"/>
e	To investigate the matter (clause 6.13(e) of the 2020 Procedures) <input type="text" value="3"/>
f	Other action (please specify) <input type="text"/>
	<input type="text"/>
Investigation Statistics	
5	The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:
a	That the council revise its policies or procedures <input type="text"/>
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures) <input type="text"/>
6	The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:
a	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures) <input type="text"/>
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures) <input type="text"/>
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures) <input type="text" value="1"/>
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures) <input type="text"/>
7	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures) <input type="text"/>

Categories of misconduct		
8	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	5
b	Non-pecuniary conflict of interest (Part 5)	
c	Personal benefit (Part 6)	
d	Relationship between council officials (Part 7)	
e	Access to information and resources (Part 8)	1
Outcome of determinations		
9	The number of investigated complaints resulting in a determination that there was a breach in which the council:	
a	Adopted the independent conduct reviewers recommendation	
b	Failed to adopt the independent conduct reviewers recommendation	1
10	The number of investigated complaints resulting in a determination where:	
a	The external conduct reviewers decision was overturned by OLG	
b	Council's response to the external conduct reviewers recommendation was overturned by OLG	
11	Date Code of Conduct data was presented to council	13-Dec-23

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>	
	<b>Committee:</b>		<b>Date To:</b>	
	<b>Officer:</b>		<b>Printed: Tuesday, 5 December 2023 7:46:50 AM</b>	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC71/2023 <a href="#">644</a>	Ordinary Council 15/11/2023	Plumridge, Matthew Maginnity, Robert	Sale of Land for Unpaid Rates and Charges	13/12/2023	20/11/2023	23/11/2023
<b>23 Nov 2023 8:52am Plumridge, Matthew - Completion</b> Completed by Plumridge, Matthew (action officer) on 23 November 2023 at 8:52:16 AM - Process commenced						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC73/2023 <a href="#">627</a>	Ordinary Council 15/11/2023	Neveltsen, Keri Maginnity, Robert	2024 Ordinary Council Meeting Schedule	13/12/2023	20/11/2023	20/11/2023
<b>20 Nov 2023 1:43pm Neveltsen, Keri - Completion</b> Completed by Neveltsen, Keri (action officer) on 20 November 2023 at 1:43:18 PM - Invites sent and rooms booked.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC75/2023 <a href="#">629</a>	Ordinary Council 15/11/2023	Plumridge, Matthew Maginnity, Robert	Quarterly Budget Review Statement - September 2023	13/12/2023	20/11/2023	23/11/2023
<b>23 Nov 2023 8:51am Plumridge, Matthew - Completion</b> Completed by Plumridge, Matthew (action officer) on 23 November 2023 at 8:51:55 AM - Budget updates completed						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
GMU9/2023 <a href="#">643</a>	Ordinary Council 15/11/2023	Neveltsen, Keri Maginnity, Robert	Code of Conduct: Consideration of Final Investigation Report and recommendation of formal Censure - Councillor Olsen	13/12/2023	20/11/2023	20/11/2023
<b>20 Nov 2023 1:44pm Neveltsen, Keri - Completion</b> Completed by Neveltsen, Keri (action officer) on 20 November 2023 at 1:44:22 PM - Report deferred to December 2024 meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC79/2023 <a href="#">633</a>	Ordinary Council 15/11/2023	Wade, Craig Maginnity, Robert	Tender T2024-12 Engineering Project Manager Panel	13/12/2023	20/11/2023	23/11/2023
<b>23 Nov 2023 9:13am Wade, Craig - Completion</b> Completed by Wade, Craig (action officer) on 23 November 2023 at 9:13:52 AM - i have contacted all parties and confirmed acceptance and decline of the tender						

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Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC72/2023 <a href="#">626</a>	Ordinary Council 15/11/2023	Waghorn, Peter Maginnity, Robert	Doyle Street Park - Proposed Drainage Easement	25/12/2023	20/11/2023	24/11/2023
<b>24 Nov 2023 9:49am Waghorn, Peter - Completion</b> Completed by Waghorn, Peter (action officer) on 24 November 2023 at 9:49:54 AM - Compensation payable for granting the easement over CCC land has been received and the applicant's surveyor has been instructed they may now register the easement plan to facilitate a dual occupancy development proposed for 272 Maitland Road Cessnock						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC66/2023 <a href="#">609</a>	Ordinary Council 18/10/2023	Eftimova, Esma Maginnity, Robert	Privacy Management Plan 2023	28/12/2023	20/10/2023	23/11/2023
<b>23 Nov 2023 9:39am Eftimova, Esma</b> The public exhibition for the Privacy Management Plan concluded on 15 November 2023. Since no submissions were received, the Plan was adopted the day after the exhibition concluded, 16 November 2023 as per Council resolution 609 (Council report CC66/2023 tabled 18 October 2023)						
<b>23 Nov 2023 9:48am Eftimova, Esma - Completion</b> Completed by Eftimova, Esma (action officer) on 23 November 2023 at 9:48:54 AM - The public exhibition for the Privacy Management Plan concluded on 15 November 2023. Since no submissions were received, the Plan was adopted the day after the exhibition concluded, 16 November 2023 as per Council resolution 609 (Council report CC66/2023 tabled 18 October 2023)						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC55/2023 <a href="#">572</a>	Ordinary Council 20/09/2023	Ambrose, Warren Maginnity, Robert	Revised Public Art Policy	30/11/2023	25/09/2023	8/11/2023
<b>05 Oct 2023 4:14pm Ambrose, Warren</b> Draft Public Art Policy placed on public exhibition for 28 days from 4 October to 1 November 2023.						
<b>05 Oct 2023 4:19pm Ambrose, Warren</b> A report to Council will only be needed if there are unresolved submissions. Council will otherwise adopt the revised Public Art Policy the day after the public exhibition period concludes.						
<b>05 Oct 2023 5:35pm Drage, Natalie - Target Date Revision</b> Target date changed by Drage, Natalie from 18 October 2023 to 30 November 2023 - Outcome of public exhibition period will be known after 1 November 2023.						
<b>08 Nov 2023 10:59am Drage, Natalie</b> With there being no submissions received that needed to be resolved, the Public Art Policy has been adopted as per the resolution of Council. The date of adoption for the Public Art Policy was 2 November 2023.						
<b>08 Nov 2023 11:02am Drage, Natalie - Completion</b> Completed by Drage, Natalie on behalf of Ambrose, Warren (action officer) on 08 November 2023 at 11:02:05 AM - Public Art Policy adopted 2 November 2023 in accordance with the Council resolution.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC74/2023 <a href="#">628</a>	Ordinary Council 15/11/2023	Dupille, Belinda Maginnity, Robert	September 2023 Review of the 2022-26 Delivery Program	13/12/2023	20/11/2023	23/11/2023
<b>23 Nov 2023 11:30am Dupille, Belinda - Completion</b> Completed by Dupille, Belinda (action officer) on 23 November 2023 at 11:30:00 AM - AR - OLG email has been sent. Posted on CCC website. 3x physical copies printed.						

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	<b>Officer:</b>		<b>Printed: Tuesday, 5 December 2023 7:46:50 AM</b>	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 15/11/2023	Liddell, Ken	Wine Country 500 - Supercars Bid	13/12/2023	20/11/2023	23/11/2023
MM8/2023 <a href="#">623</a>		Liddell, Ken				
<b>23 Nov 2023 9:24am Lorenzen, Cherie</b> Letter sent to SuperCar 500 for meeting scheduled for 6.12.23., Mayor has engaged Minister for Jobs and Tourism, and Destination NSW in interim discussions regarding Councils interest in securing a SuperCar 500 event.						
<b>23 Nov 2023 9:31am Lorenzen, Cherie - Completion</b> Completed by Lorenzen, Cherie on behalf of Liddell, Ken (action officer) on 23 November 2023 at 9:31:01 AM - Letter sent to SuperCar 500 for meeting scheduled for 6.12.23., Mayor has engaged Minister for Jobs and Tourism, and Destination NSW in interim discussions regarding Councils interest in securing a SuperCar 500 event.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 20/09/2023	Chadwick, Tony	2023 Cessnock Stomp Festival - In Kind Support	26/01/2024	25/09/2023	10/11/2023
PE31/2023 <a href="#">567</a>		Johnson, Martin				
<b>25 Sep 2023 2:52pm Chadwick, Tony</b> Council staff will liaise with the STOMP event organiser regarding in-kind and financial support.						
<b>25 Sep 2023 2:58pm Chadwick, Tony - Target Date Revision</b> Target date changed by Chadwick, Tony from 18 October 2023 to 26 January 2024 - The revised date allows Council staff enough time to provide and then report on the support provided.						
<b>10 Nov 2023 2:49pm Chadwick, Tony - Completion</b> Completed by Chadwick, Tony (action officer) on 10 November 2023 at 2:49:18 PM - 2023 STOMP financial and in kind support provided as resolved.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 15/11/2023	Forsyth, Karen	Voluntary Planning Agreement - 174 - 178 Lang Street, Kurri Kurri	13/12/2023	20/11/2023	23/11/2023
PE40/2023 <a href="#">624</a>		Johnson, Martin				
<b>23 Nov 2023 9:45am Blake, Yvonne - Completion</b> Completed by Blake, Yvonne on behalf of Forsyth, Karen (action officer) on 23 November 2023 at 9:45:08 AM - Council provided 'In Principal' agreement at the Ordinary Council Meeting held 15 November 2023.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council 15/11/2023	Newman, Alex	Tender Q2024-53 Diversion Channel - South Cessnock Bundwall Tender Evaluation Report	13/12/2023	20/11/2023	20/11/2023
WI36/2023 <a href="#">635</a>		McLachlan, Paul				
<b>20 Nov 2023 11:13am Newman, Alex - Completion</b> Completed by Newman, Alex (action officer) on 20 November 2023 at 11:13:24 AM - The Motion has been resolved. The tender can be accepted and progressed.						

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	<b>Officer:</b>		<b>Printed: Tuesday, 5 December 2023 7:46:50 AM</b>	

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
WI37/2023 <a href="#">636</a>	Ordinary Council 15/11/2023	Alexander, Michael McLachlan, Paul	Cessnock Waste Management Centre - Landfill Extension	13/12/2023	20/11/2023	20/11/2023
<p><b>20 Nov 2023 11:12am Alexander, Michael</b> Adopted by Council Min No 636</p> <p><b>20 Nov 2023 11:14am Alexander, Michael - Completion</b> Completed by Alexander, Michael (action officer) on 20 November 2023 at 11:14:15 AM - Reported adopted by Council Report WI 37/2023 Min No 636</p>						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
WI39/2023 <a href="#">638</a>	Ordinary Council 15/11/2023	Donnelly, Patricia McLachlan, Paul	Minutes of the Community Engagement Awards and Grants Committee held on 18 October 2023	13/12/2023	20/11/2023	1/12/2023
<p><b>27 Nov 2023 11:50am Donnelly, Patricia</b> Actions 1, 2, completed by Environment and Waste, Action 3 will commence in January 2024, 6, 7 and 8 completed by Open Space</p> <p><b>01 Dec 2023 3:31pm Donnelly, Patricia</b> Actions 3, 4 and 5 completed by Community and Cultural Development</p> <p><b>01 Dec 2023 3:33pm Donnelly, Patricia - Completion</b> Completed by Donnelly, Patricia (action officer) on 01 December 2023 at 3:33:34 PM - All tasks completed</p>						



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	<b>Committee:</b>		<b>Date To:</b>	
	<b>Officer:</b>		<b>Printed: Tuesday, 5 December 2023 7:36:51 AM</b>	

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W12/2021	Ordinary Council 17/02/2021	Waghorn, Peter	Works and Infrastructure	Sale of Land to Bellbird Bowling Club	31/03/2024	
<a href="#">1571</a> <b>MOTION</b> 1571 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Dunn	<b>Seconded:</b>	Councillor Fitzgibbon		
1.	That Council authorises the General Manager to undertake the process to reclassify the seven metre strip of land along the southern boundary of the Bellbird Park Bowling Club from Community to Operational.					
2.	That Council agrees to sell the subject parcel of land once reclassified to Bellbird Park Bowling Club at the nominal cost of one dollar (\$1.00) provided the Bellbird Park Bowling Club fund associated costs for the land transfer.					
3.	That Council authorises the General Manager to execute documents related to the reclassification and transfer of land between Cessnock City Council and the Bellbird Park Bowling Club.					
<b>04 Mar 2021 11:58am Benson, Nicole - Reallocation</b>						
Action reassigned to Rathborne, Michael by Benson, Nicole - Michael please commence the actions as per the resolution. Liaise with my team if required. Thanks						
<b>24 Mar 2021 4:49pm Keegan, Robyn - Target Date Revision</b>						
Target date changed by Keegan, Robyn from 17 March 2021 to 30 June 2021 - Information sent to surveyor for the club to prepare and lodge forms.						
<b>29 Mar 2021 4:04pm Rathborne, Michael - Target Date Revision</b>						
Target date changed by Rathborne, Michael from 30 June 2021 to 30 August 2021 - Surveyor preparing documents for registration.						
<b>28 Apr 2021 10:33am Rathborne, Michael - Target Date Revision</b>						
Target date changed by Rathborne, Michael from 30 June 2021 to 30 September 2021 - Pending survey and documentation being prepared by surveyor.						
<b>25 Jun 2021 12:30pm Keegan, Robyn - Target Date Revision</b>						
Target date changed by Keegan, Robyn from 30 September 2021 to 31 December 2021 - Bellbird Park Bowling Club has taken responsibility for survey registration. Further work by Council Property Services to effect the transfer of land is deferred pending Strategic Property obtaining Council approval for a site-specific planning proposal to reclassify the land.						
<b>02 Sep 2021 3:11pm Keegan, Robyn - Target Date Revision</b>						
Target date changed by Keegan, Robyn from 31 December 2021 to 31 December 2021 - Peter Waghorn advised that there is no further update.						
<b>26 Oct 2021 2:19pm Keegan, Robyn - Target Date Revision</b>						
Target date changed by Keegan, Robyn from 31 December 2021 to 21 January 2022 - Advised by Chief Financial & Administration Officer no update was available but will investigate.						
<b>25 Jan 2022 10:12am Waghorn, Peter</b>						
In accordance with the resolution, Bellbird Park Bowling Club management are responsible for organising and registering the survey of land to be acquired but are yet to do so. A registered plan and reclassification of the land are required before the land transfer can be transacted.						
<b>29 Mar 2022 7:55am Boughton-Ingham, Petra</b>						
28 Mar 2022 Peter Waghorn, [Confidential]: BPBC's Secretary Manager was contacted with an offer of assistance and advised that the club had not sought quotes for land survey work to date due to their financial situation. As the cost of a partial survey is not anticipated to be high, Council Officers contacted a local surveyor on the club's behalf and was told that the previous Board had engaged Marshall Scott Surveyors to prepare a plan and the draft was sent to the club last year. MSS is following up directly with club management.						
<b>12 Apr 2022 10:21am Keegan, Robyn - Target Date Revision</b>						
Target date changed by Keegan, Robyn from 21 January 2022 to 15 June 2022 - The Bellbird Park Bowling Club Secretary Manager was contacted with an offer of assistance and advised that the club had not sought quotes for land survey work due to a recent change of voluntary board membership. Council Officers contacted a local surveyor on the club's behalf and were advised that the previous Board had engaged Marshall Scott Surveyors to prepare a plan and the draft was sent to the club last year. Principal of Marshall Scott Surveyors is following up with the new club management directly.						
<b>28 Apr 2022 3:32pm Waghorn, Peter</b>						
Mark Scott of Marshall Scott Surveyors is still following up with the new club Secretary Manager regarding a survey plan previously prepared and sent to the Club in draft for their review.						

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<p><b>26 May 2022 9:22am Waghorn, Peter</b> Bellbird Park Bowling Club officials have confirmed that Marshall Scott Surveyors were engaged by the previous Board to prepare a plan of acquisition. Once the draft plan is provided to Council for review and verification, the process to reclassify the identified portion of Bellbird Park can be commenced. Transfer of the land to the Club can only be effected on gazettal of the reclassification.</p> <p><b>26 May 2022 9:50am Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 15 June 2022 to 30 December 2022 - The planning proposal to amend the LEP and reclassify a portion of Bellbird Park is a lengthy process and yet be commenced. Transferring ownership to the Club is deferred pending gazettal of the land reclassification for Community to Operational land.</p> <p><b>30 Jun 2022 3:12pm Waghorn, Peter</b> An LEP amendment request to reclassify the portion of Bellbird Park the Club requires has been scheduled with Strategic Planning.</p> <p><b>28 Jul 2022 2:49pm Waghorn, Peter</b> A survey plan prepared by Marshall Scott Surveyors on behalf of Bellbird Park Bowling Club has been provided to Strategic Planning. A planning proposal requesting amendment of the Cessnock LEP land classification of the nominated portion of Bellbird Park is in progress.</p> <p><b>31 Aug 2022 4:46pm Keegan, Robyn</b> Further updates are subject to progression of a planning proposal to amend the Cessnock LEP and change the community land classification of the nominated portion of Bellbird Park.</p> <p><b>25 Nov 2022 3:47pm Waghorn, Peter</b> Internal Property staff followed up with Marshall Scott Surveyors 24/11/2022 and were advised that the survey plan detailing the area to be acquired by the club and prepared by their firm on behalf of Bellbird Park Bowling Club is yet to be lodged with Land Registry Services for assessment. Council staff actions are deferred pending plan registration and gazettal of the proposed land reclassification.</p> <p><b>16 Jan 2023 12:12pm Waghorn, Peter</b> Property staff visited BPBC on 4/1/2023 to enquire with management as to the status of survey plan approval and were advised that they will follow up with Marshall Scott Surveyors. As at 16/1/2023, Mark Scott of MSS has not been contacted by BPBC.</p> <p><b>16 Jan 2023 12:21pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 30 December 2022 to 31 March 2023 - Delayed pending Bellbird Park Bowling Club approval of draft survey plan of acquisition and the outcome of a Council request to reclassify the relevant portion of Carmichael Park to be acquired</p> <p><b>03 Apr 2023 10:44am Waghorn, Peter</b> The Strategic Planning unit has scheduled a report seeking approval to submit the LEP amendment required to reclassify the portion of Bellbird Park the Club requires. Reclassification to operational land is required to facilitate any transfer of council community land. The report will be considered at the April 2023 Ordinary Council Meeting. .</p> <p><b>03 Apr 2023 11:11am Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 31 March 2023 to 30 June 2023 - The report seeking approval to submit an LEP amendment to reclassify the required portion of Bellbird Park is scheduled for the April 2023 OCM. Reclassifications necessarily involve state planning departments and completion of that process cannot be accurately determined at this time.</p> <p><b>26 May 2023 3:16pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 30 June 2023 to 31 March 2024 - A planning proposal to amend the Cessnock LEP community land classification of a portion of Carmichael Oval adjoining Bellbird Park Bowling Club was approved for submission to Dept. of Planning &amp; Environment (DPE) on 19 April 2023. Subject to obtaining a DPE Gateway determination to reclassify the land from community to operational use, consultation will be undertaken with public authorities and the community. Unresolved objections must be submitted to Council for consideration before DPE is requested to make the Plan and publish LEP changes in the Government Gazette. This process is anticipated to take six to nine months. On completion, Property staff will prepare contract documentation to transfer the required land.</p> <p><b>25 Sep 2023 3:37pm Waghorn, Peter - Email</b> On 15 September, Officers arranged for surveyors to attend and mark the site, allowing a partially installed fence to be completed along the new boundary with a lockable pedestrian access. Illegal private vehicular use of CCC community land is understood to have been occurring and neighbouring residents will be notified prior to erection of the final stage of fencing. Formal transfer of the land portion to BPBC is subject to land reclassification and the revised target date is still projected as March 2024.</p> <p><b>24 Nov 2023 9:41am Waghorn, Peter</b> No further updates from Property Services pending completion of land reclassification process and subsequent land transfer</p>
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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC29/2023	Ordinary Council 17/05/2023	Waghorn, Peter	Corporate and Community	Land Acquisition - South Cessnock Bund Wall	30/11/2023	
<b>MOTION</b> 492 <b>RESOLVED</b>	<b>Moved:</b>	Maginnity, Robert Councillor Burke	<b>Seconded:</b>	Councillor Grine		
<p>That Council authorise purchase of land required for the South Cessnock Bund Wall Flood Mitigation Scheme being:</p> <p>With regard to Crown-owned land lot 1 DP 1134371:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> That Council proceed with the compulsory acquisition of the land for the purpose of flood mitigation works in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.</li> <li><input type="checkbox"/> That Council make an application to the Minister and the Governor for approval to acquire the land by compulsory process under section 186(1) of the Local Government Act.</li> <li><input type="checkbox"/> That the land will be classified as operational land.</li> <li><input type="checkbox"/> That Council requests the Minister for Local Government approve a reduction in the notification period from 90 days to 30 days.</li> </ul> <p>With regard to private land (part) lots 34;35;36 DP 755215 and (part) lot 1 DP 1145540:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> That Council authorises acquisition of the land and/or easements for the purpose of drainage.</li> <li><input type="checkbox"/> That Council delegates authority to the General Manager to extend a Letter of Offer to the landowner and negotiate voluntary agreement to purchase the land and/or easements in accordance with independent valuation.</li> <li><input type="checkbox"/> That Council delegates authority to the General Manager to execute all relevant documentation to effect the transaction.</li> </ul> <p><b>26 May 2023 3:26pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 14 June 2023 to 30 July 2023 - Required Crown land must be compulsorily acquired and approved by the Minister for Local Government. An OLG application for approval is in progress. Negotiations to acquire required private land must be conducted in accordance with mandatory timeframes and processes of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p><b>26 Jul 2023 1:34pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 30 July 2023 to 30 September 2023 - The Minister for Local Government approved crown land acquisition 28 June 2023 and the acquisition notice has been issued. Commencement of negotiations to purchase required White Energy &amp; Aустar land awaiting survey plan of acquisition.</p> <p><b>25 Sep 2023 3:48pm Waghorn, Peter</b> Awaiting authorisation from NSW Executive Council to publish gazette notice of Crown land compulsory acquisition. Negotiations to secure private land affected by the flood mitigation project are yet to commence following recent engineering design changes.</p> <p><b>05 Oct 2023 2:25pm Waghorn, Peter - Target Date Revision</b> Target date changed by Waghorn, Peter from 30 September 2023 to 30 November 2023 - NSW Executive Council is scheduled to consider authorisation of Crown land compulsory acquisition gazettal on 11 October 2023. Negotiations to secure private land affected by the flood mitigation project are yet to commence following recent engineering design changes.</p> <p><b>24 Nov 2023 9:50am Waghorn, Peter</b> Compulsory acquisition of Crown land lot 1 DP 1134371 has now been completed, taking effect on 27 October 2023. Negotiations to secure private land affected by the flood mitigation project are yet to commence due to engineering design amendments. Property services was engaged to facilitate future additional land acquisition with council report to follow.</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE33/2023	Ordinary Council 20/09/2023	Rush, Iain	Planning and Environment	Draft Hunter Power Project (Kurri Kurri Power Station) Planning Agreement	22/12/2023	
<b>569</b> <b>MOTION</b> 569 <b>RESOLVED</b>	<b>Moved:</b>	Johnson, Martin Councillor Hill	<b>Seconded:</b>	Councillor Burke		
1.	<b>That Council publicly notify the Draft Hunter Power Project (Kurri Kurri Power Station) Planning Agreement for a minimum period of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act 1979.</b>					
2.	<b>That Council delegate authority to the General Manager to execute the Planning Agreement unless unresolved written objections are received during the exhibition period.</b>					
<b>25 Sep 2023 11:35am Blake, Yvonne - Target Date Revision</b>						
Target date changed by Blake, Yvonne from 18 October 2023 to 22 December 2023 - Resolved at Ordinary Council Meeting held 20 September 2023 that Council publicly notify the Draft Hunter Power Project (Kurri Kurri Power Station) Planning Agreement for a minimum period of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act 1979						
<b>30 Oct 2023 2:59pm Rush, Iain</b>						
Draft VPA exhibited for 28 days, with exhibition closing on 25 October 2023. No submissions received. VPA is presently with the Developer for execution.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE5/2023	Ordinary Council 15/02/2023	Mewing, Jenny	Planning and Environment	Comprehensive Local Environmental Plan and Development Control Plan Review - Temporary Uses (including Temporary Events)	30/11/2024	
<b>399</b> <b>MOTION</b> 399 <b>RESOLVED</b>	<b>Moved:</b>	Johnson, Martin Councillor Hill	<b>Seconded:</b>	Councillor Dunn		
<b>That Council</b>						
1.	<b>Request a gateway determination for the Planning Proposal "Temporary Uses" from the Department of Planning and Environment pursuant to the Environmental Planning and Assessment Act 1979.</b>					
2.	<b>Request authorisation under s3.31 of the Environmental Planning and Assessment Act 1979 to act as the local plan-making authority.</b>					
3.	<b>Place the draft Planning Proposal on exhibition as determined by the Department of Planning and Environment Gateway determination.</b>					
4.	<b>Place the draft Cessnock Development Control Plan Chapter "Temporary Uses" on exhibition concurrently with the planning proposal.</b>					
5.	<b>Receive a report back on the Planning Proposal and Development Control Plan amendment.</b>					
<b>27 Mar 2023 4:34pm Blake, Yvonne - Target Date Revision</b>						
Target date changed by Blake, Yvonne from 15 March 2023 to 30 November 2023 - As per Council resolution at the Ordinary Council meeting held 15 February 2023, gateway determination to be requested from DPE; request authorisation to act as local plan making authority; PP to be placed on exhibition as well as draft DCP; report back to Council on amendment.						
<b>18 Aug 2023 1:49pm Blake, Yvonne - Reallocation</b>						
Action reassigned to Mewing, Jenny by Blake, Yvonne - Officer resigned from Council. Transferred to Acting Principal Strategic Planner for re-allocation to another Strategic Planning Officer.						

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**31 Aug 2023 1:20pm Mewing, Jenny**  
Request for Gateway Determination from DPE made February 2023. Planning Proposal updated and resubmitted for Gateway Determination in May 2023

**21 Sep 2023 8:03am Mewing, Jenny**  
Gateway Determination still pending

**21 Sep 2023 8:04am Mewing, Jenny - Target Date Revision**  
Target date changed by Mewing, Jenny from 30 November 2023 to 30 November 2024 - Gateway Determination not yet issued.

**23 Oct 2023 8:02am Mewing, Jenny**  
Gateway Determination not yet issued

**21 Nov 2023 7:14am Mewing, Jenny**  
Gateway determination not yet issued

**01 Dec 2023 3:03pm Mewing, Jenny**  
Gateway Determination not yet issued

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE39/2023	Ordinary Council 15/11/2023	Porter, Kerry	Planning and Environment	DA 8/2021/22318/1 - Alterations and Additions to Existing Cafe comprising an Amenities Building, Pop-up Coffee Stand, Juice Bar, Additional Carparking, Outdoor Lighting and Extended Cafe Trading Hours  701 Lovedale Road, Lovedale	20/03/2024	
<u>620</u> <b>MOTION</b> <u>620</u> <b>RESOLVED</b>	<b>Moved:</b>	Johnson, Martin Councillor Dunn	<b>Seconded:</b>	Councillor Hill		
1.	That Development Application No. 8/2022/22318/1 proposing alterations and additions to the existing cafe comprising an amenities' building, pop-up coffee stand, juice bar, additional carparking, outdoor lighting and extended cafe trading hours at Lot 81, DP831654, 701 Lovedale Road, Lovedale, be deferred to afford the applicant a final opportunity to submit amended plans/additional information to address the outstanding issues raised in the assessment report; and					
2.	That following assessment of the information, a report be referred to Council's meeting in March 2024 to enable final consideration/determination of the application.					
<b>23 Nov 2023 8:49am Blake, Yvonne - Reallocation</b>	Action reassigned to Porter, Kerry by Blake, Yvonne - Referred to officer responsible for assessment of DA.					
<b>29 Nov 2023 9:10am Blake, Yvonne - Target Date Revision</b>	Target date changed by Blake, Yvonne from 13 December 2023 to 20 March 2024 - Consistent with Council's resolution, a letter was issued to the applicant on 16 November 2023, affording a final opportunity to submit amended plans/additional information to address the outstanding issues raised in the assessment report.					

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN8/2023	Ordinary Council 17/05/2023	Chadwick, Tony	Business With Notice	Proposal for Kurri Curry Festival	29/02/2024	
<a href="#">496</a> <b>MOTION</b> 496 <b>RESOLVED</b>	<b>Moved:</b>	Johnson, Martin Councillor Grine	<b>Secoded:</b>	Councillor Hill		
<p><b>That Council seeks grant funding for business activation in the Cessnock Local Government area by:</b></p> <ol style="list-style-type: none"> <li>1. <b>Creating and delivering a new event called the Kurri Curry Festival</b></li> <li>2. <b>Designing and installing 3D public street art that compliments the Kurri Kurri Murals, and</b></li> <li>3. <b>That the General Manager investigate other business activation opportunities</b></li> </ol> <p><b>23 May 2023 1:36pm Blake, Yvonne - Reallocation</b> Action reassigned to Chadwick, Tony by Blake, Yvonne - Forwarded to Economic Development &amp; Tourism Manager for action and completion.</p> <p><b>24 May 2023 8:56am Chadwick, Tony</b> Progress against the resolution actions are as follows:., That Council seeks grant funding for business activation in the Cessnock Local Government area by:., 1. Creating and delivering a new event called the Kurri Curry Festival - Waiting a grant fund to open that allows event development and delivery in the funding guidelines., 2. Designing and installing 3D public street art that compliments the Kurri Kurri Murals - Staff to investigate options and obtain quotes ready for grant submissions., 3. That the General Manager investigate other business activation opportunities - Suitable opportunities will be added to grant applications if allowed by the grant fund</p> <p><b>24 May 2023 9:03am Chadwick, Tony - Target Date Revision</b> Target date changed by Chadwick, Tony from 14 June 2023 to 29 February 2024 - Waiting for a suitable grant fund to open to progress this action.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE29/2023	Ordinary Council 16/08/2023	Worthing, Alex	Planning and Environment	Comprehensive DCP Review - Draft Chapters: Administration and Legislative Context and Centres - For Exhibition	4/01/2024	
<a href="#">548</a> <b>MOTION</b> 548 <b>RESOLVED</b>	<b>Moved:</b>	Johnson, Martin Councillor Burke	<b>Secoded:</b>	Councillor Paynter		
<ol style="list-style-type: none"> <li>1. <b>That Council place draft Chapters "Introduction and Legislative Context and Development Base Provisions-Centres" of the Cessnock Development Control Plan 2010 on public exhibition for a period of 28 days.</b></li> <li>2. <b>That Council receive a further report following the public exhibition of the draft Chapters of Cessnock Development Control Plan 2010.</b></li> </ol> <p><b>23 Aug 2023 9:28am Larsen, Robyn - Reallocation</b> Action reassigned to Worthing, Alex by Larsen, Robyn - Staff member leaving.</p> <p><b>28 Aug 2023 1:14pm Worthing, Alex</b> Public exhibition material being prepared</p>						

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>	
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<p><b>08 Sep 2023 3:31pm Worthing, Alex - Target Date Revision</b>                  Target date changed by Worthing, Alex from 13 September 2023 to 13 October 2023 - Public exhibition starts 13/09</p> <p><b>25 Sep 2023 12:41pm Worthing, Alex - Target Date Revision</b>                  Target date changed by Worthing, Alex from 13 October 2023 to 05 January 2024 - Due to go to December council meeting for adoption</p> <p><b>27 Sep 2023 2:50pm Worthing, Alex - Target Date Revision</b>                  Target date changed by Worthing, Alex from 05 January 2024 to 04 January 2024 - Draft DCP chapters will be considered at the December Council meeting</p>
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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE24/2022	Ordinary Council 20/04/2022	Rush, Iain	Planning and Environment	Draft Local Planning Framework for the Cessnock LGA Vineyards District	31/12/2023	
<b>75 MOTION</b>	<b>Moved:</b>	Johnson, Martin Councillor Burke	<b>Seconded:</b>	Councillor Grine		
<b>75 RESOLVED</b>						
1.	That Council requests a Gateway determination in respect of the Cessnock Vineyards District Planning Proposal from the NSW Department of Planning and Environment, pursuant to the <i>Environmental Planning and Assessment Act 1979</i> .					
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.					
3.	That Council undertakes consultation with public authorities and the community as determined by the Gateway determination.					
4.	That Council exhibits the Draft Cessnock Vineyards District Local Character Statement and Development Control Plan with the Planning Proposal.					
5.	That Council receives a report back on the Planning Proposal and draft local planning framework, following public exhibition.					
<p><b>27 Apr 2022 12:10pm Rush, Iain - Target Date Revision</b>                  Target date changed by Rush, Iain from 18 May 2022 to 30 December 2022 - Preparing documentation for submission to DPE for Gateway determination.</p> <p><b>21 Jun 2022 3:52pm Rush, Iain</b>                  Planning Proposal submitted for Gateway determination on 10 May 2022. Currently reviewing quotations for 'Tourism Centre' Economic Feasibility Assessment.</p> <p><b>01 Sep 2022 4:24pm Rush, Iain</b>                  Planning Proposal submitted for Gateway determination on 10 May 2022. Hill PDA engaged to prepare 'Tourism Centre' Economic Feasibility Assessment. Work on the Economic Assessment is progressing steadily.</p> <p><b>31 Oct 2022 10:23am Rush, Iain</b>                  Planning Proposal submitted for Gateway determination on 10 May 2022. Hill PDA have provided Draft 'Tourism Centre' Economic Feasibility Assessment to Council for review.</p> <p><b>22 Nov 2022 2:17pm Blake, Yvonne - Target Date Revision</b>                  Target date changed by Blake, Yvonne from 31 January 2023 to 28 February 2023 - Target date revised to allow sufficient time for exhibition and consideration of public submissions. Preparation of materials for public exhibition commenced.</p> <p><b>20 Feb 2023 9:08am Cocking, Tracey</b>                  HRP 2041 requires preparation of Place Strategy. Existing PP and Place Strategy requirements being discussed with DP&amp;E.</p> <p><b>20 Feb 2023 9:09am Cocking, Tracey - Target Date Revision</b>                  Target date changed by Cocking, Tracey from 28 February 2023 to 31 December 2023 - HRP 2041 requires preparation of Place Strategy. Existing PP and Place Strategy requirements being discussed with DP&amp;E</p> <p><b>24 May 2023 3:52pm Blake, Yvonne - Reallocation</b>                  Action reassigned to Mewing, Jenny by Blake, Yvonne - Transferred to Jenny Mewing to continue with and finalise the matter.</p>						

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**24 May 2023 4:08pm Mewing, Jenny**  
 Vineyards Place Strategy endorsed by the Urban Development Program Committee (1 May 2023) for the establishment of a Place Delivery Group. Further details from DPE to be obtained to commence this process., Amendments being made to Planning Proposal to reflect requirements of "resubmit" Gateway Determination received in December 2022.

**21 Jun 2023 10:03am Mewing, Jenny**  
 Meeting held with DPE to discuss relationship between Planning Proposals and Place Strategy. Agreed outcomes and actions pending confirmation with DPE

**21 Jul 2023 7:27am Mewing, Jenny**  
 Amendments to Planning Proposal being prepared for resubmission to the DPE prior to 31 July 2023. Draft Principles for the Place Strategy are being prepared concurrently for consideration/endorsement by the DPE.

**31 Aug 2023 1:16pm Mewing, Jenny**  
 Revised Planning Proposal resubmitted to DPE for Gateway Determination (26/7/23)., Place Strategy meeting with DPE requested.

**31 Aug 2023 2:15pm Blake, Yvonne - Reallocation**  
 Action reassigned to Rush, Iain by Blake, Yvonne - Transferred to officer as original officer has resigned.

**30 Oct 2023 2:47pm Rush, Iain**  
 HRP 2041 requires the preparation of Place Strategy for the Cessnock Vineyards District. The structure and content of the Place Strategy is to be determined with input from a Department of Planning and Environment Place Delivery Group (PDG). Draft land use principles prepared for discussion with PDG, which should occur in early November.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU10/2022	Ordinary Council 20/04/2022	Chadwick, Tony	General Manager's Unit	Expression of Interest T2022-03 Branxton RV Park	29/03/2024	
<b>71</b> <b>MOTION</b> <b>71</b> <b>RESOLVED</b>	<b>Moved:</b>	Johnson, Martin Councillor Sander	<b>Seconded:</b>	Councillor Burke		
1.	<b>That Council endorses Campervan &amp; Motorhome Club of Australia LTD as the preferred applicant to manage Branxton RV Park subject to community consultation;</b>					
2.	<b>That Council gives public notice of the Branxton RV Park Management proposal for a period of 28 days;</b>					
3.	<b>That Council provides public notice of the intention to engage Campervan &amp; Motorhome Club of Australia LTD as the Branxton RV Park Manager subject to consideration of submissions received; and</b>					
4.	<b>That the General Manager negotiate a licence agreement for Branxton RV Park Management after considering the public submissions received.</b>					
<b>03 May 2022 3:28pm Chadwick, Tony - Target Date Revision</b> Target date changed by Chadwick, Tony from 18 May 2022 to 29 July 2022 - This allows time for community consultation and agreement negotiation.						
<b>03 May 2022 3:29pm Chadwick, Tony</b> Actions taken as follows:., 1. That Council endorses Campervan & Motorhome Club of Australia LTD as the preferred applicant to manage Branxton RV Park subject to community consultation - Noted., 2. That Council gives public notice of the Branxton RV Park Management proposal for a period of 28 days - The public consultation period was completed from 18 May to 15 June 2022. 21 submissions were received., 3. That Council provides public notice of the intention to engage Campervan & Motorhome Club of Australia LTD as the Branxton RV Park Manager subject to consideration of submissions received - Achieved via website and paid advertisement., 4. That the General Manager negotiate a licence agreement for Branxton RV Park Management after considering the public submissions received - The Executive Leadership Team has endorsed licence agreement negotiations following a review of public submissions. , To gain RFS approval under Development Application No. 8/2022/884/1 a Bushfire Consultant identified restrictions that would be required for operating the RV Park. These restrictions limit the financial viability of the RV Park. An internal working group has been established to identify way to reduce these restrictions.						
<b>28 Jul 2022 11:37am Chadwick, Tony - Target Date Revision</b> Target date changed by Chadwick, Tony from 29 July 2022 to 09 September 2022 - Contract negotiations have started and are predicted to be completed in September.						



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**04 Oct 2022 3:43pm Chadwick, Tony - Target Date Revision**  
 Target date changed by Chadwick, Tony from 09 September 2022 to 09 December 2022 - Additional time is required for Council to review DA PAN-262936 submitted by CMCA.

**25 Nov 2022 9:54am Chadwick, Tony - Target Date Revision**  
 Target date changed by Chadwick, Tony from 09 December 2022 to 28 February 2023 - Refer Councillor Memo DOC2022/184231.

**24 Feb 2023 2:02pm Lorenzen, Cherie - Target Date Revision**  
 Target date changed by Lorenzen, Cherie from 28 February 2023 to 29 March 2024 - Target date revised to allow time for an internal working group to be formed to determine the best future use for Branxton Oval and Branxton RV Park after reviewing site constraints and restrictions. See Councillor Memo DOC2023/030494.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE26/2023	Ordinary Council 19/07/2023	Worthing, Alex	Planning and Environment	Comprehensive DCP Review - Tourist Accommodation on Rural and Environmental Lands - Draft for Exhibition	22/12/2023	
<a href="#">528</a>		Johnson, Martin				
<b>MOTION</b> 528 <b>RESOLVED</b>	<b>Moved:</b>	Councillor Hill	<b>Seconded:</b>	Councillor Grine		
1.	That Council exhibits the draft DCP Chapter: 'Tourist and Visitor Accommodation in Rural and Environmental Lands' in accordance with clause 13 of the Environmental Planning and Assessment Regulation 2021 and for a period of 28 days.					
2.	That a further report is brought to Council for determination after the exhibition period is concluded.					
<b>26 Jul 2023 12:33pm Corken, Robert - Target Date Revision</b>						
Target date changed by Corken, Robert from 16 August 2023 to 16 November 2023 - Exhibition will be undertaken in August.						
<b>18 Aug 2023 1:48pm Blake, Yvonne - Reallocation</b>						
Action reassigned to Mewing, Jenny by Blake, Yvonne - Officer resigned from Council. Transferred to Acting Principal Strategic Planner for re-allocation to another Strategic Planning Officer.						
<b>31 Aug 2023 2:15pm Blake, Yvonne - Reallocation</b>						
Action reassigned to Worthing, Alex by Blake, Yvonne - Transferred to officer as original officer has resigned.						
<b>08 Sep 2023 3:32pm Worthing, Alex - Target Date Revision</b>						
Target date changed by Worthing, Alex from 16 November 2023 to 04 October 2023 - Preparing post exhibition report for Council						
<b>26 Oct 2023 11:16am Blake, Yvonne - Target Date Revision</b>						
Target date changed by Blake, Yvonne from 04 October 2023 to 22 December 2023 - Report to be tabled at December Council meeting.						

<b>Action Sheets Report</b>	<b>Division:</b>	Ordinary Council	<b>Date From:</b>	
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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE4/2023	Ordinary Council 15/02/2023	Mewing, Jenny Johnson, Martin	Planning and Environment	Planning Proposal - Lovedale Integrated Tourist Development	31/12/2023	
<b>MOTION</b> 393 <b>RESOLVED</b>	<b>Moved:</b>	Councillor Dunn	<b>Seconded:</b>	Councillor Burke		
<p>That Council endorse the Planning Proposal in relation to Lots 2-4 DP 869651, Lot 11 DP 1187663 and Lot 1 DP 1233030 as an amendment to Clause 7.11 of Cessnock Local Environmental Plan 2011 as follows:</p> <p>(i) <i>This clause applies to land at Wine Country Drive, Pokolbin, being Lots 2-4, DP 869651, Lot 11, DP1187663 and Lot 1 DP1233030.</i></p> <p>(ii) Development consent must not be granted to any development on land to which this clause applies unless—</p> <p style="margin-left: 20px;">a) The consent authority is satisfied that the development is integrated tourist development, and</p> <p style="margin-left: 20px;">b) the total number of permanent residential dwellings on that land does not exceed 640, and</p> <p style="margin-left: 20px;">c) the total number of tourist and visitor accommodation units on that land does not exceed 300.</p> <p>(iii) Registration of the plan of subdivision for the first 200 residential lots shall not occur until a Compliance Certificate under section 6.4(e)(iv) of the Environmental Planning and Assessment Act 1979 has been issued for the golf course and club house confirming that it is completed in accordance with the concept approval and relevant development consent.</p> <p>(iv) In this clause— integrated tourist development means a development that contains a mix of both permanent residential dwellings and one or more of the following uses: tourist and visitor accommodation; tourist-oriented land uses such as outdoor recreation facilities (e.g., golf courses); food and drink premises; function centres; any development that is ordinarily incidental or ancillary to such uses.</p> <p><b>28 Mar 2023 8:18am Corken, Robert - Target Date Revision</b> Target date changed by Corken, Robert from 15 March 2023 to 15 July 2023 - Council resolution may require an additional report to Council and delayed the drafting of the clause.</p> <p><b>24 May 2023 2:48pm Corken, Robert - Target Date Revision</b> Target date changed by Corken, Robert from 15 July 2023 to 15 August 2023 - Waiting for Department of Planning and Environment to reissue Gateway Determination.</p> <p><b>26 Jul 2023 12:32pm Corken, Robert - Target Date Revision</b> Target date changed by Corken, Robert from 15 August 2023 to 15 October 2023 - The Department of Planning and Environment is causing significant delays to the finalisation of this project.</p> <p><b>31 Aug 2023 1:19pm Mewing, Jenny</b> Revisions to draft instrument in progress in consultation with Parliamentary Counsel</p> <p><b>21 Sep 2023 8:02am Mewing, Jenny</b> Revisions to draft instrument in progress in consultation with Parliamentary Counsel</p> <p><b>21 Sep 2023 8:03am Mewing, Jenny - Target Date Revision</b> Target date changed by Mewing, Jenny from 15 October 2023 to 29 October 2023 - Ongoing discussions with PC</p> <p><b>23 Oct 2023 8:01am Mewing, Jenny - Target Date Revision</b> Target date changed by Mewing, Jenny from 29 October 2023 to 30 November 2023 - Ongoing discussions with PC</p> <p><b>21 Nov 2023 7:14am Mewing, Jenny - Target Date Revision</b> Target date changed by Mewing, Jenny from 30 November 2023 to 31 December 2023 - Drafting of instrument still underway</p> <p><b>21 Nov 2023 7:14am Mewing, Jenny</b> Drafting of instrument still underway</p> <p><b>01 Dec 2023 3:02pm Mewing, Jenny</b> Instrument drafting nearing completion</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W131/2023	Ordinary Council 20/09/2023	McCamley, Chad	Works and Infrastructure	2022/23 Kurri Kurri Aquatic and Fitness Centre Performance Review	18/10/2023	
<a href="#">582</a> <b>MOTION</b> 582 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Sander	<b>Seconded:</b>	Councillor Grine		
1.	That Council notes the performance of Belgravia Health & Leisure Group Pty Ltd in respect to Year 4 of the contract for the management of the Kurri Kurri Aquatic & Fitness Centre.					
2.	That Council engage an independent consultant to provide a more detailed KPI performance review of the centre prior to the tendering process.					
3.	That a report come back to Council with the outcomes of this review.					

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W135/2023	Ordinary Council 15/11/2023	Clark, Cameron	Works and Infrastructure	Tender T2024-09 Landslide & Remediation Works Package 1 – Soil Nails/Rock Bolts	13/12/2023	
<a href="#">634</a> <b>MOTION</b> 634 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Dunn	<b>Seconded:</b>	Councillor Hawkins		
That Council accepts the tender T2024-09 Landslide Remedial Works – Package 1 – Soil Nails/Rock Bolts from Ground Stabilisation Systems Pty Ltd for the lump sum of \$3,731,908 (including GST).						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN13/2023	Ordinary Council 20/09/2023	Harris, Kate	Business With Notice	Investigate Sensor Lighting Options for Local Government Area	23/02/2024	
<a href="#">585</a> <b>MOTION</b> 585 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Grine	<b>Seconded:</b>	Councillor Sander		
1.	That Council requests the General Manager investigate sensor lighting options, including solar powered, to improve safety at Bridges Hill Park and other parks across the Local Government Area.					
2.	That Council investigate grant programs or funding opportunities to allow for these upgrades to be included into the delivery program.					
<b>26 Sep 2023 10:44am Harris, Kate</b>						
1. Lighting options are being investigated at Bridges Hill Park and will be incorporated within the draft 204/2025 Operational Plan for Council's consideration., 2. Grant programs and funding opportunities are being investigated.						
<b>26 Sep 2023 10:46am Harris, Kate - Target Date Revision</b>						
Target date changed by Harris, Kate from 18 October 2023 to 22 December 2023 - Investigations for lighting works are ongoing.						

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**22 Nov 2023 8:51am Harris, Kate**  
 1. Lighting options are being investigated at Bridges Hill Park and will be incorporated within the draft 2024/2025 Operational Plan for Council's consideration., 2. Grant programs and funding opportunities are being investigated.  
**22 Nov 2023 8:52am Harris, Kate - Target Date Revision**  
 Target date changed by Harris, Kate from 22 December 2023 to 23 February 2024 - Funding options are continuing to be investigated.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI41/2023	Ordinary Council 15/11/2023	Clark, Cameron	Works and Infrastructure	Minutes of the Floodplain Risk Management Committee meeting held 13 July 2023	13/12/2023	
<a href="#">640</a> <b>MOTION</b> 640 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Dunn	<b>Seconded:</b>	Councillor Burke		
That the Minutes of the Floodplain Risk Management Committee held 13 July 2023 be adopted as a resolution of the Ordinary Council.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI38/2023	Ordinary Council 15/11/2023	Jeffery, Warren	Works and Infrastructure	Cessnock LGA Traffic and Transport Strategy 2023 - Public Exhibition Approval	13/12/2023	
<a href="#">637</a> <b>MOTION</b> 637 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Hawkins	<b>Seconded:</b>	Councillor Grine		
<ol style="list-style-type: none"> <li>That Council place the Draft Cessnock LGA Traffic and Transport Strategy 2023 on public exhibition for a period of twelve weeks.</li> <li>That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Draft Cessnock LGA Traffic and Transport Strategy 2023.</li> </ol>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN14/2023	Ordinary Council 20/09/2023	Clark, Cameron	Business With Notice	Old Buttai Road Prioritisation	31/01/2024	
<a href="#">586</a> <b>MOTION</b> 586 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Hill	<b>Seconded:</b>	Councillor Grine		
<p>That Council requests the traffic committee review the prioritisation of Old Buttai Road to focus on the primary route of travel to and from the Buttai Quarry, taking on board the feedback from the recent Buttai Quarry Community Consultative Committee meeting.</p> <p>25 Oct 2023 11:31am Meyers, Kristy Internal consultation continuing.</p> <p>25 Oct 2023 11:31am Meyers, Kristy - Target Date Revision Listed for November LTC.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W16/2023	Ordinary Council 15/03/2023	Newman, Alex	Works and Infrastructure	Engineering Guidelines for Design & Construction - Approval for Public Exhibition	31/01/2024	
<a href="#">441</a> <b>MOTION</b> 441 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Hill	<b>Seconded:</b>	Councillor Sander		
<ol style="list-style-type: none"> <li>That the draft Engineering Guidelines for Design and Construction be placed on public exhibition for a period of 28 days and a report be returned to Council for determination.</li> <li>That Councillors be offered a briefing on the engineering guidelines.</li> </ol> <p>28 Mar 2023 3:32pm Newman, Alex Waiting on Comments from Public exhibition regarding Guidelines of exhibition. In addition an Internal Panel Review of Engineering Guidelines is to be performed.</p> <p>26 Apr 2023 8:27am Newman, Alex Engineering Guidelines still on Public Exhibition. Subsequent Internal CCC review by relevant departments to follow.</p> <p>29 May 2023 11:13am Newman, Alex Thorough internal review being performed by council. Relevant council team leaders are reviewing the standards.</p> <p>29 May 2023 1:53pm Newman, Alex - Target Date Revision Target date changed by Newman, Alex from 25 June 2023 to 27 October 2023 - Thorough internal review being performed by council. Extended process to allow for input by all relevant council team leaders to be collated and reflected in technical standards.</p> <p>28 Jun 2023 1:31pm Newman, Alex Thorough internal review being performed by council. Input by all relevant council team leaders to be collated and reflected in technical standards.</p> <p>24 Jul 2023 1:07pm Newman, Alex Thorough internal review being performed by council. Input by all relevant council team leaders to be collated and reflected in technical standards.</p> <p>30 Aug 2023 10:30am Newman, Alex - Target Date Revision Target date changed by Newman, Alex from 27 October 2023 to 15 November 2023 - Currently awaiting all teams to provide initial comments on engineering guidelines.</p>						

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**25 Oct 2023 11:34am Meyers, Kristy**  
Investigations continuing.

**25 Oct 2023 11:34am Meyers, Kristy - Target Date Revision**  
Target date changed by Meyers, Kristy from 15 November 2023 to 31 January 2024 - Investigations continuing.

**22 Nov 2023 3:20pm Newman, Alex**  
Investigations continuing.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN8/2023	Ordinary Council 15/03/2023	Harris, Kate	Business With Notice	Permanent Security CCTV Cameras - Peace Park Weston - Miller Park	23/02/2024	
<b>MOTION</b> 1 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Sander	<b>Seconded:</b>	Councillor Hill		
<p><b>That Council direct the General Manager to:</b></p> <ul style="list-style-type: none"> <li>Identify funding opportunities for crime prevention solutions or monitoring (installation of CCTV) where a cost benefit analysis confirms it will provide an operational cost saving.</li> <li>Consult with NSW Police (Cessnock Local Area Command) in relation to the effectiveness of CCTV and the identification of priority locations across the LGA for potential implementation following grant funding applications.</li> <li>Consider the development of a CCTV Policy to protect community assets.\</li> </ul>						
<p><b>20 Mar 2023 2:11pm Lorenzen, Cherie - Reallocation</b> Action reassigned to Harris, Kate by Lorenzen, Cherie - Referred to Open Space &amp; Community Facilities Manager for action on behalf of GM per the amended resolution.</p>						
<p><b>27 Mar 2023 11:23am Harris, Kate</b> 1. Funding opportunities continue to be investigated, 2. Initial engagement has been held with NSW Police (Cessnock Local Area Command), currently awaiting further resources/information to be provided., 3. This to be considered.</p>						
<p><b>30 May 2023 11:52am Harris, Kate</b> 1. Funding opportunities continue to be investigated, 2. Initial engagement has been held with NSW Police (Cessnock Local Area Command), currently awaiting further resources/information to be provided. This will be followed up again., 3. This to be considered.</p>						
<p><b>30 May 2023 11:53am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 30 June 2023 to 28 July 2023 - Awaiting resources and advice from NSW Police, local area command.</p>						
<p><b>26 Jul 2023 3:39pm Harris, Kate</b> 1. Funding opportunities continue to be investigated, 2. Initial engagement has been held with NSW Police (Cessnock Local Area Command), currently awaiting further resources/information to be provided. Further meeting to be organised., 3. This to be considered.</p>						
<p><b>26 Jul 2023 3:40pm Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 28 July 2023 to 29 September 2023 - Awaiting feedback from Cessnock Local Area Command</p>						
<p><b>26 Sep 2023 1:12pm Harris, Kate</b> 1. Funding opportunities continue to be investigated, 2. Further engagement has been held with NSW Police (Cessnock Local Area Command). Monthly meetings have been set up with Council Officers and Cessnock Local Area Command to continue sharing information and identify hotspots and solutions to problem areas., 3. This to be considered.</p>						
<p><b>26 Sep 2023 1:17pm Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 29 September 2023 to 15 December 2023 - Liaison with local police is ongoing and funds are continuing to be investigated.</p>						
<p><b>22 Nov 2023 8:52am Harris, Kate</b> 1. Funding opportunities continue to be investigated, 2. Further engagement has been held with NSW Police (Cessnock Local Area Command). Monthly meetings have been set up with Council Officers and Cessnock Local Area Command to continue sharing information and identify hotspots and solutions to problem areas., 3. This to be considered.</p>						

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**22 Nov 2023 8:53am Harris, Kate - Target Date Revision**  
 Target date changed by Harris, Kate from 15 December 2023 to 23 February 2024 - Liaison with local police is ongoing and funds are continuing to be investigated.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN33/2022	Ordinary Council 16/11/2022	Harris, Kate	Business With Notice	Permanent Security CCTV Cameras - Huntlee District Park	23/02/2024	
<a href="#">351</a> <b>MOTION</b> 351 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Jurd	<b>Seconded:</b>	Councillor Olsen		
<b>That the General Manager:</b>						
<ol style="list-style-type: none"> <li>Liaise, support and work alongside LWP (Huntlee), to install a fully operational, CCTV Security Camera System within the new Huntlee District Park (similar to Bridges Hill Park);</li> <li>Research appropriate, relevant grants that may be able to assist in further protecting this community asset with said surveillance technology</li> </ol>						
<b>22 Nov 2022 1:20pm Meyers, Kristy - Reallocation</b> Action reassigned to Harris, Kate by Meyers, Kristy						
<b>25 Nov 2022 9:44am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 14 December 2022 to 31 March 2023 - Meeting to be held with LWP.						
<b>25 Nov 2022 9:45am Harris, Kate</b> 1. Meeting to be organised with LWP before the end of the year, 2. Upon completion of item 1						
<b>27 Mar 2023 11:22am Harris, Kate</b> 1. Meeting to be organised with LWP , 2. Upon completion of item 1						
<b>27 Mar 2023 11:22am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 31 March 2023 to 30 June 2023 - Competing priorities and limited resources						
<b>28 Jun 2023 11:25am Harris, Kate</b> 1. Advice has been provided from LWP that temporary security camera's are in place., 2. Council officers will continue to investigate grant funding opportunities for a permanent system.						
<b>28 Jun 2023 11:30am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 30 June 2023 to 25 August 2023 - Temporary security camera's are in place. Officers to continue to investigate funding opportunities for a permanent system.						
<b>31 Aug 2023 8:09am Harris, Kate</b> 1. Temporary security camera's are in place., 2. Council officers will continue to investigate grant funding opportunities for a permanent system.						
<b>31 Aug 2023 8:10am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 25 August 2023 to 27 October 2023 - Grant funding is being investigated						
<b>26 Sep 2023 1:18pm Harris, Kate</b> 1. Temporary security camera's are in place., 2. Council officers will continue to investigate grant funding opportunities for a permanent system.						
<b>26 Sep 2023 1:18pm Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 27 October 2023 to 22 December 2023 - Funding opportunities continue to be investigated.						
<b>22 Nov 2023 8:35am Harris, Kate</b> 1. Temporary security camera's are in place., 2. Council officers will continue to investigate grant funding opportunities for a permanent system.						
<b>22 Nov 2023 8:36am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 22 December 2023 to 23 February 2024 - Options are still being investigated for a permanent CCTV solution.						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W175/2022	Ordinary Council 14/12/2022	Eveleigh, Nathan	Works and Infrastructure	Cessnock LGA Hall Booking/Management	20/12/2023	
<a href="#">383</a> <b>MOTION</b> 383 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Watton	<b>Seconded:</b>	Councillor Burke		
1.	That Council notes the information contained within the report with regard to the implications and resourcing requirements required to overhaul the current practices has adopted relating to hall bookings, maintenance and potential promotions;					
2.	That Council completes a hall booking trial using the Bookeasy system at four community halls; and					
3.	That if the hall booking trial is successful, that Council implements the Bookeasy system at all community halls in consultation with the s355 volunteer management committees as resources allow.					
<p><b>16 Jan 2023 4:28pm Eveleigh, Nathan - Target Date Revision</b> Target date changed by Eveleigh, Nathan from 11 January 2023 to 30 June 2023 - Test webpage and platform completed for Bellbird Hall. Officers liaising with BookEasy on some minor amendments required for regular bookings., Additional halls will come online after testing is completed with Bellbird Community Hall as per the Council report.</p> <p><b>02 Mar 2023 9:41am Eveleigh, Nathan</b> BookEasy set-up in final testing phase for Bellbird Community Hall before going live.</p> <p><b>27 Mar 2023 11:56am Eveleigh, Nathan</b> Bellbird Community Hall Bookeasy portal went live on 20/3/2023. Will roll out 3 additional facilities following initial trials and feedback.</p> <p><b>28 Jun 2023 11:36am Eveleigh, Nathan</b> Hunter Valley VIC staff have commenced work on Ellalong &amp; Millfield Community Halls following successful roll-out of the BookEasy online bookings at Bellbird Community Hall for 3 months.</p> <p><b>28 Jun 2023 11:40am Eveleigh, Nathan - Target Date Revision</b> Target date changed by Eveleigh, Nathan from 30 June 2023 to 30 September 2023 - 2 additional halls being set-up. A 4th hall will be added once these two halls are online in the coming months.</p> <p><b>25 Aug 2023 8:36am Eveleigh, Nathan - Target Date Revision</b> Target date changed by Eveleigh, Nathan from 30 September 2023 to 20 December 2023 - VIC staff working on 2nd &amp; 3rd hall in consultation with open Space staff and s355 committee's.</p>						



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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM5/2023	Ordinary Council 16/08/2023	Clark, Cameron	Deferred Business	Bellbird Mine Disaster 100th Anniversary	20/12/2023	
<a href="#">544</a> <b>MOTION</b> 544 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Suvaal				
1.	That Council notes that on 1 September 1923, 21 local miners perished as a result of a fire at Bellbird Colliery.					
2.	That Council notes on 1 September 2023 there will be a memorial service commemorating the 100th Anniversary of the Bellbird Mine Disaster held at Bellbird Miners Memorial Park, at the corner of Wollombi Road and Kendall Street, Bellbird commencing at 11am.					
3.	That Council notes various commemorative events are planned by Cessnock Council for the Bellbird disaster centenary.					
4.	That the General Manager investigate the option of naming new streets in the Bellbird area after the 21 miners that lost their lives.					
<p><b>23 Aug 2023 12:50pm Lorenzen, Cherie - Target Date Revision</b> Target date changed by Lorenzen, Cherie from 13 September 2023 to 20 December 2023 - 1. 2. &amp; 3. Noted. Item 4, date revised and reassigned to Infrastructure Manager for action.</p> <p><b>23 Aug 2023 12:51pm Lorenzen, Cherie - Reallocation</b> Action reassigned to Clark, Cameron by Lorenzen, Cherie - Reallocation due to Road Infrastructure item.</p> <p><b>25 Oct 2023 11:36am Meyers, Kristy - Reallocation</b> Action reassigned to Mickleston, Peter by Meyers, Kristy - For P&amp;E to work with Developer to prepare road naming application.</p> <p><b>30 Oct 2023 12:58pm Blake, Yvonne - Reallocation</b> Action reassigned to McLachlan, Paul by Blake, Yvonne - Street naming comes under the responsibility of Works and Infrastructure.</p> <p><b>23 Nov 2023 9:42am Blake, Yvonne - Reallocation</b> Action reassigned to Clark, Cameron by Blake, Yvonne - Reallocated as road naming is conducted through W&amp;I Senior Business Support Officer - Infrastructure: Roads</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM6/2023	Ordinary Council 20/09/2023	Harris, Kate	Mayoral Minutes	Pool Family Free Days and Entry Vouchers	29/01/2024	
<a href="#">564</a> <b>MOTION</b> 564 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Suvaal				
1.	That Council issue a free family pass entry voucher to all children completing the NSW Department of Education intensive Learn to Swim program at Cessnock, Branxton Pools and Kurri Kurri Aquatic Fitness Centre, at a potential lost revenue of \$4,912.					
2.	That a free entry day and community celebrations take place early in the season and for Australia Day (26 January 2024) at Cessnock, Branxton and Kurri Kurri Pools at a cost of \$22,390.					
3.	That Council notes the total potential loss of pool entry revenue and other costs from these activities is an estimated total \$27,302.					
4.	Future funding to cover free entry days and community celebrations to be costed and included in the remaining Operational Plans in the current Delivery Program 2022-2026.					

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**25 Oct 2023 11:30am Meyers, Kristy - Reallocation**  
 Action reassigned to Harris, Kate by Meyers, Kristy - For action.

**22 Nov 2023 8:23am Harris, Kate**  
 1. Programs are still underway at Kurri Kurri Aquatic Fitness Centre. All vouchers will be distributed to participants by the end of term 4., 2. A free entry day was held at Council's aquatic facilities on Saturday 18 November. Community celebrations are planned to take place on Australia Day., 3. Noted, 4. Funding has been identified in the draft 2024/2025 Operational Plan and will also be included within the 2025/2026 Operational Plan for council's consideration.

**22 Nov 2023 8:29am Harris, Kate - Target Date Revision**  
 Target date changed by Harris, Kate from 18 October 2023 to 29 January 2024 - This action item will be updated further following community celebrations held on Australia Day.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN33/2020	Ordinary Council 18/11/2020	Clark, Cameron	Business With Notice	Laneway Access to Units/Granny Flats etc	31/01/2024	
<a href="#">1514</a> <b>MOTION</b> 1514 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Olsen	<b>Seconded:</b>	Councillor Dunn		
<p>That the General Manager provide a report to Council regarding options that council could change as it relates to development applications for the approval of units, granny flats or houses that will only have access off laneways to have the following conditions included,</p> <ol style="list-style-type: none"> <li>The laneway, if it has no name, be named with all costs to the developer</li> <li>The laneway be sealed by the developer so as not to create dust issues for existing residents</li> <li>All costs to be borne by the developer</li> <li>The Council's preference is for access off existing roads, not laneways</li> </ol>						
<p><b>23 Nov 2020 11:38am Blake, Yvonne - Reallocation</b>                      Action reassigned to Kerr, Katrina by: Blake, Yvonne for the reason: This report relates to Council Policy D5.3 - Development Applications Adjacent to Rear Lanes, which is the responsibility of the Roads, Bridges &amp; Drainage Manager in W&amp;I.</p> <p><b>30 Nov 2020 11:50am Kerr, Katrina</b>                      Commenced drafting report to Council.</p> <p><b>13 Apr 2021 9:28am Bates, Kelly</b>                      Item 1 - Commenced drafting report to Council.</p> <p><b>10 Aug 2021 9:30am Bates, Kelly - Target Date Revision</b>                      Target date changed as a result of current resources and competing priorities.</p> <p><b>31 Jan 2022 1:38pm Benson, Nicole</b>                      Resources now allow for this task to be completed. Work on the matter is scheduled to recommence in March 2022.</p> <p><b>02 May 2022 12:59pm Awal, Rabiul - Target Date Revision</b>                      Will be updated as per the consultation with the Development team.</p> <p><b>15 Nov 2022 4:37pm Awal, Rabiul - Target Date Revision</b>                      Due to resourcing issues the target date has changed to November 2023.</p> <p><b>02 Aug 2023 1:59pm Meyers, Kristy</b>                      Policy being reviewed and updated to include resolution 1-4. Point 2 - wording will be changed to add specific engineering detail.</p> <p><b>25 Oct 2023 11:32am Meyers, Kristy - Target Date Revision</b>                      Policy has been drafted with necessary updates and will be submitted to Governance for review.</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI23/2023	Ordinary Council 19/07/2023	Harris, Kate	Works and Infrastructure	Kurri Kurri Netball Facility	29/02/2024	
<a href="#">534</a> <b>MOTION</b> 534 <b>RESOLVED</b>	<b>Moved:</b>	McLachlan, Paul Councillor Grine	<b>Seconded:</b>	Councillor Hill		
<p>1. That a grant application for Kurri Kurri Netball Facility Stage 1 works, as outlined within this report, be submitted via the Arts Investing in Our Communities Program.</p> <p>2. That the General Manager continue to investigate funding opportunities for Kurri Kurri Netball Facility Stage 2 works and that a further report come back to Council.</p> <p><b>27 Jul 2023 10:02am Harris, Kate</b> 1. Complete, 2. Funding opportunities are currently being investigated</p> <p><b>27 Jul 2023 10:02am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 16 August 2023 to 27 October 2023 - Funding opportunities are being investigated.</p> <p><b>26 Sep 2023 10:47am Harris, Kate</b> 1. Complete, 2. Cost reductions and funding opportunities are currently being investigated</p> <p><b>26 Sep 2023 10:48am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 27 October 2023 to 15 December 2023 - Funding opportunities are currently being investigated</p> <p><b>22 Nov 2023 8:30am Harris, Kate</b> 1. Complete, 2. A further design review has been completed and a revised Quantity Surveyor estimate has been sought. Council staff are also currently preparing a grant application via the NSW Government's level the playing field grant program for the additional funding required for the netball facility.</p> <p><b>22 Nov 2023 8:34am Harris, Kate - Target Date Revision</b> Target date changed by Harris, Kate from 15 December 2023 to 29 February 2024 - Revised costings are still be sought and a grant application is being submitted. A report will be provided to Council following the above tasks being completed.</p>						

### Evaluation of Tenders

**Tender Evaluation Team:** In accordance with *CCC Procurement Guidelines*, a Tender Evaluation Team (TET) was formed with the following members:

- Acting Parks and Reserves Coordinator, Works & Infrastructure
- Recreation and Community Facilities Project Officer, Works & Infrastructure
- Principal Recreation Planner, Works & Infrastructure
- South Area Maintenance Coordinator, Works & Infrastructure

**Evaluation Process:** The evaluation was conducted according to the following process:

1. Assessment of receipt
2. Assessment of conformance
3. Shortlisting of tenders
4. Weighted evaluation
5. Due diligence checks on preferred tenderers
6. Determine evaluation result
7. Independent review of the tender selection process

The evaluation criteria and their weightings were documented in the Contract Preparation Checklist and Tender Evaluation Plan, reviewed by the Open Space & Community Facilities Manager prior to tenders being invited.

#### 1. Assessment of Receipt

Tenders were received and assessed against the first threshold criteria:

Threshold Criteria	
Criterion 1	Submission on time

The following tenders were received and are listed in alphabetical order.

Tender	Tenderer	Business Address	Criterion 1
1	Concrete Skateparks Pty Ltd	Point Lookout, QLD 4183	On time
2	Convic Pty Ltd	Richmond, VIC 3121	On time
3	Revolution Action Sports Concepts Pty Ltd	Taren Point, NSW 2229	On time
4	Trinity Skateparks Pty Ltd	Deception Bay, QLD 4508	On time

All four (4) tenders were received on time and met threshold Criterion 1.

#### 2. Assessment of Conformance

The tenders were then assessed for conformance with the remaining threshold criteria:

Threshold Criteria	
Criterion 2	Conformance with the RFT;
Criterion 3	Satisfactory financial capacity

All four (4) tenders included a number of qualifications that were subsequently clarified.

All four (4) tenders were considered conforming in threshold Criteria 2, 3 and 4. All four tenders were progressed to the next stage of evaluation, subject to the financial capacity of those tenderers, found to be in contention, to be confirmed at the Due Diligence stage of evaluation.

### 3. Shortlisting

With four (4) competitive tenders received, shortlisting was not considered necessary. All tenders were progressed to the next stage of evaluation.

### 4. Weighted Evaluation

Tenders were evaluated using the following weighted evaluation criteria:

Criterion 5	Total Tendered Price
Criterion 6	Contract Program
Criterion 7	Previous Experience
Criterion 8	WHS

To assess tenders against the evaluation criteria, the TET used information obtained from the tender documents. A Weighted Evaluation Matrix, containing full details of the tender amounts and weighted evaluation is provided as confidential **Enclosure 1**. Two (2) submissions provided alternate options.

Convic Pty Ltd included a value engineering option which removed custom made items like shelters, signs, pavers and seats and replaced with smart design solutions to save on costs.

Trinity Skateparks Pty Ltd included an alternate option with an alternate shelter structure and alternate balustrade solution to save on costs.

Both of these alternate options were included in the evaluation matrix which is included in **Enclosure 1**.

Tender four scored competitively for the tendered amount, as well as scoring competitively on all other weighted criteria. With the highest score, Tender four from Trinity Skateparks Pty Ltd was identified as the preferred tender.

### 5. Due Diligence

Referees, provided by the preferred tenderer, were contacted and positive comment on past performance was received. Performance on other known work was also considered.

Equifax Australasia Credit Ratings Pty Ltd was engaged to independently assess the preferred tenderers' financial capacity. The assessment confirmed conformance with threshold Criterion 4, having current financial capacity to satisfactorily complete the work.

### 6. Evaluation Result

Following steps 1 to 5 of the evaluation process, the TET found that Tender four from Trinity Skateparks Pty Ltd met the requirements of the RFT and recommended acceptance of Tender three.

### 7. Independent Review

The evaluation process and recommendations were reviewed by the TAP and determined to be in accordance with relevant documents and legislation:

- *Cessnock City Council Procurement Policy,*
- *Cessnock City Council Procurement Guidelines,*
- *Local Government Act 1993, and*
- *Local Government (General) Regulation 2021.*

### Evaluation of Tenders

**Tender Evaluation Team:** In accordance with CCC Procurement Guidelines, a Tender Evaluation Team (TET) was formed with the following members:

- Abid Khan, Project Manager, Infrastructure
- Sher Khan, Principal Stormwater & Flooding, Infrastructure
- Craig Wade, Procurement Coordinator, Financial Services

**Evaluation Process:** The evaluation was conducted according to the following process:

1. Assessment of receipt
2. Assessment of conformance
3. Shortlisting of tenders
4. Weighted evaluation
5. Due diligence checks on preferred tenderers
6. Determine evaluation result
7. Independent review of the tender selection process

The evaluation criteria and their weightings were documented in the DOC2023/159645, Contract Initiation Plan and DOC2023/159646, Tender Evaluation Plan, reviewed by the Soren Ryan prior to tenders being invited.

#### 1. Assessment of Receipt

Tenders were received and assessed against the first threshold criteria:

Threshold Criteria	
Criterion 1	Submission on time

The following tenders were received and are listed in alphabetical order.

Tender	Tenderer	Business Address	Criterion 1
1	Fortec Australia Pvt Ltd	Wetherill Park, 2164, NSW	On time
2	GC Civil Contracting Pvt Ltd	Unanderra, 2526, NSW	On time
3	Saunders Civilbuild Pvt Ltd	Redhead, 2290, NSW	On time
4	Waeger Constructions Pvt Ltd	Rutherford, 2320, NSW	On time

All 4 tenders were received on time and met threshold Criterion 1.

#### 2. Assessment of Conformance

The tenders were then assessed for conformance with the remaining threshold criteria:

Threshold Criteria	
Criterion 2	Conformance with the RFT Documents
Criterion 3	Demonstrated capacity to manage the works, including satisfactory safety, environmental and quality management system
Criterion 4	Satisfactory financial capacity.

01 tenders included qualifications that were subsequently clarified (Attached).

All 4 tenders were considered conforming in threshold Criteria 2, 3 and 4. All 4 tenders were progressed to the next stage of evaluation, subject to the financial capacity of those

tenderers, found to be in contention, to be confirmed at the Due Diligence stage of evaluation.

### 3. Shortlisting

With 4 competitive tenders received, shortlisting was not considered necessary. All tenders were progressed to the next stage of evaluation.

### 4. Weighted Evaluation

Tenders were evaluated using the following weighted evaluation criteria:

Criterion 5	Lump sum tender amount;
Criterion 6	Design and Construction Methodology
Criterion 7	Contract program and physical resources offered
Criterion 8	Experience and capability
Criterion 9	Quality, WHS and environmental management

To assess tenders against the evaluation criteria, the TET used information obtained from the tender documents. A Weighted Evaluation Matrix, containing full details of the tender amounts and weighted evaluation is provided as confidential **Enclosure 1**.

Tender Fortec Australia Pvt Ltd scored highest for the tendered amount, as well as scoring competitively on all other weighted criteria. With the highest score, Tender VPR662141 from Fortec Australia Pvt Ltd was identified as the preferred tender.

### 5. Due Diligence

Referees, provided by the preferred tenderer, were contacted and positive comment on past performance was received. Performance on other known work was also considered.

Equifax Australasia Credit Ratings Pty Ltd was engaged to independently assess the preferred tenderers' financial capacity. The assessment confirmed conformance with threshold Criterion 4, having current financial capacity to satisfactorily complete the work.

### 6. Evaluation Result

Following steps 1 to 5 of the evaluation process, the TET found that Tender VPR662141 from Fortec Australia Pvt Ltd met the requirements of the RFT and recommended acceptance of Tender VPR662141.

### 7. Independent Review

The evaluation process and recommendations were reviewed by the TAP and determined to be in accordance with relevant documents and legislation:

- *Cessnock City Council Procurement Policy,*
- *Cessnock City Council Procurement Guidelines,*
- *Local Government Act 1993,* and
- *Local Government (General) Regulation 2021.*

**Evaluation of Quotations**

**Quotation Evaluation Team:** In accordance with CCC Procurement Guidelines, a Tender Evaluation Team (TET) was formed with the following members:

- Infrastructure Manager, Infrastructure
- Works and Operations Manager, Works and Operations
- Procurement Coordinator, Financial Services
- Project Manager (Lead), Flood Recovery Works Landslides
- Project Manager (Support), Flood Recovery Works Landslides

**Evaluation Process:** The evaluation was conducted according to the following process:

1. Assessment of receipt
2. Assessment of conformance
3. Shortlisting of suppliers
4. Weighted evaluation
5. Due diligence checks on preferred supplier
6. Determine evaluation result
7. Independent review of the quotation selection process

The evaluation criteria and their weightings were documented in the Q2020-209-Landslide Remedial Works - Package 2 – Minor Civil Works - Contract Initiation and Development Plan, reviewed by the Procurement Coordinator prior to tenders being invited.

**1. Assessment of Receipt**

Quotations were received and assessed against the first threshold criteria:

Threshold Criteria	
Criterion 1	Submission on time

The following quotes were received and are listed in alphabetical order.

Tender	Tenderer	Business Address	Criterion 1
1	Alliance Construction Group Pty Ltd	Port Macquarie NSW 2444	On time
2	Civil & Civic Group Pty Ltd	Canberra Airport, ACT 2600	On time
3	Fulton Hogan Industries Pty Ltd	Kembla Grange, NSW 2526	On time

All five tenders were received on time and met threshold Criterion 1.

**2. Assessment of Conformance**

The tenders were then assessed for conformance with the remaining threshold criteria:

Threshold Criteria	
Criterion 2	Conformance with the RFT;



Only Supplier Three, Fulton Hogan Industries Pty Ltd included a number of qualifications that would need to be clarified and considered if they were to be the preferred Supplier.

### 3. Shortlisting

With three competitive quotes received, shortlisting was not considered necessary. All quotes were progressed to the next stage of evaluation.

### 4. Weighted Evaluation

Quotes were evaluated using the following weighted evaluation criteria:

Criterion 3	Lump sum of Quoted amount
Criterion 4	Contract Program
Criterion 5	Safety Management Performance and Systems
Criterion 6	Experience, past performance, management and resources offered
Criterion 7	Environmental management performance

To assess quotation against the evaluation criteria, the TET used information obtained from the quotation documents. A Weighted Evaluation Matrix, containing full details of the quotations amounts and weighted evaluation is provided as confidential **Enclosure 1**.

Supplier One, Alliance Construction Group Pty Ltd, scored highest for the quoted amount, as well as scoring competitively on all other weighted criteria. With the highest score, Supplier One from Alliance Construction Group Pty Ltd was identified as the preferred supplier.

### 5. Due Diligence

Referees, provided by the preferred supplier, were contacted and positive comment on past performance was received. Performance on other known work was also considered.

Telephone interviews was carried out with the preferred supplier to clarify the submission and the proposed program.

Equifax Australasia Credit Ratings Pty Ltd was engaged to independently assess the preferred tenderers' and subcontractor's financial capacity. The assessment confirmed the tenderer has current financial capacity to satisfactorily complete the work.

### 6. Evaluation Result

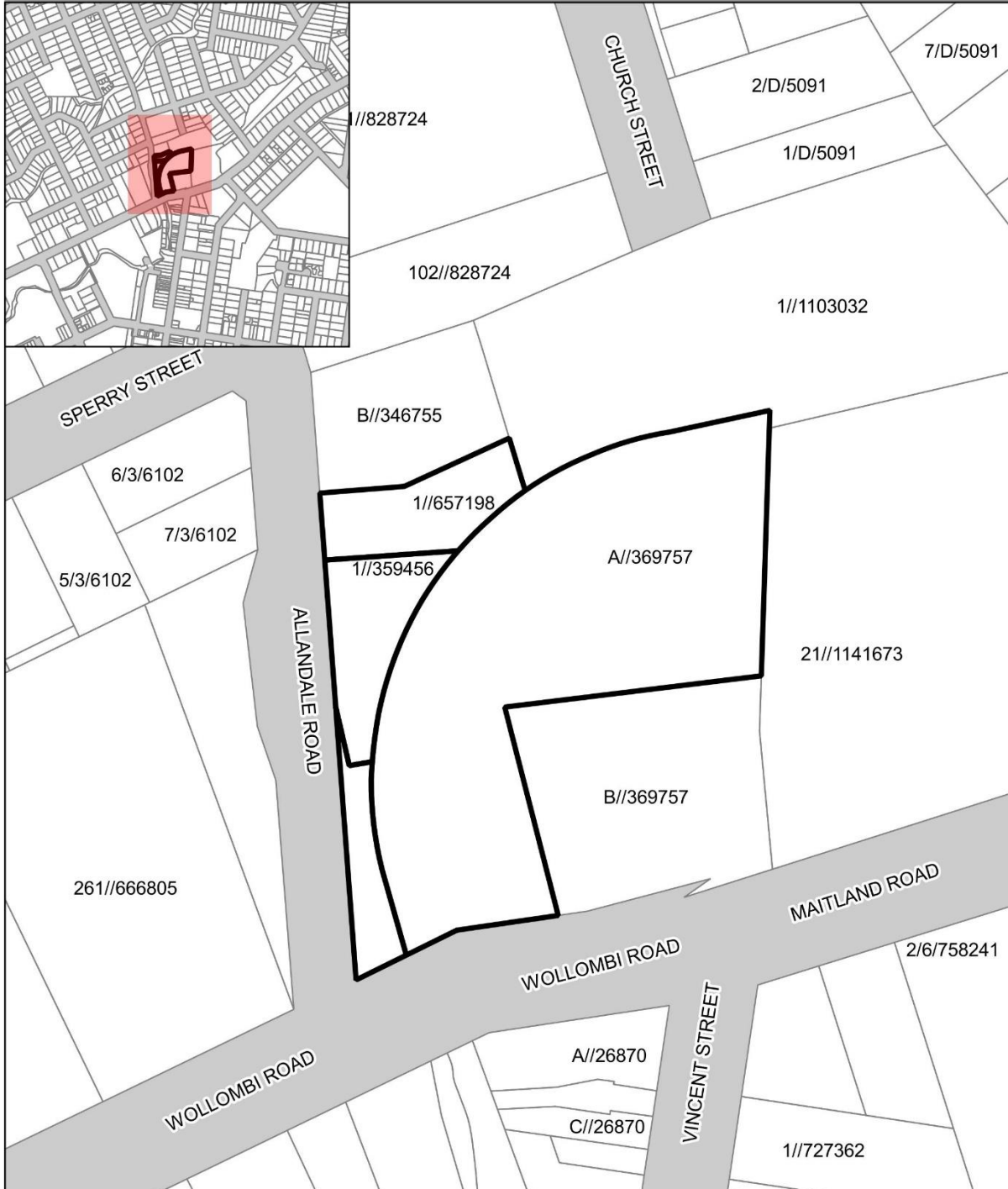
Following steps 1 to 5 of the evaluation process, the TET found that Supplier One from Alliance Construction Group Pty Ltd met the requirements of the RFQ and recommended acceptance of Quotation Q2023-209.

## **7. Independent Review**

The evaluation process and recommendations were reviewed by the TAP and determined to be in accordance with relevant documents and legislation:

- *Cessnock City Council Procurement Policy,*
- *Cessnock City Council Procurement Guidelines,*
- *Local Government Act 1993, and*
- *Local Government (General) Regulation 2021.*
- *Project Control Group (Inclusive of TfNSW).*

Property Location: Apex Park \_ Council Map Enclosure 13 December 2023 CRM 23863/2023 \_ N Eveleigh



Date Produced:  
2023-11-6 at 9:41

Scale:  
1:1,250

Reference:  
13 December 2023 \_ Apex Park \_ N Eveleigh \_ CRM 23863/2023

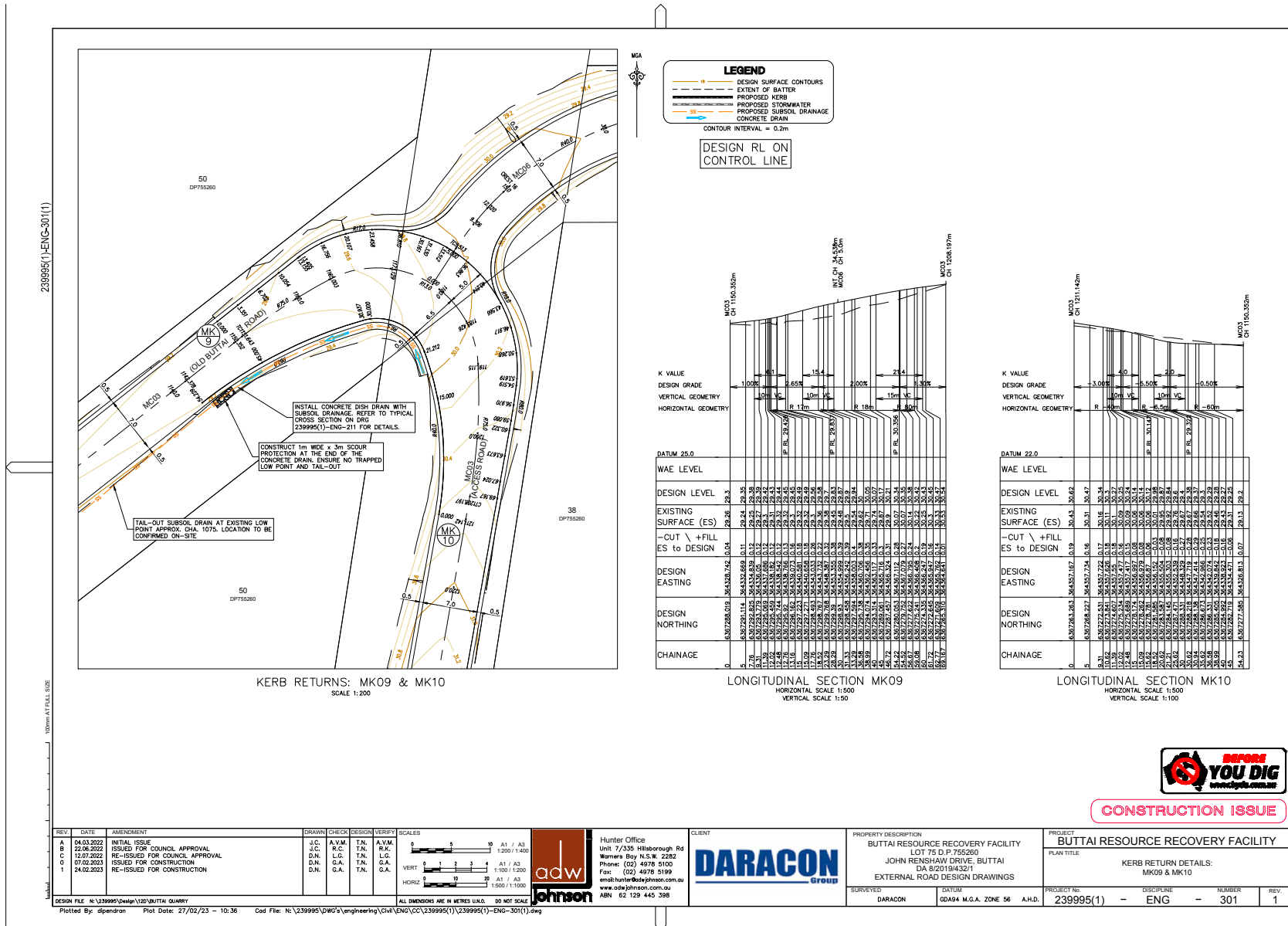
Coordinate System:  
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Datum GDA2020  
Zone 56

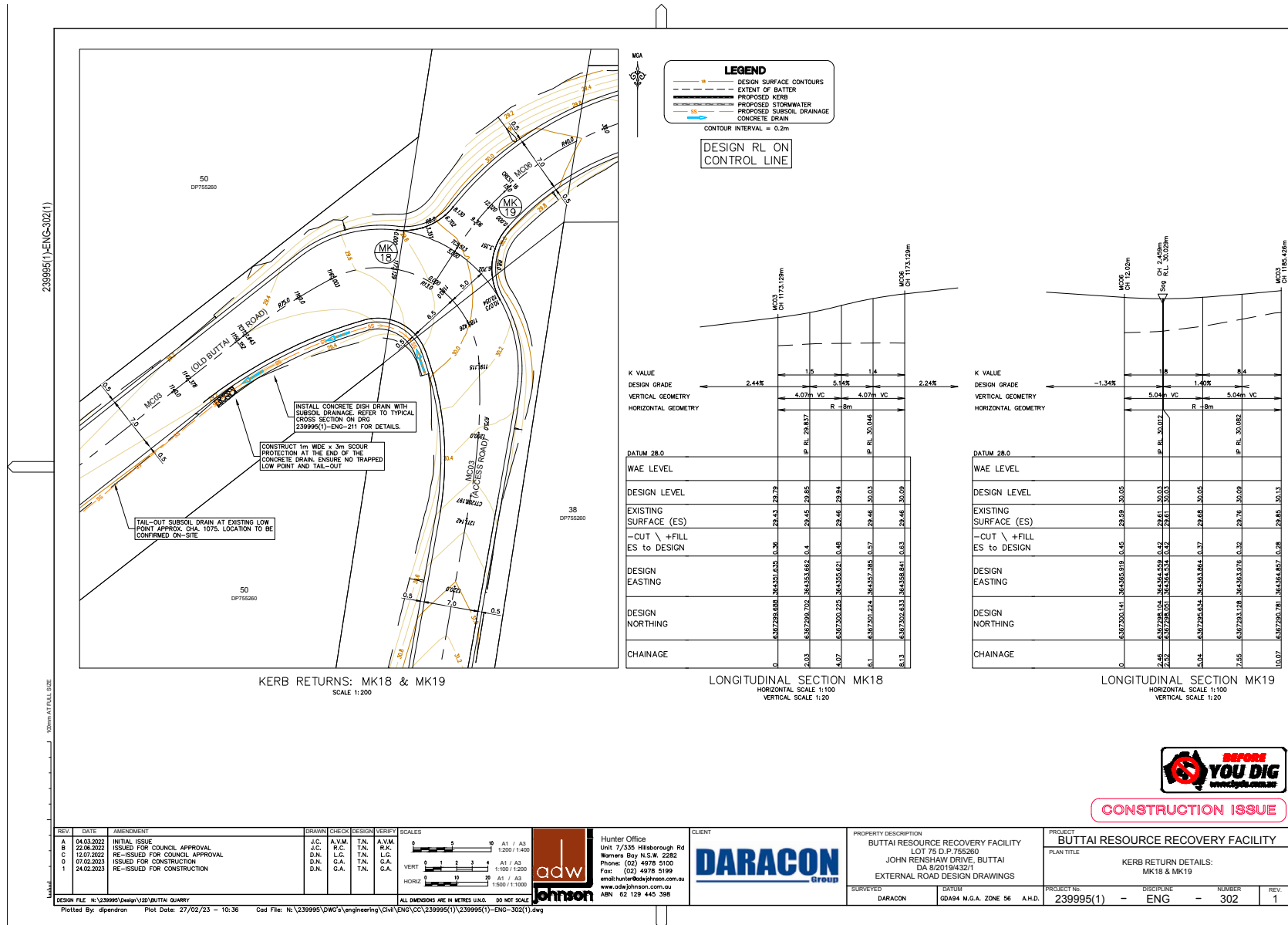


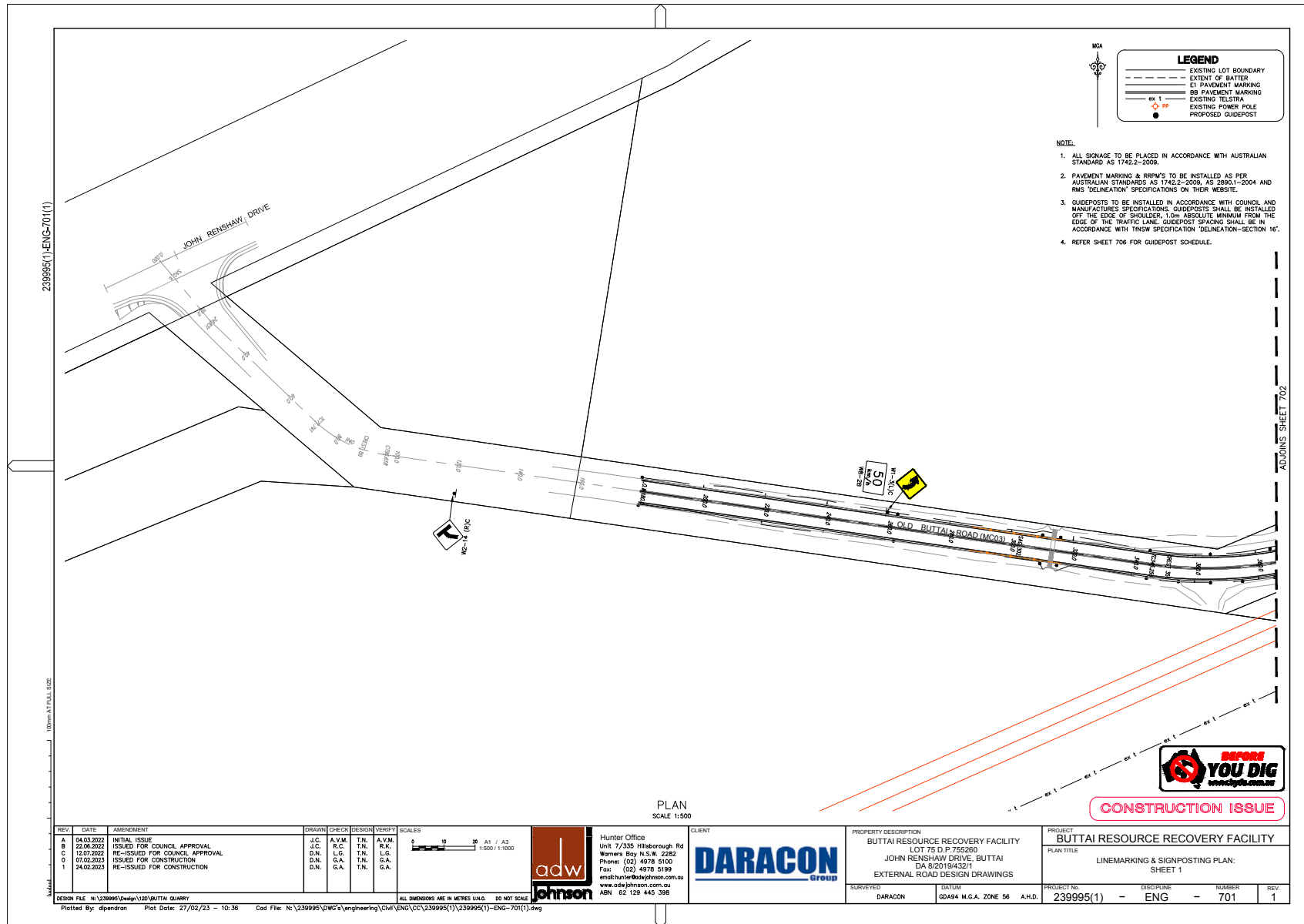
Contact:  
62-78 Vincent Street  
(PO Box 152)  
CESSNOCK NSW 2325  
(02) 4993 4100  
council@cessnock.nsw.gov.au

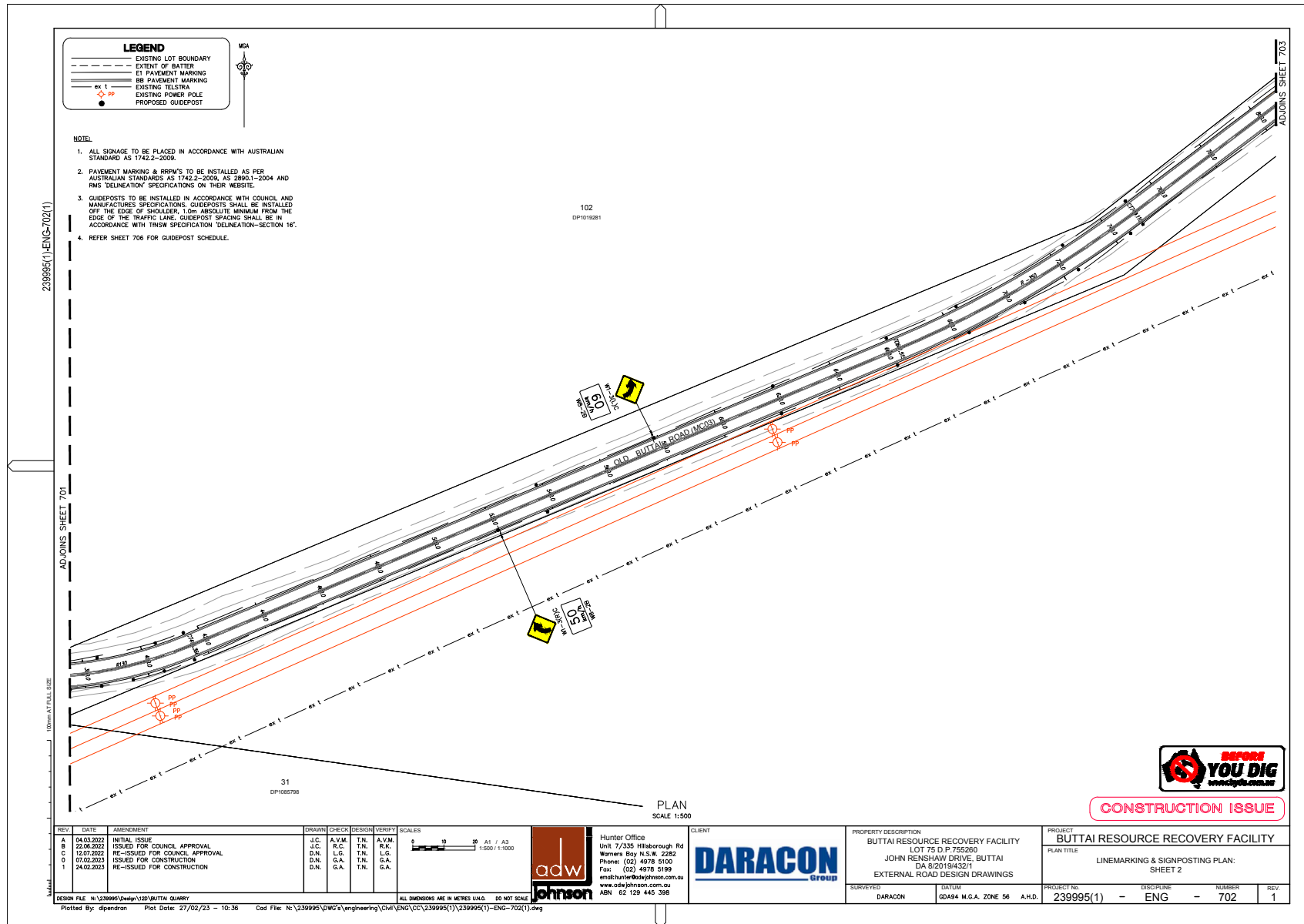
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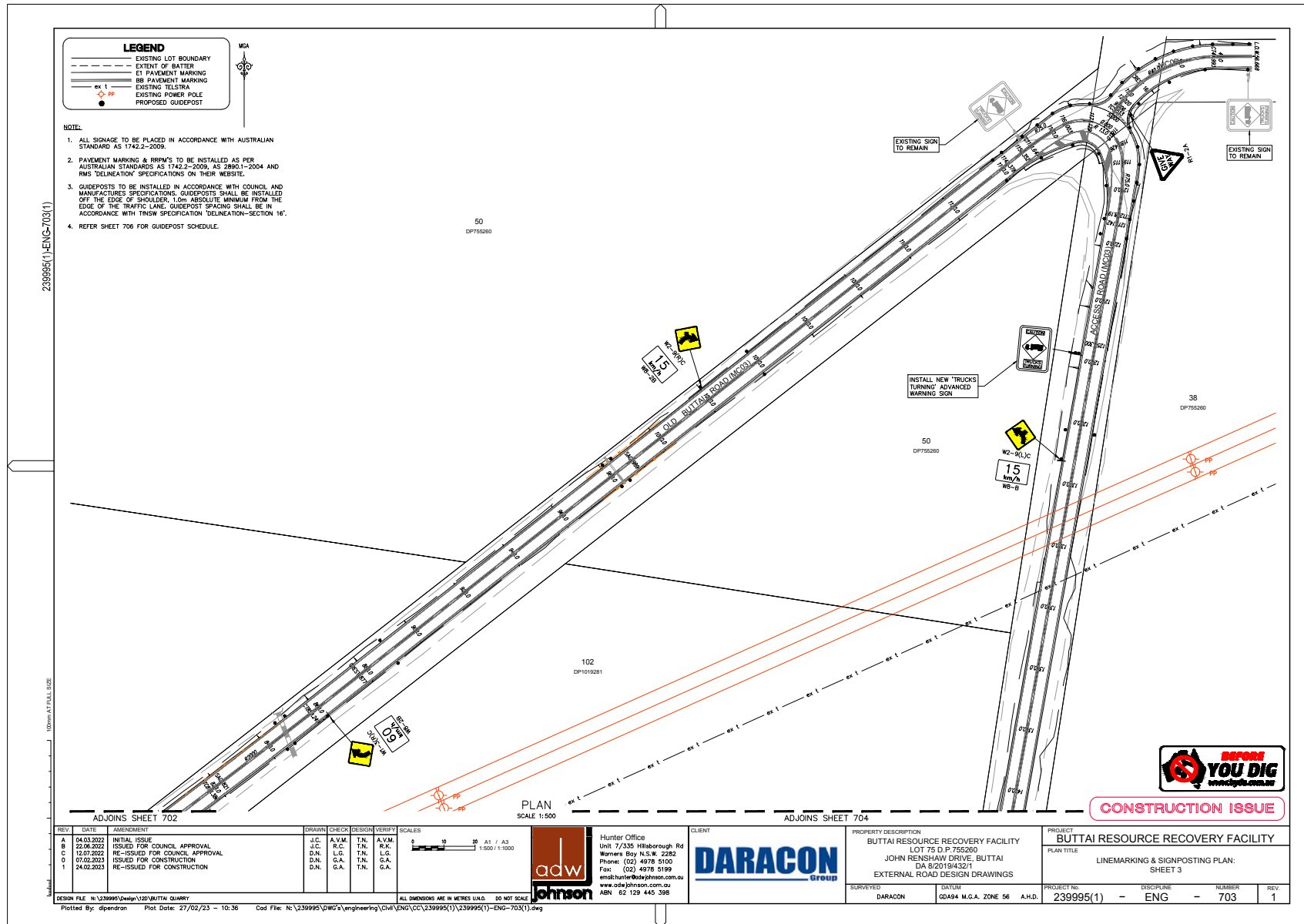
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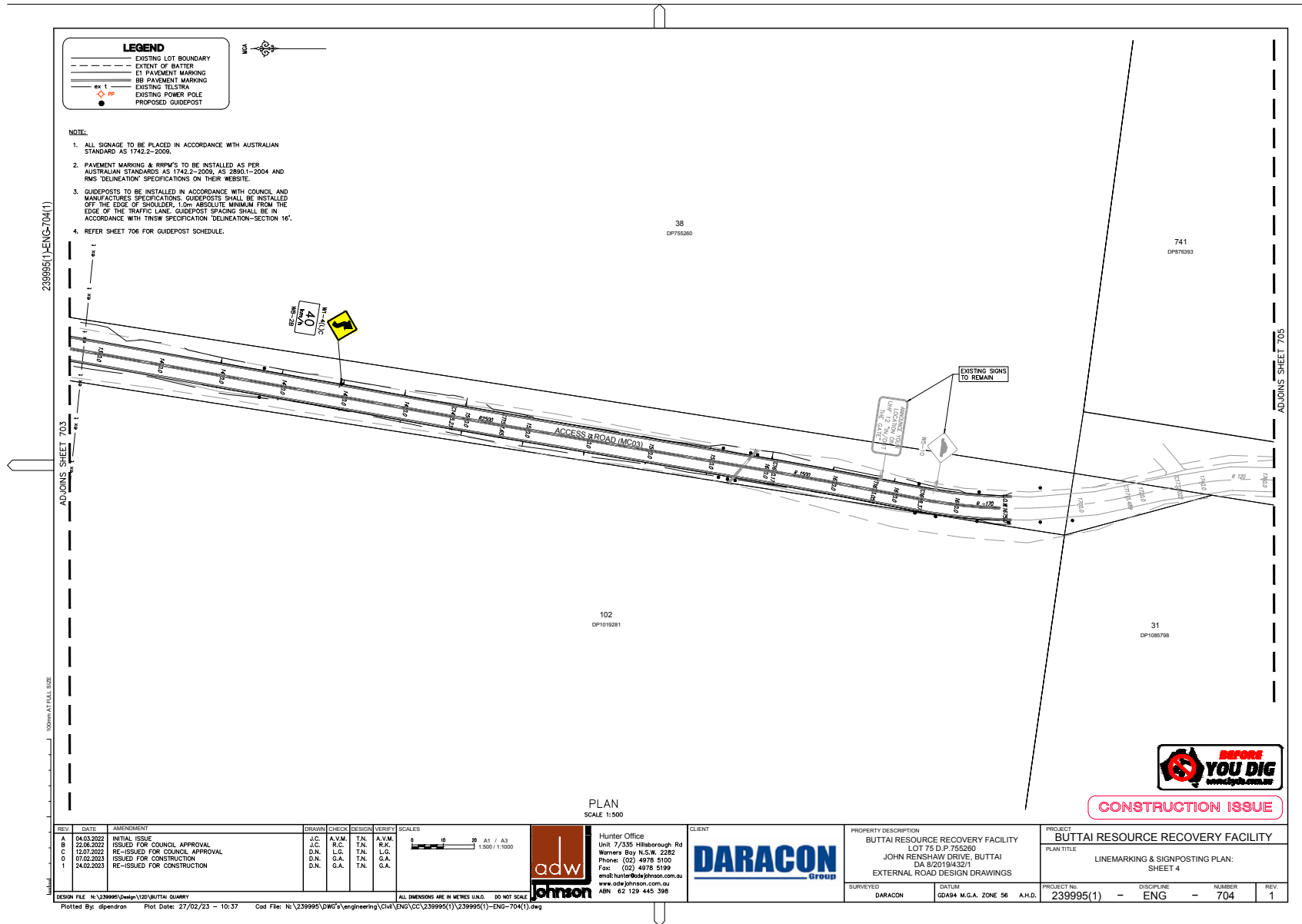


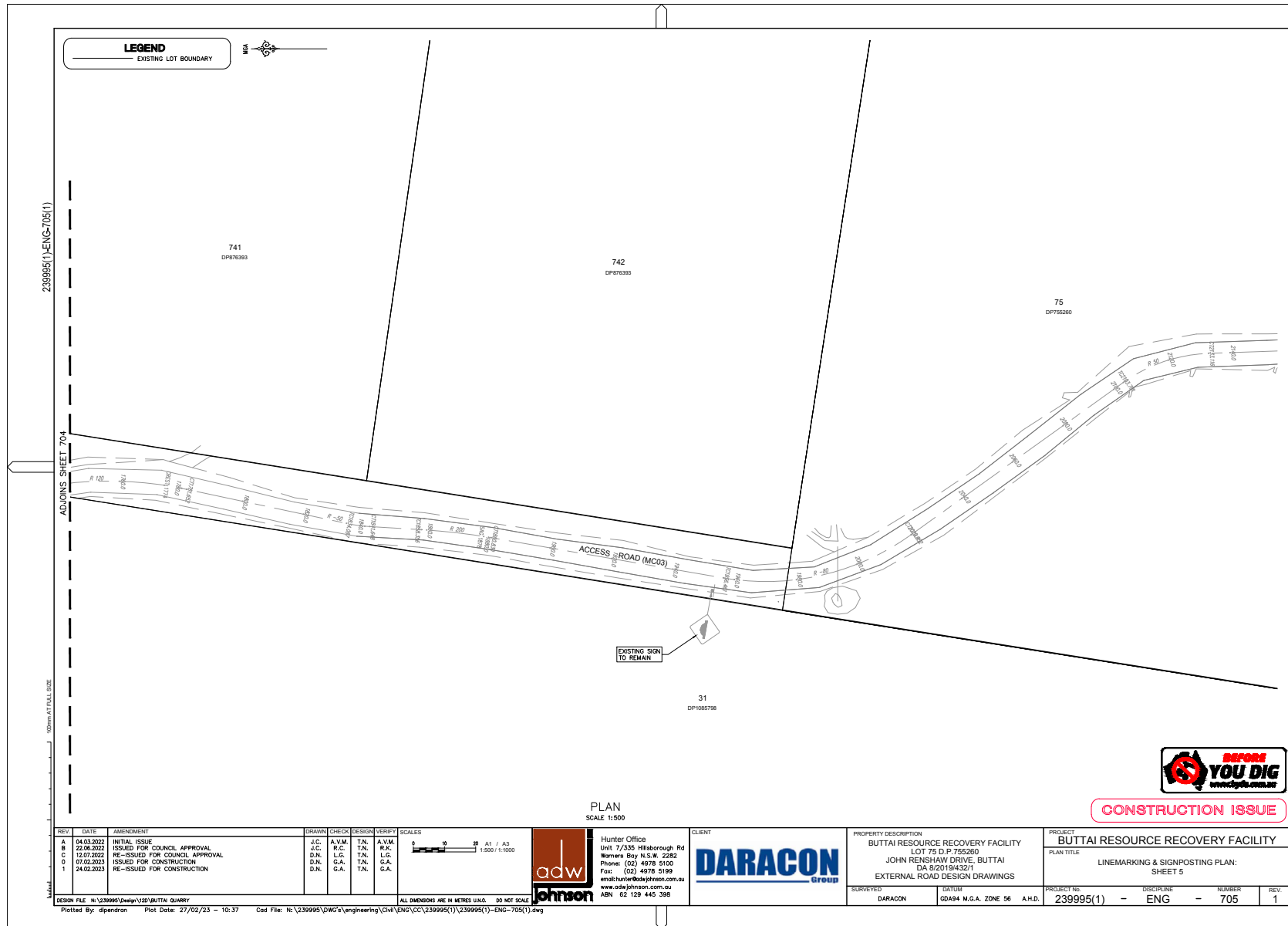












CONSTRUCTION ISSUE

PLAN  
SCALE 1:500

REV	DATE	AMENDMENT
A	04.03.2022	INITIAL ISSUE
B	22.06.2022	ISSUED FOR COUNCIL APPROVAL
C	12.07.2022	RE-ISSUED FOR COUNCIL APPROVAL
O	07.02.2023	ISSUED FOR CONSTRUCTION
1	24.02.2023	RE-ISSUED FOR CONSTRUCTION

DRAWN	CHECK	DESIGN	VERIFY	SCALE
J.C.	A.V.M.	T.N.	A.V.M.	A1 / A3
J.C.	R.C.	T.N.	R.K.	1:500 / 1:1000
D.N.	L.G.	T.N.	L.G.	
D.N.	G.A.	T.N.	G.A.	
D.N.	G.A.	T.N.	G.A.	

adw  
Johnson

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ABN 62 129 445 398

CLIENT

**DARACON**  
Group

PROPERTY DESCRIPTION	BUTTAI RESOURCE RECOVERY FACILITY LOT 75 D.P. 755260 JOHN RENSCHAW DRIVE, BUTTAI DA 8/2019/432/1 EXTERNAL ROAD DESIGN DRAWINGS
SURVEYED	DARACON
DATUM	CD494 M.G.A. ZONE 56 A.H.D.

PROJECT	BUTTAI RESOURCE RECOVERY FACILITY
PLAN TITLE	LINEMARKING & SIGNPOSTING PLAN: SHEET 5
PROJECT No.	239995(1)
DISCIPLINE	ENG
NUMBER	705
REV	1

DESIGN FILE N:\239995\dwg\120\BUTTAI QUARRY  
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ALL DIMENSIONS ARE IN METRES UNDO. DO NOT SCALE

