



Vincent Street
CESSNOCK

16 October 2024

ORDINARY MEETING OF COUNCIL

WEDNESDAY, 23 OCTOBER 2024

ENCLOSURES

PAGE NO.

PLANNING AND ENVIRONMENT

PE18/2024 Draft Waste Management Development Control Plan

Enclosure1: Draft Waste Management Development Control Plan	3
Enclosure2: Draft Waste Management Guidelines.....	20
Enclosure3: Draft Development Control Plan Dictionary amendment - Waste Management.....	198

CORPORATE AND COMMUNITY

**CC52/2024 Minutes of Organisational and General Managers Review
Committee Meeting held 5 August 2024**

Enclosure1: General Managers Performance Review and Development Plan (Provided to Councillors as a Confidential Enclosure under Separate Cover)	200
--------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

**CC53/2024 Public Exhibition - Revised Councillor Expenses and
Facilities Policy**

Enclosure1: Councillor Expenses and Facilities Policy	201
--------------------------------------------------------------------	-----

CC54/2024 Code of Conduct and Procedures

Enclosure1: Code of Conduct Procedures	217
-----------------------------------------------------	-----

**CC55/2024 Public Exhibition - Revised Code of Meeting Practice
2024**

Enclosure1: Code of Meeting Practice	246
---------------------------------------------------	-----

CC56/2024 Revised Councillor and Staff Interaction Policy

Enclosure1: Revised Councillor and Staff Interaction Policy	285
--------------------------------------------------------------------------	-----

CC57/2024 Revised Councillor Training and Development Policy

Enclosure1: Revised Councillor Training and Development Policy	296
CC63/2024 Resolutions Tracking Report	
Enclosure1: Finalised Actions.....	303
Enclosure2: Outstanding Actions.....	306

Waste Management

Introduction

Waste management has developed into a significant sustainability issue and a priority matter for all levels of Government. The environmental and economic costs of waste generation and disposal to landfill have substantially risen and increasingly large volumes of waste continue to be generated by a growing population. However, a shift in the view of 'waste' is occurring with realisation of waste products as a resource that can be reused, recycled or recovered for other purposes.

The Federal and NSW State Governments have set waste reduction targets to minimise waste received at landfill. In NSW these targets are supported by the *Waste Avoidance and Resource Recovery Act 2001*. Cessnock City Council is committed to reducing the environmental impacts of waste within the Local Government Area (LGA) and supporting the wider management and reduction of waste within the region.

This Chapter is supported by Waste Management Guidelines (WM Guidelines) that provide detailed information to assist in designing waste management and collection systems for the operation of the development. The WM Guidelines provide detail to ensure development can maximise waste and resource recovery while providing safe and accessible waste collection. The WM Guidelines should be read in conjunction with this Chapter.

Application

The development provisions apply to all applications for development.

Development provisions – Demolition and Construction

Demolition

Demolition can provide a significant opportunity for waste minimisation and reuse of materials. Applicants are encouraged to consider possible adaptive reuse of existing buildings/structures or reuse of materials.

Objectives	Controls
a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.	<p>A Waste Management Plan is to be prepared in accordance with Council's Waste Management Guideline – Demolition, and address</p> <ul style="list-style-type: none"> • Estimated quantities of waste types generated by the demolition • Identification of materials for reuse or recycling on-site • Identification of materials for off-site disposal or recycling • Waste facility or recycling outlet where materials will be taken off-site.
b) To ensure appropriate facilities are available for separation and collection of waste streams	<p>A Site Plan is to identify</p> <ul style="list-style-type: none"> • A waste storage area for the separation of reusable, recyclable and residual waste materials

	<ul style="list-style-type: none"> • A waste collection area, including storage of bins for recyclable and residual waste • Vehicular access for collection of recyclable and residual waste
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Construction

Minimisation of waste during construction can be achieved by attention to materials during design, estimation of materials required and appropriate construction techniques and management practices.

Objectives	Controls
a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.	A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Construction, and address <ul style="list-style-type: none"> • Estimated quantities of waste types generated by the proposed construction • Identification of excess construction materials for reuse or recycling • Identification of materials for off-site disposal or recycling • Waste facility or recycling outlet where materials will be taken off-site.
b) To ensure appropriate facilities are available for separation and collection of waste streams	A Site Plan is to accompany the development application identifying <ul style="list-style-type: none"> • A waste storage area for the separation of reusable, recyclable and residual waste materials • A waste collection area, including storage of bins for recyclable and residual waste • Vehicular access for collection of recyclable and residual waste

Development provisions – Subdivision

The design phase of subdivisions provides a significant opportunity for the planning of waste management and collection. The design of subdivisions is important for appropriate waste servicing to each allotment, whether residential or commercial/industrial, and requires consideration in the assessment of applications. Applications for subdivision are to consider Council’s Waste Management Guideline – Subdivisions.

Objectives	Controls
a) To ensure residential subdivision design can accommodate the number of bins generated by the development	The Site Plan or Subdivision Plan for residential subdivision must identify <ul style="list-style-type: none"> • Nominated kerbside waste collection points for each residential Lot

	<ul style="list-style-type: none"> Waste collection points are to be located with a 2000mm clearance from the base/trunk of street trees and a minimum of 500mm from other infrastructure within the subdivision design.
<p>b) Ensure subdivisions with new public roads accommodate waste management and access requirements for future development</p>	<p>The development application for residential subdivision including new public roads is to be accompanied by a Waste Collection Route Design Plan. The Waste Collection Route Design Plan is to consider access/servicing by a 12.5m rigid 6-wheel waste collection vehicle including</p> <ul style="list-style-type: none"> Minimising waste collection vehicles traversing each street more than once (or once in each direction) Minimising right hand turns across intersections Minimising dead end streets, tight-turning spaces, height restrictions or other situations requiring reversing, three-point turns and U-turns by the waste collection vehicle Avoid bin collection points on tight curves or cul-de-sacs that would interfere with waste collection vehicle swept paths Ensure waste collection vehicles can enter and exit the subdivision in a forward direction. <p>Subdivision features proposed for kerbside bin collection including</p> <ul style="list-style-type: none"> Internal loop roads Private driveways Community title roads Other private roads <p>are to be designed in accordance with Council's Engineering Guidelines for Design and Construction and permit access/servicing by a 12.5m rigid 6-wheel waste collection vehicle.</p>
<p>c) Ensure waste can be collected in a safe and efficient manner and minimise adverse amenity impact.</p>	<p>All waste collection vehicle turning areas within the subdivision roadway, whether public or private, are to be supported by swept path diagrams for a 12.5m rigid 6-wheel waste collection vehicle.</p> <p>Where deemed appropriate cul-de-sac heads are to include</p> <ul style="list-style-type: none"> A minimum diameter of 24m to accommodate a 12.5m rigid 6-wheel waste collection vehicle.

	<ul style="list-style-type: none"> No stopping signage along the head of the cul-de-sac
	<p>Where deemed appropriate battle-axe blocks are to</p> <ul style="list-style-type: none"> Include an access handle width as outlined in the Subdivision Development Control Plan and adequate provision for the kerbside presentation of two 240L bins for each battle-axe allotment. Include bin collection points situated on the frontage belonging to the subject development Not be situated within a cul-de-sac <p>Note: Kerbside waste collection points may require collection pads in the road reserve</p>

Development provisions – Residential accommodation

These development provisions apply to the following residential accommodation types

- a) Attached dwellings
- b) Dwelling houses
- c) Dual occupancies
- d) Secondary dwellings
- e) Semi-detached dwellings

The management and collection of waste materials from residential dwellings has the potential to be undertaken sustainably, but requires cooperation by occupants. Council’s Waste Management Guideline – Residential Dwellings has been prepared to assist with facilitating good waste management practices and provides design requirements for residential development.

Objectives	Controls
<p>a) To provide adequate space for dwellings to manage waste and recycling.</p>	<p>A Site Plan is to identify</p> <ul style="list-style-type: none"> The location of an on-site waste and recycling storage area. The waste and recycling storage area is to be sufficiently sized to accommodate waste, recycling and organics bins in accordance with Council’s Waste Management Guideline – Residential Dwellings.
	<p>The waste and recycling storage area is to be designed in accordance with Council’s Waste Management Guideline – Residential Dwellings including</p> <ul style="list-style-type: none"> Sufficient space for manoeuvring, cleaning and maintenance of bins

	<ul style="list-style-type: none"> • Located where it will not adversely impact the amenity of occupants or neighbouring development in terms of noise or odour • Not located within front setback or appropriately screened, and shall not be visible from the street.
b) To ensure safe and efficient collection of waste	<p>A Site Plan must include a waste collection point for two 240L bins.</p> <p>Note: Council’s standard collection point is the kerbside of public roads.</p> <p>Kerbside collection points are to</p> <ul style="list-style-type: none"> • Be free of obstructions with a 2000mm clearance from the base/trunk of street streets and a minimum of 500mm from other infrastructure including power poles and street furniture • Have sufficient access, including free of overhead obstacles, for mechanical pick up and set down of bins.

Development provisions – Residential accommodation with multiple dwellings and service-managed accommodation

These development provisions apply to the following residential accommodation types

- a) Manor houses
- b) Multi-dwelling housing

These development provisions also apply to residential accommodation types with the provision of managed services including

- a) Boarding houses
- b) Co-living housing
- c) Group homes
- d) Hostels
- e) Groups of independent living units provided as seniors housing

Waste management for these residential accommodation types are more complex and vary based on the number of dwellings or increased occupancy of the development. Council’s Waste Management Guideline – Multiple Dwellings and Service-managed Residential Accommodation has been prepared to assist with developing waste management systems for these developments.

Objectives	Controls
a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.	A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Multiple Dwellings and Service-managed Residential Accommodation, and address

	<ul style="list-style-type: none"> • Estimated quantities of waste types generated by the operation of the development • Operation of waste management systems for the life of the development • Storage of recyclable, organics and residual waste at the site • Waste collection arrangements for the development.
<p>b) To provide adequate space for dwellings to manage waste and recycling where ground floor access is available</p>	<p>Where proposed dwellings have individual ground floor access, such as townhouses, the Site Plan shall identify</p> <ul style="list-style-type: none"> • The location of each on-site waste and recycling storage area. The waste and recycling storage area is to be sufficiently sized to accommodate waste, recycling and organics bins in accordance with Council’s Waste Management Guidelines – Multiple Dwellings and Service-managed Residential Accommodation <p>The waste and recycling storage area is to be located on the ground level of the development and include</p> <ul style="list-style-type: none"> • Sufficient space for manoeuvring, cleaning and maintenance of bins • Located where it will not adversely impact the amenity of occupants or neighbouring development in terms of noise or odour • Not located within front setback or appropriately screened, and shall not be visible from the street. • Meet the requirements of the Building Code of Australia
<p>c) To provide adequate space to manage waste and recycling where ground floor access is not available</p>	<p>Where proposed dwellings do not have individual ground floor access available, such as manor houses, the Site Plan shall identify</p> <ul style="list-style-type: none"> • The location of a communal waste and recycling storage area. The waste and recycling storage area is to be sufficiently sized to accommodate waste, recycling and organics bins in accordance with Council’s Waste Management Guidelines – Multiple Dwellings and Service-managed Residential Accommodation <p>Communal waste and recycling storage areas are to be located on the ground level of the</p>

	<p>development and as near as practicable to the waste collection point. The communal waste and recycling storage area is to include</p> <ul style="list-style-type: none"> • Sufficient space for manoeuvring, cleaning and maintenance of bins • Located where it will not adversely impact the amenity of occupants or neighbouring development in terms of noise or odour • Appropriate screening, and shall not be readily visible from a public place. • Meet the requirements of the Building Code of Australia <p>Communal waste and recycling storage areas for independent living units provided for seniors housing are to be located on the ground level of the development and each unit should not be located greater than 50m from a designated waste storage area.</p>
<p>d) To ensure safe and efficient collection of waste</p>	<p>A Site Plan must include a waste collection point for two 240L bins for each proposed dwelling.</p> <p>Note: Council’s standard collection point is the kerbside of public roads.</p> <p>Kerbside collection points are to be</p> <ul style="list-style-type: none"> • Be free of obstructions with a 2000mm clearance from the base/trunk of street streets and a minimum of 500mm from other infrastructure including power poles and street furniture • Have sufficient access, including free of overhead obstacles, for mechanical pick up and set down of bins. <p>Note: Where sufficient kerbside space for all mobile garbage bins cannot be demonstrated an alternative service arrangement will be required.</p>
<p>e) Provide adequate internal space for sorting of waste materials</p>	<p>The Floor Plan accompanying the development application is to identify</p> <ul style="list-style-type: none"> • Space inside each individual dwelling for the storage of at least two days generation of waste and recycling • Space within the kitchen area of each individual dwelling for the separation of food waste or compostable material.

Development provisions - Residential flat buildings

These development provisions apply to residential flat buildings, which can house a number of residential units. This residential accommodation type requires a responsive waste management system to the building design and number of residential units within the development. Council’s Waste Management Guideline – Residential Flat Buildings has been prepared to assist with preparing and implementing a waste management system that is suitable for the proposed development.

Objectives	Controls
<p>a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.</p>	<p>A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Residential Flat Buildings, and address</p> <ul style="list-style-type: none"> • Estimated quantities of waste types generated by the operation of the development • Operation of waste management systems for the life of the development • Storage of recyclable, organics and residual waste at the site • Waste collection arrangements for the development.
<p>b) To ensure residential occupants have appropriate access to the waste transfer system in the building</p>	<p>The Floor Plan(s) accompanying the development application are to identify a waste and recycling storage room, including a waste chute, on each residential floor of the building.</p> <p>Dual waste chute systems, for recyclable and residual waste streams, are to be installed within the building. Access to the chute system is required on each residential floor of the building.</p>
<p>c) To provide appropriate space and facilities for the management of waste and recycling</p>	<p>The waste and recycling storage area is to be located within the ground level or basement of the development. The waste and recycling storage area is to be designed to accommodate waste, recycling and organics bins in accordance with Council’s Waste Management Guidelines – Residential Flat Buildings.</p>
<p>d) To ensure safe and efficient collection of waste</p>	<p>The waste collection point is to be located on-site and designed with appropriate access for the waste collection vehicle in accordance with Australian Standard AS 2890.2:2018 Off-street Commercial Vehicle Facilities</p> <p>Waste collection vehicle access to the development and waste collection point are to be demonstrated by swept path models for the nominated waste collection vehicle.</p> <p>A structural engineers report confirming the waste collection vehicle access areas can support the vehicle’s ‘gross weight’.</p>

<p>e) Provide adequate internal space for sorting of waste materials</p>	<p>The Floor Plan(s) accompanying the development application is to identify within each residential unit within the building</p> <ul style="list-style-type: none"> • Space for the storage of at least two days generation of waste and recycling • Space within the kitchen area for the separation of food waste or compostable material.
--------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Development provisions – Commercial premises, industries and community facilities

These development provisions apply to the following landuse types

- a) Commercial premises including business premises, office premises and retail premises. The development provisions will also apply to the following specific landuses

Landuse
Amusement centres
Entertainment facilities
Function centres
Highway service centres
Industrial retail outlets
Registered clubs
Restricted premises
Service stations
Sex service premises
Veterinary hospitals
Wholesale supplies

- b) Industry including general industry, light industry and heavy industry. The development provisions will also apply to the following specific landuses

Landuse
Transport depot
Truck depot
Vehicle body repair workshops
Vehicle repair stations

- c) Commercial operations associated with agriculture including

Farm experience premises with function and conference facilities
Farm gate premises including cellar door premises and food and drink premises located on the existing commercial farm

- d) Storage premises including self-storage units and the following specific landuses

Landuse
Depots
Warehouse or distribution centres
Local distribution premises

e) Community and recreation related premises including the following specific landuses

Landuse	Type
Early education and care facility	Centre-based child care facility
	School-based child care
Community facility	
Information and education facilities	
Place of public worship	
Public administration buildings	
Research stations	
Respite day care centres	
Environmental facilities	
Recreation facilities (indoor)	
Recreation facilities (outdoor)	

Each commercial, industrial or community facility development is to be designed and constructed to allow the proposed operation to maximise waste resource recovery. Council’s Waste Management Guideline – Commercial, Industry and Community Facilities has been prepared to assist with preparing and implementing a waste management system that will enable appropriate management and collection of waste and recycling from the premises..

Objectives	Controls
a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.	<p>A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Commercial, Industry and Community Facilities, and address</p> <ul style="list-style-type: none"> • Estimated quantities of waste types generated by the operation of the development • Operation of waste management systems for the life of the development • Storage of recyclable and residual waste at the site • Waste collection arrangements for the development.
b) To provide appropriate space and facilities for the management of waste and recycling	<p>The Site Plan is to identify</p> <ul style="list-style-type: none"> • The location of each on-site waste and recycling storage area. The waste and recycling storage area is to be sufficiently sized to accommodate nominated bin sizes in accordance with Council’s Waste Management Guidelines – Commercial, Industry and Community Facilities.

<p>c) To ensure safe and efficient collection of waste from the premises.</p>	<p>The waste and recycling storage area(s) is to be designed in accordance with Council’s Waste Management Guideline – Commercial, Industry and Community Facilities including</p> <ul style="list-style-type: none"> • Sufficient space for manoeuvring, cleaning and maintenance of bins • Located where it will not adversely impact the amenity of occupants or neighbouring development in terms of noise or odour • Appropriately screened, and shall not be readily visible from a public place. • Include storage for reusable items such as crates, pallets etc (where applicable for the proposed development).
	<p>The Site Plan is to identify</p> <ul style="list-style-type: none"> • Waste collection point(s) located on-site and designed with appropriate access for the waste collection vehicle in accordance with Australian Standard AS 2890.2:2018 Off-street Commercial Vehicle Facilities • A waste collection point for each tenancy <p>Note: All waste collection from the premises is required to be undertaken within the boundary of the property.</p>
	<p>Waste collection vehicle access to the site and waste collection point are to be demonstrated by swept path models for the nominated waste collection vehicle.</p>
	<p>A structural engineer’s report confirming the waste collection vehicle access areas can support the vehicle’s ‘gross weight’.</p>
<p>d) Provide adequate internal space for sorting of waste materials</p>	<p>The Floor Plan is to identify</p> <ul style="list-style-type: none"> • Space inside each tenancy for the storage of at least one day’s generation of recycling and residual waste • Space within the kitchen area of each tenancy for the separation of food waste or compostable material.

Development provisions – Mixed-Use development

These provisions relate to development where a building or area contains two or more different landuses. These developments typically comprise a ground-floor commercial component of the building with a residential component located on levels above the ground floor. Waste management

within a mixed-use development requires a responsive design to the types of premises occupying the building, but also requires separation of the differing components.

Objectives	Controls
<p>a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.</p>	<p>A Waste Management Plan is to be prepared in accordance with the following for each part of the proposed development</p> <ul style="list-style-type: none"> • Commercial premises: Waste Management Guideline – Commercial, Industry and Community Facilities, • Residential component (two storeys and below): Waste Management Guideline - Multiple Dwellings and Service-managed Residential Accommodation • Residential component (three storeys and above): Waste Management Guideline – Residential Flat Buildings <p>The Waste Management Plan is to address</p> <ul style="list-style-type: none"> • Estimated quantities of waste types generated by each component and operation of the mixed-use development • Operation of waste management systems for the life of the development • Storage of recyclable and residual waste at the site • Waste collection arrangements for each component of the mixed-use development.
<p>b) To provide appropriate space and facilities for the management of waste and recycling</p>	<p>The Site Plan is to identify</p> <ul style="list-style-type: none"> - The location of separate waste and recycling storage areas for each component of the development - Each waste and storage recycling areas are to be designed in accordance with the following - Commercial premises: Waste Management Guideline – Commercial, Industry and Community Facilities, - Residential component (two storeys and below): Waste Management Guideline - Multiple Dwellings and Service-managed Residential Accommodation - Residential component (three storeys and above): Waste Management Guideline – Residential Flat Buildings

<p>c) To ensure appropriate facilities are available for separation and collection of waste streams</p>	<p>The Site Plan is to identify</p> <ul style="list-style-type: none"> Waste collection point(s) located on-site and designed with appropriate access for the waste collection vehicle in accordance with Australian Standard AS 2890.2:2018 Off-street Commercial Vehicle Facilities. <p>Note: Waste collection point may be shared between the components of the mixed-use development.</p>
	<p>Waste collection vehicle access to the site and waste collection point are to be demonstrated by swept path models for the nominated waste collection vehicle.</p>
	<p>A structural engineer’s report confirming the waste collection vehicle access areas can support the vehicle’s ‘gross weight’.</p>
	<p>The Floor Plan is to identify</p> <ul style="list-style-type: none"> Commercial premises <ol style="list-style-type: none"> Space inside each tenancy for the storage of at least one day’s generation of recycling and residual waste Space within the kitchen area of each tenancy for the separation of food waste or compostable material. Residential component <ol style="list-style-type: none"> Space inside each residential dwelling for storage of at least two days generation of waste and recycling Space within the kitchen area of each dwelling for the separation of food waste or compostable material.

Development provisions – Tourist and visitor accommodation

These development provisions apply to the following landuse types within the tourist and visitor accommodation

- a) Backpackers accommodation
- b) Farm stay accommodation
- c) Hotel or motel accommodation
- d) Serviced apartments

The development provisions also apply to the following landuse types

- a) Camping grounds
- b) Caravan parks
- c) Eco-tourist facilities

d) Manufactured home estates

Each tourist and visitor accommodation development are to be designed and constructed to allow the proposed operation to maximise waste resource recovery from users of the site. Appropriate waste management practices are required to be implemented by the management body of the development to ensure continued sustainable operation of the waste management system. Council’s Waste Management Guideline – Tourist and Visitor Accommodation has been prepared to assist with developing an appropriate waste management system for these landuses.

Objectives	Controls
<p>a) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.</p>	<p>A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Tourist and Visitor Accommodation, and address</p> <ul style="list-style-type: none"> • Estimated quantities of waste types generated by the operation of the development • Operation of waste management systems for the life of the development • Storage of recyclable and residual waste at the site • Waste collection arrangements for the development.
<p>b) To provide appropriate space and facilities for the management of waste and recycling</p>	<p>The Site Plan is to identify</p> <ul style="list-style-type: none"> • The location of each on-site waste and recycling storage area. The waste and recycling storage area is to be sufficiently sized to accommodate nominated bin sizes in accordance with Council’s Waste Management Guideline – Tourist and Visitor Accommodation.
<p>c) To ensure safe and efficient collection of waste from the premises.</p>	<p>The waste and recycling storage area(s) is to be designed in accordance with Council’s Waste Management Guideline – Tourist and Visitor Accommodation including</p> <ul style="list-style-type: none"> • Sufficient space for manoeuvring, cleaning and maintenance of bins • Located where it will not adversely impact the amenity of occupants or neighbouring development in terms of noise or odour • Appropriately screened, and shall not be readily visible from a public place. • Include storage for storage of reusable items such as crates, pallets etc (where applicable for the proposed development). <p>The Site Plan is to identify</p> <ul style="list-style-type: none"> • Waste collection point(s) located on-site and designed with appropriate access for

	<p>the waste collection vehicle in accordance with Australian Standard AS 2890.2:2018 Off-street Commercial Vehicle Facilities</p> <p>Note: All waste collection from the premises is required to be undertaken within the boundary of the property.</p>
	<p>Waste collection vehicle access to the site and waste collection point are to be demonstrated by swept path models for the nominated waste collection vehicle.</p>
	<p>A structural engineer’s report confirming the waste collection vehicle access areas can support the vehicle’s ‘gross weight’.</p>
<p>d) Provide adequate internal space for sorting of waste materials</p>	<p>The Floor Plan is to identify</p> <ul style="list-style-type: none"> • Space inside each individual accommodation unit, including individual rooms in hotel or motel rooms, for the storage of at least one day’s generation of recycling and residual waste • Space within the kitchen area of each individual accommodation unit for the separation of food waste or compostable material.

Development provisions – Health services facility and animal health facilities

These development provisions apply to the following landuse types within the health services facility

- a) Community health service facilities
- b) Health consulting rooms
- c) Hospital
- d) Medical centre
- e) Patient transport facilities

The development provisions also apply to the following landuse type within seniors housing

- a) Residential care facility

These development provisions also apply to the following landuse types associated with animal health management

- a) Animal boarding or training establishments
- b) Veterinary hospitals

Health service and animal health facilities require a multi-layered waste management system to assist with the number of waste streams associated with the operations of these premises. These waste streams require appropriate storage and collection to prevent transfer of pathogens or infectious substances.

Objectives	Controls
<p>e) Maximise waste avoidance, reuse and recycling to reduce the amount of waste to landfill.</p>	<p>A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Health Services and Animal Health Facilities, and address</p> <ul style="list-style-type: none"> • Estimated quantities of waste types generated by the operation of the development • Operation of waste management systems for the life of the development • Storage of recyclable and residual waste at the site • Storage of clinical, sharps, cytotoxic, pharmaceutical or radioactive waste • Waste collection arrangements for the various waste streams from the development.
<p>f) To provide appropriate space and facilities for the management of waste and recycling</p>	<p>The Site Plan is to identify</p> <ul style="list-style-type: none"> • The location of the on-site waste storage area(s). The waste storage area is to be sufficiently sized to accommodate the nominated bin sizes for each waste stream in accordance with Council’s Waste Management Guidelines – Health Services and Animal Health Facilities.
<p>g) To ensure safe and efficient collection of waste from the premises.</p>	<p>The waste storage area(s) is to be designed in accordance with Council’s Waste Management Guideline – Health Services and Animal Health Facilities including</p> <ul style="list-style-type: none"> • Sufficient space for manoeuvring, cleaning and maintenance of bins • Located where it will not adversely impact the amenity of occupants or neighbouring development in terms of noise or odour • Appropriately screened, and shall not be readily visible from a public place. • Include storage for storage of reusable items • Include storage for clinical, sharps, cytotoxic, pharmaceutical or radioactive waste where appropriate. <p>The Site Plan is to identify</p> <ul style="list-style-type: none"> • Waste collection point(s) located on-site and designed with appropriate access for the waste collection vehicle in accordance with Australian Standard AS 2890.2:2018 Off-street Commercial Vehicle Facilities • A waste collection point for each tenancy

	<p>Note: All waste collection from the premises is required to be undertaken within the boundary of the property.</p> <p>Waste collection vehicle access to the site and waste collection point are to be demonstrated by swept path models for the nominated waste collection vehicle.</p> <p>. A structural engineer’s report confirming the waste collection vehicle access areas can support the vehicle’s ‘gross weight’.</p>
h) Provide adequate internal space for sorting of waste materials	<p>The Floor Plan is to identify</p> <ul style="list-style-type: none"> • Space inside each tenancy, for the storage of at least one day’s generation of recycling and residual waste • Space within the kitchen area of each tenancy for the separation of food waste or compostable material.

Development provisions – Events

Planning for waste management at organised events can be undertaken through sustainable practices and organisation of waste facilities. Council’s Waste Management Guidelines – Events has been prepared to assist with facilitating operational waste management practices at organised events.

Objectives	Controls
a) To enable sustainable waste management practices and appropriate waste collection at events	<p>A Waste Management Plan is to be prepared in accordance with Council’s Waste Management Guideline – Events, and address</p> <ul style="list-style-type: none"> • Estimated recycling and residual waste volumes generated by the event • Number and sizing of bins required for the estimated recycling and residual waste volumes
b) To enable safe and efficient collection of waste	<p>A Site Plan is to accompany the development application identifying</p> <ul style="list-style-type: none"> • Location of bins • Location of consolidated waste storage area(s) for separation of recyclable and residual waste materials • Waste collection area(s) and vehicular access to collection area.



WASTE MANAGEMENT GUIDELINES

DEMOLITION



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
Waste types from demolition	6
2 Waste Minimisation	8
Waste Management Plan	9
3 Demolition waste storage areas	12
Demolition waste collection point	13
5 Useful resources	14
6 Appendix A	16
Template Waste Management Plan – Demolition	17



INTRODUCTION

Introduction

Waste minimisation from demolition of structures can be undertaken through management practices such as reuse, re-sale or reprocessing of materials. Waste minimisation practices can provide benefits to a project including:

- Income from sale of recycled or salvaged materials
- Reduced waste transport and disposal costs
- Reduced consumption of new materials and resources
- Conserving landfill space

This guideline has been developed to assist with the completion of a Waste Management Plan (WMP) for demolition projects and assist with meeting the requirements for waste management under Council's Development Control Plan (DCP). A template WMP for demolition activities has been provided in **Appendix A** of this guideline to assist in preparing for a demolition project.



Waste types from demolition

Planning for waste minimisation from demolition should consider the types of waste produced by the project and how they may be re-used, recovered or recycled. Types of waste may include

- reusable parts of the structure or the whole structure/building
- fittings and furnishings (including doors, windows, cabinetry, sinks, basins etc)
- services (including fire safety systems, electrical components, air-conditioning etc)
- structural materials (including roof, floor, columns, framing etc)
- internal or secondary materials (including ceilings, wall panels and floor coverings)
- outbuildings, sheds, carports, garages
- fencing, pathways, letterboxes, landscape edging

The volume of waste from demolition will vary based on the size of the project/structures. **Table 1** below shows the typical composition of waste materials from the demolition of different housing.

Table 1: Typical waste material composition from housing demolition

MATERIAL	HOUSING TYPE			
	FULL BRICK (T)	BRICK VENEER (T)	WEATHERBOARD (T)	ASBESTOS FIBRO (T)
Fittings	1.5	1.5	1	1
Roof tiles	8	12	5	5
Plasterboard	1	2.5	2	2
Timber	6.9	9.6	7.2	5.3
Concrete, bricks, footings	180	120	50	20
Asbestos	-	-	-	1.8
Total	197	146	65	35

Source: House deconstruction: Information booklet (Department of Environment, Climate Change and Water NSW, July 2010).



A large green graphic with abstract shapes and the text "WASTE MINIMISATION". The background is a solid green color with several abstract, overlapping shapes in lighter and darker shades of green. A white line starts from the left edge, curves upwards, and then curves downwards towards the center. The text "WASTE" is in a bold, italicized, white sans-serif font, and "MINIMISATION" is in a white sans-serif font with wide letter spacing.

WASTE MINIMISATION

Waste Management Plan

All demolition should be planned and undertaken safely in accordance with Australian Standard AS 2601 – 2001 The demolition of structures. In preparing a WMP for a demolition project consideration of the waste hierarchy under the Waste Avoidance and Resource Recovery Act 2001 is to be undertaken (Figure 1).

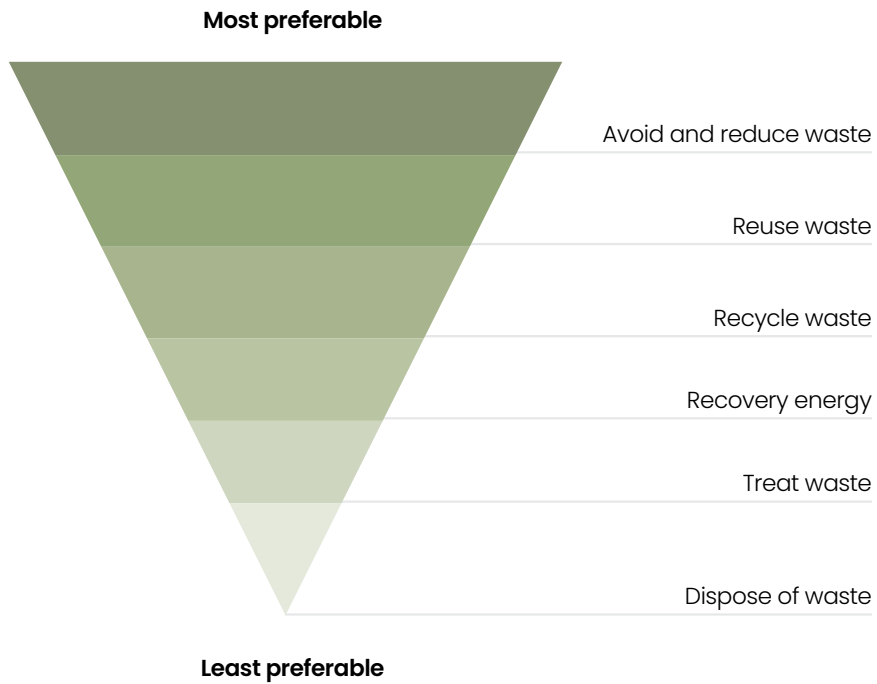


Figure 1: Waste hierarchy – Waste Avoidance and Resource Recovery Act 2001.

Table 2 provides examples of how the waste hierarchy can be applied to a demolition project to minimise waste and can assist with the preparation of a WMP.



Table 2: Potential waste minimisation management for demolition projects

MATERIAL	AVOID	REUSE	RECYCLE	DISPOSE
Concrete	Retain existing driveways, paths, footings, slabs		Reprocessed off-site at commercial facility for roadbase or levelling material	
Bricks	Retain existing walls, buildings, fences	Reuse bricks that are in good order on-site Sell bricks in good order	Reprocessed at commercial facility	
Roof tiles	Retain existing roof Consider cleaning and/or colour treatment	Sell tiles if in good condition	Reprocessed at commercial facility	
Timber (lumber, timber, flooring)	Leave in place or re-clad	Use as architectural feature on-site Sell suitable timber	Unpainted and untreated wood not fit for reuse	Painted, treated or rotting timber disposed as residual waste.
Doors, windows		Use as architectural feature in new project Sell if in good condition or use as second-hand building materials	Metal frames, screens to metal recycler. Unpainted or untreated wood not fit for reuse Glass to recycler	Unusable painted or treated wood.
Cabinets		Reuse suitable cabinets or replace doors Sell good condition cabinetry	Untreated or unpainted wood	Unusable painted or treated wood.
Plasterboard			Reprocessed off-site at commercial facility	Contaminated or rotten plasterboard
Plumbing products	Retain existing plumbing where appropriate	Reuse sinks taps, tubs, PVC pipes in new project Sell plumbing products if in good condition	Metal pipes, taps etc to metal recycler	PVC and other plastic piping unfit for reuse.
Synthetic and recycled rubber (eg carpet underlay)	Protect and cover for use in project	Good condition material can be reused	Reprocessed off site at commercial facility	Stained or soiled material unfit for reuse.

Reuse of demolition material

Where a suitable benefit to the project can be identified the reuse of material on-site should be considered. Materials and fittings that may be suitable for reuse include

- Timber – hardwood flooring, weatherboard, laminated beams, truss joints, framing, posts
- Thermal insulation – fiberglass, wool and polyester insulation, polystyrene sheets
- Plumbing fixtures – baths, sinks, toilets, service equipment
- Electrical fittings – light fittings, switches
- Linings and finishings – architraves, skirtings, wood paneling, joinery
- Doors and windows – metal and timber doors, mechanical closures, aluminum windows, steel windows, sealed glass units, store fronts, skylights

However, on-site use must comply with environmental and health legislation including

- Protection of the Environment Operations Act 1997: Does not result in pollution of the land
- Contaminated Land Management Act 1997: Does not result in contamination of the land
- The main exceptions to reuse and recycling of materials are
- Asbestos products
- Fire damaged building materials (contaminated by burnt chemical residues)
- Timber components treated with Copper Chrome Arsenate (CCA)
- Lead paint
- Poly-chlorinated Biphenyls (PCBs)

Reuse or recycle off-site

If the project requires existing buildings and infrastructure to be removed then careful on-site separation of materials can assist in waste minimisation. A number of color coded or labelled bins, or an ordered retrieval program, can assist with reducing waste disposal to landfill.

Materials that can be recycled from demolition projects include

- Asphalt paving
- Concrete
- Masonry – concrete blocks, paving stones, bricks and terracotta tiles
- Metals – structural steel, steel roofing, metal flashing, reinforcing steel, copper pipes and wiring
- Wool carpet
- Plastic – high-density polyethylene water pipes, PVC, polystyrene.

To maximise the value of the recyclable material, consult with the recycler to identify potential contaminants and minimise issues in the waste resource stream.



DEMOLITION WASTE STORAGE AREAS

Demolition waste storage areas

The size of the waste storage area at the demolition site will be dependent on the size of the project and volume of materials. The waste storage area is to be a minimum of 3.5m² with a screening height of 1.2m. The number of bins within the waste storage will be dependent on the number of waste streams to be separated and collected. Any bins are to have tight fitting lids to prevent litter/waste escaping from the waste storage area.

A number of waste storage areas may be required depending on the waste streams to be collected and site access.

Demolition waste collection point

The waste collection point for demolition material is to be located within the site and safely accessible by the waste collection vehicle. The waste collection vehicle should be able to access and leave the site in a forward direction.

The nominated demolition waste collection point is to be identified on the submitted Site Plan.





USEFUL
RESOURCES

Useful resources

Better Buildings Partnership 2024, BBP Stripout Waste Guidelines,
<https://www.betterbuildingspartnership.com.au/resource/stripout-waste-guidelines-procurement-systems-and-reporting/>

NSW EPA , Household building and renovation,
<https://www.epa.nsw.gov.au/your-environment/household-building-and-renovation>

Planet Ark 2023, Business Recycling Directory,
<https://businessrecycling.com.au/>



The graphic for Appendix A features a solid green background with a white line that starts from the left edge, curves downwards, and then curves back up towards the center. The text 'APPENDIX A' is centered in a large, bold, white, italicized sans-serif font.

APPENDIX A

Appendix A

Click here to download a council built template for your waste management plan:

<https://www.cessnock.nsw.gov.au/files/assets/public/v1/hptrim/website-forms-do-not-change/waste-management-guidelines-demolition-fillable-form.docx>



62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

CONSTRUCTION



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
2 Waste minimisation	6
Waste Management Plan	7
Construction waste storage area	8
Construction waste collection point	8
3 Useful resources	9
4 Appendix A	11
Template Waste Management Plan – Construction	12

INTRODUCTION

Introduction

Waste from construction activities may be minimised by both planning and on-site management practices. This can result in more efficient waste management and costs savings for the construction project. Major sources of waste generation during construction include:

- Construction material packaging, including plastic film and cardboard
- Material offcuts, spare or excess materials or over-ordered construction items
- Waste from workers at the site, including food packaging
- Damaged or non-reusable parts, tools and equipment.

This guideline has been developed to assist with the completion of a Waste Management Plan (WMP) for construction projects and assist with meeting the requirements for waste management under Council's Development Control Plan (DCP). A template WMP for construction has been provided in **Appendix A** of this guideline to assist in preparing for a construction project.



The graphic features a vibrant green background with several abstract, overlapping shapes in varying shades of green. A white line starts from the left edge, curves downwards, and then turns back up towards the center. The text 'WASTE MINIMISATION' is centered in the middle of the graphic. 'WASTE' is in a bold, italicized, white sans-serif font, while 'MINIMISATION' is in a regular, white sans-serif font.

WASTE MINIMISATION

Waste Management Plan

In preparing a WMP for a construction project consideration of the waste hierarchy under the Waste Avoidance and Resource Recovery Act 2001 is to be undertaken (**Figure 1**).

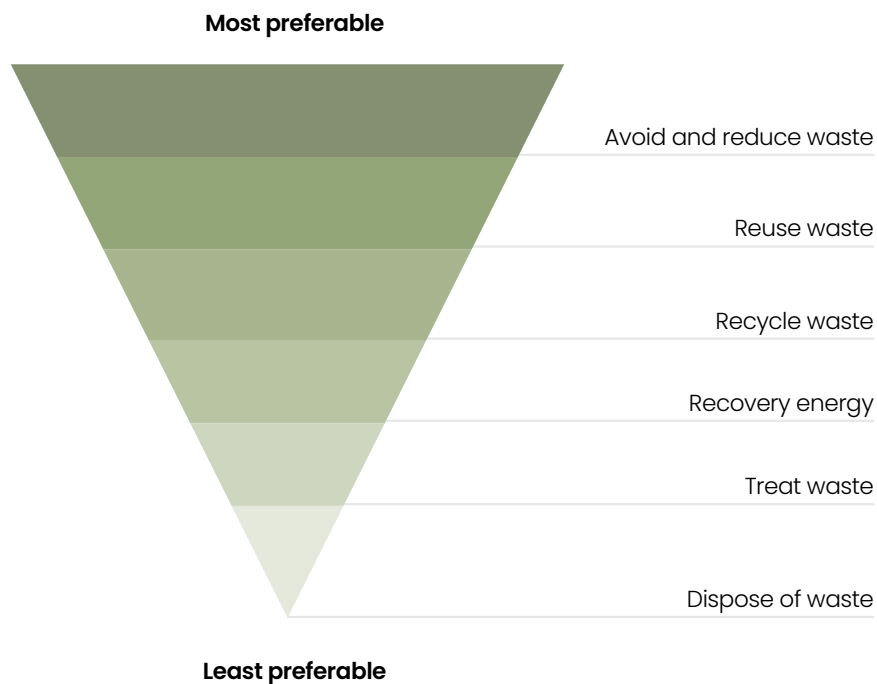


Figure 1: Waste hierarchy – *Waste Avoidance and Resource Recovery Act 2001*.

Avoiding construction waste

Measures to minimise waste during construction can include

- A purchasing policy to facilitate appropriate quantities of materials for the project
- Prefabrication of materials
- Reuse of formwork from other projects
- Modular design to reduce offcuts/excess
- Limiting excavation
- Source separation of offcuts to facilitate reuse or recycling
- Bulk purchasing to reduce individual packaging
- Appropriate storage of materials with expiration times to avoid spoiling and limit waste. Preparation of these materials should be batched to avoid spoiling or excess wastage.
- Appropriate landscape planning to reduce maintenance/generation of green waste materials.
- Co-ordination and sequencing of trades/construction to avoid generation of additional waste.

Construction reuse and recycling

Alternatives to the use of new construction materials may include:

- Reuse of existing materials from the site or from other projects.
- Purchasing second-hand materials or materials with recycled content

Recycling of construction materials can include:

- Setting aside full tiles, bricks and pavers as spares for use in other projects
- Use of spare timber for formwork
- Keeping residual paint for future occupants to conduct colour-matching in repairs
- Establish a return or buy-back arrangement with suppliers or arrange for materials to be sent to architectural salvage or used material outlets
- Use of broken bricks or tiles as drainage aggregate
- Return of pallets to suppliers.

Construction waste storage areas

The waste storage area at the construction site is to be a minimum of 3.5m² with a screening height of 1.2m. A number of bin locations may be required depending on the size of the project.

Any bins are to have tight fitting lids to prevent litter/waste escaping from the waste storage area.

Construction waste collection point

The waste collection point for construction waste material is to be located within the site and safely accessible by the waste collection vehicle. The waste collection vehicle should be able to access and leave the site in a forward direction.

The construction waste collection point is to be identified on the submitted Site Plan.



A large green graphic with abstract white shapes and the text 'USEFUL RESOURCES'. The background is a solid green color. There are several white geometric shapes: a large, irregular shape on the left side, a smaller, rounded shape in the top right corner, and a large, rounded shape in the bottom left corner. The text 'USEFUL' is in a bold, italicized, white sans-serif font, and 'RESOURCES' is in a white sans-serif font with wide letter spacing.

USEFUL RESOURCES

Useful resources

Green Cross Australia, Green Building Guide

<http://www.builditbackgreen.org/bushfires/interactive-green-building-guide.aspx>

National Institute of Building Services 2024, Whole Building Design Guide – Construction waste Management

<https://www.wbdg.org/resources/construction-waste-management>

NSW EPA, Household building and renovation

<https://www.epa.nsw.gov.au/your-environment/household-building-and-renovation>

Planet Ark 2023, Business Recycling Directory

<https://businessrecycling.com.au/>



APPENDIX A

Appendix A

Click here to download a council built template for your waste management plan:

<https://www.cessnock.nsw.gov.au/files/assets/public/v/1/hprim/website-forms-do-not-change/waste-management-guidelines- construction -fillable-form.docx>

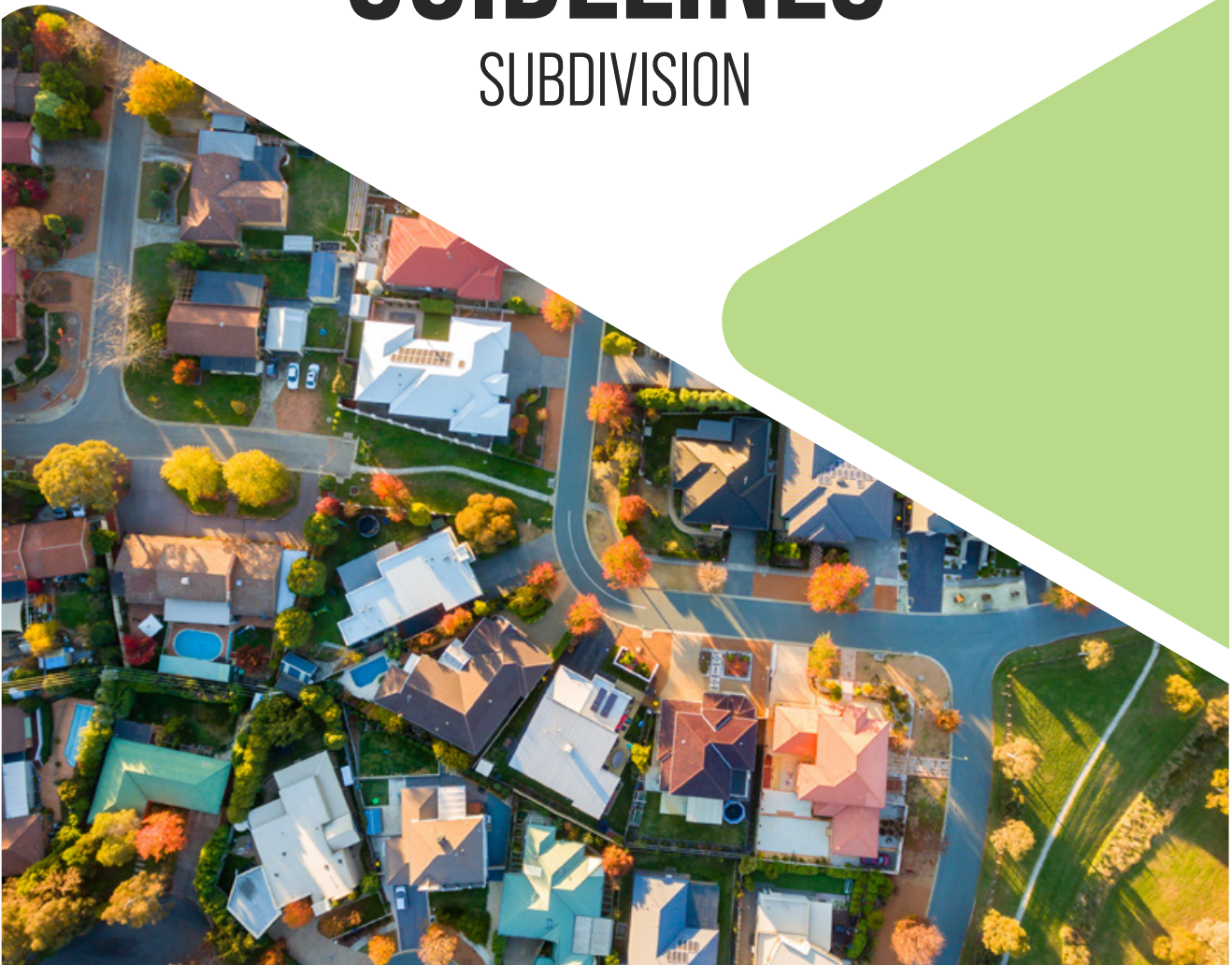


62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

SUBDIVISION



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
2 Residential subdivision	6
Residential waste collection by Council	7
Kerbside waste collection points	8
Designing residential subdivisions for waste collection	8
Waste collection vehicle access	9
Waste collection vehicle turning areas	9
Laneway waste collection service	10
3 Appendix A.	
Council Waste Collection Vehicle Specification	12
5 Appendix B.	
Waste Collection Vehicle Clearance Zone	14



INTRODUCTION

Introduction

The efficient collection of waste from new or redesigned urban areas requires appropriate planning to ensure future development is not left with inadequate waste storage or waste collection options. Subdivision layouts should be designed to optimise waste management systems within the proposed development with consideration of waste collection servicing, including efficient waste collection routes and access to waste collection points for each allotment.

This guideline has been developed to assist with designing a waste management system for subdivisions and to meet requirements for waste management under Council's Development Control Plan (DCP). Guidance is also provided regarding the completion of a Waste Collection Route Design Plan for subdivisions.





RESIDENTIAL SUBDIVISION

Residential waste collection by Council

Waste collection from residential properties is undertaken by Council under the Local Government Act 1993. Waste collection is undertaken at kerbside and requires residents to wheel mobile garbage bins to a kerbside waste collection point.

Standard bin allocations for residential development comprises the following

- A single 240L mobile garbage bin for residual waste
- A single 240L mobile garbage bin for organics/ food waste
- A single 240L mobile garbage bin for recycling waste



Figure 1: Cessnock City Council current bin service

Kerbside waste collection points

All kerbside waste collection points are to accommodate 2 x 240L bins with 50cm gap between . Standard bin sizes are provided in **Table 1** below to enable the design for kerbside waste collection points. The minimum dimension for a single dwelling waste collection point is 2670mm wide by 1000mm deep.

Table 1: 240L bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)
240L	1060	730	585

Kerbside waste collection points

All kerbside waste collection points must not be obstructed by driveway entry, street trees or on-street parking.

Where battle-axe blocks are proposed the lot is to include

- An access handle of sufficient size for a kerbside waste collection point of 2 x 240L bins with 50cm gap between or
- An appropriately marked concrete waste collection pad to the side of the battle-axe access handle within the road reserve. An example is provided in Figure 1.



Figure 1: Stenciled bin pads.

Designing residential subdivisions for waste collection

Residential subdivisions are to be designed to enable servicing for waste collection and to ensure future residents can access Council’s waste service. To enable residential waste collection to be undertaken in an effective and efficient manner subdivisions are to consider:

1. Subdivision design, lot layout and road design for waste collection servicing and provision of safe and appropriate waste collection points
2. Residential amenity and user safety
The most efficient servicing of waste

collection starts with the street layout design of the subdivision. The design outcomes are to be included in a Waste Collection Route Design Plan and should consider:

- a. The entrance to a subdivision (route start) should be a higher elevation to allow collection from the left side of the street in a downhill direction.
- b. Design streets to minimise the waste collection vehicle having to traverse the street more than once (or once in each direction). Kerbside collection is on the left of the waste collection vehicle so an optimal route is in an anti-clockwise direction with mostly left-hand turns.
- c. For multiple block subdivisions long runs down the length of each street as this minimises waste collection vehicle turning.
- d. Minimise bin collection on higher traffic streets as there is increased disruption to traffic flow. This includes minimising stopping and turning into off-street collection points from heavily trafficked roads.
- e. Avoid or minimise dead end streets unless there is a sufficient turning loop at the end.
- f. Avoid kerbside waste collection points in cul-de-sacs as collection can require additional turning for the waste collection vehicle.





Waste collection vehicle access

Access for Council waste collection vehicles are to be demonstrated by the following in any development application for residential subdivision

1. Road widths are to be designed with a minimum width of 8.5m kerb to kerb for local roads in accordance with Council's Engineering Guidelines for Design and Construction.
2. Swept path models for Council's 12.5m heavy rigid waste collection vehicle are to be undertaken for all turning points or maneuvering areas. Models are to be undertaken in the Waste Collection Route Design Plan. Specifications for Council's waste collection vehicle are provided in Appendix A.
3. Minimum 0.5m clearance zone is required for collection by side loading waste collection vehicle. The clearance zone is to be free of all external obstructions to enable loading of waste into the collection vehicle from the waste collection point. Appendix B provides guidance on the required waste collection clearance zone.

Waste collection vehicle turning areas

1. Staged subdivisions are to provide temporary turning facilities where the full length of the road will not be completed as part of the initial stages. Temporary turning facilities are to have a stabilised surface and large enough to accommodate Council's 12.5m heavy rigid waste collection vehicle. Temporary turning facilities are to be 24m in diameter and removed prior to the completion of the subdivision.
2. Cul-de-sacs within residential subdivisions are not generally permitted by Council. Where other turning facilities are deemed unviable by Council and a cul-de-sac is proposed:
 - a. The cul-de-sac is to be supported by swept path model for Council's 12.5m heavy rigid waste collection vehicle.
 - b. The cul-de-sac kerb to kerb diameter is a minimum of 24m.

Laneway waste collection

Subdivisions that incorporate laneways for waste collection servicing are to provide the following in a development application

1. Laneways are to be a minimum width of 7m kerb to kerb.
2. Swept path models for Council's 12.5m heavy rigid waste collection vehicle are to be undertaken for all turning points into the laneway.
3. Minimum 0.5m clearance zone is required for collection by side loading waste collection vehicle.
4. All lots serviced by laneway waste collection are to have waste collection points to accommodate 2 x 240L bins. The minimum dimension for a single dwelling waste collection point is 2060mm wide by 1000mm deep.
5. The length of the laneway is to be designed to allow appropriate sight distances for waste collection vehicles.
6. The laneway is to have unobstructed overhead height clearances for the waste collection vehicle.
7. The laneway is to include No Stopping signage to permit unobstructed waste collection vehicle access.



Figure 2: Example of waste collection being unable to be undertaken in laneway

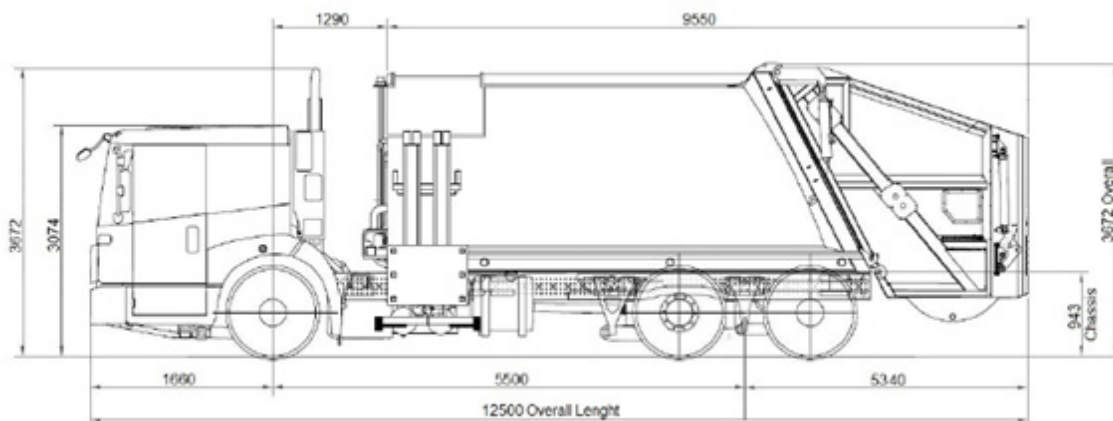
The page features a vibrant green background with abstract white geometric shapes, including a large arrow-like form on the left and a curved shape at the top right. The text 'APPENDIX A' is centered in a bold, white, italicized sans-serif font.

APPENDIX A

Council Waste Collection Vehicle Specification

The following specification is provided from AS 2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities for a 12.5m heavy rigid side loading waste collection vehicle.

VEHICLE SPECIFICATION	DIMENSIONS
Overall length (m)	12.5
Design Width (m)	2.8
Design Height (m)	3.7
Swept Circle (m)	22.5
Clearance (travel height) (m)	4.5
Roadway/ramp grade (max)	1:6.5 (15.4%)
Rate of change of grade (max)	1:16 (6.25%) in 7m of travel
Gross weight (max tonnes)	28
Capacity (m ³)	24
Front chassis clearance	130
Rear chassis clearance	160

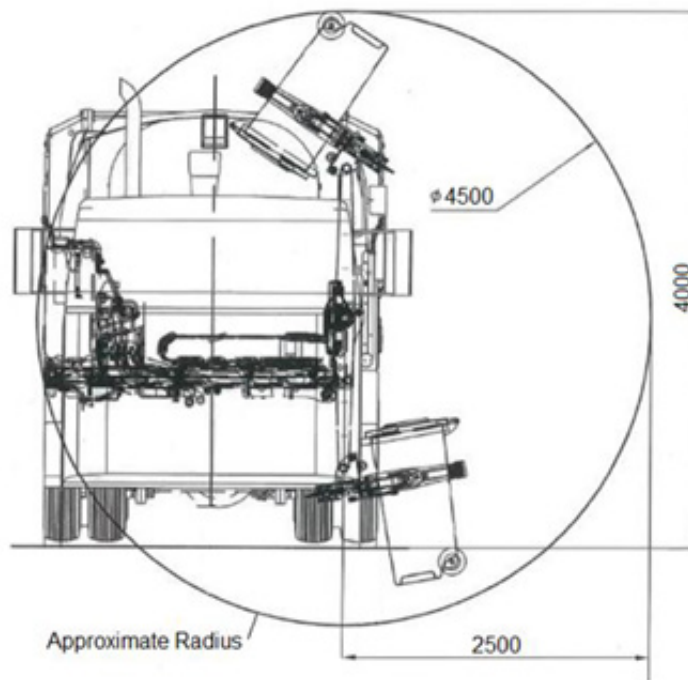


The background of the page is a solid light green color. It features several abstract geometric shapes: a white line forming a large, open, downward-pointing arrow shape on the left side; a darker green rounded rectangle in the top right corner; and a lighter green rounded shape in the bottom left corner. The text 'APPENDIX B' is centered in the middle of the page in a large, bold, white, italicized sans-serif font.

APPENDIX B

Waste Collection Vehicle Clearance Zone

The following diagram provides the operational clearance zone required for Council's heavy rigid vehicle waste collection vehicle to load waste into the vehicle



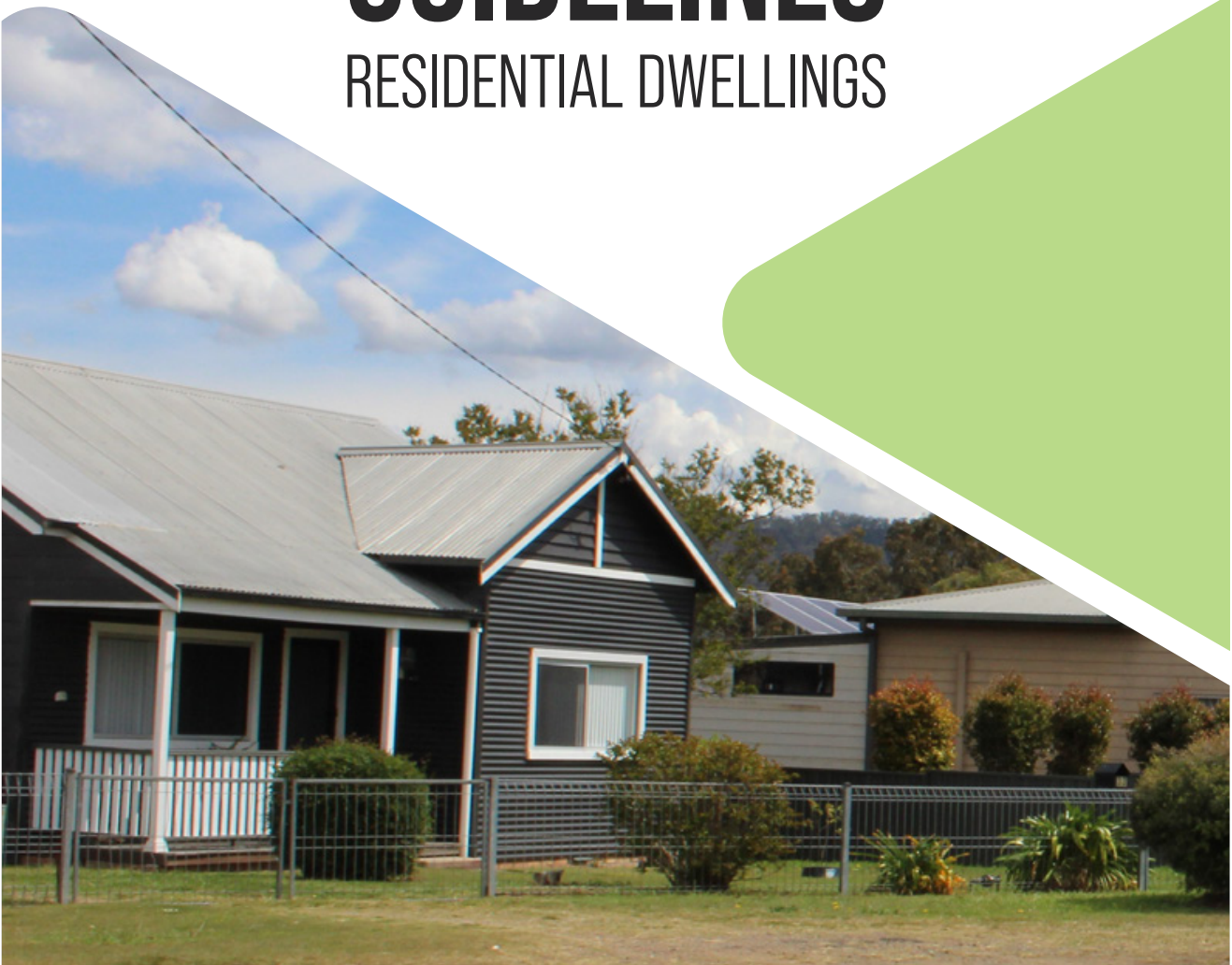


62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

RESIDENTIAL DWELLINGS



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
Residential waste collection service	5
Residential waste generation	6
2 Waste storage & collection	7
Waste storage area	8
Waste collection point	9
Access from waste storage area to collection point	10
Internal waste storage	10

INTRODUCTION

Introduction

Residential dwellings require a waste management system that is responsive to the individual site and can be adequately serviced by Council's waste collection service. This guideline will assist with developing a waste management system for the following residential accommodation types:

- a) Attached dwellings b) Dwelling houses c) Dual occupancy d) Secondary dwellings e) Semi-detached dwellings

Residential waste collection service

Residential dwellings are serviced by Council's kerbside collection service. Residential dwellings are to be provided with recycling, organics and residual waste bins. This will require residents to wheel mobile garbage bins to a waste collection point for kerbside collection.

Standard bin allocations for residential development comprises the following:

- A single 240L mobile garbage bin for organics/food waste
- A single 240L mobile garbage bin for residual waste
- A single 240L mobile garbage bin for recycling waste



Each week comprises the collection of 2 x 240L bins for each residential dwelling. Standard bin sizes are provided below to enable the design for a kerbside waste collection point.

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)
240L	1060	730	585

Kerbside waste collection points are to accommodate 2x 240l bins with a minimum dimension of 2670mm wide by 1000mm deep. This dimension includes a 500mm gap between each bin and 500mm clearance each side of the bins. The kerbside waste collection point dimension is required for each residential dwelling.

Waste collection points are to be located with the following:

- 2000mm clearance from the base/trunk of any street tree
- 500mm clearance from any driveway or accessway to the property.

Residential waste generation

Average households in residential dwellings generate estimated volumes of waste outlined in Table 1 below.

Table 1: Waste generation from single residential dwelling with outdoor space/garden.

WASTE TYPE	VOLUME (L/WEEK)	VOLUME (L/FORTNIGHT)
Recycling	120-180	240-360
Green waste (Garden and food)	240	480
Residual	120	240

Note: Waste generation rates are dependent on the number of residents within the dwelling



WASTE STORAGE & COLLECTION

Waste storage area

Each residential dwelling is to be provided with a waste and recycling storage area capable of storing 3 standard mobile waste bins. Standard bin dimensions are provided in Table 1.

Waste storage areas are to be identified on a Site Plan and located

- Preferably at the rear of the residential dwelling or a screened area to the side of the building
- With appropriate width to ensure bins can be moved to the kerbside waste collection point.

Figure 1 below provides an example of the dimensions for a waste storage area

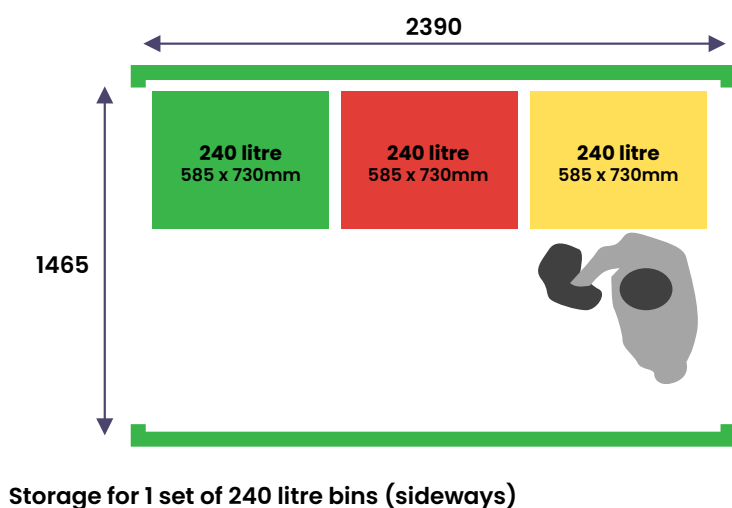
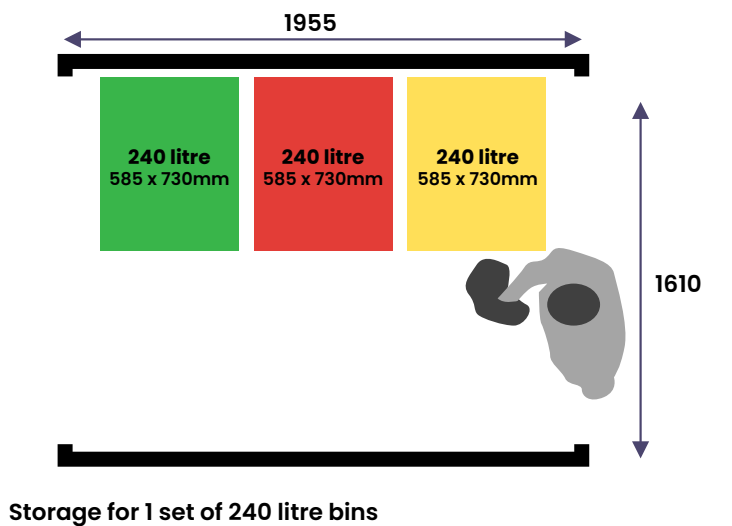
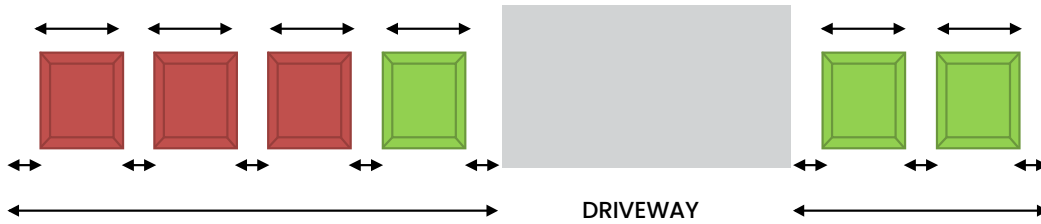


Figure 1: Waste storage area design for residential dwelling.

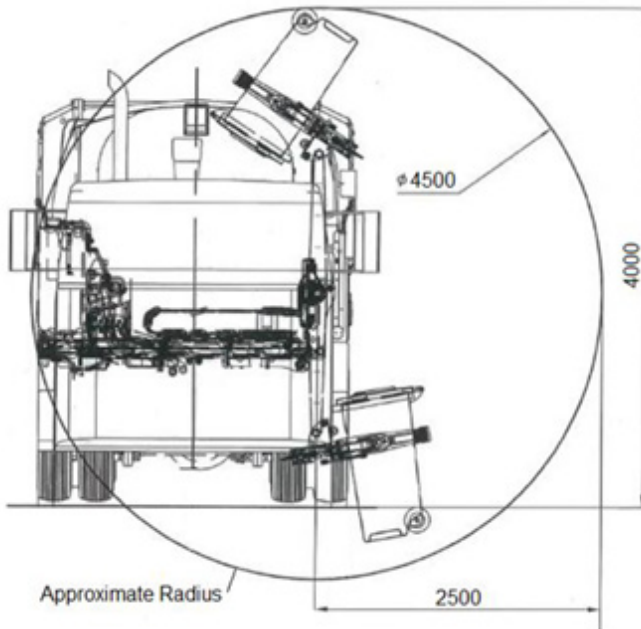
Waste collection point

Mobile garbage bins are to be placed on the kerb of the public road at the front of the property. All kerbside bin presentation areas are to accommodate 2x 240l bins for each residential dwelling with bins spaced 500mm apart. See **Figure 2** below:



NUMBER OF BINS	KERBSIDE WIDTH REQUIRED (WITHOUT DRIVEWAY/OBSTRUCTIONS) (MM)
2	2670
4	4840
6	7010

Figure 2: Kerbside width required for residential bin collection



All kerbside waste collection points must not be obstructed by driveway access or street trees. Waste collection points are to be located with the following

- 2000mm clearance from the base/trunk of any street tree
- 500mm clearance from any driveway or accessway to the property.

Figure 3: Clearance required for collection arm of waste collection vehicle.

Access from waste storage area to collection point

Access from the waste storage area to the collection point is to be unobstructed. This includes

- The bin carting route should not pass through habitable areas of the residential dwelling
- The bin carting route should not include steps or pass over doorway thresholds
- Gates or accessways are to be appropriately sized to allow a bin to pass.

Internal waste storage

The source of most waste in the household is in the kitchen. Each kitchen of a residential dwelling is to have a waste cupboard of sufficient size to hold two day's waste in separated bins or caddies.

The waste cupboard should have at least 3 separated containers for co-mingled recyclables (glass, plastic containers, paper), food waste and residual waste. Figure 4 provides examples of a waste cupboard with separated containers



Figure 4: Waste cupboard with separate containers for waste streams.



62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

MULTIPLE DWELLINGS & SERVICE-MANAGED
RESIDENTIAL ACCOMMODATION



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
2 Waste collection services	7
Residential waste collection service by Council	7
3 Waste generation	9
Manor houses and multi-dwelling housing	10
Boarding houses, co-living housing, group homes and hostels	10
Seniors housing- Independent living units	11
4 Waste & recycling storage area	12
Individual waste storage area	13
Waste storage area – communal	15
Seniors housing- Independent living units	17
5 Waste collection point	18
Kerbside waste collection by Council	19
On-site waste collection	19
6 Internal waste storage	22
7 Useful resources	23



INTRODUCTION

Introduction

Residential development with multiple dwellings or tenancies can take a variety of forms based on building design, number of levels and the overall number of individual residential spaces. These residential developments also include properties that are managed by an external service, or on-site manager, as affordable housing accommodation or for people who may be socially disadvantaged. A waste management system is required to be designed that is responsive to the usage of the development and to enable residents to appropriately minimise and reduce waste while maintaining amenity of the residential space.

This guideline will assist with developing a waste management system for the following residential accommodation types involving multiple dwellings/tenancies

- a. Manor houses
- b. Multi-dwelling housing

The guideline will also assist with the development of a waste management system for residential accommodation types that may include the provision of managed services on-site. This includes

- a. Boarding houses
- b. Co-living housing
- c. Group homes
- d. Hostels
- e. Groups of independent living units provided as seniors housing



WASTE COLLECTION SERVICE

Waste collection service

The collection of waste from multiple dwelling developments or service-managed residential accommodation requires appropriate consideration and design. The design will need to be responsive to the equipment used by the waste collection service for the site, either Council or a private waste collection service provider.

Residential waste collection service by Council

Each residential rated property is charged a domestic waste management charge under the *Local Government Act 1993*. Council's residential waste collection service is primarily from the kerbside of public roads. Where feasible, subject to accessibility design and indemnity from damage, Council may provide on-site collection in accordance with the Waste Management Policy adopted by Council.

Standard bin allocations for rated residential development comprises the following:

- A single 240L mobile garbage bin for organics/ food waste
- A single 240L mobile garbage bin for residual waste
- A single 240L mobile garbage bin for recycling waste



Each week comprises the collection of 2 x 240L bins for each residential rated development. Standard bin sizes are provided in **Table 1** below to enable the design for a kerbside waste collection point.

Table 1: Dimensions of standard 240L mobile bin

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)
240L	1060	730	585

Kerbside waste collection points are to accommodate 2x 240l bins for each dwelling with a minimum dimension of 2670mm wide by 1000mm deep. This dimension includes a 500mm gap between each bin and 500mm clearance each side of the bins. The kerbside waste collection point dimension is required for each residential dwelling.

Waste collection points are to be located with the following

- 2000mm clearance from the base/trunk of any street tree
- 500mm clearance from any driveway or accessway to the property.



WASTE GENERATION

Manor houses and multi-dwelling housing

An average household within a development with multiple dwellings generates waste volumes outlined in **Table 2** below:

Table 2: Waste generation from multi-dwelling housing with smaller or reduced outdoor space/garden.

HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)
Recycling	120	240
Green waste (Garden and food)	50-120	100-240
Residual	120	240

Source: Better practice guide for resource recovery in residential developments, NSW EPA, April 2019 and City of Sydney, Guidelines for Waste Management in New Developments.

Boarding houses, co-living housing, group homes and hostels

Waste generation from service-managed residential accommodation can vary depending on stay duration, occupant waste separation knowledge and facilities provided (shared or individual kitchen, bathroom, laundry). The management of these residential accommodation types is required to provide access to waste services including recycling, organics and residual waste bins. Table 3 provides waste generation rates from these service-managed developments and bin capacity is to be designed to accommodate these waste volumes.

Table 3: Waste generation volume from service-managed residential accommodation

3A. SERVICE MANAGED ROOM - INDIVIDUAL KITCHEN, BATHROOM AND LAUNDRY		
WASTE TYPE	VOLUME/WEEK (L)	VOLUME/FORTNIGHT (L)
Recycling	60	120
Organic	40 (plus landscaping)	80 (plus landscaping)
Residual	40	80

3B. SERVICE MANAGED ROOM – SHARED KITCHEN, BATHROOM, LAUNDRY FACILITIES		
WASTE TYPE	VOLUME/WEEK (L)	VOLUME/FORTNIGHT (L)
Recycling	40	80
Organic	30 (plus landscaping)	60 (plus landscaping)
Residual	30	60

Source: Development Control Guidelines –Operational Waste Management for Multiple Dwelling Developments, Lake Macquarie City Council

Seniors housing- Independent living units

Independent living units provided as seniors housing may be provided in a variety of forms. This guideline relates to independent living units for both low and medium density as identified in the Seniors Housing Design Guide prepared by NSW Planning and Environment dated November 2023.

Waste generation rates from independent living units are based on the number of bedrooms contained within each unit and are outlined in **Table 4**.

Table 4: Waste generation volume from independent living units

WASTE TYPE	VOLUME/WEEK (L) BY UNIT TYPE		
	1 bedroom	2 bedroom	3 bedroom or greater
Recycling	80	100	120
Organic	25	25	50
Residual	80	100	120



WASTE & RECYCLING STORAGE AREA

Individual waste storage area

Waste storage areas are to be identified on a Site Plan and located:

- At the rear of the residential dwelling
- A screened area to the side or front yard of the building. If the waste storage area is located at the front of the property the waste storage must be suitably screened or incorporated into the building design for visual amenity.
- With appropriate width to ensure bins can be moved to the waste collection point.

Figure 1 below provides an example of the dimensions for a waste storage area

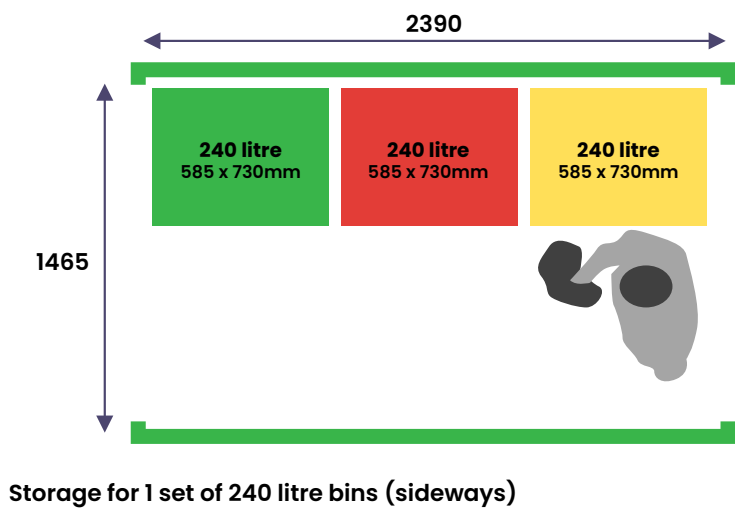
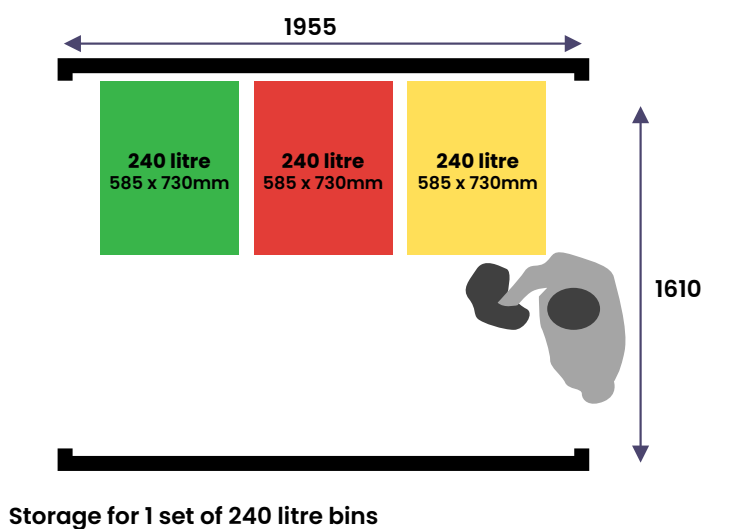


Figure 1: Waste storage area design for residential dwelling.

The waste storage area does not form part of the private open space requirements for the development.

All attached multi-dwelling housing must have access between their waste storage area and the waste collection point that does not involve carting bins through the habitable part of the dwelling. If bins are stored behind the dwelling the waste route must be around the side of the building or through the garage/courtyard. **Figures 1** and **2** provide representation of how waste storage areas may be designed for attached dwellings to facilitate carting of bins to a kerbside collection point.

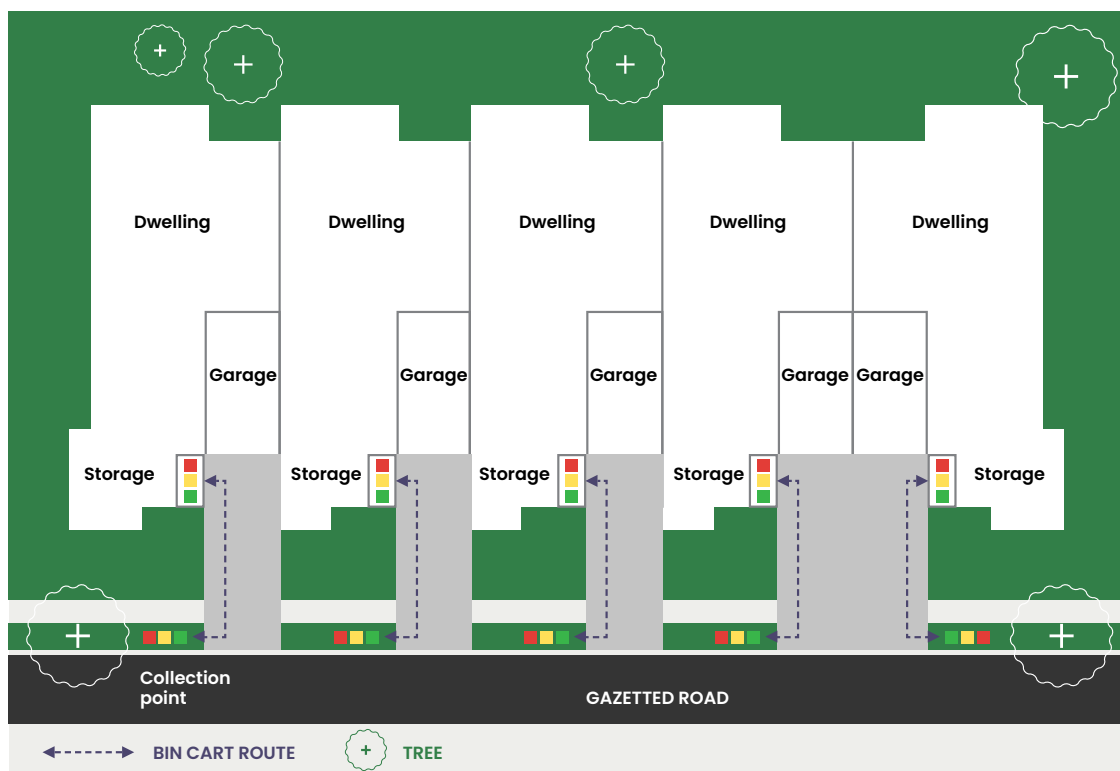


Figure 1: Waste storage area and kerbside waste collection point for multi-dwelling housing.

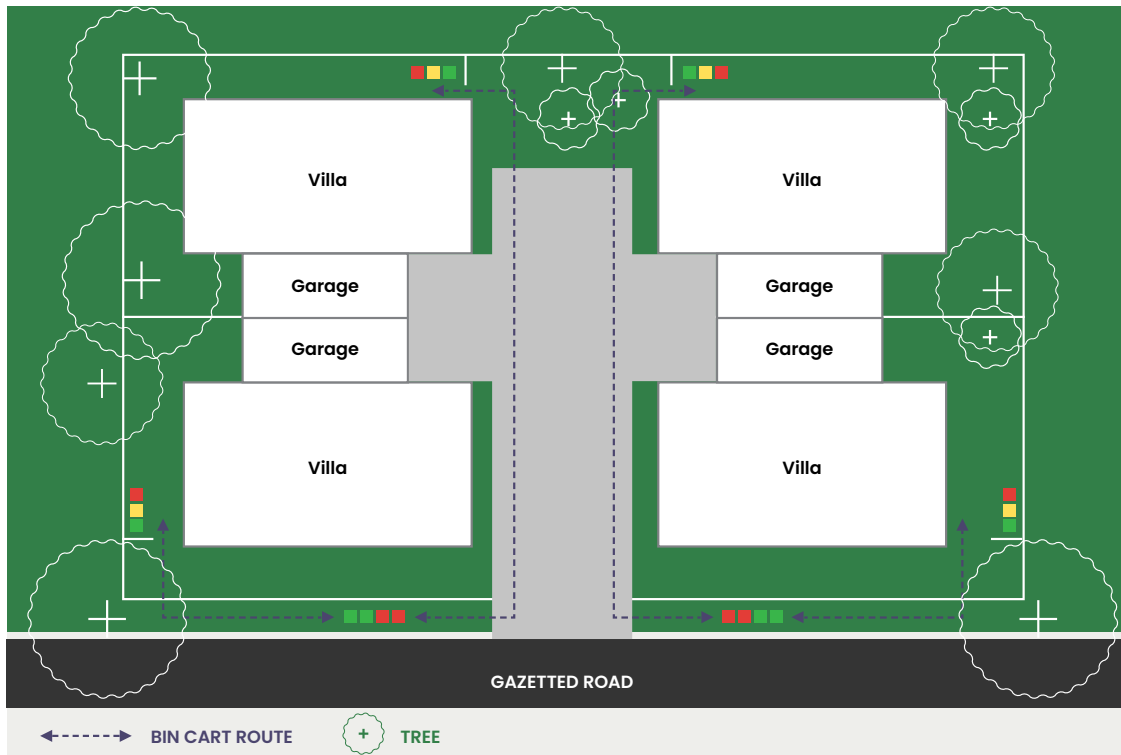


Figure 2: Waste storage area and kerbside waste collection point for multi-dwelling housing

Waste storage area – communal

Larger multi-dwelling residential developments or complexes, including independent living units, may benefit from or require communal waste storage areas to enable appropriate waste management to all dwellings or buildings.

Communal waste storage areas may be provided in the following circumstances

- Development where the number of bins would not fit on the street frontage
- Where site characteristics make access to the street difficult for individual dwelling occupants
- Where status of the road (eg heavy traffic) requires on-site waste collection access

The communal area should be capable of accommodating Council’s required number of standard waste bins and for the development as a whole. In determining the layout and size of the waste storage area consideration should be given to whether bins are required to be rotated. If bins are to be rotated, additional area will be required along with aisle width to manoeuvre bins.

Any communal waste storage area is to be:

- Located less than 30m from all residential units
- Located to ensure the carting route to the waste collection point is safe and convenient with no steps or steep gradients.
- Designed as a free-standing structure with or without a roof enclosure
- Effectively integrated into the built form of the development and landscape design
- Unobstructed access to the waste storage area is required with a minimum access width of 1.2m
- Floor is to be non-slip

Figure 3 shows an example of how a manor house multi-residential building may utilise a communal waste storage area and kerbside collection.

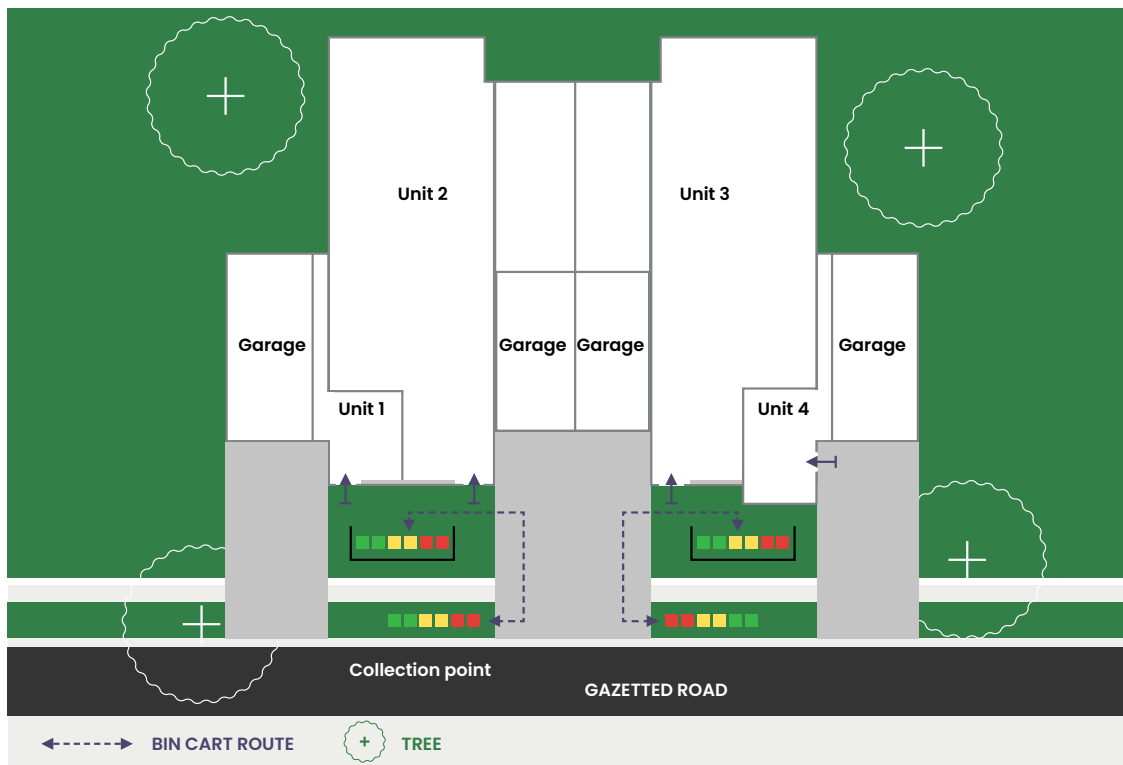


Figure 3: Communal waste storage area for a manor house.

Seniors housing- Independent living units

Where communal waste storage areas are proposed for independent living units provided as seniors housing the waste storage area is to be designed with the following requirements, in addition to the aforementioned,

- Accessible by a continuous path of travel from the entrance of each independent living unit it is servicing
- Screened with an easily accessible entrance and covered.



Figure 4: Example of communal waste storage area as part of independent living unit complex (Seniors Housing Design Guide, NSW Planning and Environment)



WASTE COLLECTION POINT

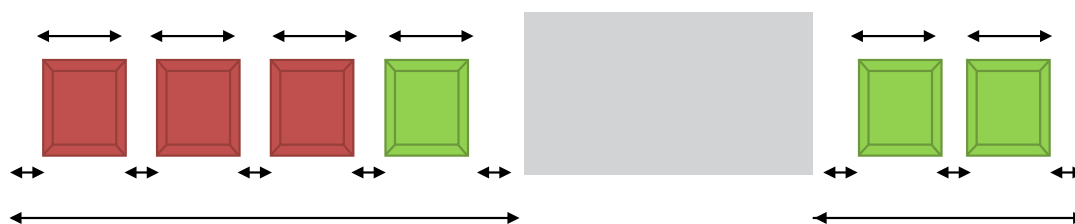
Waste collection point

Each multi-dwelling and serviced-managed residential accommodation development will need to consider whether waste collection can be undertaken from the kerbside or on-site. Consideration of the location of waste collection points will depend on

1. Volume of waste from the development – whether the number of bins is too great for the street frontage for Council’s kerbside collection
2. Size of the proposed development – bin cartage distances are too great for occupants and require consolidated storage on site.

Kerbside waste collection by Council

Mobile garbage bins are to be placed on the kerb of the public road at the front of the property. All kerbside bin presentation areas are to accommodate 2x 240l bins for each residential dwelling with bins spaced 500mm apart. See **Figure 5** below.



NUMBER OF BINS	KERBSIDE WIDTH REQUIRED (WITHOUT DRIVEWAY/OBSTRUCTIONS) (MM)
2	2670
4	4840
6	7010
8	9180
10	11350
12	13520

Figure 5: Kerbside width required for residential bin collection

All kerbside waste collection points must not be obstructed by driveway access or street trees. Waste collection points are to be located with the following

- 2000mm clearance from the base/trunk of any street tree
- 500mm clearance from any driveway or accessway to the property.

Figure 6 provides a diagram of the clearance zone required for waste collection by Council’s waste collection vehicle

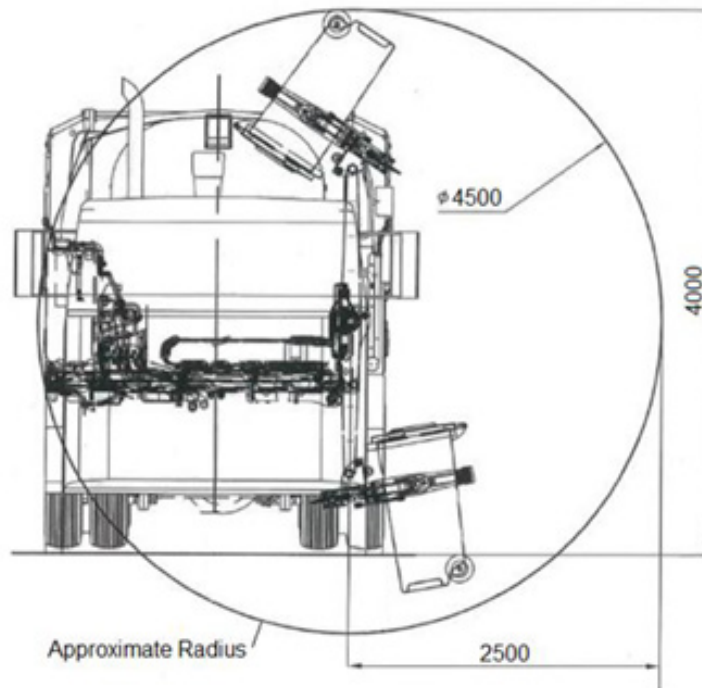


Figure 6: Clearance required for collection arm of waste collection vehicle.

On-site waste collection

Where on-site waste collection is deemed appropriate all internal access or private roads are to be designed to accommodate the nominated waste collection vehicle. The internal access route and turning circles are to be designed in accordance with Australian Standard AS 2890.2:2018 Off-street Commercial Vehicle Facilities.

The on-site waste collection point is to be designed with the following

- A minimum horizontal distance of 1m is to be provided behind the waste collection point to enable collection
- Enable the waste collection vehicle to enter and exit the waste collection point in a forward direction.
- Provided on level ground and separated from other trafficable areas
- Pavement and gutters are to be designed to carry the weight of the waste collection vehicle.

Figure 7 shows an example of how a multi-dwelling residential development may provide an on-site waste collection point for a communal waste and recycling storage area.

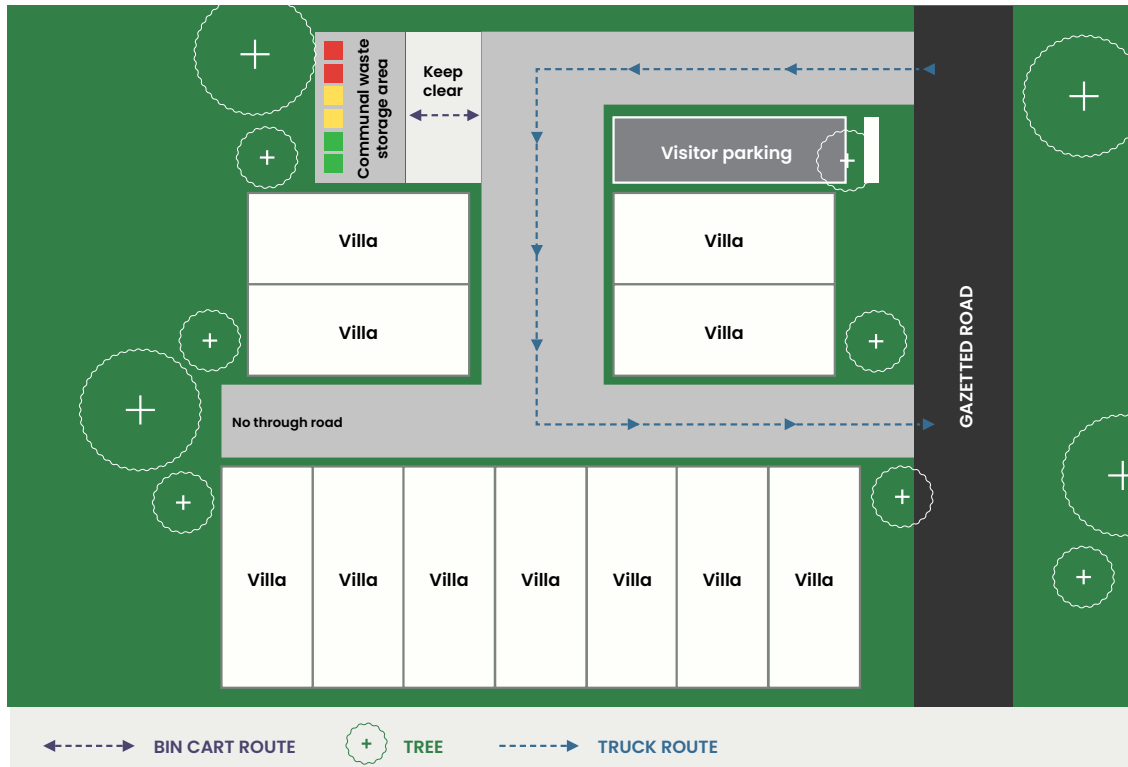


Figure 6: On-site waste collection point from a communal waste and recycling storage area.



INTERNAL WASTE STORAGE

Internal waste storage

The source of most waste in households is the kitchen area. The kitchen of each residential dwelling is to have a waste cupboard of sufficient size to hold two day's generation of waste and recycling.

The waste cupboard should have at least 3 separated containers for co-mingled recyclables (glass, plastic containers, paper), food waste and residual waste.

Figure 7 provides examples of a waste cupboard with separated containers



Figure 7: Waste cupboard with separate containers for waste streams.



USEFUL RESOURCES

Useful resources

Department of Planning, Industry and Environment 2020, Low Rise Housing Diversity Design Guide, <https://www.planning.nsw.gov.au/policy-and-legislation/housing/low-rise-housing-diversity-code/design-guides-for-low-rise-housing-diversity>

NSW EPA 2019, Better practice guide for resource recovery in residential developments, <https://www.epa.nsw.gov.au/your-environment/waste/local-council-operations/resources-for-local-councils>

NSW Planning and Environment 2023, Seniors Housing Design Guide, <https://www.planning.nsw.gov.au/policy-and-legislation/housing/housing-sepp/seniors-housing>

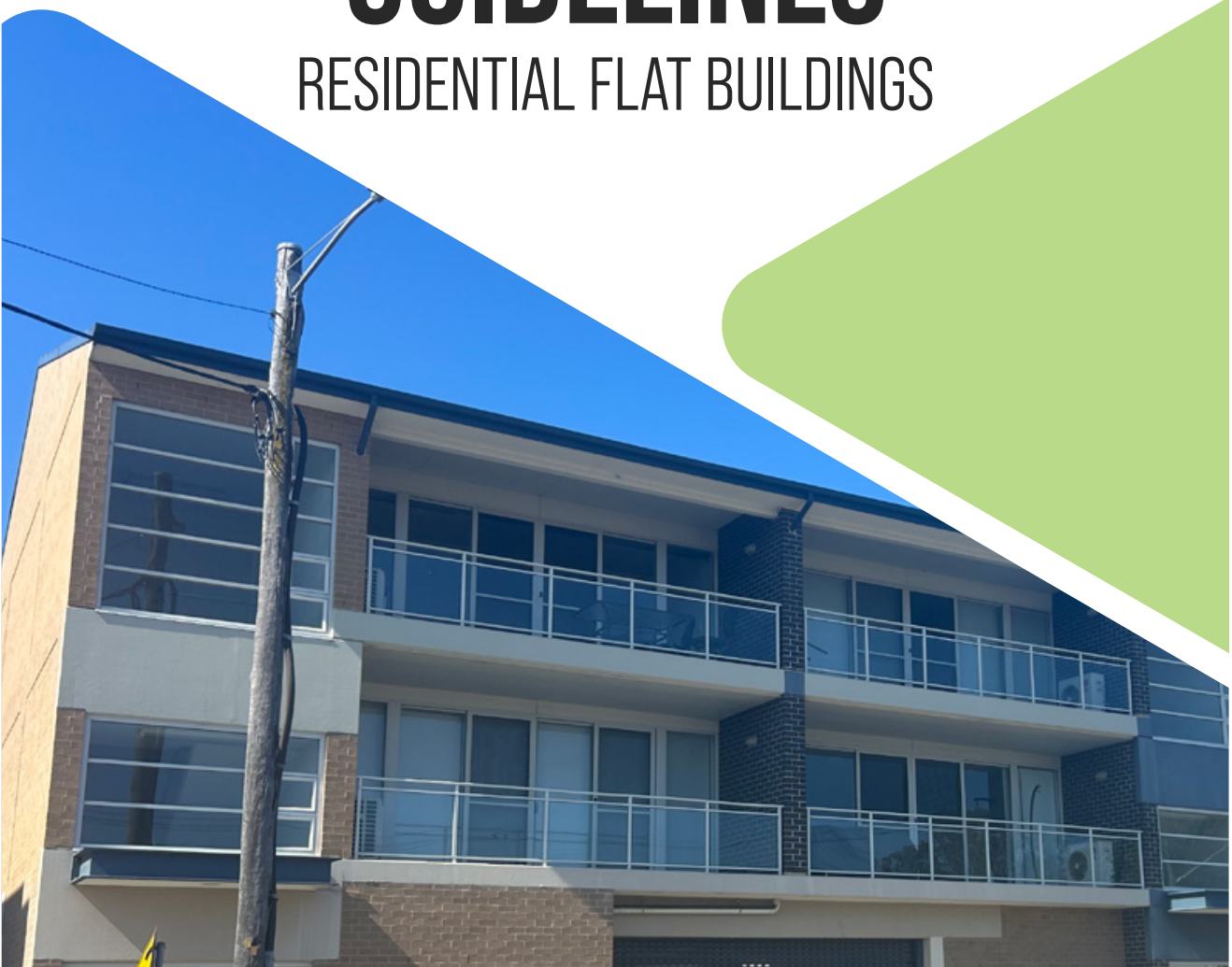


62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

RESIDENTIAL FLAT BUILDINGS



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
2. Waste management plan	6
Waste collection service	7
Residential waste collection service by Council	8
Waste collection service by private contractor	8
Waste Generation	9
3. Waste transfer & collection infrastructure	10
Waste chutes	11
Waste chute collection room	12
Waste storage area	13
Bulky waste storage area	14
4. Waste collection	15
Waste collection vehicle	16
Waste collection vehicle access	16
Waste collection point	16
5. Useful resources	17
6. Appendix A	17

INTRODUCTION

Introduction

Residential flat buildings comprise three or more residential dwellings/units within a multi-storey building on the one Lot. The complexities of the number of occupants within the building and multiple residential levels requires a responsive approach to building design to facilitate an efficient and sustainable waste management system.

This guideline will assist with developing a waste management system within residential flat buildings and includes design guidance to facilitate waste transfer and collection within the building.





WASTE MANAGEMENT PLAN

Waste Management Plan

All proposed residential flat buildings will be required to submit a Waste Management Plan (WMP) with a development application. If the cost of the proposed development exceeds \$5M in value the WMP is required to be prepared by a suitably qualified waste management consultant/practitioner.

The WMP is to be prepared with reference to this guideline and other relevant standards or documentation.

Waste collection service

All residential flat building developments are required to provide on-site waste collection. Each residential flat building will be required to have a nominated on-site waste collection point and loading space. Design will be based on the equipment used by the waste collection service for the site, either Council or a private waste collection service provider.



Residential waste collection service by Council

Each residential rated property is charged a domestic waste management charge under the Local Government Act 1993. Council waste collection vehicles are limited to the collection of 240L mobile garbage bins or 360L bins for recyclables.

Standard bin sizes are provided below to enable design for waste storage areas and waste collection points.

Table 1: 240L and 360L bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)
240L	1060	730	585
360L	1100	770	680

Specifications for Council's waste collection vehicle (12.5m heavy rigid side loading vehicle) are provided in Appendix A and are required to be considered if the proponent elects for a Council waste collection service for a proposed residential flat building.

An agreement with Council providing authority to enter the site for the purpose of waste services will be required. This agreement will include an indemnity agreement against any future claims for damage or loss.

Waste collection service by private contractor

Residential flat buildings require access to recycling and residual waste bins and sufficient bin storage is to be provided to accommodate the projected volume of waste from the building. Private waste services may provide a variety of waste bin sizes. Mobile waste bins can range in volume and size and are typically collected by 'rear-lift' waste collection vehicles. **Table 1** provides the dimensions of mobile bins to enable sizing of the waste storage area for the proposed residential flat building.

Table 1: Mobile waste bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
80	870	530	450	0.24
120	940	560	485	0.27
140	1065	540	500	0.27
240	1080	735	580	0.43

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
360	1100	885	600	0.53
660	1250	850	1370	1.16
770	1425	1100	1370	1.5
1100	1470	1245	1370	1.7
1300	1408	1250	1770	1.21
1700	1470	1250	1770	1.27

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012 and Appendix G Better practice guide for resource recovery in residential development, NSW EPA, 2019.

Waste Generation

Average households in residential flat buildings generate estimated volumes of waste outlined in **Table 1** below. The rates are a general guide based on the size of the residential dwelling/unit, but may be used to calculate overall waste generation for bin infrastructure sizing.

Table 1: Waste generation from residential dwellings in residential flat buildings

RESIDENTIAL DWELLING SIZE	RECYCLING (L/WEEK)	GREEN WASTE (GARDEN AND FOOD) (L/WEEK)	RESIDUAL WASTE (L/WEEK)
1 bedroom or studio	80	25	80
2 bedroom apartment	100	25	100
3 bedroom apartment or greater	120	50	120

Note: Waste generation rates are dependent on the number of residents within the dwelling

Source: Better practice guide for resource recovery in residential developments, NSW EPA, 2019



WASTE TRANSFER & COLLECTION INFRASTRUCTURE

Waste chutes

Residential flat buildings are required to install dual chute systems for recyclable and residual waste streams. Access to the chute system is required to be provided on each residential level of the building. Each residential level should also include a room or waste cupboard next to the chute access for the storage of a 240L recycling bin for the placement of recyclable items that are irregular shape or cannot fit in the chute.

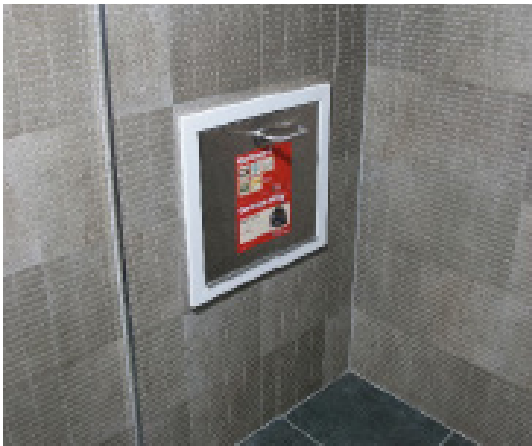


Figure 1: Example of waste chute inlet in a residential flat building

Source: Better practice guide for resource recovery in residential developments, NSW EPA, 2019

Waste chute design is to include:

- Chutes must not open onto any habitable or public space and doors must have an effective self-sealing system
- Chutes are to be completely enclosed in a fire rated shaft constructed of an approved material and fitted with sprinklers and must comply with the Building Code of Australia (BCA)
- Chutes, service openings and inlets are to be constructed of smooth, impervious and non-corrosive material that is capable of being cleaned.
- Inlets must be accessible to anyone with a disability and comply with AS1428 Design for access and mobility
- Clear signage is required on how to use the system and which materials are acceptable in the chutes
- Chute discharge outlet must have restricted access to prevent damage to equipment or injuries
- During collection empty bins must be placed at the base of the chute to allow residents access to the system at all times.

Waste chute collection room

Each chute will deposit waste materials to a collection bin or container in a dedicated room within the residential flat building. The waste chute collection room will incorporate the following:

- A linear or circular carousal system under each chute
- Minimum 0.9m clearance around the linear or circular carousal system for bin manoeuvrability and system maintenance.
- 1.8m unobstructed clearance zone between the system and the access entrance to the room
- Floor space to accommodate two additional service bins for each chute
- The room is to be fully enclosed, walled and not permit through access to other on-site infrastructure
- Compliant with the BCA with the floor waterproofed, non-slip and sealed.
- The floor is to be graded to a central drainage point and connected to the sewer.
- Provision of an adequate water supply through a centralized mixing valve and hose cock.
- Provision of adequate lighting and ventilation in accordance with the BCA.

The waste chute collection room will need to accommodate the permanent storage of 2 service bins per chute to allow residents access to collection of all waste streams.

Waste storage area

The residential flat building is to incorporate sufficient space for a waste storage area to accommodate the nominated number and sizes of bins required for the volume of waste material generated between collection periods. The waste storage area may also be designed to be utilised in connection with the waste chute collection room.

The waste storage area is to incorporate the following:

- Sufficient floor space for the required number of bins with a 0.2m space between bins to allow maneuvering.
- Unobstructed 1.8m clearance zone between the stored bins and the waste storage area entrance to permit access and movement.
- Located in close proximity to the waste collection point.
- Fully enclosed and walled with through access to other on-site infrastructure not permitted.
- Compliant with the Building Code of Australia (BCA) with the floor waterproofed, non-slip and sealed.
- The floor is to be graded to a central drainage point and connected to the sewer.
- Provision of an adequate water supply through a centralized mixing valve and hose cock.
- Provision of adequate lighting and ventilation in accordance with the BA.
- Flexible design of the waste storage area should also be considered including
- Additional floor space for extra bins or containers to capture additional separated waste streams
- Minimising potential obstacles within the waste storage area that would limit bin size
- Increasing width of access or doorways to allow for potential change in bin size

Figure 2 provides an example of a waste storage room with various sized bins

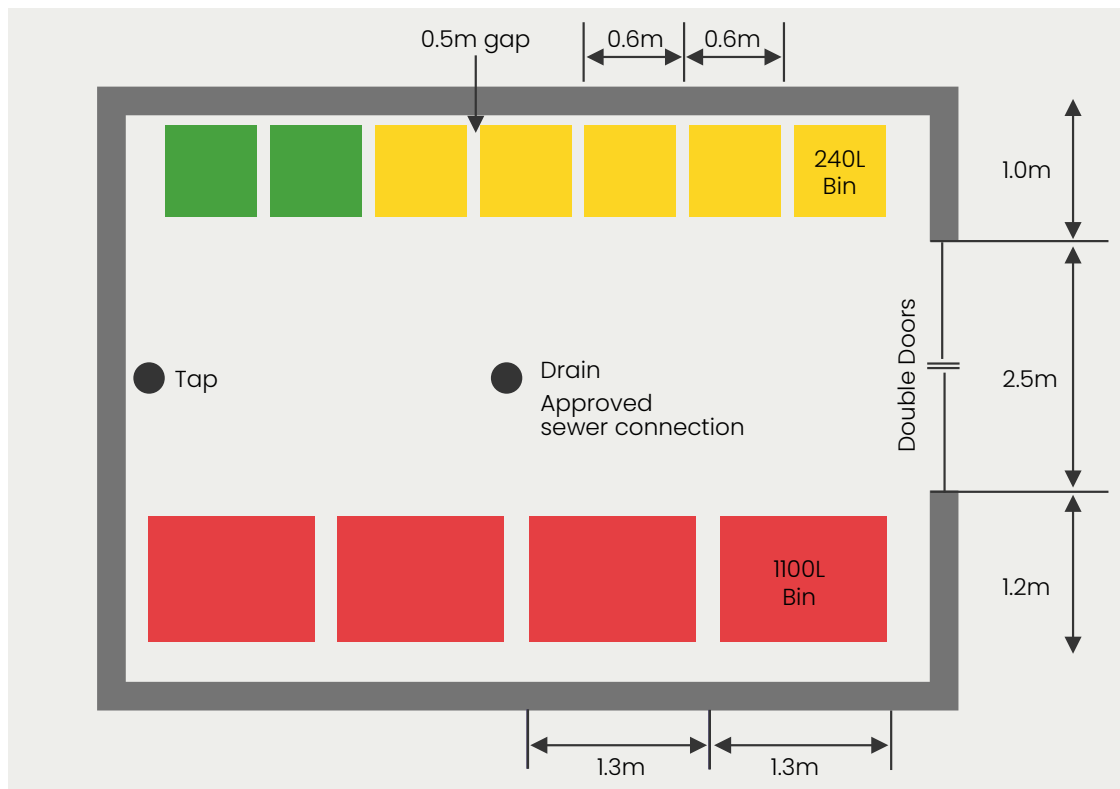


Figure 2: Example of waste storage area with a number of different sized bins.

Source: Better practice guide for resource recovery in residential development, NSW EPA, 2019

Bulky waste storage area

The residential flat building is to provide a storage area for bulky waste items that are not collected within the normal waste service including mattresses and furniture. The bulky waste storage area must be allocated as 0.5m² for each dwelling, and may be included as individual storage areas/cages or in a communal bulk waste storage location.

If a communal waste storage area is provided within the residential flat building the area is to incorporate the following:

- The area is to be readily accessible to all residents with a suitable dual door access with minimum width of 1.5m to allow easy movement of large items.
- Located within close proximity to the waste collection point
- Located at ground level or in a basement
- Compliant with the Building Code of Australia (BCA) with the floor waterproofed, non-slip and sealed.
- Provision of adequate lighting and ventilation in accordance with the BCA.

A large green graphic with abstract shapes and the text 'WASTE COLLECTION'. The background is a solid green color with several overlapping, semi-transparent green shapes of varying shades and orientations. A white outline of a stylized shape is visible on the left side. The text 'WASTE' is in a bold, italicized, white sans-serif font, and 'COLLECTION' is in a white sans-serif font with wide letter spacing.

WASTE COLLECTION

Waste collection vehicle

The selection of waste collection vehicle will be dependent on the type of bin infrastructure utilised for the proposed development. If the applicant elects to use the Council waste collection service bins will be collected by Council's 12.5m heavy rigid side loading vehicle. Specifications for this vehicle are provided in Appendix A.

If the applicant elects a private waste collection service for the building waste collection vehicle specifications are outlined in Appendix C of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities' and Appendix B of the NSW EPA's 'Better practice guide for resource recovery in residential developments'.

These waste collection vehicle specifications are to be used to determine access to the waste collection point within the building.

Waste collection vehicle access

The waste collection vehicle must be able to safely and efficiently access the site and nominated on-site waste collection point. Access and egress to and from the building to public roads is to be supported by swept path models for the largest waste collection vehicle that could service the building. Swept path models for waste collection vehicles are outlined in Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities' and AS 2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities. Access and egress from the building by the waste collection vehicles must be in a forward direction with a 0.5m unobstructed clearance either side of the vehicle.

The access, route of travel and waste collection point design is to be supported by a structural engineers report as part of the submitted Waste Management Plan. The report is to confirm all infrastructure, including pavement strength,

can support the waste collection vehicles 'gross weight'.

The route of travel to the waste collection point must include clearance for heavy rigid waste collection vehicle and meet the requirements of AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities. The route of travel is to be adequately paved and of sufficient strength to support the waste collection vehicle. The grades of entry and exit ramps must not exceed the capabilities of the waste collection vehicle in accordance with AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.

Waste collection point

The nominated on-site waste collection point must have sufficient area for maneuvering of the waste collection vehicle with minimal need for reversing. The waste collection point is to be provided on the Site or Floor Plans and include swept path models for the nominated waste collection vehicle as outlined in Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'. For rear loaded waste collection vehicles an unobstructed 2m loading zone is required behind the vehicle for loading of bins. A 0.5m side clearance is also required on either side of the vehicle.



USEFUL RESOURCES

Useful resources

NSW Department of Planning and Environment 2015, Apartment Design Guide,
[Apartment Design Guide | Planning \(nsw.gov.au\)](https://www.nsw.gov.au/apartment-design-guide)

NSW EPA 2012, Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities,
[Resources for local council waste and recycling operations \(nsw.gov.au\)](https://www.nsw.gov.au/better-practice-guidelines-waste-management-recycling)

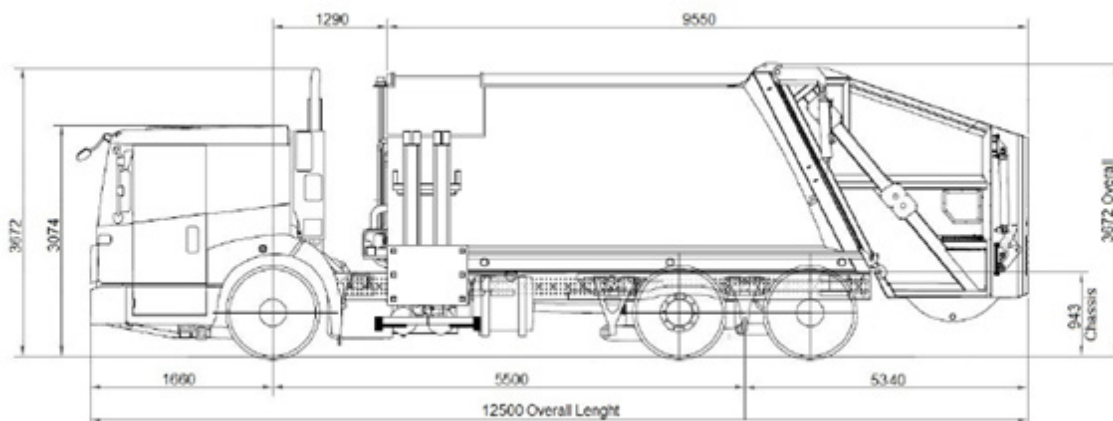
NSW EPA 2019, Better practice guide for resource recovery in residential developments,
[Resources for local council waste and recycling operations \(nsw.gov.au\)](https://www.nsw.gov.au/better-practice-guide-resource-recovery)

APPENDIX A

Council Waste Collection Vehicle Specification

The following specification is provided from AS 2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities for a 12.5m heavy rigid side loading waste collection vehicle.

VEHICLE SPECIFICATION	DIMENSIONS
Overall length (m)	12.5
Design Width (m)	2.8
Design Height (m)	3.7
Swept Circle (m)	22.5
Clearance (travel height) (m)	4.5
Roadway/ramp grade (max)	1:6.5 (15.4%)
Rate of change of grade (max)	1:16 (6.25%) in 7m of travel
Gross weight (max tonnes)	28
Capacity (m ³)	24
Front chassis clearance	130
Rear chassis clearance	160





62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

COMMERCIAL, INDUSTRY
& COMMUNITY FACILITIES



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
Waste Management Plan	7
Waste collection service	7
Waste generation	7
2. Waste management system	9
Internal waste storage area	10
Childcare facilities	10
Waste storage area	10
Commercial premises	12
Communal waste storage areas	12
3. Waste collection	13
Waste collection vehicle	14
Waste collection vehicle access	14
Waste collection point	15
Bin transfer	15
4. Appendix A.	16

INTRODUCTION

Introduction

Waste management practices will vary greatly at premises operated for commercial, industrial or community-related uses. This variation will be based on the nature of the operation, materials handled as part of the operation and/or manufacturing processes undertaken. However, appropriate identification of how waste will be managed and collected on-site will assist the business or operation to minimise waste products.

This guideline provides general guidance to develop a waste management system for the following landuses.

a. Commercial premises including business premises, office premises and retail premises

This also applies to the following landuses:

- Amusement centres
- Entertainment facilities
- Function centres
- Highway service centres
- Industrial retail outlets
- Registered clubs
- Restricted premises
- Service stations
- Sex service premises
- Veterinary hospitals
- Wholesale supplies

b. Industry – general industry, light industry and heavy industry

This also applies to the following landuses:

- Transport depot
- Truck depot
- Vehicle body repair workshops
- Vehicle repair stations

c. Commercial operations associated with agriculture including

This also applies to the following landuses:

- Farm experience premises with function and conference facilities
- Farm gate premises including cellar door premises and food and drink premises located on the existing commercial farm

d. Storage premises including self-storage units and the following specific landuses

- Depots
- Warehouse or distribution centres
- Local distribution premises



e. Community and recreation related premises including the following specific landuses

Landuse

- Early education and care facility
- Community facility
- Information and education facilities
- Place of public worship
- Public administration buildings
- Research stations
- Respite day care centres
- Environmental facilities
- Recreation facilities (indoor)
- Recreation facilities (outdoor)

Type

- Centre-based child care facility
- School-based child care

Waste Management Plan

All proposed residential commercial and industrial premises will be required to submit a Waste Management Plan (WMP) with a development application. If the cost of the proposed development exceeds \$5M in value the WMP is required to be prepared by a suitably qualified waste management consultant/practitioner.

The WMP is to be prepared with reference to this guideline and other relevant standards or documentation.

Waste collection service

New commercial and industrial development is required to provide waste collection services to the proposed premises by the owner of the property. The waste management system will need to be integrated into the overall design of the proposed development with waste storage and collection points located on-site. To ensure waste collection can be undertaken safely and efficiently the waste collection vehicle will need to enter and exit the site in a forward direction.

Waste generation

Recyclable and residual waste

Waste generation rates from commercial and industrial operations will vary based on the type of operation. Waste generation rates for various commercial operations have been provided in Appendix A of this guideline and should be used to determine the size and number of bins required for the proposed operation. Appendix A has been adapted from:

- Appendix G Better practice guide for resource recovery in residential development, NSW EPA, 2019
- Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.

Premises types not provided in Appendix A will require supporting documentation providing estimates of the volume of recyclable and residual waste streams from the proposed operation.

Other Waste Types

Depending on the operations of the commercial, industrial or community-related use land types a variety of waste streams may be generated at the premises. This may include liquid, hazardous or restricted waste under the Protection of the Environment Operations Act (Waste) Regulation 2014.

Each waste management plan is required to submit supporting documentation providing estimates of the volume of the waste streams generated as a result of the proposed operation or facility

Bin infrastructure

All premises require access to recycling and residual waste bins and sufficient bin storage is to be provided to accommodate the projected volume of waste from the proposed development. Operations involved in food production and preparation, or have a proportion of organic waste in their waste stream, should provide separate bin storage.

A variety of bins are available for the storing, handling and collection of waste in commercial and industrial premises. The selection of bin infrastructure is dependent on the types of waste material to be handled and the building from which it is collected.

Mobile bins can range in volume and size and are typically collected by 'rear-lift' waste collection vehicles. Table 1 provides the dimensions of mobile bins to enable sizing of the waste storage area for the proposed industrial or commercial premises.

Table 1: Mobile waste bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
80	870	530	450	0.24
120	940	560	485	0.27
140	1065	540	500	0.27
240	1080	735	580	0.43
360	1100	885	600	0.53
660	1250	850	1370	1.16
770	1425	1100	1370	1.5
1100	1470	1245	1370	1.7
1300	1408	1250	1770	1.21
1700	1470	1250	1770	1.27

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.

Bulk bins are larger than mobile waste bins and are typically serviced by 'front-lift' waste collection vehicles. Table 2 provides the typical dimensions of bulk bins to enable sizing of the waste storage area for the proposed industrial or commercial premises.

Table 2: Bulk waste bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
1.5	1190	1080	2070	2.23
2	865	1400	1830	2.6
3	1225	1505	1805	2.7
4.5	3750	1605	1805	2.9

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.

Development that includes multiple units or tenants is to provide an appropriate number of bins to meet the recycling and waste recycling requirements for each tenant. Mobile waste bins may be provided for each tenant and wheeled to a consolidated or communal waste storage area within the development.



WASTE MANAGEMENT SYSTEM

COMMERCIAL, INDUSTRY & COMMUNITY FACILITIES 2024 | 9

Waste management system

Internal waste storage area

Commercial and industrial premises should provide appropriate waste systems, including waste cupboards or identified bins, within the internal space of the premises to facilitate separation of recyclable and residual waste materials by staff. Sufficient space for the storage of at least one day's worth of recycling and residual waste are to be provided and identified on floor plans.

Developments with multiple units or tenancies are to provide internal waste systems for each unit/tenancy. If a system is available for food organics collection, then sufficient space should also be allocated for separation of food organic in a separate bin/container.

Childcare facilities

Childcare facilities can generate high volumes of nappy waste, recyclable waste and food waste. While sufficient internal waste storage space should be provided to hold a single day's waste volume internal waste storage should be appropriately positioned within the facility for efficient operation and minimisation for waste stream contamination

For design of internal spaces refer to the Department of Planning, Industry and Environment's Child care planning guideline.

Waste storage area

The design of the commercial or industrial building needs to incorporate sufficient space for the selected size and number of bins required for the volume of waste material generated between collection periods.

The waste storage area is to incorporate the following:

- Sufficient floor space for the required number of bins with a 0.2m space between bins to allow maneuvering.

- Unobstructed 1.8m clearance zone between the stored bins and the waste storage area entrance to permit access and movement.
- Located in close proximity to the waste collection point.
- Fully enclosed and walled with through access to other on-site infrastructure not permitted.
- Compliant with the Building Code of Australia (BCA) with the floor waterproofed, non-slip and sealed.
- The floor is to be graded to a central drainage point and connected to the sewer.
- Provision of an adequate water supply through a centralized mixing valve and hose cock.
- Provision of adequate lighting and ventilation in accordance with the BA.

Flexible design of the waste storage area should also be considered including:

- Additional floor space for extra bins or containers to capture additional separated waste streams
- Minimising potential obstacles within the waste storage area that would limit bin size
- Increasing width of access or doorways to allow for potential change in bin size

Some commercial or industrial premises will also require waste storage area space for specialized waste streams such as medical, sharps, chemicals or liquid wastes such as cooking oils. A suitable sized space must be allocated to the storage of these waste streams and be kept secured and accessible to staff members and specific waste collection contractors only.

Suitable space is to be provided near the waste storage area (or near each tenancy) to store re-usable commercial items such as crates, pallets, kegs etc so that storage in a public place is completely avoided.

Figure 1 provides an example of a waste storage room with various sized bins

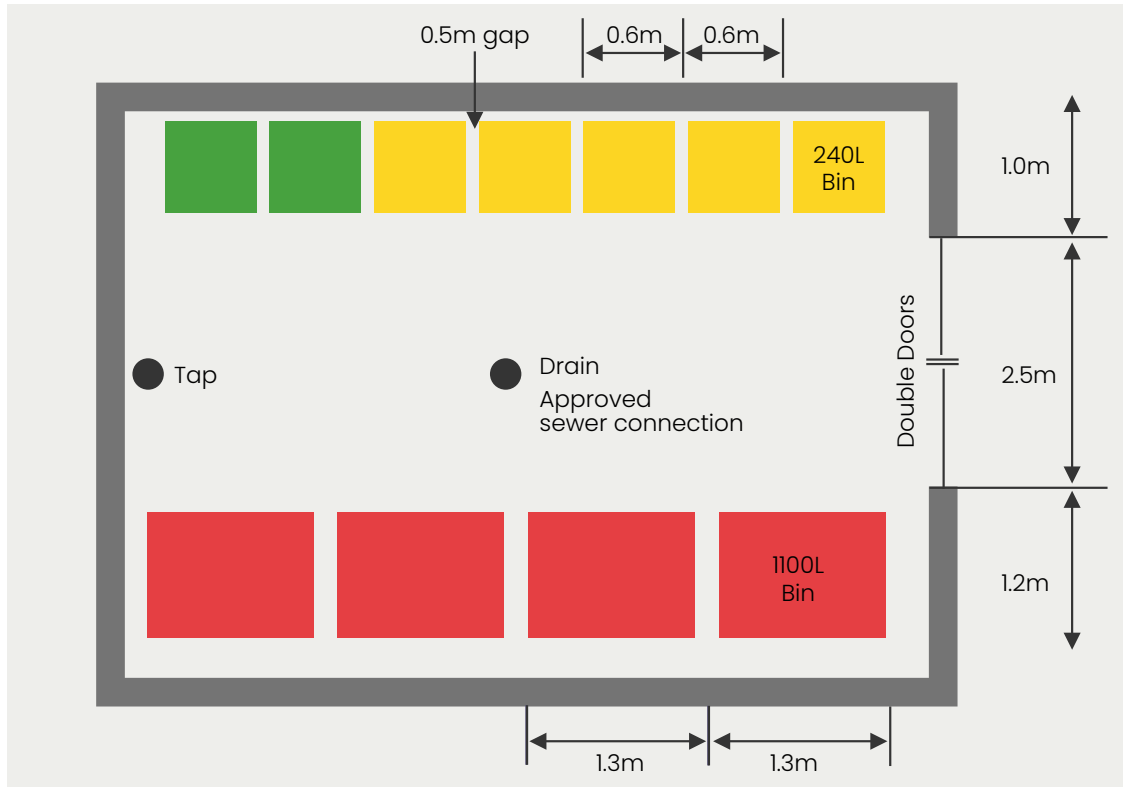


Figure : Example of waste storage area with a number of different sized bins.

Source: Better practice guide for resource recovery in residential development, NSW EPA, 2019



Commercial premises

- Retail premises with high volumes of cardboard should consider allocation of space within the waste storage area for a cardboard compactor or volume reduction equipment.
- If the retail premises includes more than 2000m² of retail space and area for a cardboard compactor/baler is to be provided in close proximity to the waste storage area.

Additional space within the waste storage area for handling/storage of plastic wrapping should be allocated.

Communal waste storage areas

Developments with multiple tenancies may require communal waste storage facilities in the following circumstances

- Where the development design cannot allow for all tenancies to have ready access to a waste collection point
- Where site characteristics restrict entry of vehicles to each collection point

Flexible design of the waste storage area should also be considered including:

- Additional floor space for extra bins or containers to capture additional separated waste streams
- Minimising potential obstacles within the waste storage area that would limit bin size
- Increasing width of access or doorways to allow for potential change in bin size

The communal waste storage area is to be designed to enable each separate tenancy to be provided with designated and clearly identified space for the housing of containers for the quantity of waste and recyclable material generated.

Buildings containing more than three storey's should be provided with a method for transporting waste from each level to the waste storage area. This may include a goods lift or waste chute system.

A large green graphic with abstract shapes and the text "WASTE COLLECTION". The background is a solid green color with several overlapping, semi-transparent green shapes in various shades. A white outline of a stylized shape is visible on the left side. The text "WASTE" is in a bold, italicized, white sans-serif font, and "COLLECTION" is in a white, outlined, sans-serif font below it.

WASTE COLLECTION

COMMERCIAL, INDUSTRY & COMMUNITY FACILITIES 2024 | 13

Waste management system

Waste collection vehicle

The selection of waste collection vehicle will be dependent on the type of bin infrastructure utilised for the proposed development.

Waste collection vehicle specifications are outlined in Appendix C of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities' and Appendix B of the NSW EPA's 'Better practice guide for resource recovery in residential developments.

These waste collection vehicle specifications are to be used to determine access to the waste collection point within the building.

Waste collection vehicle access

The waste collection vehicle must be able to safely and efficiently access the site and nominated on-site waste collection point. Access and egress to and from the proposed development to public roads is to be supported by swept path models for the largest waste collection vehicle that could service the building. Swept path models for waste collection vehicles are outlined in:

- Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'
- Section 5 of AS/NZS 2890.2 Parking facilities, Part 2:Off-street commercial vehicle facilities.

The access/egress point from the site is to be designed with the following requirements:

- The waste collection vehicle must enter and exit the site in a forward direction
- A 0.5m unobstructed clearance either side of the waste collection vehicle
- Grades of entry/exit ramps must not exceed the capabilities of the waste collection

vehicle in accordance with Australian Standard AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities

- Height clearance must be sufficient for the entry of the waste collection vehicle, with a general minimum clearance of 3.8m.

The WMP submitted with a development application is to include a structural engineer's report confirming the following:

- The design of the access driveway, or ramp, to the site is of sufficient strength to support the weight of the waste collection vehicle
- The route of waste collection vehicle travel (or circulation roadway), including pavement, are of sufficient strength to support the weight of the waste collection vehicle
- The waste collection point (or service area) is of sufficient strength for movement and maneuvering of the waste collection vehicle.

Note: When assessing pavement strength, the area/pavement will need to support the waste collection vehicle 'gross weight'.

Waste collection point

The waste collection point for the proposed commercial or industrial premises is to be appropriately located to allow easy collection. The waste collection point is to be located:

- Away from intersections, roundabouts or slow-points such as pedestrian crossings
- Away from busy roads or narrow lanes
- Free from obstructions such as awnings, trees or overhead structures, wires or services
- Away from public areas
- Away from driveways, loading areas or parking bays
- Where normal operations of the premises will not be blocked or impeded
- Where there is clear vision of traffic as the collection vehicle leaves the waste collection point.

The nominated on-site waste collection point must have sufficient area for maneuvering of the waste collection vehicle with minimal need for reversing. The waste collection point is to be provided on the Site or Floor Plans and include swept path models for a waste collection vehicles as outlined in Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'.

For rear loaded waste collection vehicles and unobstructed 2m loading zone is required behind the vehicle for loading of bins. A 0.5m side clearance is also required on either side of the vehicle.

Bin transfer

If the waste storage area and waste collection point are in separate locations bins will be required to be moved between the locations. The bin carting route between the two locations for bins smaller than 660L is to be designed with consideration of the following:

- Free of stairs or kerbs along the route
- Grades along the route should not exceed 1:14
- The route distance should not exceed 75m.

Bins between 660L and 1.5m³ should not be moved more than 5m between the waste storage area and waste collection point while movement of bins greater than 1.5m³ should be avoided.



APPENDIX A

Appendix A.

All development applications to be submitted with accompanying 'Plan of Operations', outlining proposed; Bin Infrastructure Sizes, Collection Frequency, Waste Collection Vehicle Dimensions, Hours of Collection and Access to Waste Collection Room.

Appendix A: Waste generation rates from commercial premises

TYPE OF PREMISES FOOD PREMISES	RESIDUAL WASTE (L PER 100M2 FLOOR SPACE/DAY)	RECYCLING (L PER 100M2 FLOOR SPACE/DAY)	COMMENT
Bakeries	300	150	
Butcher	313	63	
Cafes	100	120	
Greengrocer	675	75	If separate organics collection then residual waste reduced
Grocery and convenience stores	120	240	
Hotels/pubs (without meals/ food service)	50	50	Calculate restaurant separately Calculate any accommodation separately
Restaurants	400	280	
Retail- Food (Large/medium retailer)	520	410	
Retail – Food (small retail)	150	100	
Seafood retail	313	62	
Takeaway (with sit-down area)	625	300	
Takeaway (food preparation only)	150	75	



TYPE OF PREMISES COMMERCIAL & COMMUNITY FACILITIES	RESIDUAL WASTE (L PER 100M2 FLOOR SPACE/DAY)	RECYCLING (L PER 100M2 FLOOR SPACE/DAY)	COMMENT
Book and audio-visual shops	38	116	
Chemist	20	45	
Childcare centre	5	5	Per child
Cultural and recreational services (museums, theatres, cinemas)	5	10	Based on floor space for patrons (seating areas for theatre)
Dry cleaners	19	6	
General services	108	20	
Gymnasiums	20	15	
Hair and Beauty	63	50	
Licensed clubs (with gaming)	50	50	Calculate restaurant separately Calculate any accommodation separately
Motels	10	5	Per guest room
Newsagents and stationary shops	20	120	
Office-based retail eg travel agents	30	40	
Offices	10	15	
Pre-school	10	15	Per student/child
Retail – chain stores, clothing, Manchester etc	5	20	
Retail – non-food	50	100	
Retail – homewares and kitchenware	20	120	
Retail – variety gift stores	20	120	
Shopping centres (common floor space areas)	20	18	
Showrooms	10	25	
Supermarkets	240	300	
Variety gift shop	19	73	
Wholesale trade	100	50	



62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

TOURIST AND VISITOR
ACCOMMODATION



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
Waste Management Plan	6
Waste collection service	6
Waste generation	6
2 Bin infrastructure	8
3 Waste management system	11
Internal waste storage area	12
Waste storage area - General	12
Manufactured home estates	13
Caravan parks	13
4 Waste collection	14
Waste collection vehicle	15
Waste collection vehicle access	15
Waste collection point	16
Bin transfer	16
5 Useful resources	17
6 Appendix A	19

INTRODUCTION

Introduction

Tourist and visitor accommodation facilities require appropriate waste management practices by the management body to ensure adequate waste separation facilities are available to users of the site. The scale of tourist and visitor accommodation facilities can vary and waste management, including facilities and collection areas, will need to be designed accordingly based on the size of the premises and number of occupants or users of the site.

This guideline provides general guidance to develop a waste management system for the following landuses.

a. Tourist and visitor accommodation including

- Backpackers accommodation
- Hotel or motel accommodation
- Serviced apartments

b. The following landuses

- Camping grounds
- Eco-tourist facilities
- Manufactured home estates
- Caravan parks



Waste Management Plan

All proposed tourist and visitor accommodation facilities within this guideline are required to submit a Waste Management Plan (WMP) with a development application. If the cost of the proposed development exceeds \$5M in value the WMP is required to be prepared by a suitably qualified waste management consultant/practitioner.

The WMP is to be prepared with reference to this guideline and other relevant standards or documentation.

Waste collection service

New tourist and visitor accommodation facilities are required to provide waste collection services to the proposed premises by the owner of the property. The waste management system will need to be integrated into the overall design of the proposed development with waste storage and collection points located on-site. To ensure waste collection can be undertaken safely and efficiently the waste collection vehicle will need to enter and exit the site in a forward direction.

Waste generation

Waste generation rates from tourist and visitor accommodation facilities will vary based on the scale of the operation. Average recyclable and residual waste generation rates have been provided in **Appendix A** of this guideline for tourist and visitor accommodation facilities. The waste generation rates are to be provided to each element of the proposed development i.e some tourist and visitor accommodation may provide an on-site restaurant or function rooms. Waste from each element of the proposed development is to be calculated and used to determine the size and number of bins required for the overall operation of the development.

If the premises or premises element is not provided in Appendix A supporting documentation providing estimates of the volume of waste streams from the proposed operation is to be provided in the submitted WMP.



Manufactured home estates

Waste collection from the operation of manufactured home estates is required to account for waste generation from each individual manufactured home. Table 1 provides the average waste generation rate for each manufactured home site within the proposed estate.

Table 1: Waste generation from single manufactured home allotment within estate

WASTE TYPE	VOLUME (L/WEEK)	VOLUME (L/FORTNIGHT)
Recycling	120	240
Residual	120	240

Source: Gladstone Regional Council, SC6.7 Waste Management

Caravan parks

Waste collection from the operation of caravan parks is required to account for waste generation from each individual caravan park site. Table 2 provides the average waste generation rate for each site within the proposed caravan park

Table 2: Waste generation from single site within a caravan park

WASTE TYPE	VOLUME (L/WEEK)	VOLUME (L/FORTNIGHT)
Recycling	60	120
Residual	60	120

Source: Gladstone Regional Council, SC6.7 Waste Management



BIN INFRASTRUCTURE

Bin infrastructure

All tourist and visitor accommodation facilities require access to recycling and residual waste bins and sufficient bin storage to accommodate the projected volume of waste from the proposed development. Operations involved in food production and preparation, or have a proportion of organic waste in their waste stream, should provide separate bin storage.

A variety of bin sizes are available for the storage and collection of waste materials and the selection of bin infrastructure will be dependent on the waste materials collected and the design of the site.

Mobile bins can range in volume and size and are typically collected by 'rear-lift' waste collection vehicles. **Table 3** provides the dimensions of mobile bins to enable sizing of the waste storage area for the proposed tourist or visitor accommodation facility.

Table 3: Mobile waste bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
80	870	530	450	0.24
120	940	560	485	0.27
140	1065	540	500	0.27
240	1080	735	580	0.43
360	1100	885	600	0.53
660	1250	850	1370	1.16
770	1425	1100	1370	1.5
1100	1470	1245	1370	1.7
1300	1408	1250	1770	1.21
1700	1470	1250	1770	1.27

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.

Bulk bins are larger than mobile waste bins and are typically serviced by 'front-lift' waste collection vehicles. **Table 4** provides the typical dimensions of bulk bins to enable sizing of the waste storage area for the proposed tourist or visitor accommodation facility.

Table 4: Bulk waste bin dimensions

BIN CAPACITY (M ³)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
1.5	1190	1080	2070	2.23
2	865	1400	1830	2.6
3	1225	1505	1805	2.7
4.5	3750	1605	1805	2.9

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.





WASTE MANAGEMENT SYSTEM

Waste management system

Internal waste storage area

Tourist and visitor accommodation should provide appropriate waste systems within each room or unit, including waste cupboards or identified bins, to facilitate separation of recyclable and residual waste materials by staff or the occupant. Sufficient space for the storage of at least one day's worth of recycling and residual waste are to be provided and identified on floor plans.

Waste storage area General

The design of the tourist or visitor accommodation building site needs to incorporate sufficient space for the selected size and number of bins required for the volume of waste material generated between collection periods.

The waste storage area is to incorporate the following:

- Sufficient floor space for the required number of bins with a 0.2m space between bins to allow maneuvering.
- Unobstructed 1.8m clearance zone between the stored bins and the waste storage area entrance to permit access and movement.
- Located in close proximity to the waste collection point.
- Fully enclosed and walled with through access to other on-site infrastructure not permitted.
- Compliant with the Building Code of Australia (BCA) with the floor waterproofed, non-slip and sealed.
- The floor is to be graded to a central drainage point and connected to the sewer.
- Provision of an adequate water supply through a centralized mixing valve and hose cock.
- Provision of adequate lighting and ventilation in accordance with the BA.

Flexible design of the waste storage area should also be considered including:

- Additional floor space for extra bins or containers to capture additional separated waste streams
- Minimising potential obstacles within the waste storage area that would limit bin size
- Increasing width of access or doorways to allow for potential change in bin size

Tourist or visitor accommodation facilities that incorporate other uses, such as food and drink premises, will also require waste storage area space for specialized waste streams such as chemicals or liquid wastes such as cooking oils. A suitable sized space must be allocated to the storage of these waste streams and be kept secured and accessible to staff members and specific waste collection contractors only.

Suitable space is to be provided near the waste storage area to store re-usable commercial items such as crates, pallets, kegs etc so that storage in a public place is completely avoided.

Tourist and visitor accommodation facilities with three or more storeys should be provided with a method for transporting waste from each level to the waste storage area. This may include a goods lift or waste chute system (See Waste Management Guideline – Residential Flat Buildings).

Manufactured home estates

Manufactured home estates will require communal waste storage areas to service the individual manufactured homes on-site. The waste storage area should provide occupants with waste storage solutions for recyclable and residual waste streams. Green waste and/or organics storage solutions should also be provided where available.

The waste storage area is to accommodate the number of the selected bin sizes (see Table 3) The waste storage area is to be located within 75m of each manufactured home that it is servicing.

Mobile waste bins may be collected or transferred from the waste storage area by the site manager. to a larger waste storage area at the waste collection point.

Caravan parks

Caravan parks will require communal waste storage areas to service the cabins or caravans at each site. The waste storage area should provide occupants with waste storage solutions for recyclable and residual waste streams. Green waste and/or organics storage solutions should also be provided where available.

The waste storage area is to accommodate the number of the selected bin size (see **Table 3**). The waste storage area is to be located within 75m of each site within the caravan park that it is servicing.





WASTE COLLECTION

Waste collection

Waste collection vehicle

The selection of waste collection vehicle will be dependent on the type of bin infrastructure utilised for the proposed development.

Waste collection vehicle specifications are outlined in Appendix C of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities' and Appendix B of the NSW EPA's 'Better practice guide for resource recovery in residential developments.

These waste collection vehicle specifications are to be used to determine access to the waste collection point to the tourist or visitor accommodation facility.

Waste collection vehicle access

The waste collection vehicle must be able to safely and efficiently access the site and nominated on-site waste collection point. Access and egress to and from the proposed development to public roads is to be supported by swept path models for the largest waste collection vehicle that could service the building. Swept path models for waste collection vehicles are outlined in

- Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'.
- Section 5 of AS/NZS 2890.2 Parking facilities, Part 2: Off-street commercial vehicle facilities

Access and egress from the site by the waste collection vehicles must be in a forward direction with a 0.5m unobstructed clearance either side of the vehicle.

The access/egress point from the site is to be designed with the following requirements:

- The waste collection vehicle must enter and exit the site in a forward direction
- A 0.5m unobstructed clearance either side of the waste collection vehicle
- Grades of entry/exit ramps must not exceed the capabilities of the waste collection vehicle in accordance with Australian Standard AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.
- Height clearance must be sufficient for the entry of the waste collection vehicle, with a general minimum clearance of 3.8m.

The WMP submitted with a development application is to include a structural engineer's report confirming the following:

- The design of the access driveway, or ramp, to the site is of sufficient strength to support the weight of the waste collection vehicle
- The route of waste collection vehicle travel (or circulation roadway), including pavement, are of sufficient strength to support the weight of the waste collection vehicle
- The waste collection point (or service area) is of sufficient strength for movement and maneuvering of the waste collection vehicle

Note: When assessing pavement strength, the area/pavement will need to support the waste collection vehicle 'gross weight'.

Waste collection point

The waste collection point for the proposed tourist and visitor accommodation facility is to be appropriately located to allow easy collection. The waste collection point is to be located:

- Away from intersections, roundabouts or slow-points such as pedestrian crossings
- Away from busy roads or narrow lanes
- Free from obstructions such as awnings, trees or overhead structures, wires or services
- Away from public areas
- Away from driveways, loading areas or parking bays
- Where normal operations of the premises will not be blocked or impeded
- Where there is clear vision of traffic as the collection vehicle leaves the waste collection point.

The nominated on-site waste collection point must have sufficient area for maneuvering of the waste collection vehicle with minimal need for reversing. The waste collection point is to be provided on the Site or Floor Plans and include swept path models for a waste collection vehicles as outlined in Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'.

For rear loaded waste collection vehicles and unobstructed 2m loading zone is required behind the vehicle for loading of bins. A 0.5m side clearance is also required on either side of the vehicle.

Bin transfer

If the waste storage area and waste collection point are in separate locations bins will be required to be moved between the locations. The bin carting route between the two locations for bins smaller than 660L is to be designed with consideration of the following:

- Free of stairs or kerbs along the route
- Grades along the route should not exceed 1:14
- The route distance should not exceed 75m.

Bins between 660L and 1.5m³ should not be moved more than 5m between the waste storage area and waste collection point while movement of bins greater than 1.5m³ should be avoided.



USEFUL
RESOURCES

Useful resources

NSW EPA 2012, Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities,

[Resources for local council waste and recycling operations \(nsw.gov.au\)](https://www.nsw.gov.au/resources-for-local-council-waste-and-recycling-operations)

NSW EPA 2019, Better practice guide for resource recovery in residential developments,

[Resources for local council waste and recycling operations \(nsw.gov.au\)](https://www.nsw.gov.au/resources-for-local-council-waste-and-recycling-operations)



The graphic for Appendix A features a solid green background with a white line forming a stylized arrow shape pointing to the right. The text 'APPENDIX A' is centered in a large, bold, white, italicized sans-serif font.

APPENDIX A

Appendix A: Waste generation rates from tourist and visitor accommodation

TYPE OF PREMISES	RESIDUAL WASTE (L PER 100M ² FLOOR SPACE/DAY)	RECYCLING (L PER 100M ² FLOOR SPACE/DAY)	COMMENT
TOURIST/VISITOR ACCOMMODATION AND ANCILLARY SERVICES			
Bar (without meals/food service)	50	50	<ul style="list-style-type: none"> Calculate restaurant separately Calculate any accommodation separately
Cafes	100	120	
Entertainment services (theatre, cinema)	5	10	Based on floor space for patrons (seating areas for theater)
Gymnasiums	20	15	
Hair and Beauty	63	50	
Motel or hotel	10	5	Per guest room
Offices	10	15	
Retail – non-food	50	100	
Restaurants	400	280	



62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

HEALTH SERVICES & ANIMAL
HEALTH FACILITIES



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
Waste Management Plan	5
Waste collection services	5
2 Waste generation	6
Recyclable and residual waste	7
Special waste and radioactive waste	7
3 Bin infrastructure	8
Recyclable and residual waste	9
Special waste and radioactive waste	10
4 Waste management system	11
Recyclable and residual waste	12
Special waste and radioactive waste	12
5 Waste storage area	13
Special waste and radioactive waste	14
6 Waste collection	15
Waste collection vehicle	16
Waste collection vehicle access	16
Waste collection point	17
7 Useful resources	18



INTRODUCTION

Introduction

Facilities providing health services require a multi-layered waste management system to assist with the variety of waste streams that result from the operation of these premises. In addition to standard recyclable and residual waste streams health service facilities are required to manage, dependant on the scope of services within the facility,

- Clinical waste
- Cytotoxic waste
- Radioactive waste
- Sharps waste
- Pharmaceutical waste

These waste streams require appropriate storage and collection to prevent transfer of pathogens or infectious substances or manage other health-related impacts. These waste streams are also associated with facilities that undertake health animal health management.

This guideline provides general guidance to develop a waste management system for the following health service facilities

- a. Community health service facilities
- b. Health consulting rooms
- c. Hospital
- d. Medical centre
- e. Patient transport facilities

The guideline also applies for waste management systems for residential care facilities listed within the seniors housing landuse.

Guidance is also provided to develop a waste management system for landuses associated with animal health management including

- a. Animal boarding or training establishments
- b. Veterinary hospitals

Waste Management Plan

All proposed health service facilities and animal health management facilities will be required to submit a Waste Management Plan (WMP) with a development application. If the cost of the proposed development exceeds \$5M in value the WMP is required to be prepared by a suitably qualified waste management consultant/practitioner.

The WMP is to be prepared with reference to this guideline and other relevant standards or documentation. Section 10 of AS 3816: 2018 Management of clinical and related wastes provides guidance on the preparation of waste management plans for various waste streams associated with the facilities outlined in this guideline.

Waste collection service

Waste collection services for new health service facilities or animal health management facilities are required to be provided by the owner or operator of the premises. The proposed waste management system is required to be integrated into the overall design of the development with waste storage and collection points located on-site. To ensure waste collection can be undertaken safely and efficiently the waste collection vehicle will need to enter and exit the site in a forward direction.

A large green graphic with abstract shapes and the text "WASTE GENERATION". The background is a solid light green color. There are several abstract shapes: a dark green rounded rectangle in the top right corner, a white outline of a shape on the left side, and a light green rounded shape at the bottom left. The text "WASTE GENERATION" is centered in white, with "WASTE" in a bold, italicized sans-serif font and "GENERATION" in a regular, spaced-out sans-serif font.

WASTE GENERATION

Recyclable and residual waste

Waste generation rates from health service facilities and animal health management facilities will vary based on the size of the facility and the types of service provided within the development.

Average recyclable and residual waste generation has been provided to Table 1 and each proposed facility should account for waste generation from each area of the development.

Table 1: Recyclable and residual waste generation rates from health service and animal health management facilities

PART OF FACILITY	RECYCLING (L/100M ² /DAY)	RESIDUAL (L/100M ² /DAY)	COMMENT
Medical rooms	20	10	Rate is per consulting room
Offices	10	15	
Optical	18.8	31.3	

Source: Appendix G Better practice guide for resource recovery in residential development, NSW EPA, 2019

Waste generation rates from **Table 1** should be used to determine the size and number of bins required for recyclable and residual waste for the proposed facility. If the premises type is not provided in **Table 1** supporting documentation providing estimates of the volume of waste streams from the proposed operation is to be provided in the submitted WMP.

Special waste and radioactive waste

Health service facilities and animal health management facilities may generate wastes classified as special waste under the Protection of the Environment Operations Act (Waste) Regulation 2014. Special waste includes clinical and related waste that involves

- Clinical waste including pathology and anatomical waste
- Pharmaceutical, drug and medicine waste
- Cytotoxic waste
- Clinical sharps waste

Health service facilities and animal health management facilities may also generate waste classified as containing radioactive material through services provided at the site.

Each waste management plan is required to submit supporting documentation providing estimates of the volume of the waste streams for special waste and radioactive waste generated as a result of the proposed facility.



BIN INFRASTRUCTURE

Recyclable and residual waste

All health service facilities and animal health management facilities require access to recycling and residual waste bins and sufficient bin storage is to be provided to accommodate the projected volume of waste from the proposed development. Facilities that include food production and preparation, such as hospitals, should provide separate bin storage for organic/food waste.

A variety of bins are available for the storing, handling and collection of recyclable and residual waste streams in health service facilities and animal health management facilities. The selection of bin infrastructure is dependent on the types of materials to be handled and the building design.

Mobile bins can range in volume and size and are typically collected by 'rear-lift' waste collection vehicles. Table 2 provides the dimensions of mobile bins to enable sizing of the waste storage area for the proposed health service facility or animal health management facility.

Table 2: Mobile waste bin dimensions

BIN CAPACITY (L)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M2)
80	870	530	450	0.24
120	940	560	485	0.27
140	1065	540	500	0.27
240	1080	735	580	0.43
360	1100	885	600	0.53
660	1250	850	1370	1.16
770	1425	1100	1370	1.5
1100	1470	1245	1370	1.7
1300	1408	1250	1770	1.21
1700	1470	1250	1770	1.27

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.

Bulk bins are larger than mobile waste bins and are typically serviced by 'front-lift' waste collection vehicles. **Table 3** provides the typical dimensions of bulk bins to enable sizing of the waste storage area for the proposed health service facility or animal health management facility.

Table 3: Bulk waste bin dimensions

BIN CAPACITY (M ³)	HEIGHT (MM)	DEPTH (MM)	WIDTH (MM)	FOOTPRINT AREA (M ²)
1.5	1190	1080	2070	2.23
2	865	1400	1830	2.6
3	1225	1505	1805	2.7
4.5	3750	1605	1805	2.9

Source: Appendix B Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, NSW EPA, 2012.

Special waste and radioactive waste

Special wastes and radioactive wastes are required to be separated into distinct containers or bins for collection as required by the Protection of the Environment Operations Act (Waste) Regulation 2014. Waste bins or receptacles are to be clearly labelled and colour coded for each identified waste stream as required by Australian Standard AS 3816 2018: Management of clinical and related waste.

The submitted waste management plan is to provide the size and number of bins/receptacles for each waste stream applicable for the proposed facility. **Table 2** provides sizing of bins/receptacles to enable sizing of areas for storage of these waste streams. Supporting documentation can also be provided for alternative bins/receptacles for these waste streams if not provided in **Table 2**.



WASTE MANAGEMENT SYSTEM

Waste storage area

Internal Waste Storage Area

Recyclable and residual waste

Waste storage areas are to be identified on a Site Plan and located:

All health service facilities and animal health management facilities are to provide appropriate waste systems, including waste cupboards or identified bins, within the internal space of the premises to facilitate separation of recyclable and residual waste materials by staff. Sufficient space for the storage of at least one day's worth of recycling and residual waste are to be provided and identified on floor plans.

If a system is available for food organics collection, then sufficient space should also be allocated for separation of food organic in a separate bin/container.

Special waste and radioactive waste

Internal storage of special waste or radioactive waste must be incorporated into the design of the building as required by Australian Standard AS 3816 2018: Management of clinical and related waste. Any internal storage receptacle/bin must be marked, labelled and placarded as required by the Australian Dangerous Goods Code and Table 2 of AS 3816 2018: Management of clinical and related waste.







WASTE	BODY COLOUR	LID COLOUR	MINIMUM MARKINGS IN ADDITION TO DANGEROUS GOODS MARKINGS
Clinical waste not requiring incineration	Yellow	Yellow	 "Clinical Waste" and "Contains GMOs" (if applicable)
Sharps not contaminated with Cytotoxic material	Yellow	Not specified	 Biohazard symbol and the word "sharps"
Sharps contaminated with Cytotoxic material	Purple	Not specified	 Cytotoxic waste
Clinical and related - incineration	Yellow	Orange	 Clinical and related waste for incineration
Category A infectious waste	Yellow	Orange	 Clinical and related waste for incineration
Cytotoxic waste (excluding sharps)	Purple	Purple	 Cytotoxic waste
Pharmaceutical waste	Yellow	Orange	Pharmaceutical waste

Table 2: Rigid receptacle colours and markings



WASTE STORAGE AREA

Waste storage area

The design of the health service facility or animal health management facility needs to incorporate sufficient space for the selected size and number of bins required for the volume of waste material generated between collection periods.

The waste storage area is to incorporate the following

- Sufficient floor space for the required number of bins with a 0.2m space between bins to allow maneuvering.
- Provision of an adequate water supply through a centralized mixing valve and hose cock.
- Unobstructed 1.8m clearance zone between the stored bins and the waste storage area entrance to permit access and movement.
- Provision of adequate lighting and ventilation in accordance with the BA.
- Located in close proximity to the waste collection point.
- Flexible design of the waste storage area should also be considered including
- Fully enclosed and walled with through access to other on-site infrastructure not permitted.
- Additional floor space for extra bins or containers to capture additional separated waste streams
- Compliant with the Building Code of Australia (BCA) with the floor waterproofed, non-slip and sealed.
- Minimising potential obstacles within the waste storage area that would limit bin size
- The floor is to be graded to a central drainage point and connected to the sewer.
- Increasing width of access or doorways to allow for potential change in bin size

Special waste and radioactive waste

The waste storage area for special waste and radioactive waste can be combined with the above waste storage area or separated within the design of the building. The waste storage area must meet the requirements as above with the following additional requirements in accordance with Australian Standard AS 3816 2018: Management of clinical and related waste

- The waste storage area must be enclosed with a lockable door. Access is to be limited to authorised personnel
- All individual waste streams, whether types of special waste or radioactive waste, are to have dedicated areas with appropriate signage to avoid mixing of waste streams.

Waste pharmaceuticals are to be contained within a separate storage area to the waste storage area within the building. The storage area is to be enclosed and lockable with the same level of security for pharmaceuticals, drugs or medicines that are in use.

A large green graphic with abstract shapes and the text "WASTE COLLECTION". The background is a solid green color with several overlapping, semi-transparent green shapes in various shades. A white line starts from the left edge, curves downwards, and then curves back up towards the center. The text "WASTE" is in a bold, italicized, white sans-serif font, and "COLLECTION" is in a white, outlined, sans-serif font below it.

WASTE COLLECTION

Waste collection vehicle

The selection of waste collection vehicle will be dependent on the type of bin infrastructure utilised for the proposed development. Waste collection vehicle specifications are outlined in Appendix C of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities' and Appendix B of the NSW EPA's 'Better practice guide for resource recovery in residential developments.

These waste collection vehicle specifications are to be used to determine access to the waste collection point within the site.

Waste collection vehicle access

The waste collection vehicle must be able to safely and efficiently access the site and nominated on-site waste collection point. Access and egress to and from the proposed development to public roads is to be supported by swept path models for the largest waste collection vehicle that could service the building. Swept path models for waste collection vehicles are outlined in

- Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'.
- Section 5 of AS/NZS 2890.2 Parking facilities, Part 2:Off-street commercial vehicle facilities

The access/egress point from the site is to be designed with the following requirements:

- The waste collection vehicle must enter and exit the site in a forward direction
- A 0.5m unobstructed clearance either side of the waste collection vehicle
- Grades of entry/exit ramps must not exceed the capabilities of the waste collection

vehicle in accordance with Australian Standard AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.

- Height clearance must be sufficient for the entry of the waste collection vehicle, with a general minimum clearance of 3.8m.
- The WMP submitted with a development application is to include a structural engineer's report confirming the following
- The design of the access driveway, or ramp, to the site is of sufficient strength to support the weight of the waste collection vehicle
- The route of waste collection vehicle travel (or circulation roadway), including pavement, are of sufficient strength to support the weight of the waste collection vehicle
- The waste collection point (or service area) is of sufficient strength for movement and maneuvering of the waste collection vehicle

Note: When assessing pavement strength, the area/pavement will need to support the waste collection vehicle 'gross weight'.





Waste collection point

The waste collection point for the proposed facility is to be appropriately located to allow easy collection. The waste collection point is to be located

- Away from intersections, roundabouts or slow-points such as pedestrian crossings
- Away from busy roads or narrow lanes
Free from obstructions such as awnings, trees or overhead structures, wires or services
- Away from public areas
- Away from driveways, loading areas or parking bays
- Where normal operations of the premises will not be blocked or impeded
- Where there is clear vision of traffic as the collection vehicle leaves the waste collection point.

The nominated on-site waste collection point must have sufficient area for maneuvering of the waste collection vehicle with minimal need for reversing. The waste collection point is to be provided on the Site or Floor Plans and include swept path models for a waste collection vehicle as outlined in Appendix D of the NSW EPA's 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'.

For rear loaded waste collection vehicles an unobstructed 2m loading zone is required behind the vehicle for loading of bins. A 0.5m side clearance is also required on either side of the vehicle.



USEFUL RESOURCES

Useful resources

Animal Heal Australia 2021, AUSVETPLAN Operational Manuals, Informing EAD Responses – [AUSVETPLAN - Animal Health Australia](#)

Government Architect of NSW 2023, Design Guide for Health, <https://www.planning.nsw.gov.au/government-architect-nsw/design-guidance/design-guide-for-health>

NSW Planning and Environment 2023, Seniors Housing Design Guide, <https://www.planning.nsw.gov.au/policy-and-legislation/housing/housing-sepp/seniors-housing>

NSW EPA 2012, Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities, [Resources for local council waste and recycling operations \(nsw.gov.au\)](#)

NSW EPA 2019, Better practice guide for resource recovery in residential developments, [Resources for local council waste and recycling operations \(nsw.gov.au\)](#)

NSW Health 2020, Clinical and Related Waste Management for Health Services, [Clinical waste management \(nsw.gov.au\)](#)

Safework NSW 2017, Cytotoxic Drugs and related Waste – Risk Management, https://www.safework.nsw.gov.au/_data/assets/pdf_file/0005/287042/SW08559-Cytotoxic-drugs-and-related-risk-management-guide.pdf





62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au



WASTE MANAGEMENT GUIDELINES

EVENTS



STRATEGIC PLANNING | WASTE & ENVIRONMENT



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

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.

Contents

1. Introduction	4
2 Waste planning for your event	6
Waste goals and vendor selection	7
Waste collection service	7
3 Bin locations	8
Waste storage areas	9
Waste collection points and transfer routes	9
Site plan	9
5 Useful resources	10
6 Appendix A.	12



INTRODUCTION

Introduction

The volume of waste generated by an event can be linked to event attendance. Waste generated by attendees includes items bought to the event and disposed of while in attendance along with food, packaging and other items from vendors, stall operators and event staff.

The management of waste at events can be undertaken through setting achievable sustainability goals for the event and selection of vendors and stallholders that commit to waste minimisation goals. Careful planning and organisation of a waste management system that accounts for appropriate bin placement and collection will assist in meeting the event's waste goals. This guideline has been developed to assist with the completion of a Waste Management Plan (WMP) for events and meeting the requirements for waste management under Council's Development Control Plan (DCP). A template WMP for events has been provided in Appendix A of this guideline to assist in preparing for a public event.





WASTE PLANNING FOR YOUR EVENT

Waste goals and vendor selection

Management of waste can vary at different types of events due to the requirements for the staging of the event and variety of stallholders/vendors involved in the event. However, setting a waste goal, such as no waste to landfill or compost all food/green waste, highlights the event's intention to waste management and sustainability.

In planning an event select stallholders/vendors that will collaborate in meeting the event's waste goals or offer terms and conditions for participating in the event. Discuss with the event stallholders/vendors or service providers about the role the event can play in reducing waste.



Waste collection service

Collection of event recycling and residual waste materials can be arranged for

1. Public land owned or managed by Council – through Council Event Bin application from <https://www.cessnock.nsw.gov.au/Residents/Waste/Waste-collection/Waste-forms>
2. Private land or other government managed land – through a private waste contractor

Waste materials generated by stallholders, including packaging, food wastes, containers etc should be ordinarily managed and removed by stallholders rather than left at the event site for removal.

Event managers may opt to coordinate management of all, or a portion of back of house waste.

A large green graphic with abstract shapes and the text "BIN LOCATIONS". The background is a solid green color with several abstract shapes in lighter and darker shades of green. A white line starts from the left edge, curves downwards, and then curves back up towards the center. The text "BIN" is in a bold, italicized, white sans-serif font, and "LOCATIONS" is in a white, outlined, sans-serif font below it.

BIN LOCATIONS

Bin locations

Bins for recycling, and residual waste should be co-located together at locations across the event area to facilitate separation of waste.

When planning the number of bins for an event order an equal number of recycling and residual waste bins to facilitate bin stations. Bin stations should be located in areas where waste is most likely to be disposed while not reducing pedestrian movement. Site exits and food eating areas are high waste locations.

Bin stations should include clear signage to inform attendees regarding separation of waste. Alternatively, bin monitors/volunteers could be stationed at each bin location to assist with attendees to separate waste.

Waste storage areas

Each stallholder or vendor should have a secure waste storage area near their allocated event site for separation of materials. Bins or containers for recyclables, and residual waste should be sufficiently sized to hold a day's volume of material for each stallholder/vendor.

Dedicated communal waste storage areas should be considered so individual stallholders/vendors can transfer waste for collection. Communal waste storage areas should be appropriately screened and identified to allow access by event stallholders/vendors only. The communal waste storage area should contain sufficiently sized waste bins to consolidate materials from the event for collection.

Waste collection points and transfer routes

The event should identify dedicated waste collection points for access for collection vehicles. The nominated waste collection point should consider distances, gradient and ease of moving bins over different ground surfaces. If distances or slope are an issue larger carting equipment or small waste transport vehicles may be required to transport bins to the waste collection point. Manual bin carting for wheeled bins over 360L in size should not exceed 10m.

Site Plan

The Site Plan for the event should provide locations for the following

- Bin delivery points at event set up/'bump in'
- Bin storage areas
- Public bin areas
- Waste storage areas for stallholders/vendors or communal waste storage areas
- Waste collection points where bins will be placed for emptying
- Bin aggregation areas and removal points at the end of the event/'bump out'.

A large green graphic with abstract shapes and the text "USEFUL RESOURCES". The background is a solid green color with several overlapping, semi-transparent green shapes in various shades. A white line starts from the left edge and curves downwards and then rightwards. The text "USEFUL" is in a bold, italicized, white sans-serif font, and "RESOURCES" is in a white sans-serif font with wide letter spacing.

USEFUL RESOURCES

Useful Resources

City of Sydney 2020, Sustainable Event Guidelines, Sustainable event guidelines - City of Sydney, <https://www.cityofsydney.nsw.gov.au/guides/sustainable-event-guidelines>

Department of Environment and Conservation NSW 2007, Waste Wise Events Guide, <https://www.cessnock.nsw.gov.au/files/assets/public/v/1/hptrim/website-community-information-do-not-change/wastewise-events-guide-decc.pdf>

Department of Environment and Conservation NSW 2005, Better Practice Guide for public Place Recycling, Managing waste for public places and events, <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/business-government-recycling/waste-wise-events/public-places-and-events>





APPENDIX A

Appendix A

Click here to download a council built template for your waste management plan:

<https://www.cessnock.nsw.gov.au/files/assets/public/v1/hptrim/website-forms-do-not-change/waste-management-guidelines-events-fillable-forms.docx>



62-78 Vincent Street, Cessnock NSW 2325 | PO Box 152 Cessnock NSW 2325
02 4993 4100 | council@cessnock.nsw.gov.au | www.cessnock.nsw.gov.au

Cessnock Development Control Plan 2010

Dictionary

Waste Management

Term	Explanation
Special waste	<p>Potential environmental impacts from this type of waste needs to be managed to minimise risk of harm to the environment and human health.</p> <p>Means any of the following</p> <ul style="list-style-type: none"> • Clinical and related waste • Asbestos waste • Waste tyres • Anything classified as special waste under a NSW EPA gazettal notice.
Waste	<p>Includes</p> <p>(a) Any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or</p> <p>(b) Any discarded, rejected, unwanted, surplus or abandoned substance, or</p> <p>(c) Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or</p> <p>(d) Any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed the regulations, or</p> <p>(e) Any substance prescribed by the regulations to be waste</p> <p>Schedule 6 of <i>Protection of the Environment Operations Act 1997</i></p>
Waste and recycling storage area	Area where all allocated bins and storage of other waste types are kept. May be a nominated individual or communal area depending on type of development.
Waste and recycling storage room	A dedicated room within a building for the temporary management or transfer for waste. The room may contain smaller bins or a waste chute to allow transfer to the larger waste and recycling storage area.
Waste chute system	Duct system where deposited waste descends, due to gravity, from one level to another within a building.
Waste collection point	The area where allocated bins are presented and waste is transferred to a waste collection vehicle. This may be at the road kerbside or within the building/development site depending on type of development and access arrangements.
Waste Management Plan	A document that outlines how waste will be managed for a proposed development. This includes how waste will be separated, stored and

	collected at the site. The main objective of the plan is to identify how waste will be recycled and reduced and to minimise potential health and environmental hazards.
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Placeholder for Enclosure 1

Corporate and Community No. CC52/2024

General Managers Performance Review and
Development Plan (Provided to Councillors as a
Confidential Enclosure under Separate Cover)



Councillor Expenses and Facilities Policy

Last Updated: xx/xx/xxxx Revision: x

CONTENTS

POLICY SUMMARY	3
PART A - INTRODUCTION	4
1 INTRODUCTION	4
2 POLICY OBJECTIVES	4
3 PRINCIPLES	4
4 PRIVATE OR POLITICAL BENEFIT	5
PART B - EXPENSES	5
5 GENERAL EXPENSES	5
6 SPECIFIC EXPENSES	5
General Travel Arrangements and Expenses.....	5
Interstate, overseas and long distance intrastate travel expenses.....	6
Travel expenses not paid by Council	6
Accommodation and meals.....	6
Refreshments for Council related meetings	7
Professional development.....	7
Conferences and seminars.....	7
Information and communications technology (ICT) expenses	8
Special requirement and carer expenses	8
Accompanying Persons Expenses	9
7 INSURANCES	9
8 LEGAL ASSISTANCE.....	9
PART C - FACILITIES	10
9 GENERAL FACILITIES FOR ALL COUNCILLORS.....	10
Facilities	10
Stationery.....	10
Administrative support	10
Recognition of service	10
Corporate dress	10
10 ADDITIONAL FACILITIES FOR THE MAYOR	11
PART D - PROCESSES	11
11 Approval, payment and reimbursement arrangements	11

Councillor Expenses and Facilities Policy

Direct payment..... 11

Reimbursement..... 11

Advance payment..... 11

Notification..... 12

Reimbursement to Council..... 12

Timeframe for reimbursement..... 12

12 DISPUTES 12

13 RETURN OR RETENTION OF FACILITIES..... 12

14 PUBLICATION 13

15 REPORTING..... 13

16 AUDITING..... 13

17 RESPONSIBILITIES 13

Compliance, monitoring and review 13

18 BREACHES 13

19 RECORDS MANAGEMENT..... 13

20 POLICY DEFINITIONS AND ABBREVIATIONS..... 13

21 POLICY AUTHORISATIONS 14

22 POLICY ADMINISTRATION..... 14

23 POLICY HISTORY 15

ACKNOWLEDGEMENT

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.

COUNCIL VALUES

Integrity, Respect, Teamwork, Accountability, and Excellence.

DISCLAIMER

The information contained in this publication is based on knowledge and understanding at the time of the adoption date and may not be accurate, current or complete at the time of viewing. While every effort has been made to ensure the accuracy of the information in this publication, Cessnock City Council expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of this publication or the data provided therein. Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

NOTICE

© Cessnock City Council. This work is copyright. It may be reproduced in whole or in part for study or training purposes subject to the inclusion of an acknowledgement of the source. It may not be reproduced for commercial usage or sale. Reproduction for purposes other than those indicated above requires written permission from Cessnock City Council.

Councillor Expenses and Facilities Policy

POLICY SUMMARY

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), complies with the Office of Local Government (OLG)'s *Guidelines for the Payment of Expenses and Provision of Facilities to Mayors and Councillors in NSW* and is an adaptation of the OLG's *Model Councillor Expenses and Facilities Policy*.

The policy sets out the amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST. This table is a summary only. Refer to the relevant clauses for full details.

Clause	Expense / Facility	Maximum amount	Frequency
Clauses 6.1-6.4	General travel expenses	\$1000 per Councillor, including the Mayor	Per year
Clauses 6.5-6.15	Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors	Per year
Clauses 6.17-6.20	Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Clauses 6.23-6.27	Professional development	\$10,000 total for all Councillors	Per year
Clauses 6.28-6.34	Conferences and seminars	\$20,000 total for all Councillors	Per year
Clauses 6.35-6.37	ICT expenses	Provided to all Councillors	Per term
Clauses 6.38-6.43	Carer expenses	\$2,000 per Councillor	Per year
Section 9	Access to facilities in a Councillor common room	Provided to all Councillors	Not relevant
Section 10	Council vehicle and fuel card	Provided to the Mayor	Not relevant
Section 10	Reserved parking space at Council offices	Provided to the Mayor	Not relevant
Section 10	Furnished office	Provided to the Mayor	Not relevant
Clauses 10.7-10.8	Number of exclusive staff supporting Mayor and Councillors	Provided to the Mayor and Councillors	Not relevant
Clauses 11.7-11.10	Cash advance for expenses	\$500 per Councillor	Per day of the conference, seminar or professional development

Additional costs incurred by a Councillor in excess of the limits in this policy or not meeting the relevant criteria are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred, or in the case of expenses incurred in June, within one month of the end of the financial year. Claims made

Councillor Expenses and Facilities Policy

after this time may only be approved by the General Manager and must be due to extenuating circumstances.

A report on the provision of expenses and facilities to Councillors will be published in Council's Annual Report. The report will include expenditure summarised by individual Councillor and as a total for all Councillors.

PART A - INTRODUCTION

1 INTRODUCTION

- 1.1 The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Council.
- 1.2 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4 Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5 Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2 POLICY OBJECTIVES

- 2.1 The objectives of this policy are to:
 - a) enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties,
 - b) enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties,
 - c) ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors,
 - d) ensure facilities and expenses provided to Councillors meet community expectations,
 - e) support a diversity of representation, and
 - f) fulfil the Council's statutory responsibilities.

3 PRINCIPLES

- 3.1 Council commits to the following principles:
 - a) **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
 - b) **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.
 - c) **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
 - d) **Equity:** there must be equitable access to expenses and facilities for all Councillors.
 - e) **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
 - f) **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

Councillor Expenses and Facilities Policy

4 PRIVATE OR POLITICAL BENEFIT

- 4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2 Incidental private use of Council equipment and facilities by Councillors may occur from time to time, and does not breach this policy or Council's Code of Conduct. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3 Such incidental private use does not require a compensatory payment back to Council.
- 4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5 Campaigns for (re)election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a (re)election campaign:
 - a) production of election material for a local, state or federal election,
 - b) use of Council resources and equipment for campaigning (for example attaching an individual's political affiliation or other material),
 - c) use of official Council letterhead, Council Crest, publications, websites or services for political benefit or to create an impression it is official Council material,
 - d) fundraising activities of political parties or individuals, including political fundraising events.

PART B - EXPENSES

5 GENERAL EXPENSES

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.
- 5.3 Official business includes attendance on behalf of the Mayor, attendance at meetings for which the Councillor is the nominated Council representative, and attendance in the official capacity as a Councillor (for example ANZAC Day memorial).

6 SPECIFIC EXPENSES

General Travel Arrangements and Expenses

- 6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 Each Councillor and the Mayor may be reimbursed up to a total of \$1000 per year, for travel expenses incurred while undertaking official business, professional development or attending approved conferences and seminars within NSW for expenses not already paid directly by Council. This includes reimbursement:
 - a) for public transport fares,
 - b) for the use of a private vehicle or hire car,
 - c) for parking costs,
 - d) for tolls,
 - e) for taxi or documented ride-share programs, such as Uber, where tax invoices can be issued.

Councillor Expenses and Facilities Policy

- 6.3** Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate set out in the NSW Treasury Salary packaging motor vehicle charges "Running Costs" which are also provided by Local Government NSW.
- 6.4** Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.5** In accordance with section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.6** Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be capped at a maximum of \$5,000 per year for all Councillors.
- 6.7** Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to the General Manager, for approval by the elected Council, prior to travel.
- 6.8** Long distance intrastate travel is travel between Cessnock and a location greater than 300kms.
- 6.9** Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.10** The case should include:
- a) objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties,
 - b) who is to take part in the travel,
 - c) duration and itinerary of travel, and
 - d) a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.11** For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.12** For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.13** Unless otherwise specified by a resolution of Council, for international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14** For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.
- 6.15** After returning from overseas, Councillors, or an accompanying member of Council staff, will provide a detailed written report to a Council meeting within 30 days on the aspects of the trip relevant to Council business and/or the local community.

Travel expenses not paid by Council

- 6.16** Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.17** In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This

Councillor Expenses and Facilities Policy

includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.

- 6.18 Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Hunter region for expenses not already paid directly by Council and where meals are not already provided.
- 6.19 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.20 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of clause 6.21.

Refreshments for Council related meetings

- 6.21 Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- 6.22 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.23 Council will set aside a maximum of \$10,000 for Councillors annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.24 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the OLG. The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.25 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.26 Approval for professional development activities is subject to Council's Councillor Training and Development Policy.
- 6.27 Bookings for approved attendance of Councillors at a professional development course are to be made following approval by the Director Corporate and Community Services, in accordance with the Councillor Training and Development Policy.

Conferences and seminars

- 6.28 Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.29 Council will set aside a maximum of \$20,000 annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.30 Approval to attend a conference or seminar is subject to a written request to the General Manager and resolution of Council. In assessing a Councillor request, the approving authority must consider factors including the:
 - a) relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties, and

Councillor Expenses and Facilities Policy

b) cost of the conference or seminar in relation to the total remaining budget.

6.31 The approving authority for:

- a) Conferences and seminars of one-day duration is the General Manager;
- b) Conferences and seminars of greater than one-day duration, is the elected Council.

6.32 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences subject to the limitations set out in this policy, subject to clauses 5.1 – 6.22. Council will also meet the reasonable cost of meals and beverages when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to clauses 6.19 – 6.22.

6.33 After returning from the conference, Councillors shall provide a written report to Council on the aspects of the conference relevant to Council business and/or local community. No written report is required for the annual conference of Local Government NSW.

6.34 Bookings for approved attendance of Councillors (and where applicable, accompanying persons) at a conference (e.g. National General Assembly) are to be made through the General Manager's Office.

Information and communications technology (ICT) expenses

6.35 Council will provide Councillors with appropriate ICT devices and services to facilitate the conduct of Council business with constituents and Council officers. A Council supplied email address and access to email will be provided.

6.36 Where Councillors have difficulty accessing mobile phone coverage, they will be entitled to claim reimbursement of expenses for the use of their home phone for the purposes of conducting Council business. This is by exception and any reimbursement will be up to the monthly value of the Council issued smartphone service.

6.37 Council will supply Councillors with a mobile phone (with a Council supplied phone number) and iPad (or equivalent). The mobile phone and iPad are for use when exercising the Councillor's official functions and may also be used for private purposes subject to proper payment where appropriate. Council may reduce the councillor allowance for the cost of calls made in relation to use of the mobile phone and iPad that are for private purposes and not incidental to the Councillor's official functions.

Special requirement and carer expenses

6.38 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing-impaired Councillors and those with other disabilities.

6.39 Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.

6.40 In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

6.41 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$2,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.

6.42 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

Councillor Expenses and Facilities Policy

- 6.43** In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Accompanying Persons Expenses

- 6.44** Council will meet the reasonable expenses for an accompanying person of the Mayor or Councillor for attendance at an official function of Council with prior approval of the Mayor or General Manager.
- 6.45** Council will meet the cost of registration and the official conference dinner of accompanying persons associated with attendance at the Local Government NSW annual conferences. Travel expenses, any additional accommodation expenses and the cost of accompanying person tours etc. are the personal responsibility of individual Councillors.

7 INSURANCES

- 7.1** In accordance with section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this insurance policy.
- 7.2** Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3** Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4** Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on official business.

8 LEGAL ASSISTANCE

- 8.1** Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a) a Councillor defending an action arising from the performance in good faith of a function under the Act provided that the outcome of the legal proceedings is favourable to the Councillor,
 - b) a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor,
 - c) a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2** Council shall, on request from a Councillor, make application to Council's insurer for reimbursement of legal expenses incurred by a Councillor in the actions listed in clause 8.1, only if the claim exceeds the excess. The application is subject to the requirements of section 7 above.
- 8.3** In the case of a Code of Conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.4** Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in

Councillor Expenses and Facilities Policy

office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.

- 8.5** Council will not meet the legal costs:
- a) of legal proceedings initiated by a Councillor under any circumstances,
 - b) of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation, and
 - c) for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.6** Reimbursement of expenses for reasonable legal expenses must have General Manager approval prior to costs being incurred, subject to the limitations contained within clause 8.5 above.

PART C - FACILITIES

9 GENERAL FACILITIES FOR ALL COUNCILLORS

Facilities

- 9.1** Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- a) a Councillor Meeting Room appropriately furnished to include desk, computer, telephone, and multi-functional device (photocopier/scanner/printer for the purpose of conducting Council business);
 - b) personal protective equipment for use during site visits, as required;
 - c) a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor.
- 9.2** Councillors may book meeting rooms for official business in Council's Administration Building at no cost in accordance with Council's Councillor and Staff Interaction Policy.
- 9.3** The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery

- 9.4** Council will provide the following stationery to Councillors each year:
- a) letterhead, to be used only for correspondence associated with civic duties (digital copy only),
 - b) general office stationery.
- 9.5** Council will meet the Councillor's reasonable costs of posting correspondence relating to their civic duties using Council's normal in-house mailing facilities.

Administrative support

- 9.6** Council will provide administrative support to Councillors to assist them with their civic duties in accordance with Council's Councillor and Staff Interaction Policy. Administrative support may be provided by staff in the Mayor's Office or by a member of Council's administrative staff as arranged by the General Manager or Director Corporate and Community Services.
- 9.7** As per section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Recognition of service

- 9.8** Retiring or defeated Councillors are eligible for receipt of a Council plaque after serving one term as a Councillor, in accordance with the provisions of Local Government NSW.

Corporate dress

Councillor Expenses and Facilities Policy

- 9.9 Councillors will be provided with a blazer with Council's logo reimbursed of one third of the cost up to a maximum of \$200 once per term of Council.

10 ADDITIONAL FACILITIES FOR THE MAYOR

- 10.1 Council will provide to the Mayor a maintained vehicle to a similar standard of other Council senior staff vehicles, with a fuel card. The vehicle will be supplied for use when exercising the Mayor's official functions (e.g. official business, professional development and attendance at the Mayor's office) and may also be used for private purposes subject to proper payment where appropriate.
- 10.2 The Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to Council on a monthly basis.
- 10.3 The Mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set out in the NSW Treasury Salary packaging motor vehicle charges "Running Costs" which are also provided by LGNSW.
- 10.4 A parking space at Council's offices will be reserved for the Mayor's Council-issued vehicle for use on official business, professional development and attendance at the Mayor's Office.
- 10.5 Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.
- 10.6 In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.7 The number of exclusive staff provided to support the Mayor and Councillors will not exceed one full time equivalent.
- 10.8 As per section 4, staff in the Mayor's Office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

PART D - PROCESSES

11 Approval, payment and reimbursement arrangements

- 11.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2 General Manager approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- a) local travel relating to the conduct of official business
 - b) carer costs.
- 11.4 Final approval for payments made under this policy will be granted by the General Manager.

Direct payment

- 11.5 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager for assessment against this policy using the prescribed EFT Request Form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.6 All claims for reimbursement of expenses incurred must be made on the prescribed Councillor General Claim form, supported by appropriate receipts and/or tax invoices and be submitted to the General Manager.

Advance payment

[DOC202X/XXXX] _ Councillor Expenses and Facilities Policy _ [Last updated: XX-XX-XX] Page 11 of 16

Councillor Expenses and Facilities Policy

- 11.7** Council may pay a cash advance or similar for Councillors attending approved conferences, seminars or professional development.
- 11.8** The maximum value of a cash advance is \$500 per day of the conference, seminar or professional development.
- 11.9** Requests for advance payment must be submitted to the General Manager for assessment against this policy using the prescribed Councillor EFT Request form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.10** Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
- a full reconciliation of all expenses including appropriate receipts and/or tax invoices, and
 - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

- 11.11** If a claim is approved, Council will make payment directly or reimburse the Councillor through Accounts Payable.
- 11.12** If a claim is refused, the General Manager will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.13** If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council will invoice the Councillor for the expense;
 - the Councillor will reimburse Council for that expense within 30 days of the invoice date.
- 11.14** If the Councillor cannot reimburse Council within 30 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for reimbursement

- 11.15** Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within one month of an expense being incurred and no later than 31 July following the end of the financial year. Claims made after this time cannot be approved unless by approval of the General Manager due to extenuating circumstances.

12 DISPUTES

- 12.1** If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 12.2** If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a Notice of Motion to a Council meeting seeking to have the dispute resolved.

13 RETURN OR RETENTION OF FACILITIES

- 13.1** All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office, at the cessation of their civic duties.
- 13.2** Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.

Councillor Expenses and Facilities Policy

14 PUBLICATION

14.1 This policy will be published on Council's website.

15 REPORTING

15.1 Documentary evidence of each expense claim must be held and transaction details thereof in Council's records management system.

15.2 All expense claims are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis by the Finance Coordinator.

15.3 Council must include additional information in its annual report on the payment of expenses of, and provision of facilities to, councillors in relation to their civil functions in accordance with section 217(1)(a1) of the *Local Government (General) Regulation 2021* (NSW).

16 AUDITING

16.1 The operation of this policy, including claims made under the policy, are subject to review by Council's Internal Auditor and may be included in Council's internal audit program.

17 RESPONSIBILITIES

Compliance, monitoring and review

17.1 The General Manager is responsible for the implementation of, and compliance with, this policy.

17.2 The Chief Financial Officer is responsible for the review of this policy within 12 months of each term of council. This policy may be amended from time to time and any amendments to this policy must be by way of Council resolution.

18 BREACHES

18.1 Suspected breaches of this policy are to be reported to the General Manager.

18.2 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

19 RECORDS MANAGEMENT

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

20 POLICY DEFINITIONS AND ABBREVIATIONS

Act	means the <i>Local Government Act 1993</i> (NSW).
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council
Council	means Cessnock City Council

Councillor Expenses and Facilities Policy

Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Hunter region	The local government areas of the member Councils of Hunter Councils, excluding Mid Coast Council.
long distance intrastate travel	Means travel between Cessnock and a location greater than 300kms.
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in the Policy Summary
NSW	Means New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: meetings of Council and committees of the whole meetings of committees facilitated by Council civic receptions hosted or sponsored by Council meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2021</i> (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

21 POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
TBA	Manage and approve payment of expenses of, and provision of facilities to, Councillors in relation to their civic functions.	General Manager

22 POLICY ADMINISTRATION

Councillor Expenses and Facilities Policy

Directorate	General Manager's Unit		
Responsible Officer	General Manager		
Associated Procedure	Councillors Expense Claims procedure (DOC2018/014132)		
Policy Review Date	23-10-2027	Is this a local policy pursuant to Part 3, Chapter 7 of the <i>Local Government Act 1993</i> (NSW)?	No
Document Reference Number	To be updated by Governance upon finalisation of policy		
<p>This policy supports Council's compliance with the following legislation:</p> <ul style="list-style-type: none"> – Section 252 and 253, <i>Local Government Act 1993</i> (NSW) – Clauses 217 and 403, <i>Local Government (General) Regulation 2021</i> (NSW) – Office of Local Government Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009 			
<p>This policy contributes to the achievement of the following desired outcome or objectives as per Council's Delivery Program:</p> <ul style="list-style-type: none"> – Civic Leadership and Effective Governance – Objective 5.1: Fostering & Supporting Community Leadership 			
Related Documents (include reference document numbers)	<ul style="list-style-type: none"> ▪ Records Management Policy (DOC2019/038769) ▪ Complaints Handling Policy (DOC2018/048382) ▪ Privacy Management Plan (DOC2014/005148) ▪ Code of Conduct (DOC2018/086716) ▪ Code of Meeting Practice (DOC2018/103094) ▪ Procurement Policy (DOC2013/047731) 		

23 POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	4 November 2009 (PM91/2009)	Policy review
2	7 April 2010 (BN17/2010)	Policy review
3	20 October 2010 (PM90/2010 - 1221)	Policy review
4	3 August 2011 (PM41/2011 – 581)	Policy review
5	21 November 2012	Policy review
6	20 November 2013 PM126/2013 - 679)	Policy review
7	19 November 2014	Policy review
8	21 October 2015	Policy review
9	19 October 2016	Policy review
10	21 February 2018 (CC4/2018)	Adoption of OLG's Model Policy with CCC specific

Councillor Expenses and Facilities Policy

		variations.
11	18 March 2021 (CC3/2021)	Policy review
12	17 May 2023	Minor administrative change to clarify the table at 1.4 to more accurately reflect the wording in the policy
13	TBA	Mandatory review following 2024 Local Government election. Update to policy template. Substantive review. Refer to Council Meeting report for summary of key changes.

DRAFT



Integrity, Respect, Teamwork, Accountability and Excellence

Cessnock City Council Code of Conduct Procedures

Date Adopted: **XX/XX/2024** Revision: **4**

Table of Contents

- 1. Introduction – Part 1 2
- 2. Definitions – Part 2..... 2
- 3. Administrative Framework – Part 3..... 3
- 4. How May Code of Conduct Complaints Be Made? – Part 4 6
- 5. How Are Code of Conduct Complaints To Be Managed? – Part 5..... 7
- 6. Preliminary Assessment of Code of Conduct Complaints about Councillors or the General Manager by Conduct Reviewers – Part 6..... 13
- 7. Investigations of Code of Conduct Complaints about Councillors or the General Manager – Part 7 18
- 8. Oversight and Rights of Review – Part 8..... 24
- 9. Procedural Irregularities – Part 9..... 26
- 10. Practice Directions – Part 10..... 26
- 11. Reporting Statistics on Code of Conduct Complaints about Councillors and the General Manager – Part 11 26
- 12. Confidentiality – Part 12 27
- 13. Procedure Administration 28
- 14. Procedure History 29
- 15. Procedure Authorisations 29



1. Introduction – Part 1

These Procedures are prescribed for the administration of Council's Code of Conduct. Council's Code of Conduct is made under section 440 of the *Local Government Act 1993* (NSW) (**the LG Act**) and the *Local Government (General) Regulation 2021* (NSW) (**the Regulation**).

These Procedures are made under section 440AA of the LG Act and the Regulation. Section 440AA of the LG Act requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures developed by the Office.

In adopting procedures for the administration of the adopted Code of Conduct, Council may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Parts 6, 7, 8 and 11 of these Procedures apply only to the management of Code of Conduct complaints about Councillors (including the Mayor) or the General Manager

2. Definitions – Part 2

In these Procedures the following terms have the following meanings:

Administrator	an administrator of a council appointed under the LG Act other than an administrator appointed under section 66
Code of Conduct	a Code of Conduct adopted under section 440 of the LG Act
Code of Conduct complaint	a complaint that is a Code of Conduct complaint for the purposes of clauses 4.1 and 4.2 of these Procedures
Complainant	a person who makes a Code of Conduct complaint
Complainant Councillor	a Councillor who makes a Code of Conduct complaint
Complaints Coordinator	a person appointed by the General Manager under these Procedures as a Complaints Coordinator
Conduct Reviewer	a person appointed under these procedures to review allegations of breaches of the Code of Conduct by Councillors or the General Manager
Council	Cessnock City Council
Council committee	a committee established by Council comprising of Councillors, staff or other persons that Council has delegated functions to and Council's audit, risk and improvement committee
Council committee member	a person other than a Councillor or member of staff of Council who is a member of a Council committee other than a wholly advisory committee, and a person other than a Councillor who is a member of Council's audit, risk and improvement committee



Councillor	any person elected or appointed to civic office, including the Mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
Council Official	any Councillor, member of staff of Council (employed on a permanent, temporary, casual or part-time basis), consultants, contractors, volunteers, Administrators, Council committee member, delegate of Council and, for the purposes of clause 4.16 of the Code of Conduct, Council adviser
delegate of Council	a person (other than a Councillor or member of staff of Council) or body and the individual members of that body to whom a function of Council is delegated
external agency	a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
General Manager	the General Manager of Cessnock City Council
ICAC	the Independent Commission Against Corruption
investigator	a Conduct Reviewer
joint organisation	a joint organisation established under section 4000 of the LGA
LG Act	the <i>Local Government Act 1993</i> (NSW)
Mayor	the Mayor of Cessnock City Council. It means a Councillor elected to be the Mayor and includes a Councillor elected as the Deputy Mayor when acting in the Mayor's absence
members of staff of Council	staff members of Cessnock City Council
The Office	the Office of Local Government
the Regulation	the <i>Local Government (General) Regulation 2021</i> (NSW)
respondent	a person whose conduct is the subject of investigation by a Conduct Reviewer under these Procedures
wholly advisory committee	a Council committee that Council has not delegated any functions to

3. Administrative Framework – Part 3

THE ESTABLISHMENT OF A PANEL OF CONDUCT REVIEWERS



- 3.1. Council must establish a panel of Conduct Reviewers.
- 3.2. Council may enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3. The panel of Conduct Reviewers is to be established following a public expression of interest process.
- 3.4. An expression of interest for members of Council's panel of Conduct Reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5. To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
 - a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 2022* (NSW), and
 - c) knowledge and experience of one or more of the following:
 - i. investigations
 - ii. law
 - iii. public administration
 - iv. public sector ethics
 - v. alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of Conduct Reviewers under clause 3.6.
- 3.6. A person is not eligible to be a conduct reviewer if they are:
 - a) a Councillor, or
 - b) a nominee for election as a Councillor, or
 - c) an Administrator, or
 - d) an employee of Council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7. A person is not precluded from being a member of Council's panel of Conduct Reviewers if they are a member of another council's panel of Conduct Reviewers.
- 3.8. An incorporated or other entity may be appointed to Council's panel of Conduct Reviewers where Council is satisfied that all the persons who will be undertaking the functions of a Conduct Reviewer on behalf of Council meet the selection and eligibility criteria prescribed under this Part.
- 3.9. A panel of Conduct Reviewers established under this Part is to have a term of up to



four years.

- 3.10. Council may terminate the panel of Conduct Reviewers at any time. Where a panel of Conduct Reviewers has been terminated, Conduct Reviewers who were members of the panel may continue to deal with any matter referred to them under these Procedures prior to the termination of the panel until they have finalised their consideration of the matter.
- 3.11. When the term of the panel of Conduct Reviewers concludes or is terminated, Council must establish a new panel of Conduct Reviewers in accordance with the requirements of this Part.
- 3.12. A person who was a member of a previous panel of Conduct Reviewers established by Council may be a member of subsequent panels of Conduct Reviewers established by Council if they continue to meet the selection and eligibility criteria for membership of the panel.

THE APPOINTMENT OF AN INTERNAL OMBUDSMAN TO A PANEL OF CONDUCT REVIEWERS

- 3.13. Despite clause 3.6(d), an employee of Council who is the nominated internal ombudsman of one or more councils may be appointed to Council's panel of Conduct Reviewers with the Office's consent.
- 3.14. To be appointed to Council's panel of Conduct Reviewers, an internal ombudsman must meet the qualification requirements for Conduct Reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15. An internal ombudsman appointed to Council's panel of Conduct reviewers may also exercise the functions of Council's Complaints Coordinator. For the purposes of clause 6.1, an internal ombudsman who is Council's Complaints Coordinator and has been appointed to Council's panel of Conduct Reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another Conduct Reviewer in accordance with clause 6.2.
- 3.16. Clause 6.4.c) does not apply to an internal ombudsman appointed to Council's panel of Conduct Reviewers.

THE APPOINTMENT OF COMPLAINTS COORDINATORS

- 3.17. The General Manager must appoint a member of staff of Council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with Council), to act as a Complaints Coordinator. Where the Complaints Coordinator is a member of staff of Council, the Complaints Coordinator should be a senior and suitably qualified member of staff.
- 3.18. The General Manager may appoint other members of staff of Council or other persons (such as, but not limited to, members of staff of another council or members of staff of a joint organisation or other regional body associated with Council), to act as alternates to the Complaints Coordinator.
- 3.19. The General Manager must not undertake the role of Complaints Coordinator.
- 3.20. The person appointed as Complaints Coordinator or alternate Complaints Coordinator must also be a nominated Disclosures Coordinator appointed under Council's Public Interest Disclosure Policy for the purpose of receiving and managing reports of



wrongdoing under *the Public Interest Disclosures Act 2022 (NSW)*.

- 3.21. The role of the Complaints Coordinator is to:
- a) coordinate the management of complaints made under Council's Code of Conduct,
 - b) liaise with and provide administrative support to a Conduct Reviewer,
 - c) liaise with Office, and
 - d) arrange the annual reporting of Code of Conduct complaints statistics.

4. How May Code of Conduct Complaints Be Made? – Part 4

WHAT IS A CODE OF CONDUCT COMPLAINT?

- 4.1. For the purpose of these Procedures, a Code of Conduct complaint is a complaint that shows or tends to show conduct on the part of a Council Official in connection with their role as a Council Official or the exercise of their functions as a Council Official that would constitute a breach of the standards of conduct prescribed under Council's Code of Conduct if proven.
- 4.2. The following are not "Code of Conduct complaints" for the purposes of these Procedures:
- a) complaints about the standard or level of service provided by Council or a Council Official
 - b) complaints that relate solely to the merits of a decision made by Council or a Council Official or the exercise of a discretion by Council or a Council Official
 - c) complaints about the policies or procedures of Council
 - d) complaints about the conduct of a Council Official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the Council's Code of Conduct.
- 4.3. Only Code of Conduct complaints are to be dealt with under these Procedures. Complaints that do not satisfy the definition of a Code of Conduct complaint are to be dealt with under Council's routine complaints management processes.

WHEN MUST A CODE OF CONDUCT COMPLAINT BE MADE?

- 4.4. A Code of Conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5. A complaint made after 3 months may only be accepted if the General Manager or their delegate, or, in the case of a complaint about the General Manager, the Mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the Code of Conduct.

HOW MAY A CODE OF CONDUCT COMPLAINT ABOUT A COUNCIL OFFICIAL OTHER THAN THE GENERAL MANAGER BE MADE?

- 4.6. All Code of Conduct complaints other than those relating to the General Manager are to be made to the General Manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7. Where a Code of Conduct complaint about a Council Official other than the General



Manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.

- 4.8. In making a Code of Conduct complaint about a Council Official other than the General Manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9. The General Manager or their delegate, or, where the complaint is referred to a Conduct Reviewer, the Conduct Reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10. Notwithstanding clauses 4.6 and 4.7, where the General Manager becomes aware of a possible breach of Council's Code of Conduct, they may initiate the process for the consideration of the matter under these Procedures without a written complaint.

HOW MAY A CODE OF CONDUCT COMPLAINT ABOUT THE GENERAL MANAGER BE MADE?

- 4.11. Code of Conduct complaints about the General Manager are to be made to the Mayor in writing. This clause does not operate to prevent a person from making a complaint about the General Manager to an external agency.
- 4.12. Where a Code of Conduct complaint about the General Manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13. In making a Code of Conduct complaint about the General Manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14. The Mayor or their delegate, or, where the complaint is referred to a Conduct Reviewer, the Conduct Reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15. Notwithstanding clauses 4.11 and 4.12, where the Mayor becomes aware of a possible breach of Council's Code of Conduct by the General Manager, they may initiate the process for the consideration of the matter under these Procedures without a written complaint.

5. How Are Code of Conduct Complaints To Be Managed? – Part 5

DELEGATION BY GENERAL MANAGERS AND MAYORS OF THEIR FUNCTIONS UNDER THIS PART

- 5.1. The General Manager or Mayor may delegate their functions under this Part to a member of staff of Council or to a person or persons external to Council other than an external agency. References in this Part to the General Manager or Mayor are also to be taken to be references to their delegates.

CONSIDERATION OF COMPLAINTS BY GENERAL MANAGERS AND MAYORS

- 5.2. In exercising their functions under this Part, General Managers and Mayors may consider the complaint assessment criteria prescribed under clause 6.31.

WHAT COMPLAINTS MAY BE DECLINED AT THE OUTSET?

- 5.3. Without limiting any other provision in these Procedures, the General Manager or, in the case of a complaint about the General Manager, the Mayor, may decline to deal



with a complaint under these Procedures where they are satisfied that the complaint:

- a) is not a Code of Conduct Complaint, or
- b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
- c) is trivial, frivolous, vexatious or not made in good faith, or
- d) relates to a matter the substance of which has previously been considered and addressed by Council and does not warrant further action, or
- e) is not made in a way that would allow the alleged conduct and any alleged breaches of Council's Code of Conduct to be readily identified.

HOW ARE CODE OF CONDUCT COMPLAINTS ABOUT STAFF (OTHER THAN THE GENERAL MANAGER) TO BE DEALT WITH?

- 5.4. The General Manager is responsible for the management of Code of Conduct complaints about members of staff of Council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct) and for determining the outcome of such complaints.
- 5.5. The General Manager must refer Code of Conduct complaints about members of staff of Council alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct to the Office.
- 5.6. The General Manager may decide to take no action in relation to a Code of Conduct complaint about a member of staff of Council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 5.7. Where the General Manager decides to take no action in relation to a Code of Conduct complaint about a member of staff of Council, the General Manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these Procedures.
- 5.8. Code of Conduct complaints about members of staff of Council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9. Sanctions for breaches of the Code of Conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

HOW ARE CODE OF CONDUCT COMPLAINTS ABOUT DELEGATES OF COUNCIL, COUNCIL ADVISERS AND COUNCIL COMMITTEE MEMBERS TO BE DEALT WITH?

- 5.10. The General Manager is responsible for the management of code of conduct complaints about delegates of Council and Council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct) and for determining the outcome of such complaints.
- 5.11. The General Manager must refer Code of Conduct complaints about Council advisers, delegates of Council and Council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct to the Office.
- 5.12. The General Manager may decide to take no action in relation to a Code of Conduct complaint about a delegate of Council or a Council committee member other than one



requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.

- 5.13. Where the General Manager decides to take no action in relation to a Code of Conduct complaint about a delegate of Council or a Council committee member, the General Manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these Procedures.
- 5.14. Where the General Manager considers it to be practicable and appropriate to do so, the General Manager may seek to resolve Code of Conduct complaints about delegates of Council or Council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a Code of Conduct complaint under this clause is not to be taken as a determination that there has been a breach of council's Code of Conduct.
- 5.15. Where the General Manager resolves a Code of Conduct complaint under clause 5.14 to the General Manager's satisfaction, the General Manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these Procedures.
- 5.16. Sanctions for breaches of the Code of Conduct by delegates of Council and/or Council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure
 - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the General Manager
 - c) prosecution for any breach of the law
 - d) removing or restricting the person's delegation
 - e) removing the person from membership of the relevant Council committee.
- 5.17. Prior to imposing a sanction against a delegate of Council or a Council committee member under clause 5.16, the General Manager or any person making enquiries on behalf of the General Manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of Council's Code of Conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the General Manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

HOW ARE CODE OF CONDUCT COMPLAINTS ABOUT ADMINISTRATORS TO BE DEALT WITH?

- 5.18. The General Manager must refer all Code of Conduct complaints about administrators to the Office for its consideration.
- 5.19. The General Manager must notify the complainant of the referral of their complaint in writing.

HOW ARE CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS TO BE DEALT



WITH?

- 5.20. The General Manager must refer the following Code of Conduct complaints about Councillors to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct
 - b) complaints alleging a failure to comply with a requirement under the Code of Conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LG Act)
 - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the Code of Conduct contained in Part 9 of the Code of Conduct
 - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21. Where the General Manager refers a complaint to the Office under clause 5.20, the General Manager must notify the complainant of the referral in writing.
- 5.22. The General Manager may decide to take no action in relation to a code of conduct complaint about a Councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.
- 5.23. Where the General Manager decides to take no action in relation to a Code of Conduct complaint about a Councillor, the General Manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these Procedures.
- 5.24. Where the General Manager considers it to be practicable and appropriate to do so, the General Manager may seek to resolve Code of Conduct complaints about Councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a Code of Conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's Code of Conduct.
- 5.25. Where the General Manager resolves a Code of Conduct complaint under clause 5.24 to the General Manager's satisfaction, the General Manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these Procedures.
- 5.26. The General Manager must refer all Code of Conduct complaints about Councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the Complaints Coordinator.

HOW ARE CODE OF CONDUCT COMPLAINTS ABOUT THE GENERAL MANAGER TO BE DEALT WITH?

- 5.27. The Mayor must refer the following Code of Conduct complaints about the General Manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct
 - b) complaints alleging a breach of the provisions relating to the maintenance of



the integrity of the Code of Conduct contained in Part 9 of the Code of Conduct

c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.

- 5.28. Where the Mayor refers a complaint to the Office under clause 5.27, the Mayor must notify the complainant of the referral in writing.
- 5.29. The Mayor may decide to take no action in relation to a Code of Conduct complaint about the General Manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30. Where the Mayor decides to take no action in relation to a Code of Conduct complaint about the General Manager, the Mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these Procedures.
- 5.31. Where the Mayor considers it to be practicable and appropriate to do so, the Mayor may seek to resolve Code of Conduct complaints about the General Manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a Code of Conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's Code of Conduct.
- 5.32. Where the Mayor resolves a Code of Conduct complaint under clause 5.31 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these Procedures.
- 5.33. The Mayor must refer all Code of Conduct complaints about the General Manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the Complaints Coordinator.

HOW ARE COMPLAINTS ABOUT BOTH THE GENERAL MANAGER AND THE MAYOR TO BE DEALT WITH?

- 5.34. Where the General Manager or Mayor receives a Code of Conduct complaint that alleges a breach of the Code of Conduct by both the General Manager and the Mayor, the General Manager or Mayor must either:
- a) delegate their functions under this part with respect to the complaint to a member of staff of Council other than the General Manager where the allegation is not serious, or to a person external to Council, or
 - b) refer the matter to the Complaints Coordinator under clause 5.26 and clause 5.35.

REFERRAL OF CODE OF CONDUCT COMPLAINTS TO EXTERNAL AGENCIES

- 5.35. The General Manager, Mayor or a Conduct Reviewer may, at any time, refer a Code of Conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36. The General Manager, Mayor or a Conduct Reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37. Where the General Manager, Mayor or Conduct Reviewer refers a complaint to an



external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.

- 5.38. Referral of a matter to an external agency shall finalise consideration of the matter under these Procedures unless Council is subsequently advised otherwise by the referral agency.

DISCLOSURE OF THE IDENTITY OF COMPLAINANTS

- 5.39. In dealing with matters under these Procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
 - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
 - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
 - d) a Conduct Reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
 - e) it is otherwise in the public interest to do so.
- 5.40. Clause 5.39 does not apply to Code of Conduct complaints made by Councillors about other Councillors or the General Manager.
- 5.41. Where a Councillor makes a Code of Conduct complaint about another Councillor or the General Manager, and the complainant Councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.42. A request made by a complainant Councillor under clause 5.41 must be made at the time they make a Code of Conduct complaint and must state the grounds upon which the request is made.
- 5.43. The General Manager or Mayor, and where the matter is referred to a Conduct Reviewer, the Conduct Reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant Councillor, but they are not obliged to comply with the request.
- 5.44. Where a complainant Councillor makes a request under clause 5.41, the General Manager or Mayor or, where the matter is referred to a Conduct Reviewer, the Conduct Reviewer, shall notify the Councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

CODE OF CONDUCT COMPLAINTS MADE AS PUBLIC INTEREST DISCLOSURES

- 5.45. These Procedures do not override the provisions of the *Public Interest Disclosures Act 2022* (NSW). Code of Conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, Council's Public Interest Disclosure Policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.46. Where a Councillor makes a Code of Conduct complaint about another Councillor or the General Manager as a public interest disclosure, before the matter may be dealt



with under these Procedures, the complainant Councillor must consent in writing to the disclosure of their identity as the complainant.

- 5.47. Where a complainant Councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the General Manager or the Mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 2022* (NSW).

SPECIAL COMPLAINTS MANAGEMENT ARRANGEMENTS

- 5.48. The General Manager may request in writing that the Office enter into a special complaints management arrangement with Council in relation to Code of Conduct complaints made by or about a person or persons.
- 5.49. Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of Code of Conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on Council's administration of its Code of Conduct, or
 - b) impeded or disrupted the effective administration by Council of its Code of Conduct, or
 - c) impeded or disrupted the effective functioning of Council.
- 5.50. A special complaints management arrangement must be in writing and must specify the following:
- a) the Code of Conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.51. The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52. While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the Code of Conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these Procedures.
- 5.53. Where, following a preliminary assessment, the assessing OLG officer determines that a Code of Conduct complaint warrants investigation by a Conduct Reviewer, the assessing OLG officer shall notify the Complaints Coordinator in writing of their determination and the reasons for their determination. The Complaints Coordinator must comply with the recommendation of the assessing OLG officer.
- 5.54. Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the General Manager, review the arrangement to determine whether it should be renewed or amended.
- 5.55. A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

6. Preliminary Assessment of Code of Conduct Complaints about Councillors or the General Manager by Conduct Reviewers – Part 6

REFERRAL OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER TO CONDUCT REVIEWERS



- 6.1. The Complaints Coordinator must refer all Code of Conduct complaints about Councillors or the General Manager that have not been referred to an external agency or declined or resolved by the General Manager, Mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a Conduct Reviewer within 21 days of receipt of the complaint by the General Manager or the Mayor.
- 6.2. For the purposes of clause 6.1, the Complaints Coordinator will refer a complaint to a Conduct Reviewer selected from:
- a) a panel of Conduct Reviewers established by Council, or
 - b) a panel of Conduct Reviewers established by an organisation approved by the Office.
- 6.3. In selecting a suitable Conduct reviewer, the Complaints Coordinator may have regard to the qualifications and experience of members of the panel of Conduct Reviewers. Where the Conduct Reviewer is an incorporated or other entity, the Complaints Coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for Conduct Reviewers prescribed under Part 3 of these Procedures.
- 6.4. A Conduct Reviewer must not accept the referral of a Code of Conduct complaint where:
- a) they have a conflict of interests in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with Council (other than contracts relating to the exercise of their functions as a Conduct Reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that when aggregated, exceeds \$100,000, or
 - d) at the time of the referral, they or their employer are Council's legal service providers or are a member of a panel of legal service providers appointed by Council.
- 6.5. For the purposes of clause 6.4.a), a Conduct Reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of Council's Code of Conduct).
- 6.6. For the purposes of clause 6.4.b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the Conduct Reviewer might not bring an impartial and unprejudiced mind to the matter referred to the Conduct Reviewer.
- 6.7. Where the Complaints Coordinator refers a matter to a Conduct Reviewer, they will provide the Conduct Reviewer with a copy of the Code of Conduct complaint and any other information relevant to the matter held by Council including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8. The Complaints Coordinator must notify the complainant in writing that the matter has been referred to a Conduct Reviewer and advise which Conduct Reviewer the matter has been referred to.
- 6.9. Conduct Reviewers must comply with these Procedures in their consideration of



matters that have been referred to them and exercise their functions in a diligent and timely manner.

- 6.10. The Complaints Coordinator may at any time terminate the referral of a matter to a Conduct Reviewer and refer the matter to another Conduct Reviewer where the Complaints Coordinator is satisfied that the Conduct Reviewer has failed to:
- a) comply with these Procedures in their consideration of the matter, or
 - b) comply with a lawful and reasonable request by the Complaints Coordinator, or
 - c) exercise their functions in a timely or satisfactory manner.
- 6.11. Where the Complaints Coordinator terminates a referral to a Conduct Reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which Conduct Reviewer the matter has been referred to instead.

PRELIMINARY ASSESSMENT OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER BY A CONDUCT REVIEWER

- 6.12. The Conduct Reviewer is to undertake a preliminary assessment of a complaint referred to them by the Complaints Coordinator for the purposes of determining how the complaint is to be managed.
- 6.13. The Conduct Reviewer may determine to do one or more of the following in relation to a complaint referred to them by the Complaints Coordinator:
- a) to take no action
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - c) to refer the matter back to the General Manager or, in the case of a complaint about the General Manager, the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - d) to refer the matter to an external agency
 - e) to investigate the matter.
- 6.14. In determining how to deal with a matter under clause 6.13, the Conduct Reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15. The Conduct Reviewer may make such enquiries the Conduct Reviewer considers to be reasonably necessary to determine what option to exercise under clause 6.13.
- 6.16. The Conduct Reviewer may request the Complaints Coordinator to provide such additional information the Conduct Reviewer considers to be reasonably necessary to determine what option to exercise in relation to the matter under clause 6.13. The Complaints Coordinator will, as far as is reasonably practicable, supply any information requested by the Conduct Reviewer.
- 6.17. The Conduct Reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18. The Conduct Reviewer must determine to take no action on a complaint that is not a



Code of Conduct complaint for the purposes of these Procedures.

- 6.19. The resolution of a Code of Conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of Council's Code of Conduct.
- 6.20. Where the Conduct Reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these Procedures.
- 6.21. Where the Conduct Reviewer refers a complaint to an external agency they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22. The Conduct Reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a Code of conduct complaint for the purposes of these Procedures, and
 - b) that the alleged conduct is sufficiently serious to warrant the formal censure of a Councillor under section 440G of the LG ACT or disciplinary action against the General Manager under their contract of employment if it were to be proven, and
 - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.23. In determining whether a matter is sufficiently serious to warrant formal censure of a Councillor under section 440G of the LG Act or disciplinary action against the General Manager under their contract of employment, the Conduct Reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or Council
 - b) the likely impact of the alleged conduct on the reputation of Council and public confidence in it
 - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
 - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/ or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24. The Conduct Reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the Complaints Coordinator and notify the Complaints Coordinator in writing of the outcome of their assessment.
- 6.25. The Conduct Reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these Procedures.

REFERRAL BACK TO THE GENERAL MANAGER OR MAYOR FOR RESOLUTION

- 6.26. Where the Conduct Reviewer determines to refer a matter back to the General Manager or to the Mayor to be resolved by alternative and appropriate means, they must write to the General Manager or, in the case of a complaint about the General Manager, to the Mayor, recommending the means by which the complaint may be



resolved.

- 6.27. The Conduct Reviewer must consult with the General Manager or Mayor prior to referring a matter back to them under clause 6.13.c).
- 6.28. The General Manager or Mayor may decline to accept the Conduct Reviewer's recommendation. In such cases, the Conduct Reviewer may determine to deal with the complaint by other means under clause 6.13.c).
- 6.29. Where the conduct reviewer refers a matter back to the General Manager or Mayor under clause 6.13.c), the General Manager or, in the case of a complaint about the General Manager, the Mayor, is responsible for implementing or overseeing the implementation of the Conduct Reviewer's recommendation.
- 6.30. Where the Conduct Reviewer refers a matter back to the General Manager or Mayor under clause 6.13.c), the General Manager, or, in the case of a complaint about the General Manager, the Mayor, must advise the complainant in writing of the steps taken to implement the Conduct Reviewer's recommendation once these steps have been completed.

COMPLAINTS ASSESSMENT CRITERIA

- 6.31. In undertaking the preliminary assessment of a complaint, the Conduct Reviewer must have regard to the following considerations:
- a) whether the complaint is a Code of Conduct complaint for the purpose of these Procedures
 - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under Council's Code of Conduct
 - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
 - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the Code of Conduct
 - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
 - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
 - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
 - i) any previous proven breaches of Council's Code of Conduct
 - j) whether the conduct complained of forms part of an ongoing pattern of behaviour
 - k) whether there were mitigating circumstances giving rise to the conduct complained of
 - l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
 - m) the significance of the conduct or the impact of the conduct for Council



- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

7. Investigations of Code of Conduct Complaints about Councillors or the General Manager – Part 7

WHAT MATTERS MAY A CONDUCT REVIEWER INVESTIGATE?

- 7.1. A Conduct Reviewer (hereafter referred to as an “investigator”) may investigate a Code of Conduct complaint that has been referred to them by the Complaints Coordinator and any matters related to or arising from that complaint.
- 7.2. Where an investigator identifies further separate possible breaches of the Code of Conduct that are not related to or do not arise from the Code of Conduct complaint that has been referred to them, they are to report the matters separately in writing to the General Manager, or, in the case of alleged conduct on the part of the General Manager, to the Mayor.
- 7.3. The General Manager or the Mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new Code of Conduct complaint in accordance with these Procedures.

HOW ARE INVESTIGATIONS TO BE COMMENCED?

- 7.4. The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
 - a) disclose the substance of the allegations against the respondent, and
 - b) advise of the relevant provisions of the Code of Conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
 - d) advise the respondent of the requirement to maintain confidentiality, and
 - e) invite the respondent to make a written submission in relation to the matter with a period of not less than 14 days specified by the investigator in the notice, and
 - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5. The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6. An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7. Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
- 7.8. The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the Complaints Coordinator and the General



Manager, or in the case of a complaint about the General Manager, to the complainant, the Complaints Coordinator and the Mayor. The notice must:

- a) advise them of the matter the investigator is investigating, and
- b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
- c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

WRITTEN AND ORAL SUBMISSIONS

- 7.9. Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10. The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11. Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12. Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.
- 7.13. Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14. The investigator must consider all written and oral submissions made to them in relation to the matter.

HOW ARE INVESTIGATIONS TO BE CONDUCTED?

- 7.15. Investigations are to be undertaken without undue delay.
- 7.16. Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17. Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18. Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19. An investigator may request that the Complaints Coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The Complaints Coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

REFERRAL OR RESOLUTION OF A MATTER AFTER THE COMMENCEMENT OF AN INVESTIGATION

- 7.20. At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:
 - a) resolve the matter by alternative and appropriate strategies such as, but not



limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or

- b) refer the matter to the General Manager, or, in the case of a complaint about the General Manager, to the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - c) refer the matter to an external agency.
- 7.21. Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these Procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22. The resolution of a Code of Conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of Council's Code of Conduct.
- 7.23. Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the Complaints Coordinator and the General Manager, or in the case of a complaint about the General Manager, to the respondent, the complainant, the Complaints Coordinator and the Mayor, discontinue their investigation of the matter.
- 7.24. Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these Procedures.
- 7.25. An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these Procedures.

DRAFT INVESTIGATION REPORTS

- 7.26. When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27. The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.28. Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it with a period of not less than 14 days specified by the investigator.
- 7.29. The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30. The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they



must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.

- 7.31. Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32. The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

FINAL INVESTIGATION REPORTS

- 7.33. Where an investigator issues a notice of investigation, they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34. An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these Procedures.
- 7.35. The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
 - b) make a determination that the conduct investigated either,
 - i) constitutes a breach of the Code of Conduct, or
 - ii) does not constitute a breach of the Code of Conduct, and
 - c) provide reasons for the determination.
- 7.36. At a minimum, the investigator's final report must contain the following information:
- a) a description of the allegations against the respondent
 - b) the relevant provisions of the Code of Conduct that apply to the alleged conduct investigated
 - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
 - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
 - e) a description of any attempts made to resolve the matter by use of alternative means
 - f) the steps taken to investigate the matter
 - g) the facts of the matter
 - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - i) the investigator's determination and the reasons for that determination
 - j) any recommendations.
- 7.37. Where the investigator determines that the conduct investigated constitutes a breach of the Code of Conduct, the investigator may recommend:
- a) in the case of a breach by the General Manager, that disciplinary action be taken under the General Manager's contract of employment for the breach, or



- b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the LG Act, or
 - c) in the case of a breach by a Councillor, that Council resolves as follows:
 - i) that the Councillor be formally censured for the breach under section 440G of the LG Act, and
 - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LG Act.
- 7.38. Where the investigator proposes to make a recommendation under clause 7.37.c), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.39. Where the investigator has determined that there has been a breach of the Code of Conduct, the investigator may, in addition to making a recommendation under clause 7.37, recommend that Council revise any of its policies, practices or procedures.
- 7.40. Where the investigator determines that the conduct investigated does not constitute a breach of the Code of Conduct, the investigator may recommend.
- a) that Council revise any of its policies, practices or procedures
 - b) that a person or persons undertake any training or other education.
- 7.41. The investigator must provide a copy of their report to the Complaints Coordinator and the respondent.
- 7.42. At the time the investigator provides a copy of their report to the Complaints Coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - b) the investigator's determination and the reasons for that determination
 - c) any recommendations, and
 - d) such other additional information that the investigator considers may be relevant.
- 7.43. Where the investigator has determined that there has not been a breach of the Code of Conduct, the Complaints Coordinator must provide a copy of the investigator's report to the General Manager or, where the report relates to the General Manager's conduct, to the Mayor, and this will finalise consideration of the matter under these Procedures.
- 7.44. Where the investigator has determined that there has been a breach of the Code of Conduct and makes a recommendation under clause 7.37, the Complaints Coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary Council meeting for Council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary Council meeting following the election.
- 7.45. Where it is apparent to the Complaints Coordinator that Council will not be able to form a quorum to consider the investigator's report, the Complaints Coordinator must refer the investigator's report to the Office for its consideration instead of reporting it

to Council under clause 7.44.

CONSIDERATION OF THE FINAL INVESTIGATION REPORT BY COUNCIL

- 7.46. The role of Council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the Code of Conduct and has made a recommendation in their final report under clause 7.37.
- 7.47. Council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LG Act.
- 7.48. Where the complainant is a Councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant Councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the Code of Conduct.
- 7.49. Prior to imposing a sanction, Council must provide the respondent with an opportunity to make a submission to Council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation/s.
- 7.50. Once the respondent has made their submission they must absent themselves from the meeting and, where they are a Councillor, take no part in any discussion or voting on the matter.
- 7.51. Council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.52. Prior to imposing a sanction, Council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion from the Office in relation to the report.
- 7.53. Council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.54. The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.55. Where the investigator prepares a supplementary report, they must provide copies to the Complaints Coordinator who shall provide a copy each to Council and the respondent.
- 7.56. The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the Complaints Coordinator.
- 7.57. Council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.58. Council may by resolution impose one of the following sanctions on a respondent:
- a) in the case of a breach by the General Manager, that disciplinary action be taken under the General Manager's contract of employment for the breach, or
 - b) in the case of a breach by a Councillor; that the Councillor be formally censured for the breach under section 440G of the LG Act, or
 - c) in the case of a breach by a Councillor:
 - i) that the Councillor be formally censured for the breach under section



440G of the LG Act, and

- ii) that the matter be referred to the Office for further action under the misconduct provisions of the LG Act.

- 7.59. Where Council censures a Councillor under section 440G of the LG Act, Council must specify in the censure resolution the grounds on which it is satisfied that the Councillor should be censured by disclosing in the resolution, the investigator's findings and determination and/or such other grounds that Council considers may be relevant or appropriate.
- 7.60. Council is not obliged to adopt the investigator's recommendation. Where Council proposes not to adopt the investigator's recommendation, Council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 7.61. Where Council resolves not to adopt the investigator's recommendation, the Complaints Coordinator must notify the Office of Council's decision and the reasons for it.

8. Oversight and Rights of Review – Part 8

THE OFFICE'S POWERS OF REVIEW

- 8.1. The Office may, at any time, whether or not in response to a request, review the consideration of a matter under Council's Code of Conduct where it is concerned that a person has failed to comply with a requirement prescribed under these Procedures or has misinterpreted or misapplied the standards of conduct prescribed under the Code of Conduct in their consideration of a matter.
- 8.2. The Office may direct any person, including Council, to defer taking further action in relation to a matter under consideration under Council's Code of Conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3. Where the Office undertakes a review of a matter under clause 8.1, it will notify the Complaints Coordinator and any other affected persons, of the outcome of the review.

COMPLAINTS ABOUT CONDUCT REVIEWERS

- 8.4. The General Manager or their delegate must refer Code of Conduct complaints about Conduct Reviewers to the Office for its consideration.
- 8.5. The General Manager must notify the complainant of the referral of their complaint about the Conduct Reviewer in writing.
- 8.6. The General Manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a Conduct Reviewer.

PRACTICE RULINGS

- 8.7. Where a respondent and an investigator are in dispute over a requirement under these Procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8. Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested



it and to the investigator, where that person is different.

- 8.9. Where the Office makes a practice ruling, all parties must comply with it.
- 8.10. The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

REVIEW OF DECISIONS TO IMPOSE SANCTIONS

- 8.11. A person who is the subject of a sanction imposed under Part 7 of these Procedures other than one imposed under clause 7.58, paragraph (c), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12. A review under clause 8.11 may be sought on the following grounds:
- a) that the investigator has failed to comply with a requirement under these Procedures, or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the Code of Conduct, or
 - c) that in imposing its sanction, Council has failed to comply with a requirement under these Procedures.
- 8.13. A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or Council has erred.
- 8.14. The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15. The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16. The Office will undertake a review of the matter on the papers. However, the Office may request that the Complaints Coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The Complaints Coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17. Where a person requests a review under clause 8.11, the Office may direct Council to defer any action to implement a sanction. Council must comply with a direction to defer action by the Office.
- 8.18. The Office must notify the person who requested the review and the Complaints Coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19. Where the Office considers that the investigator or Council has erred, the Office may recommend that a decision to impose a sanction under these Procedures be reviewed. Where the Office recommends that the decision to impose a sanction be reviewed:
- a) the Complaints Coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary Council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary Council meeting following the election, and



- b) Council must:
 - i) review its decision to impose the sanction, and
 - ii) consider the Office's recommendation in doing so, and
 - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.

8.20. Where, having reviewed its previous decision in relation to a matter under clause 8.19.b), Council resolves to reaffirm its previous decision, Council must state in its resolution its reasons for doing so.

9. Procedural Irregularities – Part 9

- 9.1. A failure to comply with these Procedures does not, on its own, constitute a breach of the Code of Conduct, except as may be otherwise specifically provided under the Code of Conduct.
- 9.2. A failure to comply with these Procedures will not render a decision made in relation to a matter invalid where:
 - a) the non-compliance is isolated and/or minor in nature, or
 - b) reasonable steps are taken to correct the non-compliance, or
 - c) reasonable steps are taken to address the consequences of the noncompliance.

10. Practice Directions – Part 10

- 10.1. The Office may at any time issue a practice direction in relation to the application of these Procedures.
- 10.2. The Office will issue practice directions in writing, by circular to all councils.
- 10.3. All persons performing a function prescribed under these Procedures must consider the Office's practice directions when performing the function.

11. Reporting Statistics on Code of Conduct Complaints about Councillors and the General Manager – Part 11

- 11.1. The Complaints Coordinator must arrange for the following statistics to be reported to Council within 3 months of the end of September of each year:
 - a) the total number of Code of Conduct complaints made about Councillors and the General Manager under the Code of Conduct in the year to September (the reporting period)
 - b) the number of Code of Conduct complaints referred to a conduct reviewer during the reporting period
 - c) the number of Code of Conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
 - d) the number of Code of Conduct complaints investigated by a Conduct Reviewer during the reporting period
 - e) without identifying particular matters, the outcome of investigations completed under these Procedures during the reporting period
 - f) the number of matters reviewed by the Office during the reporting period and,



without identifying particular matters, the outcome of the reviews, and

- g) the total cost of dealing with Code of Conduct complaints made about Councillors and the General Manager during the reporting period, including staff costs.
- 11.2. Council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

12. Confidentiality – Part 12

- 12.1. Information about Code of Conduct complaints and the management and investigation of Code of Conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these Procedures.
- 12.2. Where a complainant publicly discloses information on one or more occasions about a Code of Conduct complaint they have made or purported to make, the General Manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future Code of Conduct complaint they make or purport to make.
- 12.3. Prior to seeking the Office's consent under clause 12.2, the General Manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within a period of not less than 14 days specified by the General Manager or their delegate, and consider any submission made by them.
- 12.4. In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the General Manager or their delegate.
- 12.5. The General Manager or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
 - b) the Complaints Coordinator
 - c) the Office, and
 - d) any other person the General Manager or their delegate considers should be notified of the determination.
- 12.6. Any requirement under these Procedures that a complainant is to be provided with information about a Code of Conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the General Manager or their delegate under clause 12.2.
- 12.7. Clause 12.6 does not override any entitlement a person may have to access to Council information under the *Government Information (Public Access) Act 2009* (NSW) or to receive information under the *Public Interest Disclosures Act 2022* (NSW) in relation to a complaint they have made.



13. Procedure Administration

Business Group:	Corporate and Community Services
Responsible Officer:	Governance and Council Support Coordinator
Procedure Review Date:	Three years from date of adoption unless legislated otherwise
Document Number:	DOC2018/086716
Relevant Legislation:	<ul style="list-style-type: none"> • <i>Local Government Act 1993</i> (NSW) • <i>Local Government (General) Regulation 2021</i> (NSW)
Relevant strategic outcome or objectives as per Council's Delivery Program	<p>This policy contributes to achieving the strategic outcome 5.3.7 from Council's Operational Plan: "Continue to manage Council's governance functions and statutory requirements":</p> <p>Action 5.3.7.c: Manage Council's corporate governance in accordance with regulations.</p>
Related Policies / Protocols / Procedures	<ul style="list-style-type: none"> • Code of Conduct Policy (DOC2018/086716) • Complaint Handling Policy (DOC2018/048382) • Complaint Handling Procedure (DOC2019/123194) • Councillor and Staff Interaction Policy (DOC2019/121988) • Privacy Management Plan (DOC2014/005148) • Public Interest Disclosure Policy (DOC2022/123222)



CESSNOCK
CITY COUNCIL

Integrity, Respect, Teamwork, Accountability and Excellence

14. Procedure History

Revision	Date Approved / Authority	Description Of Changes
1	16 July 2008 / PM60/2008	New procedure adopted
2	2 September 2009 / PM69/2009 - 538	Periodic review
3	20 February 2013 / PM12/2013 - 234	Periodic review
4	18 September 2013 / PM91/2013	Periodic Review
5	3 February 2016 / CC2/2016 - 1544	Periodic Review
6	1 May 2019 / CC11/2019 - 754	Mandatory Review following release of revised Model Code
7	16/09/2020 / CC852020	Mandatory Review following release of revised Model Code
8	01/11/2022 / CC74/2022	Mandatory Review within 12 months of LG Election
9	Tba Changes:	

15. Procedure Authorisations

No.	Authorised Function	Authorised Business Unit / Role(s)
G15	Code of Conduct Complaints Coordinator: Authority to act as Council's Code of Conduct Complaints Coordinator pursuant to Council's Code of Conduct Procedures as amended from time to time.	Governance and Council Support Coordinator
G16	Alternate Code of Conduct Complaints Coordinator: Authority to act as Council's Alternate Code of Conduct Complaints Coordinator pursuant to Council's Code of Conduct Procedures as amended from time to time.	Director Corporate and Community Services



Integrity, Respect, Teamwork, Accountability and Excellence

Cessnock City Council Code of Meeting Practice

Date Adopted: XX/XX/2024 Revision: 13

Table of Contents

1. INTRODUCTION – Part 1	4
2. SCOPE – Part 2Error! Bookmark not defined.	
3. BEFORE THE MEETING – Part 3	4
<i>Timing Of Ordinary Council Meetings</i>	4
<i>Rescheduling Of Meetings</i>	Error! Bookmark not defined.
<i>Extraordinary Meetings</i>	5
<i>Notice To The Public Of Council Meetings</i>	5
<i>Notice To Councillors Of Ordinary Council Meetings</i>	5
<i>Notice To Councillors Of Extraordinary Meetings</i>	5
<i>Giving Notice Of Business To Be Considered At Council Meetings</i>	6
<i>Questions With Notice</i>	6
<i>Agenda And Business Papers For Ordinary Meetings</i>	6
<i>Statement Of Ethical Obligation</i>	7
<i>Availability Of The Agenda And Business Papers To The Public</i>	7
<i>Agenda And Business Papers For Extraordinary Meetings</i>	8
<i>Agenda Review Meetings</i>	8
4. PUBLIC ACCESS – Part 4	8
5. COMING TOGETHER – Part 5	10
<i>Attendance By Councillors At Meetings</i>	10
<i>The Quorum For A Meeting</i>	11
<i>Meetings Held By Audio-Visual Link</i>	12
<i>Attendance By Councillors At Meetings By Audio-Visual Link</i>	12
<i>Entitlement Of The Public To Attend Council Meetings</i>	13
<i>Webcasting Of Meetings</i>	14
<i>Attendance Of The General Manager And Other Staff At Meetings</i>	14
6. THE CHAIRPERSON – Part 6	15
<i>The Chairperson At Meetings</i>	15
<i>Election Of The Chairperson In The Absence Of The Mayor And The Deputy Mayor</i>	15
<i>Chairperson To Have Precedence</i>	15
7. MODES OF ADDRESS – Part 7	15
8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS – Part 8	16
9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS – Part 9	16
<i>Business That Can Be Dealt With At A Council Meeting</i>	16
<i>Mayoral Minutes</i>	17

DOC2018/103094 _ Code of Meeting Practice _ Adopted: XX/XX/2024

Page 1 of 39



Integrity, Respect, Teamwork, Accountability and Excellence

Staff Reports.....	17
Reports Of Committees Of Council.....	17
Questions	17
10.RULES OF DEBATE – Part 10.....	18
Motions To Be Seconded.....	18
Notices Of Motion.....	18
Chairperson’s Duties With Respect To Motions.....	18
Motions Requiring The Expenditure Of Funds.....	18
Amendments To Motions.....	18
Foreshadowed Motions.....	19
Limitations On The Number And Duration Of Speeches	19
11.VOTING – Part 11	20
Voting Entitlements Of Councillors.....	20
Voting At Council Meetings	20
Voting On Planning Decisions.....	21
12.COMMITTEE OF THE WHOLE – Part 12.....	21
13.DEALING WITH ITEMS BY EXCEPTION / ENGLORO – Part 13	21
14.CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC – Part 14	22
Grounds On Which Meetings Can Be Closed To The Public	22
Matters To Be Considered When Closing Meetings To The Public.....	22
Notice Of Likelihood Of Closure Not Required In Urgent Cases	23
Representations By Members Of The Public.....	24
Expulsion Of Non-Councillors From Meetings Closed To The Public.....	24
Obligations Of Councillors Attending Meetings By Audio-Visual Link.....	25
Information To Be Disclosed In Resolutions Closing Meetings To The Public	25
Resolutions Passed At Closed Meetings To Be Made Public.....	25
15.KEEPING ORDER AT MEETINGS – Part 15	25
Points Of Order.....	25
Questions Of Order	25
Motions Of Dissent	26
Acts Of Disorder.....	26
How Disorder At A Meeting May Be Dealt With.....	26
Expulsion From Meetings.....	27
How Disorder By Councillors Attending Meetings By Audio-Visual Link May Be Dealt With	27
Use Of Mobile Phones And The Unauthorised Recording Of Meetings	27
16.CONFLICTS OF INTERESTS – Part 16	28
17.DECISIONS OF COUNCIL – Part 17	28
Council Decisions.....	28
Rescinding Or Altering Council Decisions.....	28
Recommitting Resolutions To Correct An Error	29
18.TIME LIMITS ON COUNCIL MEETINGS – Part 18.....	30
19.AFTER THE MEETING – Part 19	30
Minutes Of Meetings	30
Access To Correspondence And Reports Laid On The Table At, Or Submitted To, A Meeting ..	31



Integrity, Respect, Teamwork, Accountability and Excellence

Implementation Of Decisions Of Council 31

20. COUNCIL COMMITTEES – Part 20..... **31**

Application Of This Part..... 31

Council Committees Whose Members Are All Councillors 31

Functions Of Committees..... 32

Notice Of Committee Meetings 32

Attendance At Committee Meetings..... 32

Non-Members Entitled To Attend Committee Meetings..... 32

Chairperson And Deputy Chairperson Of Council Committees 32

Procedure In Committee Meetings..... 33

Closure Of Committee Meetings To The Public..... 33

Disorder In Committee Meetings..... 33

Minutes Of Council Committee Meetings 33

21. IRREGULARITIES – Part 21..... **34**

Administrative Review 34

22. DEFINITIONS **34**

23. POLICY ADMINISTRATION **37**

24. POLICY HISTORY **38**

25. POLICY AUTHORISATIONS **38**

26. APPENDICES..... **38**

Appendix A – Required Notice For Procedural Motions 38



1. INTRODUCTION

- 1.1. This Code of Meeting Practice (Code) is prescribed under section 360 of the *Local Government Act 1993* (NSW) (Act) and the *Local Government (General) Regulation 2021* (NSW) (Regulation) and incorporates the mandatory provisions of the prescribed Model Code of Meeting Practice issued by the Office of Local Government, and supplementary provisions that are not inconsistent with the Model Meeting Code.
- 1.2. This Code includes relevant references to sections of the Act and Regulations as well as supplementary provisions adopted by Council.
- 1.3. This Code applies to all meetings of Council and committees of Council of which all the members are Councillors (**committees of Council**).
- 1.4. All Councillors, staff and community members participating in meetings of Council and committees of Council must act in accordance with this Code.
- 1.5. Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless Council determines otherwise.

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 in the Council Chambers on the third Wednesday of each month commencing at 5.30pm, with the exception that the December meeting is held on the second Wednesday and there is no meeting held in January.

Note: Under section 365 of the Act, councils are required to meet at least ten 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.



RESCHEDULING OF MEETINGS

3.2. Adjustments to the Council meeting schedule may be made without a resolution of Council in the following circumstances:

- a) Where a scheduled meeting of Council falls on a public holiday, the meeting will be held on the day immediately after the public holiday. However, Council may alter the location, time and date of a meeting of Council by resolution at a prior ordinary meeting.
- b) Where four (4) or more Councillors indicate their intention to attend any seminar or the like which clashes with a Council or committee meeting, the date of that meeting will be altered by the Mayor to ensure the availability of the maximum number of Councillors possible.

EXTRAORDINARY MEETINGS

3.3. 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.

Clause 3.4 reflects section 366 of the Act.

NOTICE TO THE PUBLIC OF COUNCIL MEETINGS

3.4. 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.

Clause 3.5 reflects section 9(1) of the Act.

3.5. For the purposes of clause 3.5, 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 Council's website, and in such other manner that Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.6. For the purposes of clause 3.5, notice of more than one (1) meeting may be given in the same notice.

NOTICE TO COUNCILLORS OF ORDINARY COUNCIL MEETINGS

3.7. 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.

Clause 3.8 reflects section 367(1) of the Act.

3.8. The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form.

Clause 3.9 reflects section 367(3) of the Act.

NOTICE TO COUNCILLORS OF EXTRAORDINARY MEETINGS

3.9. Notice of less than three (3) days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency.

Clause 3.10 reflects section 367(2) of the Act.



GIVING NOTICE OF BUSINESS TO BE CONSIDERED AT COUNCIL MEETINGS

- 3.10.** 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 by 10:00am on the Monday of the week before the meeting is to be held.
- 3.11.** 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 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 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 Council to such a date specified in the notice, pending the preparation of such a report.

QUESTIONS WITH NOTICE

- 3.14.** A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of the Council.
- 3.15.** 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 Council, or a question that implies wrongdoing by the General Manager or a member of staff of Council.
- 3.16.** The General Manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of Council or orally at the meeting.

AGENDA AND BUSINESS PAPERS FOR ORDINARY MEETINGS

- 3.17.** The General Manager must cause the agenda for a meeting of the Council or a committee of Council to be prepared as soon as practicable before the meeting.
- 3.18.** 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.



- 3.19. Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral minute to a meeting under clause 9.6.
- 3.20. 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.
- 3.21. 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 ensure that the agenda of the meeting:
- 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
 - states the grounds under section 10A(2) of the Act relevant to the item of business.

Clause 3.24 reflects section 9(2A) of the Act.

- 3.22. 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 OBLIGATION

- 3.23. Business papers for all ordinary and extraordinary meetings of the Council and committees of 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 Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

AVAILABILITY OF THE AGENDA AND BUSINESS PAPERS TO THE PUBLIC

- 3.24. 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.

Clause 3.27 reflects section 9(2) and (4) of the Act.

- 3.25. Clause 3.24 does not apply to the business papers for items of business that the General Manager has identified under clause 3.22as being likely to be considered when the meeting is closed to the public.

Clause 3.28 reflects section 9(2A)(b) of the Act.

- 3.26. For the purposes of clause 3.24, 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.

Clause 3.29 reflects section 9(3) of the Act.



- 3.27. A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Clause 3.30 reflects section 9(5) of the Act.

AGENDA AND BUSINESS PAPERS FOR EXTRAORDINARY MEETINGS

- 3.28. 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.
- 3.29. Despite clause 3.28, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has **not** been given, if:
- 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.
- 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.
- 3.32. A motion of dissent cannot be moved against a ruling of the Chairperson under clause 3.29(b) on whether a matter is of great urgency.

AGENDA REVIEW MEETINGS

- 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.
- 3.34. 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 Mayor or General Manager or a member of staff nominated by the Mayor or 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 as they become aware of it any conflicts of interest they may have in relation to any item of business that is the subject of an item at an Agenda Review Meeting 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 Agenda Review Meetings and how the conflict of interest was managed by the Councillor who made the declaration.
- 3.39. Councillors should reasonably inform themselves of any business to be considered at the meeting and if clarification is required this should be sought prior to the meeting.

4. PUBLIC ACCESS

- 4.1. Council will allow public access as part of each ordinary meeting of Council for the purpose of hearing oral submissions from members of the public on items of business to be



considered at the meeting. Public access may also be held as part of extraordinary Council meetings and meetings of committees of Council.

- 4.2. Public access may be held by audio-visual link.
- 4.3. To speak in public access, a person must first make an application to the Council in the approved form. Applications to speak in public access must be received by **12:00 noon on Tuesday immediately** before the meeting at which the matter is to be considered, 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.
- 4.4. A person may apply to speak on no more than **one** item of business on the agenda of the Council meeting.
- 4.5. Legal representatives acting on behalf of others are not to be permitted to speak in public access unless they identify their status as a legal representative when applying to speak at the public access.
- 4.6. The General Manager or their delegate may refuse an application to speak in public access. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7. No more than **one** speaker is permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
- 4.8. 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 access.
- 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, 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.
- 4.10. Approved speakers in public access 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 access, and to identify any equipment needs **by 12:00 noon on Tuesday the week of** the public access. The General Manager or their delegate may refuse to allow such material to be presented.
- 4.11. The General Manager or their delegate is to determine the order of speakers at the public access.
- 4.12. Each speaker will be allowed 3 minutes to address the Council and may be granted up to **two (2) one (1) minute extensions**. This time is to be strictly enforced by the Chairperson.
- 4.13. Speakers at public access 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.
- 4.14. A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public access. Questions put to a speaker must be direct, succinct and without argument.



- 4.15. Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be brief and succinct.
- 4.16. Speakers at public access cannot ask questions of the Council, Councillors or Council staff.
- 4.17. The General Manager or their nominee may, with the concurrence of the Chairperson, address Council for up to two (2) minutes in response to an address of Council at a public access after the address and any subsequent questions and answers have been finalised.
- 4.18. Where an address made at a public access raises matters that require further consideration by Council staff, the General Manager may recommend that Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19. When addressing Council, speakers at public access 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 Council's Code of Conduct or making other potentially defamatory statements.
- 4.20. If the Chairperson considers that a speaker at a public access has engaged in conduct of the type referred to in clause 4.19, 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.
- 4.21. Clause 4.20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public access in accordance with the provisions of Part 15 of this Code.
- 4.22. Where a speaker engages in conduct of the type referred to in clause 4.19, the General Manager or their delegate may refuse further applications from that person to speak at public access for such a period as the General Manager or their delegate considers appropriate.
- 4.23. 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 in public access, in the same way that they are required to do so at a Council or committee meeting. Council is to maintain a written record of all conflict of interest declarations made in public access and how the conflict of interest was managed by the Councillor who made the declaration.

Note: Where public access 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 under this Code.



- 5.3. 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.
- 5.4. 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.
- 5.5. The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.
- 5.6. 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.

Clause 5.6 reflects section 234(1)(d) of the Act.

- 5.7. 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

- 5.8. 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.

Clause 5.8 reflects section 368(1) of the Act.

- 5.9. Clause 5.8 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.

Clause 5.9 reflects section 368(2) of the Act.

- 5.10. 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.
- 5.11. 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.
- 5.12. 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.
- 5.13. 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.

- 5.14. Where a meeting is cancelled under clause 5.13, 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 under clause 3.3.

MEETINGS HELD BY AUDIO-VISUAL LINK

- 5.15. 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.
- 5.16. Where the Mayor determines under clause 5.15 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.
- 5.17. This Code applies to a meeting held by audio-visual link under clause 5.15 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 5.15, 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

- 5.18. Councillors may attend and participate in meetings of the Council and committees of Council by audio-visual link with the approval of the Council or the relevant committee.
- 5.19. 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.
- 5.20. 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 5.19.
- 5.21. Council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* (NSW) when collecting, holding, using and disclosing health information in connection with a request by a Councillor to attend a meeting by audio-visual link.



- 5.22.** 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.
- 5.23.** 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.
- 5.24.** If Council or a committee refuses a Councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.25.** A decision whether to approve a Councillor's request to attend a meeting by audio-visual link is at Council's or the relevant committee's discretion. Council and committees of Council must act reasonably when considering requests by Councillors to attend meetings by audio-visual link. However, Council and committees of 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.
- 5.26.** Council and committees of Council may refuse a Councillor's request to attend a meeting by audio-visual link where Council or the 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 Council or a committee of Council by audio-visual link.
- 5.27.** 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.
- 5.28.** 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.
- 5.29.** 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 Council or the committee into disrepute.

ENTITLEMENT OF THE PUBLIC TO ATTEND COUNCIL MEETINGS

- 5.30.** Everyone is entitled to attend a meeting of Council and committees of Council. Council must ensure that all meetings of Council and committees of Council are open to the public.

Clause 5.30 reflects section 10(1) of the Act.

- 5.31.** Clause 5.30 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.32.** A person (whether a Councillor or another person) is not entitled to be present at a meeting of Council or a committee of Council if expelled from the meeting:



- a) by a resolution of the meeting, or
- b) by the person presiding at the meeting if Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Clause 5.32 reflects section 10(2) of the Act.

WEBCASTING OF MEETINGS

- 5.33.** Each meeting of Council or a committee of Council is to be recorded by means of an audio or audio-visual device.
- 5.34.** At the start of each meeting of Council or a committee of Council, the Chairperson must inform the persons attending the meeting that:
- a) the meeting is being recorded and made publicly available on Council's website, and
 - b) persons attending the meeting should refrain from making any defamatory statements.
- 5.35.** The recording of a meeting is to be made publicly available on Council's website:
- a) at the same time as the meeting is taking place, or
 - b) as soon as practicable after the meeting.
- 5.36.** The recording of a meeting is to be made publicly available on Council's website for at least 12 months after the meeting.
- 5.37.** Clauses 5.35 and 5.36 do not apply to parts of a meeting that have been closed to the public under section 10A of the Act.

Clauses 5.33 – 5.37 reflect section 236 of the Regulation.

- 5.38.** Recordings of meetings may be disposed of in accordance with the *State Records Act 1998* (NSW).

ATTENDANCE OF THE GENERAL MANAGER AND OTHER STAFF AT MEETINGS

- 5.39.** The General Manager is entitled to attend, but not to vote at, a meeting of Council or a meeting of a committee of Council of which all of the members are Councillors.

Clause 5.39 reflects section 376(1) of the Act.

- 5.40.** The General Manager is entitled to attend a meeting of any other committee of Council and may, if a member of the committee, exercise a vote.

Clause 5.40 reflects section 376(2) of the Act.

- 5.41.** The General Manager may be excluded from a meeting of Council or a committee while Council or a committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.

Clause 5.41 reflects section 376(3) of the Act.

- 5.42.** 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.

- 5.43.** The General Manager and other Council staff may attend meetings of Council and committees of 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.

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 Council.

Clause 6.2 reflects section 369(2) of the Act.

ELECTION OF THE CHAIRPERSON IN THE ABSENCE OF THE MAYOR AND THE DEPUTY MAYOR

- 6.3. If no Chairperson is present at a meeting of 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 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 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. If the Chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor' or Mayor [Surname].



- 7.2. Where the Chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3. A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4. 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 Council, the general order of business is as fixed by resolution of Council.
- 8.2. The order of business as fixed under clause 8.1 may be altered for a particular meeting of Council if a motion to that effect is passed at that meeting. Such a motion can be moved **without** notice.

Note: Part 13 of this Code allows Council to deal with items of business by exception/Englobo.

- 8.3. Despite clauses 10.20 – 10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.
- 8.4. Where an agenda item is the subject of public access the matter will be dealt with following that address.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

BUSINESS THAT CAN BE DEALT WITH AT A COUNCIL MEETING

- 9.1. Council must not consider business at a meeting of Council:
 - a) unless a Councillor has given notice of the business, as required by clause 3.11, and
 - b) unless notice of the business has been sent to the Councillors in accordance with clause 3.8 in the case of an ordinary meeting or clause 3.10 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 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 Council.
- 9.3. Despite clause 9.1, business may be considered at a meeting of Council even though due notice of the business has not been given to the Councillors if:
 - 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 Council before the next scheduled ordinary meeting of Council.
- 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.
- 9.5. A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).



MAYORAL MINUTES

- 9.6. Subject to clause 9.9, if the Mayor is the Chairperson at a meeting of 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 Council, or of which Council has official knowledge.
- 9.7. A Mayoral minute, when put to a meeting, takes precedence over all business on 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.
- 9.8. A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by Council, a resolution of 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 Council before the next scheduled ordinary meeting of 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 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, 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

- 9.11. A recommendation made in a staff report is, so far as it is adopted by Council, a resolution of Council.

REPORTS OF COMMITTEES OF COUNCIL

- 9.12. The recommendations of a committee of Council are, so far as they are adopted by Council, resolutions of Council.
- 9.13. If in a report of a committee of Council distinct recommendations are made, Council may make separate decisions on each recommendation.

QUESTIONS

- 9.14. A question must not be asked at a meeting of Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.11 and 3.17.
- 9.15. A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.
- 9.16. A Councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
- 9.17. 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 Council.
- 9.18. Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19. 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 3.11 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 3.11 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 withdrawal of the motion when it is before Council.

10.4. In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of Council:

- a) any other Councillor may, with the leave of the Chairperson, move the motion at the meeting, or
- b) the Chairperson may defer consideration of the motion until the next meeting of Council.

CHAIRPERSON'S DUTIES WITH RESPECT TO MOTIONS

10.5. It is the duty of the Chairperson at a meeting of 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 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, 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

10.10. An amendment to a motion must be moved and seconded before it can be debated.

10.11. An amendment to a motion must relate to the matter being dealt with in the original motion before 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.

10.12. 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.



CESSNOCK
CITY COUNCIL

Integrity, Respect, Teamwork, Accountability and Excellence

10.13. 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.

10.14. 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.

10.15. 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.

10.16. 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

10.17. A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before 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. 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 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. 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. A Councillor who, during a debate at a meeting of 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. 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. A Councillor must not, without the consent of Council, speak more than once on a motion or an amendment, or for longer than three (3) minutes at any one time.

10.23. Despite clause 10.22, 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, Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

10.25. Despite clauses 10.20 and 10.21, 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.

- 10.26. The Chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27. 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 10.20.
- 10.28. 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.
- 10.29. 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.
- 10.30. 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.
- 10.31. Debate on any item of business on the agenda or transaction without notice may not continue for more than **45 minutes**. At the expiration of this time from the commencement of the debate, the Mayor or Chairperson will put the motion, irrespective as to whether a Councillor is speaking at the time, after permitting the mover of the motion three minutes right of reply.
- 10.32. The motion will be put by the Mayor or Chairperson in the following form: "The time for debate has expired. Under the Code of Meeting Practice of this Council, I may now put the motion. The mover of the motion has three minutes right of reply."

11. VOTING

VOTING ENTITLEMENTS OF COUNCILLORS

- 11.1. Each Councillor is entitled to one (1) vote.

Clause 11.1 reflects section 370(1) of the Act.

- 11.2. The person presiding at a meeting of Council has, in the event of an equality of votes, a second or casting vote.

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.

VOTING AT COUNCIL MEETINGS

- 11.4. A Councillor who is present at a meeting of Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5. 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, Council may resolve that the voting in any election by Councillors for Mayor or deputy Mayor is to be by secret ballot.
- 11.6. 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.



VOTING ON PLANNING DECISIONS

- 11.7. The General Manager must keep a register containing, for each planning decision made at a meeting of Council or a Council committee (including, but not limited to a committee of 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.
- 11.8. 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 Council or a Council committee.
- 11.9. 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.
- 11.10. Clauses 11.7 – 11.9 apply also to meetings that are closed to the public.

Clauses 11.7 – 11.10 reflect section 375A of the Act.

Note: The requirements of clause 11.7 may be satisfied by maintaining a register of the minutes of each planning decision.

12. COMMITTEE OF THE WHOLE

- 12.1. Council may resolve itself into a committee to consider any matter before Council.

Clause 12.1 reflects section 373 of the Act.

- 12.2. All the provisions of this Code relating to meetings of Council, so far as they are applicable, extend to and govern the proceedings of Council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Clauses 10.20 – 10.30 limit the number and duration of speeches.

- 12.3. The General Manager or, in the absence of the General Manager, an employee of Council designated by the General Manager, is responsible for reporting to 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. Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in Council's minutes. However, 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 / ENGLOBO

- 13.1. 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 Council or a 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. Council or a 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, Council or a committee must resolve to alter the order of business in accordance with clause 8.2.



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. The motion in the minutes will be written as:

That having read and considered the reports in the agenda related to items:

[list all reports to be considered Englobo]

Council adopt the recommendations as printed for those items.

13.7. Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.

13.8. 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

GROUNDNS ON WHICH MEETINGS CAN BE CLOSED TO THE PUBLIC

14.1. Council or a committee of 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 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 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 Council's Code of Conduct.

Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2. Council or a committee of 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.

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 Council or the committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

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 Council or a committee is involved, and
- b) are clearly identified in the advice, and
- c) are fully discussed in that advice.

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.

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 Council or the committee concerned, or to Councillors or to employees of Council, or
 - ii. cause a loss of confidence in Council or a committee.

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, Council or the committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

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 Council, or of a committee of Council, may be closed to the public while Council or a committee considers a matter that has not been identified in the agenda for the meeting under clause 3.24 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) Council or a committee, after considering any representations made under clause



14.9, resolve 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.

Clause 14.8 reflects section 10C of the Act.

REPRESENTATIONS BY MEMBERS OF THE PUBLIC

14.9. Council, or a committee of 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.

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. Where the matter has been identified in the agenda of the meeting under clause 3.24 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 Council in the approved form. Applications must be received by **12:00 noon on Tuesday the week** before the meeting at which the matter is to be considered.

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 **one** speaker is 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 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 Council.

14.15. The General Manager (or their delegate) is to determine the order of speakers.

14.16. Where Council or a committee of 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 3.24 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 **one** speaker to make representations in such order as determined by the Chairperson.

14.17. Each speaker will be allowed **three 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

14.18. If a meeting or part of a meeting of Council or a committee of 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.



14.19. 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 Council or person presiding, may, by using only such force as is 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

14.20. 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

14.21. 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.

Clause 14.20 reflects section 10D of the Act.

RESOLUTIONS PASSED AT CLOSED MEETINGS TO BE MADE PUBLIC

14.22. If 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.

14.23. 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 during a part of the meeting that is webcast.

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 Part 1 of this Code.

15.3. 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

15.4. 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.



- 15.5. 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.
- 15.6. The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of Council.
- 15.7. The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

MOTIONS OF DISSENT

- 15.8. 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.
- 15.9. 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.
- 15.10. 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

- 15.11. A Councillor commits an act of disorder if the Councillor, at a meeting of Council or a committee of 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 Council or the committee, or addresses or attempts to address Council or the committee on such a motion, amendment or matter, or
 - d) insults, makes unfavourable personal remarks or imputes improper motives to any other Council official, or alleges a breach of Council's Code of Conduct, or
 - e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring Council or the committee into disrepute.

Clause 15.11 reflects section 182 of the Regulation.

- 15.12. The Chairperson may require a Councillor:
- a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
 - b) to withdraw a motion or an amendment referred to in clause 15.11(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 15.11(d) and (e).

Clause 15.12 reflects section 233 of the Regulation.

HOW DISORDER AT A MEETING MAY BE DEALT WITH

- 15.13. If disorder occurs at a meeting of Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business



CESSNOCK
CITY COUNCIL

Integrity, Respect, Teamwork, Accountability and Excellence

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

- 15.14.** All Chairpersons of meetings of Council and committees of 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 Council or the committee of Council.
- 15.15.** Clause 15.14, does not limit the ability of Council or a committee of Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 15.16.** A Councillor may, as provided by section 10(2) (a) or (b) of the Act, be expelled from a meeting of Council for having failed to comply with a requirement under clause 15.12. 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.

Clause 15.16 reflects section 233(2) of the Regulation.

- 15.17.** A member of the public may, as provided by section 10(2) (a) or (b) of the Act, be expelled from a meeting of Council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18.** 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.
- 15.19.** If a Councillor or a member of the public fails to leave the place where a meeting of Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by Council or person presiding, may, by using only such force as is 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

- 15.20.** 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.
- 15.21.** 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

- 15.22.** Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of Council and committees of Council.
- 15.23.** 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 Council or a committee of Council without the prior authorisation of Council or the committee.
- 15.24.** Without limiting clause 15.17, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.

- 15.25.** 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

DOC2018/103094 _ Code of Meeting Practice _ Adopted: XX/XX/2024

Page 27 of 39



person authorised for the purpose by Council or person presiding, may, by using only such force as is 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 INTERESTS

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 Council and committees of Council in accordance with Council's Code of Conduct and Council's Conflict of Interest Guideline where relevant. 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 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 Council or committee, or at any time during which Council or committee is voting on the matter.

17. DECISIONS OF COUNCIL

COUNCIL DECISIONS

17.1. A decision supported by a majority of the votes at a meeting of Council at which a quorum is present is a decision of Council.

Clause 17.1 reflects section 371 of the Act.

17.2. Decisions made by 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 Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.11.

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.

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 3.11.

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.

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.

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.

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 3.12 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 **noon on Friday following the meeting** at which the resolution was adopted.

- 17.11. A motion to alter or rescind a resolution of Council may be moved on the report of a committee of Council and any such report must be recorded in the minutes of the meeting of Council.

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 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, and
- b) a motion 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 requires a decision by 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 10.20 – 10.30, 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).

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 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 10.20 – 10.30, only the mover of a motion referred to in clause 17.15 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 Council and committees of Council are to conclude no later than **9:00pm**.

18.2. If the business of the meeting is unfinished at **9:00pm**, Council or the committee may, by resolution, extend the time of the meeting.

18.3. If the business of the meeting is unfinished at **9:00pm**, and 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 Council, or
- b) adjourn the meeting to a time, date and place fixed by the Chairperson.

18.4. Clause 18.3 does not limit the ability of Council or a committee of 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. Where a meeting is adjourned under clause 18.3 or 18.4, 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 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. Council is to keep full and accurate minutes of the proceedings of meetings of Council.

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 Council's minutes:

- a) The names of Councillors attending a Council meeting and whether they 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 Council.

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.

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 Council's website. This clause does not prevent 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. Council and committees of 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.

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.

Clause 19.9 reflects section 11(2) of the Act.

19.10. Clause 19.8 does not apply if 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.

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 COUNCIL

19.12. The General Manager is to implement, without undue delay, lawful decisions of Council.

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 Council whose members are all Councillors.

COUNCIL COMMITTEES WHOSE MEMBERS ARE ALL COUNCILLORS

20.2. Council may, by resolution, establish such committees as it considers necessary.

20.3. A committee of Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by Council.

20.4. The quorum for a meeting of a committee of Council is to be:

- a) such number of members as Council decides, or
- b) if Council has not decided a number – a majority of the members of the committee.



CESSNOCK
CITY COUNCIL

Integrity, Respect, Teamwork, Accountability and Excellence

FUNCTIONS OF COMMITTEES

20.5. 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 Council are members of the committee.

NON-MEMBERS ENTITLED TO ATTEND COMMITTEE MEETINGS

20.10. A Councillor who is not a member of a committee of 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

20.11. The Chairperson of each committee of 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 Council, or
- c) if Council does not elect such a member, a member of the committee elected by the committee.

20.12. Council may elect a member of a committee of Council as deputy Chairperson of the committee. If Council does not elect a deputy Chairperson of such a committee, the committee may elect a deputy Chairperson.

20.13. If neither the Chairperson nor the deputy Chairperson of a committee of 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.

20.14. The Chairperson is to preside at a meeting of a committee of 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

- 20.15.** Subject to any specific requirements of this Code, each committee of Council may regulate its own procedure. The provisions of this Code are to be taken to apply to all committees of Council unless Council or the committee determines otherwise in accordance with this clause.
- 20.16.** 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 Council or the committee determines otherwise in accordance with clause 20.15.
- 20.17.** 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

- 20.18.** The provisions of the Act and Part 14 of this Code apply to the closure of meetings of committees of Council to the public in the same way they apply to the closure of meetings of Council to the public.
- 20.19.** If a committee of 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, and report the resolution or recommendation to the next meeting of Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20.** 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 20.19 during a part of the meeting that is webcast.

DISORDER IN COMMITTEE MEETINGS

- 20.21.** The provisions of the Act and this Code relating to the maintenance of order in Council meetings apply to meetings of committees of Council in the same way as they apply to meetings of Council.

MINUTES OF COUNCIL COMMITTEE MEETINGS

- 20.22.** Each committee of 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.
- 20.23.** All voting at meetings of committees of 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.



- 20.24.** The minutes of meetings of each committee of Council must be confirmed at a subsequent meeting of the committee.
- 20.25.** 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.
- 20.26.** When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.27.** 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.
- 20.28.** The confirmed minutes of a meeting of a committee of Council must be published on Council's website. This clause does not prevent Council from also publishing unconfirmed minutes of meetings of committees of 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 Council's Code of Conduct, or
 - e) a failure to comply with this Code.

Clause 21.1 reflects section 374 of the Act.

ADMINISTRATIVE REVIEW

- 21.2.** Administrative changes to this Code may be made without resolution of Council. An administrative change is amending the:
- a) name and titles of Council Officials or dignitaries, references to other organisations or bodies; and
 - b) layout, numbering, grammar and syntax, spelling and the policy administration part of this Code.



22. DEFINITIONS

the Act	means the <i>Local Government Act 1993</i> (NSW)
act of disorder	means an act of disorder as defined in clause 15.11 of this Code
amendment	in relation to an original motion, means a motion moving an amendment to that motion. An amendment is a change to the motion before the council, and takes place while that motion is being debated. An amendment to a motion must be put forward in a motion itself
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 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 20.11 of this Code
this Code	means Council’s adopted Code of Meeting Practice
committee of Council	means a committee established by Council in accordance with clause 20.2 of this Code (being a committee consisting only of Councillors) or Council when it has resolved itself into committee of the whole under clause 12.1
Council official	includes Councillors, members of staff of Council (employed on a permanent, temporary, casual or part-time basis), consultants, contractors, volunteers, administrators, Council committee members, delegates of Council and for the purposes of clause 4.16 of Council’s Code of Conduct, Council advisers.
Council	means Cessnock City Council
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 10.18 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
motion	A motion is a proposal to be considered by Council at a meeting. It is a request to do something or to express an opinion about something. A motion formally puts the subject of the motion as an item of business for Council.



Integrity, Respect, Teamwork, Accountability and Excellence

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 Council under the <i>Environmental Planning and Assessment Act 1979</i> (NSW) including any decision relating to a development application, an environmental planning instrument, a development control plan 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
resolution	A resolution is a motion that has been passed by a majority of Councillors at the meeting. While in practice it means the 'Council decision', the word 'resolution' also indicates the process by which the decision was made.
the Regulation	means the <i>Local Government (General) Regulation 2021</i> (NSW)
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



Integrity, Respect, Teamwork, Accountability and Excellence

23. POLICY ADMINISTRATION

Business Group	Corporate and Community Services
Responsible Officer	Governance and Council Support Coordinator
Associated Procedure (if any)	N/A
Policy Review Date	Three years from date of adoption unless legislated otherwise
File Number / Document Number	DOC2018/103094
Relevant Legislation (reference specific sections)	This Code supports Council's compliance with the following legislation: <ul style="list-style-type: none"> ▪ s360 of the <i>Local Government Act 1993</i> (NSW) ▪ Local Government (General) Regulation 2021 (NSW) ▪ Model Code of Meeting Practice for Local Councils in NSW 2020
Relevant desired outcome or objectives	This policy contributes to achieving the strategic outcome 5.3.7 from Council's Operational Plan: "Continue to manage Council's governance functions and statutory requirements": <ul style="list-style-type: none"> • Action 5.3.7.c: Manage Council's corporate governance in accordance with regulations.
Related Policies / Protocols / Procedures	<ul style="list-style-type: none"> ▪ Code of Conduct (DOC2018/086716) and Code of Conduct Procedures (DOC2018/086682) ▪ Conflict of Interest Guideline (DOC2020/016395) ▪ Conflict of Interest Policy – Dealing with Conflicts of Interest throughout the Development Process (DOC2022/189148) ▪ Conflict of Interest Guideline – Dealing with Conflicts of Interest throughout the Development Process (DOC2022/189150) ▪ Councillor and Staff Interaction Policy (DOC2019/121988) ▪ Privacy Management Plan (DOC2014/005148)



CESSNOCK
CITY COUNCIL

Integrity, Respect, Teamwork, Accountability and Excellence

24. POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	21 June 2000	Initial Adoption by Council
2	18 February 2009	Major Review – all pages
3	2 February 2009	Addition of point 8 to clause 10.13 – Page 39
4	20 January 2010	Changes to clause 10.1.5 Order of Business and clause 10.13.8 the words unanimous vote be replaced by two-thirds majority – Page 34 & 39
5	23 June 2010	Remove Questions Without Notice from the Order of Business – Page 34
6	21 July 2010	Procedure for election of Deputy Mayor – pages 10 & 87
7	17 November 2010	Include the Agenda item “Questions for the Next Meeting” – pages 2, 8, 34 & 46
8	19 March 2014	Major Review – all pages
9	20 February 2019 / CC10/2019	Mandatory Review following release of new Model Code of Meeting Practice on 14 December 2018 – all pages
10	15 May 2019 / CC35/2019	Minor Changes to wording. Clauses 4.2,4.9,4.11 & 10.31
11	9 December 2020 / CC112/2020	Minor changes to reflect monthly meetings and notice period for submitting notices of motion and correct minor number referencing errors.
12	15 June 2022 / CC46/2022	Mandatory Review following LG Election
12.1	1 November 2023 (Administrative update)	Minor change to clause 15.2 Points of Order to correct referencing error - clause referenced updated to 1.6 from 2.1.
13	tba	

25. Policy Authorisations

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

26. APPENDICES

APPENDIX A – REQUIRED NOTICE FOR PROCEDURAL MOTIONS

MOTIONS	MOVED WITHOUT NOTICE
Change the Order of Business	Yes, see clause 8.2
Business Without Notice (matter of urgency)	Yes, see clause 9.3
Dissent from Chairperson’s Ruling on Point of Order	Yes, see clause 9.5
Adjournment of Meeting	Yes, see clause 18



Integrity, Respect, Teamwork, Accountability and Excellence

Limitation to Numbers of Speakers (questions be now put)	Yes – after at least 2 speakers have spoken in favour of motion or amendment and at least 2 against motion or amendment. See clauses 10.25 and 10.26
Deferment of a Matter	Yes, see clause 10.4
Extension of Time to Debate an Item	Yes, see clause 10.31



Councillor and Staff Interaction Policy

Last Updated: xx/xx/xxxx Revision: x

CONTENTS

1	INTRODUCTION	2
2	POLICY SCOPE	2
3	POLICY OBJECTIVES	2
4	PRINCIPLES, ROLES AND RESPONSIBILITIES.....	3
5	THE COUNCILLOR REQUESTS SYSTEM	4
6	ACCESS TO COUNCIL STAFF	6
7	COUNCILLOR ACCESS TO COUNCIL BUILDINGS	6
8	APPROPRIATE AND INAPPROPRIATE INTERACTIONS	7
9	COMPLAINTS	8
10	COMPLIANCE, MONITORING AND REVIEW	8
11	RECORDS MANAGEMENT	8
12	POLICY DEFINITIONS AND ABBREVIATIONS.....	8
13	POLICY AUTHORISATIONS	9
14	POLICY ADMINISTRATION.....	9
15	POLICY HISTORY	9
16	APPENDICES	10

ACKNOWLEDGEMENT

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.

COUNCIL VALUES

Integrity, Respect, Teamwork, Accountability, and Excellence.

DISCLAIMER

The information contained in this publication is based on knowledge and understanding at the time of the adoption date and may not be accurate, current or complete at the time of viewing. While every effort has been made to ensure the accuracy of the information in this publication, Cessnock City Council expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of this publication or the data provided therein. Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

NOTICE

© Cessnock City Council. This work is copyright. It may be reproduced in whole or in part for study or training purposes subject to the inclusion of an acknowledgement of the source. It may not be reproduced for commercial usage or sale. Reproduction for purposes other than those indicated above requires written permission from Cessnock City Council.

Councillor and Staff Interaction Policy

1 INTRODUCTION

- 1.1 The Councillor and Staff Interaction policy provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The policy complements and should be read in conjunction with Council's Code of Conduct.
- 1.3 The aim of this policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of Council. The policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

2 POLICY SCOPE

- 2.1 This policy applies to all Councillors and staff (members of staff of a Council, administrators, Council committee members, delegates of Council and Council advisers).
- 2.2 This policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing or any other form of communication.
- 2.3 This policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.
- 2.4 This policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 The Code of Conduct provides that Councillors and staff must not conduct themselves in a manner that is contrary to Council's policies. A breach of this policy will be a breach of the Code of Conduct.

3 POLICY OBJECTIVES

- 3.1 The objectives of this policy are to:
 - 3.1.1 Establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy;
 - 3.1.2 Enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles;
 - 3.1.3 Ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties;
 - 3.1.4 Ensure Councillors have adequate access to information to exercise their statutory roles;
 - 3.1.5 Provide direction on, and guide councillor interactions with, staff for both obtaining information and in general situations;
 - 3.1.6 Maintain transparent decision making and good governance arrangements;
 - 3.1.7 Ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties;
 - 3.1.8 Provide a clear and consistent framework through which breaches of the policy will be managed in accordance with the Code of Conduct.

Councillor and Staff Interaction Policy

4 PRINCIPLES, ROLES AND RESPONSIBILITIES

- 4.1 Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 4.3 Section 232 of the Act states the role of a Councillor is as follows:
- 4.3.1 To be an active and contributing member of the governing body;
 - 4.3.2 To make considered and well-informed decisions as a member of the governing body.
 - 4.3.3 To participate in the development of the integrated planning and reporting framework;
 - 4.3.4 To represent the collective interests of residents, ratepayers and the local community;
 - 4.3.5 To facilitate communication between the local community and the governing body;
 - 4.3.6 To uphold and represent accurately the policies and decisions of the governing body;
 - 4.3.7 To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 4.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6 Council commits to the following principles to guide interactions between Councillors and staff:

PRINCIPLE	ACHIEVED BY
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels.
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions.
Ethical, open and transparent	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct.
Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of 13 people.
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data.

Councillor and Staff Interaction Policy

- 4.7 Councillors are members of Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the Act. Councillors need to accept that:
- 4.7.1 Responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding.
 - 4.7.2 Staff are not accountable to them individually.
 - 4.7.3 They must not direct staff except by giving appropriate direction to the General Manager by way of a Council or committee resolution, or by the Mayor exercising their functions under section 226 of the Act.
 - 4.7.4 They must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions.
 - 4.7.5 They must not contact a member of staff on Council-related business unless in accordance with this policy.
 - 4.7.6 They must not use their position to attempt to receive favourable treatment for themselves or others.
- 4.8 The General Manager is responsible for the efficient and effective day-to-day operation of Council and for ensuring that the lawful decisions of Council are implemented without undue delay. Council staff need to understand:
- 4.8.1 They are not accountable to individual Councillors and do not take direction from them. They are accountable to the General Manager, who is in turn accountable to Council's governing body.
 - 4.8.2 They should not provide advice to Councillors unless it has been approved by the General Manager or a staff member with a delegation to approve advice to Councillors.
 - 4.8.3 They must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner.
 - 4.8.4 They must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties.
 - 4.8.5 They must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this policy.

5 THE COUNCILLOR REQUESTS SYSTEM

- 5.1 Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 5.3 The General Manager may identify Council support staff under this policy for the management of requests from Councillors.
- 5.4 Councillors can use the councillor requests system to:
 - 5.4.1 Request information or ask questions that relate to the strategic position, performance or operation of Council;
 - 5.4.2 Bring concerns that have been raised by members of the public to the attention of staff;
 - 5.4.3 Request ICT or other support from the Council administration;

Councillor and Staff Interaction Policy

- 5.4.4 Request that a staff member be present at a meeting (other than a meeting of Council) for the purpose of providing advice to the meeting.
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Councillor requests must be made in writing via email to council@cessnock.nsw.gov.au. Text messages are not appropriate.
- 5.7 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 5.8 The General Manager or the staff member authorised to manage a Councillor request will provide a response within five (5) business days. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 5.9 Where a request relates to a minor operational matter, the staff member authorised to manage the request may respond directly to the Councillor without providing a response to all Councillors, providing that appropriate records are maintained.
- 5.10 Where a Councillor brings a concern that has been raised by a member of the public to the attention of staff, the Councillor should ensure that the customer has previously raised the matter with the administration, and include the relevant reference number in the request. Responses involving personal information will be managed in accordance with Council's Privacy Management Plan and relevant legislation.
- 5.11 Requests under clause 5.4.4 must be made two (2) business days before the meeting. The General Manager or members of staff that are listed at *Appendix A* of this policy, are responsible for determining:
- 5.11.1 Whether it is appropriate for a staff member to attend the meeting; and
- 5.11.2 Which staff member will attend the meeting.
- Staff members who attend such meetings must be appropriately senior and be subject matter experts on the issues to be discussed at the meeting.
- 5.12 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.13 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 5.14 Where a Councillor is unsure of confidentiality requirements, they should contact the General Manager or the staff member authorised to manage their request.
- 5.15 The General Manager may refuse access to information requested by a Councillor if:
- 5.15.1 the information is not necessary for the performance of the Councillor's civic functions, or
- 5.15.2 if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources, or
- 5.15.3 the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
- 5.15.4 the General Manager is prevented by law from disclosing the information.
- 5.16 Where the General Manager refuses to provide information requested by a Councillor, they must act reasonably. The General Manager must advise a Councillor in writing of their reasons for

Councillor and Staff Interaction Policy

refusing access to the information requested.

- 5.17 Where a Councillor's request for information is refused by the General Manager on the grounds referred to under clauses 5.15.1 or 5.15.2, the Councillor may instead request the information through a resolution of Council by way of a notice of motion. This clause does not apply where the General Manager refuses a Councillor's request for information under clauses 5.15.3 or 5.15.4.
- 5.18 Nothing in clauses 5.15, 5.16, and 5.17 prevents a Councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009* (NSW).
- 5.19 Where a Councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources, the Council may, on the advice of the General Manager, resolve to limit the number of requests the Councillor may make.
- 5.20 Councillor requests are state records and must be managed in accordance with Council's Records Management Policy.
- 5.21 A report will be provided to Council bi-annually regarding the performance and efficiency of the Councillor requests system against established key performance indicators.

6 ACCESS TO COUNCIL STAFF

- 6.1 Councillors may directly contact members of staff that are listed in *Appendix A* of this policy. The General Manager may amend this list at any time and will advise Councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in *Appendix A* about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If Councillors would like to contact a member of staff not listed in *Appendix A*, they must receive permission from the General Manager.
- 6.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Executive Assistant to the General Manager who will provide advice about which authorised staff member to contact.
- 6.6 The General Manager or a member of Council's Executive Leadership Team may direct any staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct may be considered a breach of the Code of Conduct.

7 COUNCILLOR ACCESS TO COUNCIL BUILDINGS

- 7.1 Councillors are entitled to have access to the Council Chamber, Community Meeting Room, Mayor's office (subject to availability), Councillors Meeting Room, and public areas of Council's buildings during normal business hours for meetings, subject to meeting room availability. Meeting rooms should be booked in advance. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

Councillor and Staff Interaction Policy

8 APPROPRIATE AND INAPPROPRIATE INTERACTIONS

- 8.1 Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:
- 8.1.1 Councillors and staff are courteous and display a positive and professional attitude towards one another;
 - 8.1.2 Staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this policy and any other relevant Council policies;
 - 8.1.3 Staff record the advice they give to Councillors in the same way they would if it was provided to members of the public;
 - 8.1.4 Staff, including Council's Executive Leadership Team members, document councillor requests via the councillor requests system;
 - 8.1.5 Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties;
 - 8.1.6 Councillors and staff feel supported when seeking and providing clarification about Council related business;
 - 8.1.7 Councillors forward requests through the councillor requests system and staff respond in accordance with the timeframes stipulated in this policy.
- 8.2 Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:
- 8.2.1 Councillors and staff conducting themselves in a manner which:
 - a) Is contrary to their duties under the *Work Health and Safety Act 2011* (NSW) and their responsibilities under any policies or procedures adopted by Council to ensure workplace health and safety.
 - b) Constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory.
 - 8.2.2 Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
 - 8.2.3 Staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
 - 8.2.4 Subject to clause 5.15, staff refusing to give information that is available to other Councillors to a particular Councillor.
 - 8.2.5 Councillors who have lodged an application with Council discussing the matter with staff in staff-only areas of Council.
 - 8.2.6 Councillors being overbearing or threatening to staff.
 - 8.2.7 Staff being overbearing or threatening to Councillors.
 - 8.2.8 Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public

Councillor and Staff Interaction Policy

forums including social media.

8.2.9 Councillors directing or pressuring staff in the performance of their work, or recommendations they should make.

8.2.10 Staff providing ad-hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.

8.3 Where a Councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the Councillor's access to staff.

8.4 Any concerns relating to the conduct of staff under this policy should be raised with the General Manager.

9 COMPLAINTS

9.1 Complaints about a breach of this policy should be made to the General Manager (if the complaint is about a Councillor or member of staff), or the Mayor (if the complaint is about the General Manager).

9.2 Clause 9.1 does not operate to prevent matters being reported as a Public Interest Disclosure, or to the Office of Local Government, NSW Ombudsman, NSW Independent Commission Against Corruption or any other external agency.

10 COMPLIANCE, MONITORING AND REVIEW

10.1 The General Manager is responsible for ensuring compliance, monitoring and review of this policy.

11 RECORDS MANAGEMENT

11.1 Councillors and staff must maintain all records relevant to administering this policy in accordance with Council's Records Management Policy.

12 POLICY DEFINITIONS AND ABBREVIATIONS

Act	means the <i>Local Government Act 1993</i> (NSW).
Conduct	includes acts and omissions.
Council	means Cessnock City Council.
Council committee	means a committee established by a Council comprising of Councillors, staff or other persons that the Council has delegated functions to, and Council's Audit, Risk and Improvement Committee.
Councillor	means any person elected or appointed to civic office, including the Mayor.
Councillor request	means a request for access to information made by a Councillor in accordance with this policy. Councillors are to submit requests in writing to council@cessnock.nsw.gov.au . Note: text messages are not an appropriate means of requesting information.
Delegate of Council	means a person (other than a Councillor or member of staff if Council) or body, and the individual members of that body, to whom a function of Council is delegated.

Councillor and Staff Interaction Policy

Executive Leadership Team (ELT)	The General Manager, Director Corporate and Community Services, Director Works and Infrastructure, Director Planning and Environment and the People and Culture Manager.
----------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------

13 POLICY AUTHORISATIONS

Refer to *Appendix A*.

14 POLICY ADMINISTRATION

Directorate	General Manager's Unit		
Responsible Officer	General Manager		
Associated Procedure	Code of Conduct Procedures (DOC2018/086682)		
Policy Review Date	23-10-2027	Is this a local policy pursuant to Part 3, Chapter 7 of the Local Government Act 1993 (NSW)?	No
Document Reference Number	To be updated by Governance upon finalisation of policy.		
This policy supports Council's compliance with the following legislation: – Local Government Act 1993 (NSW)			
This policy contributes to the achievement of the following desired outcome or objectives as per Council's Delivery Program: – Civic Leadership and Effective Governance			
Related Documents (include reference document numbers)	<ul style="list-style-type: none"> ▪ Records Management Policy (DOC2019/038769) ▪ Code of Conduct (DOC2018/086716) ▪ Code of Conduct Procedures (DOC2018/086682) 		

15 POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	19 February 2020 Councillor resolution GMU2/2020	New policy adopted.
2	19 August 2020 Councillor resolution CC73/2020	Amendments to clauses 5.4.2 and 5.7.1. New sub-clause 5.7.2 and 5.7.3 added, and remaining existing sub-clauses reordered accordingly. See Council resolution for details.
3	21 September 2022 Councillor resolution CC75/2022	Revoke Councillor Access to Information and Interaction with Staff Policy. See Council resolution for details.
4	TBA	Update to new policy template. Slight amendments to policy structure to align with OLG's model Councillor and Staff Interaction Policy. Further amendments to section 5, new clauses 5.6 and 5.13, amendments to clauses 7.1 and 9.2.

Councillor and Staff Interaction Policy

16 APPENDICES

16.1 Appendix A: Contact Officers for Councillors

CONTACT ABOUT	WHO TO CONTACT						
	GM (& their EA)	Mayor's office	Director (& their EA)	Business Unit Manager	Committee Coordinator	IT Helpdesk	Governance and Council Services
All matters	✓	✓					
Councillor requests	✓						
Council meetings, items & agendas	✓	✓	✓ All	✓ All			✓
Strategic issues, service delivery	✓		✓ All				
Councillor expenses & facilities	✓		✓ Director Corporate & Community Services				✓
IT support			✓ Director Corporate & Community Services	✓ IT Manager		✓	
Councillor Training & Development	✓		✓ Director Corporate & Community Services				✓
WH&S enquiries /	✓			✓ People and Culture Manager			
Planning Matters	✓		✓ Director Planning & Environment	✓ Development Services Manager ✓ Regulatory Services Manager ✓ Strategic Planning Manager			
Policy Documents	✓		✓ Director Corporate & Community Services				✓
Regulatory / enforcement matters	✓		✓ Director Planning & Environment	✓ Development Services Manager ✓ Regulatory Services Manager			

Councillor and Staff Interaction Policy

CONTACT ABOUT	WHO TO CONTACT						
	GM (& their EA)	Mayor's office	Director (& their EA)	Business Unit Manager	Committee Coordinator	IT Helpdesk	Governance and Council Services
Infrastructure & Operations matters	✓		✓ Director Works & Infrastructure	✓ Infrastructure Manager ✓ Asset Planning Manager ✓ Works & Operations Manager ✓ Open Space and Community Facilities Manager			
Waste & Environment matters	✓		✓ Director Works & Infrastructure	✓ Environment & Waste Service Manager			
Code of Conduct	✓	✓					✓ Complaints Coordinator
Committee matters	✓		✓ All		✓		✓

DRAFT



Councillor Training and Development Policy

Last Updated: xx/xx/xxxx Revision: x

CONTENTS

1	POLICY OBJECTIVES	2
2	POLICY SCOPE	2
3	POLICY STATEMENT	2
4	INDUCTION PROGRAM.....	2
5	ASSESSMENT OF SKILLS AND KNOWLEDGE	3
6	ONGOING PROFESSIONAL DEVELOPMENT PROGRAM	4
7	RESPONSIBILITIES	5
8	BUDGET	5
9	APPROVAL OF TRAINING AND/OR EXPENSES	5
10	EVALUATION	6
11	REPORTING	6
12	POLICY DEFINITIONS AND ABBREVIATIONS.....	6
13	POLICY AUTHORISATIONS	6
14	POLICY ADMINISTRATION.....	6
15	POLICY HISTORY	7

ACKNOWLEDGEMENT

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.

COUNCIL VALUES

Integrity, Respect, Teamwork, Accountability, and Excellence.

DISCLAIMER

The information contained in this publication is based on knowledge and understanding at the time of the adoption date and may not be accurate, current or complete at the time of viewing. While every effort has been made to ensure the accuracy of the information in this publication, Cessnock City Council expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of this publication or the data provided therein. Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

NOTICE

© Cessnock City Council. This work is copyright. It may be reproduced in whole or in part for study or training purposes subject to the inclusion of an acknowledgement of the source. It may not be reproduced for commercial usage or sale. Reproduction for purposes other than those indicated above requires written permission from Cessnock City Council.

Councillor Training and Development Policy

1 POLICY OBJECTIVES

1.1 The objectives of this policy are to:

- 1.1.1 Ensure Councillors have equal access to training and educational opportunities that give them the opportunity to maintain and develop their knowledge and skill base relevant to contemporary standards and community expectations.
- 1.1.2 Demonstrate Council's commitment in assisting Councillors to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993* (NSW) (**Act**).

2 POLICY SCOPE

2.1 This Policy applies to all Councillor of Cessnock City Council, including the Mayor.

3 POLICY STATEMENT

3.1 Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities (i.e. their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

4 INDUCTION PROGRAM

4.1 Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so.

4.2 The induction program will cover:

- 4.2.1 An orientation to Council facilities and the local government area
- 4.2.2 An overview of the key issues and tasks for the new Council including Council's Community Strategic Plan, Delivery Program Operational Plan, Resourcing Strategy and Community Engagement Plan
- 4.2.3 The legislation, rules, principles and political context under which Councils operate
- 4.2.4 The roles and responsibilities of Councillors and the Mayor
- 4.2.5 Council's organisational structure, Workforce Management Strategy and the roles and responsibilities of the General Manager and Council staff
- 4.2.6 what the council does and how it operates, including an overview of integrated planning and reporting and land-use planning, natural resource management, financial management and asset management by Council
- 4.2.7 key Council policies and procedures Councillors must comply with including the Code of Conduct
- 4.2.8 the role of Council meetings and how to participate effectively in them
- 4.2.9 the support available to the Mayor and Councillors and where they can go to get more information or assistance
- 4.2.10 information on the process for taking the oath of office and electing the Deputy mayor at the first Council meeting.

Councillor Training and Development Policy

- 4.3** In the case of the Mayor and Deputy Mayor, the program will also cover:
- 4.3.1 How to be an effective leader of the governing body and the Council
 - 4.3.2 the role of the Chair and how to chair Council meetings
 - 4.3.3 The Mayor's role in integrated planning and reporting
 - 4.3.4 The Mayor's role and responsibilities under the Code of Conduct
 - 4.3.5 the Mayor's role and responsibilities in relation to the General Manager's employment
 - 4.3.6 the Mayor's role at regional and other representative bodies, and
 - 4.3.7 the Mayor's civic and ceremonial role.
- 4.4** The Mayor and Councillors must have a working knowledge and understanding of these areas by the end of the induction program.
- 4.5** The induction program will also include team building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals.
- 4.6** Activities will aim to ensure Mayors and Councillors:
- 4.6.1 Identify how they would like to work together as a team and identify a common vision for the governing body
 - 4.6.2 build relationships with each other based on trust and mutual respect that facilitate collaboration
 - 4.6.3 contribute to a positive and ethical culture within the governing body
 - 4.6.4 work towards consensus as members of the governing body for the benefit of the community
 - 4.6.5 develop respectful negotiation skills and manage alternate views within the governing body without damaging relationships
 - 4.6.6 understand what supports or undermines the effective functioning of the governing body
 - 4.6.7 respect the diversity of skills and experiences on the governing body
 - 4.6.8 communicate and uphold the decisions of Council in a respectful way, even if their own position was not adopted.
- 4.7** Activities should also help the Mayor, as the leader of the governing body, to:
- 4.7.1 act as a stabilising influence and show leadership
 - 4.7.2 promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.
- 4.8** The Mayor and Councillors, including those re-elected to office, must attend all induction sessions to ensure the effective and cohesive operation of the governing body.
- 4.9** If a Councillor is unable to attend all induction sessions, Council will arrange attendance at an equivalent session as soon as possible.
- 4.10** Completion of the identified Induction Program, or equivalent sessions, is the minimum mandatory training requirement and must be completed before a Councillor will be approved to undertake further professional development opportunities.
- 4.11** Council will evaluate the Induction Program at the end of each Council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.

Councillor Training and Development Policy

5 ASSESSMENT OF SKILLS AND KNOWLEDGE

- 5.1 The minimum skills and knowledge required of Councillors to perform their roles and responsibilities effectively are included in the Induction Program.
- 5.2 An assessment will be made of the skills and knowledge each Councillor brings to their role against these minimum requirements to identify any gaps that their Professional Development Plan should address. The assessment will be conducted within the first 6 months of each new term of Council.
- 5.3 To identify any gaps, Council will obtain this information through activities such as self-assessments, questionnaires, Councillor feedback, observations during Council meetings and workshops and interviews.

6 ONGOING PROFESSIONAL DEVELOPMENT PROGRAM

- 6.1 An individual ongoing professional development plan will be developed for the Mayor and each Councillor to address any gaps in the capabilities (i.e. the knowledge, skills and attributes) needed to effectively fulfil their role.
- 6.2 Each professional development plan will span the Council's term, and identify professional development activities that the Mayor or Councillor will participate in. Professional development activities will be prioritised according to need and approved by the Director Corporate and Community Services where Council funds are required in accordance with Council's Councillor Expenses and Facilities Policy. The Mayor and Councillors are expected to complete all the activities included in their professional development plan.
- 6.3 Professional development activities will, wherever possible, follow the 70/20/10 principle. The 70/20/10 principle requires that:
 - 6.3.1 70% of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice
 - 6.3.2 20% of learning activities are provided via learning and training through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations, and
 - 6.3.3 10% of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the council, external training providers or industry bodies.
- 6.4 The timing of professional development activities for the Mayor and Councillors will be designed in such a way so as to not overload councillors with learning activities in the early part of Council's term. The timing will reflect what knowledge and skills Councillors and the Mayor need at various points in council's term to undertake their roles. The Mayor and Councillors will be provided with as much notice as possible for upcoming induction and professional development activities.
- 6.5 The plans will include:
 - 6.5.1 the outcome of Council's needs analysis
 - 6.5.2 the knowledge and skills the Councillor or Mayor brings to their roles
 - 6.5.3 any development needs of each Councillor or Mayor and the priority given to each development need
 - 6.5.4 how the knowledge or skill will be developed (i.e. on-the-job training, mentoring, internal training, external training, briefing session etc.)
 - 6.5.5 operational information such as timeframes for development, who is responsible for

Councillor Training and Development Policy

organising training/development, approval processes and estimated costs.

- 6.6** Training activities will be designed appropriate to the identified need and may include:
- 6.6.1 in-house workshops and briefing sessions conducted by the council with appropriate staff, trainers and guest speakers
 - 6.6.2 attendance at external training courses and events, for example, seminars, conferences and workshops
 - 6.6.3 practical on-the-job training
 - 6.6.4 printed materials such as training booklets, mentoring and/or online training resources.
- 6.7** The Professional Development Plans are to be developed in consultation with the Mayor, each individual Councillor, and the General Manager. Training activities will be provided within budgetary constraints and in accordance with Council's Councillor Expenses and Facilities Policy.

7 RESPONSIBILITIES

Mayor/Councillors

- 7.1** The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of the council.

General Manager

- 7.2** The General Manager has overall responsibility for Council's Induction and Professional Development Program.

Director Corporate and Community Services

- 7.3** The Director Corporate and Community Services is responsible for planning, scheduling and facilitating induction and professional development sessions for the Mayor and Councillors in consultation with the General Manager.
- 7.4** The Director Corporate and Community Services will maintain data pertaining to Councillor induction and professional development activities and attendance.

Records management

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

8 BUDGET

- 8.1** An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.

9 APPROVAL OF TRAINING AND/OR EXPENSES

- 9.1** The Mayor and Councillors are encouraged to identify professional development opportunities for inclusion in individual Professional Development Plans and may seek approval from the Director Corporate and Community Services to attend any such activities.
- 9.2** Approval of training will be prioritised to those matters identified in the Professional Development Plans.
- 9.3** Payment and reimbursement for expenses relating to a Councillor's registration and attendance at training, will be determined in accordance with Council's Councillor Expenses and Facilities Policy.

Councillor Training and Development Policy

10 EVALUATION

- 10.1** Council will evaluate the Professional Development Program at the end of each council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfil their civic roles.

11 REPORTING

- 11.1** The General Manager will publicly report each year in Council's annual report:
- 11.1.1 The name of the Mayor and each individual Councillor that completed Council's induction program (where an induction program has been delivered during the relevant year)
- 11.1.2 The name of the Mayor and each Councillor who participated in any ongoing professional development program during the year
- 11.1.3 The number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program, and
- 11.1.4 The total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

12 POLICY DEFINITIONS AND ABBREVIATIONS

Act	means the <i>Local Government Act 1993</i> (NSW).
Council	means Cessnock City Council.
Council Official	includes Councillors, members of staff (permanent, casual or temporary), Council advisors, administrators, Council committee members, volunteers and delegates of Council.
Professional development	means the advancement of skills or expertise to succeed in the role of a Councillor through continued education.

13 POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
TBA	Authorised to procure training and development activities for Councillors in accordance with this Policy	Governance and Council Support Coordinator Council Services Team Leader Executive Assistant to the General Manager

14 POLICY ADMINISTRATION

Directorate	Corporate and Community Services		
Responsible Officer	Governance and Council Support Coordinator		
Associated Procedure	N/A		
Policy Review Date	23-10-2027	Is this a local policy pursuant to Part 3, Chapter 7 of the <i>Local Government Act 1993</i> (NSW)?	No
Document Reference Number	DOC2018/026347 (Final web version) DOC2024/142758 (Draft Word version)		
This policy supports Council's compliance with the following legislation:			

Councillor Training and Development Policy

– Part 8A, <i>Local Government (General) Regulation 2021</i> (NSW)	
This policy contributes to the achievement of the following desired outcome or objectives as per Council's Delivery Program:	
– 5.1.1 Provide professional development opportunities for Councillors	
– 5.1.2 Conduct pre-induction and induction programs for the 2024 Local Government election.	
Related Documents (include reference document numbers)	<ul style="list-style-type: none"> ▪ Records Management Policy (DOC2019/038769) ▪ Councillor Expenses and Facilities Policy (DOC2020/173726) ▪ Privacy Management Plan (DOC2014/005148) ▪ Code of Conduct (DOC2018/086716) ▪ Councillor Induction and Professional Development Guidelines (Office of Local Government) ▪ Councillor Professional Development Plan template (DOC2023/000807)

15 POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	15/08/2018 (CC55/2018)	New policy adopted
2	19/08/2021 (CC60/2021)	Periodic review
3	19/04/2023 (CC18/2023)	Periodic review: <ul style="list-style-type: none"> - Update to policy template - Update to provisions to include minimum mandatory training requirements - Clarification that reporting is included in Council's annual report
4	TBA	Periodic review in preparation for adoption following 2024 Local Government election. <ul style="list-style-type: none"> - Update to policy template - Updates to align with the Model Policy provided by the Office of Local Government Refer to Council Meeting report for a summary of key changes.

Division: Ordinary Council	Date From:
Committee:	Date To:
Officer:	Printed: Tuesday, 15 October 2024 7:56:21 AM

Action Sheets Report

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
BN8/2023 496	Ordinary Council 17/05/2023	Chadwick, Tony Chrystal, Peter	Proposal for Kurri Curry Festival	31/08/2024	23/05/2023	12/09/2024
<p>23 May 2023 1:36pm Blake, Yvonne - Reallocation Action reassigned to Chadwick, Tony by Blake, Yvonne - Forwarded to Economic Development & Tourism Manager for action and completion.</p> <p>24 May 2023 8:56am Chadwick, Tony Progress against the resolution actions are as follows:., That Council seeks grant funding for business activation in the Cessnock Local Government area by:., 1. Creating and delivering a new event called the Kurri Curry Festival - A grant application for \$135,000 to hold the Kurri Curry Festival and Art Workshop was submitted on 19 Feb 2024 under the NSW Governments Open Streets Program. Council has been successful with this application and are now planning to hold the Kurri Curry Festival on 17 Aug 2024., 2. Designing and installing 3D public street art that compliments the Kurri Murals - Staff have obtained street art cost estimates ready for grant submissions. Public art has been included within the NSW Governments Open Streets Program grant application to deliver the Kurri Curry Festival and Art Workshop. The successful grant application will allow Council to hold a public interactive art workshop on 18 Aug 2024., 3. That the General Manager investigate other business activation opportunities - Suitable opportunities will be added to grant applications if allowed by the grant fund.</p> <p>24 May 2023 9:03am Chadwick, Tony - Target Date Revision Target date changed by Chadwick, Tony from 14 June 2023 to 29 February 2024 - Waiting for a suitable grant fund to open to progress this action.</p> <p>19 Feb 2024 3:36pm Chadwick, Tony - Target Date Revision Target date changed by Chadwick, Tony from 29 February 2024 to 28 June 2024 - Waiting the results of a grant application under the NSW Government Open Streets Program.</p> <p>11 Jun 2024 8:58am Chadwick, Tony - Target Date Revision Target date changed by Chadwick, Tony from 28 June 2024 to 31 August 2024 - The Kurri Curry Festival is being held on 17 and 18 August 2024. The date required changing to meet this time.</p> <p>12 Sep 2024 9:49am Chadwick, Tony - Completion Completed by Chadwick, Tony (action officer) on 12 September 2024 at 9:49:03 AM - The Kurri Curry Festival & Street Art Workshops were successfully held on 17 & 18 Aug 2024.</p>						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE12/2024	Ordinary Council 19/06/2024	Forsyth, Karen Chrystal, Peter	Henry Kendall Entrance draft Planning Agreement	31/10/2024	21/06/2024	9/09/2024
<p>21 Jun 2024 1:57pm Forsyth, Karen Matter endorsed by Council to place the VPA on exhibition. Applicant has to lodge DA modification and both matters will be exhibited at the same time.</p> <p>15 Jul 2024 2:09pm Forsyth, Karen VPA going on exhibition on 18 July 2024 to 15 August 2024</p> <p>29 Jul 2024 10:05am Blake, Yvonne - Target Date Revision Target date changed by Blake, Yvonne from 17 July 2024 to 31 August 2024 - VPA going on exhibition on 18 July 2024 to 15 August 2024</p> <p>29 Jul 2024 10:11am Blake, Yvonne - Target Date Revision Target date changed by Blake, Yvonne from 31 August 2024 to 31 October 2024 - No Council meeting being held until 23 October due to local elections.</p> <p>12 Aug 2024 11:57am Forsyth, Karen Currently on exhibition will end on 15 August</p> <p>09 Sep 2024 11:05am Forsyth, Karen - Completion Completed by Forsyth, Karen (action officer) on 09 September 2024 at 11:05:09 AM - PA came off exhibition and no reportable submissions need to be actions. Planning Agreement signed by the developer and GM.</p>						

Action Sheets Report	Division: Ordinary Council Committee: Officer:	Date From: Date To: Printed: Tuesday, 15 October 2024 7:56:21 AM
-----------------------------	---------------------------------------------------------------------------	---------------------------------------------------------------------------------------------

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
PE15/2024 792	Ordinary Council 17/07/2024	Lewis-Curnoe, Olivia Chrystal, Peter	Outcomes of Exhibition of Removal of Clause 7.11B Planning Proposal	12/09/2024	19/07/2024	9/10/2024
30 Jul 2024 10:42am Lewis-Curnoe, Olivia The Planning Proposal is currently with Parliamentary Council's Office for drafting and an email notification has been sent to people who made submissions. 30 Jul 2024 10:45am Lewis-Curnoe, Olivia - Target Date Revision Target date changed by Lewis-Curnoe, Olivia from 14 August 2024 to 12 September 2024 - Currently with Parliamentary Council's Office for drafting. 09 Oct 2024 10:45am Lewis-Curnoe, Olivia Planning Proposal was notified on the 30 August 2024. 09 Oct 2024 10:48am Lewis-Curnoe, Olivia - Completion Completed by Lewis-Curnoe, Olivia (action officer) on 09 October 2024 at 10:48:09 AM - Planning Proposal has been Gazetted.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
MM6/2024 808	Ordinary Council 21/08/2024	McLachlan, Paul McLachlan, Paul	Kurri Kurri to Maitland Road Corridor Safety	18/09/2024	26/08/2024	28/08/2024
28 Aug 2024 9:49am Pankhurst, Felicity - Completion Completed by Pankhurst, Felicity on behalf of McLachlan, Paul (action officer) on 28 August 2024 at 9:49:46 AM - Letter drafted, reviewed by GM, updated to have Mayor as signatory and issued to Minister.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC45/2024 811	Ordinary Council 21/08/2024	Plumridge, Matthew Maginnity, Robert	Carry Forwards and Revotes 2024-25	18/09/2024	26/08/2024	26/08/2024
26 Aug 2024 11:06am Plumridge, Matthew - Completion Completed by Plumridge, Matthew (action officer) on 26 August 2024 at 11:06:36 AM - Adjusted in budget for 24-25						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC47/2024 812	Ordinary Council 21/08/2024	Drage, Natalie Maginnity, Robert	Notes of the Inqorate Aboriginal and Torres Strait Islander Committee Meeting of the Cessnock City Council held 30 July 2024	18/09/2024	26/08/2024	26/08/2024
26 Aug 2024 10:44am Drage, Natalie - Completion Completed by Drage, Natalie (action officer) on 26 August 2024 at 10:44:53 AM - Resolutions noted.						

Action Sheets Report	Division: Ordinary Council Committee: Officer:	Date From: Date To: Printed: Tuesday, 15 October 2024 7:56:21 AM
-----------------------------	---------------------------------------------------------------------------	---------------------------------------------------------------------------------------------

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC48/2024 813	Ordinary Council 21/08/2024	Barnes, Megan Maginnity, Robert	Draft Aboriginal and Torres Strait Islander Community Action Plan	18/09/2024	26/08/2024	5/09/2024
05 Sep 2024 5:10pm Barnes, Megan Draft Aboriginal and Torres Strait Islander Community Action Plan placed on exhibition 22/08/2024 for a period of ninety (90) days 05 Sep 2024 5:12pm Barnes, Megan - Completion Completed by Barnes, Megan (action officer) on 05 September 2024 at 5:12:28 PM - Draft Aboriginal and Torres Strait Islander Community Action Plan placed on exhibition 22/08/2024 for a period of ninety (90) days.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
CC49/2024 814	Ordinary Council 21/08/2024	Plumridge, Matthew Maginnity, Robert	Financial Statements for the Year Ending 30 June 2024 - Referral for Audit and Council Certification	18/09/2024	26/08/2024	26/08/2024
26 Aug 2024 11:06am Plumridge, Matthew - Completion Completed by Plumridge, Matthew (action officer) on 26 August 2024 at 11:06:48 AM - Referred to auditors as per resolution						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
WI22/2024 817	Ordinary Council 21/08/2024	Jeffery, Warren McLachlan, Paul	Minutes of the Local Traffic Committee Meeting Held 15 July 2024.	18/09/2024	26/08/2024	28/08/2024
28 Aug 2024 9:55am Pankhurst, Felicity - Completion Completed by Pankhurst, Felicity on behalf of Jeffery, Warren (action officer) on 28 August 2024 at 9:55:14 AM - 1. Letter of consent issued to applicant. 2. Letter of consent issued to applicant. 3. noted						

Action Sheets Report		Division: Committee: Ordinary Council Officer:	Date From: Date To:	Printed: Tuesday, 15 October 2024 7:50:22 AM		
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	29/11/2024	
1571 MOTION 1571 RESOLVED	Moved:	Maginnity, Robert Councillor Dunn	Seconded:	Councillor Fitzgibbon		
<ol style="list-style-type: none"> 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. 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. 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. <p>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</p> <p>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,</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>						

<p>Division: Committee: Officer:</p>	<p>Ordinary Council</p>	<p>Date From: Date To:</p>
<p>Action Sheets Report</p>		<p>Printed: Tuesday, 15 October 2024 7:50:22 AM</p>
<p>26 May 2022 9:22am Waghorn, Peter Bellbird Park Bowling Club officials have confirmed that Marshall Scott Surveyors were engaged by the previous Board to prepare a plan of acquisition. Once the draft plan is provided to Council for review and verification, the process to reclassify the identified portion of Bellbird Park can be commenced. Transfer of the land to the Club can only be effected on gazettal of the reclassification.</p> <p>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 be commenced. Transferring ownership to the Club is deferred pending gazettal of the land reclassification for Community to Operational land.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p> <p>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. .</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>24 Nov 2023 9:41am Waghorn, Peter No further updates from Property Services pending completion of land reclassification process and subsequent land transfer</p> <p>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</p> <p>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.</p>		

<p>Division: Ordinary Council Committee: Officer:</p>	<p>Date From: Date To:</p>
<p>Action Sheets Report</p>	<p>Printed: Tuesday, 15 October 2024 7:50:22 AM</p>

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE24/2022	Ordinary Council 20/04/2022	Rush, Iain	Planning and Environment	Draft Local Planning Framework for the Cessnock LGA Vineyards District	31/10/2024	
75 MOTION 75 RESOLVED	Moved:	Chrystal, Peter Councillor Burke	Seconded:	Councillor Grine		
1.	That Council requests a Gateway determination in respect of the Cessnock Vineyards District Planning Proposal from the NSW Department of Planning and Environment, pursuant to the <i>Environmental Planning and Assessment Act 1979</i> .					
2.	That Council requests authorisation under Section 3.31 of the <i>Environmental Planning and Assessment Act 1979</i> to act as the local plan-making authority to make the Local Environmental Plan.					
3.	That Council undertakes consultation with public authorities and the community as determined by the Gateway determination.					
4.	That Council exhibits the Draft Cessnock Vineyards District Local Character Statement and Development Control Plan with the Planning Proposal.					
5.	That Council receives a report back on the Planning Proposal and draft local planning framework, following public exhibition.					
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p> <p>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.</p> <p>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.</p> <p>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</p>						

Division: Ordinary Council	Date From:
Committee:	Date To:
Officer:	Printed: Tuesday, 15 October 2024 7:50:22 AM
Action Sheets Report	

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.

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	30/08/2024	
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.					
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.					
02 Mar 2023 9:41am Eveleigh, Nathan	BookEasy set-up in final testing phase for Bellbird Community Hall before going live.					
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.					
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.					

Division: Ordinary Council	Date From:
Committee:	Date To:
Officer:	Printed: Tuesday, 15 October 2024 7:50:22 AM

Action Sheets Report

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.

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.

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.

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.

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.

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.

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	1/12/2024	
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						

Action Sheets Report	Division: Committee: Ordinary Council Officer:	Date From: Date To: Printed: Tuesday, 15 October 2024 7:50:22 AM
-----------------------------	---------------------------------------------------------------------------	---------------------------------------------------------------------------------------------

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		
That Council:						
1. 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.						
2. Requests the Expression of Interest results be provided to the Strategic Property and Community Facilities Committee for consideration and advice to Council.						
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.						
29 Jul 2024 2:42pm Hooper, Carolyn Initial planning commenced on EOI process.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE10/2024	Ordinary Council 19/06/2024	Mewing, Jenny	Planning and Environment	Proposed Amendment of Development Control Plan Chapter E20 Regrowth Kurri Kurri	31/12/2024	
770 MOTION 770 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Sander		
1. That Council place draft chapter E20 Regrowth Kurri Kurri of the Cessnock Development Control Plan 2010 on public exhibition for a minimum period of 28 days.						
2. That subject to no unresolvable submissions, Council adopt Chapter E20 Regrowth Kurri Kurri of the Cessnock Development Control Plan 2010.						
25 Jun 2024 8:56am Mewing, Jenny Exhibition to commence 1 July until 29 July 2024						
23 Jul 2024 8:11am Mewing, Jenny Draft Chapter on exhibition						
22 Aug 2024 8:20am Mewing, Jenny Exhibition concluded. One submission received. Consideration of matters raised being considered						
23 Sep 2024 8:19am Mewing, Jenny Consideration of submissions						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
------	---------	------------------	---------	---------	-------------	-----------

Action Sheets Report		Division: Ordinary Council	Date From:	Date To:	Printed: Tuesday, 15 October 2024 7:50:22 AM	
PE13/2024	Ordinary Council 19/06/2024	Rush, Iain	Planning and Environment	Cessnock City Wide Infrastructure Contribution Plan 2020 - Review and Options Paper	28/02/2025	
773 MOTION 773 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Burke		
<p>That Council endorse:</p> <ol style="list-style-type: none"> The refined Works Schedule for residential development; and 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: <ul style="list-style-type: none"> <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. 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. <p>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.</p> <p>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.</p> <p>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</p>						
Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN6/2024	Ordinary Council 19/06/2024	Donnelly, Patricia	Business With Notice	Bin Collection	30/04/2025	
784 MOTION 784 RESOLVED	Moved:	McLachlan, Paul Councillor Hawkins	Seconded:	Councillor Grine		
<ol style="list-style-type: none"> 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. 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. 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. 						

Division: Ordinary Council	Date From:
Committee:	Date To:
Officer:	Printed: Tuesday, 15 October 2024 7:50:22 AM
Action Sheets Report	

24 Jun 2024 1:10pm Pankhurst, Felicity - Reallocation
 Action reassigned to Donnelly, Patricia by Pankhurst, Felicity - For action by E&W team

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.

24 Jun 2024 5:00pm Donnelly, Patricia - Target Date Revision
 Target date changed by Donnelly, Patricia from 17 July 2024 to 30 April 2025 - As per notes including timeframes required to prepare this.

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	1/11/2024	
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						
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.						

Action Sheets Report	Division: Committee: Ordinary Council Officer:	Date From: Date To: Printed: Tuesday, 15 October 2024 7:50:22 AM
-----------------------------	---------------------------------------------------------------------------	---------------------------------------------------------------------------------------------

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	18/09/2024	
MOTION 810 RESOLVED	Moved:	Chrystal, Peter Councillor Hill	Seconded:	Councillor Sander		
<ol style="list-style-type: none"> 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. 						
<p>27 Aug 2024 10:00am Manning, Mark Public exhibition of draft Aboriginal Cultural Heritage Management Plan commenced on 23 August 2024</p> <p>09 Oct 2024 11:06am Manning, Mark Public exhibition of draft Aboriginal Cultural Heritage Management Plan to close on 21 November 2024</p>						