



Vincent Street
CESSNOCK

11 February 2025

ORDINARY MEETING OF COUNCIL

WEDNESDAY, 19 FEBRUARY 2025

ENCLOSURES

PAGE NO.

PLANNING AND ENVIRONMENT

PE1/2025 **Development Application No. 8/2023/298/1 for a food and drink premises comprising a pub and ancillary brewery, restaurant / café and associated car parking and on-site effluent disposal**

5439 George Downes Drive Bucketty

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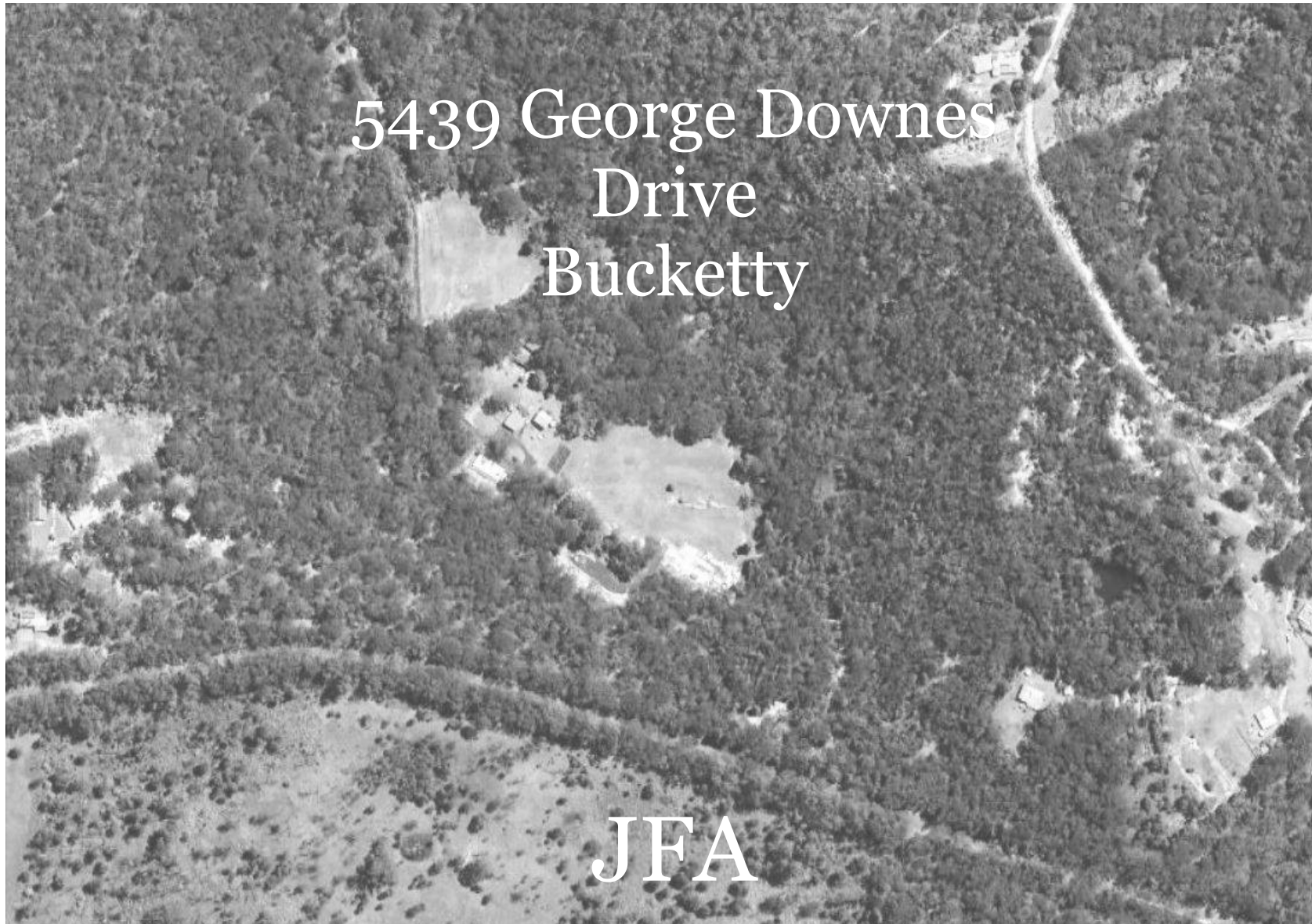
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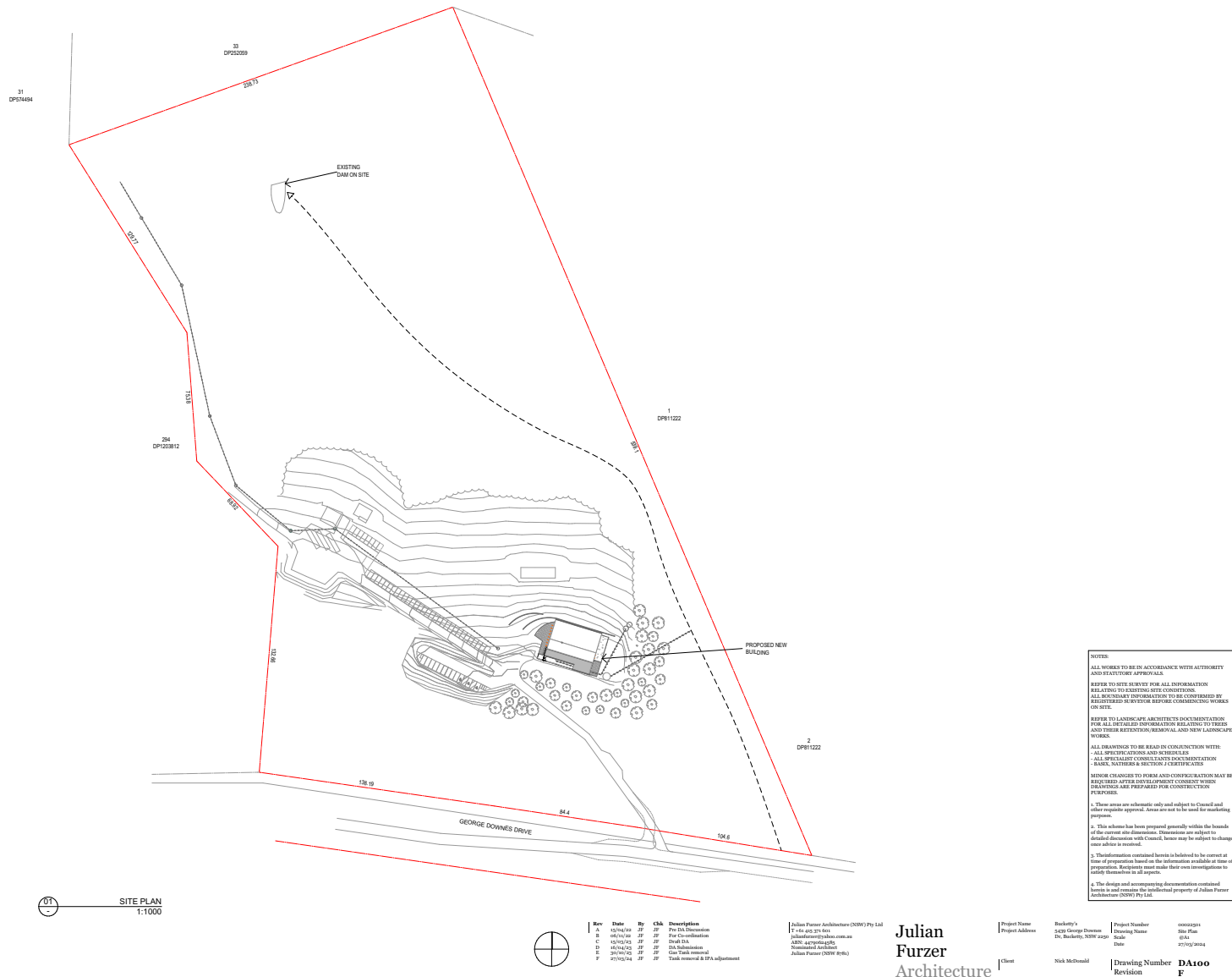
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5439 George Downes Drive Bucketty



5439 George Downes Drive Bucketty



01 SITE PLAN 1:1000

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Rev	Date	By	Chk	Description
A	15/04/24	JP	JP	Pre-DA Discussion
B	16/04/24	JP	JP	Pre-DA Discussion
C	15/05/24	JP	JP	Draft DA
D	16/04/24	JP	JP	DA Submission
E	20/06/24	JP	JP	DA Task amended
F	27/07/24	JP	JP	Task amended & EPA adjustment

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Julian Furzer Architecture

Project Name
 Project Address

Bucketty's
 5439 George Downes Drive, Bucketty, NSW 2519

Project Number
 Drawing Name
 Date

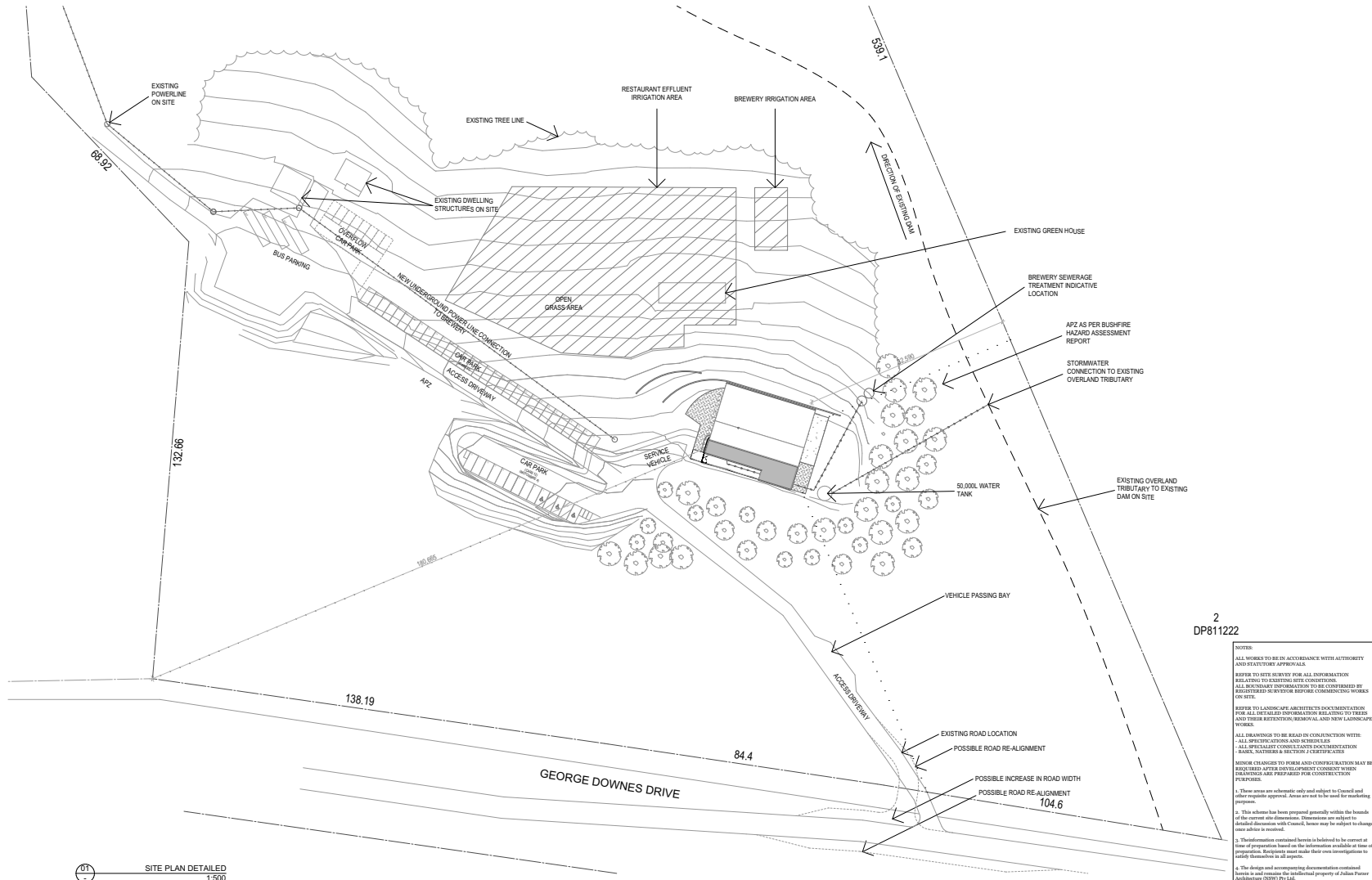
08022201
 Site Plan
 08/01/2024

Client
 Nick McDonald
 Drawing Number
 Revision

D100
 F

NOTES:
 ALL WORKS TO BE IN ACCORDANCE WITH AUTHORITY AND STATUTORY APPROVALS.
 REFER TO SITE SURVEY FOR ALL INFORMATION RELATING TO EXISTING UTILITIES AND SERVICES.
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 ALL DRAWINGS TO BE READ IN CONJUNCTION WITH ALL SPECIFICATIONS AND SCHEDULES.
 ALL SPECIALLY CONSULTANTS DOCUMENTATION SHALL BE REFERRED TO WHERE APPROPRIATE.
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 4. The design and accompanying documentation contained herein is and remains the intellectual property of Julian Furzer Architecture (NSW) Pty Ltd.

5439 George Downes Drive Bucketty



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DP811222

NOTES:

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SITE PLAN DETAILED
1:500

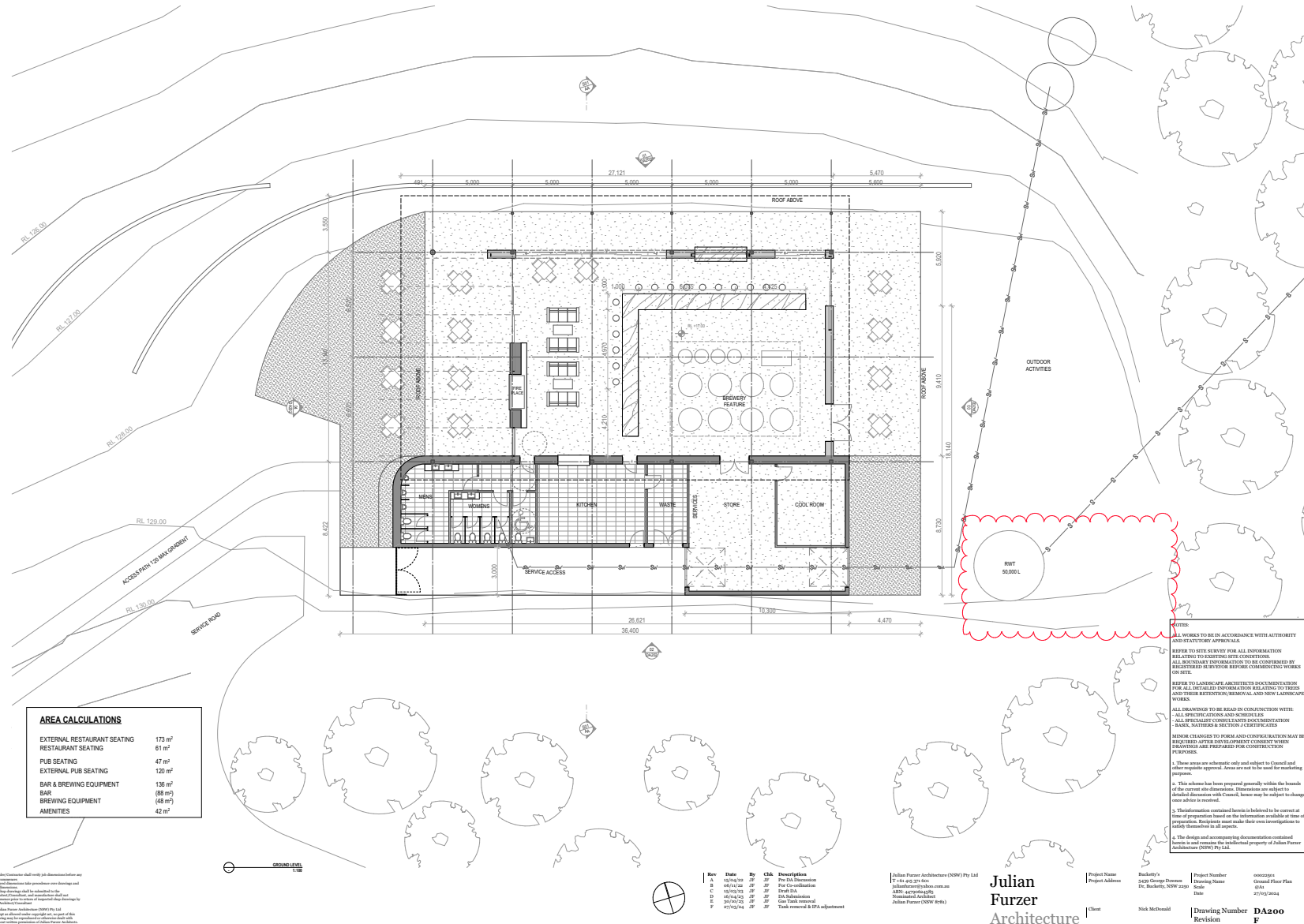
Rev	Date	By	Chk	Description
A	15/04/24	JF	JF	Pre IGA Submission
B	16/02/24	JF	JF	Pre IGA Submission
C	15/03/24	JF	JF	Draft DA
D	16/04/24	JF	JF	DA Submission
E	20/06/24	JF	JF	DA Submission
F	27/07/24	JF	JF	Final approval & IGA adjustment

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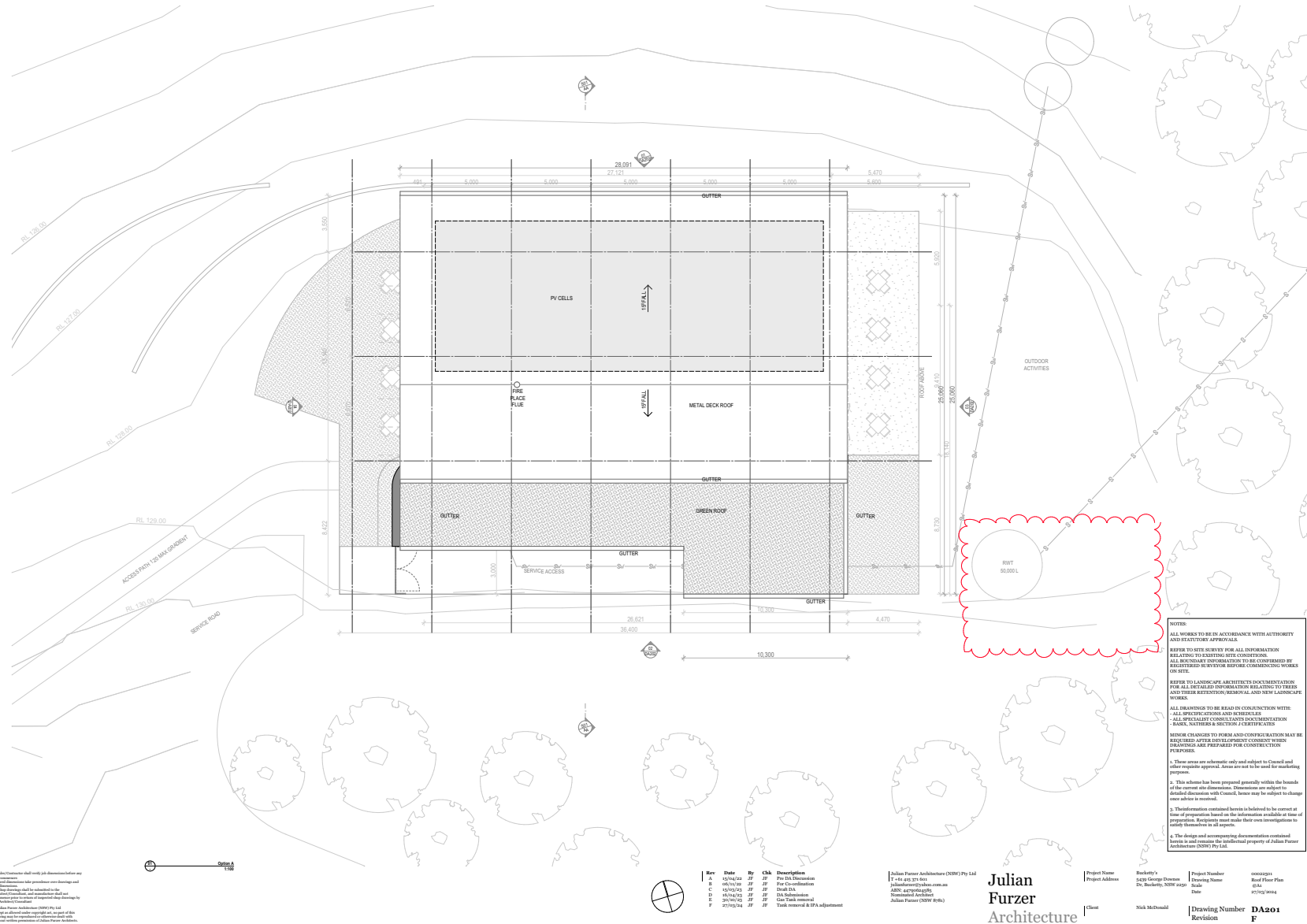
Julian Furzer Architecture

Project Name: 5439 George Downes Drive, Bucketty, NSW 2504
 Project Address: 5439 George Downes Drive, Bucketty, NSW 2504
 Project Number: 08022201
 Drawing Name: 001
 Date: 27/03/2024
 Drawing Number: DA101
 Revision: F

5439 George Downes Drive Bucketty



5439 George Downes Drive Bucketty



NOTES:

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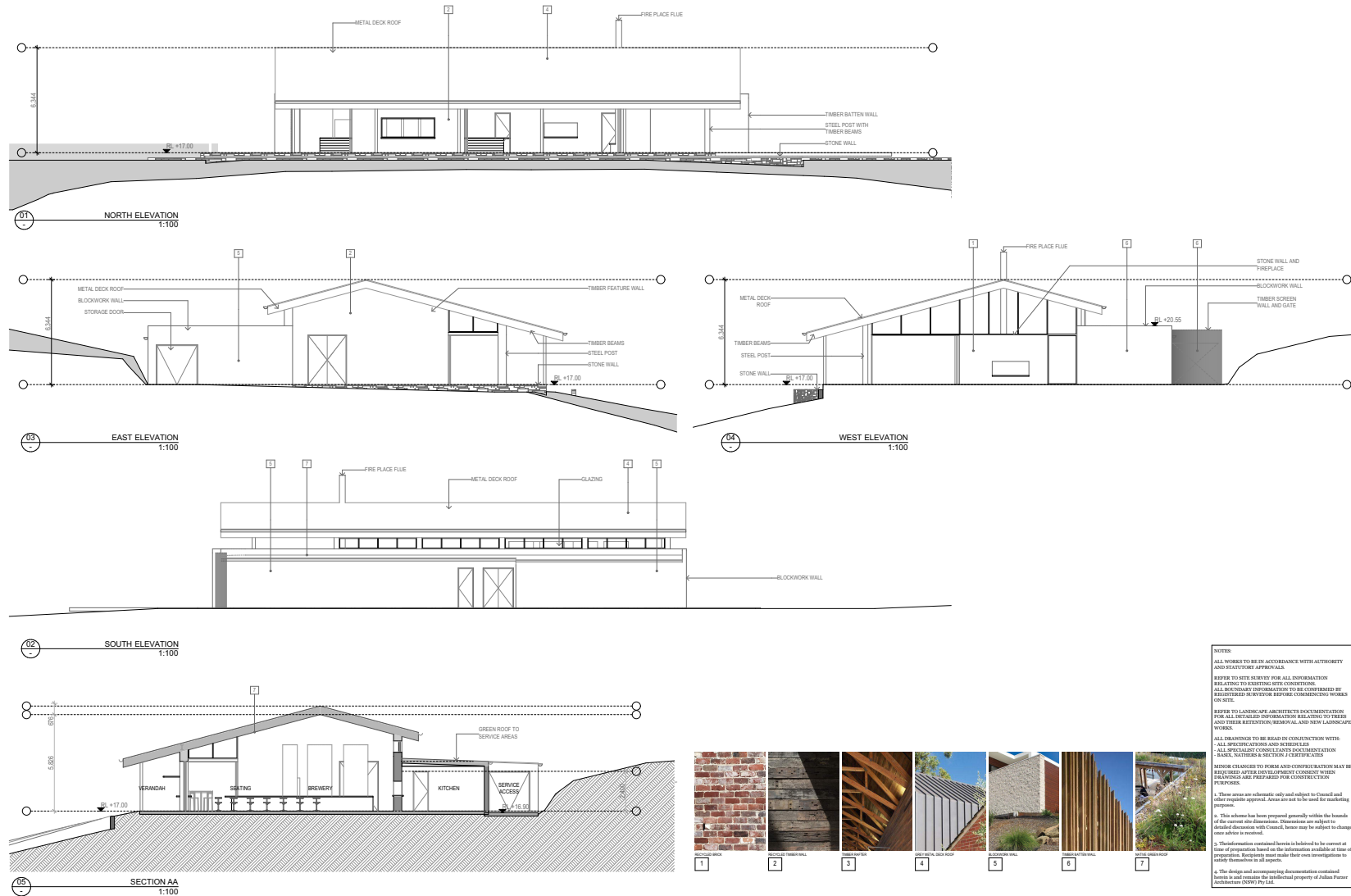
Rev	Date	By	CHK	Description
A	15/04/24	JF	JF	Pre IFA Discussion
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C	15/02/24	JF	JF	Draft DA
D	05/04/24	JF	JF	DA Submission
E	20/03/24	JF	JF	Task removed
F	27/03/24	JF	JF	Task removed & IFA adjustment

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Julian Furzer Architecture

Project Name: 5439 George Downes Dr, Bucketty, NSW 2518
 Project Number: 08022251
 Drawing Name: Road Floor Plan
 Date: 27/03/2024
 Client: Nick McDonald
 Drawing Number: DA201
 Revision: F

5439 George Downes Drive Bucketty



NOTES:
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 ALL WORKING TO EXISTING LEVELS UNLESS OTHERWISE NOTED.
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A	15/04/24	JF	JF	Pre IFA Discussion
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C	15/02/24	JF	JF	Draft DA
D	05/04/24	JF	JF	DA Submission
E	20/03/24	JF	JF	DA Task amended
F	07/03/24	JF	JF	Task removed & IFA adjustment

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Project Name
 Project Address

Bucketty's
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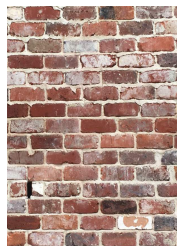
Project Number
 Drawing Number
 Date

08022291
 001
 07/03/2024

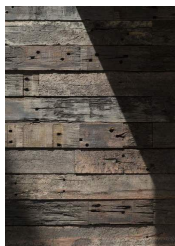
Nick McDonald
 Drawing Number
 Revision

D2A202
 F

5439 George Downes Drive Bucketty



RECYCLED BRICK



RECYCLED TIMBER WALL



TIMBER RAFTER



GREY METAL DECK ROOF



BLOCKWORK WALL



TIMBER BATTEN WALL



NATIVE GREEN ROOF

Revised drawings are the property of the client and are not to be used for any other purpose without the written consent of the architect. All drawings shall be submitted to the client for approval. The client shall be responsible for obtaining all necessary permits and approvals. The architect shall be responsible for obtaining all necessary permits and approvals. The architect shall be responsible for obtaining all necessary permits and approvals.

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A	15/04/24	JP	JP	Pre-DA Discussion
B	05/02/24	JP	JP	Pre-DA Discussion
C	15/03/24	JP	JP	DA Draft
D	05/04/24	JP	JP	DA Submission
E	20/03/24	JP	JP	DA Submission
F	27/03/24	JP	JP	DA Submission & EPA adjustment

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 Julian Furzer (NSW 804)

Julian Furzer Architecture

Project Name
 Project Address

Project Number
 Drawing Name
 Date

Drawing Number
 Revision

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5439 George Downes Drive Bucketty





AREA CALCULATIONS

EXTERNAL RESTAURANT SEATING	173 m ²
RESTAURANT SEATING	61 m ²
PUB SEATING	47 m ²
EXTERNAL PUB SEATING	120 m ²
BAR & BREWING EQUIPMENT	136 m ²
BAR	(88 m ²)
BREWING EQUIPMENT	(48 m ²)
AMENITIES	42 m ²
BACK OF HOUSE	126 m ²

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Rev	Date	By	Chk	Description
A	28/08/23	JF	JP	Additional Information

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Julian Furzer Architecture

Project Name	Project Address	Project Number	Area Calculation
5439 George Downes Drive, Bucketty, NSW 2518	041	0802291	041
Date	Client	Drawing Number	Revision
27/03/2024	Nick McDonald	D4301	A

Reasons for approval

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the *Cessnock Local Environmental Plan 2011 (CLEP)*.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Cessnock Development Control Plan 2010 (DCP).
- Subject to the recommended conditions, the proposed development will be provided with adequate essential services required under the *Cessnock Local Environmental Plan 2011 (CLEP)*.
- The proposed development is considered to be of an appropriate scale and form for the site and is consistent and sympathetic with the character of the locality.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- Any issues raised in the submissions have been taken into account in the assessment report and where appropriate, conditions of consent have been imposed on the determination. Council has given due consideration to community views when making the decision to determine the application.

GENERAL CONDITIONS

Condition		
1. Approved Plans and Documents		
Development must be carried out strictly in accordance with DA No. 8/2023/298/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.		
Plan Reference	Drawn By	Dated
Site Plan Project No.: 00022501 Drawing No: DA100 Revision: F	Julian Furzer Architecture	27 March 2024
Detailed Site Plan Project No.: 00022501 Drawing No: DA101 Revision: F	Julian Furzer Architecture	27 March 2024
Ground Floor Plan Project No.: 00022501 Drawing No: DA200 Revision: F	Julian Furzer Architecture	27 March 2024
Roof Plan Project No.: 00022501 Drawing No: DA201 Revision: F	Julian Furzer Architecture	27 March 2024
Elevations Project No.: 00022501 Drawing No: DA202 Revision: F	Julian Furzer Architecture	27 March 2024
Artistic Perspective Project No.: 00022501 Drawing No: DA203 Revision: F	Julian Furzer Architecture	27 March 2024
Vegetation Modification Plan Project No.: 00022501 Drawing No: DA300 Revision: J	Julian Furzer Architecture	27 March 2024
Area Calculation Project No.: 00022501 Drawing No: DA301 Revision: A	Julian Furzer Architecture	27 March 2024
Document Title	Prepared By	Dated
Integrated Bushfire and Vegetation Management Plan	Fraser Ecological Consulting	21 November 2023
Bushfire Hazard Assessment Report Project No: 00022501 Ref No. 22.11.450, Rev J	Control Line Consulting	18 April 2024

Noise Impact Assessment Report Doc No: 5858R001.LB.240328	Acoustic Dynamics	28 March 2024
Crime Risk Assessment Report Ref No. 11793	JW Planning	February 2024

2. CC, PC & Notice Required

In accordance with the provisions of Section 6.6 & 6.7 of the *EP&A Act 1979*, construction works approved by this consent must not commence until:

- A *CC* has been issued by a Certifier (being Council or a registered certifier); and
- A *PC* has been appointed by the person having benefit of the development consent; and
- If Council is not the *PC*, notify Council no later than two (2) days before building work commences as to who is the appointed *PC*; and
- At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition
<p>3. Cessnock Section 7.12 Levy Development Contributions Plan</p> <p>A total monetary contribution of \$8,000.00 is to be paid to Council, pursuant to Section 7.12 of the <i>EP&A Act 1979</i>, such contribution is to be paid before the issue of any <i>CC</i>.</p> <ol style="list-style-type: none"> This condition is imposed in accordance with the provisions of <i>Cessnock Section 7.12 Levy Contributions Plan 2017 (as amended)</i>. A copy of the document is available on Council's website at www.cessnock.nsw.gov.au or may be inspected at Council's Customer Services Section, Administration Building, Vincent Street Cessnock. The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly. <p>Any party intending to act on this consent should contact Council prior to the date of payment to determine the indexed amount payable.</p> <p>NOTE: PRIOR TO PAYMENT OF ANY CONTRIBUTIONS, PLEASE CONTACT COUNCIL'S STRATEGIC PLANNING ASSISTANT ON 02 4993 4293 TO OBTAIN AN UP-TO-DATE AMOUNT PAYABLE FIGURE. AT THAT TIME, WE WILL ADVISE HOW YOUR CONTRIBUTIONS CAN BE PAID.</p>

5439 George Downes Drive Bucketty

4. Long Service Levy

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more. The Long Service Levy is payable before the issue of a CC.

5. Tree Retention Plan

Prior to the issue of a CC, a Tree Retention Plan is to be submitted to Council's Ecologist for approval. The Tree Retention Plan must be written by a suitably qualified Ecologist and reviewed by a BPAD Certified Practitioner. This plan must nominate trees within the asset protection zone to be retained, pruned and/or removed to achieve the minimum requirements of an Inner Protection Area as described in the *Planning for Bushfire Protection 2019 (NSW RFS, 2019)*. The plan must also identify all trees for retention or removal to accommodate the intersection upgrades required on George Downes Drive and at the entry to the site. Mature trees and Koala Feed Trees must be prioritised for retention. The species and Global Positioning System (GPS) location of all identified trees must be included in the Tree Retention Plan.

6. Delineation of Asset Protection Zones

The boundaries of the asset protection zone must be permanently delineated to identify the approved extent of vegetation management. Fencing options must allow for the movement of fauna and include:

- Star post and three plain wire
- Timber post and rail

Evidence that this has occurred must be provided to Council's Ecologist for approval prior to issue of a CC.

7. Tree Flagging

Individual trees identified in the approved Tree Retention Plan within the asset protection zone must be marked with flagging tape or similar method prior to works commencing. The trees must be retained and not disturbed. Evidence that this has occurred must be provided to Council's Ecologist for approval prior to issue of any CC.

8. Vegetation Management Plan

Prior to the issue of any CC, the applicant must prepare and lodge with Council for approval a Vegetation Management Plan (VMP) for all vegetation not managed within the asset protection zone. The VMP must be prepared by a suitably qualified and experienced Ecologist. The VMP must be for a minimum of five (5) years. The primary objective of the plan must be weed management, regeneration of native vegetation and if necessary, replanting. Implementation of the VMP must commence immediately following issue of the CC. In preparing and implementing the VMP the following criteria must be addressed:

- a) A suitably qualified and experienced professional bush regeneration contractor must be engaged to carry out any revegetation planting, restoration and maintenance weed control specified in the VMP. The minimum qualifications and experience required for the bush regeneration contractor are a TAFE Certificate IV in Conservation and Land Management (or equivalent) and three (3) years demonstrated experience (for site supervisor) and a TAFE Certificate 2 in Conservation and Land Management and one (1) year demonstrated experience (for other personnel).
- b) A site plan must be prepared at an appropriate scale, clearly showing the area to which the VMP applies, existing vegetation and extent of dominant weed infestations.
- c) A description of existing native vegetation, assessment of ability to regenerate and rehabilitation methods must be provided.
- d) A schedule of works must be prepared detailing the sequence and duration of works necessary for the regeneration, any revegetation and maintenance works. All primary weed control must be undertaken in the first year following commencement of the VMP, with secondary weed control undertaken in the second year following commencement of the VMP. Maintenance weed control must continue for the duration of the VMP. If natural regeneration has not occurred within one (1) year of implementation of the VMP then replanting must occur.
- e) The location and type of fencing or other suitable method of restricting access of livestock into the area to which the VMP applies must be identified if livestock are to be kept on the lot.

Photo monitoring points, details of plant survival, occurrence of natural regeneration and weed density must be used as part of the monitoring of the area and included in each monitoring report.

9. Retaining Wall

Where a retaining wall is in excess of 600mm in height and/or within 900mm of a property boundary, separate detailed drawings are to be submitted in conjunction with the CC, specifying wall heights, heights of retaining walls, proposed mounding and stabilisation treatment, and landscaping for the elevations of the building.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a CC.

5439 George Downes Drive Bucketty

10. Car Parking – Commercial/Industrial

The design of the vehicular access and off-street parking facilities must comply with, but not be limited to *AS 2890.1-2004 Parking Facilities – Off-Street Car Parking*, *AS 2890.2-2002 Parking Facilities – Off-Street commercial vehicles facilities*, and *AS 2890.3-1993 Parking Facilities – Bicycle parking facilities*. Details demonstrating compliance with these Standards are to be included on the plans submitted in association with a CC application.

A design certificate satisfying these requirements is to be issued by a suitably qualified professional engineer and submitted to the Certifier before the issue of a CC.

11. Disabled Car Parking Spaces

A total of three (3) car parking spaces for use by persons with a disability must be provided as part of the total car parking requirements.

Plans demonstrating compliance with this requirement and the following Australian Standards are to be submitted to, and approved by, the Certifier before the issue of a CC.

- * *AS/NZS 2890.1:2004 Parking Facilities – Off street car parking*
- * *AS/NZS 1428.1:2009 Design for access and mobility – General requirements for access – New building work*
- * *AS/NZS 1428.4.1:2009 Design for access and mobility – Means to assist the orientation of people with vision impairment – Tactile ground surface indicators.*

12. Parking – Minimum Requirement

On-site car parking shall be provided in accordance with the approved architectural plans for a minimum of fifty-seven (57) vehicles, three (3) motorcycle spaces and three (3) bus parking bays.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement.

13. Road – Engineering Requirements

All driveways, access corridors and car parking areas are to be designed in accordance with AS2890.1 & AS2890.2 - Parking Facilities.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

14. Road – Road Widening Requirement

The person having the benefit of the Development Consent shall construct the following in accordance with Council's 'Engineering Guidelines for Design and Construction' and set out on a set of plans, four (4) copies of which are to be submitted to, and approved by Council prior to issue of a CC / Section 138 for the civil works.

- a) Provide a Road Safety Audit in accordance with Central Coast Council's Civil Design Guide section 3.12 - Road Safety Audits and incorporate any road safety requirements in the detailed intersection design;
- b) Construct a BAR/BAL intersection on George Downes Drive/ Bucketty Private Road No. 5;
- c) Place Asphalt on new works;
- d) Construct drainage works as necessary.

15. TfNSW Approval Required

Approval must be obtained from Transport for NSW (TfNSW) for the proposed works in the public road reserve. Evidence of the approval must be submitted to the Certifier before the issue of a civil works CC. All requirements of TfNSW are to be complied with.

16. Access Roads

The registered proprietors shall provide details of an all-weather access road from the property boundary to the proposed development site. The access road will need to be constructed to 4m wide, 100mm thick pavement with 1m wide clear verges either side. All works are to be in accordance with Council's 'Engineering Guidelines for Design and Construction' and NSW Rural Fire Service *Planning for Bushfire Protection 2019* to serve the proposed development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

17. Road – Fees

The applicant shall lodge payment of fees as follows:-

- a) Road fees – Engineering plan checking;
- b) Road fees – PC certification of works.

Final fee amounts will be levied on accurate dimensions contained within the engineering plans.

The fees shall be payable prior to the issue of a *CC / Section 138* for the Construction Works and shall be in accordance with Council's adopted fees and charges current at the time of payment.

18. Stormwater – Detailed Design Requirements

A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property, and connection to the existing drainage system in accordance with Council's 'Engineering Guidelines for Design and Construction' (available at Council's offices). Such layout shall include existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development.

The plans submitted in association with the *CC* application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a *CC*.

19. Stormwater – Detention Requirement

The person having the benefit of the Development Consent is to provide a stormwater detention facility within the boundaries of the site to reduce the peak stormwater discharge from the developed lot to that of the peak stormwater discharged from the undeveloped lot for all storm events from the 1 in 1 year to the 1 in 100-year Average Recurrence Interval (ARI) storm event. A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property. Details shall include onsite storage, the method of controlled release from the site, and connection to an approved drainage system in accordance with Council's 'Engineering Guidelines for Design and Construction'.

Detailed plans, specifications and copies of the calculations, including existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development, shall be prepared by an engineer suitably qualified and experienced in the field of hydrology and hydraulics. The plans submitted in association with the *CC* application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement before the issue of a *CC*.

20. Acoustic Certification - Mechanical Plant and Construction Material

Prior to issue of the *CC*, a detailed acoustic assessment of all mechanical plant and construction material to be used in association with the premises is to be undertaken to certify compliance with the criteria and recommendations outlined in the submitted noise assessment report for the premises (Noise Impact Assessment Report, Doc No: 5858R001.LB.240328 prepared by Acoustic Dynamics dated 28 March 2024), specifically sections 5.1 and 5.2.

A report outlining the design schedule of mechanical plant and glazing and their certification is to be submitted to the certifier, prior to issue of the *CC*.

21. Food Premises

The construction and operation of the food premises shall comply with all applicable legislation, regulation and standards including:

- a) *Food Act 2003*
- b) *Food Regulation 2015*
- c) *Food Standards Australia and New Zealand – Food Standards Code 2003*
- d) AS 4674-2004 for Design, Construction and Fit out of Food Premises
- e) AS 1668.2-2002 – The use of ventilation and air conditioning in buildings
- f) *BCA*.

Details submitted in association with the CC application are to demonstrate compliance with this requirement, and shall include the following:

- a) a separate floor and sectional plan detailing:
 - i) the kitchen/cafe area floor, wall, and ceiling surface finishes
 - ii) location of the required handwash basin/s and cleaning sinks/s
 - iii) location of dry and cold storage areas,
 - iv) fit-out details for the kitchen and servery, including proposed refrigeration and cooking equipment
 - v) designated cupboard or locker for the storage of staff clothing and personal belongings
 - vi) location of the bar area.

The details are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

22. Section 68 Approval

Application shall be made to Council under Section 68 of the *Local Government Act 1993* to Install, Construct or Alter an Onsite System of Sewage Management.

The application shall be accompanied by the required documentation, as specified under Section 26 of the *Local Government (General) Regulation 2021*. The design of the onsite sewage management system shall be in accordance with the Environmental Health Protection Guidelines and *AS/NZS 1547-2012* (The application form and further information is available on Council's website www.cessnock.nsw.gov.au).

5439 George Downes Drive Bucketty

The Section 68 application shall be considered and approved by Council before the release of a CC for the development.

23. Exterior Lighting Generally

Before the issue of a CC, and exterior lighting plan is to be submitted to Council for approval. The design and position of all exterior/outdoor lighting will be required to minimise any detrimental impacts upon the amenity of other premises, adjacent dwellings and the road reserve in accordance with the relevant provisions of:

- a) *AS 4282:1997 Control of the obtrusive effects of outdoor lighting.*

24. CCTV Plan

Before the issue of a CC, a CCTV plan is to be submitted to Council for approval in accordance with the recommendations of the approved Crime Risk Assessment Report (Crime Risk Assessment Report prepared by JW Planning dated February 2024).

BEFORE BUILDING WORK COMMENCES

Condition

25. Erection of Signs

Before the commencement of building works or demolition work, a sign must be erected in a prominent position on the site on which the work is being carried out. The sign must state:

- a) the name, address and telephone number of the principal certifier for the work;
- b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside of working hours; and
- c) state that unauthorised entry to the work site is prohibited.

The sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

26. Public Liability Insurance

Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council before the commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.

27. Erosion and Sediment Controls

The control of erosion, and the prevention of silt discharge into drainage systems and waterways, will be necessary in accordance with Council's 'Engineering Guidelines for Design and Construction', and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks, and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

28. S138 Roads Act Approvals

Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council before works commence.

29. Relocation of Services

The person having the benefit of the Development Consent shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. In the event that existing services are required to be relocated the proprietor shall make application to obtain any necessary approval from the relevant service authority prior to commencement of any works.

30. Toilet Facilities

Toilet facilities are to be provided prior to works commencing, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.

Each toilet provided must be a sewage management facility approved by the NSW Department of Health and/or Council, and operate in an environmentally responsible manner, free of nuisance or offence, and be appropriately serviced.

31. Construction and Traffic Management Plan

The applicant must prepare a Construction and Traffic Management Plan incorporating the following matters. The plan must be submitted to and approved by the *PC* as satisfying these matters before the commencement of works.

- a) A plan view of the entire site and frontage roadways indicating:
 - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.

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- iii) The locations of proposed work zones in the frontage roadways.
 - iv) Location of any proposed crane, concrete pump, truck standing areas on and off the site.
 - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
 - vii) An onsite parking area for employees, tradespersons and construction vehicles as far as possible.
 - viii) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
 - ix) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
 - x) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.
- b) During excavation, demolition and construction phases, noise generated from the site must be controlled.
 - c) All site works must comply with the work health and safety requirements of SafeWork NSW.
 - e) All traffic control plans must be in accordance with the *TfNSW* publication *Traffic Control Worksite Manual* and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of six (6) weeks prior to the proposed activity being undertaken.

32. Soil and Water Management Plan

The applicant must prepare a Soil and Water Management Plan, being compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent and incorporating the following matters. The plan must be submitted to and approved by the *PC* as satisfying these matters prior to the commencement of works.

- a) Minimise the area of soils exposed at any one time;

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- b) Conservation of top soil;
- c) Identify and protect proposed stockpile locations;
- d) Preserve existing vegetation. Identify revegetation technique and materials;
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner;
- f) Control surface water flows through the site in a manner that:
 - i) Diverts clean-runoff around disturbed areas
 - ii) Minimises slope gradient and flow distance within disturbed areas
 - iii) Ensures surface run-off occurs at non erodible velocities
 - iv) Ensures disturbed areas are promptly rehabilitated;
- g) Sediment and erosion control measures in place before work commences;
- h) Materials are not tracked onto the road by vehicles entering or leaving the site;
- i) Details of drainage to protect and drain the site during works.

33. Road – Bonds

The applicant shall pay the following:-

- a) A performance and maintenance bond of a minimum of \$1000 or 5% of the contract construction costs, whichever is greater. To be held by council for a period of twelve (12) months.

It will be necessary for the applicant to submit evidence of the contract price of all construction works in order for Council to assess accurate bond amounts.

The bond shall be payable prior to the commencement of work and issue of a *Section 138* approval.

The bond may be used to meet any costs referred to above, and on application being made to the Council by the person who provided the bond, any balance remaining is to be refunded to, or at the direction of, that person.

A fee in accordance with Council's current fees and charges is to be paid prior to the final inspection of works and subsequent bond return.

If no application is made to the Council for a refund of any balance remaining of the bond within six (6) years of the date of issue of a compliance certificate for the development, the Council may pay the balance to the Chief Commissioner of State Revenue under the *Unclaimed Money Act 1995*.

34. Relocation of Services

The person having the benefit of the Development Consent shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. In the event that existing services are required to be relocated the proprietor shall make application to obtain any necessary approval from the relevant service authority prior to commencement of any works.

DURING BUILDING WORK

Condition

35. Implementation of Soil and Water Management Plan

The requirements of the Soil and Water Management Plan must be maintained at all times during the works, and any measures required by the Soil and Water Management Plan shall not be removed until the site has been stabilised.

Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day, any dust/dirt or other sediment shall be swept off the road and contained on the site, and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily, and defects or system failures are to be repaired as soon as they are detected.

36. Tree Retention

The trees marked for retention in accordance with the Tree Retention Plan must remain clearly marked during works. The trees must be retained and not cleared or disturbed during works.

37. Clearing Works

Clearing works must not extend beyond the boundaries of the approved development footprint. All workers on the site must be made aware of the environmental significance of the native vegetation on site.

38. Stockpiling of Material

Stockpiling or storage or mixing of materials (including soil), vehicle parking, disposal of liquids, machinery repairs, refuelling and the siting of any new offices or sheds must not occur within the drip line of retained trees during any stage of the development.

39. Construction Hours

Excavation, building or subdivision work must be restricted to the hours of 7.00am and 5.00pm on Monday to Saturday inclusive. Work is not to be carried out on Sundays and public holidays.

40. Construction Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environmental Protection Authority Document *Noise Guide for Local Government*.

41. Waste Management

Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off the site.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition

42. Roads – Bitumen Crossing

The registered proprietors shall construct and maintain a minimum six (6) metre-wide bitumen sealed access crossing from the edge of the road formation in George Downes Drive to the property boundary, in accordance with Council's 'Engineering Guidelines for Design and Construction' and *AS 2890.1*. A S138 Roads Act Approval is required from Council before any construction commences within the road reserve. The access crossing is required to be constructed before the issue of an *OC* for the whole of the building. Where a Partial *OC* is issued the crossing shall be completed within six (6) months from the date of the Partial Occupation Certificate (*OC*).

Construction of the crossing will require inspections to be undertaken by Council. The applicant shall pay Council engineering site supervision fees in accordance with Council's current Fees & Charges, prior to the inspections being undertaken.

The initial fee will facilitate approval of the application and one (1) construction inspection (steel and formwork inspection).

A final inspection will be required upon completion of the driveway and restoration of all disturbed footway areas. (A separate fee will be required to be paid when the final inspection is booked.) Should further inspections become necessary as a result of unsatisfactory or defective works, additional inspection fees will be charged in accordance with Council's current Fees & Charges.

The applicant is to advise Council at least 48 hours prior to inspection of works within the footpath and/or road reserve.

43. Completion of Car Park

Prior to the issue of an *OC*, the *PC* must ensure that off-street parking facilities (including disabled parking) have been constructed in accordance with the development consent and *AS 1428.1* and *AS 2890.6*, line marked and all signage relating to car parking erected.

44. Completion of Road Works

Before the issue of an *OC*, the *PC* must ensure that all approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with Council's S138 Roads Act Approval.

Works-as-Executed plans of the extent of roadworks, including any component of the stormwater drainage system that is to revert to Council, certified by a registered surveyor, together with certification by a qualified practising Civil Engineer, to verify that the works have been constructed in accordance with the approved design and relevant *AS*, must be provided to Council before the issue of an *OC*.

The Works-as-Executed plan(s) must show the as-built details in comparison to those shown on the plans approved with the road works permit. All relevant levels and details indicated must be marked in red on a copy of the Council stamped plans.

45. Road – Access Completion

Construction of all access roads, road works (including the removal and restoration of redundant vehicular crossings, etc), driveways, access corridors, vehicular access crossings and loading bays, are to be completed prior to issue of an *OC*.

46. Drainage Works

All drainage works required to be undertaken in accordance with this consent shall be completed prior to issue of an *OC* for the development.

47. Inspection for On-site Sewage Management

Prior to the use of the premises for the purposes approved by this consent, and prior to the issue of an *OC*, a satisfactory final inspection report from the Council must be received by the *PC*, verifying the associated on-site wastewater management system has been supplied and installed in accordance with the approval under Section 68 of the *Local Government Act 1993*.

48. Food Premises

Before the issue of an *OC*, an inspection of the completed premises is to be conducted by the *PC* certifying that the food premises has been constructed in accordance with the approved plans.

49. Compliance with Noise Assessment Report

Before the issue of an *OC*, a certificate prepared by an accredited acoustic consultant must be provided certifying that the recommendations of the noise assessment report (Noise Impact Assessment Report, Doc No: 5858R001.LB.240328 prepared by Acoustic Dynamics dated 28 March 2024) will be achieved when the development is operational.

50. Installation of Acoustically Certified Mechanical Plant and Construction Materials

Prior to the issue of an *OC*, a certificate, prepared by an accredited acoustic consultant must be provided to the certifier certifying that the mechanical plant and construction materials have been installed and implemented as certified prior.

51. Sound System Calibration

Following the fit-out and installation of the sound system and prior to its use, an acoustic consultant is to be engaged to calibrate the sound system and to provide advice, including identifying maximum settings on the amplification system, to ensure compliance with the music noise limits and objectives outlined in the acoustic report (Noise Impact Assessment Report, Doc No: 5858R001.LB.240328 prepared by Acoustic Dynamics dated 28 March 2024).

A report confirming the appropriate fitment of a noise limiter/compressor and equaliser and calibration of the system in accordance with the noise impact assessment report is to be provided to the *PC* prior to issue of an *OC*.

52. Complaints Register

Prior to issue of an *OC*, a complaints register is to be developed and lodged with Council for approval. This register is to be held on-site and accessible to appropriate investigating authorities, such as Council, for review in the event that a complaint is received in relation to noise generated from the development. The process by which to make a complaint must be readily accessible to members of the public (for example via social media or website) and is to provide a telephone and email contact for registering of the complaint.

53. Operational Plan of Management

A final Operational Plan of Management is to be lodged with Council for approval prior to the issue of an *OC*. This Plan is to include an example copy of the complaints register and a process detailing how complaints will be addressed both immediately and for further investigation or resolution as an annexure.

The Plan of Management is to also include contact details for alternate transport services (such as a courtesy bus for local residents) under the section titled 'Safe Transport' for clear and easy access for all staff. Any alternate transport service required by patrons is to be arranged by staff no less than one (1) hour before closing time to ensure operating hours can be adhered to.

54. Telecommunications

Prior to the issue of an *OC* the developer must provide documentary evidence to the Certifier that the telecommunications carrier is satisfied that the fibre ready facilities and fixed-line telecommunications infrastructure are fit for purpose to all premises/individual lots.

55. Crime Prevention

Prior to issue of an *OC*, evidence is to be provided to the *PC* that the recommendations of the Crime Risk Assessment Report (prepared by JWP Planning, Ref No. 11793, dated February 2024) have been adopted and installed.

56. Tree Removal – Asset Protection Zone

Evidence including the provision of photos and any accompanying reporting, demonstrating that the removal of trees and native vegetation within the asset protection zone have been removed in accordance with the Tree Retention Plan must be provided to Council's Ecologist for approval prior issue of the *OC*.

57. Waste Disposal

Before the issue of an *OC* and/or commencement of the use, whichever is earlier, the registered proprietors must ensure that there is a contract with a licensed commercial waste contractor for the removal of all waste and a copy of the contract provided to Council.

58. Liquor Licence

Prior to issue of an *OC*, evidence is to be provided that only the following liquor licences have been issued by Liquor and Gaming NSW:

- On-premise licence
- Producer/wholesaler licence

A Hotel Licence will not be permitted for the premises.

OCCUPATION AND ONGOING USE

Condition

59. Plan of Management

The Operational Plan of Management is to be a working document and is to be complied with during the operation of the facility and is to be kept on-site and provided to Council Officers for review upon request.

60. Hours of Operation

The property is to be open for business and used for the purpose approved only within the following hours:

- Monday to Thursday - 8am to 8pm
- Friday and Saturday - 7am to 10pm
- Sunday - 8am to 8pm
- Public Holidays - 7am to 10pm

61. Maximum Number of Patrons

- The maximum number of patrons permitted on the premises at any one time is restricted to 150.
- Total patron numbers (including indoor and outdoor areas) are restricted to a maximum of 100 after 6.00pm (every day of the week).
- Total patron numbers in the outdoor areas are restricted to a maximum of 75 after 6.00pm (every day of the week).

62. Acoustic Validation

Following commencement of operations, an operational noise validation report must be conducted and submitted to Council within three (3) months by a suitably qualified acoustic engineer. The report must demonstrate and certify that noise emissions associated with the use and operation of the premises complies with the relevant noise emission criteria established in the noise assessment report for the premises document reference (Noise Impact Assessment Report, Doc No: 5858R001.LB.240328 prepared by Acoustic Dynamics dated 28 March 2024).

The validation assessment must be conducted at representative sensitive receiver locations and during worst-case noise emission scenario(s) (i.e. capacity operations and during the most sensitive time periods).

Any recommendations contained in the validation report (e.g. additional management measures, noise controls, acoustic screening, etc.) must be implemented in accordance with the noise validation report.

63. Implementation of Noise Assessment Report Recommendations

All recommendations, treatments, controls, procedures, plans and precautions outlined and detailed within noise assessment report for the premises (Noise Impact Assessment Report, Doc No: 5858R001.LB.240328 prepared by Acoustic Dynamics dated 28 March 2024) must be implemented and maintained as compulsory whether expressly stated within the report as compulsory or not including:

- a. Noise Management measures outlined in section 5.3;
- b. Music Noise Management measures outlined in section 5.4;
- c. Delivery noise management measures outlined in section 5.5;
- d. Staff training outlined in section 5.6;
- e. Hour of operation, patron staff and staff capacity and patron management measures outlined in section 5.8; and
- f. Complaint management procedures outlined in section 5.9.

64. Noise Complaints

Where a noise complaint is received by Council from a place of different occupancy and Council is satisfied that an independent review is warranted, the person acting on the consent must, in accordance with a written request of an Authorised Officer of Council:

- a) Engage a suitably qualified acoustic engineer to assess compliance with the relevant noise criteria and recommended (if necessary) appropriate actions to protect amenity and to ensure compliance with their development consent; and
- b) Submit a report to Council for review detailing the results of the assessment and any recommendations within fourteen (14) days of the assessments completion; and
- c) Upon receipt of confirmation from Council in writing, implement the recommendations of the report along with any modifications made by Council.

The costs associated with the appointment of the acoustic engineer and the report along with any associated works shall be borne by the person acting on the consent.

65. Outdoor Lighting

All outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and road reserve, and must comply with, where relevant, *AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance* and design requirements and *AS 4282:1997 Control of the obtrusive effects of outdoor lighting*.

66. Waste Water Treatment Devices

All wastewater treatment devices (including drainage systems, sumps, traps and pumps) must be regularly maintained in good working order to ensure that they remain effective. A maintenance schedule shall be developed and incorporated into the Operational Plan of Management which is to be kept on-site at all times for staff to comply with. All liquid and solid wastes collected from the treatment device must be disposed of in accordance with relevant environmental protection and waste control legislation.

ADVISORY

Notes

A. Disability Inclusion Act

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Inclusion Act 2014*. The applicant/owner is responsible for ensuring compliance with this, and other, anti-discrimination legislation. The *Disability Inclusion Act 2014* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references *AS 1428.1 - Design for Access and Mobility*. *AS 1428 Parts 2, 3 & 4* provide the most comprehensive technical guidance under the *Disability Inclusion Act 2014* currently available in Australia.

B. Responsibility for Other Consents/Agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

ASSESSMENT REPORT

DETAILS OF THE PROPOSED DEVELOPMENT

Development Application No. 8/2023/298/1 seeks approval for a food and drink premises comprising the following:

- A pub and ancillary brewery;
- A restaurant/café; and
- Associated car parking and on-site effluent disposal area.

The brewery is ancillary to the pub component of the development and will essentially be a showcase feature located behind the bar area to expose customers to brewed beers (in limited quantities) on site, or beers brewed off-site at the owner's brewery located in Brookvale NSW. The hops required in the brewing process are currently grown on the site (it is noted that the growing of hops is a form of agriculture which is permitted without development consent).

The production capacity of the ancillary brewing facility will be a maximum of 1.5 kL (1,500 litres) of beer per month. The brewed beer will be available for tasting at the premises, and for takeaway consumption.

The premises will have a maximum capacity of 150 people and will operate the following hours:

- Monday to Thursday - 8am to 8pm
- Friday and Saturday - 7am to 10pm
- Sunday - 8am to 8pm
- Public Holidays - 7am to 10pm

The premises will employ a maximum of six (6) staff.

Plans associated with the application are contained in Enclosure 3.

Unauthorised Works

It is noted that there has been a history of complaints regarding unauthorised clearing and structures on the subject land (which are discussed further in this report under the community consultation process and public submissions). While Council recognises the community concerns regarding the nature of unauthorised works, this is a matter unrelated to the processing of the current Development Application. The issue of unauthorised works is managed by Council's Compliance Services Team.

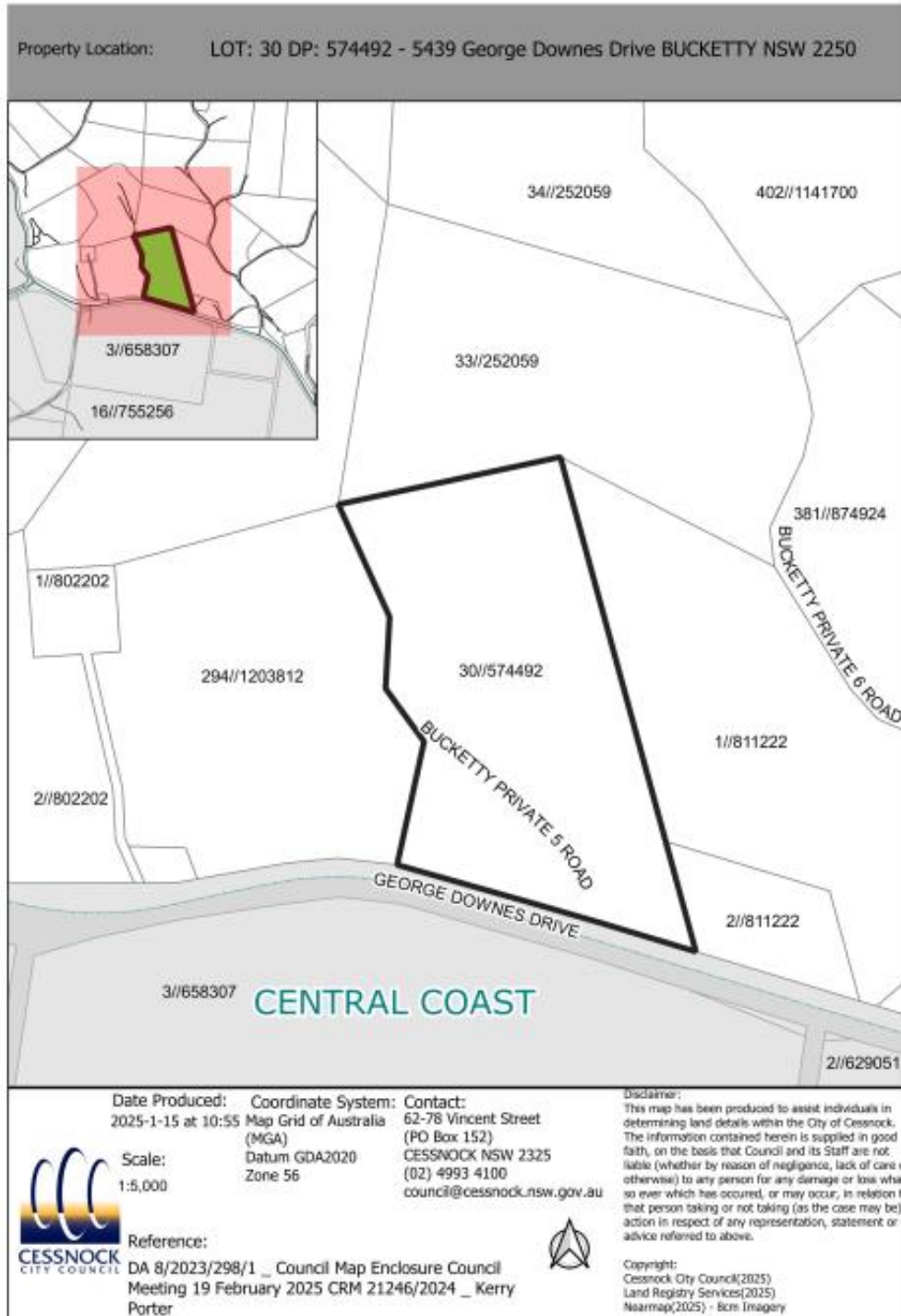
5439 George Downes Drive Bucketty



Figure 1 – External view of the premises

5439 George Downes Drive Bucketty

LOCATION MAP



5439 George Downes Drive Bucketty

AERIAL



SITE DESCRIPTION AND LOCALITY

The subject land is legally described as Lot 30 DP574492, 5439 Georges Downes Drive, Bucketty. The site has an area of 11.16 hectares and is located approximately 700m east of the George Downes Drive/Great North Road intersection.

The site contains an existing dwelling, several sheds, and a septic tank. The existing shed structures assist in the cultivation of hop plants grown on the land and used in the brewing of beer off-site at a location in Brookvale Sydney.

The majority of the site is heavily vegetated, with the exception of a cleared area within the front portion of the property which will accommodate the proposed premises and associated car parking and effluent disposal area.

A private right of carriageway (Bucketty Private Road No. 5) traverses the site providing access to several properties to the north.



Figure 2 – View of the site proposed to be occupied by the food and drink premises



Figure 3 – View of existing structures located on the site

HISTORY

Previous Development Application

Development Application No. 8/2019/306/1 was lodged on 15 May 2019 for an “*industrial building to be used as an agricultural produce industry with ancillary tastings and sales area*”.

Following a detailed assessment of the Application, it was determined by Council that the proposed development was not a permitted land use within the RU2 Rural Landscape Zone given the activity did not fit the definition of an “*agricultural produce industry*”. It was determined that the use was defined as a type of “*industry*” which is prohibited in the zone.

The Application was subsequently withdrawn on 1 November 2019.

Current Development Application

A chronology of events during the assessment of the application is summarised in the table below:

Date	Action
28 April 2023	Application lodged.
1 May 2023	DAU Allocation of DA undertaken and tracked to Business Support to undertake referrals and notification.
1 June 2023	Referrals undertaken to Council’s Development Engineer, Environmental Health Officers, Ecologist, Community Planner, NSW Police and Transport for New South Wales (TfNSW).

5439 George Downes Drive Bucketty

5 June 2023	Additional information requested by Council – revised Traffic Impact Assessment (TIA) and additional stormwater details.
29 June 2023	Informal email received from NSW Police advising in general no issues and if any, these can be addressed in the plan of management / operational plan.
21 July 2023	Additional information requested by Council – Social Impact Assessment (SIA) and additional ecology information.
26 September 2023	Application notified to adjoining properties for 14 days. Fourteen (14) submissions were received comprising thirteen (13) objections and one (1) letter in support of the proposal.
27 November 2023	Applicant advised by Council that the additional information requested has not been provided and if not lodged within 7 days, the Application will be determined on the information provided to date.
4 December 2023	Additional information lodged by the Applicant (TIA, SIA, ecology and stormwater). The additional information is referred to Council staff, NSW Police and TfNSW for assessment.
14 December 2023	Additional acoustic information requested by Council.
11 January 2024	Additional information requested by Council – crime prevention plan and owners’ consent for access off private right of carriageway.
6 February 2024	Comments received from TfNSW advising Council is the roads authority and to assess accordingly (no objections).
14 February 2024	Email sent to NSW Police requesting formal response.
16 February 2024	Additional information received from the Applicant – additional acoustic information and owners’ consent for access off private right of carriageway.
27 February 2024	Additional ecology information requested by Council.
12 March 2024	Meeting held with the Applicant to discuss the request for additional ecology information.
12 March 2024	Crime prevention report lodged by the Applicant and referred to NSW Police for comment.
9 April 2024	Council’s Community Planner finalises assessment of the Application and raises no objections subject to suitable conditions of consent.

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8 May 2024	Additional information received from Applicant – amended plans, TIA, acoustic, ecology and bushfire reports. Information referred to Council officers and NSW Police for assessment.
13 June 2024	Council's Environmental Health Officer finalises assessment of the Application and raises no objections subject to suitable conditions of consent.
14 June 2024	Application re-notified for 14 days to adjoining properties. Forty-one (41) submissions received in support of the proposal and twenty-seven (27) submissions received objecting to the proposal.
1 July 2024	Submission received from Central Coast Council raising concerns regarding roadworks and ecology impacts on George Downes Drive (half the road located in Central Coast Council LGA) – referred to Council's Development Engineer and Ecologist to address.
12 August 2024	Council's Ecologist finalises assessment of the application and raises no objections subject to suitable conditions of consent.
30 September 2024	Council's Development Engineer finalises assessment of the application and raises no objections subject to suitable conditions of consent.
4 October 2024	Letter received from NSW Police objecting to the development (delay in response due to staff being on leave).
28 October 2024	Meeting held with NSW Police and the Applicant to discuss issues raised by NSW Police.
17 January 2025	NSW Police issue letter in support of the proposal subject to detailed plan of management.
22 January 2025	Planning assessment finalised and Council report prepared.

ASSESSMENT

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

Section 1.7 of the *Environmental Planning and Assessment Act 1979*, prescribes as follows:

'This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment'.

Biodiversity Conservation Act 2016

The proposed development requires the removal of approximately 0.5ha of native vegetation for the establishment of the Bushfire Asset Protection Zone, and intersection road upgrade works along George Downes Drive, at the entry to the site.

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The proposed clearing is not within a biodiversity values mapped area or exceeds the clearing threshold and as such does not trigger the requirement for a Biodiversity Development Assessment Report (BDAR). As such, Section 1.7 of the *EP&A Act 1979* does not apply.

The ecology impacts of the development are addressed further in the report under Section 4.15 of the *EP&A Act 1979*.

Section 4.14 (Certain Bush Fire Prone Land)

The site is identified as being bush fire prone land; however, the application does not propose a subdivision for residential purposes or a special fire protection purpose as defined in the *Rural Fires Act 1997*.

Therefore Section 4.14 of the Act is applicable and the development is required to be assessed against the provisions of *Planning for Bushfire Protection (PBP) 2019*, and the requirements of *Section 4.14 of the Act*.

The Application is accompanied by a bushfire assessment report prepared and certified by a Bushfire Planning and Design (BPAD) practitioner recognised by the NSW Rural Fire Service as a qualified consultant. As such, the application was not required to be referred to the NSW Rural Fire Service (RFS).

The bushfire assessment report is supportive of the proposal, subject to conditions regarding the construction standard of the building (BAL 29), the establishment of inner and outer asset protection zones, an on-site static water supply, suitable access for bushfire vehicles and an emergency evacuation plan. The bushfire assessment report (and recommendations contained within) will form part of the approved documents in the event development consent is issued for the development. The construction phase of the development and the on-going operation of the premises will be required to comply with the provisions of this report.

Section 4.15 Evaluation

In determining a Development Application, the consent authority is to take into consideration the following matters prescribed within s4.15 of the *Environmental Planning and Assessment Act 1979*, as are of relevance to the development the subject of the development application:

4.15(1)(a)(i) The provisions of any environmental planning instrument

The environmental planning instruments that relate to the proposed development are:

1. *State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Koala Habitat Protection 2021*;
2. *State Environmental Planning Policy (Resilience & Hazards) 2021*; and
3. *Cessnock Local Environmental Plan (LEP) 2011*.

An assessment of the proposed development under the environmental planning instruments is provided below:

1. ***State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Koala Habitat Protection 2020***

Where land is potential habitat but not core koala habitat

The aim of this policy is to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. This policy

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is applicable to the Cessnock LGA to land that has an area of more than one (1) hectare. The site was considered to be potential koala habitat due to at least 15% of the total trees onsite being listed as feed tree species, however the site was not considered to be core koala habitat and no further provisions of the Koala Habitat Protection legislation apply.

A condition of consent has been included in the draft notice of determination with regard to tree clearing which will require select mature trees (with priority given to known Koala feed trees) to be identified for retention within the Bushfire Asset Protection Zone. A Tree Retention Plan will be required to be submitted for Council's Ecologist approval prior to issue of a construction certificate. Further, a Vegetation Management Plan (VMP) will be required to be prepared over the site (and has been conditioned in the draft notice of determination) for the ongoing management of native vegetation on the property to preserve the ecological qualities of the land.

2. State Environmental Planning Policy (Resilience & Hazards) 2021

Chapter 4 – Remediation of Land

State Environmental Planning Policy (Resilience & Hazards) 2021 – Chapter 4: Remediation of Land, provides planning guidelines for remediation of contaminated land. Section 4.6(1) of the SEPP is relevant to the assessment of this Development Application.

Section 4.6(1) requires that consent not be granted until Council has considered whether the land is contaminated. If the land is contaminated, the Council needs to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The subject land has historically been used for rural / residential purposes and a small area of the site is currently occupied by the growing of hops. There has been no history of the site being occupied by a potentially contaminating activity.

No evidence of contamination was observed during inspection of the site.

As there is no historical evidence of the site being previously used for a purpose which would result in the land being contaminated, no further investigation is warranted.

The proposal is therefore acceptable in terms of the requirements under this SEPP.

3. State Environmental Planning Policy (Transport and Infrastructure) 2021

In accordance with Section 2.122, Schedule 3 of the SEPP, the proposal is classified as a traffic generating development and given its location on a classified (regional) road (MR590), the application requires referral to TfNSW for comment.

The application has been referred to TfNSW who have provided written comments entrusting Council to assess the traffic implications of the development given Council is the Roads Authority for this road in accordance with Section 7 of the *Roads Act 1993*.

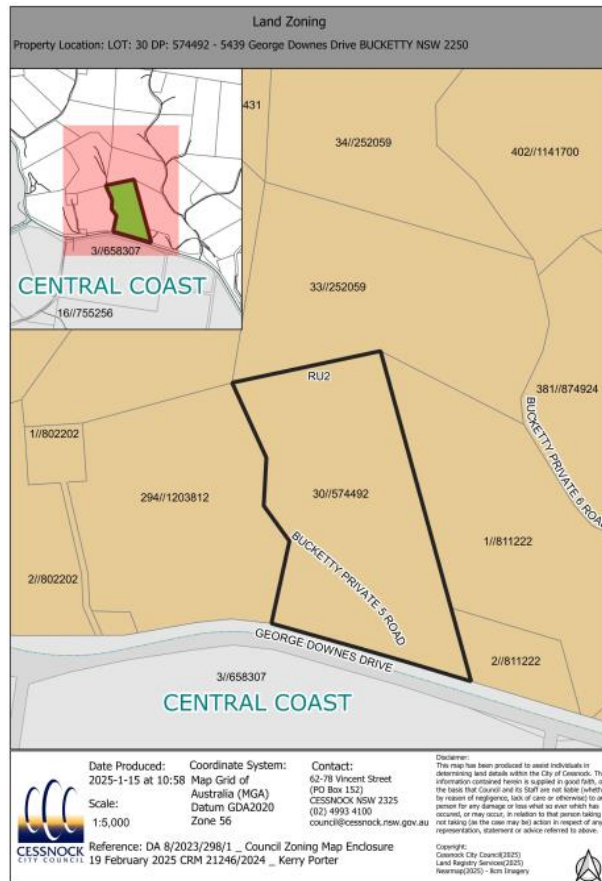
The issue of traffic generation and the requirement for intersection upgrade works on George Downes Drive to provide safe access to and from the site is addressed further in this report.

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4. Cessnock Local Environmental Plan 2011

4.1 Permissibility

The subject site is zoned RU2 Rural Landscape Zone under the provisions of the Cessnock Local Environmental Plan (CLEP) 2011, as depicted in the below map:



The proposed development comprises the following defined land uses under the provisions of the CLEP 2011:

- Food and Drink Premises

A **food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar

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- **Pub**

A **pub** means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

- **Restaurant or Cafe**

A **restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Under the provisions of the *CLEP 2011*, food and drink premises (including a pub, restaurant or café) are currently not a permitted land-use in the RU2 Rural Landscape Zone. However, the Application was lodged with Council on 28 April 2023 and at the time of lodgement, the development was permitted in the Zone under the *CLEP 2011*.

The *CLEP 2011* was officially amended (gazetted) on 13 October 2023 (Amendment No 40) prohibiting food and drink premises (including pubs, restaurants and cafes) in the RU2 Rural Landscape Zone. However, this amendment included a savings provision to ensure applications lodged prior to gazettal of the amendment would continue to be assessed under the provisions applicable at the time of lodgement. As such, Council is able to assess the development as a permitted land use in the RU2 Rural Landscape Zone, as the Application was lodged prior to gazettal of the draft LEP.

Ancillary Use – Brewing of Beer

It is noted that the development proposes the brewing of beer in conjunction with the “Pub” component of the development. The brewing process is defined as a type of “*industrial activity*” which is defined as follows:

“industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity”

Industrial activities are prohibited in the RU2 Rural Landscape Zone. However, in accordance with Planning Circular PS 21-008 (issued 2 December 2021), the brewing component of the development can be considered as an “*ancillary use*” which permits the activity as it is subordinate to the predominate use, being a “food and drink premises”.

The brewing activity is not an independent use on the site and is reliant upon the developments primary use. The production capacity of the brewing facility will be a maximum of 1.5 kL (1,500 litres) of beer per month (approximately 50 litres per day), which is not considered to be significant. It is noted that brewed beer will not be the only alcoholic beverage available; wine and spirits will also be served, typical of a pub operation.

It is noted that the floor area occupied by the brewing component comprises 11% of the internal floor area of the building and 7% of the building footprint (including outdoor dining/seating areas).

Having regard for the above, the ancillary argument is supported and complies with the Planning Circular provisions.

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4.2 Objectives

The objectives of the RU2 Rural Landscape Zone, and a response to each, are identified in the following table:

Objective	Comment
To encourage sustainable primary industry production by maintaining and enhancing the natural resource base	While the development does not propose primary industry as part of the application, the subject land is currently used for agricultural purposes (being a type of primary industry) for the growing and cultivation of hops which will be used in association with the ancillary brewing activities associated with the development. It is therefore considered that the application satisfies this objective.
<i>To maintain the rural landscape character of the land</i>	The proposed development will be located within an existing cleared area of the site and while some additional clearing will be required to establish bushfire asset protection zones, the majority of the site (approximately 80% of the site) will remain heavily vegetated. The development footprint will be setback approximately 100 metres from the road and this 100 metre setback will remain heavily vegetated, screening the development from the public road. As such, it is considered that the development will not compromise the existing rural landscape character of the land.
<i>To provide for a range of compatible land uses, including agriculture</i>	The development has been designed and located appropriately on the site to ensure its compatibility with surrounding land uses. In this regard, specialist reports have been lodged addressing matters such as traffic, noise and ecology impacts and it has been determined that subject to the imposition of suitable conditions of consent, the proposal will not be incompatible with surrounding rural/residential land uses.
<i>To enable other forms of development that are associated with rural activity and require an isolated location or support tourism and recreation</i>	The proposed development satisfies this objective as the ancillary brewing activity is reliant on the existing rural activity being undertaken on the land (the growing and cultivation of hops). Further, the development will not only provide a venue for local residents to attend, but also support the local tourism industry by providing a form of recreation for tourists.
<i>To ensure that the type and intensity of development is appropriate in relation to the rural capability and suitability of the land, the preservation of the agricultural, mineral and extractive production potential of the land, the rural environment (including scenic resources) and the costs of providing services and amenities</i>	The scale and intensity of the proposed development is considered appropriate within the context of the rural setting and this is discussed in more detail further in the report through the assessment of impacts associated with traffic generation, noise and ecology impacts. The development will preserve the existing rural activity on the site (the growing and cultivation of hops) and the cost of providing services to the development will be born by the applicant / owner.

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<p><i>To maintain and enhance the scenic character of the land</i></p>	<p>As previously discussed, the proposed development will be located within an existing cleared area of the site and while some additional clearing will be required to establish bushfire asset protection zones, the majority of the site (approximately 80% of the site) will remain heavily vegetated. The development footprint will be setback approximately 100 metres from the road and this 100 metre setback will remain heavily vegetated, screening the development from the public road. As such, it is considered that the development will not compromise the existing scenic landscape character of the land.</p>
<p><i>To ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services</i></p>	<p>The provision and cost of providing services to the development will be borne by the applicant/owner including electricity supply, on-site waste water disposal, on-site water supply and road upgrade works along the frontage of the site.</p>
<p><i>To minimise the visual impact of vegetation clearing in order to be consistent with the rural character of the locality</i></p>	<p>As previously discussed, the proposed development will be located within an existing cleared area of the site and while some additional clearing will be required to establish bushfire asset protection zones, the majority of the site (approximately 80% of the site) will remain heavily vegetated. The development footprint will be setback approximately 100 metres from the road and this 100 metre setback will remain heavily vegetated, screening the development from the public road. As such, it is considered that the development will not compromise the existing visual and rural landscape character of the land.</p>
<p><i>To minimise disturbance to the landscape from development through clearing, earthworks, access roads and construction of buildings</i></p>	<p>As previously discussed, the proposed development will be located within an existing cleared area of the site and while some additional clearing will be required to establish bushfire asset protection zones, the majority of the site (approximately 80% of the site) will remain heavily vegetated. As such, it is considered that the development will involve minimal disturbance to the existing landscape.</p>
<p><i>To ensure development does not intrude into the skyline when viewed from a road or other public place</i></p>	<p>The development will not intrude into the skyline and will not be visible from the road or any other public place given the heavily vegetated state of the site and the location of building works within the site.</p>

4.3 Relevant Sections

- Clause 7.2 – Earthworks

Clause 7.2 seeks to ensure that any earthworks do not result in any adverse impact on the environment, neighbouring properties or heritage items. The proposal incorporates earthworks associated with the building footprint, the internal access road and carparking areas.

It is noted that earthworks have previously been undertaken on the property (without the consent of Council) to establish a building footprint for the proposed development (see figure 4 below). These unauthorised earthworks were referred to Council's Compliance Team to action and the submitted development plans have incorporated the extent of these earthworks.



Figure 4 – Extent of earthworks previously undertaken on the site to establish a building footprint for the proposal

Council's Development Engineer has reviewed the application and is satisfied with the extent of earthworks proposed and are not considered significant to facilitate the development. Subject to the imposition of suitable conditions of consent, the proposal will satisfy the provisions of this clause.

- Clause 7.14 – Essential Services

This clause applies to land in zone RU2 Rural Landscape.

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

(a) the supply of water,

Comment - A 50,000 litre rainwater tank is proposed on the site to provide a suitable water supply. A second tank (containing a minimum of 30,000 litres of water) will also be required for bushfire fighting purposes in accordance with the submitted bushfire assessment report.

(b) the supply of electricity,

Comment - The proposed building will be connected to electricity by extension to the existing power supply to the existing dwelling on the land. The supply will be supplemented over time with a PV Solar system on the north facing roof.

(c) the disposal and management of sewage,

Comment - An on-site waste-water treatment is to be established on the site to service the development.

(d) stormwater drainage or on-site conservation,

Comment - The proposed building will harvest stormwater prior to connecting to a stormwater discharge point to the unnamed first order creek that leads to a farm dam downslope.

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(e) suitable vehicular access.

Comment - Suitable vehicular access is available via George Downes Drive and via the existing internal access road (which will require upgrade works imposed as conditions of consent).

4.15(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The proposed Remediation of Land SEPP was exhibited from 25 January to 13 April 2018 and is currently under consideration.

The proposed SEPP seeks to provide a state-wide planning framework to guide the remediation of land, including outlining provisions that require consent authorities to consider the potential for land to be contaminated when determining development applications; clearly listing remediation works that require development consent; and introducing certification and operational requirements for remediation works that may be carried out without development consent.

Consideration has been given to the suitability of the site with respect to potential land contamination under the current SEPP (*State Environmental Planning Policy (Resilience and Hazards) 2021*), as discussed earlier in this report.

In respect to the consideration of this application, the Draft SEPP does not propose any additional requirements that warrant further investigation in addition to those required by the current SEPP.

4.15(1)(a)(iii) The provisions of any development control plan

Cessnock Development Control Plan 2010

The following is an assessment of the proposal's compliance with the relevant provisions of the Cessnock Development Control Plan 2010 (DCP). Discussion of any variations to the standards is provided after the compliance table:

Part C: General Guidelines
Chapter 1: Parking and Access

The development has been assessed against the provisions of this chapter of the DCP.

Council's Car Parking DCP requires the following:

- **Pub** – 1 space per 4m² of licensed floor area PLUS 1 space per 3 staff
- **Restaurant or Café** – 1 space per 10m²

Pub

The pub component of the development comprises a total licensed floor area (combined inside and outside areas) of 167m² which generates the requirement for 42 parking spaces. An additional 2 spaces are required for the proposed 6 staff members. This equates to a total of 44 parking spaces required for the pub component of the development.

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Restaurant

The restaurant component of the development comprises a total floor area (combined inside and outside areas) of 234m² which generates the requirement for 24 parking spaces.

Total Parking Required and Provided

In accordance with the DCP requirements, a total of 68 parking spaces are required on site to service the development. However, given the pub and restaurant occupy one building, it can be expected that cross-usage between customers of the pub and restaurant will occur and it is considered reasonable in this instance to apply a 50% cross use calculation. In calculating this cross-use, a total of 34 on-site parking spaces are required on site.

Parking proposed on site is as follows:

- 43 formal spaces;
- 14 informal parking spaces (for overflow vehicles onto grass areas); and
- 3 formal bus parking bays.

Having regard for the above, the parking provided on site is in excess of the minimum requirement under the provisions of the DCP.

Chapter 3: Contaminated Lands

The contaminated lands guidelines chapter of the CDCP reflect the requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

As discussed earlier in this report, there has been no history of any contaminating land uses occupying the site and as such, the site is considered suitable for the development and satisfies the provisions of this chapter of the DCP.

Chapter 5: Waste Management and Minimisation

Chapter C.5 of the DCP requires a waste management plan that addresses waste management during demolition, construction and for the ongoing operation of the development.

The provisions of this chapter of the DCP have been adequately addressed in the submitted Statement of Environmental Effects (SoEE).

While the site is not serviced by Council's garbage collection operations, the Applicant is proposing to engage a private contractor to collect and dispose of waste associated with the development. A condition of consent has been imposed requiring the submission of a copy of the private garbage collection contract, and a separate waste management plan (to address both construction waste and on-going operational waste) prior to issue of a construction certificate.

Chapter 8: Social Impact Assessment and Crime Prevention thorough Environmental Design Guidelines (CPTED) for Proposed Development.

Social Impact Assessment

A Social Impact Assessment (SIA) has been submitted with the application and has been assessed by Council's Community Planner.

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The SIA is deemed sufficient to meet the requirements of the DCP in relation to the preparation of the document. The level of community consultation and engagement undertaken also satisfies the DCP.

While Council's Community Planner has noted the isolated nature of the venue, noise related neighborhood complaints and restricted access to public transport and a taxi service, it is considered that these matters can be addressed in the Plan of Management (PoM). Council's Community Planner has recommended the following conditions of consent be imposed in the event of development consent being issued for the proposal:

- *Prior to issue of an OC, a complaints register is to be developed and lodged with Council for approval. This register is to be held on-site and accessible to appropriate investigating authorities, such as Council, for review in the event that a complaint is received in relation to noise generated from the development. The process by which to make a complaint must be readily accessible to members of the public (for example via social media or website) and is to provide a telephone and email contact for registering of the complaint.*
- *A final Operational Plan of Management is to be lodged with Council for approval prior to the issue of an OC. This Plan is to include an example copy of the complaints register and a process detailing how complaints will be addressed both immediately and for further investigation or resolution as an annexure.*

The Plan of Management is to also include contact details for alternate transport services (such as a courtesy bus for local residents) under the section titled 'Safe Transport' for clear and easy access for all staff. Patrons requiring the courtesy bus transport service is to be arranged by staff no less than one (1) hour before closing time.

It is noted that following the second public notification period 60% of the submissions received were in support of the proposal for reasons relating to the positive social impacts the development would bring to the local community as follows:

- The proposal will provide a much needed service to the local community which is remote from urban areas.
- The local area (given its isolation) is in need of a meeting place where local residents can gather and recreate to improve the sense of community in the area.
- Given the isolated nature of the area, the quality of life for residents is impacted upon and loneliness leads to mental health issues. The proposal will provide an opportunity for local residents to meet, socialise and gather as a community.

The submissions received during the notification periods are addressed in detail further in this report.

Crime Prevention Through Environmental Design Report

A Crime Risk Assessment (CRA) has been submitted and was referred to NSW Police for assessment and comment.

NSW Police Comments

NSW Police initially provided formal written comments on 4 October 2024 opposing the development for the following reasons:

- The site is not located within close proximity to any medical services or emergency services (other than the nearby Rural Fire Service Station).

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- The site is located within the Wollombi Policing Sector, controlled from the Cessnock Police Station which is 50 minutes travel time to the site.
- The type of venue proposed comes with inherent risks associated with alcohol related crime within an isolated area and in the event of adverse alcoholic behavior by customers, it will be an extended period of time before emergency services will be able to attend to assist in removing customers from the venue (by Police) or provide medical service associated with customer or staff injuries.
- There is no public transport or accommodation options and given the site's isolated location, this will increase the risk of persons driving under the influence of alcohol and result in public safety issues.

As a result of the NSW Police objection, Council officers held a meeting with the Applicant and a representative from NSW Police on 28 October 2024. The purpose of the meeting was to discuss the concerns of NSW Police.

Following these discussions, it was determined that the level of public safety risks associated with the venue (particularly in relation to alcohol related incidents), could be reduced by restricting the type of licence for the premises. While the Applicant's intention was for a Hotel Licence (to enable alcohol to be sold to the public for consumption on the premises without the requirement to be served with a meal), the preference would be for an "On-premise Licence" which restricts the sale of alcohol to only when served with a meal. An On-premise Licence is typical of a restaurant or café which have a much lower public safety risk compared to pubs and hotels.

The Applicant has prepared a draft Plan of Management (PoM) in consultation with NSW Police and this has been referred to NSW Police for assessment and comment.

NSW Police have provided the following written comments in email dated 7 January 2025:

"The proposed PoM aims to mitigate the risks associated with a running a licensed venue.

For the purpose of the proposal, it is enough to show that the owner is prioritising risks and risk management and that the business owner is willing to discuss matters with NSW Police and is able to be worked with.

From NSW Police previous meeting Police still do not support the building and running of a licensed venue with a Hotel Licence due to the associated risks.

That being said an option with reduced risk is that of running an On-premises Licence (common with a restaurant) and a Wholesaler/Producer Licence within the building. The business owner has provided a proposed floor plan that will work for the takeaway sales area within the boundary of the building.

Although Police believe there are still risks associated with any licensed venue at the location, the risks associated with the on-premises and wholesaler/producer licence are reduced. With an owner/licensee who is willing to work with authorities, any risks can be addressed and mitigated. A lot of those steps will be completed through the liquor application process and subsequent running of the venue.

In summary Police believe that the proposed is definitely more appropriate and is better suited to the public safety aspect than the original proposal for a hotel licence."

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Having regard for the above, a condition has been included in the draft conditions of consent restricting the type of Licence for the premises to an On-premises Licence and Wholesaler/Producer Licence only.

NSW Police are satisfied that the Applicant has demonstrated that the development will have an acceptable level of social impact on the immediate community and is designed and managed to minimise the risk of crime. Council officers support that position.

4.15(1)(a)(iiia) The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No such agreement has been proposed in conjunction with this application.

4.15(1)(a)(iv) The provisions of the regulations

There are no matters prescribed by the regulations that apply to this development.

4.15(1)(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

It should be noted that natural and environmental impacts, as well as the social impacts, have been addressed within other matters under Section 4.15(1)(a) considerations above. However, additional impacts are noted and addressed further below.

Noise Impacts

A Noise Impact Assessment (NIA) Report has been submitted in support of the application and assessed by Council's Environmental Health Team.

The report identifies the following main areas of noise generation from the proposed development:

- patron Voices;
- vehicle movements and the opening and closing of car doors;
- music; and
- mechanical plant operating noise.

Background noise was measured at a location representative of the most potentially affected receptor and from that measurement the noise levels were what was calculated to be at the receptor sites as identified on the map below:

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Figure 5: Receptor Sites

The report demonstrates that the predicted noise emissions from the proposed development at the identified receptors will comply with relevant noise guidelines and criteria provided the recommendations of the report are complied with, which include the following measures:

- Construction materials to achieve a minimum sound transmission performance.
- Mechanical Plant selected is not to exceed stipulated decibel readings and located appropriately on site.
- The preparation of a Noise Management Plan to include staff training, patron management by a regulated booking system restricting patron numbers to 100 after 6.00pm and restricting patron numbers in the outdoor areas after 6.00pm to 75.
- The preparation of a Music Management Plan including the use of a sound system noise limiter/compressor, all live music to cease by 8.00pm, with background music to cease by 10.00pm and no amplified performances to be conducted at any time in the outdoor areas.
- Delivery vehicles (including garbage collection vehicles) restricted to access the site between 7.00am and 6.00pm.

The noise emission levels modelled are based on worse-case scenario (i.e. capacity patrons, speaking with raised voices and music playing). The report concludes that during the most sensitive period of operations, the amenity of neighbouring residents will be adequately protected.

Overall, Council is satisfied that the development (subject to compliance with the recommendations of the submitted noise report), and suitable conditions of consent including acoustic certification and an operational noise validation report, the amenity of residents within the locality will be maintained to an acceptable standard.

Traffic Impacts

A TIA report has been lodged with the application addressing the traffic impacts of the development.

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Based upon the proposed hours of operation, it is considered that the maximum traffic generation will occur in the pm peak.

In accordance with the RMS Guide to Traffic Generating Developments for restaurants, the development is estimated to potentially generate up to 480 vehicle trips per day.

The Applicant was required to undertake a 24 hour traffic count on George Downes Drive, which was carried out between 7 July 2023 and 21 July 2023 in the immediate vicinity of the proposed entrance to the site to determine the existing traffic conditions. The traffic count summary identified a maximum of 61 vehicle trips per day during the morning peak and 62 vehicle trips per day in the afternoon peak. The report indicates that the majority of these trips will be combined with existing travel along George Downes Drive, which is a popular tourist drive through Wollombi to the Hunter Valley, and as such the report estimated the actual generation of visits that are solely travelling to the subject site would be approximately 10 % of this figure (i.e., 2 to 3 an hour) and concluded that an intersection upgrade was not warranted.

Council has undertaken a detailed assessment of the submitted TIA in accordance with the *Austroads Guide to Road Design* and given the speed limit along George Downes Drive (100 km per hour), the width of the road seal (7 – 8 metres) and unformed road shoulders. It has been determined that intersection upgrade works will be required at the entry to the site to a BAR/BAL standard. This will include road widening along George Downes Drive to accommodate passing vehicles, ensuring safe entry to the site.

It is noted that adequate site distance is available along George Downes Drive from the entry to the site in both directions (greater than 250 metres).

The Application was referred to TfNSW for comment given that George Downes Drive is a classified regional road. TfNSW provided written comments entrusting Council to assess the traffic implications of the development given Cessnock Council is the Roads Authority for this road in accordance with Section 7 of the *Roads Act 1993*.

Subject to the required upgrade works on George Downes Drive at the entry to the site, it is considered that suitable a safe access will be available to the development and traffic impacts will be acceptable.

Ecology Impacts

The proposed development requires the removal of approximately 0.5ha of native vegetation for the establishment of the Bushfire Asset Protection Zone, and for road upgrade works along George Downes Drive and access entry to the site.

A flora and fauna assessment report has been prepared and lodged with the application and assessed by Council's Ecologist. It is noted that previous illegal clearing undertaken on the site was incorporated into this assessment report.

The Applicant has demonstrated efforts to minimise impacts to ecological values by increasing the Bushfire Attack Construction Level of the proposed building to reduce the scale of the required Bushfire Asset Protection Zone. It has been determined that the proposed development does not result in a significant impact on flora and fauna.

As previously stated in this report, a condition of consent has been included in the draft Notice of Determination with regard to tree clearing which will require select mature trees (with priority given to known Koala feed trees) to be identified for retention within the Bushfire Asset Protection Zone. A Tree Retention Plan will be required to be submitted for Council's Ecologist approval prior to issue of a construction certificate. Further, a Vegetation Management Plan (VMP) will be required to be prepared over the site (and has been conditioned in the draft

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notice of determination) for the ongoing management of native vegetation on the property to preserve the ecological qualities of the land.

4.15(1)(c) The suitability of the site for the development

As demonstrated by the above assessment, the proposed development is not expected to result in any significant impacts to the natural and built environment, or detrimental social or economic impacts in the locality, subject to the imposition of suitable conditions of consent.

4.15(1)(d) Any submissions made in accordance with this Act or the regulations

The application was notified to the six (6) properties adjoining the subject land on two (2) separate occasions. The application was first notified between 26 September 2023 and 9 October 2023. During this time, fourteen (14) submissions were received from fourteen (14) households. Thirteen (13) of these submissions raised objection to the proposal and one (1) submission was in support of the proposal.

The application was publicly exhibited for the second time, due to the 'Application Tracker' being offline for part of the initial notification period, between 14 June 2024 and 28 June 2024 with sixty-eight (68) submissions received from sixty-two (62) households. Forty-one (41) of these submissions were in support of the development and twenty-seven (27) of these submissions were in objection to the proposal.

It is noted that five (5) of the submissions received during the second notification period were lodged outside of the exhibition period. Further, the majority of submissions received in support of the proposal, were received from residents within a 5-10km radius of the subject site.

The following tables summarise the public's comments, both in support and in objection to the development, along with a response to each matter:

Submissions in Support of the Proposal – 41

Issue	Submission	Comment
Isolated community remote from services	The proposal will provide a much needed service to the local community which is remote from urban areas.	The development will provide a service to the local community and result in a positive social impact for those residents feeling isolated in a remote area.
Meeting place for the local community	The local area (given its isolation) is in need of a meeting place where local residents can gather and recreate to improve the sense of community in the area.	The development will provide an opportunity for community engagement for those residents feeling isolated within a remote rural area which is a positive social impact.
Economic benefits	The development will result in economic benefits for the local area in relation to tourism which will increase local spending and expose the area as an attractive tourist destination	The development will provide an additional service / attraction for tourists and enhance the tourism qualities of the area which is considered to be an economic benefit.
Employment opportunities	The development will create employment opportunities and provide an economic benefit to the local community.	The development will create employment opportunities during the construction phase and on-going operation of the premises which is an economic benefit to the area.

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Improve quality of life for local residents and improve mental health	Given the isolated nature of the area, the quality of life for residents is impacted upon and loneliness leads to mental health issues. The proposal will provide an opportunity for the local community to meet and socialise and improve their quality of life.	The development will provide a social outlet for those residents feeling isolated and improve the quality of life for those residents feeling isolated and not part of a community.
The development has been sensitively designed	The development has been designed to ensure environmental impacts are minimised and the amenity of surrounding residents is protected.	Council officers have assessed the application as being appropriately designed having regard to the environmental qualities of the site, and subject to suitable conditions of consent, minimise amenity impacts on surrounding neighbours.

Submissions in Objection to the Proposal –27

Issue	Submission	Comment
Permissibility	The proposed development is not permitted under the Cessnock LEP 2011.	The issue of permissibility has been addressed in Section 4.1 of this report. The proposed development is permitted with consent.
Zone objectives	The Proposal does not satisfy the objectives of the RU2 Rural Landscape Zone.	The objectives of the zone have been addressed in Section 4.2 of this report. The proposed development meets the objectives of the zone.
Ecology impacts including Koala habitat removal and native wildlife being hit by vehicles	The development will adversely impact on the flora and fauna qualities of the site and particularly koala habitat	Ecology impacts have been addressed previously in this report under Section 4.15(1)(b) and Koala habitat impacts have been assessed against the provisions of <i>SEPP (Biodiversity and Conservation) 2021 – Koala Habitat Protection</i> , also previously discussed in this report. It is considered that the proposed development will not result in any significant impacts on the ecological qualities of the site subject to compliance with suitable conditions of consent.
Traffic safety and impacts	The development will create traffic safety impacts due to increased traffic along George Downes Drive which is of poor quality and dangerous.	The issue of traffic impacts has been addressed previously in this report under Section 4.15(1)(b). Subject to intersection upgrade works on George Downes Drive, traffic impacts will be acceptable and these works will facilitate safe access to the site.

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Noise impacts	The development will result in unacceptable noise impacts on adjoining/adjacent properties.	The issue of noise impacts has been addressed previously in this report under Section 4.15(1)(b). Subject to compliance with the submitted noise assessment report and suitable conditions of consent, it is considered that the proposed development will not result in any significant noise impacts on residents in the surrounding rural area.
No reticulated sewer or water	The site is not adequately serviced as there is no reticulated sewer or water service.	The issue of essential services has previously been addressed in this report under Section 4.3. The Applicant has satisfied Council that the proposed development will be serviced by adequate essential services.
No garbage service	There is no Council garbage service in the area.	A condition of consent has been imposed requiring the owner / operator of the development to engage a private contractor for the collection and disposal of garbage.
Bushfire safety	The site is located within a high bushfire prone area which will impact the safety of patrons on the site.	The issue of bushfire has been previously addressed in this report under Section 4.14. Subject to compliance with the submitted bushfire assessment report, the development will provide safe occupation and evacuation for patrons in the event of a bushfire.
Scale of the development and scenic impact	The scale of the development is not appropriate within the rural landscape and will result in unacceptable scenic impact.	The design of the development is considered to have been sensitively designed having regard to the rural landscape character of the locality. The building is located appropriately within the site in an existing cleared area (setback 100 metres from George Downes Drive), and is screened by heavily vegetated land restricting its view from the road and surrounding properties.
Economic impacts on local café's and restaurants	The development will result in adverse economic impacts on existing restaurants and cafes in the locality.	There is no evidence to suggest that the proposal will adversely impact on local restaurant / café businesses. Given the isolated location of the site and its remoteness from other similar services, the proposal will provide an additional service to the local community and provide economic benefits in relation to job opportunities and tourism.

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Public transport	There is no public transport available for patrons	The issue of public transport has previously been addressed in this report (under the provisions of Chapter C.8 of Council's DCP 2010), including NSW Police comments. The owner / operator will be required to provide (in the operational plan of management for the premises) alternative transport options (such as a courtesy bus) in the event that patrons require this service due to a lack of public transport in the locality.
Patrons camping	As there is no accommodation on the site and no public transport available, patrons will illegally camp on the site.	As previously discussed, the owner / operator will be required to provide alternative transport contact details in the operational plan of management to provide patrons with this service if and when needed. In relation to camping on the site, the application does not propose a camping ground. In the event that illegal camping occurs on the property in association with the development, this would be a compliance matter dealt with by Council's Compliance Team.
Inadequate staff numbers	The proposed 6 staff is not adequate to serve and manage up to 150 customers.	Staff numbers proposed is not a planning consideration and the business operational plan will identify the staffing numbers and adjusted accordingly dependent upon demand. In the event of the need for additional staff as part of the approved Operational Plan of Management, it is noted that sufficient additional car parking spaces are available on site in excess of Council's minimum requirement under the Cessnock Development Control Plan 2010.
Trespassing	Inadequate fencing of the property will result in intoxicated patrons trespassing on adjoining properties.	The issue of trespassing is a police matter and not a planning consideration.
Land use conflict and amenity impacts	The development will result in a land use conflict with the surrounding rural/residential area due to amenity impacts.	Amenity impacts such as noise and traffic generation have been discussed previously in this report under Section 4.15(1)(b). As previously discussed, professional reports have been prepared and assessed by Council officers as being acceptable in terms of amenity impacts and suitable conditions of consent have been imposed to ensure amenity impacts on surrounding properties are acceptable.
Light pollution	Lighting of the premises will adversely impact on the rural amenity of the locality.	The proposed development is located appropriately on the site and adequately screened by vegetation on all boundaries such that there will be minimal light spill on surrounding properties. Notwithstanding, a condition of consent

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		has been imposed ensuring lighting satisfies the relevant standards within a rural environment and a lighting plan has been conditioned to be lodged prior to issue of a construction certificate.
Ground water contamination	The wastes from the brewing process will result in ground water contamination.	<p>The Application was accompanied by a detailed waste-water report prepared by a suitably qualified professional and assessed by Council as being acceptable.</p> <p>A separate waste-water system and disposal area will be required for the brewing process. This system is of a higher standard to ensure odour emissions are appropriately dealt with.</p> <p>Prior to issue of a construction certificate, a Section 68 Approval under the Local Government Act will need to be lodged with Council for approval for the establishment of these systems in compliance with the relevant legislated standards and guidelines.</p>
Adverse social impacts and anti-social behaviour	The development, being a license venue, will result in adverse social impacts and alcohol related anti-social behaviour.	<p>The issue of social impacts associated with the development have previously been addressed in the report (under the provisions of Chapter C.8 of Council's DCP 2010), including NSW Police comments.</p> <p>By the imposition of suitable conditions of consent, including the restriction on the type of liquor licence permitted on the premises, it is considered that the social impacts of the development will be acceptable and minimal on the amenity of the neighbourhood.</p>
Illegal works	The owner of the property has undertaken illegal clearing works and erected illegal structures.	The issue of illegal works has been dealt with separately by Council's Compliance Team.
Parking	Inadequate parking is proposed to service the development.	Adequate parking has been provided on site in accordance with Council's DCP 2010 (Chapter C.1 – Parking and Access) as previously addressed in this report.
Drink driving	As there is no accommodation on site and no public transport, patrons will drive under the influence of alcohol.	Drink driving is a Police matter and not a planning consideration. Notwithstanding, a condition of consent has been imposed on the draft notice of determination requiring an alternative patron transport service (such as a courtesy bus) for local residents.

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<p>Central Coast Council submission (as an adjoining land owner)</p>	<p>Consideration is to be given towards the ecological impacts resultant from any roadworks required on George Downes Drive and a Road Safety Audit undertaken in accordance with Central Coast Council's Civil Design Guidelines.</p>	<p>The southern half of George Downes Drive is located within the Central Coast Council LGA and accordingly, Council notified this authority as an adjoining land owner of the development. Council has taken into consideration comments provided by Central Coast Council in their submission in relation to ecology impacts and roadworks (which have been addressed previously in this report). In the event of the development being approved, the Applicant will be required to lodge a Section 138 Roadworks Application with both Central Coast Council and Cessnock Council for road upgrade works along George Downes Drive. This has been conditioned accordingly (including the requirement for a Road Safety Audit).</p>
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4.15(1)(e) The public interest

The public interest is served through the detailed assessment of this Development Application under the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2021*, Environmental Planning Instruments and Council Policies.

It is considered that the proposed development is consistent with the public interest, providing an additional service to an isolated rural community. During the notification period, while objections were received to the proposal, the majority of submissions were supportive of the development. The issues raised by the objectors have been addressed throughout the report and suitable conditions of consent have been imposed to ensure the development does not have an unacceptable impact on the amenity of the area and local residents.

SECTION 7.12 CONTRIBUTIONS

In the event the application is approved, based on a cost of \$800,000, Section 7.12 Contributions totalling \$8,000 will be payable prior to issue of the Construction Certificate.

INTERNAL REFERRALS

The Development Application was referred to the following Council officers for comment:

Officer	Comment
Development Engineer	The application has been assessed as being satisfactory in relation to engineering matters, and suitable conditions of consent have been imposed.
Environmental Health Officer	The application has been assessed as being satisfactory in relation to environmental health matters, and suitable conditions of consent have been imposed.
Community Planner	The application has been assessed as being satisfactory in relation to community planning matters, and suitable conditions of consent have been imposed.

Ecologist	The application has been assessed as being satisfactory in relation to ecology impacts, and suitable conditions of consent have been imposed.
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EXTERNAL REFERRALS

The Development Application was required to the following external agencies for comment.

Officer	Comment
NSW Police	Comments from NSW Police have previously been discussed in this report
Transport for NSW	TfNSW has raised no objection to the proposal and have entrusted Council to adequately address traffic impacts and roadworks.

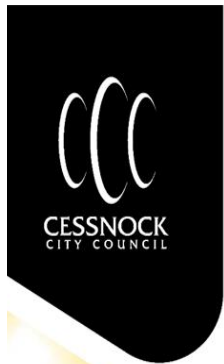
CONCLUSION

The Development Application has been assessed in accordance with *Section 4.15(1) of the Environmental Planning and Assessment Act 1979*, and all other relevant instruments and policies.

As outlined in the report, the assessment has taken into consideration the relevant planning provisions and the proposal is supported based on the following:

- There are no matters within a SEPP that restrict the proposal from being granted development consent;
- The proposed development is consistent with the *CLEP 2011*. In particular, it is considered that the proposal is permissible on the land and will suitably meet the objectives of the zone;
- Council officers have assessed the proposal against the requirements of the Cessnock DCP 2010 and determined that it is consistent with the prescriptive provisions and performance-based objectives;
- The objections received during the public notification period have been considered pursuant to Section 4.15(1)(d) and the matters raised are not considered sufficient to warrant refusal of the application. Suitable conditions of consent have been imposed to minimise the impact of the development on both the environmental qualities of the site and the amenity of the neighbourhood;
- Overall, the application is considered to be in the wider public interest.

It is therefore recommended that the application be approved subject to the conditions contained in the attached draft Notice of Determination.



2024
2025

Planning for our
people, our place, our
future



CESSNOCK



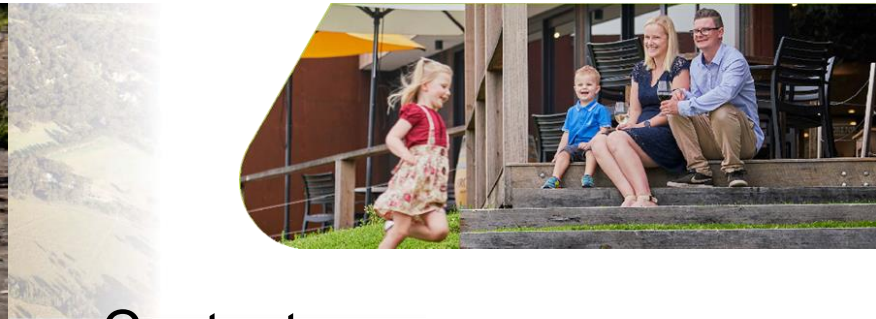
QUARTERLY BUDGET REVIEW STATEMENT
Quarter 2 December 2024

www.cessnock.nsw.gov.au

Welcome Acknowledgement of Country

Cessnock City Council acknowledges that within its local government area boundaries are the Traditional Lands of the Wonnarua people, the Awabakal people, and the Darkinjung people.

We also acknowledge all other Aboriginal and Torres Strait Islander people who now live within the Cessnock Local Government area



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Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2021:

It is my opinion that the Quarterly Budget Review Statement for Cessnock City Council for the quarter ended 31 December 2024 indicates that Council's projected financial position at 30 June 2025 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure. As noted previously the ongoing increase in capital works will continue to place a pressure on the bottom line particularly through loss on disposal of assets and future depreciation. This can be sustained in the short term but will require adjustments to budgets in the coming years through additional income or a reduction in expenditure or services.

Signed:



Matthew Plumridge – Responsible Accounting Officer

Date:

11/02/2025



Income and Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2024

	Original Budget 2024/25	Approved Changes		Revised Budget 2024/25	Variations for this Dec Qtr	Notes	Projected year end result	Budget YTD figures	Actual YTD figures
		Carry Forwards	Sep QBRS						
Income									
Rates and annual charges	70,358,703		325,000	70,683,703	376,625	1	71,060,328	70,683,703	71,123,078
User charges and fees	9,962,618		27,800	9,990,418	-	2	9,990,418	4,925,329	5,844,855
Other revenues	2,521,969		-	2,521,969	182,000		2,703,969	1,242,940	1,768,602
Grants and contributions - operating	13,193,411	39,765	5,078,075	18,311,251	2,417,849	3	20,729,100	2,770,554	5,997,009
Grants and contributions - capital	64,735,944	3,014,505	(41,366)	67,709,083	534,433	4	68,243,516	13,967,018	21,513,433
Interest and investment revenue	2,783,830		250,000	3,033,830	-	5	3,033,830	1,435,686	1,954,744
Total income from continuing operations	163,556,475	3,054,270	5,639,509	172,250,254	3,510,907		175,761,161	95,025,230	108,201,722
Expenses									
Employee benefits and on-costs	46,799,782		2,023,813	48,823,595	-	6	48,823,595	25,929,818	26,044,147
Borrowing costs	376,363		67,125	443,488	(31,875)	7	411,613	188,182	127,970
Materials and services	32,526,110	247,397	2,771,071	35,544,578	4,372,216	8	39,916,794	17,560,228	18,064,102
Depreciation and amortisation	20,815,196		6,038,357	26,853,553	4,030,915	9	30,884,468	13,132,270	12,272,408
Other expenses	6,898,800	5,875	111,000	7,015,675	-	10	7,015,675	3,484,076	4,138,393
Net Loss from disposal of assets	5,000,000		10,000,000	15,000,000	(5,000,000)	11	10,000,000	2,500,000	(648,456)
Total expenses from continuing operations	112,416,251	253,272	21,011,366	133,680,889	3,371,256		137,052,145	62,794,574	59,998,564
Net Operating Result from all operations	51,140,224	2,800,998	(15,371,857)	38,569,365	139,651		38,709,016	32,230,656	48,203,158
Net Operating Result before Capital Items	(13,595,720)	(213,507)	(15,330,491)	(29,139,718)	(394,782)		(29,534,500)	18,263,638	26,689,724



Operating Performance

The year to date operating result before capital income is a surplus of \$26.7m

Council levies rates and annual charges for the whole year in July, however ratepayers are provided the option to make payments in quarterly instalments throughout the year due in August, November, February and May. Income is recognised up front in accordance with the Australian Accounting Standards and Local Government Code of Accounting Practice and Financial Reporting (Guidelines), therefore the Actual YTD figures represent the full year of levied income despite timing differences in payment receipts.

Favourable YTD operating income due to increases in waste annual charges, user fees income related to new development and greater than expected other income and investment returns. New operating grants received but not budgeted, increased income from Developer contributions and a difference in phasing of capital grants budgets and actuals have resulted in a positive YTD variance for Grants and Contributions.

Differences in phasing of legal expenses and the Waste levy are resulting in an unfavourable YTD budget variance in materials and other expenses, however we expect these expenses to align to budget by the end of the year.

The revised estimated net operating result before capital income for the year to 30 June 2025 is a deficit of \$29.5m (original budget was a deficit of \$13.5m). This has been mostly driven by the increased capital works program, including natural disaster works, with an expected increase in loss of assets of \$5m and increased depreciation of assets of \$10.0m. A review of the useful lives of assets resulting in accelerated depreciation of these assets has contributed to the increased depreciation expense.



Income and Expense Budget Changes

Variations to income and expenses for this December review (Notes 1 to 8)

Council has conducted a review of its operating income and expenses for this December quarterly budget review for major items and proposes a net increase to the projected year end deficit of \$0.4m to \$29.5m. Forecasts for estimated full year budgets have been based on trends and currently available information. The following notes provide commentary on proposed material changes to operational results.

Note	Income & Expenses Budget review statement Recommended changes to revised budget include the following material items
1	Increased revenue for annual waste charges due to the addition of new developments
2	Increased income from employee contributions to motor vehicles
3	New Operating Grants received - \$3.0m increase relates to a grants & contributions for Wollombi Road project and \$1m reduction in Housing Support Program which will be received next year.
4	New Capital Grants received, mostly related to natural disaster projects
5	Minor adjustment to borrowing costs due to timing of proposed loans
6	Increased contract expense and increased material/contract expenses mostly funded by new Grant income received. Training budget increase of \$215k following comprehensive review of compulsory and professional training requirements.
7	Increased depreciation expense due to increased capital works, new waste cell and a change in asset useful lives
8	Reduced estimated loss on disposal of assets due to change in asset useful lives

Capital Expenditure Budget Review Statement

Capital Expenditure	Original Budget 2024-25	Carry Forwards	Variations Sept QBRs	Revised Budget 2024-25	Variations for this Dec QTR	Projected Year End Result	Actual YTD Figures
	\$	\$	\$	\$	\$	\$	\$
Branxton Town Centre Program (CTB)	157,913	51,149	0	209,062	0	209,062	6,420
Bridge Construction Program (CBS)	1,798,219	1,022,634	86,870	2,907,723	(688,500)	2,219,223	1,878,504
Cemetery Facilities Construction Program (CFC)	125,811	133,964	(58,336)	201,439	0	201,439	92,129
Cessnock Civic Precinct Revitalisation Prog. (RCC)	333,000	118,082	0	451,082	(353,485)	97,597	13,254
Community Buildings Renewal Program (RBC)	830,000	24,211	(24,211)	830,000	204,135	1,034,135	205,558
Design & Contracts Pre-Construction Design (DCP)	346,524	0	(200,000)	146,524	0	146,524	22,439
Drainage Construction Program (CDR)	2,781,355	59,081	(1,000,000)	1,840,436	(638,725)	1,201,711	305,925
Floodplain Management Program (PMF) Capital	4,786,600	637,585	0	5,424,185	0	5,424,185	3,142,786
Gravel Rehab & Resheeting Program (RRG)	343,200	0	0	343,200	0	343,200	68,838
Kurri Town Centre Program (CTK)	0	200,000	131,000	331,000	0	331,000	297,659
Library Books	199,000	0	0	199,000	0	199,000	60,419
Local Road Construction Program (CRL)	27,000	0	0	27,000	(7,000)	20,000	54,630
Local Road Renewal Program (RRL)	9,819,500	692,185	3,126,110	13,637,795	(3,290,038)	10,347,757	4,173,976
Natural Disaster Remediation	5,569,707	1,013,992	4,476,932	11,060,631	308,016	11,368,647	9,877,944
Other Fixed Assets (OFA)	617,845	116,145	83,211	817,201	(22,217)	794,984	424,252
Pathways Construction Program (CPW)	5,830,186	534,184	(2,086,891)	4,277,479	(810,038)	3,467,441	1,447,161
Plant and Fleet Acquisitions (PFA)	5,023,000	919,228	0	5,942,228	0	5,942,228	4,346,082
Pool Facilities Renewal Program (RFP)	278,142	0	0	278,142	0	278,142	115,349
Recreation Buildings Renewal Program (RBR)	1,024,507	0	(400,000)	624,507	0	624,507	193,120
Recreation Facilities Construction Program (CFR)	3,701,340	759,762	70,000	4,531,102	161,143	4,692,245	2,115,907
Recreation Facilities Renewal Program (RFR)	2,196,741	0	209,763	2,406,504	254,675	2,661,179	753,939
Recreation Pre-Construction Design	289,344	0	0	289,344	0	289,344	87,027
Regional Road Renewal Program (RRR)	11,514,027	0	(156,360)	11,357,667	(67,527)	11,290,140	4,096,624
Safer Roads Program (RMS Blackspot) (CRR)	2,121,000	19,789	(452,910)	1,687,879	(117,000)	1,570,879	44,398
Signage Program (CRV)	0	0	0	0	0	0	7,337
Traffic Facilities Program (CFT)	178,617	154,450	689,500	1,022,567	(90,869)	931,698	23,449
Waste Facility Construction Program (CFW)	16,300,000	81,121	(1,012,000)	15,369,121	0	15,369,121	3,608,944
Waste Major Plant	1,200,000	0	46,900	1,246,900	225,000	1,471,900	1,151,499
Works Depot Construction Program	1,825,000	0	0	1,825,000	(650,000)	1,175,000	396,712
Total Capital Expenditure	79,217,578	6,537,562	3,529,578	89,284,718	(5,582,430)	83,702,288	39,012,279

Capital Expenditure Budget Changes

Actual Capital Expenditure for the year to 31 December 2024 was \$39m which equates to 44% spent of current budget of \$89.2m.

Variations to capital expenditure for this December review

All projects within the capital works program were reviewed as part of the Q2 Quarterly Budget Review Statement process and a net decrease to the overall capital works program of \$5.6m is proposed. Material movements are listed below.

Unit	Program	Amount \$	Comment
Works and Operations	Natural Disaster Remediation	308,016	New P3 and P4 Natural Disaster Grants offset by savings in completed grant funded works under the Essential Public Asset Reconstruction (EPAR) program.
Infrastructure	Pathways Construction Program (CPW)	(810,038)	Increases to Branxton to Greta path and Bridges Hill to Wine country Dr path - offset by deferral of Government Rd path and reduction in Cessnock to Abermain grant funded path.
Works and Operations	Works Depot Construction Program	(650,000)	Savings on the completed fuel remediation project
Waste Services	Waste Major Plant	225,000	Purchase of an excavator to avoid external hire
Open Space and Community Facilities	Recreation Facilities Construction Program (CFR)	161,143	Increase in Kurri Kurri netball facility from developer contributions offset by completed Cessnock Regional Skate Park
Open Space and Community Facilities	Community Buildings Renewal Program (RBC)	204,135	Wollombi Pony club insurance building works and s355 funded works at Polkobin Hall
Open Space and Community Facilities	Recreation Facilities Renewal Program (RFR)	254,675	Grant funded Neville Tomlinson BMX Amenities and football club funded floodlighting works at Howe PK
Infrastructure	Bridge Construction Program (CBS)	(688,500)	Review of capital project by manager
Infrastructure	Cessnock Civic Precinct Revitalisation Prog. (RCC)	(353,485)	Review of capital project by manager
Infrastructure	Works Depot Construction Program	(650,000)	Review of capital project by manager
Infrastructure	Drainage Construction Program (CDR)	(638,725)	Review of capital project by manager
Infrastructure	Local Road Renewal Program (RRL)	(3,290,038)	Review of capital project by manager
Infrastructure	Pathways Construction Program (CPW)	(810,038)	Review of capital project by manager
Infrastructure	Waste Major Plant	225,000	Review of capital project by manager
Infrastructure	Recreation Facilities Renewal Program (RFR)	254,675	Review of capital project by manager



Cash and Investments

Council's cash and investment balance as at 31 December 2024 was \$66,290,975. All investments are held in accordance with Council's Investment Policy and the Ministerial Investment Order and further details are available in Council's monthly Investment Reports.

The cash at bank amount has been reconciled to the bank statements as at 31 December 2024 as per below:

Cash at bank (as per bank statement)	\$6,260,614
Less : Unpresented bank file transactions	(104,796)
Add : Unpresented Authority cashbook transactions	<u>37,620</u>
Reconciled General Fund Cash as per General Ledger	<u>\$6,193,438</u>

Cash Reserves

The below table shows closing cash restrictions as at 30 June 2024 included in Council’s audited financial statements as well as the original budget adopted as part of the Operational Plan 2024-25, and the actual balances as at 31 December 2024.

CASH RESERVES	Actual 2023-24 \$'000	Original Budget 2024-25 \$'000	Actual Dec 2024 \$,000
External Restrictions			
Developer Contributions	41,945	42,036	46,379
Specific purpose unexpended grants	17,256	8,057	15,520
Domestic waste management	430	430	430
Stormwater management	945	-	-
Sale of land for unpaid rates - surplus	721	-	728
Total externally restricted	61,297	50,524	63,057
Internally Restricted			
Plant and vehicle replacement	622	1,000	-
Employees leave entitlement	1,624	3,706	-
Bridge replacement	296	-	-
Insurance provisions	50	50	-
Miscellaneous projects	635	447	-
Operations and program reserve	639	336	-
Property investment fund	2,133	2,541	-
Waste depot and rehabilitation	7,738	6,655	1,548
Unexpended loan funds	585	-	-
Security deposits/bonds	4,205	3,721	3,551
Total internally restricted	18,527	18,455	5,099
Total Restrictions	79,824	68,979	68,156
Less TfNSW Claims to be reimbursed	-	-	(2,163)
Unrestricted	3,309	884	298
Total Cash & Investments	83,133	69,863	66,291

Key Performance Indicators

Based on the proposed changes to budgets contained in this quarterly budget review, Council's QBRs forecasts that four out of six key performance indicators will exceed Office of Local Government benchmarks. Due to the net operating position forecasting a deficit, the Operating Performance Ratio is no longer meeting the benchmark to break even. Additionally increasing grant income, particularly for ongoing natural disaster works is placing the Own Source Operating Revenue below the benchmark.

Performance Measure	Benchmark	Original Budget 2023-24	Projection 2023-24
Operating Performance Ratio	>0.00%	X	X
Own Source Operating Revenue Ratio	>60.00%	X	X
Unrestricted Current Ratio	>1.50x	✓	✓
Debt Service Cover Ratio	>2.00x	✓	✓
Rates and Annual Charges Outstanding Percentage	<10.00%	✓	✓
Cash Expense Cover Ratio	>3.00 mths	✓	✓





Contracts

Major contracts equal to or greater than \$50,000 entered into during reporting period 1 October 2024 to 31 December 2024 are summarised below:

Contractor	Contract detail & purpose	Contract value	Start date	Duration of contract	Budgeted (Y/N)
Collins Williams Pty Ltd	T2024-24 Kurri Kurri to Testers Hollow Design Stages 1-3	\$ 187,220.00	30/10/24	5 Months	Y
Symal Infrastructure Pty Ltd	T2024-21 Wollombi Road Upgrade Project Stage 1 Construction	\$ 42,845,577.00	25/11/24	1 Year 7 Months	Y
Glascott Landscape and Civil Pty Ltd	Q2025-57 Branxton to Greta Shared Path Remaining Works	\$ 761,926.51	27/11/24	7 Months	Y
Coastal Works	Q2025-14 Design and Site Investigation for Proposed Bridge Projects in Cessnock LGA	\$ 296,997.52	13/11/24	5 Months	Y
Source Separation Systems Pty Ltd	T2024-26 Supply and Delivery of Kitchen Compositable Liners	\$ 1,248,901.00	28/11/24	2 Year 7 Months	Y
Court Craft Aust Pty Ltd	T2024-25 Cessnock Netball Courts Surface Replacement	\$ 1,325,269.00	09/12/24	6 months	Y
BMT Commercial Australia Pty Ltd	Q2025-36 Cessnock LGA Overland Study	\$ 246,111.80	13/12/24	9 Months	Y
Glascott Landscape and Civil Pty Ltd	T2024-14 Kurri Kurri Netall Facility	\$ 6,700,795.65	16/12/24	8 Months	Y

Other Expenses

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high-level specialist or professional advice to assist decision making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other contractors.

	Actual YTD	Budgeted Y / N
Consultancies	\$727,867	Y
Legal Fees	\$1,280,815	Y*

* Due to the nature of emergent and unforeseen matters, legal fee budgets are reviewed at least quarterly and adjustments are proposed if required.

Employee Numbers

The following table shows approved employee numbers as at 31 December 2024 based on Full Time Equivalent (FTE) measurement which is where 1.0 FTE equals a position where the hours are contracted for the full week (either a 35 or 38 hour week). The below figure includes all positions both occupied and vacant however excludes casuals.

Employee Type	Approved FTE 2024-25*	Actual FTE Dec 2024
Permanent	462.22	405.39
Temporary	13.73	23.33
Apprentice / Trainee	17.80	13.40
Total Approved Full Time Equivalents	493.75	442.12

*2024-25 FTE per 24-25 Operational Plan



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CESSNOCK
CITY COUNCIL

CESSNOCK

Operational Plan
Quarter 2 2024-25



Planning for
our people,
our place,
our future

Acknowledgement of Country

Cessnock City Council acknowledges that within its local government area boundaries are the traditional lands of the Wonnarua people, the Awabakal people and the Darkinjung people. We acknowledge these Aboriginal peoples as the traditional custodians of the land on which our offices and operations are located, and pay our respects to Elders past and present. We also acknowledge all other Aboriginal and Torres Strait Islander people who now live within the Cessnock Local Government Area.



Journey Through Time, created by local school students and artist Steven Campbell.



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Navigating this report

Outcomes

These are the community’s long-term priorities and aspirations for the city, as set out in the Community Strategic Plan. They contribute to achieving the city’s vision. Council has a custodial role in working towards realising these objectives; however, it is not wholly responsible for achieving them. Other partners, such as state agencies and community groups, have an important role to play in achieving these outcomes.

Objectives

Our objectives guide us to achieve our outcomes over the four-year period of our delivery program. Strategies Align strategic directions to core functions and sustainability and achieving long-term objectives.

Actions

Our actions are the activities and projects we commit to undertake each year, through delivery of our operational plan, to achieve our strategies under our objectives

Key for Status Updates



NOT DUE TO START

Indicates resources are not currently available to undertake this action during this reporting period



IN PROGRESS

Indicates an action is likely to be achieved in the following reporting period



COMPLETE

Indicates an action was achieved during the reporting period



NOT PROGRESSING

Generally, indicates potential inhibitors to an action being undertaken in this reporting period



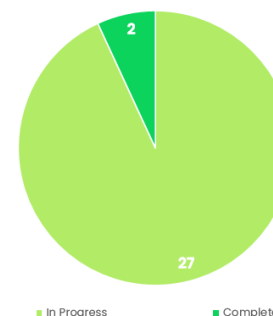
DEFERRED

Indicates an action has been carried over to a future reporting period



AT RISK

Indicates inhibitors to an action being undertaken



1: A connected, safe and creative community

1.1: Promoting social connections and wellbeing



1.1.1: Engage with the community in reconciliation activities

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.1.a	Engage with the community in reconciliation initiatives and in implementing the Aboriginal and Torres Strait Islander Community Action Plan.	▶	NAIDOC Week 2024 was held July and included a program of 16 events hosted by a number of community service providers across the Cessnock Local Government Area including Council. Council hosted events for 2024 NAIDOC Week was developed in consultation with the previous term of Council Aboriginal and Torres Strait Islander Committee. The Draft Aboriginal and Torres Strait Islander Community Action Plan concluded its 90 day public exhibition on 21 November 2024 and the draft plan will be further consulted in 2025 with the Cessnock City Council Aboriginal and Torres Strait Islander Committee.	Community and Cultural Development Manager


1.1.2: Develop and deliver programs to engage young people

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.2.a	Deliver inclusive programming for Council's Cessnock Youth Centre and Outreach Service (CYCOS) that engages and encourages young people to participate in a diverse range of social, recreational and educational activities and aligns with the Cessnock City Council Youth Engagement Strategy.	▶	After school drop in sessions were held weekly at Council's youth centre. Professionally facilitated wellbeing sessions were delivered during drop in sessions as a result of young person feedback. Council's Youth Services team delivered a range of programs in partnership with local schools and the young parents group continues to meet regularly at the youth centre.	Community and Cultural Development Manager


Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.2.b	Deliver inclusive programming strategy through Cessnock Youth Centre and Outreach Service (CYCOS) that engages Aboriginal and/or Torres Strait Islander young people, their families and community groups to participate in a diverse range of social, recreational and educational activities.	▶	Several programs engaged young people, including weaving, cooking, and setting up a free-standing bush tucker garden. Activities at the youth centre during NAIDOC Week 2024 included an afternoon of Aboriginal art and craft, an online trivia activity, take-home art packs, and a Didgeridoo workshop for Aboriginal boys. Young people in the case management service were supported to connect to mental health services, secure housing, and referred to other services as needed.	Community and Cultural Development Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.2.c	Continue working in partnership with external organisations to implement youth-based wellbeing programs that promote and encourage wellbeing, school attendance and address alcohol consumption and illicit drug use.		The Council's Youth Services team facilitated LGBTQIA+ school-based friendship groups, Lovebites programs, and a healthy relationship and domestic violence prevention program for year 10 students. They also delivered preventative alcohol and other drug education sessions and partnered with agencies for reproductive health programs. A partnership with NSW Health supporting young parents continues at the youth centre. The Transition to High School program supports year 6 students entering high school.	Community and Cultural Development Manager
1.1.2.d	Develop a 2025 Youth Week program that is inclusive, engaging and celebrates young people.		Youth Week 2025 will be held in April and the events calendar is being developed in consultation with young people.	Community and Cultural Development Manager




Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.2.e	Promote and deliver diverse and inclusive activities including during school holidays engaging with children, young people and families across the Cessnock Local Government Area.	▶	The teams at Cessnock and Kurri Kurri Libraries, Cessnock Youth Centre and Outreach Service, and Performance Arts Culture Cessnock (PACC) delivered over 14 activities during the July school holidays, engaging children and young people. The Spring School Holiday program, held from 30 September to 11 October, included over 20 events across the Local Government Area, such as an Upcycling Glass Jars Workshop, Boxing with a Yarn, Felt Finger Puppet Making, and Pet Portraits. The January School Holiday program was promoted in December and attracted strong interest.	Community and Cultural Development Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.2.f	Further promote the positive image and value of young people and strengthen the presence of Cessnock Youth Centre & Outreach Service (CYCOS) within the community.		In August, the Youth Services team delivered outreach to the East Cessnock community in partnership with a local youth service organization. Young attendees provided feedback on desired programming. Council's Youth Service social media pages are regularly updated to highlight activities, promote upcoming programs, and share local services information. Youth Ambassadors are encouraged to share their opinions and participated in the consultation for the preparation of Council's next Disability Inclusion Action Plan.	Community and Cultural Development Manager

1.1.3: Continue implementation of the Disability Inclusion Action Plan


Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.3.a	Actively pursue continuous improvement opportunities building an organisation which has a focus on inclusion and accessibility.		Community consultation for the development of the next Disability Inclusion Action Plan (2025-2029) has concluded and the plan is now being drafted.	Community and Cultural Development Manager

1.1.4: Develop and deliver a program of community and civic events


Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.1.4.a	Coordinate and promote a community Program of Events for the 2025 Cessnock Local Government Area Seniors Festival.		Seniors Festival will be held 3 to 16 March 2025. The call for community sponsorship supporting Seniors Festival has been well received by local businesses. The program is being developed in consultation with the Seniors Reference Group and once printed will be promoted from January.	Community and Cultural Development Manager
1.1.4.b	Organise and deliver throughout December a diverse program of free Christmas events engaging children, young people and families including Carols in the Park.		On 6 December, almost 2,000 people attended the Carols in the Park event. Two free NSW Seniors Christmas Concerts at PACC on 12 December were fully booked and successful. PACC also hosted three Christmas movies and a live performance. Children and youth events were held at Council's youth centre and libraries leading up to Christmas.	Community and Cultural Development Manager
1.1.4.c	Organise ceremonies (and associated activities) for civic events such as Australia Day, Mayoral Scholarships and Citizenship presentations.			Executive Assistant to Mayor

1.2: Strengthening community culture

1.2.1: Continue to promote the range of community services across the local government area

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.2.1.a	Promote Council's community and cultural services and activities hosted by Cessnock Library Branch, Kurri Kurri Library Branch, Cessnock Youth Centre and Outreach Service, Performance Arts Culture Cessnock, and Community Services.		Activities at various Cessnock facilities are promoted on social media to boost e-Library and e-PACC Newsletter circulation. Cessnock and Kurri Kurri Libraries offer diverse lifelong learning programs for all ages, with the Talking History Events - Local Studies program being particularly popular.	Community and Cultural Development Manager

1.2.2: Collaborate with the community to develop and deliver services

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.2.2.a	Be an active member of collaborative network groups that strive for inclusive, safer and healthier communities and in partnership with stakeholders deliver diverse		Network meetings are regularly attended by the Community Development team and includes participation in the planning and delivery of Cessnock Walks Kawuma and is coordinated by the Cessnock Anti Violence Network. Council is an active member of the Cessnock Anti Violence Network.	Community and Cultural Development Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	and innovative community development initiatives.			
1.2.2.b	Promote and administer Council's Community, Sporting and Environment Grant Scheme.	▶	The funding round opened August and closed 13 September. At the Ordinary Meeting of Council held December 2024, it was resolved that 10 services be provided with funding in the \$25,000 Community and Cultural Development stream.	Community and Cultural Development Manager


1.2.3: Continue implementation of the Community Infrastructure Strategic Plan

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.2.3.a	Liaise with community groups who operate from Council owned community and cultural facilities, to provide a welcoming, engaging, inclusive, safe and accessible environment.	▶	Regular communication has occurred with the Board of the Richmond Vale Preservation Society, the Marthaville Arts and Cultural Centre Management Committee and representatives from the Wollombi Cultural Centre. Completed was repairs to the access ramp that connects to the verandah at Marthaville Arts and Cultural Centre.	Community and Cultural Development Manager


1.2.4: Provide and manage a range of community, sporting and aquatic facilities

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.2.4.a	Deliver and promote an engaging exhibition program at Performance Arts Culture Cessnock (PACC) and continue to activate the makers space with workshops that represent a diverse range of genres.	▶	Exhibitions held at Performance Arts Culture Cessnock (PACC) during the reporting period were Songspirals (29 June - 18 August), Philip Quirk's The Eisteddfods (30 August - 20 October) and Lionel's Place (2 November - 5 January). Further information on these exhibitions can be found on the Performance Arts Culture Centre website. Workshops have also been held in the makers space as part of the school holiday and exhibitions program.	Community and Cultural Development Manager
1.2.4.c	Promote and deliver Council's Dollar for Dollar programs to community groups	▶	Council endorsed the recipients of the Sporting and Community Dollar for Dollar Grant program at the December 2024 Council meeting. Funding remains for the Sporting Dollar for Dollar program and Round 2 will be advertised in January 2025.	Open Space and Community Facilities Manager
1.2.4.d	Prepare and submit applications for funding to improve and/or construct community, sporting and aquatic facilities	▶	Council was successful with an Expression of Interest to run SwimVac Intensive Learn to Swim programs at Branxton and Cessnock pools over a two week period in January 2025. A grant application was submitted through the Federal Government's Growing Regions Program (Round 2) for amenities upgrades at Weston Bears Park.	Open Space and Community Facilities Manager

1.2.5: Develop and implement adopted masterplans for community facilities


Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.2.5.a	A concept plan is developed for Kitchener Poppethead Regional Playspace		An initial site visit has been held with the consultant; a draft concept plan is currently being prepared for the playspace.	Open Space and Community Facilities Manager

1.2.6: Provide a variety of interment options to the community

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.2.6.a	Implement the Cessnock City Council Cemeteries Masterplan through a new columbarium wall at Kurri Kurri Cemetery.		Formalisation of the entryway is near completion. concrete edging and road base have been installed with minor works remaining.	Open Space and Community Facilities Manager

1.3: Promoting safe communities

1.3.1: Participate in collaborative partnerships to prevent crime

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.3.1.a	Collaborate through participation on the Cessnock City Liquor Accord and		Have communicated with community groups and attended where required.	Infrastructure Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	Community Safety Precinct Committee.			

1.3.2: Carry out regulatory and education programs to protect residential amenity and community health and safety

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.3.2.a	Conduct two Graduated Licensing Scheme Workshops for supervisors and learners\drivers.	▶	One of the planned workshops has been delivered with remaining workshop scheduled and advertised.	Infrastructure Manager
1.3.2.b	Engage with Schools within the Cessnock LGA regarding road safety around schools.	▶	Education program has been delivered to seven schools to date with consultation to deliver a further 4 planned.	Infrastructure Manager

1.3.3: Continue to comprehensively and professional process construction certificates and complying development certificates

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.3.3.a	Upon receipt of all required information, assess and determine Complying Development Certificate applications within 10 days and Construction Certificate applications within 25 days from the date of lodgement.		YTD, Council has determined 4 CDC's with an average processing time of 8 days and 162 CC's with an average processing time of 32 days.	Regulatory Services Manager

1.3.4: Continue development and delivery of road safety projects under the local government program in line with Council's Road Safety Strategic Plan 2020-2024

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.3.4.a	Implement next steps of local government road safety project from the Road Safety Strategic Plan		All prescribed transport awareness and education programs have been delivered to the target audience, implementation will continue for the remainder of the financial year.	Infrastructure Manager

1.3.5: Improve the safety of the road network



Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.3.5.c	Oversee the accelerated replacement of existing eligible street lights with energy efficient LEDs.	✔	All LED's replaced.	Infrastructure Manager

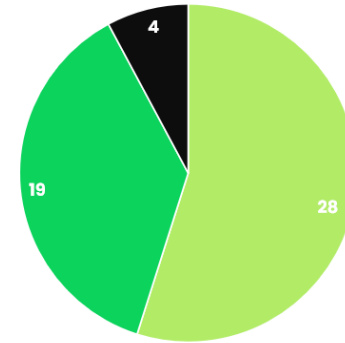
1.4: Fostering an articulate and creative community

1.4.1: Develop and deliver the Performance, Arts, Culture, Cessnock season program

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.4.1.a	Deliver an engaging Performance Arts Culture Cessnock (PACC) season with programming strategy that considers Councils community plans, diversity and inclusion.	▶	The 2024 season included 78 performances, with two sellouts, featuring children's shows, Aboriginal performances, and various music, dance, and drama shows. Post-show feedback helped keep the program current. December was the busiest month, with local dance schools performing. The 2025 program is now on sale with strong interest.	Community and Cultural Development Manager

1.4.2: Continue implementation of the priority projects from the Cessnock City Library Review, Report and Strategy (2014-2024)

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
1.4.2.a	Develop and promote Cessnock City Library digital services including 24/7 eBranch.		The delivery of Tech Savvy Seniors Programs across both libraries has enabled and supported skill development within the community for how to access the 24/7 eBranch. The Library e-newsletter regularly promotes the offerings of the 24/7 eBranch.	Community and Cultural Development Manager
1.4.2.c	Progress the development of the next Cessnock City Library Strategic Plan.		A review of the 2014-2024 Cessnock City Library Strategic Plan has informed the next plan. A successful funding application was submitted to the State Library of NSW Local Priority Grants Program 2024/2025. The project scope is finalised, and the new plan is in development.	Community and Cultural Development Manager



■ In Progress ■ Complete ■ Not Due to Start

Capital Works Program

Cemeteries

Project Name	Status	Comments	Responsible Officer Unit
Branxton Cemetery - implementation of masterplan	✓	A columbarium wall has been installed.	Open Space and Community Facilities
Cessnock Cemetery - implementation of masterplan	▶	Formalisation of the entryway is near completion. concrete edging and road base have been installed with minor works remaining.	Open Space and Community Facilities
Various Citywide Cemeteries - deliver cemeteries signage renewal	▶▶	Works are not due to commence until Quarter 3.	Open Space and Community Facilities

Project Name	Status	Comments	Responsible Officer Unit
Greta Cemetery - Implementation of masterplan	▶	The project involves installing additional interment options and constructing internal roadways at the cemetery. The scope and design are complete with works due to commence in January 2025.	Open Space and Community Facilities
Various Citywide Cemeteries - deliver cemeteries fencing renewal	▶	A scope of works is being prepared for the supply and installation of section markers at Millfield Cemetery.	Open Space and Community Facilities

Buildings

Project Name	Status	Comments	Responsible Officer Unit
Kurri Kurri Library - deliver toilet refurbishment	▶	Development consent has been secured and detailed design for the construction certificate has been finalised.	Community and Cultural
CPAC Refurbishment	▶	In 2023 the refurbishment and air conditioning replacement works were undertaken and the new PACC spaces opened October of that year. Further improvements have since been made to the air-conditioning system in 2024	Community and Cultural

Project Name	Status	Comments	Responsible Officer Unit
		and the installation of the CCTV system finalises the refurbishment project.	
Branxton Community Hall - deliver window and board repairs and replacement	▶	The weatherboards have been repaired and replaced where required at Branxton Community Hall. Installation of awnings remain which will be completed by end of February 2025.	Open Space and Community Facilities
Various Citywide Community Halls - deliver painting of community buildings	✔	Painting is complete at Greta Arts and Sports Community Hall.	Open Space and Community Facilities
Weston Civic Centre - deliver flooring	▶	Replacement of the floor boards has commenced.	Open Space and Community Facilities
Wollombi Community Hall - Develop and deliver retaining wall reconstruction (staged)	✔	Designs are complete to upgrade the retaining wall at Wollombi Community Hall.	Open Space and Community Facilities
Cessnock Indoor Sports Centre - deliver scoreboard replacement	▶	Scope of works being confirmed, engagement to be held with key stakeholders in January 2025 prior to commencing procurement.	Open Space and Community Facilities


Project Name	Status	Comments	Responsible Officer Unit
Cessnock Civic Indoor Sports Centre - Roof ventilation remediation and automated rollers	✓	Roof ventilation works have been completed and new blinds installed within the indoor stadium.	Open Space and Community Facilities
Booth Park, Kurri Kurri - Toilet block renewal	✓	The public toilet amenities have been upgraded.	Open Space and Community Facilities
Kurri Kurri - VRA improvements and demolition	✓	VRA improvements are complete and included a new driveway/car park, demolition of aging car ports and a kitchen refurbishment.	Open Space and Community Facilities

Recreation & Community Facilities






Project Name	Status	Comments	Responsible Officer Unit
Orange Street Oval, Abermain - deliver floodlights upgrade	▶	Procurement has been finalised and a preferred contractor identified. Works are due to be completed prior to the start of the football season.	Open Space and Community Facilities
Cessnock Netball Courts - deliver playing surface replacement	▶	Site establishment is complete with earthworks commencing.	Open Space and Community Facilities

Project Name	Status	Comments	Responsible Officer Unit
Turner Park, Cessnock - deliver tennis clubhouse changerooms upgrade	▶	Quotations continue to be sourced for the proposed upgrade with works to commence in February/March 2025.	Open Space and Community Facilities
Cessnock Regional Skate Park - deliver a regional skate park	✓	The construction of a regional skatepark is complete.	Open Space and Community Facilities
Bridges Hill Park, Cessnock - deliver pathway lighting	▶	Scope of works is being confirmed prior to commencing procurement.	Open Space and Community Facilities
Baddeley Park, Cessnock - deliver cricket nets upgrade	✓	New cricket nets have been installed.	Open Space and Community Facilities
Greta Central - deliver environmental works	▶	Due to ongoing inclement weather the site has been too wet to access. It is anticipated works will commence in February 2025 (weather permitting).	Open Space and Community Facilities
Carmichael Park BMX Track	✓	The BMX facility and roadway are complete.	Open Space and Community Facilities

Project Name	Status	Comments	Responsible Officer Unit
North End Park Shade Sail - s355 Fund	✔	A new shade sail has been installed.	Open Space and Community Facilities
Various Citywide - deliver playground replacement program	✔	The playspace renewal at Birralee is complete.	Open Space and Community Facilities
Kurri Kurri Sportsground - deliver sportsground upgrades	▶	The new storage facility is near completion with placement of doors and tidying the site remaining. Procurement has been finalised for the upgrade to the amenities with a contractor engaged. The scope of works is currently being finalised for improvements to the mod field.	Open Space and Community Facilities
Kurri Kurri Netball Facility - deliver facilities construction	▶	A preferred contractor has been engaged with site establishment to commence in January 2025.	Open Space and Community Facilities
Averys Lane Local playspace	✔	A new playspace has been constructed.	Open Space and Community Facilities
Cliftleigh Playground - deliver shade sail	▶	Due to commence in quarter 4.	Open Space and Community Facilities

Project Name	Status	Comments	Responsible Officer Unit
Various Citywide Community & Cultural Building - investigate and develop community building renewal program		An upgrade to the changerooms at Orange Street Oval is near completion, concreting works have been completed at Kurri Kurri Senior Citizens to improve accessibility from the car park.	Open Space and Community Facilities
Various Citywide - deliver playground edging and surface program		Works are near completion for the playground surface replacements at Ernie Dunlop and Crawfordville Playgrounds.	Open Space and Community Facilities
Various Citywide - deliver parks and reserves renewal program		Additional fencing was undertaken at Orange Street Oval and a pathway installed at Ernie Dunlop Park to compliment the multipurpose court upgrade	Open Space and Community Facilities
Various Citywide - deliver sporting facilities lights and/or LED replacement program		Procurement has been finalised and a contractor engaged to remove and dispose of 3 existing timber floodlight poles at Drain Oval, Cessnock. The floodlight poles have been disconnected for some time and not serving a functional lighting purpose at the site.	Open Space and Community Facilities
Various Citywide - deliver parks and reserves fence replacement program		Replacement of the southern boundary fence at Orange Street Oval is complete.	Open Space and Community Facilities

Project Name	Status	Comments	Responsible Officer Unit
Various Citywide - deliver parks and reserves irrigation replacement program	▶▶	Works are due to commence in Quarter 3.	Open Space and Community Facilities
Cessnock Hockey - surface replacement	✓	The project is complete with a new synthetic surface installed.	Open Space and Community Facilities
Orange Street, Abermain - multi-purpose court relocation	✓	A new multipurpose court has been constructed at Abermain Centenary Park.	Open Space and Community Facilities
Macquarie Avenue, Cessnock - playground upgrade	✓	A new local playspace has been installed at Macquarie Avenue Park.	Open Space and Community Facilities
Margaret John Park, Kurri Kurri - renew practice cricket wicket	✓	New cricket practice wickets were constructed in Baddeley Park.	Open Space and Community Facilities
Various Citywide - develop skate park remediation audit	▶▶	The project is currently being scoped, works are not due to commence until quarter 3.	Open Space and Community Facilities

Project Name	Status	Comments	Responsible Officer Unit
Cessnock Hockey Fence		Scope of work being confirmed regarding the fencing that can be achieved on site.	Open Space and Community Facilities
Various locations pre-construction design of recreation facilities		Procurement has commenced for a concept plan and detailed designs for a new skatepark at Greta. Engineering Designs for the replacement of retaining walls have been completed for Kitchener Poppethead Park. Draft concept plans are currently being prepared for Orange Street Oval, Ellalong Park and Kitchener Regional Playspace with community engagement to commence in the New Year.	Open Space and Community Facilities
Kitchener Poppethead Park Concept Plan		A consultant has been engaged and is preparing a concept plan. Community Engagement will commence early in the New Year.	Open Space and Community Facilities
Kitchener Poppethead Park Engineering Retaining Walls		Designs for the retaining walls near the dam are complete.	Open Space and Community Facilities
Shade Sail Water Play Bridges Hill		This project is not due to commence until Q3.	Open Space and Community Facilities

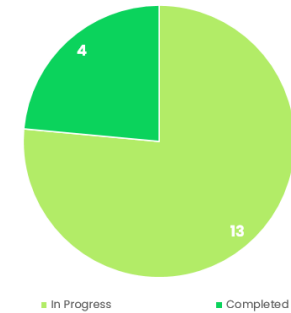
Project Name	Status	Comments	Responsible Officer Unit
Various Citywide - deliver renewed tennis courts supporting infrastructure	▶	Procurement has commenced and engagement undertaken with key stakeholders.	Open Space and Community Facilities
Ernie Dunlop Park, Weston - deliver multi-purpose courts	✓	The multipurpose court upgrade is complete.	Open Space and Community Facilities
Weston Bears Park - deliver amenities and grandstand upgrade	▶	70% design drawings have been reviewed and approved. Final designs are anticipated to be provided to Council in January 2025.	Open Space and Community Facilities
Wollombi Nature Trail Stairs	▶	The trail stairs are complete with minor seating works remaining.	Open Space and Community Facilities

Libraries

Project Name	Status	Comments	Responsible Officer Unit
Citywide Libraries - Deliver adult book purchases	▶	The Library Management System informs what resources are popular within the community and assists to develop the library collection.	Community and Cultural

Aquatic Facilities

Project Name	Status	Comments	Responsible Officer Unit
Various Citywide - deliver aquatic facilities renewal program	▶	Procurement has commenced to upgrade the UV system at Kurri Kurri Aquatic and Fitness Centre	Open Space and Community Facilities




2: A sustainable and prosperous economy



2.1: Diversifying and growing our economy

2.1.1: Identify opportunities and advocate for economic development and infrastructure funding

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.1.1.a	Seek grant funding for the Shiraz to Shore Trail - Hunter Valley Gardens to Abermain section.	▶	Council submitted a Shiraz to Shore Trail grant application under the Federal Governments Precincts and Partnerships Program, but was unsuccessful in this application. We are currently waiting other funding opportunities.	Economic Development & Tourism Manager
2.1.1.b	Submit a minimum of three grant applications that align with the Cessnock City Council Economic Growth Agenda and social priorities for the community.	▶	Apex park masterplan grant was successful for \$14 million. Infrastructure team to begin development. Still awaiting a response on grant submitted for Wollombi Road stage 2.	Economic Development & Tourism Manager

2.1.1.c	Undertake a review/study of the Cessnock Employment Lands and prepare an Employment Lands Strategy		Project Management Plan and Draft request for Quotations prepared. Internal feedback has been incorporated. The Request for Quotations will be released in February.	Strategic Planning Manager
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2.1.2: Continue to implement the Business Investment Attraction Program

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.1.2.a	Complete investment attraction opportunities analysis in collaboration with the Office of Regional Economic Development.		Council completed investment attraction opportunities analysis in collaboration with the Office of Regional Economic Development and developed the Cessnock Local Government Area investment attraction factsheet and pitch deck. This pitch deck has been placed on the Advance Greater Cessnock website with other investment attraction material. https://advancecessnock.com.au/wp-content/uploads/2024/05/Department-of-Regional-NSW-Investment-Attraction-Pitch-Deck--Cessnock-v2.pdf .	Economic Development & Tourism Manager
2.1.2.b	Create a Cessnock Local Government Area investment attraction factsheet and pitch deck in collaboration with the		Council completed an Investment Attraction Workshop with the Department of Regional NSW to identify opportunities to attract niche and valuable businesses to the Cessnock LGA that align with the Greater Cessnock Jobs Strategy.	Economic Development & Tourism Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	Office of Regional Economic Development.		The investment attraction factsheet and pitch deck has been created and placed on the Advance Greater Cessnock website at https://advancecessnock.com.au/wp-content/uploads/2024/05/Department-of-Regional-NSW-Investment-Attraction-Pitch-Deck_-_Cessnock-v2.pdf .	

2.1.3: Provide support for activation of commercial centres, business engagement, promotion and support of business growth

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.1.3.a	Support business chambers and tourist associations through providing economic development grants and sponsorship for projects which improve the business environment, build capacity and capabilities amongst businesses, stimulate investment, enterprise and job	✓	Ten Advance Greater Cessnock Partners projects have been funded by Council to the value of \$127,000 under the Economic Development Grants and Sponsorship Program. These projects include event sponsorship, Town Coordinator funding, Kurri Kurri Visitor Information Centre financial support, weed eradication, business support training and business awards sponsorship.	Economic Development & Tourism Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	creation as well as enhance the city's image.			
2.1.3.b	Support and nurture existing economic activity in the Cessnock local government area by running 10 Support Local campaigns to boost local spending and increase engagement with local businesses.	▶	Council have run 5 'Support Local' competitions, ads campaigns and business stories so far this financial year. Support Local & Product Champion promotions are being made on the www.advancecessnock.com.au website and @advancecessnock social media channels. A Business Toolkit to promote Supporting Local Businesses has been produced and is now available online at www.advancecessnock.com.au. An additional Christmas Display Competition for local businesses was also ran which included gift car prizes for he businesses themselves.	Economic Development & Tourism Manager
2.1.3.d	Review of the Cessnock CBD Masterplan and Public Domain Plan (including the preparation of a Parking and Access Strategy)	▶	Grant received from Department of Climate Change, Energy, the Environment and Water (DCCEEW) to prepare a Flood Study and Risk Management Plan. Draft request for quotation prepared and with DCCEEW for review as per the grant conditions. A component of the traffic review has been included in an existing project being undertaken by Works and Infrastructure.	Strategic Planning Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			The pedestrian access component is to be incorporated into a separate quotation.	

2.2: Achieving more sustainable employment opportunities

2.2.1: Develop and communicate employment related information to businesses

2.2.2: Create a skilled and employment ready workforce

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.2.2.a	Continue to implement the Greater Cessnock Jobs Strategy 2036	▶	Continue to work with local businesses, industries and training providers to identify and address skill gaps and training needs: Currently planning a jobs forum with local workforce facilitators to address employment gaps	Economic Development & Tourism Manager
2.2.2.b	Advocate for additional bus services between Cessnock and Branxton via Wine Country as a means of supporting employment and facilitating better social outcomes for the community.	▶	The Cessnock to Branxton Public Transport Advocacy Brochure is available on Council's website at https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Community-information/Cessnock-to-Branxton-Public-Transport-Advocacy-Brochure . Council have requested these additional services from	Economic Development & Tourism Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			Transport for NSW and are waiting additional opportunities for advocacy.	
2.2.2.c	Award a minimum of eight Mayoral Scholarships that assists local residents financially to achieve their educational goals at TAFE or university.	▶	Initial organisation has begun. Edits are being made to last years prospectus and meetings are being scheduled between ED, comms and the mayors office.	Economic Development & Tourism Manager

2.2.3: Provide and promote graduate, apprenticeship and traineeship programs with Council


Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.2.3.a	Continue to implement the graduate, trainee and apprenticeship framework.	✓	This action is complete. Recruitment being finalised for 2025 positions; 1x Apprentice Civil Construction 1x Apprentice Sports Turf Management 1x Trainee Visitor Information Centre 1x Trainee Business Support - Identified position 1x Trainee Business Support 1x Information Technology Undergraduate 1x Environment & Waster Undergraduate	People and Culture Manager

2.3: Increasing tourism opportunities and visitation in the area


2.3.1: Collaboratively identify markets and promote the local government area's tourism industry

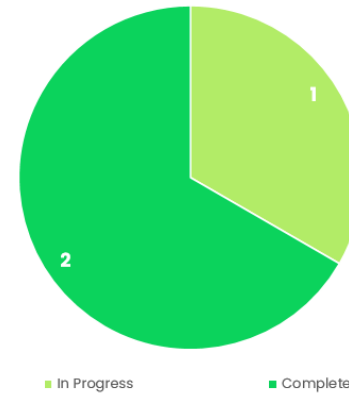
Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.3.1.a	Hold four Hunter Valley Wine Tourism Alliance meetings with Singleton Council and Hunter Valley Wine and Tourism	▶	Final two quarter meetings have been scheduled (Feb 18 and May 20, 2025). These will be chaired by Cessnock City Council and all appropriate invites have been sent out.	Economic Development & Tourism Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	Association to develop strategies to grow the visitor economy.			
2.3.1.b	Provide a joint tourism service with Hunter Valley Wine and Tourism Association that provides destination marketing and in destination tourism services for the benefit of regional tourism.	▶	The Hunter Valley Visitor Information Centre and Hunter Valley Wine and Tourist Association provide tourism services to 280 members. These services include destination marketing, winecountry.com website updates, product and experience bookings, event attraction, conference attraction, in destination visitor services, product sales, industry update eNewsletters, training opportunities and the production of the annual Hunter Valley Magazine and Map.	Economic Development & Tourism Manager
2.3.1.c	Deliver four priority actions from the Hunter Valley Destination Management Plan using budgeted resources.	▶	Currently working on the creation of an events prospectus to better position and promote the area as an event destination. HVVIC promotes both small and large events to visitors through verbal communication and through posters and event info being put up in the HVVIC, as well as social promotion online and through the Wine Country website.	Economic Development & Tourism Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.3.1.d	Grow Council's tourism and business image library by completing two photo or video shoots.		Currently scheduling business videos for Wollombi road businesses - a main thoroughfare to get between Wine Country and Wollombi, advertsing these businesses are still open to be dropped into for anyone travelling along.	Economic Development & Tourism Manager

2.3.2: Promote and grow the Hunter Valley Visitor Information Centre

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
2.3.2.a	Provide quality visitor services to Level 1 Accreditation standards for 364 days a year.		The Hunter Valley Visitor Information Centre holds current accreditation as a NSW Visitor Information Centres. Council is providing visitor services in accordance with accreditation standards for 364 days a year. The annual accreditation audit was completed successfully on 20 March 2024.	Economic Development & Tourism Manager

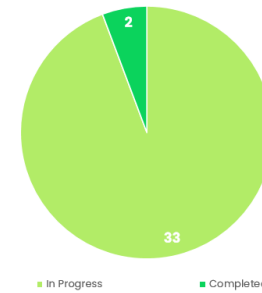


Project Management

Project Name	Status	Comments	Responsible Officer Unit
Branxton - Church Street to Anvil Creek Bridge (north side) Develop town centre upgrade	▶	Planning and design works continued, community consultation expected to be undertaken in early 2025.	Infrastructure
Cessnock CBD - Library Shared Zone - deliver Stage 2	▶	Procurement documentation being prepared for tender.	Infrastructure

Kurri Kurri Town Centre Program

Project Name	Status	Comments	Responsible Officer Unit
upgrade commercial centre: associated roadworks - phase 2 detailed design - phase 3 construction Kurri Kurri Commercial Centre	✓	Project completed.	Infrastructure



3: A sustainable and healthy environment

3.1: Protecting and enhancing the natural environment and the rural character of the area

3.1.1: Finalise Cessnock City Planning Strategy and commence implementation

Action ID	Operational Plan 2024–25 Action	Status	Comments	Responsible Officer
3.1.1.a	Finalise the planning for the Nulkaba Urban Investigation Area	▶	A Draft Traffic Study was provided to Council on 26 September, with feedback given to the consultant for amendments. Biodiversity constraints remain unresolved, prompting Council to write to the Minister for Planning and Public Spaces to seek a meeting and agreement on a way forward. The revised ANEF Layer is being confidentially provided to the landowners group.	Strategic Planning Manager
3.1.1.b	Continue review of Cessnock LEP 2011.	▶	Housing theme discussion paper is drafted and will be presented to Council requesting public exhibition in the first quarter of next year. Ongoing miscellaneous and administrative	Strategic Planning Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			amendments to the Plan are also be undertaken. Gateway determination received for the Government Road Planning Proposal. Exhibition to commence in February.	
3.1.1.c	Continue review of the Cessnock DCP 2010 chapters.	▶	Draft Waste Management Chapter adopted in December. Tourist and Visitor accommodation in Rural and Environmental zones DCP Chapter exhibited in August and September 2023 (waiting on finalisation of the Vineyards Place Strategy prior to adoption).	Strategic Planning Manager
3.1.3.b	Undertake a review/study of the Cessnock Rural Lands and prepare a Rural Lands Strategy	▶	RMCG appointed to undertake the project. Project inception meeting held on 11/12/24. Revised project timeframes received 24/12/2024 - project completion by June 2025.	Strategic Planning Manager

3.1.3: Progress the review of land use planning controls within the vineyard district

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.1.3.a	Progress the Vineyards Planning Proposal (including DCP) and Place Strategy.	▶	Draft Place Strategy (requirement of Hunter Regional Plan 2041) being finalised with view of reporting to Council in the first quarter of next year. Consultation with the Community	Strategic Planning Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			Reference Group to be undertaken in Late March (after peak picking season).	

3.1.4: Continue implementation of the Biodiversity Strategy and manage Council's environmental assets

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.1.4.a	Promote and deliver community focused biodiversity education programs	▶	Council was invited to apply for grant funds from the Koala Strategy to support community engagement and koala surveys and mapping, following the success of the August Koala workshop. Meetings with key representatives from the NSW Dept of Climate Change, Environment, Energy and Water have prioritized target areas and methodologies for Koala projects, which will inform the revised Biodiversity Plan. The Operating Budget is being reviewed for the next Our Bushland Festival, likely to be held in 2026. Sustainability Officers continue to collaborate with Landcare groups.	Environment and Waste Services Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.1.4.b	The Cessnock City Council Tree Strategy is implemented through promoting and delivering a Tree Giveaway event for local residents.	✓	A successful Tree Giveaway event was held in November 2024. 1,620 plants were provided to local residents.	Open Space and Community Facilities Manager
3.1.4.c	Review and update standard conditions of development consent in relation to roadside drainage elements.	✓	Final Specifications and Drawings are adopted and available online now.	Asset Planning Manager
3.1.4.d	In collaboration with internal and external stakeholders, facilitate a review of Council's Biodiversity Strategy.	▶	Biodiversity Strategy review is ongoing. Recent Koala Strategy, community workshop, stakeholder meetings and funding opportunity will then be incorporated into the Biodiversity Plan.	Environment and Waste Services Manager

3.1.5: Continue the implementation of the Climate Change Resilience Plan

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.1.5.a	Continue to work on energy efficiency of Council facilities	▶	A new contract with Red Energy for streetlighting and large sites began on 1 July 2024, with 50% of power now sourced from	Environment and Waste Services Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	under the Revolving Energy Fund		renewables, increasing to 100% by July 2026. A business case for purchasing electric mowers was presented to the CC Resilience Steering Committee on 19 August. Discussions with BYD Fleet are ongoing to prepare a business case for an electric vehicle trial for the pool fleet. Two dual destination EV chargers were installed in Bridges Hill carpark for community use.	
3.1.5.b	Continue the implementation of the Climate Change Resilience Plan.	▶	Completed business case for the purchase of electric mowers and presented to CC Resilience Steering Committee. Discussions with BYD Fleet to assist with preparation of a business case for the trial of electric vehicles for the pool fleet. 2 dual destination EV chargers installed in Bridges Hill carpark for community use. Discussions with Pure Hydrogen for preparation of business case for trial of hydrogen waste collection trucks- awaiting supplier response. Working with HJO on landfill gas emission monitoring and reporting.	Environment and Waste Services Manager

3.1.6: Manage the risk and improve resilience to extreme weather events, flooding, bushfires, mine subsidence and land contamination

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.1.6.b	Implement high priority projects from the Greta/Anvil Creek Flood Study including investigation of flood mitigation works.	▶	Greta/Anvil Creek Flood Risk Management Study is in final stage and will be completed by April 2025.	Asset Planning Manager
3.1.6.c	Seek funding for delivery of Floodplain Management Program.	▶	Grant funding opportunities for the Floodplain Management Program, provided by The Department of Climate Change, Energy, the Environment and Water will not be available until April 2025.	Asset Planning Manager
3.1.6.d	Manage declared dams in accordance with NSW Dams Safety legislation.	▶	Working with Dam Safety NSW to move towards down grading the basin so it is not a declared dam, not anticipated to be confirmed before end of financial year.	Infrastructure Manager
3.1.6.e	Contribute to assessing the flood impacts of development.	▶	Investigate and design of high priority works identified in the Stormwater, Waterway and Floodplain Strategy is an ongoing task. Recent data capture and Overland Flow Study to be completed this financial year will further	Asset Planning Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			contribute to the assessment of flood impacts and the identification of high risk areas.	
3.1.6.f	Raise community awareness about the implications of developing flood impacted land through the provision of Flood Certificates.	▶	Flood certificates are issued as requested as a paid service.	Asset Planning Manager

3.1.7: Protect and enhance the natural environment and environmental health

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.1.7.a	Inspect commercial and residential on-site sewerage management systems in accordance with risk based priority routine inspection program.	▶	Council has completed 65% of the scheduled on-site sewerage system inspections year to date.	Regulatory Services Manager
3.1.7.b	Conduct routine inspection of all food and regulated premises, including public pools and skin penetration premises in accordance with	▶	Council has completed 50% of the annual scheduled food, pool and skin penetration inspections year to date.	Regulatory Services Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
	the NSW Food Authority Partnership and relevant legislative requirements.			
3.1.7.b	Continue the implementation of Council's Biosecurity (invasive weed species) Management program in line with Regional and State priority species.	▶	WAP grant funding open for applications closing in February. Currently preparing our application. Invasive Species Program and priority weeds are being managed through local and regional inspections and eradication strategies. Working with Hunter Region Weeds Committee and other local stakeholders in target areas. Next round of WAP Funding applications is currently open for submissions.	Environment and Waste Services Manager
3.1.7.c	Continue to facilitate community engagement and education initiatives relating to conservation of the natural environment.	▶	Round 1 of the Dollar-for-Dollar grants was completed, reported to the Advisory Committee, and adopted by Council in December for fund disbursement. The Green Teachers Network newsletters for Terms 3 and 4 were circulated. The Sustainability Officer attended the Keep Australia Beautiful Tidy Towns awards in November, winning one award and receiving two highly commended awards. Regenerative Agriculture Workshops were held in November,	Environment and Waste Services Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			the Bushland Festival in September, and a Rachel's Farm screening also in September. A plant giveaway was conducted in July.	

3.2: Better utilisation of existing open space

3.2.1: Continue to implement the Recreation and Open Space Strategy 2019

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.2.1.a	The Recreation & Open Space Strategic Plan 2019 is reviewed and updated.	▶	The consultants have completed site visits of open space within the LGA and are continuing their analysis of provision levels. Consultation with State Sporting Associations as well as sporting and community groups is ongoing.	Open Space and Community Facilities Manager
3.2.1.b	Concept plans are prepared for a new pump track at Miller Park, Branxton.	▶	Following the developers commitment at Huntlee to provide a high quality pump track, and its proximity to Miller Park, Branxton, Council is not proceeding with a concept Plan for the Milller Park pump track. As an alternative project and in line with the Cessnock Skate and BMX Strategy, procurement has commenced for	Open Space and Community Facilities Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
			concept plans and detailed designs for an upgraded skatepark at Greta Central Oval	
3.2.1.e	Develop Generic Plan of Management for Sportsgrounds	▶	The Plan of Management has been drafted and has been distributed for internal review.	Open Space and Community Facilities Manager

3.2.2: Develop and update Plans of Management

3.2.3: Continue to implement the adopted masterplans for Council's recreation and community facilities and spaces

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.2.3.a	Design and construction drawings are developed for a new amenity building at Weston Bears Park	▶	70% design drawings have been reviewed and approved. Final designs are anticipated to be provided to Council in January 2025.	Open Space and Community Facilities Manager

3.2.4: Provide and maintain recreation facilities, streetscapes and public open space

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.2.4.a	Asset Management Plans are updated	▶	All AMP's and Strategy is a draft updated form for relevant staff review.	Asset Planning Manager



3.3: Better resource recovery and waste management

3.3.2: Continue landfill extension project

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.3.2.a	Administration of the Cessnock Waste Management Centre Biodiversity Offset Area in accordance with adopted plan.	▶	Biodiversity Offset Area continues to be managed as per the plan, with some fencing and signage being upgraded in conjunction with Landfill Extension project.	Environment and Waste Services Manager
3.3.2.b	As part of the new landfill extension project, implement materials sourcing and reuse strategies to benefit operational business needs.	▶	All materials generated by the Landfill Extension civil works are being stockpiled and tested, and either reused within the project, used for cover on the operating landfill or remaining in stockpile for future use. To date, the only materials that have been imported are those that are essential for the landfill extension. No material has been imported for the existing landfill operations.	Environment and Waste Services Manager



3.3.3: Continue implementation of projects from the Waste and Resource Recovery Strategy 2020-25

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.3.3.a	Continue to operate the Community Recycling Centre in collaboration with the NSW EPA in accordance with operational deed of agreement.	▶	The Community Recycling Centre continues to divert problem waste from landfill. Additional dangerous goods training was completed with key staff in December. A mattress drop-off event was held in October in Cessnock, with future events planned for February 2025. Ongoing events will be reviewed in line with the Waste Strategy. A Household Chemical Event is scheduled for June 2025, and the Sharps program is ongoing. Emerging waste streams, particularly batteries and PV, are being considered, with lithium-ion battery storage vessels identified for strategic locations.	Environment and Waste Services Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.3.3.b	Develop policies and procedures to increase the efficiency of waste services.		The Overtime Procedure and Waste Service Operator Roster have been implemented with fatigue management compliant operations. Resource recovery opportunities and potential grant funding have been identified, with a Local Government Waste Solutions Fund application submitted and awaiting outcome. A waste sorting procedure has been drafted for future needs once suitable equipment is procured, and Virgin Excavated Natural Material certification and EPA guidelines for acceptance have been reviewed, with a draft procedure currently underway.	Environment and Waste Services Manager
3.3.3.c	Commence development of 2026-31 Waste and Resource Recovery Strategy.		Drop-off events and the Community Recycling Centre ongoing resource recovery continue to deliver on current strategy. Local Government Waste Solutions Fund Grant Rd 3, application has been submitted for funding towards purchase of sorting equipment (pending) Waste Survey and Waste Audit completed with Waste Strategy preparation now underway.	Environment and Waste Services Manager

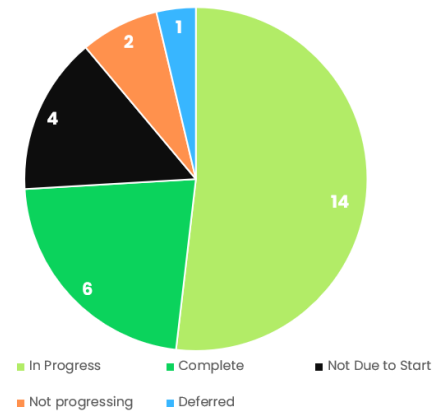
3.3.4: Continue to provide an efficient and effective Waste Management Service

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.3.4.a	Continue to implement community focused waste avoidance and reuse initiatives.	▶	Mattress drop-off event held in Cessnock in October with future events scheduled for February 2025 and June 2025. Repair Cafe held in October with future event scheduled in February 2025. Considering addition of sewing repairs or cushion making for these events. Partnering with Library to author talk in February on Home Grown Healthy Living, including fermentation demonstration. Community pop-up events held for Waste Survey promotion and Waste Strategy discussions held with community, throughout Q2. Household Chemical Collection scheduled for June 2025.	Environment and Waste Services Manager
3.3.4.b	Continue to work collaboratively with regional partners in relation to contract services for organics (green waste) kerbside collection.	▶	The kerbside bin audit showed the highest usage in a decade, with 32% of red bins full weekly and 50% over 70% full. Councils of Cessnock, Maitland, and Singleton continue collaborating on FOGO collections. The Kitchen Caddy Tender is awarded, with deliveries starting in May-June 2025, and the FOGO trial begins in May 2025.	Environment and Waste Services Manager

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.3.4.c	Continue to work collaboratively with regional partners in relation to contract services for recycling kerbside collection.		Contract meetings with contractors (collections and processing) and regional partners (Maitland and Singleton Councils) ongoing. Sorting and Processing tender is likely to be released in February 2025. Kerbside Recycling collection contract short-term extensions have been agreed and executed.	Environment and Waste Services Manager
3.3.4.d	Continue to operate the Cessnock Waste Management Centre in accordance with the NSW EPA Environment Protection Licence and relevant legislation.		All environmental and pollution parameters are being monitored in accordance with the EPL. Review of Leachate disposal/treatment options is ongoing with visit to Singleton Landfill to review their BeneVap system 21 January. Resource recovery and diversion from landfill for dry waste is being considered, with funding application submitted (pending). EPL Annual Return submitted.	Environment and Waste Services Manager










3.3.5: Continue to implement programs that reduce littering and illegal dumping

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
3.3.5.a	Facilitate community focused litter reduction and awareness programs and events.	▶	Adopt-a-Road program has a new sponsor with Cessnock Tidy Towns adopting 1.8km of Duffie Dr. Cessnock City Council has registered as a supporting Council for Clean Up Australia Day 2025 to be held 2 March. Attended the Keep Australia Beautiful Tidy Towns Awards in Bathurst and won 1 award and also received 2 highly commended awards. Awaiting outcome of recent Litter Grant EPA application for SmartBins.	Environment and Waste Services Manager



Drainage




Project Name	Status	Comments	Responsible Officer Unit
Cessnock Road, Branxton - upgrade drainage	▶	Phase 1 - Concept design completed. Phase 2 - detail design is progressing.	Asset Planning
Portland Street, Millfield - Trunk Drainage	▶▶▶	Not due to start.	Infrastructure
Trenchard Street, Heddon Greta - deliver drainage upgrade	▶	Working with PM as part of Avery Lane Upgrade Works to address these stormwater issues.	Asset Planning
Government Road, Cessnock - deliver drainage reconstruction	▶▶▶	It is recommended to defer Government Road Cessnock- Reconstruct Drainage as further investigation is required.	Asset Planning
Main Road, Heddon Greta - deliver drainage upgrade	▶	Concept designs in progress, Options being considered by Stormwater team.	Asset Planning

Project Name	Status	Comments	Responsible Officer Unit
Government Road, Cessnock: reconstruct drainage		It is recommended to defer this project as further investigation is required.	Asset Planning
Cruickshank Street, Bellbird - drainage upgrade construction		Phase 2 - detail design is complete.	Asset Planning
Mansfield & Bell Streets, Greta - upgrade drainage: design		Concept design/Phase1 design is complete.	Asset Planning
Whitburn Street, Greta - upgrade drainage: design and construction		Design complete. Project not due to start until FY25/26	Asset Planning
Kurri Kurri, Booth Street - upgrade drainage: design		Detailed design (phase2) complete	Asset Planning
Various Locations: drainage - minor investigation and works		Minor Investigation and Works are ongoing tasks as required.	Asset Planning
Various Locations: drainage renewal		Drainage renewal at various locations is an ongoing task and is completed as required.	Asset Planning
Various Locations: roadside drainage program		Roadside Drainage Program is an ongoing task completed as required.	Asset Planning
Hospital Road, Weston: upgrade drainage		Investigation and design complete (phase 1 and 2)	Asset Planning


Floodplain Management

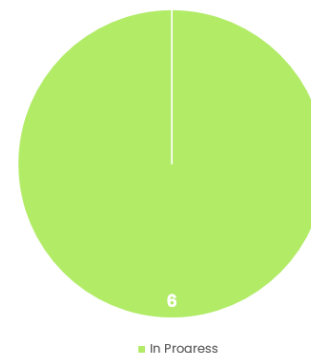
Project Name	Status	Comments	Responsible Officer Unit
Mount View, Cessnock: detention basin improvement	▶	Public Works (Dam Engineering) to prepare an investigation & Design proposal. Currently due to high workload of PW, some delays are expected. Recommended to defer to next FY (2025-2026).	Asset Planning
Heddon Greta - investigate floodplain mitigation	▶	Working with PM team member of Avery Lane Upgrade Works to address stormwater issues.	Asset Planning
Greta - develop floodplain risk management plan	▶	Flood mitigation options are finalised and are under further assessment.	Asset Planning
South Cessnock - deliver flood mitigation	▶	Stage 1 (Diversion Channel + footpath & bridge) construction is complete. Stage 2 (Quarrybylong Street Works) Overhead power lines at Quarrybylong St have been raised, Road raising will be completed by CCC staff. Stage 3 (Bund Wall) - bund wall is under construction.	Asset Planning

Waste Management

Project Name	Status	Comments	Responsible Officer Unit
Cessnock Waste Facility - deliver new landfill facility		All clearing completed. Bulk civil works nearing completion. Liner material has arrived in Newcastle, and cell is being prepared for drainage and liner installation. Project is progressing as per the Project Plan at this stage.	Environment and Waste Services
Biodiversity offset - Cessnock Waste Management Centre: signage and Stage 2 fencing		All perimeter signage complete. Second section of fencing towards Leachate dam area complete. Additional perimeter fencing will be reviewed in consideration with Landfill Extension Project.	Environment and Waste Services
Stage 1 remediation - former sanitary depot Kurri Kurri		Former site at Kurri Kurri has been handed back to Crown Lands. No further action is expected.	Environment and Waste Services
Cessnock Waste Facility - Capping design		Final capping and cell closure notification to be completed within 12 months of current cell closure. This is reliant upon the Landfill Extension program and will continue to be monitored and prepared in line with Landfill Extension project timeline. NSW EPA provided	Environment and Waste Services

Project Name	Status	Comments	Responsible Officer Unit
		with update and request ongoing timing updates as we move towards completion of the new cell and closure of the existing cell.	
Various Locations - remediation of former landfill sites	▶	Meeting with consultant and Auditor identified the need for a Landfill Groundwater Data Gap Assessment. Approval to proceed was given December 2024. Awaiting assessment report from PRM. GHD Auditor will then be able to provide final Audit Report once this information is received.	Environment and Waste Services
Domestic Waste Management - Capital	✓	Replacement pump for supply of site water/water storage tanks purchased and installed.	Environment and Waste Services
Environmental planning - revolving energy improvement program: RID program	▶	Round 2 Stream 4 Illegal Dumping Prevention Grant application was successful with deed received 20 December 2024. Deed currently being reviewed for sign-off. Illegal Dumping Stakeholder Working Group currently being prepared.	Environment and Waste Services
EV Charging Stations	✓	EV charging stations installed and being utilised at Bridges Hill Park carpark.	Environment and Waste Services

Project Name	Status	Comments	Responsible Officer Unit
Replace roller shutters Waste Weighbridge building		Replacement of shutters completed August 2024.	Environment and Waste Services



4: Accessible infrastructure, services and facilities

4.1: Better transport links

4.1.1: Advocate for increased funding for road and community transport and associated infrastructure

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
4.1.1.a	Prepare applications for grant funding to improve commuter transport links identified in the 2023 Traffic and Transport Strategy.	▶	7 transport related grant applications have been prepared and submitted and advocacy for funding for strategic projects has occurred with key political stakeholders.	Infrastructure Manager

4.1.4: Continue implementation of the Trails Strategy

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
4.1.4.a	Implement the Trails Strategy via Meetings of the Trails Reference Group	▶	A further Trails Reference Group meeting is planned for March 2024.	Open Space and Community Facilities Manager

4.1.5: Contribute to investigations and planning for the Richmond Vale Rail Trail

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
4.1.5.a	Collaborate with HJO and TfNSW for the implementation of the Richmond Vale Trail where resources permit.	▶	Have continued consultation and collaboration where required and provided supportive advocacy letters. No grant funding has been secured to this point of the financial year.	Infrastructure Manager

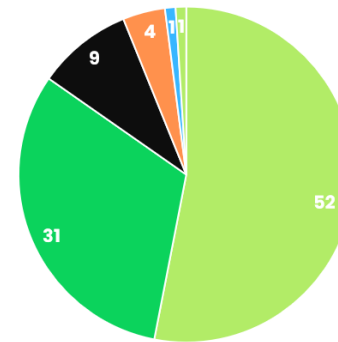
4.2: Improving the road network

4.2.1: Develop prioritised capital works programs in line with adopted asset management plans

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
4.2.1.a	Develop and deliver prioritised Capital Works Programs in line with adopted Asset Management Plans.	▶	Projects are progressing where possible and individual reports are provided on each one.	Infrastructure Manager
4.2.1.b	Develop guidelines for the opening of roads	▶	Consultation between internal stakeholders has commenced. CCC has joined Street Opening Coordination Council (SOCC) to allow for better communication between external stakeholders for overlapping projects (hunter water Jemena etc). Awaiting IT cyber security opinions	Asset Planning Manager

4.2.2: Deliver prioritised on ground capital works and maintenance programs

Action ID	Operational Plan 2024-25 Action	Status	Comments	Responsible Officer
4.2.2.a	Continue implementation of the Plant and Fleet Management review to ensure efficient and effective use of resources.	▶	Currently developing a Plant and Fleet Asset Management Plan in conjunction with the Asset Planning team. Unit rate review underway to support replacement program.	Works and Operations Manager



■ In Progress
 ■ Complete
 ■ Not Due to Start
■ Not progressing
 ■ Deferred
 ■ Not updated

Infrastructure Management







Project Name	Status	Comments	Responsible Officer Unit
Anderson Ave Paxton - Active transport	▶▶	Not due to start.	Infrastructure
CAP-043 B'ment of Wollombi Walking shared path	▶▶	I believe Open spaces are doing this work??	Infrastructure
Dalwood Road, East Branxton - shared path	▶	Concept design completed and looking for grant funding to progress to implementation.	Infrastructure
Various Citywide - investigate and develop pre-construction design and contracts	▶	Budget being allocated on existing projects where needed to facilitate better safety and compliance outcomes.	Infrastructure








Project Name	Status	Comments	Responsible Officer Unit
East Esplanade, Weston - active transport	▶	Planning and design has commenced.	Infrastructure
Pre-construction design: design and contracts - various locations	▶	This budget allocation is supporting balance of capital works program on existing investigation and design works in addition to unforeseen investigation and design projects. At present forecasting to spend full budget allocation in the FY and will provide updates in future quarterly reports.	Infrastructure
Mathieson Street, Bellbird - stabilisation and sealing	✓	Completed.	Infrastructure

Traffic & Transport

Project Name	Status	Comments	Responsible Officer Unit
Wollombi Road - develop traffic facilities project	▶	Further planning and consultation with TfNSW has been completed.	Infrastructure
Various bus stops - Upgrade bus stops for Disability Discrimination Act Compliance	▶	Have submitted further applications for funding, have completed an additional 5 designs and	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
		those projects are transitioning to construction in the rest of the 24/25 FY.	
Mount View and McGrane Street, Cessnock - pedestrian refuge	✓	Project completed.	Infrastructure
Various Citywide - deliver DDA compliant bus stops	▶	Continued to implement upgrades where funding has been confirmed and submitted applications for further funding.	Infrastructure
Extension to Wollombi Road - Wollombi Road Cessnock: grant funding dependent	▶		Works and Infrastructure
Sandy Creek Road, Mount Vincent - investigate and develop road safety plan	✓	Completed.	Infrastructure
Abernethy Street, Kitchener - investigate and develop road safety plan	▶	Project scope being confirmed following completion of site investigations.	Infrastructure
Old Maitland Road, Bishops Bridge - investigate and develop road safety plan	▶	Project scope is being determined based on investigations completed, concept design is planned next activity.	Infrastructure
Various Citywide - deliver Safer Roads/Blackspot program	▶▶	Budget allocated to other projects within OP to improve safety outcomes.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Greta, Branxton - deliver cycleway from Greta to Branxton		Delays encountered as TfNSW has not yet issued the Road Occupancy License (ROL) to allow works to be completed.	Infrastructure
Log of Knowledge Park, Pelaw Main - deliver shared pathway to Neath		Federal Grant Funding application has been submitted to fund the project delivery. Project will be dependent on the successful application.	Infrastructure
Bridges Hill Park, Cessnock - deliver shared pathway to Wine Country Driver		All construction works completed.	Infrastructure
Government Road, Cessnock - deliver shared pathway and 2 bus shelters from Anzac Avenue to URA		Confirmation that developer contributions for this project have yet to be collected.	Infrastructure
Bellbird Public School, Bellbird - deliver shared pathway to Sparke Street		NSW Get Active application submitted November 2024, dependent on grant funding for delivery.	Infrastructure
Cessnock - deliver shared pathway to Abermain		This project is only funded for design by TfNSW. Detailed Survey has been completed and concept design being developed. There are currently some issues with landownership that are being reviewed.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Richmond Street and Abernethy Street, Kitchener deliver shared pathways		Awaiting outcome of grant funding application from TfNSW.	Infrastructure
Kitchener Public School, Kitchener - deliver shared pathway to Poppet Head Park		Path location being reviewed. Site investigations to be undertaken and a concept plan to be developed.	Infrastructure
Wine Country Drive, Nulkaba - deliver shared pathway from Lomas Lane to Broke Road (extension of BHP to St Philips)		Not progressing.	Infrastructure
Pokolbin Visitors Information Centre - Deliver pathway and retaining wall		This project is now complete	Infrastructure
George Downes Drive, Bucketty - investigate and develop road safety plan		Works expected to commence mid 2025.	Infrastructure
Pokolbin Visitors Information Centre - Deliver shared pathway to Hall Road		Not progressing.	Infrastructure
Cessnock to Abermain - shared pathway		This project is only funded for design by TfNSW. Detailed Survey has been completed and concept design being developed. There are currently some issues with landownership that are being reviewed.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Millfied to Paxton to Ellalong - shared pathway	▶▶	Future project, not due to start this FY.	Infrastructure
Fourth Street Swanson Street to Chinamans Hollow, Weston - shared pathway	▶▶	Future project, not due to start this FY.	Infrastructure
Cessnock Road, Testers Hollow - deliver shared pathway	▶	Concept shared pathway alignment has been proposed and is being feasibility evaluated prior to progression of design.	Infrastructure

Roads

Project Name	Status	Comments	Responsible Officer Unit
Thomas Street, North Rothbury - deliver road renewal	▶	Contract to be awarded March 2025 with construction to commence soon after.	Infrastructure
Cooper Street and Charlton Street Intersection, Cessnock - investigate and develop road renewal plan	■	Elected Council did not support the proposed plan for improvement in operation of this intersection and the change to the pavement type that would reduce the maintenance burden.	Infrastructure
Cessnock, Old Maitland Road - develop road renewal plan	▶	Desktop planning and investigations continue and grant funding opportunities being sought.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Sandy Creek Road, 440m west of Leggetts Drive	▶	Planning and investigations have commenced.	Infrastructure
Sawyers Gully Rd flood	▶	Tender issued, works to commence in quarter 4.	Works and Operations
Sweetwater Creek Road - flood	▶	Tender issued for works to commence in Quarter 4.	Works and Operations
Paxton, Middle Road - deliver road renewal	▶	Design to be completed early 2025, consulting internally on commencement of construction.	Infrastructure
Various Locations - renew car parks	▶	Planned to allocate budget to carpark upgrade and fit into construction program before end of June 2025.	Infrastructure
Lovedale Road, Wilderness Road to Majors Lane	✓	Stabilisation works completed.	Works and Operations
Sweetwater Creek Road - non-flood	▶	Tender issued, works to commence in quarter 4.	Works and Operations
Various Local Roads - road reconstruction	▶	Budget being utilised to support other road projects during the FY as required.	Infrastructure
Bathurst Street, Abermain - road rehabilitation: investigation and design	▶	Site investigations continuing.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Goulburn Street, Abermain - road rehabilitation: investigation and design	▶	Site investigations continuing.	Infrastructure
Hetton Street, Bellbird - road rehabilitation: investigation and design	▶	Site investigations are continuing.	Infrastructure
Quorrobolong Road, Kitchener - road rehabilitation: investigation and design	▶	Site investigations to be undertaken.	Infrastructure
Wilderness Road, Rothbury - Road rehabilitation: investigation and design	▶	Site investigations to be undertaken.	Infrastructure
Various Locations - deliver gravel rehabilitation and resheeting proram	▶	Works have commenced, 2 locations complete. Works to be finalised in quarter 4.	Works and Operations
Mount View Road, Cessnock - road rehabilitation	✓	Construction completed, contract issues being resolved with contractor.	Infrastructure
Kitchener, Quorrobolong Road from Stanford Street north to CH2830 -road rehabilitation	✓	Project completed.	Infrastructure
Paynes Crossing, Paynes Crossing Road - deliver road renewal	▶	Project awaiting grant application outcome.	Works and Operations
Various Citywide - deliver local road reseal program	▶	Asset Planning and W&O have built plan for implementation in remainder of this FY. Funds	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
		will be committed and program of works completed by end of financial year.	
Sawyers Gully Road, Sawyers Gully - investigate and develop road renewal plan	✓	Design completed. Construction of a section has commenced.	Infrastructure
Averys Lane, Heddon Greta - Investigate and develop road renewal plan	▶	Consulting with Hunter Water for relocation of existing services.	Infrastructure
Dalwood Road, East Branxton - investigate and develop road renewal plan	✓	Design has been completed. Grant funding opportunities being explored for delivery.	Infrastructure
Deakin Street, Kurri Kurri - investigate and develop road renewal plan	▶	Construction to be completed early 2025.	Infrastructure
Abernethy Street, Abernethy - Road rehabilitation: investigation and design	▶	Project scope being prepared taking into consideration investigations completed.	Infrastructure
Campbell Street, Ellalong -Investigate and develop road renewal plan	▶	Construction expected to commence mid 2025.	Infrastructure
Marrowbone Road, Pokolbin -Road rehabilitation: investigation and design	▶	Site investigations continuing.	Infrastructure
Swanson Street, Weston - Investigate and develop road renewal plan - stage 1	▶	Investigations continuing.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Various Locations - deliver roads reseal program		All enabling and heavy patching works complete. Finals sealing works to be completed in late February.	Works and Operations
Millfield Wollombi Road Deliver road renewal 500m from residence 1610 to residence 1368		Project completed, project closure process commenced.	Works and Operations
Orange Street, Abermain - deliver road renewal Stage 1 600m from Cessnock Road		Project completed.	Works and Operations
Wollombi Road, Cessnock/Bellbird - deliver road renewal Stage 2 from Allandale Road to Abbotsford Street			Work and Infrastructure
Sandy Creek Road, Sandy Creek - deliver defect rectification		Contract to be awarded early 2025.	Infrastructure

Civil Works

Project Name	Status	Comments	Responsible Officer Unit
Flood gates and warning system		Project is delivered in FY 2023-24 and installed flood gates and warning system at various locations.	Asset Planning

Project Name	Status	Comments	Responsible Officer Unit
Great North Road - Laguna 800m North Fern N/B - Deliver natural disaster remediation	✓	All works complete.	Works and Operations
Great North Road - Laguna 800m North Fern N/B Deliver natural disaster remediation	✓	All works completed.	Works and Operations
Great North Road - South Bank - Deliver natural disaster remediation	✓	All works completed.	Works and Operations
Great North Road - South Bank (500m) Deliver natural disaster remediation	✓	All works completed.	Works and Operations
Rhino Corner - Glenloona Road, Laguna - natural disaster rehabilitation	✓	Project completed in previous reporting period.	Infrastructure

Bridges

Project Name	Status	Comments	Responsible Officer Unit
Westcott Street, Cessnock - bridge replacement	✓	Project completed.	Infrastructure
Watagan Creek #3 Laguna - bridge replacement:	✓	Project completed.	Infrastructure

Project Name	Status	Comments	Responsible Officer Unit
Bathurst Street, Abermain - investigate and develop bridge construction	▶▶	With Infrastructure project management team. Tender for design and construction in development.	Asset Planning
Cuneens Bridge, Wollombi - investigate bridge demolition	✓	Cuneens bridge has been replaced with new concrete bridge. Old timber bridge is fenced off to restrict the access for general use.	Asset Planning
Deasys Road, Pokolbin - investigate bridge replacement	▶▶	Not due to start.	Asset Planning
Doyle Street, Cessnock - deliver bridge replacement	▶	Bridge investigation and design is underway with Project Management team.	Asset Planning

Airport

Project Name	Status	Comments	Responsible Officer Unit
Cessnock Airport - replacement of museum hangar	▶▶	Project deferred.	Works and Operations

Fleet Management

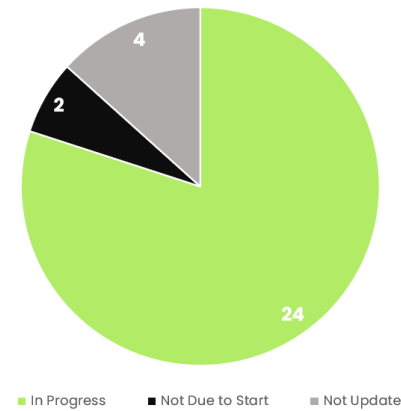
Project Name	Status	Comments	Responsible Officer Unit
Council Works Depot, Cessnock - deliver vehicle plant upgrade purchases	▶	Ongoing replacement program underway.	Works and Operations
Cessnock Waste Services, Cessnock - Deliver major plant upgrade purchases	▶	Two side loading collection vehicles delivered this financial year. Tender preparation underway for next financial year replacement.	Works and Operations

Depot Management

Project Name	Status	Comments	Responsible Officer Unit
Cessnock Council Works Depot, Cessnock - deliver building modifications	▶	Works awaiting Master Planning Activity for depot.	Works and Operations
Cessnock Council Works Depot, Cessnock - deliver depot pavement construction	▶	Works planned for March 2025.	Works and Operations
Cessnock Works Depot, Cessnock - deliver sewer connection to depot	▶	Contractor undertaking project currently. Significant rock encountered during excavation works.	Works and Operations
Council Works Depot, Cessnock - deliver building modifications	▶▶	Project awaiting outcomes of Depot Master Planning Activity.	Works and Operations

Project Name	Status	Comments	Responsible Officer Unit
Cessnock, Council Works Depot - deliver storage construction	▶	Works underway. - Shed slab extension complete. - Additional shed wall sheeting complete. - Shelving and racking construction underway.	Works and Operations
Congewoi Road - Flood	✓	Stabilisation works completed.	Works and Operations
Great North Road - Flood	✓	Stabilisation works completed.	Works and Operations
Old Maitland Road - Flood	✓	Stabilisation works completed.	Works and Operations
Old North Road - Flood	✓	Stabilisation works completed.	Works and Operations
Paynes Crossing Road - Flood	✓	Stabilisation works completed.	Works and Operations
Watagan Road - Flood	✓	Stabilisation works completed.	Works and Operations
Congewoi Road - non Flood	✓	Stabilisation works completed.	Works and Operations

Project Name	Status	Comments	Responsible Officer Unit
Great North Road - non Flood	✓	Stabilisation works completed.	Works and Operations
Old Maitland Road - non Flood	✓	Stabilisation works completed.	Works and Operations
Paynes Crossing Road - non Flood	✓	Stabilisation works completed.	Works and Operations
Watagan Road - non Flood	✓	Stabilisation works completed.	Works and Operations



5: Civic leadership and effective governance

5.1: Fostering and supporting community leadership

5.1.3: Our Council is committed to implementing our Community's vision


Action ID	Operational Plan 202-23 Action	Status	Comments	Responsible Officer
5.1.1.a	Develop an updated Councillor Induction Program and training program outlining compulsory minimum training requirements. Induction of new Councillors to be completed by January 2025.	▶	Councillor induction program has been drafted and endorsed by Executive Leadership Team in preparation for new councillors elected in September 2024	Chief Financial Officer

5.2: Encouraging more community participation in decision making


5.2.1: Continue implementation of the projects from the Communications and Engagement Strategy

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.2.1.a	Increase opportunities for community engagement by providing accessible information on a variety of platforms for audiences with diverse needs and preferences.	▶		Communications and Engagement Manager
5.2.1.b	Prepare and adopt an updated Community Engagement Strategy for 2025-29.	▶		Communications and Engagement Manager
5.2.1.c	Research and trial opportunities to increase youth participation in community engagement on Council projects, plans and strategies.	▶		Communications and Engagement Manager

5.2.2: Actively participate in and collaborate with the Hunter Joint Organisation to promote the interests of the local government area

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.2.2.a	Actively participate in and collaborate with Hunter Joint Organisation to promote the interests of the LGA.			Executive Assistant to General Manager



5.2.3: Continue to monitor and respond to the State Government's local government reform programs to improve the financial sustainability of councils

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.2.3.a	Monitor and respond to the State Government's local government reform program.		Submissions made as required on drafts and inquiries that have occurred.	Chief Financial Officer

5.3: Ensuring Council is accountable and responsive to the community

5.3.1: Continue implementation of the Customer Service Strategy

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.1.a	Build an organisation which has a focus on the customer by having well trained staff who are committed to providing a quality service.		We have continued to develop and educate our staff through our Customer Service Program supporting our Council values and improving our customer experience. Training has also been undertaken to improve supervision skills, apply communication skills and mentor in the workplace. Our Customer Relations team have continued to develop their knowledge management skills.	Business Support and Customer Relations Manager
5.3.1.b	Build a customer centric culture that encourages empathy and understanding with values and behaviours that focus employees on delivering great customer experiences.		Our Customer Experience Strategy and action plan was adopted by ELT in December 2024. The delivery of our Customer Service Program provided to Council staff, outlines the importance of listening and understanding our customers enabling us to provide a positive Customer Experience.	Business Support and Customer Relations Manager
5.3.1.c	Ensure our processes, procedures and roles have the right capability in place to		CRM and driveway contact methods have been reviewed and streamlined to ensure adequate information is captured upfront, resulting in staff	Business Support and Customer Relations Manager


Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
	manage expectations and deliver what we promise.		efficiencies and an improved customer experience.	
5.3.1.d	Use technology to share knowledge and to design interactions that are seamless and easy for customers and staff.		Online forms on Council's website continue to be reviewed, moving away from PDF forms to Formlify fillable forms which integrate with Council systems including Content Manager and Authority. We have upgraded our phone system in our Contact Center to improve the quality and usability of the system. Commencement of the AI in NSW Planning project implementation is progressing.	Business Support and Customer Relations Manager
5.3.1.e	Increase customer understanding and use it to design services that improves our customer experience.		CRM and Driveway journey mapping actions have included: CRM process mapping, improved eservices functionally on website for online CRMs improving the look and customer experience, review of internal workflows and checklist. Driveways online form and payment options.	Business Support and Customer Relations Manager

5.3.2: Conduct regular development consultation forums


Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.2.a	Conduct regular development consultation forums.		Development Services is in regular contact with applicants and stakeholders. Several meetings have been held with stakeholders during this period.	Development Services Manager



5.3.3: Efficiently and effectively process development applications and respond to planning enquiries

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.3.a	Efficiently and effectively process development applications and respond to planning-related enquiries.		Development Services have improved development application processing times during this period. The team have actively reduced the number of current applications over 100 days. All emails and telephone calls are responded within the agreed timeframes and our duty counter provides timely responses to all planning -related enquiries.	Development Services Manager
5.3.3.b	Continue the expansion of the application programming interface (API) between the NSW Planning Portal		Reviewing Critical Stage Inspection API with middleware provider (CIBIS).	Business Support and Customer Relations Manager

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
	(ePlanning) and Council's systems.			
5.3.3.c	Continue to review and enhance our internal processes and workflows in line with the Departments Development Assessment Best Practice Guide.		We continue to review and enhance our internal processes, to improve the time application take from submitted to lodged and improve application processing times to meet NSW Government Statement of Expectations Order 2024, which is part of the Faster Assessment program.	Business Support and Customer Relations Manager

5.3.5: Continue to embed a culture of Enterprise Risk Management throughout the Council

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.5.a	Continue to develop and implement workplace health and safety and employee wellbeing initiatives.		New health and safety committee have been elected and first meeting of 2025 will be held on 5 February. Review of system procedures, safety documents and policies continue in accordance with review timeframes. New forms and templates continue to be developed and utilised on Council's electronic safety management system.	People and Culture Manager

5.3.5.b	Maintain an internal audit function delivering the approved annual internal audit plan in accordance with the IPPF and recognised best practice / Manage Council's Audit, Risk and Improvement Committee in accordance with statutory obligations and recognised best practice		In progress.	Internal Auditor
5.3.5.c	Review and implement an Enterprise Risk Management Framework to mature and enhance decision-making in supporting the delivery of Councils vision, purpose and objectives.		Significant consultation has been undertaken and feedback received has been incorporated into both the Policy and Framework documents. Further operational risk registers have been completed. Status reports will be presented to the Audit and Risk Committee and Executive Leadership Team in February 2025.	People and Culture Manager

5.3.6: Undertake Service Delivery reviews and implement recommendations to improve productivity throughout the council


Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.6.b	Undertake service delivery review of the Debt Collection function to be completed by December 2024.	▶▶	Review has commenced with reporting to the Executive due by the end of the financial year.	Chief Financial Officer
5.3.6.c	Undertake Service Delivery Review of Procurement and Stores Function	▶	Reviews have commenced with reporting to Executive due by the end of the financial year.	Chief Financial Officer

5.3.7: Continue to manage Council governance functions and statutory requirements


Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.7.a	Review and update Council's Fraud Control and Corruption Prevention Framework to align with best practice	▶	Governance is undertaking stage one of the Council's Fraud Control and Corruption Prevention Framework in conjunction with updating of business risk registers.	Chief Financial Officer

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.7.b	Complete all requirements of the Intergrated Planning and Reporting Framework		Annual report has been completed and published in conjunction with the State of the City Report. These were noted in the November council meeting. Community Strategic Plan, Resourcing Strategy and Operational Plan project group is managing timelines to ensure all endorsed by 30 June 2025.	Chief Financial Officer
5.3.7.c	Manage Council's corporate governance in accordance with regulations.		Governance continues to provide support to Council Officers and Councillors on all governance requirements including policies and procedures.	Chief Financial Officer
5.3.7.d	Review and update Council's Ethical Behaviour Framework to ensure delegations and authorisations meet legislative and compliance requirements.		Will commence in May 2025.	Chief Financial Officer

5.3.9: Ensure Council develops and improves Information Technology and Communication systems to meet organisation requirements

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.9.a	Share information regarding the status of current Capital Works particularly with respect to traffic disruptions and construction works.		Works & Infrastructure directorate provides regular updates to Live Traffic NSW which is accessible to the general public in relation to any planned road works/events/incidents that contribute to traffic interruptions.	Infrastructure Manager

5.3.10: Implement the Workforce Management Strategy

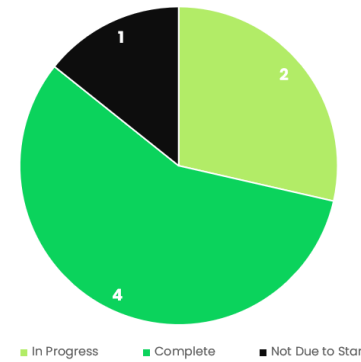
Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.5.a	Continue to develop and implement workplace health and safety and employee wellbeing initiatives.		New health and safety committee have been elected and first meeting of 2025 will be held on 5 February. Review of system procedures, safety documents and policies continue in accordance with review timeframes. New forms and templates continue to be developed and utilised on Council's electronic safety management system.	People and Culture Manager

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.10.a	Implement Council's Leadership and Capability Framework actions	▶	Framework reviewed and updated. Program in place with last offsite leadership day in current program to occur in March 2025. Participant surveys to be sent out after March seeking feedback on the program. New training providers are currently being explored, to assist with specific/desired learning objectives identified.	People and Culture Manager
5.3.10.b	Develop and implement a succession planning and talent management framework that is fit for purpose for Council.	▶	Leadership and succession planning tool developed, and information sessions held with all Managers. The tool has been sent to Managers to begin assessments and have completed by 3 March 2025.	People and Culture Manager

5.3.II: Review the need to apply for a Special Rate Variation to manage the burden of increasing cost of Council to maintain assets and meet community requirements

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
5.3.11.a	Complete financial modelling to determine future income and expenditure requirements	▶	Consultant has been engaged to complete initial financial model. Expected to report in March 2025	Chief Financial Officer

Action ID	Operational Plan 2022-23 Action	Status	Comments	Responsible Officer
	to assess need for a Special Rate Variation.			



Networks & Systems

Project Name	Status	Comments	Responsible Officer Unit
Corporate Administration, Cessnock - deliver equipment upgrades	▶▶	Not sue to start. Equipment to be purchased in Q4.	Information Technology
Elected Members - Capital	✓	Councillor equipment deployed	Information Technology
IT Capital Steering Committee - Civica - Online Applications	✓	All Civica upgrades have been completed. System now on v7.1.	Information Technology
IT equipment - Infrastructure	✓	Rollout complete	Information Technology

Asset Planning

Project Name	Status	Comments	Responsible Officer Unit
Infrastructure Administration, Cessnock - deliver specialised asset planning upgrades	✓	Camera purchased and in operation.	Asset Planning

Open Space and Community Facilities Management

Project Name	Status	Comments	Responsible Officer Unit
Recreation Services administration Cessnock - deliver equipment upgrades	▶	Supply and installation of IT workstations and equipment is ongoing.	Open Space and Community Facilities

Depot Management

Project Name	Status	Comments	Responsible Officer Unit
Cessnock Council Works Depot, Cessnock - investigate and develop depot residence office space masterplan	▶	Depot Master Plan consultancy underway. - Meeting with key stakeholders complete - Existing building assessment complete - Review of services complete - Option development underway	Works and Operations



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Cessnock City Council Corporate Credit Card Policy

Date Adopted ~~xx17/023/2025~~1 Revision: 21

1. POLICY OBJECTIVES

1.1. This policy establishes:

- 1.1.1. an effective, accountable and transparent process for the usage and handling of credit cards authorised for usage by Council,
- 1.1.2. the standards of acting ethically and without bias in the interests of the local community when using corporate credit cards,
- 1.1.3. the foundation to act impartially by ensuring the best use of resources to further the aims of Council's operations.

1.2. This policy and the objectives set out to be achieved are in line with Council's values and Council's ~~Fraud and~~ Corruption Prevention (~~FCCP~~) Policy.

2. POLICY SCOPE

2.1. This Policy applies to Council Officials who have been issued with a corporate credit card.

3. POLICY STATEMENT

3.1. Corporate credit cards provide an alternative purchasing mechanism for the purchase of goods and services in an effort to:

- 3.1.1. Streamline the process involved in the purchasing of items via Internet ordering (such as overseas IT equipment, conference expenses).
- 3.1.2. Streamline the purchasing of low value one-off purchases.
- 3.1.3. Enable cardholders to more conveniently and productively manage their workflows and job functions.
- 3.1.4. Ensure that Council continues to conduct its business in a manner that meets industry standards.
- 3.1.5. Corporate credit cards should not be used for recurring purchases. The preferred method of purchasing is via purchase orders.

3.2. Council values are embedded in the development, review and implementation of this policy and its supporting documents to achieve consistent decision-making and



appropriate resolution of ethical dilemmas even when there are no rules to follow. This in turn aids in the prevention and/or control of fraud and corruption.

4. ISSUE AND USE OF CREDIT CARDS

4.1. Council Officials requiring a corporate credit card will complete the [Corporate Credit Card Application](#) as well as the [Acknowledgement and Acceptance Form \(Appendix 1\)](#).

4.2. The Council Official's ~~Supervisor~~~~Authorising Officer~~ ~~is~~~~are~~ required to agree to the issuing of a corporate credit card. ~~Before agreeing,~~ The Manager or Director will need to consider the Council Official's job function and related purchasing activities when assessing the need for the card.

~~4.3. Below are outlined the Authorising Officers and what credit card holders they are responsible for:~~

Cardholder	Authorising Officer
Councillors including the Mayor	General Manager
General Manager	Mayor
Directors	General Manager
Managers	Relevant Director
Supervisors	Relevant Manager
Staff	Relevant Supervisor

~~4.3. Every~~ Corporate credit card application requires an approval from the relevant Authorising Officers as below ~~from the General Manager~~ before any corporate credit cards are issued:

<u>Applicant</u>	<u>Authorising Officer</u>
<u>Mayor</u>	<u>General Manager</u>
<u>General Manager</u>	<u>Mayor</u>
<u>Directors</u>	<u>General Manager</u>
<u>All other staff</u>	<u>Relevant Director</u>

4.4. Purchases of goods and services must be in accordance with Council's Procurement Policy and Guidelines. In addition, Councillors must also adhere to Council's policy on *Councillors' Expenses and Provision of Facilities for Councillors* when using their credit cards for purchasing.

4.5. Corporate credit cards are only to be used by the person whose name appears on the card. This means they are issued to individual Council Officials and are not transferable.

4.6. Corporate credit cards can be used to purchase or pay for the following expenses by Council Officials who have authorisation to do so:

4.6.1. Payment of plant and vehicle registration costs, advertising or utility accounts.

4.6.2. Payment of telecommunications equipment and services.



- 4.6.3. Purchases of IT accessories and software/applications to be purchased only by cardholders in designated IT roles
- 4.6.4. Payment of accommodation and meals when Council Officials are attending approved conferences or functions, with the exclusion alcohol and tips or gratuities unless it is included as part of a meal expense for a business related event and the purchase is not excessive.
- 4.6.5. Payment of membership fees, conference fees or travel costs.
- 4.6.6. Purchase of miscellaneous items of small value, which may include but not limited to:
- ~~a) Flowers;~~
 - ~~b)a)~~ Items for staff recognition awards to be purchased only by cardholders in designated roles;
 - ~~e)b)~~ Internet purchases, where an account is not able to be established;
 - ~~e)c)~~ Small tools and any other portable and attractive items which are not capitalised to be purchased only by cardholders in designated roles;
 - ~~e)d)~~ Emergency purchases to ensure operational works can continue.

4.7. The following payment methods are allowed on corporate credit cards:

- 4.7.1. Over the counter (the cardholder signs a purchase slip or enters a Personal Identification Number (**PIN**), at the time of purchase);
- 4.7.2. By telephone (transaction completed by quoting corporate credit card details);
- 4.7.3. By mail (quote Corporate Credit Card number on orders to suppliers); and
- 4.7.4. Online ordering (ensuring secure online payment service is used).

4.8. Cardholders are to obtain a valid tax invoice/receipt for all purchases made with corporate credit cards. A valid tax invoice for purchases greater than \$5075 must include the vendors name or ABN and show details of the purchase including whether GST is applicable or charged, otherwise a Statutory declaration will need to be provided.

5. RESPONSIBILITIES

5.1. Corporate credit card holders are responsible for:

- 5.1.1. Read and acknowledge the Corporate Credit Card Policy by signing the Acknowledgement in Appendix 1.
- ~~5.1.1.~~5.1.2. familiarising themselves with the issuing bank's instructions concerning the use of credit cards and in particular the requirement for reporting lost, stolen or damaged cards,
- ~~5.1.2.~~5.1.3. reporting missing corporate credit cards with the issuing bank in accordance with the bank's Product Disclosure Statement (**PDS**) immediately,



~~5.1.3~~~~5.1.4~~ checking the monthly statements for accuracy,

~~5.1.4~~~~5.1.5~~ costing all transactions to correct job numbers,

~~5.1.6~~ attaching ALL related tax invoices/receipts,

~~5.1.5~~~~5.1.7~~ completing and submitting a Statutory Declaration if the original source document for a transaction is lost or not received. If adequate evidence is not provided the expenditure will become a debt due by the card holder to Council.

~~5.1.6~~~~5.1.8~~ providing detailed relevant comments on the expenditure items,

~~5.1.7~~~~5.1.9~~ signing and dating the monthly statements and obtaining authorisation from their authorising officer within two (2) working days of receiving the monthly statements so that they can review and authorise them,

~~5.1.8~~~~5.1.10~~ forwarding authorised statements to Council's Finance Team for processing,

~~5.1.9~~~~5.1.11~~ notifying the Finance team of any disputed transactions with merchants immediately,

~~5.1.10~~~~5.1.12~~ notifying the Finance team of any expenditure that is not related to Council official business,

~~5.1.11~~~~5.1.13~~ repaying expenditure that cannot be shown to be related to Council official business,

~~5.1.12~~~~5.1.14~~ returning all corporate credit cards before end of employment/engagement or civic duty.

5.2. The ~~Finance and Administration Manager~~ Chief Financial Officer ~~is responsible for~~ has the following responsibilities:

~~5.2.1~~ To act as the Program Administrator to act as a central point of contact for Cardholders, Merchants and the Card Issuer.

~~5.2.2~~ To act as the Authorised Officer in the Card Issuer's Administration System to liaise with the Card Issuer about the administration of cards, changing of limits, thresholds, restrictions and cancellations.

~~5.2.1~~~~5.2.3~~ Approving the need for the Council Official to hold a credit card, which may include but limited to:

- a) Purchasing requirements;
- b) Financial delegations; and
- c) Nature of role.

~~5.2.2~~~~5.2.4~~ Assessing and setting the monthly credit limit for each corporate credit card. This is to be done in consideration of:

- a) the combined monthly limit of all corporate cards;



- b) the evaluation of the requirements of the role of the Council Official requiring a corporate credit card;
- c) the Council Official's delegations and authorisations;
- d) any secondments which have taken place and the relevant delegations and authorisations.

~~5.2.3. Ordering and distributing the corporate credit cards once they have received all the properly completed documentation;~~

~~5.2.4.5.2.5. Maintaining a register in Card Issuer's Administration System of all Council Officials who have been issued with a corporate credit card, their respective limits and any if, when and for what purpose they have received a replacement corporate credit card;~~

~~5.2.5.5.2.6. Assess and determine all requests for increasing the card limit or a transaction limit;~~

~~5.2.6.5.2.7. Terminating or cancelling the use of corporate credit cards;~~

~~5.2.7.5.2.8. Conducting annually trend analysis and a review of the transactions to be provided to the Director Corporate and Community Services and reported annually to the Audit, and Risk and Improvement Committee.~~

5.3. The Finance Team is responsible for:

- 5.3.1. the coordination of the monthly credit card statements;
- 5.3.2. bring to the attention of and documenting any transactions which appear unusual the ~~Operations Accountant~~ Finance Coordinator;

~~5.3.3. liaising with the issuing bank regarding any disputed transactions.~~

5.4. The ~~Human Resources~~ People and Culture Manager is responsible for:

- 5.4.1. informing the ~~Finance and Administration Manager~~ Chief Financial Officer and Finance Team that a Council staff member's employment/engagement is about to end at least a week before the end of their employment, or
- 5.4.2. if the employment/engagement has already ended, at the earliest opportunity possible.
- 5.4.3. informing the ~~Finance and Administration Manager~~ Chief Financial Officer and Finance Team of internal secondments for the purpose of credit card management.

5.5. The General Manager is responsible ~~for~~:

~~5.5.1. To establish and implement the Corporate Credit Policy appropriate to the size of the council and relevant operational requirements with regard to the roles, responsibilities, criteria for approval in obtaining or removing credit card, management and administration aspects.~~



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5.5.2. To ensure the Corporate Credit Card Policy is set as per Council internal approval process considering the staff delegation limits, borrowing limits and budget limits.

5.5.3. To ensure that an internal approval process is established for all card holders to obtain and use credit cards, as consistent with the requirements of the card issuer (financial institution),

~~5.5.1-5.5.4.~~ For informing the ~~Finance and Administration Manager~~ Chief Financial Officer and Finance Team that a Councillor’s civic duty is about to end at least a week before the end of their civic duty, or if a Councillor’s civic duty has already ended, at the earliest opportunity possible.

~~5.5.2. Final approval of all credit card requests.~~

5.6. Reporting of suspected or actual fraud and/or corruption

5.6.1. All Council Officials are responsible for reporting any instances of suspected or actual fraud and/or corruption being committed in accordance with Council’s FCCP Policy.

5.7. Records management

5.7.1. All Council Officials must maintain all records relevant to administering this policy in accordance with Council’s Records Management Policy.

6. RISK MANAGEMENT AND FRAUD AND CORRUPTION PREVENTION

6.1. Segregation of Duties

6.1.1. The Chief Financial Officer and the Finance Team will maintain separation between issuance, reconciliation and approval tasks.

6.1.2. Credit card transactions must be reviewed by an Authorising Officer who does not hold the credit card being reviewed. Authorising Officers for the purpose of review of transactions are as below:

<u>Card Holder</u>	<u>Authorising Officer</u>
<u>Mayor</u>	<u>General Manager</u>
<u>General Manager</u>	<u>Mayor</u>
<u>Directors</u>	<u>General Manager</u>
<u>Manager</u>	<u>Relevant Director</u>
<u>Supervisor</u>	<u>Relevant Manager</u>
<u>Staff</u>	<u>Relevant Supervisor</u>

6.2. Review and Monitoring

6.2.1. Periodic reviews shall be conducted by Finance Team and highlight unusual patterns to the Chief Financial Officer for further investigating and reporting.

6.2.2. Independent reviews of credit card use shall be performed by the internal audit function to identify breaches, misuse or unusual patterns.~~To~~



~~6.1. To ensure compliance with this policy, The Finance and Administration Manager and Operations Accountant will undertake random reviews of transactions and procedures from time to time. The undertaking of these random reviews will be documented in Council's Electronic Document Management System.~~

~~6.2. To this end, The Finance and Administration Manager and Operations Accountant may make appropriate enquiries before treating the discrepancies as formal breaches.~~

7. POLICY BREACHES

7.1. Corporate credit cards are not be used for the following purposes:

- 7.1.1. Any personal or non-business related purposes;
- 7.1.2. To obtain cash advances, over the counter withdrawals or for the purchasing of bank cheques;
- 7.1.3. Payment of infringement fines, even when these were incurred while on Council business;
- 7.1.4. For goods available through Council's Store;
- 7.1.5. High value goods or services that should be accounted for in the planning and resourcing of works or projects;
- 7.1.6. Asset purchases – items of plant & equipment with expected useful lives of over 12 months;
- 7.1.7. To purchase fuel whilst on Council business or private use (Manager and Director only). A fuel card should be used for this transaction, unless the Council Official is not issued with a fuel card or there is no nominated service station available.

7.2. The ~~Operations Accountant~~ Finance Coordinator can recommend that a Council Official be required to surrender their corporate credit card. This recommendation will be based on evidence that the Council Official has failed to utilise their corporate credit card in accordance with this policy.

7.3. Any cardholder who permits another person to utilise their card, by allowing the other person to pass themselves off as the authorised officers, whether for work purposes or not, is committing an offence of fraud and disciplinary actions and/or criminal proceedings may be initiated.

7.4. Instances of card misuse when detected will be reported to the cardholders Authorising Officer and/or ~~Human Resources~~ People and Culture to determine the most appropriate manner in which to investigate and handle the misuse. Examples of misuse include, but are not limited to:

- 7.4.1. Purchasing goods and services for reasons other than official Council business;
- 7.4.2. Repeated instances of not obtaining supporting documentation for transactions;
- 7.4.3. Splitting transactions to avoid detection;



7.4.4. Using a rewards card during the time of transactions;

7.4.5. Failure to adhere to the responsibilities set out in this policy.

7.5. Where a Council Official is found to have breached the provisions of this policy they may be subject to one or more of the following:

7.5.1. Reimbursement to Council for unauthorised or unsubstantiated purchases;

7.5.2. Surrendering their corporate credit card;

7.5.3. Reducing the cardholders card delegation limit;

7.5.4. Participation in training;

7.5.5. Disciplinary action in accordance with the provisions of the Award, which may include termination of employment; or in the case of Councillors, censure in accordance with the Act.

7.5.6. In some circumstances the matter may be referred to the Police.

8. POLICY DEFINITIONS

Act	means the <i>Local Government Act 1993</i> (NSW)
Council	means Cessnock City Council
Council Official	means Council staff including casual, part time or full time staff, volunteers, consultants, advisors, committee members and contractors, and Councillors



9. POLICY ADMINISTRATION

Business Group	Corporate and Community Services
Responsible Officer	Finance and Administration Manager <u>Chief Financial Officer</u>
Associated Procedure (if any, reference document(s) number(s))	N/A
Policy Review Date	Three years from date of adoption unless legislated otherwise
File Number / Document Number	DOC2021/000696
Relevant Legislation (reference specific sections)	Section 55, <i>Local Government Act 1993 (NSW)</i> Section 8, <i>Local Government Act 1993 (NSW)</i> Sections 207 & 209, <i>Local Government (General) Regulation 202105 (NSW)</i>
Relevant desired outcome or objectives as per Council's Delivery Program	<i>Civic Leadership and Effective Governance</i> Objective 5.3: Making Council more responsive to the Community
Related Policies / Protocols / Procedures / Documents (reference document numbers)	<ul style="list-style-type: none"> ▪ Corporate Credit Card Application (DOC20149/031505) ▪ Records Management Policy (DOC2019/038769) ▪ Fraud Control & Corruption Prevention Policy (DOC2020/02733497035) ▪ Internal Reporting—Public Interest Disclosures Policy (DOC202248/123222093482) ▪ Code of Conduct (DOC2018/086716) ▪ Procurement Policy (DOC2013/047731) ▪ Procurement Guideline (DOC2018/103916) ▪ Statement of Business Ethics (DOC2014/005361) ▪ <u>Guideline on the Use and Management of Credit Cards issued by the Office of Local Government – September 2021</u>

10. POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
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Assess requests for issuing corporate credit cards pursuant to clause 4 and provide recommendation whether or not they should be issued	Authorising Officers <u>Relevant Supervisor of the applicant, and the Manager</u>
Review monthly statements pursuant to clause 6.1.2 <u>pursuant to clauses 4.3 and 5.1.7</u>	Authorising Officers
Assess and approve the need for a Council Official to hold a corporate credit card pursuant to clause 5.2.15.2.3	Finance and Administration Manager <u>Chief Financial Officer</u>
Approve the request for all credit cards pursuant to clause 5.5.2	The General Manager
Assessing and setting the monthly credit limit for each corporate credit card pursuant to clause 5.2.45.2.2 <u>and 5.2.45.2.2</u>	Finance and Administration Manager <u>Chief Financial Officer</u>
Assess and determine all requests for increasing the card limit or a transaction limit pursuant to clause 5.2.65.2.65.2.5	Finance and Administration Manager <u>Chief Financial Officer</u>
Terminating or cancelling the use of corporate credit cards pursuant to clause 5.2.75.2.75.2.6	Finance and Administration Manager <u>Chief Financial Officer</u>
Investigating alleged breaches and enforcing compliance of this protocol in accordance with policy	Finance and Administration Manager <u>Chief Financial Officer</u>
Make appropriate enquiries regarding any discrepancies in the use of corporate credit cards under this policy before treating the discrepancies as formal breaches	Finance and Administration Manager <u>Chief Financial Officer</u> Operations Accountant <u>Finance Coordinator</u>

11. POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
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1	Credit Card Protocol Adopted by ELT 27/02/19	New Protocol Adopted
2	TBA	Protocol converted to a Policy with the following changes: <ul style="list-style-type: none"> - Increased level of controls to reduce misuse of credit cards; - Increased level of reporting and documentation.
3	Policy to Council	Adopted at Council meeting 17 March 2021
4	xx/02/2025	Reviewed Policy adopted by Council



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12. Appendices

ACKNOWLEDGEMENT AND ACCEPTANCE

ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS OF USE OF CORPORATE CREDIT CARD

CARDHOLDERS' RESPONSIBILITIES

Cardholders' must ensure that:

- 1. They have read and understand the 'Corporate Credit Card Policy'. It is essential that each cardholder understands his or her responsibilities in relation to the correct use of the corporate credit card.
2. The corporate credit card is maintained in a secure manner and is guarded against improper use in accordance with the Policy.
3. Corporate credit cards are only used for official Council business purposes.
4. Adequate funds in the Council budget are available to cover the expenditure before it is incurred and that purchases are made in accordance with delegations.
5. Corporate credit cards limits are not exceeded.
6. Deposits are not to be made to the corporate credit card accounts by the cardholder.
7. Corporate credit cards are returned to the Finance and Administration Manager-Chief Financial Officer upon termination of employment.

ACCEPTANCE OF CONDITIONS

I acknowledge and accept the above conditions and will act in accordance with Council's Corporate Credit Card Policy.

I certify that I have read and understand the information provided to me in Council's Corporate Credit Card Policy.

Name: Position:

Signature: Date:

Strengthening local government

Office of Local Government

GUIDELINE ON THE USE AND MANAGEMENT OF CREDIT CARDS

UNDER SECTION 23A OF THE LOCAL GOVERNMENT ACT 1993

September 2021

ADAPTED FROM NSW TREASURY
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TPP-21-02 "USE AND MANAGEMENT
OF NSW GOVERNMENT PURCHASING
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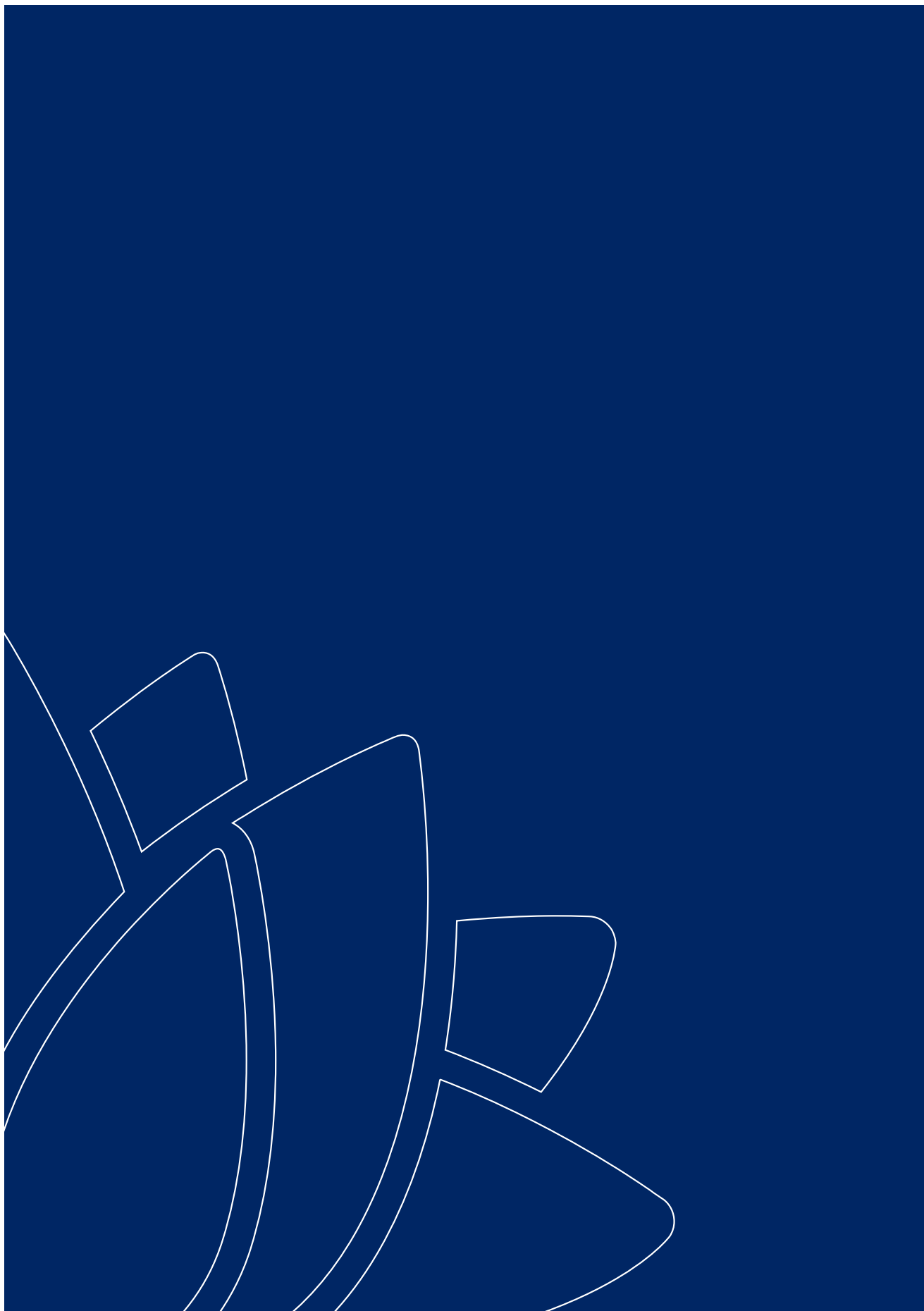
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Guideline on the use and management of credit cards

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Guideline on the use and management of credit cards

Introduction

The *Local Government Act 1993* (section 8B) and the *Local Government (General) Regulation 2021* (clause 209) require all councils to establish effective internal control mechanisms for financial management, expenditure and accounting records.

The Guideline on the Use and Management of Credit Cards (the Guidelines), established under section 23A of the *Local Government Act 1993* (LG Act), support these legislative responsibilities and provide specific sector-wide guidance on how to establish effective controls in relation to credit card use and management. They are based on the NSW Treasury guidelines that apply to state agencies.

The Guideline suggests a minimum framework for the use and management of credit cards to ensure that risks associated with their use and management are minimised. The guidance in this document applies equally to the use of Purchase Cards (PCards) and Virtual Cards (VCards) where councils use these facilities.

It provides councils, county councils and joint organisations with the necessary information to put in place internal controls surrounding the establishment, management, review and maintenance of a credit card policy and related procedures. It also seeks to reinforce the responsibilities of council officers when exercising functions in relation to sound financial management.

The Guideline is structured in two parts: core responsibilities and operational guidance. The two core responsibilities and associated actions provide the foundation upon which councils should shape their credit card policy. Operational guidance expands on these actions using a risk-based approach and includes advice on both the management of a credit card program and the responsibilities of individual cardholders.

The use and management of credit cards by councils is an important element of council operations and internal controls that must be included in each council's risk management framework and regularly reviewed as part of the audit, risk and improvement committee's and internal audit function's four-yearly strategic work program¹.

From June 2022, each council (including county councils and joint organisations) in NSW will be required under section 428A of the LG Act to appoint an audit, risk and improvement committee to review the council's financial management, statutory compliance and fraud and corruption controls.

Each council will also be required under the *Local Government (General) Regulation 2021* to establish and operate an effective risk management framework and internal audit function to support the work of these committees.

¹ The Guidelines for Risk Management and Internal Audit for Local Councils in NSW will provide more information about councils' statutory requirements in relation to audit, risk and improvement committees, risk management and internal audit. They will be made available at www.olg.nsw.gov.au

Part A

Developing

a Credit Card

Policy



Core Responsibilities

These core responsibilities are considered fundamental to establishing and maintaining an effective and efficient credit card policy and related procedures that ensures expenditure is always carried out in the public interest. Supporting each of these core responsibilities is a list of suggested actions that, when implemented together, will establish a minimum framework for the use and management of credit cards.

1 Core responsibility 1

The General Manager is ultimately responsible for the proper management and administration of credit cards within the council.

- 1.1 The General Manager shall ensure that an internal approval process is established for council officers and councillors (the Cardholder) to obtain and use credit cards. This should be consistent with the requirements of the Card Issuer.
 - the council is not exceeding its total borrowing limit or budget limits by issuing the credit card to the Cardholder.
- 1.2 The council's internal approval process should ensure the following before a credit card is provided to a Cardholder:
 - the Cardholder has the appropriate financial and operational delegations to incur expenditure on behalf of the council
 - the Cardholder has appropriate credit card limits set (monthly spend limit, transaction limit, and (only if deemed necessary for the smooth conduct of council business) ability for cash withdrawal determined and, if so, these limits include a cash withdrawal monthly limit and cash withdrawal transaction limit)
- 1.3 The General Manager shall establish and implement a Credit Card Policy as well as procedures to support the credit card policy appropriate to the size of the council. As a minimum, the credit card policy and related procedures should address:
 - roles and responsibilities relating to credit card use, management and administration. This may include Credit Cards, Purchasing Cards (PCards)², Virtual Cards (VCards)³, Fuel Cards, Store Cards and CabCharge.⁴,
 - requirements for approval, issuance of credit cards and closure of accounts,
 - criteria for eligibility to obtain a credit card,

² Purchasing card (Pcard) refers to a credit card issued by the Card Issuer (generally a bank, building society or credit union) which is used by Cardholders to engage in transactions relating to the purchase of goods and services on behalf of the organisation. Pcards are also known as corporate cards, government cards and procurement cards.

³ Virtual card (vCard) refers to a credit card that is not issued as a physical card, rather a 16-digit number provided to the supplier for use in card-not-present transactions. The vCard card is not linked to a Cardholder but is established in the council's name (with one or many users). To protect the card security, typically one card is created for use with a single supplier (Merchant).

⁴ Note that some credit facilities, such as fuel cards, may be covered under different corporate policies, such as a vehicle management policy. If this is the case, noting this in the credit card policy is recommended and the principles outlined in this Guideline should be reflected in these associated policies.

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- credit limits, thresholds and restrictions,
 - restrictions, including on prohibited items and supplier merchant blocks,
 - the types of payments that are to be procured via an alternative method to ensure consistency with other corporate policies (for example, via a purchase order or established council supply contracts),
 - Cardholder training requirements,
 - requirements for transaction acquittal, including independent reconciliation of the General Manager and Mayor's credit cards as well as the responsible accounting officer / Chief Financial Officer or any other officer that can approve payments for credit card expenditure, and guidance for staff on how to escalate concerns,
 - requirements for reconciliation and approval (taking into consideration segregation of duties),
 - transaction dispute processes agreed with Card Issuer,
 - best practice for Cardholders to ensure the security of credit cards,
 - the process for reporting lost or stolen credit cards with Card Issuer,
 - infraction, issues management and account cancellation,
 - reporting fraud and corruption processes,
 - software management (including user access and security),
 - Cardholder security digital records management, and
 - processes for the review and continuous improvement of the council's credit card policy.
- 1.4 The council should ensure there is an accessible and up-to-date record of all authorised Cardholders (a Credit Card Register⁵) with approval records from the appropriate line manager as well as the credit card Program Administrator (see section 4.2), authorising the card issuance and credit limit.
 - 1.5 The General Manager should maintain an accessible record of the council's credit card program borrowing limit and aggregate credit limit of individual credit cards currently issued, (as well as PCard, Fuel Card, Store Card, Cabcharge and VCard limits where applicable). This may be combined with the Credit Card Register.
 - 1.6 The General Manager should undertake appropriate actions to not exceed the council's total program borrowing limit and may wish to adjust the credit card program total program borrowing limit to meet the ongoing needs of the council.
 - 1.7 The General Manager should ensure that a direct debit facility is implemented with the Card Issuer for the automatic payment of monthly credit card accounts in full to eliminate any late payment fees and interest charges.
 - 1.8 The General Manager should ensure that the risks associated with the council's credit card program are subject to a risk assessment as part of the council's risk management framework to ensure identified risk treatments remain adequate or are properly remedied in a timely manner. See section 5.3 for further information.

⁵ A Register may consist of retained credit card applications in a single file; a separate register; and/or a function report provided online by the Card Issuer.

2 Core responsibility 2

Cardholders understand and are accountable for the responsible use of credit cards.

- 2.1 Cardholders must use credit cards for business purposes only and in a manner compliant with council's credit card policy and related procedures.
- 2.2 In relation to using their credit cards, Cardholders are responsible for:
- complying with the terms and conditions of the Card Issuer,
 - the safety and security of their card, card details and other requirements,
 - knowing the administrative conditions of their card and account, including relevant limits, thresholds and restrictions,
 - ensuring that the credit limits are not exceeded (purchases must not be split to negate single transaction limits),
 - obtaining and retaining all relevant documentation for all transactions. The Australian Tax Office (ATO) stipulates that all transactions above \$82.50 must have a tax invoice for GST purposes. It is recommended that all credit card transactions be substantiated, where possible, with an official tax receipt regardless of the amount, and
 - the timely acquittal of transactions, ensuring the time given is no greater than the time stipulated by the financial institution to log a dispute over errant transactions.
- 2.3 Cardholders should notify the Card Issuer directly in the following circumstances to reduce the risk of fraudulent transactions occurring:
- the loss or theft of the credit card, immediately regardless of whether it is a working day or weekend, and/or
 - awareness that an unauthorised transaction has occurred, at time of occurrence or at end of month reconciliation (whichever is the earliest).
- 2.4 Cardholders or their line manager should notify the credit card Program Administrator the next working day or as soon as practicable in the following circumstances:
- cessation of employment with the council,
 - a change in the Cardholder's substantive role,
 - a change in the nature of the Cardholder's responsibilities that no longer require the Cardholder to use a credit card (whether or not this includes a change in their substantive role),
 - a change to the operational or financial delegation limits that are associated with the Cardholder's role,
 - a prolonged leave of absence from performing their role (the council's credit card policy should advise what time period is considered a prolonged absence but is usually considered any absence longer than 8 weeks),
 - the credit card has been suspended or cancelled,
 - the loss or theft of the credit card, or
 - on awareness that an unauthorised transaction has occurred, at time of occurrence or at end of month reconciliation (whichever is the earliest).

Part B

**Operational
Guidance**



Guideline on the use and management of credit cards

This Operational Guidance builds on the above core responsibilities by assisting councils to develop and tailor their credit card policy and related procedures to their size, complexity and risk profile, and provides Cardholders with information to help them understand their responsibilities.

3 Risk Management

3.1 A council's credit card policy and related procedures should seek to manage risks specific to the use of credit cards as part of the council's overall risk management framework. There are, however, particular risks associated with the use and administration of credit cards that will need to be identified and managed. Examples include:

- the risk of inappropriate use and waste (defined as any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in a serious and substantial loss of public funds or resources),
- the potential for transaction and/or accounting errors (e.g. duplication of payments), and
- the application of inappropriate purchase methods (e.g. directly purchasing an item or service on credit card without assessment of any contract terms, rather than seeking to negotiate appropriate contract terms and conditions).

3.2 Risk is defined as the impact of uncertainty on objectives. In the context of credit cards, this risk will largely relate to those aspects of the use and management of credit cards

that could affect a council's overall financial position and ongoing financial management. However, risks arising from the use and administration of credit cards can also affect other objectives including those associated with procurement, service delivery and/or reputation.

3.3 One of the most significant risks associated with credit card administration and use that can adversely affect a number of objectives is fraud. The Independent Commission Against Corruption (ICAC) provides some examples of the potential fraud risks associated with credit cards⁶ including:

- a Cardholder charging personal expenses to the council credit card,
- a Cardholder and a client colluding to misuse a council credit card,
- a Cardholder using the card's personal identification number to withdraw cash for their own or another's benefit,
- a Cardholder falsifying, destroying or damaging receipts and other records, and
- one or more council officers colluding for improper benefit – for example, the Cardholder colluding with another council officer whose role is to check expenditure.

⁶ For further information on corruption prevention as it relates to credit cards, see <https://www.icac.nsw.gov.au/prevention/corruption-prevention-advice-topics/credit-cards>

Office of Local Government

3.4 While a number of risk types, together with specific examples of risks associated with credit cards have been provided here, it is important that councils engage in a structured risk assessment as part of their overall risk management framework to ensure that they are able to identify and assess the particular risks in relation to the use and administration of credit cards in their organisation. It is important not to rely only on previous experience to identify risks associated with credit card use. This is where it is useful when reviewing risk management strategies to involve key stakeholders including Cardholders, merchants and the Card Issuer.

Councils should also seek to keep up to date with new or emerging risks, especially those associated with the application of new technologies or during times of organisational change. Additionally, councils should endeavour to share their knowledge and experience with other councils, for example through joint organisations, in order to continually improve their management of these risks.

Councils should also refer to various audit reports of the Audit Office of NSW⁷ and other jurisdictions⁸ that have undertaken audit or assurance work relating to the use of credit cards to familiarise themselves with areas of concern that may be relevant to their organisational context.

⁷ For example, the 'Report on Local Government 2019': <https://www.audit.nsw.gov.au/our-work/reports/report-on-local-government-2019> and 'Credit card management in Local Government': <https://www.audit.nsw.gov.au/our-work/reports/credit-card-management-in-local-government>

⁸ Refer to Australian National Audit Office reports such as <https://www.anao.gov.au/work/performance-audit/defences-management-credit-and-other-transaction-cards>

4 Preventative Controls

Preventative controls are those designed to prevent errors and irregularities from occurring. Some examples of preventative controls for credit cards include:

4.1 Policies and Procedures

Setting out a council's expectations in a clear and well communicated credit card policy and related procedures is fundamental to the establishment of a strong control environment. Supporting procedures establish and standardise behaviours and help council officers, Cardholders and others to understand and fulfil their obligations.

Councils should consider the appropriate level of guidance required to ensure that their credit card policy expectations are understood and met by all council officers, Cardholders and other stakeholders. This may include, for example, supporting procedures on:

- card issue, transfer, and cancellation. Action to address damaged, lost or stolen cards should also be clearly described,
- routine review of issued cards, specifically to verify that credit cards are issued to staff with an identified business requirement and appropriate financial delegation (to purchase goods or services on behalf of the council) and to ensure that each Cardholder is still the appropriate recipient of a card,
- independent periodic monitoring and review of credit card use, management and overall performance across the council (see section 5.3 for suggested timeframes and further information),

Guideline on the use and management of credit cards

- the applicable billing cycle and standardising the approval, acquittal and authorisation of transactions,
- processes for transacting via internet, phone or in person with a credit card, including any mandatory or prohibited methods of transacting,
- the retention of appropriate supporting documentation (including electronic documentation) to be retained in connection with the use of credit cards. This should include information about actions to be taken where the appropriate supporting documentation is unavailable or has been misplaced, or for unusual transactions that might require more than standard supporting documentation,
- allowable uses of the credit card and supporting staff to address unrecognised transactions, discrepancies, errors or inadvertent misuse and procedures for following up issues with merchants and/or the Card Issuer,
- secure storage and security of cards,
- user access to, and security requirements on, administration systems and applications supporting the credit card program, and
- confidentiality and security surrounding the use of credit card and related data, specifically accessing, retaining and sharing of card and cardholder details or other transaction details.

4.2 Nominating a Program Administrator

Councils should nominate the role of Primary Program Administrator (PA) and back-up Program Administrator to act as a central point of contact for Cardholders, Merchants, and the Card Issuer. PA's undertake certain functions within the Card Issuer's Administration System not accessible to other council staff including Cardholders. A nominated PA should be a council officer with relevant skills and experience to undertake the role.

The responsibilities of Program Administrators may include:

- supporting the development, review, implementation and communication of the council's Credit Card Policy and procedures
- receiving completed and approved Cardholder applications and submitting applications to the Card Issuer
- ensuring that Cardholders and approvers have completed reconciliation processes in a timely manner
- liaising with the Card Issuer about the administration of cards, including issuance, changing of limits, thresholds and restrictions, and cancellations
- liaising with the Card Issuer regarding the Card Issuer's Administration System.

4.3 Credit Card Limits and Restrictions

Limits and restrictions should be set for each Cardholder. In setting these the council should consider:

- the responsibilities of the role or position held by the Cardholder,
- the level of current expenditure of the Cardholder (subject to total program borrowing limit of the council),
- the types of expenditures made by the Cardholder, and
- ensuring consistency with other corporate policies.

Spending Limits

Councils can tailor the spending limits for individual Cardholders. Councils should ensure that spending limits align with its procurement policy. For example, the limit might be set to \$1,000 consistent with a procurement policy that requires a Purchase Order for any transaction greater than \$1,000. Any exceptions should be clearly included in the credit card policy.

It is good practice for councils to set and communicate the following for each Cardholder:

- maximum limits for each monthly billing period
- maximum limits on the amount of any individual transaction.

Cash Withdrawals

It is expected that credit cards will not be used for cash advances or cash withdrawals. For this reason, cards are generally issued with an existing block on cash withdrawals.

Some councils may wish to allow for cash withdrawals in particular circumstances, such as work in rural and remote locations where credit card facilities are not as widely used or when Cardholders are travelling overseas. In those cases, the council will need to manage the cash limits in accordance with internal approval structures. In these instances, it is also good practice for councils to set and communicate the following for each Cardholder:

- maximum transaction limits for cash withdrawals
- maximum monthly limits for cash withdrawal.

Prohibiting 'Purchase Splitting' and certain types of purchases

'Purchase splitting' occurs where Cardholders split one transaction into several purchases in order to avoid exceeding credit limits. This is also known as 'order-splitting' or 'stringing' arrangements. While these types of arrangements will usually be in breach of the terms of use of credit cards, councils should also consider explicitly prohibiting 'purchase splitting' arrangements in its credit card policy and associated procedures. Where a single transaction would exceed a Cardholder's credit limit, alternative payment arrangements (along with appropriate approvals if such a purchase amount is above the person's financial delegation) should be sought. Councils should also look to prohibit the purchase of specific items deemed non-business related or else are covered under alternative purchasing arrangements (refer to risk management at section 3 above).

Guideline on the use and management of credit cards**Merchant Blocks**

Banks require suppliers or merchants to have identifying codes based on the type of goods or services they sell. Councils may wish to apply blocks to some merchants based on these identifying codes. This prevents Cardholders from using their credit card to transact with these suppliers or merchants.

4.4 Segregation of Duties

Segregation of duties provides an important mechanism for councils to better prevent and detect errors, fraud and misuse. Credit card expenditure should be subject to independent approval to incur expenditure.

Administration of a credit card program should, where possible, be undertaken by someone who is not a Cardholder. Where a council has limited resources, clearly documented alternative control activities (such as periodic review processes by appropriate council officers) should be implemented instead. In cases where the PA is also a Cardholder, additional controls should be established around the maintenance and reconciliation of the PA's credit card.

4.5 Approvals and Authorisations

As described above, councils should establish an internal approval process for the issuance and use of credit cards. Credit cards should only be issued to individuals who are council employees or on the governing body. Councils are bound by the terms and conditions set by the card issuer and each credit card should be used by the Cardholder only.

While credit cards are assigned to particular individuals, a council's financial and operational delegations will generally refer to roles/positions rather than individuals.

If a Cardholder changes role/position or temporarily acts in a higher position, the continued use of the credit card by that individual, which is likely linked to their previous role/position, should be reviewed, as well as the ongoing appropriateness of any card limits, thresholds or restrictions. Councils should also have processes in place to ensure that credit cards are immediately cancelled upon the cessation of a Cardholder's employment. This should take into account any extended leave a person might take prior to cessation of employment.

4.6 Safety and Security of Credit Cards

Credit cards provide access to council funds. For this reason, the safety and security of the card and its details are paramount to ensuring that a council's resources are not misused or misappropriated. There are various points of interaction between the Cardholder, Council, Merchant and Card Issuer where the credit card and/or card details may be mishandled.

Ongoing Security, Storage and Use of Credit Cards

Councils should make clear to Cardholders their expectations concerning the storage of credit card details. In particular, councils should assess the risks associated with allowing a Cardholder to use their card when travelling overseas.

While credit cards generally have some inbuilt security features, physical security is extremely important and Cardholders should not allow others to undertake transactions on their behalf using their card details.

Furthermore, councils should ensure that Cardholders are aware of card issuer and organisational emergency contact details, including those for the PA, in the event they become aware that the details of the card have been compromised.

Office of Local Government**Notifying Card Issuer and Council of Loss or Theft**

Cardholders should be aware of the process for reporting lost or stolen cards. The Cardholder should immediately notify the Card Issuer (available 24 hours, 7 days per week), as well as their line manager and the Program Administrator. Council should provide all Cardholders with relevant organisational and Card Issuer contact information at the time of issuing the credit card.

'Card-Not-Present' Transactions

There can be additional risks associated with transactions where credit cards are not physically presented, such as in telephone and internet transactions. Councils should consider and address these specific risks in credit card procedures and training.

One of the key risks is the physical separation between the Cardholder and the merchant making it difficult in some circumstances for the Cardholder to verify the identity of the merchant. For all 'card-not-present' transactions, Cardholders should ensure, to the best of their knowledge, that the merchants they are dealing with are known and reputable.

Cardholders using the internet to pay for purchases should ensure that they are familiar with, and adhere to, their organisation's internet use and security policies and procedures. At a minimum, Cardholders should check that the merchant's secure site address starts with <https://> and NOT <http://>. Sites that start with <https://> have an added encrypted transaction layer.

Cardholders will need to ensure they obtain proper records of transactions conducted by mail, telephone or internet to support timely acquittal of transactions. Electronic receipts should be properly stored for ease of access at the time of acquittal.

4.7 Security of Systems, Data and Information

Cardholders, PAs and other stakeholders manage and maintain the credit card program through an integrated web of systems and applications. For those councils that operate an electronic system for the management and reconciliation of credit cards, regular consideration should be given to the impact of cyber security risks to their credit card program and risks related to accessing, storing and sharing credit card-related data and information (including Cardholder personal details, credit card numbers, transaction data). This applies to the extent that it impacts on manual, paper-based systems of credit card management.

PAs or other credit card system users with privileged or administration user system access (such as reporting or capability to manipulate or export data relating to card details, Cardholder details, merchant details, account or billing details or other transaction data) should receive an appropriate level of training and only hold a level of access commensurate with the role they are undertaking, with that access removed when they no longer need to have access. Controls should be put in place to ensure that such officers who have a credit card themselves are subject to independent oversight.

Practices for training and continual user awareness surrounding the use of credit card systems may be beneficial to controlling risks associated with systems use. Also, cyclic reviews (such as quarterly or biannually) of user access, automated updates to user access passwords or codes, and/or two-factor authentication are all examples on the types of controls that could be used.

Guideline on the use and management of credit cards

Further, users should be trained on the appropriate classification, labelling and handling of information along with the Information Protection Principles⁹ when dealing with council financial data and personal information. Councils should provide details on how users can ensure the proper handling and protection of data and information to ensure the basic obligations to protect information councils collect on their own activities and about individuals.

4.8 Training and Induction

Training Cardholders on their responsibilities is an important control that reduces the risk of credit card misuse. Training should provide Cardholders with the knowledge and skills to effectively deliver on their responsibilities and understand their accountability for credit card use. The training should cover all areas of credit card policies and procedures.

Training on, and council's expectations in relation to, credit card use and management, should be provided to Cardholders at induction or before being issued a credit card. In addition, it is recommended that the Cardholder signs a statement of responsibility to acknowledge their responsibilities with respect to the use and management of their credit card.

Training on the proper use of credit cards should also be provided to councillors, ideally as part of their general induction as new councillors that occurs at the start of each council term.¹⁰ Councillors have a responsibility for the sound financial management and sustainability of the council under the *Local Government Act 1993*.

4.9 Ongoing Communications

An ongoing communications program is good practice as it allows councils to:

- reinforce their policies, processes and procedures, including those related to fraud and misconduct
- remind Cardholders of their responsibilities, including timely reconciliation
- update Cardholders and other council officers on changes to policies, processes, procedures or terms and conditions of use
- ensure awareness of various training and support facilities offered to Cardholders and other council officers.

⁹ See: <https://www.ipc.nsw.gov.au/information-protection-principles-ipps-agencies>

¹⁰ For further guidance on how to undertake induction and training for new councillors, visit the OLG website: www.olg.nsw.gov.au

5 Detective Controls

Detective controls are designed to identify and rectify errors and irregularities. Some examples of detective controls that councils may employ include:

5.1 Expenditure Acquittals and Reviews

Acquittal and review of credit card transactions are important detective controls for councils. In the first instance, acquittals will be undertaken by a Cardholder to compare expenditure from advice provided by the Card Issuer to their supporting documentation to ensure that transactions are accurate. This process should be completed as soon as possible and, if possible, within 30 days of advice from the Card Issuer to allow any disputed transactions to be reported to the Card Issuer in a timely manner.

A review of the Cardholder's transactions should also be undertaken by the Cardholder's direct manager. The Cardholder's direct manager (or in the case of the General Manager, the Mayor) is usually the most appropriate person to conduct the review as they will be familiar with relevant credit card policies and guidelines for credit card use and have knowledge of the activities of the Cardholder. However, where the council determines that the direct manager is not the appropriate person to exercise the review, they should nominate another reviewer based on the following considerations:

- seniority of the reviewer relative to the Cardholder
- independence of the reviewer
- knowledge of the Cardholder's activities
- knowledge of the council's credit card policy.

The reviewer will be responsible for forming a view on whether the expenditure incurred was for business purposes and was consistent with the Cardholder's responsibilities and activities. The reviewer should assess whether:

- the expenditure incurred was appropriate for the purpose and reasonable
- the expenditure categorisations align with those allowed by the council
- the appropriate supporting documentation has been attached
- financial systems ledger costings information is correct.

In addition to these processes, council should ensure that there are processes for regular independent reviews of a sample of Cardholder transactions.

There should be an audit trail to record the date of all reconciliations and reviews as well as to verify the identity of the Cardholder and reviewer.

Procedures and controls should also be established over the maintenance and storage of records of credit card reconciliations and other supporting documentation as relevant, and in accordance with council's record keeping obligations.

5.2 Detecting Fraud

Fraud by its nature is more difficult to prevent and detect than unintentional errors and irregularities. As fraud is an intentional act, perpetrators will often take actions to avoid detection. This includes circumventing existing controls. While any system of control cannot entirely eliminate the risk of fraud, it is necessary to identify and assess fraud risks and design controls specifically to mitigate the risk of fraud.

Guideline on the use and management of credit cards

Protecting a council's resources from fraud and monitoring for suspicious activity of staff and/or third parties is not a simple task. While it may be appropriate for councils with large amounts of assets and/or expenditure to engage sophisticated and integrated fraud prevention and detection systems, all councils will benefit from targeted monitoring for fraud risk. This may include monitoring for:

- unusual or unexpected levels of expenditure
- transactions with unusual types of Merchants
- the use of 'suspicious' words, as identified by the council, to identify exceptions
- transactions for non-business items and services
- multiple transactions for the same or similar items or for the same amount
- inconsistency between expense description and merchant code
- consistent late submission of supporting documentation or outstanding reconciliations
- transactions that have occurred on weekends, public holidays or while the Cardholder is on a leave of absence.

However, it should not be assumed that fraud has occurred if an instance listed above is identified. There may be legitimate reasons for any of these occurrences. Rather, the indicators should prompt further inquiry to ensure that they reflect appropriate use of the credit card.¹¹

5.3 Monitoring and Review of Credit Card Controls

Councils should design and implement a credit card monitoring and review schedule as part of its overall risk management framework. This schedule should provide a systematic and continuing assessment of internal controls of the credit card program to ensure that identified and implemented controls remain effective and fit for purpose. This should include testing whether existing controls are operating effectively using techniques such as re-performance, observation or inspection of documentation. Audit logs of the activities of PAs or other credit card system users with privileged or administration user system access should also be kept and reviewed as part of this schedule.

Regular reviews are also necessary to ensure the system of controls continues to effectively and efficiently mitigate credit card risks, because risks will not be static. Reviews with individual self-assessments or like reports being provided to line or senior management for review may include:

- user reviewed or guided self-assessment (based on a checklist or other tool that identifies key controls to be verified)
- line management or PA reviews (based on a defined set of controls to be verified. This may include data mining and analytics or guided assessment)
- independent or third-party reviews, e.g. internal or external audit.

Councils will need to assess the value of employing different monitoring and review methods. A range of frequent, lower cost, risk-based reviews in addition to less frequent major reviews may provide an appropriate level of assurance.

¹¹ For further information about managing fraud generally, see <https://www.audit.nsw.gov.au/our-work/reports/fraud-control-improvement-kit-meeting-your-fraud-control-obligations>. Further information and guidance to prevent fraud and corruption is also available from ICAC: <https://www.icac.nsw.gov.au/prevention>

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An adapted version of an example periodic monitoring and review frequency table (Table 1, below) designed by the Australian National Audit Office¹², provides some guidance on the different types of review and monitoring that councils should engage in, and the relevant timeframes.

Table 1: Suggested periodic monitoring and review timetable

Indicative Frequency	Nature of monitoring and review
Ongoing	<ul style="list-style-type: none"> Recording of unusual events (e.g. record instances of reported personal use of credit cards so any recurrence is noted; record Merchants involved in disputed transactions). Assess and act on overdue reconciliations by Cardholders.
6 - 12 months	<ul style="list-style-type: none"> Review credit card use against credit limits for possible adjustments. Review credit cards not used for a significant period to establish if they are still required. Sample testing of transactions with higher risk of misuse (e.g. check whether transactions properly established value-for-money and compliance with guidelines; check whether transactions with duplicated details are Merchant error). Statistical analysis of utilisation patterns (e.g. identify opportunities for centralised procurement of some types of goods). Reconcile Individual Credit Card Application / Statement of Responsibility / Card Statements Issued with the Card Issuer's Card Management Reports.
1 - 4years	<ul style="list-style-type: none"> Internal audit review covering credit cards as appropriate (e.g. processes for issue and return; whether reconciliation and review procedures are being followed). Review expenditure in areas where judgement plays an important role (e.g. travel and meals) in order to assess whether the expenditure is remaining within public expectations.

¹² Australian National Audit Office 2013, [Controls over Credit Card Use](#): Report No. 35 2012-13, Australian National Audit Office, Canberra, viewed 3 June 2021.

5.4 Internal Reporting

Councils should utilise the Card Issuers Administration System to ensure that they are aware of each card issued to Cardholders within the council, including the relevant administrative conditions attached to each card. Managers should receive regular reports on credit card usage within their areas, including inactive accounts (where relevant), to allow for review and any updates to be made to the Credit Card Register.

5.5 Internal Audit

A council's Audit, Risk and Improvement Committee and internal audit function have a key role to play in ensuring the integrity of the systems, policies, processes and procedures in place, and should include a review of credit card controls as part of its four-yearly strategic work program¹³ (See Table 1 above).

6 Other Controls

6.1 Automated Controls

Automated systems can greatly assist councils to ensure timeliness and support a consistent format for processes associated with credit card expenditure, for example, automated statements can be sent to Cardholders or an Expense Management System (EMS) can be utilised for transaction management and acquittal processes.

Councils should remain vigilant, however, to ensure that processes are being properly utilised and that they have clear control objectives and provide an audit trail that can be readily monitored and reviewed.

¹³ Refer to the Guidelines for Risk Management and Internal Audit for Local Councils in NSW issued by the Office of Local Government (www.olg.nsw.gov.au) for more information about audit, risk and improvement committee and internal audit work programs.



Office of Local Government



A new model code of meeting practice

Consultation draft

December 2024

olg.nsw.gov.au



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Minister's foreword

Council meetings are where a council's most important decisions are made. They are where councillors, as democratically elected representatives, set the future direction of their council. For these reasons, it is important that meetings are effective, allow for robust, respectful debate and result in actionable outcomes for New South Wales communities.

Unfortunately, there has been a shift in the culture in local government. Debate in council meetings has been stifled by code of conduct complaints that aim to silence councillors from expressing contrary views. Rather than productively disagreeing, there have been too many cases where councillors have resorted to disorderly conduct, distracting from the critical work that is done in council meetings. By making changes to the Model Code of Meeting Practice for Local Councils in NSW, I hope to set a new balance between mayors, councillors and general managers and restore dignity to the council chamber.

Under the *Local Government Act 1993*, mayors are responsible for presiding at meetings of the council. Under the proposed changes outlined in this paper and the consultation draft of the new Model Meeting Code, they will have greater powers to control the agenda and activities of their council and better enforce order in meetings. Mayors will have the power to take immediate action against disorderly councillors or members of the public in meetings, which I hope will lessen the need for councils to resort to the broken code of conduct process. By further providing that mayors be granted respect, by standing when they enter, councils can begin to build a culture where it is the accepted duty of the mayor to run a dignified and democratic council chamber.

The changes will also reinforce the boundaries between councillors and general managers by depoliticising the role they play in council meetings. General managers will no longer need to provide advice on motions requiring the expenditure of funds. Disputes over the future direction of a council and the spending of ratepayer money should rightfully occur between elected councillors.



The Hon. Ron Hoenig MP
Minister for Local Government

The most important of the reforms is to end private councillor briefing sessions. While well-intentioned as a means of educating councillors on matters before council, these sessions have had a corrosive effect on the transparency of council decision making. Communities are entitled to know the deliberations of their councillors and the nature of the advice given to assist them in making responsible decisions. These changes will ensure that all material given to a councillor to make a decision in a council meeting is provided in a public fashion.

Local government is the legitimate third tier of Government in New South Wales. Through these reforms, I aim to uplift the standards at council meetings so that they should, as best as possible, resemble the forthright and effective debate that occurs at the State and Federal levels. It is the duty of all councils to work together to provide outcomes that lead to better lives for the communities they are elected to serve. These outcomes are decided within the confines of the council chambers. It is critical that councillors can make these informed decisions in an environment that supports democracy, transparency and where elected representatives are given the respect they deserve.

Introduction

The Office of Local Government (OLG) is inviting feedback from the local government sector and others on proposed amendments to the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code).

A consultation draft of the new Model Meeting Code has been published on OLG's website at www.olg.nsw.gov.au. The proposed amendments to the Model Meeting Code are indicated in track changes.

The amendments are part of the Government's agenda to ensure that councillors are visibly in control of their councils, demonstrating to the community that decision making is genuinely local.

The reform of the codes and procedures governing how councillors gather, debate and make decisions was flagged by the Minister for Local Government as part of the discussion paper issued in September, "[Councillor conduct and meeting practice: a new framework](#)".

The proposed amendments to the Model Meeting Code are the first tranche of reforms to the regulation of meetings. The second tranche will be legislated in 2025 as part of the measures implemented to reform the regulation of councillor conduct and will have a particular focus on behaviour at meetings.

Information on how to make a submission together with targeted questions is provided at the end of this paper.

The feedback OLG receives will be used to inform the amendments that are ultimately made to the Model Meeting Code.

It is anticipated that the new Model Meeting Code will be prescribed in early 2025.

What is the Model Meeting Code?

The Model Meeting Code is prescribed under the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

Section 360 of the Act provides that:

- The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.
- The Model Meeting Code may contain both mandatory and non-mandatory provisions.
- A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model meeting code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.
- A meeting code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.
- A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

The current version of the Model Meeting Code was prescribed in 2021.

What policy objectives inform the proposed amendments?

The proposed amendments to the Model Meeting Code have been foreshadowed in the discussion paper OLG issued in September, "[Councillor conduct and meeting practice: a new framework](#)" (the September discussion paper).

A council chamber is a chamber of democracy, and the mayor as figurehead represents the authority of that council.

A key focus of the Government's reform agenda for the regulation of council meetings, is to promote community confidence in councils' decision making by ensuring that the forum in which decisions are made is conducted in a way that is befitting to a democratic institution comprising of elected representatives.

As observed in the September discussion paper, council meetings can be conducted without the appropriate level of dignity or reverence that suggests the importance of the debate and the need for civility. Councillors are not expected to agree with each other. In fact, debate is encouraged, but the debate should be fair and respectful.

The September discussion paper proposed the following reforms to the way council meetings are conducted:

- Conferring power on mayors to expel councillors for acts of disorder and to remove a councillor's entitlement to receive a fee for the month in which they have been expelled from a meeting.
- Requiring councillors to apologise for an act of disorder at the meeting at which it occurs and, if they fail to comply at that meeting, at each subsequent meeting until they comply. Each failure to apologise becomes an act of misbehaviour and may see the councillor lose their entitlement to receive their fee for a further month.
- Expanding the grounds for mayors to expel members of the public from the chamber for acts of disorder and enable the issuing of a penalty infringement notice where members of the public refuse to leave a meeting after being expelled.
- Promoting transparency and addressing corruption risks by banning councillor briefing sessions. The community has the right to understand the mode of reasoning behind council decisions without material being provided to councillors by council staff behind closed doors.

The proposed amendments to the Model Meeting Code give effect to many of these reforms and expand upon them. They are designed to deliver the following outcomes:

- promoting transparency, integrity and public participation
- promoting the dignity of the council chamber
- depoliticising the role of the general manager
- simplifying the Model Meeting Code.

The amendments to the Model Meeting Code will be given legal force through an update to the reference to the code in the Regulation. These amendments will also prescribe the restrictions on briefing sessions.

What changes are being proposed?

A brief overview of the proposed changes is provided below. This is not a complete or detailed summary of the proposed changes.

Councils and others should review the accompanying draft Model Meeting Code for a more complete and detailed view of the proposed changes. These are made in track changes in the document.

Promoting transparency, integrity and public participation

The proposed amendments will promote greater transparency and public participation by:

- Removing pre-meeting councillor briefings. It is the Government's expectation that any material provided to councillors, other than the mayor, that will affect or impact or be considered by councillors in their deliberations or decisions made on behalf of the community must be provided to them in either a committee meeting or council meeting. The restriction on briefing sessions will be prescribed in the Regulation.
- Requiring information considered at closed meetings to be made public after it ceases to be confidential, as recommended by ICAC. The general manager will, after consulting with the council, be required to publish business papers for items considered in closed meetings on the council's website after the information in them ceases to be confidential.
- Requiring recordings of meetings to be published on council websites for longer. Recordings must be published on council websites for the balance of the council term, or, in the case of an election year, for at least 12 months.
- Providing that councils must not make final planning decisions without a staff report containing an assessment and recommendation, as recommended by ICAC.
- Requiring councils to give reasons where they make a decision on a planning matter that departs from the staff recommendation, as recommended by ICAC.

Promoting the dignity of the council chamber

The proposed amendments will promote the dignity of the council chamber by:

- Enhancing the authority of the mayor. The mayor will be permitted to call extraordinary meetings without a request and the restrictions on mayoral minutes will be removed.
- Requiring councillors to stand when a councillor addresses the meeting, or when the mayor enters the chamber, as well as by mandating modes of address at meetings.
- Removing the option for councils to reduce the duration of speeches, to ensure all councillors may have their say on important community issues.
- Making clear to the community that decisions are made in council meetings and not in other forums that the community can't access, like briefing sessions.
- Refining the definitions of disorder to remove phrases that could be weaponised to impede debate.
- Providing as a default that councillors are to attend meetings in person. Councillors will only be permitted to attend meetings by audio visual link where they are prevented from attending a meeting in person because of ill health or another medical reason or unforeseen caring responsibilities. Councillors will not be permitted to participate in meetings at which a mayoral election is being held by audio visual link. To facilitate this, the rules governing attendance at meetings by audio visual link will be mandated.
- Restricting the circumstances in which the council may withhold a leave of absence. Where a councillor gives an apology from attending a meeting, the council will be deemed to have accepted the apology and granted a leave of absence from the meeting unless the council resolves otherwise and gives reasons for its decision.
- Removing the option for staff to attend meetings by audio visual link.
- Strengthening the deterrence against disorder by codifying the common law position that allows councillors to be expelled from successive meetings where they fail to apologise for an act of disorder at an earlier meeting.

Depoliticising the role of the general manager

The proposed amendments will depoliticise the role of the general manager by:

- Removing the requirement for general managers to prepare reports for notices of motion. General managers will no longer be required to prepare reports on notices of motions with financial implications or to identify sources of funding where a notice of motion proposes expenditure that has not been budgeted for. These will be matters for the council to determine.
- Providing that the mayor, not the general manager has discretion on whether council staff should respond to questions with notice. It will be open to the mayor to rule a question with notice out of order at the meeting if it breaches the disorder provisions of the council's code of meeting practice.
- Conferring responsibility on the council to determine staff attendance at meetings. Because councillors are best placed to determine what support they require from staff at meetings, it will be a matter for the council to determine which staff attend meetings.

Simplifying the Model Meeting Code

The proposed amendments will simplify the Model Meeting Code by:

- Streamlining the code by removing unnecessary provisions.
- Removing the non-mandatory rules governing public forums. Councils will be free to determine their own rules for public forums.
- Simplifying the rules governing public representations to the council on the closure of meetings to the public.
- Simplifying the rules for dealing with urgent business without notice at meetings.
- Simplifying the rules of debate by removing the provisions allowing motions to be foreshadowed.
- Mandating some current non-mandatory provisions including those allowing meetings to be cancelled or held by audio visual link in the event of natural disasters and public health emergencies and those governing councillors' attendance at meetings by audio visual link.

Restricting councils from holding briefing sessions

Proposed amendments to the Regulation will restrict councils from holding briefing sessions. The amendments will establish the appropriate ways councillors are to make decisions and receive information based on the following principles:

- Decision making by councillors must be through a resolution adopted at a council or committee meeting.
- Information is to be provided to councillors through clear and established channels:
 - information may be provided to councillors by staff in response to a request for information or action made through the councillor request system,
 - general information to assist councillors' understanding of sector wide issues (e.g. legislative changes), should be received from the general manager (and other external sources),
 - training materials to meet learning and development requirements come through established training programs,
 - information to enable councillors to understand the function, service delivery standards, strengths, weaknesses, threats and opportunities of council operations should be provided in periodic workshop format (e.g. an annual strategic planning workshop), and
 - information requiring a specific decision or resolution of council is to be provided by the general manager as a part of a report prepared for the business papers of a council or committee meeting.
- The distribution of information in a meeting or format that is not consistent with the above pathways (e.g. through briefing sessions), is not permitted.
- The mayor will not be subject to these restrictions and may receive information in order to undertake their functions under the Act.

What are the next steps?

After reviewing submissions received on the consultation draft of the Model Meeting Code, the Minister's approval will be sought for the prescription of the new Model Meeting Code. If approved, it will be prescribed by Regulation.

The amendment Regulation prescribing the new Model Meeting Code will also contain provisions that will amend the Regulation to give effect to some of the proposed new measures contained in it, including:

- changes to the definitions of acts of disorder,
- a requirement for recordings of meetings to be retained on council websites for at least 12 months or for the balance of the council term, whichever is the longer period, and
- the pathways in which councillors can receive information and the restriction on briefing sessions.

As noted above, the proposed amendments to the Model Meeting Code are the first tranche of the Government's reform agenda for the regulation of council meetings.

In 2025, the Government will be introducing legislation to implement the reforms to the regulation of councillor

conduct foreshadowed in the September discussion paper. These will have a particular focus on behaviour at meetings and will complement the proposed amendments to the Model Meeting Code.

The proposed amendments to the Act will:

- empower mayors to expel councillors from meetings for acts of disorder
- remove a councillor's entitlement to receive a fee for a month in which they have been expelled from a meeting
- confer a right of review on councillors in relation to a decision to expel them from a meeting and the resulting loss of their entitlement to receive a fee.

Amendments will also be made to the Act and Regulation (as required) to empower councils to issue penalty infringement notices to members of the public who disrupt meetings.

Submissions

Have your say

We now want to hear from you.

Key questions to consider:

- Will the proposed amendments made in the consultation draft of the Model Meeting Code achieve the policy outcomes identified in this paper?
- Are there any other amendments you would suggest that will achieve these policy outcomes?
- Will the proposed amendments have any unintended consequences?
- Are there any other amendments the Government should consider?

How to make a submission

Submissions can be made using the online form available on OLG's website at www.olg.nsw.gov.au.

OR

By email: olg@olg.nsw.gov.au

OR

By post: Office of Local Government
Locked Bag 3015 NOWRA NSW 2541

Submissions should be labelled "Model Meeting Code amendments" and marked to the attention of OLG's Council Governance Team.

Closing date

COB Friday 28 February 2025

Privacy Notice

When you give us your feedback, OLG will be collecting some personal information about you, in particular:

- your name
- your email address
- the name of your organisation (if provided).

All feedback received through this consultation process may be made **publicly available**. Please do not include any personal information in your feedback that you do not want published.

As part of the consultation process, we may need to share your information with people outside OLG, including other public authorities and government agencies. We may also use your email contact details to send you notifications about further feedback opportunities or the outcome of the consultation.

You should also be aware there may be circumstances when OLG is required by law to release information (for example, in accordance with the requirements of the *Government Information (Public Access) Act 2009*). There is also a privacy policy located on OLG's website that explains how some data is automatically collected (such as your internet protocol (IP) address) whenever you visit OLG's website. The link to that policy is <https://www.olg.nsw.gov.au/about-us/privacy-policy/>

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

Office of Local Government

olg.nsw.gov.au



**MODEL CODE OF MEETING PRACTICE
FOR LOCAL COUNCILS IN NSW**

20212024

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DRAFT

1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in red font.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in blue font.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole

community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

~~3.1 Ordinary meetings of the council will be held on the following occasions: [council to specify the frequency, time, date and place of its ordinary meetings]~~

3.21 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Councils must use either clause 3.1 or 3.2

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.

Extraordinary meetings

3.32 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.32 reflects section 366 of the Act.

~~3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.~~

Notice to the public of council meetings

3.44 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.44 reflects section 9(1) of the Act.

3.55 For the purposes of clause 3.44, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.66 For the purposes of clause 3.44, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.77 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.77 reflects section 367(1) of the Act.

3.88 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, unless the council determines otherwise, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.88 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.99 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.99 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

3.100 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted ~~{council to specify notice period required}~~ within such reasonable time before the meeting is to be held as determined by the council.

3.141 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

~~3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in~~

~~relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.~~

~~3.13— A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:~~

- ~~(a) — prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or~~
- ~~(b) — by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.~~

Questions with notice

3.124 A councillor may, by way of a notice submitted under clause 3.100, ask a question for response by the general manager about the performance or operations of the council.

~~3.153 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.~~

~~3.16— The general manager or their nominee may respond to a question with notice submitted under clause 3.142 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.~~

Agenda and business papers for ordinary meetings

3.174 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

3.158- The general manager must ensure that the agenda for an ordinary meeting of the council states:

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
- (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 3.10.

3.196 Nothing in clause 3.185 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.67.

3.2017 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

3.2418 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must, in consultation with the mayor, ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.2418 reflects section 9(2A)(a) of the Act.

3.2219 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

~~3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.~~

Availability of the agenda and business papers to the public

3.240 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.240 reflects section 9(2) and (4) of the Act.

3.251 Clause 3.2024 does not apply to the business papers for items of business that the general manager has identified under clause 3.2419 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.251 reflects section 9(2A)(b) of the Act.

3.262 For the purposes of clause 3.240, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.262 reflects section 9(3) of the Act.

3.273 A copy of an agenda, or of an associated business paper made available under clause 3.240, may in addition be given or made available in electronic form unless the council determines otherwise.

Note: Clause 3.273 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.284 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.2925 Despite clause 3.284, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice ~~of the business~~ has not been given of the business, if: the council resolves to deal with the business on the grounds that it is urgent and

~~(a) a motion is passed to have the business considered at the meeting, and~~
~~(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it~~ requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

3.26 A motion moved under clause 3.25 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite clauses 10.18–10.27, only the mover of a motion moved under clause 3.25, and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.

3.27 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.25 and the mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

~~3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.~~

~~3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.~~

3.3228 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.2927(b) on whether a matter is of great urgency~~urgent~~.

Pre-meeting briefing sessions

~~3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.~~ 3.35 Pre-meeting briefing sessions may be held by audio-visual link.

~~3.34 Pre-meeting briefing sessions are to be held in the absence of the public.~~

~~3.35 Pre-meeting briefing sessions may be held by audio-visual link.~~

~~3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.~~

~~3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.~~

~~3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.~~

4 PUBLIC FORUMS

4.1 The council may hold a public forum prior to ~~each~~ ordinary meetings of the council and committees of councillors for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of other committees of the council.

4.2 The council may determine the rules under which the public forum is to be conducted.

~~4.2 Public forums may be held by audio-visual link.~~

~~4.3 Public forums are to be chaired by the mayor or their nominee.~~

~~4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by [date and time to be specified by the council] before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.~~

~~4.5 A person may apply to speak on no more than [number to be specified by the council] items of business on the agenda of the council meeting.~~

- ~~4.6 — Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.~~
- ~~4.7 — The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.~~
- ~~4.8 — No more than **[number to be specified by the council]** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.~~
- ~~4.9 — If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.~~
- ~~4.10 — If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.~~
- ~~4.11 — Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **[number to be specified by the council]** days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.~~
- ~~4.12 — The general manager or their delegate is to determine the order of speakers at the public forum.~~
- ~~4.13 — Each speaker will be allowed **[number to be specified by the council]** minutes to address the council. This time is to be strictly enforced by the chairperson.~~
- ~~4.14 — Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.~~
- ~~4.15 — A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.~~
- ~~4.16 — Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **[number to be specified by the council]** minutes.~~

- ~~4.17 — Speakers at public forums cannot ask questions of the council, councillors, or council staff.~~
- ~~4.18 — The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to [number to be specified by the council] minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.~~
- ~~4.19 — Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.~~
- ~~4.20 — When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.~~
- ~~4.21 — If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.~~
- ~~4.22 — Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.~~
- ~~4.23 — Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.~~
- ~~4.24 — Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.~~
- ~~— **Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.**~~

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

- 5.3 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.

Note: Clause 5.3 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils must not adopt clause 5.3.

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings.

~~This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.~~

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.

5.7 Clause 5.4 does not prevent a councillor from making an apology if they are unable to attend a meeting. Where a councillor makes an apology, the council will be deemed to have accepted the apology and granted them a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act unless the council resolves not to accept the apology or to grant a leave of absence for the meeting. Where the council resolves not to accept an apology and to

grant a leave of absence it must state the reasons for its decision in its resolution.

5.78 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.78 reflects section 234(1)(d) of the Act.

~~5.8 — A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.~~

The quorum for a meeting

5.99 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.99 reflects section 368(1) of the Act.

5.100 Clause 5.9-9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.100 reflects section 368(2) of the Act.

5.141 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

5.122 In either case, the meeting must be adjourned to a time, date, and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the general manager.

5.133 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

5.144 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by

attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

- 5.155 Where a meeting is cancelled under clause 5.143, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

Meetings held by audio-visual link

5.166 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

5.177 Where the mayor determines under clause 5.167 that a meeting is to be held by audio-visual link, the general manager must:

- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
- (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
- (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

5.188 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

5.4919 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be

held.

5.201 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.

5.242 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.201.

5.223 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.

5.234 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.

5.245 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:

- ~~(a) the meetings the resolution applies to, and~~
- ~~(b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.~~

5.256 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.

5.267 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.

5.278 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.

5.2829 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.

5.2930 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

5.301 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

5.312 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.312 reflects section 10(1) of the Act.

5.323 Clause 5.324 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.334 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.334 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14–15 and 15.15–16 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.145 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.156 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

5.354 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

5.365 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

5.376 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

5.387 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.

5.3938 Clauses 5.367 and 5.378 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.345 – 5.3839 reflect section 236 of the Regulation.

5.3940 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Note: Joint organisations are not required to webcast meetings but may choose to do so by adopting clauses 5.345–5.3939. Joint organisations that choose not to webcast meetings may omit clauses 5.345–5.3939.

Attendance of the general manager and other staff at meetings

5.401 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.401 reflects section 376(1) of the Act.

5.412 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.412 reflects section 376(2) of the Act.

5.4243 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.423 reflects section 376(3) of the Act.

5.434 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager as determined by the council from time to time.

~~5.44 — The general manager and other council staff may attend meetings of the~~

~~council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.~~

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

~~7.1 Where they can, councillors and staff must stand when the mayor enters the chamber and when addressing the meeting.~~

~~7.23~~ If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

~~7.23~~ Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.

~~7.34~~ A councillor is to be addressed as 'Councillor [surname]'.

~~7.45~~ A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

~~8.2 The general order of business for an ordinary meeting of the council shall be: [councils may adapt the following order of business to meet their needs]~~

- ~~01 Opening meeting~~
- ~~02 Acknowledgement of country~~
- ~~03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors~~
- ~~04 Confirmation of minutes~~
- ~~05 Disclosures of interests~~
- ~~06 Mayoral minute(s)~~
- ~~07 Reports of committees~~
- ~~08 Reports to council~~
- ~~09 Notices of motions/Questions with notice~~
- ~~10 Confidential matters~~
- ~~11 Conclusion of the meeting~~

~~**Note: Councils must use either clause 8.1 or 8.2.**~~

~~8.32~~ The order of business as fixed under clause ~~[8.1/8.2] [delete whichever is not applicable]~~ 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

8.43 Despite clauses 10.2018–10.3027, only the mover of a motion referred to in clause 8.3-2 and the mayor, if they are not the mover of the motion, may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) ~~subject to clause 9.9,~~ is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of ~~a committee,~~ including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice ~~of the business~~ has not been given of the business to the councillors, if: the council resolves to deal with
- ~~(a) a motion is passed to have the business considered at the meeting, and~~
 - ~~(b) the business to be considered is ruled by the chairperson to be of great urgency~~the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting ~~of the council.~~ A resolution adopted under this clause must state the reasons for the urgency.
- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite clauses 10.18–10.27, only the mover of a motion referred to in clause 9.3 and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.
- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the mayor also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.4 ~~A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.~~

9.56 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b)5.

Mayoral minutes

9.67 ~~Subject to clause 9.9, if~~ the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that ~~is within the jurisdiction of the council, or of which the council has official knowledge~~ the mayor determines should be considered at the meeting.

9.78 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

9.89 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

~~9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.~~

~~9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.~~

Staff reports

9.140 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

9.121 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

9.132 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

9.143 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.142, unless the council by resolution, and the mayor determines otherwise in accordance with clause 9.3.

- 9.154 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.165 A councillor may, through the ~~mayor~~general manager, put a question to a ~~council employee~~the general manager about a matter on the agenda. The general manager may request another council employee to answer the question. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.176 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.187 Councillors must put questions directly, succinctly, ~~respectfully~~ and without argument.
- 9.198 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it ~~after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor~~ may request the its withdrawal of the motion when it is before the council at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the mayor is to note the withdrawal of the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

~~10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.~~

Amendments to motions

- 10.109 An amendment to a motion must be moved and seconded before it can be debated.
- 10.140 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.121 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.132 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.143 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.154 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.165 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed ~~motions~~ amendments

~~10.17—A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.~~

10.18~~6~~ Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

10.19~~7~~ Foreshadowed ~~motions and foreshadowed~~ amendments are to be considered in the order in which they are proposed. ~~However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.~~

Limitations on the number and duration of speeches

10.20~~18~~ A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

10.21~~19~~ A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

10.22~~0~~ A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.

10.23~~1~~ Despite clause 10.22~~0~~, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

~~10.24—Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.~~

10.25~~22~~ Despite clauses 10.20~~18~~ and 10.21~~19~~, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or

- (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.

10.2623 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.2522. A seconder is not required for such a motion.

10.2724 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.2918.

10.285 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

10.296 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

10.3027 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board meetings

10.3428 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.

Note: Under section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.

Note: Joint organisations must adopt clause 10.3428. Councils must not adopt clause 10.3428.

11 VOTING

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 11.4 reflects section 397E of the Regulation. Joint organisations must adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils must not adopt clause 11.4.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13-15 may be omitted.

Voting on planning decisions

11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.

11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

11.42~~14~~ The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

11.43~~15~~ For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

11.44~~16~~ Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.45~~17~~ Clauses 11.124–11.146 apply also to meetings that are closed to the public.

Note: Clauses 11.142–11.157 reflect section 375A of the Act.

Note: The requirements of clause 11.124 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and requiring councillors and staff to stand when addressing the meeting.

Note: Clauses 10.29~~18~~–10.30~~27~~ limit the number and duration of speeches.

Note: Clause 7.1 requires councillors and staff to stand when addressing the meeting where they can.

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting

to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.32.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 ~~in accordance with the requirements of the council's code of conduct.~~

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of

the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a

member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.

- 14.14~~2~~ Where the matter has been identified in the agenda of the meeting under clause 3.21~~18~~ as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in ~~the approved form. Applications must be received by [date and time to be specified by the council] before the meeting at which the matter is to be considered~~a manner determined by the council.
- 14.12~~—~~ ~~The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.~~
- 14.13~~—~~ ~~No more than [number to be specified by the council] speakers are to be permitted to make representations under clause 14.9.~~
- 14.14~~—~~ ~~If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.~~
- 14.15~~—~~ ~~The general manager (or their delegate) is to determine the order of speakers.~~
- 14.16~~—~~ ~~Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than [number to be specified by the council] speakers to make representations in such order as determined by the chairperson.~~
- 14.17~~—~~ ~~Each speaker will be allowed [number to be specified by the council] minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.~~

Expulsion of non-councillors from meetings closed to the public

- 14.48~~13~~ If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.1914 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using ~~only~~ such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

14.2015 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

14.2116 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21-16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.2217 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.2318 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.22-17 during a part of the meeting that is webcast where practicable.

14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.

14.20 The general manager must consult with the council before publishing information on the council's website under clause 14.19.

15 KEEPING ORDER AT MEETINGS

Points of order

15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

~~15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.~~

15.32 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

15.43 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

15.54 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

15.65 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.

15.76 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

15.87 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

15.98 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

15.409 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

15.140 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, ~~or alleges a breach of the council's code of conduct, or uses any language, words or gestures that would be regarded as disorderly in the NSW Legislative Assembly, or~~
- (e) says or does anything that is inconsistent with maintaining order at the meeting ~~or is likely to bring the council or the committee into disrepute.~~

Note: Clause 15.14-10 reflects section 182 of the Regulation.

15.121 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.140(a), (b), or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 15.140(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.140(d) and (e).

Note: Clause 15.121 reflects section 233 of the Regulation.

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement.

How disorder at a meeting may be dealt with

15.1314 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.1415 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.1516 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.145 or clause 15.156.

15.1617 Clause [15.145/15.156] **[delete whichever is not applicable]**, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.1718 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.121. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17-18 reflects section 233(2) of the Regulation.

15.1819 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.1920 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.201 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

15.212 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.223 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.234 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.245 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.256 Without limiting clause 15.4819, a contravention of clause 15.2425 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.4819. Any person who contravenes or attempts to contravene clause 15.2425, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.267 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using *only* such force as is *reasonably* necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given ~~under clause 3.10~~ in accordance with this code.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with ~~clause 3.10~~ this code.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than ~~[council to specify the period of time]~~ 1 day after the meeting at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and
- (b) the council resolves to deal with the motion at the meeting on the to have the motion considered at the meeting is passed, and
- (c) ~~the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.~~

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses ~~10.2018–10.3027~~, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 ~~A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c)~~ resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses ~~10.2018–10.3027~~, only the mover of a motion referred to in clause 17.15 and the mayor, if they are not the mover of the motion, can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine ~~no later than [council to specify the time].~~

~~18.2 If the business of the meeting is unfinished at [council to specify the time], the council or the committee may, by resolution, extend the time of the meeting.~~

18.3~~2~~ If the business of the meeting is unfinished at the time the council has determined, ~~[council to specify the time]~~ and the council does not resolve to extend the meeting, the chairperson must either:

- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- (b) adjourn the meeting to a time, date and place fixed by the chairperson.

18.4~~3~~ Clause 18.3~~2~~ does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

18.5~~4~~ Where a meeting is adjourned under clause 18.3~~2~~ or 18.4~~3~~, the general manager must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they

- |
- (b) attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a council meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

~~20.8—A committee member (other than the mayor) ceases to be a member of a committee if the committee member:~~

- ~~(a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or~~
- ~~(b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.~~

~~20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.~~

Non-members entitled to attend committee meetings

20.408 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.449 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.120 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.131 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.142 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.153 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

20.164 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.153.

20.175 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.175 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.175 and omit clause 20.164. Councils must not adopt clause 20.175.

20.186 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.197 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.2018 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ~~ended~~, ~~ended and~~ report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.2419 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20-18 during a part of the meeting that is webcast where practicable.

20.20 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.

20.21 The general manager must consult with the committee before publishing information on the council's website under clause 20.20.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the

following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.140 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.119 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.186 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act,

	but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

DRAFT



28 February 2025

Office of Local Government
Locked Bag 3015
NOWRA NSW 2541

Contact: Keri Neveltsen
Our Ref: DOC2025/015252

Via email: olg@olg.nsw.gov.au

Dear Office of Local Government Council Governance Team,

MODEL MEETING CODE AMENDMENTS

Cessnock City Council welcomes the opportunity to make a submission on the 'Model Meeting Code Amendments'. Please find attached Council's submission.

If you require any further information, please do not hesitate to contact me via PublicOfficer@cessnock.nsw.gov.au.

Yours faithfully

Ken Liddell
General Manager

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Questions for consideration:		Our response:
Questions for Consideration		
1.	Will the proposed amendments made in the consultation draft of the Model Meeting Code achieve the policy outcomes identified in this paper?	Please refer to below provided response.
2.	Are there any other amendments you would suggest that will achieve these policy outcomes?	<p>An additional principle on 'respect' could be included to support that while debate is encouraged and Councillors have a right to differ on points, it is important that debate is respectful and any reports of misconduct are made in good faith.</p> <p>There could be increased focus on assisting Councillors to understand that while they may be elected in a ward area and by a particular cohort of electors, their responsibility is to the whole of the community within the local government area. The balance of freedom of speech and representing the interests on which they were elected with the need to act fairly, ethically and without bias in the interests of the whole community can result in passions extending beyond respectful discussion and a strong local government regulator can assist with this.</p>
3.	Will the proposed amendments have any unintended consequences?	<p>The removal of Councillor briefing sessions may:</p> <ul style="list-style-type: none"> • Discourage Councillors from seeking clarification leading to uninformed decisions. • Result in longer and more inefficient Council meetings due to an increase in closed sessions. • Reduced staff development opportunities. • Increase questions taken on notice. <p>At Cessnock Council, our COMP calls these "Agenda Review Meetings" to more accurately reflect that it is an opportunity to take Councillors through the agenda so that they have an opportunity in the week leading to a meeting to consider the papers, seek further information as may be required prior to a Council meeting where the decisions are made. These meetings do not pre-empt open and transparent decision making but support Councillors in their role as community representatives.</p>
4.	Are there any other amendments the Government should consider?	Please refer to below provided response.



Promoting transparency, integrity and public participation		
5.	<p>Removal of pre-meeting councillor briefings.</p> <p><i>The restriction of briefing sessions will be prescribed in the Regulation.</i></p>	<p>Council agrees that all decisions should be made in open Council meetings, unless a meeting is required by legislation to be closed to the public.</p> <p>However, removal of the ability for Councillors to receive some information in a confidential manner limits their capacity to be leaders of the community.</p> <p>Despite provisions relating to commercial-in-confidence or other confidential matters, there are always elements of the community who think that all matters, including in particular expenditure and tenders, should be open to the public as they perceive this as the only way to demonstrate transparency despite the NSW Audit Office auditing Councils, monthly, quarterly and annual financial reporting.</p> <p>As Councillors are not delegates of the community in the sense that they must vote how instructed, we need to provide Councillors with all the tools to support them representing the entire community, not just the people who voted for them, or just the people of their ward.</p>



<p>6.</p>	<p>Removal of pre-meeting councillor briefings. <i>The restriction of briefing sessions will be prescribed in the Regulation.</i></p>	<p>Whilst we have already provided a response in regards to this, we reject the view that briefing sessions are a forum for making decisions away from the public view. All Councillors should have the ability and right to request advice and information from staff.</p> <p>Council's current Code of Meeting Practice provides for pre-meeting agenda review sessions. These sessions are critical for Councillors to ask questions of Council staff to gain a better understanding of (especially complex) matters before the public Council meeting environment. Decisions are not made during these sessions.</p> <p>Briefings can be practical because the information is sometimes complex. They are also a mechanism to support Councillors with disabilities or learning difficulties to navigate sometimes complex documents. More broadly, there are many learning styles which must be adapted to and accommodated. Adopting the proposed changes will force one learning style to all, meaning that those who work with this style will dominate and those to whom this style does not agree will be silenced.</p> <p>By not allowing Councillors the opportunity to learn away from the public, the forum for open discussion and debate is stifled. Councillors will simply not participate.</p> <p>Council has a large number of new Councillors following the recent election and banning briefing sessions could:</p> <ul style="list-style-type: none"> • Discourage Councillors from seeking clarification on matters leading to uninformed decision making. • Increase the number of questions taken on notice. • Increase the number of closed sessions. • Reduce staff development opportunities. And, • Result in longer, inefficient Council meetings. <p>Alternate Reforms</p> <p>We note that while pre-meeting briefings are removed, the discussion paper does indicate that "information to enable councillors to understand the function, service delivery standards, strengths, weaknesses, threats and opportunities of council operations should be provided in periodic workshop format (e.g. an annual strategic planning workshop)".</p>
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		<p>Council could therefore adopt a quarterly planning workshop schedule to work through matters such as CSP, budget, significant strategic matters.</p> <p>Confidential Sessions Banning briefing sessions could result in longer Council meetings due to the potential increase in commercial or confidential information to be provided to Councillors, resulting in more closed sessions in Council meetings. It could also result in an increase in questions taken on notice.</p> <p>Banning briefing sessions also removes staff development opportunities for presenting information to, or engaging with Councillors.</p> <p>Any material provided to Councillors that impact decision making will need to be reported to Council meetings – this will mean any Councillor Memos. This may impact the “frank and fearless” advice Council staff provide to Councillors knowing that it must be made publicly available.</p> <p>Alternate Reforms An alternate consideration could be the requirement to note in a Council report where a briefing has been provided and a summary of the discussion. However, this would be difficult to implement due to the timing around the preparation of Council reports and when Council briefings are usually held. Executive summaries may be included as an ‘addendum’ to Council reports.</p>
7.	<p>Requiring information considered at closed meetings to be made public to Council’s website after it ceases to be confidential.</p> <p><i>ICAC recommendation.</i></p>	<p>Council supports the principles of openness and transparency and actively engages in a proactive release program under the GIPA Act to publish information to members of the public.</p> <p>While these provisions also support the same principle, they are too prescriptive and do not allow Council’s to make this determination. It is already open to Council’s to publish information to Council’s website when confidentiality has been lifted.</p> <p>However, the current wording presents a potential burden to Council which does not support the objective.</p>
8.	<p>Requiring recordings of meetings to be published on Councils websites for longer. Must be published for the balance of the Council term, or in the case of an election year for at least 12 months.</p>	<p>Supported Council supports publishing of information. However, not all Council’s have the technical capabilities and storage for this. There is no reference to the State Records Act and this would be better given that the minutes of a meeting are the official record.</p>



		Cessnock City Council currently publishes its business papers to its website and recorded meeting sessions to YouTube (also accessible via the website). There are no current publicised date limits applied.
9.	Councils must not make final planning decisions without a staff report containing an assessment and recommendation.	Supported This codifies existing practice.
10.	Council to give reason where they make a decision on a planning matter that departs from the staff recommendation.	Supported Council supports this and clarifies what was a previous legislative requirement. This provides assistance where a planning matter is the subject of litigation, however would recommend that the wording better align with the Environmental Planning & Assessment Act.
Promoting the dignity of the council chamber		
11.	The mayor will be permitted to call extraordinary meetings without a request and the restrictions on mayoral minutes will be removed.	Extraordinary Meetings Called by the Mayor Should be aligned with the standing provision "to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request". Mayoral Minute Restrictions Lifted This is in contradiction to openness and transparency. Given that an agenda must be published before a meeting, removing restrictions on routine business coming through a Mayoral Minute means that the community may have no notice of a matter, even routine, on which they wish to be present or indeed present at a public forum.
12.	Requiring councillors to stand when a councillor addresses the meeting, or when the mayor enters the chamber, as well as by mandating modes of address at meetings.	Council does not support the requirement of Councillors to stand when addressing a meeting or when the mayor enters the chamber. This seems to be antiquated and pompous. Council's current technological set-up (including audio-visual and webcasting) would not support this. Additionally, consideration should be given to Councillors that may have a disability that would prevent them from standing as well as Councillors that may have other difficulties standing.
13.	Removing the option for councils to reduce the duration of speeches.	Councils should be able to determine a minimum and maximum speaking time to reflect local practices. This should be balanced based on the number of Councillors. Regardless of the duration of speeches, there is always provision to move that a motion be put. Removing limits on duration of speaking may therefore have the unintended consequence of actually stifling speech rather than encouraging wide participation.
14.	Making clear to the community that decisions are made in council meetings and not in other forums that the community can't access, like briefing	Supported. Council supports an open and transparent approach to reporting to the general public and



	sessions.	maintaining its decision-making public facing. However, see Council's response to the removal / banning of briefing sessions. Council does not make any decisions in briefing sessions.
15.	Refining the definitions of disorder to remove phrases that could be weaponised to impede debate.	<p>Council does not support the definition of disorderly conduct as based on the NSW Legislative Assembly. The processes implemented by the NSW Legislative Assembly do not reflect the practice of local government council meetings and therefore should not define them.</p> <p>Creating a system of expectations where local government Councillors are aligned with federal government members is both unrealistic and not feasible in practicality.</p>
16.	<p>Providing as a default that councillors are to attend meetings in person.</p> <p><i>Councillors will only be permitted to attend meetings by audio visual link where they are prevented from attending a meeting in person because of ill health or another medical reason or unforeseen caring responsibilities. Councillors will not be permitted to participate in meetings at which a mayoral election is being held by audio visual link. To facilitate this, the rules governing attendance at meetings by audio visual link will be mandated.</i></p>	<p>Council does not support the limiting of Councillors to attending Council meetings in person. This will:</p> <ul style="list-style-type: none"> • Disadvantage those with work / career commitments. • Limit the ability for some individuals to run for Council/Office. Council would like to continue to make running for Council more accessible and achievable for a broader catchment of individuals. • Limit those in more remote areas where access to Council chambers or to be present in person is not possible easily. More generally this may increase the number of absences recorded or result in a lower attendance pool. • Potentially increase costs, both the time and money associated with travel. • Council has a popularly elected Mayor, so it has no position in regards to Mayoral elections. <p>Provision should be maintained that <i>Councillors may attend and participate in meetings of the Council and committees of the Council by audio-visual link with the approval of the Council or the relevant committee.</i></p>
17.	<p>Restricting the circumstances in which the council may withhold a leave of absence.</p> <p><i>Where a councillor gives an apology from attending a meeting, the council will be deemed to have accepted the apology and granted a leave of absence from the meeting unless the council resolves otherwise and gives reasons for its decision.</i></p>	<p>Supported.</p> <p>This is consistent with current practice.</p>
18.	Removing the option for staff to attend meetings by audio visual link.	Not supported - Note item 16.



<p>19.</p>	<p>Codifying the common law position that allows councillors to be expelled from successive meetings where they fail to apologise for an act of disorder at an earlier meeting.</p>	<p>Generally Supported. However, from Council previous submission:</p> <p>Powers of the Mayor Whilst Council supports the power of mayors to expel Councillors for acts of disorder, Council does not support the proposed reform to confer the power on mayors to remove the Councillor's entitlement to receive a fee for the month in which they have been expelled from a meeting.</p> <p>September discussion paper proposed Mayor to impose sanctions in relation to fees – that doesn't appear to have been included.</p> <p>How do you ensure that the mayor has a reasonable, balanced approach with proper review mechanisms in a timely and responsive manner for the community? If the aim is to take politics out of local government, this is the opposite.</p> <p>Granting powers to the mayor to remove fees may lead to a perceived or actual abuse of power. The Discussion Paper provides for a 'right of review' as a check against misuse of power – who will conduct this right of review? If the General Manager is to be removed from the process, would a review be referred to the OLG? A tribunal? The Privileges Committee?</p>
<p>Depoliticising the role of the general manager</p>		
<p>20.</p>	<p>Removing the requirement for general managers to prepare reports for notices of motion.</p> <p><i>General managers will no longer be required to prepare reports on notices of motions with financial implications or to identify sources of funding where a notice of motion proposes expenditure that has not been budgeted for.</i></p>	<p>Supported.</p>
<p>21.</p>	<p>Providing that the mayor, not the general manager has discretion on whether council staff should respond to questions with notice. It will be open to the mayor to rule a question with notice out of order at the meeting if it breaches the disorder provisions of the council's code of meeting practice.</p>	<p>We do not support amendments that would move responsibility to the Mayor from the General Manager in regards to determining whether staff should respond to questions with notice or determining attendance of staff at Council meetings.</p> <p>This directly undermines the General Managers responsibility of managing staff.</p>



22.	<p>Conferring responsibility on the council to determine staff attendance at meetings.</p> <p><i>Because councillors are best placed to determine what support they require from staff at meetings, it will be a matter for the council to determine which staff attend meetings.</i></p>	<p>We do not support amendments that would move responsibility to Council in regards to determining which staff should attend Council meetings.</p> <p>This directly undermines the General Managers responsibility of managing staff.</p>
Simplifying the Model Meeting Code		
23.	<p>Removing the non-mandatory rules governing public forums. <i>Council will be free to determine their own rules for public forums.</i></p>	<p>Whilst Council does not directly disagree with the removal of the provisions in the Code, the removal of the provisions will remove any guidance that Council has in regards to setting rules and guidelines for public forums. This may reduce the orderly and fair nature of Councils to be able to provide the public the opportunity for public forum.</p>
24.	<p>Simplifying the rules governing public representations to the council on the closure of meetings to the public.</p>	
25.	<p>Simplifying the rules for dealing with urgent business without notice at meetings.</p>	Supported.
26.	<p>Simplifying the rules of debate by removing the provisions allowing motions to be foreshadowed.</p>	Supported.
27.	<p>Mandating some current non-mandatory provisions including those allowing meetings to be cancelled or held by audio visual link in the event of natural disasters and public health emergencies and those governing councillors' attendance at meetings by audio visual link.</p>	Supported.
Restricting councils from holding briefing sessions		
28.	<p>Decision making by councillors must be through a resolution adopted at a council or committee meeting.</p>	<p>Supported.</p> <p>This is already in practice. Every decision that Council is asked to make is supported by a relevant paper.</p>
29.	<p>Information may be provided to councillors by staff in response to a request for information or action made through the councillor request system.</p>	<p>Supported.</p> <p>This is already in practice. Councillors may submit a request for information using Council's request system in accordance with the Councillor and Staff Interaction Policy.</p>
30.	<p>General information to assist councillors' understanding of sector wide issues should be received from the general manager (and other external sources).</p>	<p>Supported.</p> <p>This is already in practice where Councillors receive a weekly newsletter with updates relating to Council projects and other matters of relevance.</p>



31.	Training materials to meet learning and development requirements come through established training programs.	<p>Supported.</p> <p>Councillors are required to develop a Professional Development Plan. Councillors must complete mandatory training opportunities, and additional training is able to be requested in line with Councils Councillor Training and Development Policy. The resources and materials provided are consistent with development requirements.</p>
32.	Information to enable councillors to understand the function, service delivery standards, strengths, weaknesses, threats and opportunities of council operations should be provided in periodic workshop format (e.g. an annual strategic planning workshop).	<p>Supported.</p> <p>Council could adopt a quarterly planning workshop schedule to work through matters such as CSP, budget, significant strategic matters. Council provides the Mayor and Councillors with their personal development plans with the goal of supporting the Mayor and Councillors with their work in order to deliver to the community.</p>
33.	Information requiring a specific decision or resolution of council is to be provided by the general manager as a part of a report prepared for the business papers of a council or committee meeting.	<p>Supported.</p> <p>This is already in practice. Every decision that Council is asked to make is supported by a relevant paper.</p>
34.	The distribution of information in a meeting or format that is not consistent with the above pathways (e.g. through briefing sessions), is not permitted.	<p>Not supported. Refer to item 17.</p>
35.	The Mayor will not be subject to these restrictions and may receive information in order to undertake their functions under the Act.	<p>Supported.</p> <p>This is already in practice. The mayor may and should receive information in order to undertake their functions.</p>

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC66/2024	Ordinary Council 20/11/2024	Dupille, Belinda	Corporate and Community	September 2024 Review of the 2022-26 Delivery Program	18/12/2024	20/01/2025
<u>55</u> MOTION 55 RESOLVED	Moved:	Maginnity, Robert Councillor Pascoe	Seconded:	Councillor Harrington		
<p>1. That Council notes the progress in implementing the 2022-26 Delivery Program as at 30 September 2024.</p> <p>2. That Council approves changes to the Operational Plan actions and targets as outlined in the report.</p> <p>20 Jan 2025 2:19pm Anderson, India - Completion Completed by Anderson, India on behalf of Dupille, Belinda (action officer) on 20 January 2025 at 2:19:35 PM - Advised by CFO to close action.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC74/2024	Ordinary Council 11/12/2024	Elliott, Jessica	Corporate and Community	Minutes of the Grants Advisory Committee held on 13 November 2024	8/01/2025	23/01/2025
<u>73</u> MOTION 73 RESOLVED	Moved:	Maginnity, Robert Councillor Pascoe	Seconded:	Councillor Hill		
<p>1. That the Minutes of the Grants Advisory Committee Meeting of 13 November 2024 be adopted as a resolution of the Ordinary Council.</p> <p>2. That Council provides funds through the Community and Cultural Development Grant Scheme to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> ArtsNational Hunter in the amount of \$2,910 <input type="checkbox"/> Barkuma Neighbourhood Centre in the amount of \$7,018 <input type="checkbox"/> Branxton Community Hall in the amount of \$2,500 <input type="checkbox"/> Carries Place Domestic Violence and Homelessness Services in the amount of \$2,436 <input type="checkbox"/> Cessnock Family Support Service in the amount of \$1,676 <input type="checkbox"/> Kiray Putjung Aboriginal Corporation in the amount of \$500 <input type="checkbox"/> Lions Club of Branxton Inc. in the amount of \$1,480 <input type="checkbox"/> Prelude Australia in the amount of \$2,536 <input type="checkbox"/> Sunnyfield Disability Services in the amount of \$1,800 <input type="checkbox"/> Wollombi Valley Arts Council Inc. in the amount of \$3,000. <p>3. That the \$856 shortfall in funding be allocated from the Sustainable Communities Tidy Towns Scheme and be used to assist in funding Barkuma Neighbourhood Centre's project.</p> <p>4. That Council provides funds through the Community Facilities Grant Scheme to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Branxton Pre-School in the amount of \$7,167 <input type="checkbox"/> Cessnock Multipurpose Children's Centre in the amount of \$21,309 <input type="checkbox"/> Hunter Prelude Ltd in the amount of \$1,649 <input type="checkbox"/> Wollombi Community Hall section 355 committee in the amount of \$2,114 <input type="checkbox"/> Wollombi Valley Community Association in the amount of \$1,091 <p>5. That Council transfers \$3,330 from the Sporting Facilities Grant Scheme to fund all Community Facilities Grant Scheme applications.</p>						

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6.	That Council provides funds through the Sporting Facilities Grant Scheme to: <ul style="list-style-type: none"> <input type="checkbox"/> Branxton District Netball Club in the amount of \$2,413 <input type="checkbox"/> Cessnock District Hockey Association in the amount of \$2,700 <input type="checkbox"/> Cessnock District Netball Association in the amount of \$1,778 <input type="checkbox"/> Cessnock Dog Club in the amount of \$4,045 <input type="checkbox"/> Kurri Kurri Minor Rugby League Football Club in the amount of \$2,717 <input type="checkbox"/> Kurri Kurri Rugby League Football Club in the amount of \$2,399 <input type="checkbox"/> Wollombi Valley Tennis Club in the amount of \$512
7.	That Council transfers \$3,330 from the Sporting Facilities Grant Scheme to the Community Facilities Grant Scheme to fund all applications.
8.	That Council advertises a Round 2 of the Sporting Facilities Grant Scheme in February 2025 to expend the remaining \$10,106.
9.	That Council provides funds through the Sustainable Communities - Tidy Towns Environment Grant Program to: <ul style="list-style-type: none"> <input type="checkbox"/> Cessnock Community Garden in the amount of \$2,792 <input type="checkbox"/> North Rothbury Bushcare in the amount of \$3,058.11 <input type="checkbox"/> Barkuma Neighbourhood Centre in the amount of \$856
10.	That Greta Sustainable Communities/Tidy Towns be informed that their application for funding is not supported in this round.
11.	That the General Manager writes to all applicants advising the outcome of their application and thanking them for their ongoing support and commitment to the enhancement of Council's sporting facilities.
23 Jan 2025 3:14pm Anderson, India - Completion Completed by Anderson, India on behalf of Elliott, Jessica (action officer) on 23 January 2025 at 3:14:11 PM - Funds allocated.	

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM5/2024	Ordinary Council 17/07/2024	Drage, Natalie	Mayoral Minutes	Domestic and Family Violence and Homelessness	3/02/2025	19/12/2024
790 MOTION 790 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal				
1.	That Council communicates to the Hunter Domestic Violence consortium, our willingness to participate in a round table discussion to address the prevention of Domestic and Family Violence, and to identify the support services required for those who work in the Domestic and Family Violence sector to eradicate this growing social issue;					
2.	That Council consider the development of a Domestic and Family Violence Prevention strategy;					
3.	That Council consider the development of a process to fast-track Development Application's relating to affordable housing;					
4.	That Council engage a service provider to conduct training for community facing staff in the matters of responding to homelessness and Domestic and Family Violence disclosures.					
23 Jul 2024 4:32pm Lorenzen, Cherie						

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1. Completed., 2. Reassigned to Community & Cultural Development team., 3. Affordable housing Development Application's will be defined with a priority status., 4. Further investigation is required into providers and courses that will meet the objectives for training our frontline staff in Domestic and Family Violence and Homelessness. After investigation concludes Council will ensure the chosen training course aligns with the corresponding actions from the action sheet and identify a priority list for those staff requiring the training. Currently there are five (5) staff in the organisation who are trained in Domestic Violence Response which helps to support our staff. In May 2024 a free training resource was sent to all staff in the organisation from Are You Safe at Home.

23 Jul 2024 4:34pm Lorenzen, Cherie - Reallocation
Action reassigned to Drage, Natalie by Lorenzen, Cherie - Response required for dot point 2.

29 Jul 2024 10:00am Drage, Natalie - Target Date Revision
Target date changed by Drage, Natalie from 14 August 2024 to 01 November 2024 - An action to prepare a Domestic and Family Violence Prevention strategy will be considered when developing the next operational plan. In the meantime, consultation on the resolution of Council will occur with the Cessnock Anti Violence Network.

26 Nov 2024 11:44am Anderson, India - Target Date Revision
Target date changed by Anderson, India from 01 November 2024 to 03 February 2025 - Continuing consultation with the Cessnock Anti Violence Network and key stakeholders. Domestic and Family Violence Prevention strategy to be considered in development of actions for the next operational plan.

19 Dec 2024 12:46pm Drage, Natalie - Completion
Completed by Drage, Natalie (action officer) on 19 December 2024 at 12:46:27 PM - An action to prepare a Domestic and Family Violence Prevention Strategy will be included in the 2025-2026 Operational Plan.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM10/2024	Ordinary Council 11/12/2024	Cocking, Tracey	Mayoral Minutes	Minutes of the Council Initiated Awards Committee held 2 December 2024	8/01/2025	22/01/2025
67 MOTION 67 RESOLVED	Moved:	Liddell, Ken Councillor Watton				
That Council endorse the recommendations of the Council Initiated Awards Committee for Cessnock City Council Australia Day Awards						
22 Jan 2025 1:10pm Cocking, Tracey All actions completed.						
22 Jan 2025 1:16pm Cocking, Tracey - Completion Completed by Cocking, Tracey (action officer) on 22 January 2025 at 1:16:30 PM - All actions completed.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM9/2024	Ordinary Council 11/12/2024	Cocking, Tracey	Mayoral Minutes	Minutes of the Organisational and General Managers Review Panel Meeting held 25 November 2024	8/01/2025	22/01/2025
66 MOTION 66 RESOLVED	Moved:	Liddell, Ken Councillor Watton				
That the Minutes of the Organisational and General Manager's Performance Review Committee of 25 November 2024 be adopted as a resolution of the Ordinary Council.						
22 Jan 2025 1:08pm Cocking, Tracey All actions completed.						
22 Jan 2025 1:09pm Cocking, Tracey - Completion Completed by Cocking, Tracey (action officer) on 22 January 2025 at 1:09:30 PM - All actions completed.						
Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed

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PE27/2024	Ordinary Council 11/12/2024	Manning, Mark	Planning and Environment	Aboriginal Cultural Heritage Management Plan - Public Exhibition Report and Adoption	8/01/2025	19/12/2024
70 MOTION 70 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Lea		
<p>That Council adopt the Aboriginal Cultural Heritage Management Plan.</p> <p>19 Dec 2024 12:24pm Manning, Mark Aboriginal Cultural Heritage Management Plan adopted and currently being added to Council's website</p> <p>19 Dec 2024 12:26pm Manning, Mark - Completion Completed by Manning, Mark (action officer) on 19 December 2024 at 12:26:06 PM - Aboriginal Cultural Heritage Mangement Plan now adopted by Council</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE22/2024	Ordinary Council 20/11/2024	Ryl, Julia	Planning and Environment	Development Application No. 8/2024/178/1 Proposing a Phased Development: Phase 1 - Two (2) Lot Subdivision Phase 2 - Dual Occupancy Phase 3 - Strata Subdivision of Dual Occupancy 65 Rawson Street, Aberdare	18/12/2024	5/12/2024
48 MOTION 48 RESOLVED	Moved:	Chrystal, Peter Councillor King	Seconded:	AGAINST Councillor Palmowski		
<p>1. That:</p> <p>(i) Development Application No. 8/2024/178/1 proposing development in three (3) phases: Phase 1 consisting of a two (2) lot subdivision, Phase 2 consisting of a dual occupancy (attached), and Phase 3 consisting of the strata title subdivision of the dual occupancy, at 65 Rawson Street Aberdare be approved pursuant to Sections 4.16 and 4.17 of the <i>Environmental Planning and Assessment Act 1979</i> subject to the conditions contained in this report.</p> <p>(ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposal is a permitted land use in the R2 Low Density Residential zone under the <i>Cessnock Local Environmental Plan 2011</i>; <input type="checkbox"/> The proposal is consistent with the objectives of the R2 Low Density Residential zone under the <i>Cessnock Local Environmental Plan 2011</i>; <input type="checkbox"/> The proposal is consistent with the relevant State Environmental Planning Policies; <input type="checkbox"/> The proposal is generally compliant with the relevant provisions under the <i>Cessnock Development Control Plan 2010</i>, with any variation considered to be justified; <input type="checkbox"/> The proposal incorporates adequate measures to ensure the development does not result in any adverse impacts on the natural and built environment; <input type="checkbox"/> The proposal will not result in any adverse social or economic impacts; <input type="checkbox"/> The site is considered suitable for the proposed development; and <input type="checkbox"/> The development proposal is considered to be in the public interest. <p>(iii) The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the <i>Environmental Planning and Assessment Act 1979</i></p>						

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25 Nov 2024 11:40am Ryl, Julia
 Determination requested to be prepared as per Council Resolution.

26 Nov 2024 3:59pm Ryl, Julia
 Determination documentation reviewed.

05 Dec 2024 2:08pm Blake, Yvonne - Completion
 Completed by Blake, Yvonne on behalf of Ryl, Julia (action officer) on 05 December 2024 at 2:08:52 PM - NoD signed by DP&E as per minutes of ordinary Council meeting held 20 November 2024.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE17/2024	Ordinary Council 21/08/2024	Manning, Mark	Planning and Environment	Draft Aboriginal Cultural Heritage Management Plan - Public Exhibition	28/02/2025	19/12/2024
MOTION	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Sander		
1.	That Council place the draft Aboriginal Cultural Heritage Management Plan on public exhibition for a period of 90 days.					
2.	That Council receives a further report following the public exhibition of the draft Aboriginal Cultural Heritage Management Plan.					
27 Aug 2024 10:00am Manning, Mark Public exhibition of draft Aboriginal Cultural Heritage Management Plan commenced on 23 August 2024						
09 Oct 2024 11:06am Manning, Mark Public exhibition of draft Aboriginal Cultural Heritage Management Plan to close on 21 November 2024						
29 Oct 2024 12:44pm Blake, Yvonne - Target Date Revision Target date changed by Blake, Yvonne from 18 September 2024 to 28 February 2025 - As per Council resolution at the Ordinary Council Meeting held 23 October 2024, Management Plan to go on exhibition for 90 days						
19 Dec 2024 12:23pm Manning, Mark Public exhibition closed with no submissions. Council report prepared for meeting on 11/12/24						
19 Dec 2024 12:24pm Manning, Mark - Completion Completed by Manning, Mark (action officer) on 19 December 2024 at 12:24:17 PM - Public exhibition closed and Council report prepared						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE18/2024	Ordinary Council 23/10/2024	Manning, Mark	Planning and Environment	Draft Waste Management Development Control Plan	28/02/2025	19/12/2024
25		Chrystal, Peter				
MOTION	Moved:	Councillor Hill	Seconded:	Councillor Jurd		
25						
RESOLVED						
1.	That Council place the draft Waste Management DCP and draft Cessnock DCP Dictionary amendments for waste on public exhibition for a minimum period of 28 days.					
2.	That Council receive a further report following the public exhibition period if unresolved objections are received or significant amendment to the draft Waste Management DCP are made post exhibition. Where there are no unresolved objections nor significant amendments proposed post exhibition, the draft Waste Management DCP be adopted by Council pursuant to the Environmental Planning and Assessment Regulation.					

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3. That if Council receive 20% or more of submissions opposing the Draft Waste Management DCP during the public exhibition period the matter be referred back to Council for a briefing to assess the feedback and determine any necessary changes.

29 Oct 2024 12:50pm Blake, Yvonne - Target Date Revision
Target date changed by Blake, Yvonne from 20 November 2024 to 28 February 2025 - As per Council resolution at the Ordinary Council Meeting held 23 October 2024, Management Plan to go on exhibition for 28 days

19 Dec 2024 12:26pm Manning, Mark
Wsate Management DCP now adopted by Council with Councillor memo distributed on 11 December 2024

19 Dec 2024 12:28pm Manning, Mark - Completion
Completed by Manning, Mark (action officer) on 19 December 2024 at 12:28:05 PM - Wsate Management DCP now adopted by council.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI30/2024	Ordinary Council 11/12/2024	Clark, Brad	Works and Infrastructure	Tender T2024-14 Kurri Kurri Netball Facility	8/01/2025	24/12/2024
82 MOTION 82 RESOLVED	Moved:	McLachlan, Paul Councillor Grine	Seconded:	Councillor King		
That Council accepts the tender (T2024-14) from Glascott Landscape & Civil Pty Ltd for the lump sum of \$6,700,795.65 (including GST) for the Kurri Kurri Netball Facility.						
24 Dec 2024 9:27am Clark, Brad - Completion Completed by Clark, Brad (action officer) on 24 December 2024 at 9:27:24 AM - Letter of Award sent to nominated contractor						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI28/2024	Ordinary Council 11/12/2024	Pople, Alena	Works and Infrastructure	Kurri Kurri Nostalgia Festival - March 2025	8/01/2025	16/01/2025
80 MOTION 80 RESOLVED	Moved:	McLachlan, Paul Councillor Hill	Seconded:	Councillor Grine		
That Council endorse the in-kind support valued at \$11,825, for the following services: waste management, park management and amenity management at Kurri Kurri Nostalgia Festival on 28, 29 and 30 March 2025.						
16 Jan 2025 2:39pm Pople, Alena In Kind support determined, endorsed by Council and all teams notified to schedule provision of requests.						
16 Jan 2025 2:41pm Pople, Alena - Completion Completed by Pople, Alena (action officer) on 16 January 2025 at 2:41:33 PM - All tasks assigned to relevant officers to be completed.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI26/2024	Ordinary Council 20/11/2024	Le Quesne, Greg	Works and Infrastructure	Tender: EOI T2024-21 - Wollombi Road Upgrade Project - Construction - Stage 1	18/12/2024	3/02/2025
62		McLachlan, Paul				

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MOTION 62 RESOLVED	Moved:	Councillor Hill	Seconded:	Councillor Lea
<ol style="list-style-type: none"> 1. That Council accepts the Tender (EOI T2024-21) Wollombi Road Upgrade Project – Construction Stage 1 from Symal Infrastructure Pty Ltd – Alternative Offer for the lump sum of \$38,950,524.93 (excluding GST), subject to Council entering into a Deed of Agreement with Hunter Water to facilitate their contribution of funds towards the construction contract and asset upgrades. 2. That Council authorises the General Manager to execute the Deed of Agreement with Hunter Water. 3. That Council delegates authority to the General Manager to approve tender variations within the project budget. 				
<p>03 Feb 2025 11:17am Larsen, Robyn - Completion Completed by Larsen, Robyn on behalf of Le Quesne, Greg (action officer) on 03 February 2025 at 11:17:41 AM - Construction contract signed. Deed of Agreement with HWC signed.</p>				

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC58/2024	Ordinary Council 23/10/2024	Waghorn, Peter	Corporate and Community	Land Acquisition - South Cessnock Bund Wall	28/02/2025	
33 MOTION 33 RESOLVED	Moved:	Maginnity, Robert Councillor Jurd	Seconded:	Councillor Hill		
<ol style="list-style-type: none"> That Council authorise purchase of land owned by White Energy Company Limited by voluntary agreement, the land being a portion of Lot 1 DP 1145540 as identified in the report and required for the South Cessnock Flood Mitigation Scheme Bund Wall project; That Council delegates authority to the General Manager to purchase the land at the assessed market value for the sum of \$235,000 and compensate the landowner for reasonably incurred valuation and legal costs on presentation of paid invoices; That Council delegates authority to the General Manager to execute all relevant documentation to affect the transaction; and On transfer of ownership, Council resolves to classify the land as operational land. <p>27 Nov 2024 4:36pm Waghorn, Peter - Email Council's lawyers have been instructed to prepare sale contracts for review and exchange</p> <p>22 Jan 2025 11:19am Waghorn, Peter - Target Date Revision Target date changed by Waghorn, Peter from 31 December 2024 to 28 February 2025 - Settlement of White Energy sale contracts delayed due to time of year / availability of legal firms acting for both parties</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC32/2024	Ordinary Council 15/05/2024	Plumridge, Matthew	Corporate and Community	Minutes of the Confidential Strategic Property & Community Facilities Committee meeting held on 1 May 2024	31/12/2024	
763 MOTION 763 RESOLVED	Moved:	Maginnity, Robert Councillor Hill	Seconded:	Councillor Paynter		
<p>That Council:</p> <ol style="list-style-type: none"> Undertakes an Expression of Interest process to determine potential uses for lot 31 DP 594396 and lot 2 DP 716009, being Council-owned operational land comprising the former Richmond Main Colliery land and buildings, that outlines the community benefit of the future proposed use of the site. Requests the Expression of Interest results be provided to the Strategic Property and Community Facilities Committee for consideration and advice to Council. <p>12 Jun 2024 11:50am Anderson, India - Target Date Revision Target date changed by Anderson, India from 12 June 2024 to 31 December 2024 - The EOI process has commenced.</p> <p>29 Jul 2024 2:42pm Hooper, Carolyn Initial planning commenced on EOI process.</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC73/2024	Ordinary Council 11/12/2024	Elliott, Jessica	Corporate and Community	Minutes of the Council Initiated Awards Committee Meeting held 7 November 2024	28/02/2025	
72 MOTION 72 RESOLVED	Moved:	Maginnity, Robert Councillor Pascoe	Seconded:	Councillor Hill		
1.	That Council notes the minutes of the Council Initiated Awards Committee Meeting held on 7 November 2024 include recommendations to offer opportunities for induction into the City of Cessnock Hall of Fame and Freeman of the City.					
2.	That Council adopts the minutes of the Council Initiated Awards Committee Meeting held on 7 November 2024.					
3.	That the City of Cessnock Hall of Fame Guidelines be amended with the following changes:					
	a. Removal of reference to 'Nominations to the Hall of Fame will be called for every two years' and replace with 'Nominations can be submitted at any time'.					
	b. Removal of reference to 'Community Engagement Awards and Grants Committee' and replace with 'Council Initiated Awards Committee'.					
4.	That the amended City of Cessnock Hall of Fame Guidelines be adopted.					
13 Dec 2024 12:14pm Drage, Natalie - Reallocation Action reassigned to Elliott, Jessica by Drage, Natalie - Referred to Community Development Officer for implementation of the resolutions.						
23 Jan 2025 3:13pm Anderson, India - Target Date Revision Target date changed by Anderson, India from 08 January 2025 to 28 February 2025 - Changes have been discussed and are with Communications & Engagement team for finalisation.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC72/2024	Ordinary Council 11/12/2024	Childs, Jonathan	Corporate and Community	Revised Community Engagement Strategy for Public Exhibition	8/01/2025	
71 MOTION 71 RESOLVED	Moved:	Maginnity, Robert Councillor King	Seconded:	Councillor Hill		
1.	That Council places the revised Community Engagement Strategy (incorporating the Community Participation Plan) on public exhibition for a minimum period of 60 days and invite public submissions.					
2.	That a report on the outcomes of the exhibition be provided to Council prior to Council considering adopting the revised Community Engagement Strategy.					
16 Dec 2024 10:58am Childs, Jonathan 60 day public exhibition period commenced Thursday 12 December						

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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	31/01/2025	
1571 MOTION 1571 RESOLVED	Moved:	Maginnity, Robert Councillor Dunn	Seconded:	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.					
04 Mar 2021 11:58am Benson, Nicole - Reallocation						
Action reassigned to Rathborne, Michael by Benson, Nicole - Michael please commence the actions as per the resolution. Liaise with my team if required. Thanks						
24 Mar 2021 4:49pm Keegan, Robyn - Target Date Revision						
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,						
29 Mar 2021 4:04pm Rathborne, Michael - Target Date Revision						
Target date changed by Rathborne, Michael from 30 June 2021 to 30 August 2021 - Surveyor preparing documents for registration.						
28 Apr 2021 10:33am Rathborne, Michael - Target Date Revision						
Target date changed by Rathborne, Michael from 30 June 2021 to 30 September 2021 - Pending survey and documentation being prepared by surveyor.						
25 Jun 2021 12:30pm Keegan, Robyn - Target Date Revision						
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.						
02 Sep 2021 3:11pm Keegan, Robyn - Target Date Revision						
Target date changed by Keegan, Robyn from 31 December 2021 to 31 December 2021 - Peter Waghorn advised that there is no further update.						
26 Oct 2021 2:19pm Keegan, Robyn - Target Date Revision						
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.						
25 Jan 2022 10:12am Waghorn, Peter						
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.						
29 Mar 2022 7:55am Boughton-Ingham, Petra						
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.						
12 Apr 2022 10:21am Keegan, Robyn - Target Date Revision						
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.						
28 Apr 2022 3:32pm Waghorn, Peter						
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.						
26 May 2022 9:22am Waghorn, Peter						

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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.

26 May 2022 9:50am Waghorn, Peter - Target Date Revision
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 to be commenced. Transferring ownership to the Club is deferred pending gazettal of the land reclassification for Community to Operational land.

30 Jun 2022 3:12pm Waghorn, Peter
An LEP amendment request to reclassify the portion of Bellbird Park the Club requires has been scheduled with Strategic Planning.

28 Jul 2022 2:49pm Waghorn, Peter
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.

31 Aug 2022 4:46pm Keegan, Robyn
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.

25 Nov 2022 3:47pm Waghorn, Peter
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.

16 Jan 2023 12:12pm Waghorn, Peter
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.

16 Jan 2023 12:21pm Waghorn, Peter - Target Date Revision
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

03 Apr 2023 10:44am Waghorn, Peter
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. .

03 Apr 2023 11:11am Waghorn, Peter - Target Date Revision
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.

26 May 2023 3:16pm Waghorn, Peter - Target Date Revision
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 & 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.

25 Sep 2023 3:37pm Waghorn, Peter - Email
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.

24 Nov 2023 9:41am Waghorn, Peter
No further updates from Property Services pending completion of land reclassification process and subsequent land transfer

28 Mar 2024 11:17am Waghorn, Peter - Target Date Revision
Target date changed by Waghorn, Peter from 31 March 2024 to 30 May 2024 - Council's Strategic Planning unit advise the planning proposal seeking to amend the LEP land classification is currently being reviewed by the relevant state government planning department

25 Jun 2024 10:52am Waghorn, Peter - Target Date Revision
Target date changed by Waghorn, Peter from 30 May 2024 to 29 November 2024 - On 29/5/2024 Council's Strategic Planner advised Planning proposal PP-2023-1296 to amend Cessnock Local Environmental Plan 2011 (LEP) has received Gateway determination. The advice refers to issues remaining to be addressed and requires the amending LEP to be finalised on or before 6 months of the Gateway determination date.

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27 Nov 2024 4:33pm Waghorn, Peter - Target Date Revision
 Target date changed by Waghorn, Peter from 29 November 2024 to 31 January 2025 - Department Planning Housing and Infrastructure has endorsed the Planning Proposal to rezone and reclassify the strip of land at Bellbird Park Bowling Club for finalization. Once the public reserve status is removed from title, the portion required by the club can be excised from Carmichael Park and transferred to the Club in accordance with the resolution.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE25/2024	Ordinary Council 20/11/2024	Lewis-Curnoe, Olivia	Planning and Environment	Planning Proposal 18 2024 1 1 - Huntlee Local Water Centre 2 - Post Exhibition	31/03/2025	
51 MOTION 51 RESOLVED	Moved:	Chrystal, Peter Councillor Pascoe	Seconded:	Councillor Suvaal		
1.	That Council note the outcomes of community consultation for Planning Proposal 18/2024/1/1 - Huntlee Local Water Centre 2					
2.	That Council forwards the Planning Proposal for Huntlee Local Water Centre 2 to the Minister for Planning and Public Spaces with a recommendation that the plan be made pursuant to Section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> .					
26 Nov 2024 9:43am Lewis-Curnoe, Olivia - Target Date Revision						
Target date changed by Lewis-Curnoe, Olivia from 18 December 2024 to 15 January 2025 - Liaising with PC for finalisation.						
24 Jan 2025 1:42pm Lewis-Curnoe, Olivia - Target Date Revision						
Target date changed by Lewis-Curnoe, Olivia from 15 January 2025 to 31 March 2025 - Liaising with DPHI to finalise the Planning Proposal.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE26/2024	Ordinary Council 20/11/2024	Worthing, Alex	Planning and Environment	Planning Proposal 18 2024 6 1 - Reclassification of part Lot 312 DP 566724 Old Maitland Road Cessnock	22/09/2025	
52 MOTION 52 RESOLVED	Moved:	Chrystal, Peter Councillor Harrington	Seconded:	Councillor Hill		
1.	That Council resolves to reclassify part Lot 312 DP 566724 (Old Maitland Road, Cessnock) from Community Land to Operational Land pursuant to Section 30 of the <i>Local Government Act, 1993</i> ;					
2.	That Council requests a Gateway determination for a Planning Proposal from the NSW Department of Planning, Housing and Infrastructure pursuant to Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i> to Reclassify part of Lot 312 DP 566724 (Old Maitland Road, Cessnock) from Community Land to Operational land;					
3.	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;					
4.	That Council undertakes consultation with public authorities and the community as determined by the Gateway Determination;					
5.	That Council undertake the necessary Public Hearing and public notification requirements for the proposed reclassification of Council owned land, pursuant to the provisions of Sections 29 and 34 of the <i>Local Government Act, 1993, and</i> ;					

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6. That Council receives a report back on the outcomes of the community consultation and findings of the Public Hearing and any submissions received in response to the notification of the reclassifications.

22 Nov 2024 9:54am Worthing, Alex
 Reclassification Planning Proposal submitted to the Planning Portal 21/11/2024. DPHI ref# PP-2024-2550. Awaiting response

20 Jan 2025 7:35am Worthing, Alex - Target Date Revision
 Target date changed by Worthing, Alex from 18 December 2024 to 22 September 2025 - Timeline in accordance with DPHI assessment timeframes. Gateway determination has been issued by the DPHI. Public exhibition commencing February.

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	30/04/2025	
75 MOTION	Moved:	Chrystal, Peter Councillor Burke	Seconded:	Councillor Grine		
75 RESOLVED						
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.					
	27 Apr 2022 12:10pm Rush, Iain - Target Date Revision Target date changed by Rush, Iain from 18 May 2022 to 30 December 2022 - Preparing documentation for submission to DPE for Gateway determination.					
	21 Jun 2022 3:52pm Rush, Iain Planning Proposal submitted for Gateway determination on 10 May 2022. Currently reviewing quotations for 'Tourism Centre' Economic Feasibility Assessment.					
	01 Sep 2022 4:24pm Rush, Iain 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.					
	31 Oct 2022 10:23am Rush, Iain Planning Proposal submitted for Gateway determination on 10 May 2022. Hill PDA have provided Draft 'Tourism Centre' Economic Feasibility Assessment to Council for review.					
	22 Nov 2022 2:17pm Blake, Yvonne - Target Date Revision 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.					
	20 Feb 2023 9:08am Cocking, Tracey HRP 2041 requires preparation of Place Strategy. Existing PP and Place Strategy requirements being discussed with DP&E.					
	20 Feb 2023 9:09am Cocking, Tracey - Target Date Revision 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&E					

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24 May 2023 3:52pm Blake, Yvonne - Reallocation
Action reassigned to Mewing, Jenny by Blake, Yvonne - Transferred to Jenny Mewing to continue with and finalise the matter.

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.

16 Jan 2024 9:19am Rush, Iain - Target Date Revision
Target date changed by Rush, Iain from 31 December 2023 to 30 June 2024 - Meeting with Planning Delivery Unit (PDU) occurred with relevant state agencies in December 2023. Awaiting further information/requirements from DPE to progress Place Strategy, including release of Planning State Environmental Assessment Requirements (PSEARS).

26 Jun 2024 1:53pm Rush, Iain - Target Date Revision
Target date changed by Rush, Iain from 30 June 2024 to 30 July 2024 - Initial Vineyards Place Strategy Project Delivery Group meeting held with State agencies on 30 November 2023. DPHI has recently advised that it will not be able to provide PSEARS to Council due to staffing changes and resourcing issues at DPHI; furthermore, that it will be unable to manage the Vineyards PDG and Place Strategy process moving forward. Council staff will proceed with the preparation of the Draft Place Strategy for the Vineyards District and make a recommendation as to whether the Vineyards Planning Proposal should still proceed.

30 Jul 2024 1:47pm Rush, Iain - Target Date Revision
Target date changed by Rush, Iain from 30 July 2024 to 31 October 2024 - Consultation commenced with DPHI on Draft Place Strategy.

29 Oct 2024 1:14pm Rush, Iain - Target Date Revision
Target date changed by Rush, Iain from 31 October 2024 to 31 December 2024 - Place Strategy is presently being formatted by Council's Communications Team. Draft Place Strategy will be reported to Council with Draft Vineyard's DCP once formatted and consultation has occurred with Vineyard's Reference Group.

20 Jan 2025 8:25am Rush, Iain - Target Date Revision
Target date changed by Rush, Iain from 31 December 2024 to 30 April 2025 - Draft Place Strategy and DCP for the Cessnock Vineyard's District prepared. Update to be provided to the Vineyard's District Working Group prior to the Strategy and DCP being reported to Council in March or April 2025.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE24/2024	Ordinary Council 20/11/2024	Lewis-Curnoe, Olivia	Planning and Environment	Planning Proposal 18 2022 6 1 - Reclassification and Rezoning of Council Land - Post exhibition	31/03/2025	
50 MOTION 50 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Pascoe		
1.	That Council note the outcomes of community consultation for Planning Proposal 18/2022/6/1 - Reclassification and Rezoning of Land at Bellbird and Abermain.					
2.	That Council forwards the Planning Proposal for Reclassification and Rezoning of Council Land to the Minister for Planning and Public Spaces with a recommendation that the plan be made pursuant to Section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> .					

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3. That Council remove the Public Reserve Status from Part of Lot 3 DP 624793.

26 Nov 2024 9:43am Lewis-Curnoe, Olivia - Target Date Revision
Target date changed by Lewis-Curnoe, Olivia from 18 December 2024 to 15 January 2025 - Liaising with PC for finalisation.

24 Jan 2025 1:42pm Lewis-Curnoe, Olivia - Target Date Revision
Target date changed by Lewis-Curnoe, Olivia from 15 January 2025 to 31 March 2025 - Liaising with DPHI to finalise the Planning Proposal.

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	24/03/2025	
528 MOTION 528 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	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.					
26 Jul 2023 12:33pm Corken, Robert - Target Date Revision Target date changed by Corken, Robert from 16 August 2023 to 16 November 2023 - Exhibition will be undertaken in August.						
18 Aug 2023 1:48pm Blake, Yvonne - Reallocation 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.						
31 Aug 2023 2:15pm Blake, Yvonne - Reallocation Action reassigned to Worthing, Alex by Blake, Yvonne - Transferred to officer as original officer has resigned.						
08 Sep 2023 3:32pm Worthing, Alex - Target Date Revision Target date changed by Worthing, Alex from 16 November 2023 to 04 October 2023 - Preparing post exhibition report for Council						
26 Oct 2023 11:16am Blake, Yvonne - Target Date Revision Target date changed by Blake, Yvonne from 04 October 2023 to 22 December 2023 - Report to be tabled at December Council meeting.						
18 Dec 2023 3:18pm Worthing, Alex - Target Date Revision Target date changed by Worthing, Alex from 22 December 2023 to 20 June 2024 - On hold pending Vineyards project with DPE						
26 Jun 2024 1:35pm Brown, Keren - Target Date Revision Target date changed by Brown, Keren from 20 June 2024 to 01 December 2024 - On hold pending Vineyards project with DPE. The DCP and the Vineyards project should be exhibited concurrently						
30 Oct 2024 3:37pm Worthing, Alex - Target Date Revision Target date changed by Worthing, Alex from 01 December 2024 to 20 December 2024 - This chapter is being revised with other DCP chapters to finalise at the same time. Dependent on completion of all						
20 Jan 2025 7:33am Worthing, Alex - Target Date Revision Target date changed by Worthing, Alex from 20 December 2024 to 24 March 2025 - Delayed pending completion of associated DCP chapters						

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PE13/2024	Ordinary Council 19/06/2024	Rush, Iain	Planning and Environment	Cessnock City Wide Infrastructure Contribution Plan 2020 - Review and Options Paper	31/03/2025	
773 MOTION 773 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Burke		
That Council endorse:						
1. The refined Works Schedule for residential development; and						
2. Option 1D of the Local Infrastructure Contributions Plan Options Paper, as the basis for the preparation of a new infrastructure contributions framework for residential development in the Cessnock LGA, generally involving:						
<input type="checkbox"/> An amendment to Council's existing s.7.12 Levy Contribution Plan to include the tourist related infrastructure projects, proposed to be transferred from the existing City Wide Infrastructure Contributions Plan Works Schedule;						
<input type="checkbox"/> The preparation of a new s.7.11 Infrastructure Contribution Plan for residential development in the major urban release areas of Cessnock; and						
<input type="checkbox"/> The preparation of a new 2% s.7.12 contributions plan, for residential development in the existing urban areas of Cessnock.						
3. Council notes that a revised Local Infrastructure Contributions Plan or Plans will be drafted on the principles of Recommendation 1 and 2 above, and be reported to Council prior to any such Plan or Plans being placed on Public Exhibition.						
26 Jun 2024 1:48pm Rush, Iain - Target Date Revision						
Target date changed by Rush, Iain from 17 July 2024 to 17 August 2024 - Strategic Planning staff are preparing the new contributions plans in accordance with framework endorsed at the June Council meeting. When drafted, the new plans will be reported to Council for exhibition.						
30 Jul 2024 1:56pm Rush, Iain - Target Date Revision						
Target date changed by Rush, Iain from 17 August 2024 to 30 August 2024 - Report prepared for the August Council meeting seeking exhibition of the draft contributions plans.						
09 Oct 2024 8:44am Blake, Yvonne - Target Date Revision						
Target date changed by Blake, Yvonne from 30 August 2024 to 28 February 2025 - Awaiting final comments from Department of Planning						
20 Jan 2025 8:28am Rush, Iain						
Draft contributions plans prepared in accordance with the Council resolution. Draft plans scheduled to be reported to Council in February 2025 for public exhibition.						
30 Jan 2025 3:54pm Rush, Iain - Target Date Revision						
Target date changed by Rush, Iain from 28 February 2025 to 31 March 2025 - Draft contributions plans prepared in accordance with the Council resolution. Draft plans scheduled to be reported to Council in March 2025 for public exhibition.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI29/2024	Ordinary Council 11/12/2024	Jeffery, Warren	Works and Infrastructure	Minutes of the Local Traffic Committee Meeting held 18 November 2024	8/01/2025	
81 MOTION 81 RESOLVED	Moved:	McLachlan, Paul Councillor Jurd	Seconded:	Councillor King		
That the Minutes of the Cessnock Local Traffic Committee Meeting of 18 November 2024 be adopted as a resolution of the Ordinary Council.						

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- TC35/2024 - That Council authorises the temporary regulation of traffic on Wine Country Drive, Broke Road, Lovedale Road, De Beyers Road, Col Turnbull Parade and Grady Road, Pokolbin, Lomas Lane Nulkaba, Averys Lane Heddon Greta, and Mount View Road Cessnock for the Hunter Valley Airshow from 7am to 7pm, Saturday 8 February 2025 & Sunday 9 February 2025, in accordance with the Various Roads Pokolbin _ Hunter Valley Airshow Traffic Guidance Schemes.
- TC36/2024 - That Council authorises the temporary regulation of traffic on Broke Road, McDonalds Road, Palmers Lane and Wine Country Drive, Pokolbin for A Day on the Green multiple events in accordance with Various Roads Pokolbin _ A Day on the Green Traffic Guidance Scheme.
- That Council note the General Manager or the General Managers sub-delegate authorised the following Local Traffic Committee reports in accordance with Division 2 of Part 8 of the Roads Act 1993:
 - TC37/2024
 - TC38/2024
 - TC39/2024

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI27/2024	Ordinary Council 11/12/2024	Pople, Alena	Works and Infrastructure	Naming of Averys Rise Park	8/01/2025	
79 MOTION 79 RESOLVED	Moved:	McLachlan, Paul Councillor Hill	Seconded:	Councillor Palmowski		
1.	That Council endorses naming the new park and playground Averys Rise Park.					
2.	That Council supports a naming proposal be submitted to the NSW Geographical Names Board for consideration and gazettal.					
3.	That signage be updated following the gazettal of the Place Naming Proposal by the NSW Geographical Names Board (subject to approval).					
03 Feb 2025 1:08pm Pople, Alena						
An application for naming has been submitted to the Geographical Names Board. The GNB have requested further information on the Avery family, then more specifically birth and death dates of William Avery, his occupation and any time served on Council which is currently being researched by the Library historian and will be provided to the GNB.						

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BN6/2024	Ordinary Council 19/06/2024	Donnelly, Patricia	Business With Notice	Bin Collection	30/05/2025	
784 MOTION 784 RESOLVED	Moved:	McLachlan, Paul Councillor Hawkins	Seconded:	Councillor Grine		
<p>1. That Council bring forward the review/update of the Waste and Resources Recovery Strategy 2020–2025 and that the updated Strategy be endorsed by the elected Council prior to the implementation of the State Government Mandated FOGO Scheme, expected in 2025.</p> <p>2. That Council prioritise the review of options for standard collections in Part 3.4 of Section 6 Action Plan of the Strategy and report back to Council on the benefits and costs.</p> <p>3. That existing collection services remain unchanged until the newly elected Council endorse the updated Waste and Resources Strategy and State Government mandated FOGO services are potentially introduced in 2025.</p> <p>24 Jun 2024 4:58pm Donnelly, Patricia Review of Waste and Resource Recovery Strategy 2020-25 has been moved forward into 2024-25 Operational Plan. Gathering of bin data and community engagement on service levels will be undertaken in October 2024. A Briefing to Council on options for waste bin collection post FOGO will be held in November 2024. The draft 2026-30 Waste and Resource Recovery Strategy will then be developed for community exhibition in February 2025 for adoption by Council in March 2024.</p> <p>24 Jun 2024 5:00pm Donnelly, Patricia - Target Date Revision As per notes including timeframes required to prepare this.</p> <p>03 Feb 2025 1:08pm Donnelly, Patricia Council briefing on this booked for 12 February with draft Strategy to go to Council 12 March.</p> <p>03 Feb 2025 1:11pm Donnelly, Patricia - Target Date Revision Due to delay of report will now be reported to council on 21 May for adoption</p>						

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Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W175/2022	Ordinary Council 14/12/2022	Dennis, Johanna	Works and Infrastructure	Cessnock LGA Hall Booking/Management	30/06/2025	
383 MOTION 383 RESOLVED	Moved:	McLachlan, Paul Councillor Watton	Seconded:	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>16 Jan 2023 4:28pm Eveleigh, Nathan - Target Date Revision 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>02 Mar 2023 9:41am Eveleigh, Nathan BookEasy set-up in final testing phase for Bellbird Community Hall before going live.</p> <p>27 Mar 2023 11:56am Eveleigh, Nathan Bellbird Community Hall Bookeasy portal went live on 20/3/2023. Will roll out 3 additional facilities following initial trials and feedback.</p> <p>28 Jun 2023 11:36am Eveleigh, Nathan Hunter Valley VIC staff have commenced work on Ellalong & Millfield Community Halls following successful roll-out of the BookEasy online bookings at Bellbird Community Hall for 3 months.</p> <p>28 Jun 2023 11:40am Eveleigh, Nathan - Target Date Revision 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>25 Aug 2023 8:36am Eveleigh, Nathan - Target Date Revision Target date changed by Eveleigh, Nathan from 30 September 2023 to 20 December 2023 - VIC staff working on 2nd & 3rd hall in consultation with open Space staff and s355 committee's.</p> <p>01 Mar 2024 11:29am McNally, Kate 1. Noted, 2. The Bookeasy system is in place for Bellbird Hall. Ellalong and Millfield Hall are ready to go live following training and engagement with the s355 committees., 3. To be completed after item 2.</p> <p>01 Mar 2024 11:31am McNally, Kate - Target Date Revision Target date changed by Harris, Kate from 30 April 2024 to 28 June 2024 - Training must be undertaken with S355 Committee members prior to online bookings progressing.</p> <p>24 Jun 2024 1:26pm McNally, Kate 1. Noted, 2. The Bookeasy system is in place for Bellbird Hall with Millfield Hall coming on line by the end of July 2024. Ellalong Hall will be the next facility to provide online bookings., 3. To be completed after item 2.</p> <p>24 Jun 2024 1:29pm McNally, Kate - Target Date Revision Target date changed by Harris, Kate from 28 June 2024 to 30 August 2024 - Council Officers are in the process of transitioning community halls to the online booking system. Millfield Hall will be complete by the end of July and then moving to Ellalong Hall.</p> <p>30 Oct 2024 1:00pm Dennis, Johanna Council staff undertook system training with Millfield Hall s355 committee volunteers in August and the booking system has been set up and will go live in November.</p> <p>30 Oct 2024 1:05pm Dennis, Johanna - Target Date Revision Target date changed by Dennis, Johanna from 30 August 2024 to 31 December 2024 - AGM being held for Ellalong s355 Committee 18 November. New committee will be trained on booking system before implementation.</p>						

Action Sheets Report	Division: Committee: Ordinary Council Officer:	Date From: Date To: Printed: Tuesday, 11 February 2025 2:23:54 PM
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<p>02 Dec 2024 12:24pm Dennis, Johanna Booking system for Millfield Hall has gone live and is being utilised.</p> <p>03 Feb 2025 1:36pm Dennis, Johanna Booking system for Ellalong Hall is now live. Fourth community hall for online booking system currently being determined in consultation with s355 committees.</p> <p>03 Feb 2025 1:40pm Dennis, Johanna - Target Date Revision Target date changed by Dennis, Johanna from 31 December 2024 to 30 June 2025 - Fourth site for trial will be determined in consultation with s355 committees and training undertaken.</p>
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