



Vincent Street
CESSNOCK 2325

11 March 2008

To All Councillors

You are hereby notified that the next Meeting of the Strategic & Community Services Committee will be held in the Council Chambers, on Wednesday, 19 March 2008, commencing at 6.30 pm, for the purpose of transacting the undermentioned business.

**B R MORTOMORE
GENERAL MANAGER**

AGENDA:

PAGE NO.

(1) APOLOGIES.

(2) CONFIRMATION OF MINUTES.

Minutes of the Strategic & Community Services Committee
Meeting held on 5 March 2008

(3) OFFICERS' REPORTS

ACTING DIRECTOR STRATEGIC & COMMUNITY SERVICES

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23/2008	Cessnock Community Performing Arts Centre – Construction Progress Report No. 2	20
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(4) QUESTIONS WITHOUT NOTICE.

Petition: The [undersigned] petitioners therefore ask Cessnock Council to consider placing speed humps from Lochinvar Street Bellbird up to the Catherine [Street] and Mathieson Street road sign, which also needs a barrier to minimise the high risk of a tragic accident occurring in the future.

It is difficult to support the applicant's claims that traffic speeds are high through the intersection, given that several years ago, raised concrete medians were installed on all three approaches and the kerb lines were adjusted to channelize the intersection and narrow the pavement at the entry points. The Mathieson Street approach (from the south) has the "Stop" restriction (single posted 'A' size sign) and the approach alignment is curved so that the approach path is "square" to the Keelendi Road / Catherine Street priority legs. All approaches have short lengths of double unbroken (BB) markings that are in reasonable condition.

The installation of speed humps is not supported because they create a noise impact on adjoining resident's amenity well after an apparent speed problem has passed, they are not installed outside of Local Area Traffic Management Schemes and this section of Mathieson Street does not have kerb and gutter constructed. Any traffic calming devices installed before the road is reconstructed (to include kerb and gutter) will result in motorists driving around them.

The installation of additional linemarking, upgrading the "Stop" restrictions to double posted 'B' size and monitoring the effectiveness of the new measures with traffic classifiers is considered a reasonable treatment.

RECOMMENDED that:-

1. The existing "Stop" restrictions in Mathieson Street Cessnock at Keelendi Road / Catherine Street be upgraded to size 'B' and double posted;
2. The existing double unbroken (BB) markings on all three approaches to the above intersection be re-marked;
3. Edge markings (E5) be installed around all raised traffic islands and edge lines (E1) be installed on all approaches.

ITEM NO: 08/007 VINCENT STREET CESSNOCK – KERBSIDE PARKING

Applicant advises that car parking for the three businesses he runs is always full and that he needs more on street parking in the vicinity of his business. He also objects to the new "Taxi Stand" created over the frontage of the adjacent Ex-Services Club as it reduces the amount of available parking in the area.

The applicant's request for the provision of additional parking spaces on Vincent Street near the Cessnock Ex-Services Club (through the removal of the kerb blister treatment) was referred to the RTA for investigation as this section of Vincent Street forms part of the State Road (MR 220).

Written advice received from the RTA on 25 January 2008 indicates that the removal of the kerb blister gardens is not supported because it forms a gateway treatment (in conjunction with the "40 km/h High Pedestrian Area" signage) on the approach to the Cessnock CBD and assists in slowing down and notifying passing traffic of a changed traffic environment. The blisters were installed as part of the main street upgrade after consultation with both the local community and Council.

The recent change to the “Taxi Zone” at the Cessnock Ex-Services Club from a timed zone to a permanent zone was undertaken in consultation with the Ex-Services Club and the Taxi Co-operative to assist with the movement of Club patrons during the recent renovation works. Council’s decision to temporarily change the “Taxi Zone” from a timed zone to a twenty four hour / seven day a week operation included a review of its operation at the conclusion of the renovation work. This review involved consultation with the Club Management and the Taxi Co-operative and indicated that a return to a timed operation on weekends will not affect taxi operations or the Club.

The return to a timed “Taxi Zone” will make the parking spaces that are taken up with the “Taxi Zone” available for parking on week days.

RECOMMENDED that:-

1. The RTA advises that removal of the kerb blister gardens on Vincent Street Cessnock at Revvins Auto One is not supported;
2. The existing “Taxi Zone” on Vincent Street outside the Cessnock Ex-Services Club be returned to operational times of 6.00pm to 6.00am Friday to Sunday) on confirmation that work at the Club has concluded.

ITEM NO: 08/008 ALKIRA AVENUE CESSNOCK - DELINEATION AND MARKINGS AT PANGARI AVENUE

Can delineation and linemarking be arranged for the traffic islands at the intersection of Alkira Avenue and Pangari Avenue East Cessnock. Signs are being continually vandalised and removed from the traffic islands and applicant would like to remove all the signage and increase the linemarking and delineation (reflective markers, city studs etc) as a measure to limit the significant loss of signage

The installation of edge markings around the existing concrete islands in Alkira Avenue at Pangari Avenue, including the installation of reflective markers on the edges of the islands, painting the islands white and installing double unbroken (BB) markings on the approaches is supported.

RECOMMENDED that:-

1. Edge markings (E5) be installed around the existing raised concrete islands at the Alkira Avenue / Pangari Avenue Cessnock intersection;
2. The existing raised islands be painted white and reflective markers installed;
3. Short lengths of double unbroken (BB) centreline markings be installed on all approaches to the intersection.

ITEM NO: 08/012 KEENE STREET CESSNOCK – PEDESTRIAN REFUGE AT NORTH AVENUE

Customer has complained about pedestrians assuming right of way when crossing Keene Street near the Cooper Street intersection. There is no marked pedestrian crossing and pedestrians are assuming that, as there is a pedestrian refuge island, that they can just walk out in front of oncoming traffic. Customer says he has had several incidences of this happening and feels there should be signage advising that it is not a crossing.

The intersection of North [Avenue] and Keene Streets is very busy with both vehicle and pedestrian traffic. There is currently a pedestrian crossing on this corner in North Street enabling pedestrians to safely cross this road. However, there is currently no pedestrian crossing over Keene Street, meaning pedestrians currently battle with the vehicular traffic in this area to cross this road.

Construction of a raised pedestrian refuge (of similar shape to the painted median) is also recommended to be listed for funding in the Traffic Facilities Programme.

RECOMMENDED that:-

1. A painted median be installed in Gordon Avenue Cessnock at Quarrybylong Street;
2. Construction of a pedestrian refuge be listed for funding in the Traffic Facilities Programme.

ITEM NO: 08/017 HOPETOUN STREET KURRI – HAZARDOUS VEHICLE MOVEMENTS

Applicant requests sealing of the gravel shoulders to stop dust and provide a safe surface and stop the young drivers who are speeding in the street.

Outside the resident's address, Hopetoun Street has a sealed central carriageway with wide gravel shoulders and no kerb and gutter. On roads of this configuration, it is difficult to support any form of traffic calming device on the carriageway (to reduce the instances of vehicle speed of concern to the resident) and enforcement remains the only reasonable measure to curb instances of such behaviour, pending road reconstruction / kerb and gutter construction.

RECOMMENDED that:-

1. The NSW Police be requested to patrol Hopetoun Street Kurri for speed related offences;
2. Council's Roads Bridges & Drainage Section be requested to list kerb and gutter construction / shoulder sealing in Hopetoun Street between Heddon Street and Greta Street for consideration in a future Construction Programme.

ITEM NO: 08/018 HAMPDEN STREET KURRI - PRAM RAMP AT SENIOR CITIZENS HALL

Councillor Maybury advises that the new footpath needs a pram ramp outside the Senior Citizens Hall in Hampden Street.

Council has investigated the construction of a new access ramp through the kerb on the Hampden Street frontage of the Kurri Senior Citizens Hall and determined that a new ramp and associated footpath link from the existing "Disabled Parking" spaces (directly in front of the Hall) will not comply with access grade requirements for disabled persons (1:14 slope). As a result, the investigation has recommended that the two spaces be relocated approximately 12m east (to the eastern end of the car park cluster in which the existing spaces are located).

The construction of the new kerb ramp at the new location (and the new footpath link to the Hall) will permit the required grades to be met. Net parking loss will be zero as the vacated spaces will be returned to normal parking.

RECOMMENDED that:-

1. The two existing "Disabled Parking" spaces in Hampden Street Kurri, outside the Senior Citizens Hall, be relocated 12m to the east;
2. The new spaces be signposted and pavement marked to Council requirements.

ITEM NO: 08/021 LANG ST KURRI - RELOCATE BUS STOP AT GRETA ST

Greta Street resident is requesting that the bus stop at the intersection of Greta Street and Lang Street Kurri (on the southern side - Cessnock bound) could be relocated to the other side of Greta Street so that alighting from the bus is easier. Where it is currently located, there is no kerb & gutter and often the bus may be sitting up on a ridge of dried mud, causing the bus to be higher from the ground. The ideal location for the bus stop has a box culvert (and possibly, kerb and gutter) and it is easier for alighting passengers to step onto. There is no shelter at the present site, only a post.

COMMENT:

The current location of the bus stop (for services from Maitland) is on the south-eastern corner of the intersection, adjacent to a sealed shoulder that slopes towards the edge of the Lang Street carriageway. With no change in grade from the grassed footpath to the sealed shoulder, the difference in level between the bottom step of the bus and the road shoulder is approximately 200-300mm, despite a number of buses operating this service being fitted with “kneeling” hydraulic equipment that allows the bottom step to be lowered closer to the road surface for mobility impaired patrons.

At the proposed bus stop location on the south-western side of the intersection, the unsealed shoulder slopes towards the table drain and a drainage pit (with a 250mm kerb lintel) acts as a step for elderly patrons, permitting a height difference between the bottom step of the bus and the top of the kerb lintel of approximately 50mm.

Rover Motors has trialled the use of the proposed location since late November 2007 without complaint or concern.

RECOMMENDED that:-

1. The existing bus stop on Lang Street Kurri, on the eastern side of Greta Street, be relocated to the eastern side of Greta Street;
2. Sealing of the road shoulder at this location be listed for consideration in a future Shoulder Construction Programme.

ITEM NO: 08/022 WOLLOMBI ROAD WOLLOMBI - "NARROW BRIDGE" SIGNS

Applicant states that the new advance warning "Narrow Bridge 25 km/h" signs on the three bridges closest to Wollombi (in particular, Sweetmans Creek Bridge and Slacks Creek Bridge) will increase the numbers of crashes as tourists will obey the signs (thinking that they are speed limit signs) and drive over these bridges at the advisory speed on the signs. However, the locals (including Lovett's Earthmoving trucks) will ignore them. Applicant believes that because of limited sight distance due to trees (particularly on the approaches to Slacks Creek Bridge), tourists will become a slow moving hazard and will end up being involved in a crash at the bridge(s).

The recent installation of “Narrow Bridge 25 km/h” advisory signs was carried out in response to concerns about the condition of the abutments at Sweetmans Creek Bridge caused by heavy trucks crossing the bridge at speed.

While the speed limit on Wollombi Road is now 80 km/h (previously 100 km/h), the applicant maintains that trucks are still travelling at speed over the bridges. Council does not have current traffic classification data near the bridges to verify the applicant's claims, however the retention of the advance warning and advisory speed signs is supported to assist in maintaining the structural life of the bridges pending their replacement.

All three bridges remain listed in Council's Bridge Replacement Programme.

With regard to sight distance disruption caused by trees, access to the creek bed to remove tree growth at Sweetmans Creek Bridge would be difficult, due to the steep creek banks and limited space on the adjacent road shoulders. At Slacks Creek Bridge, the combination of left curve horizontal alignment and cut embankment on the northern approach are considered impediments to the available sight distance and tree removal on the inside of the curve would offer little or no benefit.

A reduction in the recommended safe travel speed on the northern approach to the curve immediately north of Slacks Creek Bridge would complement the existing 25 km/h advisory speed applying to the bridge, as would a G9-9 "Reduce Speed" sign. Council has investigated the safe travel speed on this curve and recommends that an advisory speed of 65 km/h be applied.

On-going monitoring for a six (6) month period is also recommended to determine if any further action is warranted.

RECOMMENDED that:-

1. A 65 km/h curve advisory speed on the northern approach to Slacks Creek Bridge on Wollombi Road Wollombi be applied;
2. A G9-9 "Reduce Speed" sign be installed on the northern approach to the above curve;
3. Traffic conditions on Wollombi Road at Sweetmans Creek Bridge, Slacks Creek Bridge and Narone Creek Bridge be monitored for six (6) months.

**ITEM NO: 08/023 PAYNES CROSSING ROAD WOLLOMBI – CHICANE
TREATMENT AT CUNNEENS BRIDGE**

Council carried a traffic count between 12 December and 19 December 2007 to determine the nature of vehicles crossing Cunneens Bridge on Paynes Crossing Road, Wollombi. At present, there is a load restriction of 9 tonnes GVM applied to the bridge. This is extensively signposted from the F3 Freeway, Cessnock and Broke.

The results of the traffic count show that there are drivers of heavy vehicles that are ignoring the load limit are continuing to travel across the bridge and are likely to be exceeding the 9 tonne limit. Of note, the traffic count detected one (1) Class 9 vehicle, and two (2) Class 7 vehicles using the bridge. Council has designed a series of permanent traffic barrier chicanes to restrict the length of vehicle crossing the timber bridge. The design plans show the configuration of the chicanes, the location of the U-turn areas provided prior to the bridge and the types of vehicles that can pass through the chicanes and those that cannot. A rigid vehicle of 8.8m length will pass through but a 12.5m rigid vehicle will not. Cars with caravans or trailers will still pass.

Under the Roads Act 1993, Section 115 paragraph 2(e), Council, as the Road Authority, is permitted to erect barriers to protect the property within the road (i.e. the bridge) to help compliance with the 9 tonne load limit restriction. These barriers will stay in place until the replacement bridge is constructed and traffic flows are detoured to the new alignment.

The proposed chicane treatment involves the installation of concrete barriers, arranged in a specific pattern to permit vehicles under 9 tonnes Gross Vehicle Mass to negotiate the weaving alignment through the chicane arrangements at low speed and in single file. The proposal also involves the provision of advance traffic calming / road narrowing chicane treatments on each approach, to reduce approach speeds and to filter out vehicles exceeding the vehicle mass and dimension limits. Suitable u-turn areas are also proposed in advance of these “filter” devices for vehicles exceeding the above limits.

As each advance filter device and chicane treatment narrows the carriageway to a single travelling lane, it is recommended that each advance filter device and chicane treatment be signposted in accordance with the RTA’s narrow bridge requirements as follows:-

1. A “Stop” or “Give Way” priority control on the approach with best sight distance;
2. “No Overtaking Or Passing” condition on the opposite approach;
3. Advance warning and supplementary lane condition signage.

The signposting plans (tabled at the Traffic Committee meeting) comply with these requirements and the following comments are made with respect to each sheet of the proposed plans. All regulatory and advance warning signage should be minimum size “B” and installed with associated pavement markings where required.

It is recommended that the chicane treatments and supporting signposting and linemarking, as per the amended plans, be approved.

RECOMMENDED that the proposed chicane treatments, traffic control signposting and pavement markings on Paynes Crossing Road Wollombi on the approaches to Cunneens Bridge be approved in accordance with the Traffic Committee report and amended plans Ref. No.4433 / ID 07/08/:3754.

ITEM NO: 08/024 BARTON STREET KURRI – SIGNPOSTING AND PAVEMENT MARKINGS FOR NEW KFC DEVELOPMENT

Consideration of proposed on-street parking restrictions and the internal car park signposting and pavement marking associated with the new KFC development, located near Victoria Street, in accordance with condition 8 of the Local Development Committee (Traffic) recommended conditions relating to DA 8/2006/630/1.

The signposting and pavement markings shown on the amended site layout plan No.07/08/:3782 comply with the Local Development Committee (Traffic) recommended conditions of consent when the development application (DA 8/2006/630/1) was considered in August 2006 and it is recommended that they be approved.

RECOMMENDED that the proposed signposting and pavement markings in Barton Street Kurri, at the new KFC development, be approved in accordance with amended plan No.07/08/:3782.

ITEM NO: 08/025 WESTCOTT STREET CESSNOCK – PROPOSED PEDESTRIAN REFUGE AT BOOMERANG STREET

Consideration of proposed pedestrian refuge (including associated “No Stopping” kerbside restrictions, “Keep Left” signs and pavement markings) in Westcott Street at Boomerang Street. The proposal is a Traffic Facility Programme project for 2007 / 08.

The proposed refuge island and its associated signposting and pavement markings (as shown on the amended design plan No.07/08/:3775) comply with RTA requirements and it is recommended that the plan be approved.

RECOMMENDED that the proposed pedestrian refuge and associated signposting and pavement markings in Westcott Street Cessnock, at Boomerang Street, be approved in accordance with amended plan No.07/08/:3775.

ITEM NO: 08/026 GRETA STREET KURRI - TRAFFIC CALMING AT ABERDARE STREET

Consideration of proposed kerb blisters in Aberdare Street at Greta Street.

The Committee recommends that a full blister treatment be investigated for all approaches to the intersection, with the final design to be returned to the Traffic Committee for final approval before construction commences.

RECOMMENDED that:-

1. A kerb blister intersection treatment at the intersection of Aberdare Street and Greta Street Kurri be approved in principle and further investigated, in accordance with amended concept design plan 07/08/:3768;
2. The final design plans for the proposed intersection treatment be returned to the Traffic Committee for approval.

INFORMAL MATTERS

ITEM NO: 08/001 ABERDARE ROAD ABERDARE – AT COLLIERY STREET

Applicant would like Council to investigate the existing traffic conditions and some measure to reduce apparent confusion when entering the Aberdare Road / Colliery Street state road intersection. He says that traffic entering from Colliery Street (north) or Aberdare Road (east) does not give way to state road traffic because drivers assume that all eastbound traffic movements will follow the state road route and turn right into Colliery Street. Applicant suggests the installation of a roundabout may help reduce these instances.

The intersection of Aberdare Road and Colliery Street is controlled by a “Stop” restriction on the Colliery Street northern approach, with a “Give Way” control on the Colliery Street north and Aberdare Road east approach. Pavement markings at the intersection follow the major traffic movement along the State Road – Aberdare Road west / right turn into Colliery Street south and vice versa.

Sight distance in Aberdare Road east is well in excess of the minimum requirement in the RTA warrant for “Give Way” controls and as such, a change from the existing “Give Way” control is not supported.

The installation of a roundabout (or any other traffic facility) at the intersection would be dependent on further investigation and funding by the RTA as it relates to the State Road.

RECOMMENDED that the RTA be requested to investigate appropriate intersection improvements at the intersection of Aberdare Road and Colliery Street Aberdare.

ITEM NO: 08/002 CESSNOCK ROAD ABERMAIN RECONSTRUCTION – SWAMP CREEK BRIDGE TO GRAFTON STREET

Changes to traffic lanes and parking on Cessnock Road Abermain (MR 588) associated with pavement reconstruction from Swamp Creek Bridge to Grafton Street.

It is the RTA's determination that, based on the current accident records, the installation of traffic control signals (TCS) at the intersection of Orange Street and Cessnock Road is not warranted at this stage, however the RTA intends to include the provision of conduits and minor pavement widening between Charles Street and Orange Street (westbound) to assist with the construction and traffic staging and allow for the possibility of a signalised intersection treatment in the future, should the need arise.

The following works are to be included on the final design plans to improve traffic flow and safety:-

1. Installation of a "No Stopping" area on Cessnock Road opposite Charles Street, 20 metres either side of the Charles St intersection to improve traffic flow and reduce the risk of accidents at this location;
2. Widen the approach to Cessnock Road at Charles Street to provide both a dedicated left and right turn lane into Cessnock Road;
3. Change the linemarking in Orange Street to allow for both a left and right turn lane from Orange Street into Cessnock Road;
4. Provision of conduits and minor pavement widening between Charles Street and Orange Street (westbound) to assist with the construction and traffic staging and allow for the possibility of a signalised intersection treatment;
5. Amendments to the linemarking arrangements in the vicinity of the Charles Street intersection to make provision for cyclists heading westbound;
6. In addition, the RTA will co-ordinate the re-opening of Elizabeth Street (which has been closed due to flood damage) to provide an additional / alternate route for vehicles which will assist with traffic staging during construction.

The installation of "No Stopping" restrictions to assist intersection safety at Charles Street will assist in reducing the incidences of rear-end crashes, however it will also have a major impact on kerbside parking for the adjacent businesses because of a lack of off-street parking. Further RTA investigation of the available crash history, to determine if timed restrictions can be applied as a balance between safety and amenity, is recommended.

Other works that should be identified on the final design plans is formalisation of "No Stopping" restrictions in Orange Street, which was not included in the recent upgrade to the marked pedestrian crossing. It is also recommended that a copy of the final design plans be referred back to the Traffic Committee for final consideration.

RECOMMENDED that:-

1. The RTA be requested to investigate:-
 - The provision of timed parking restrictions on Cessnock Road Abermain opposite the Charles Street intersection;
 - "No Stopping" restrictions in Orange Street at Cessnock Road
2. A copy of the final design plans be returned to the Traffic Committee for final consideration.

ITEM NO: 08/004 MURRAY STREET ABERNETHY - SEMI-TRAILERS USING ROAD BETWEEN ABERNETHY AND KITCHENER

Request from customer to investigate large trucks (semi trailers) using the Abernethy - Kitchener Road. The road is not wide enough and other traffic is pushed off the road, also they are travelling at high speeds.

Council's last traffic count on Murray Street was in early June 2006, with an ADT of 384 vehicles and 5.1% heavy vehicles. Further analysis of these results indicated that, with reference to the average daily volume, 16 vehicles were class 3 (small trucks or vans), 1 vehicle was a class 4 (single unit bogey axle truck) and 1 vehicle was a class 9 (tri-axle semi-trailer).

The 85th percentile speed recorded in the survey was 91.1 km/h.

The case for the imposition of a load limit is not supported by the current condition of the road pavement, except for tabledrain scouring and erosion of the pavement edge in isolated locations. Routine maintenance to correct these deformations is recommended to ensure that a full width pavement is available for both directions of traffic flow.

The installation of a traffic classifier is also recommended to determine the level of usage by heavy vehicles and vehicle speeds.

RECOMMENDED that:-

1. Routine maintenance on Murray Street Abernethy be carried out to correct pavement edge deformation and tabledrain scouring;
2. A traffic classifier be installed at a suitable location and the results be returned to the Traffic Committee for further consideration.

ITEM NO: 08/006 JOHN RENSHAW DRIVE BLACK HILL – TURNING LANE AND SIGNAGE

Applicant would like an inspection of right hand turn from John Renshaw Drive into Blackhill Road. He feels this is a potential accident site with area of road in question being [speed zoned] 100 km/h and when car is stopped to turn right, traffic approaching from behind (in particular, trucks) are not slowing from 100 km/h and are swerving to left suddenly. Requests a possible turning lane and increased signage.

John Renshaw Drive remains a State Road (MR 588) and it is recommended that the RTA be requested to investigate the provision of a sheltered right turn lane at the intersection.

RECOMMENDED that the RTA be requested to investigate the installation of a sheltered right turn lane on John Renshaw Drive Black Hill at the Blackhill Road intersection.

ITEM NO: 08/009 MAITLAND ROAD CESSNOCK - PARKING AT ANSTEY ST

The new crossing upgrade works on Maitland Road at Anstey Street has left a single unrestricted parking space on the eastern approach to the crossing, out the front of the butcher shop. Could it be turned into timed parking similar to what was there before the crossing was upgraded, to indicate to motorists that the space is available for parking (apparently motorists think they can't park there because of the "No Stopping" signs at each end of the space).

This request was referred to the RTA on 22 November 2007 as it relates to the State Road (MR 588) and in response, the RTA has advised that it supports the installation of 30 minute parking restrictions applicable during business hours and that the installation of the signs is expected to be completed by the end of February 2008.

RECOMMENDED that the RTA advises that the installation of 30 minute parking restrictions, applicable during business hours, is supported and the signposting work will be completed by the end of February 2008.

ITEM NO: 08/010 MAITLAND ROAD CESSNOCK - LANE PRIORITY AT VINCENT STREET

Question Without Notice from Council meeting of 21 November 2007:-

Councillor Bedford asked whether a designated left hand turn lane could be established at the intersection of Vincent Street / Maitland Road.

Maitland Road at Vincent Street forms the junction of two State Roads (MR 588 and MR 220) under the care and control of the Roads & Traffic Authority. Advance notification of the request was also forwarded to the RTA in November 2007.

RECOMMENDED that the RTA be requested to investigate the provision of a dedicated left turn lane on Maitland Road Cessnock at Vincent Street.

ITEM NO: 08/011 NORTH AVENUE CESSNOCK – PEDESTRIAN SAFETY AT TAFE CAMPUS

Earlier in 2007, Council's Recreation and Community Services Section undertook some community consultation with young people and many of the young people surveyed from Cessnock TAFE commented that it is hard to cross North Avenue due to the speed at which the cars travel. If it helps approximately 5-10 young people made this comment

North Avenue was inspected on 30 January 2008 to initially determine if a significant number of pedestrians were crossing North Avenue near the TAFE College. From the inspection it was determined that pedestrian numbers are low and that the need for a crossing facility was not justified. The TAFE College is a large, unfenced property and a specific location for any crossing facility would be difficult to determine, given that no specific exit point from the grounds exists and likely numbers of movements is low.

No recent traffic volume and speed data exists for this section of North Avenue, however data from 2003 indicates that speeds and volumes are within acceptable tolerances for a link road of this type.

Monitoring North Avenue (which may include traffic classifier surveys) is recommended to determine if the need for a pedestrian facility becomes a higher priority.

Scope exists for an edgeline treatment accommodating a shared parking / cycleway lane between the roundabout at Darwin Street and South Avenue, however completion of this link would depend on the completion of upgrading of an existing off-road link between South Avenue and Miller Street, via an existing pedestrian bridge over the drainage channel.

RECOMMENDED that traffic and pedestrian volumes in North Avenue Cessnock between Darwin Street and South Avenue be monitored for six months.

ITEM NO: 08/013 VINCENT STREET CESSNOCK - BUS STOP OUTSIDE CENTRELINK

Question Without Notice from Council meeting of 21 November 2007

Councillor Scott referred to a question asked by Councillor Davey and stated that there was a bus stop outside Centrelink that could be moved and make way for at least an extra four car parking spaces.

Advance notification of the request was forwarded to the RTA in November 2007 as the matter relates to the State Road (MR220).

In response, the RTA's investigation indicated that "the bus zone has been situated at this location for a number of years. It is also understood that Rover Motors do not want the bus zone relocated from its present location. Therefore it is advised that this office does not support the relocation of the bus zone from its present location."

This information was forwarded to Councillor Scott.

RECOMMENDED that the RTA advises that relocation of the existing bus zone in Vincent Street Cessnock outside Centrelink is not supported.

ITEM NO: 08/015 VINCENT STREET CESSNOCK – ADDITIONAL PARKING NEAR PERFORMING ARTS CENTRE AND CENTRELINK

Question Without Notice from Council meeting of 21 November 2007

Councillor Davey asked for the removal of landscaping opposite the Performing Arts Centre in Vincent Street to create additional car parking in that area.

The request for the provision of additional parking spaces on Vincent Street near the Cessnock Ex-Services Club (through the removal of the kerb blister treatment) was referred to the RTA for investigation as this section of Vincent Street forms part of the State Road (MR 220).

Written advice received from the RTA on 25 January 2008 indicates that the removal of the kerb blister gardens is not supported because it forms a gateway treatment (in conjunction with the "40 km/h High Pedestrian Area" signage) on the approach to the Cessnock CBD and assists in slowing down and notifying passing traffic of a changed traffic environment. The blisters were installed as part of the main street upgrade after consultation with both the local community and Council.

This information was forwarded to Councillor Davey.

RECOMMENDED that the RTA advises that removal of the kerb blister gardens on Vincent Street Cessnock outside Centrelink is not supported.

ITEM NO: 08/016 LONG STREET CESSNOCK - TURNING LANE AT MAITLAND ROAD & VEHICLE SPEEDS

The applicant contacted Council from Mr K Hickey MP's office via Councillor Parsons, whose traffic concerns in Long Street are:-

1. No turning lanes on Maitland Road at Long Street intersection to provide safe turning movements;
2. The volume and speeds of through traffic using Long Street.

The provision of a turning lane on the State Road (Maitland Road – MR 588) at Long Street is the responsibility of the RTA.

Secondly, Council has no current traffic volume data for Long Street and it is recommended that a traffic classifier be installed at a suitable location to verify the applicant's concerns. It is also recommended that the results of the traffic classifier survey be returned to the Committee to determine if further action is required.

RECOMMENDED that:-

1. The RTA be requested to investigate the provision of a sheltered turning lane on Maitland Road Cessnock at Long Street;
2. A traffic classifier be installed a suitable location in Long Street, with the results to be returned to the Committee for further consideration.

ITEM NO: 08/019 LANG STREET KURRI – PEDESTRIAN FACILITY BETWEEN MITCHELL AVENUE AND MERTHYR STREET

Question Without Notice from Council meeting of 21 November 2007

Councillor Besoff asked whether a crossing could be constructed in Lang Street Kurri below the two childcare centres that exists in this location.

Lang Street to the east of the Mitchell Avenue / Victoria Street roundabout is a State Road (MR 195) under the care and control of the RTA – as such, this request (and a similar request from Kurri Towns With Heart Inc) were forwarded to the RTA as advance notification on 30 November 2007 and 5 November 2007, respectively.

RECOMMENDED that the RTA be requested to investigate the installation of a pedestrian facility on Lang Street Kurri between Mitchell Avenue and Merthyr Street.

ITEM NO: 08/020 ALEXANDRA STREET KURRI - NON COMPLIANCE WITH "STOP" SIGN AT NORTHCOTE STREET

Applicant requests Council to investigate increasing the size of the "Stop" signs at Northcote Street and replace the "Stop Sign Ahead" sign in Alexandra Street with a new diamond grade fluoro sign to increase visibility as a number of motorists are ignoring the "Stop" sign.

A site inspection of the intersection was carried out on 30 January 2008 to confirm that there are 'B' size "Stop" signs and a 'B' size "stop Sign Ahead" advance warning sign in Alexandra Street. All signs are in good condition, as are the pavement markings.

The issue of motorists not stopping at the "Stop" sign was last considered by the Traffic Committee on 19 June 2006, with the recommendation being:-

"The RTA be requested to investigate measures to improve conditions in the left turn slip lane in Alexandra Street."

A possible contributing factor to the number of "rear-end" crashes at the intersection is the deflection angle that a vehicle has turned from its original direction when it is stationary at the holding line. Once stationary, a motorist has to turn their line of vision 150 degrees to the right to check for approaching traffic in Northcote Street. This angle is reduced if a vehicle stops further back in the slip lane (approximately 10m back from the existing hold line), at a point where sight distance past the property fencing remains good.

Other means of reducing the deflection angle may be the removal of the left turn slip lane and reduce the radius of the adjacent kerb return so that the approach to the hold point (and the longitudinal axis of the vehicle at the holding point position) is parallel to the Alexandra Street centreline (similar to a typical 'cross' type intersection).

Other measures being investigated by the RTA include improved conditions for right turn movements from Northcote Street into Alexandra Street.

RECOMMENDED that the RTA be requested to investigate long-term intersection improvements in Northcote Street Kurri at Alexandra Street.

RECOMMENDATION that Council endorse the report of the Cessnock City Council Local Traffic Committee meeting held on 18 February 2008.

To: **The General Manager**
Strategic & Community Services
Committee - 19 March 2008

S EADE
ACTING DIRECTOR STRATEGIC &
COMMUNITY SERVICES
4 March 2008

**ACTING DIRECTOR STRATEGIC & COMMUNITY SERVICES
REPORT NO. 21/2008**

SUBJECT: GRANT FUNDS FOR BEYOND BLUE - LOCAL MENTAL HEALTH PROJECT

Social Planner, Ms N Drage, reports:-

Cessnock Youth Centre and Outreach Service have recently been notified that its application for the Local Mental Health Project, an initiative administered by Beyond Blue, was successful. The objective of the Local Mental Health Project is to offer a range of programs specific to mental health and young people.

The \$2000.00 grant monies from Beyond Blue will be used to deliver a series of one off workshops to young people, aged 12-25 years who reside in the Cessnock Local Government Area. In total four different workshops are to be held and will be themed around:

- Relationship Building and Positive Communication
- Strengthening of Self Worth, Self Esteem and Feeling Valued
- Substance Abuse and its relationship to Mental Health

The workshops will be delivered by the trained staff of CYCOS. The workshops will be held at the new premises on Aberdare Road. The workshop details are as follows:

Workshop Title	Workshop Content
'Body Think'	Self Esteem and Body Image. Separate workshops will be Held for both males and females.
'Unique Links'	A three day art therapy workshop. This workshop aims to focus on positive relationship building and effective communication.
'Drumming Workshop'	Aims to develop positive communication techniques that have the potential to enhance participants ability to build relationships using music as a tool to encourage change.
'No Drama'	Drama and visual arts program using video monologues to explore the participant's perspective on their relationship with substance abuse and mental health.

RECOMMENDATION that Council accept the \$2000.00 grant from Beyond Blue.

To: **The General Manager**
Strategic & Community Services
Committee - 19 March 2008

S EADE
**ACTING DIRECTOR STRATEGIC &
COMMUNITY SERVICES**
11 March 2008

**ACTING DIRECTOR STRATEGIC & COMMUNITY SERVICES
REPORT NO. 22/2008**

SUBJECT: REPORT OF THE DOLLAR FOR DOLLAR COMMITTEE MEETING HELD ON 5 MARCH 2008

Planning Assistant, Ms Donna Lorriman Reports:-

A meeting of the Cessnock City Council Dollar for Dollar Committee was held on 5 March 2008 and reports as follows:-

Attendees at the meeting included Mayor Cr J Clarence, Councillor R Besoff, Councillor J Maybury, Recreation & Community Services Manager, Nicole Benson, Land Use Planner, Sarah McMillam and Planning Assistant, Donna Lorriman.

Strategic Land Use Planner Sarah McMillam, outlined the content of the report on the applications received through Council's 2007/2008 Heritage Dollar for Dollar Grant Scheme.

The scheme has a budget allocation of up to \$15,000, comprising \$7,500 from the Heritage Office and \$7,500 from Council.

The Committee resolved to recommend that the following projects are funded through Council's 2007/2008 Heritage Dollar for Dollar Grant Scheme:

SITE/ORGANISATION	DESCRIPTION	COST \$	GRANT \$
Endeavour Museum – 2894 Wollombi Road, Wollombi (Voirrey Cochrane)	Repairs to corrugated iron roof of museum, repair all box gutters and flashings, check leaks over rear passage near cell area, reseal all external gutters and valleys, replace all deteriorated roof sheets and ridges where needed.	\$2090	\$1,000
Mines Rescue Station – 53-55 Armidale Street, Abermain (Glen Chatman)	Replacement of guttering at downpipes.	\$6468	\$1,000
Abermain Hotel – 27 Charles Street, Abermain (Cate Cook or Ian Plater)	Replacement and repairs to Hotel's guttering and downpipes.	\$1375	\$690
Wollombi Cottage – 2883 Wollombi Road, Wollombi (Mary Blazey)	Repairs to the rear wall of the cottage before it falls away.	\$1200	\$600
Mulla Villa Guest House – 3174 Great North Road, Wollombi	Replacement of guttering	\$3960	\$1000
TOTAL		\$15,073	\$4290

The Committee further recommended that Council allocate the balance of the dollar for dollar funds as follows:

1. That the NSW Heritage Office be asked to allocate the balance of its funds (\$5,355) together with Council's balance of \$5,355, providing a total of \$10,710 to be allocated towards improvements to Council owned, Heritage listed buildings, if not;
2. That Council's balance of funds (\$5,335) be allocated towards improvements to Council owned, Heritage listed buildings in the 2007/2008 financial year or;
3. Revote the funds towards the 2008/09 Heritage dollar for dollar grant scheme.

RECOMMENDATION that:-

1. The following projects are funded through Council's 2007/2008 Heritage Dollar for Dollar Grant Scheme:

SITE/ORGANISATION	DESCRIPTION	COST \$	GRANT \$
Endeavour Museum – 2894 Wollombi Road, Wollombi (Voirrey Cochrane)	Repairs to corrugated iron roof of museum, repair all box gutters and flashings, check leaks over rear passage near cell area, reseal all external gutters and valleys, replace all deteriorated roof sheets and ridges where needed.	\$2090	\$1,000
Mines Rescue Station – 53-55 Armidale Street, Abermain (Glen Chatman)	Replacement of guttering at downpipes.	\$6468	\$1,000
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Wollombi Cottage – 2883 Wollombi Road, Wollombi (Mary Blazey)	Repairs to the rear wall of the cottage before it falls away.	\$1200	\$600
Mulla Villa Guest House – 3174 Great North Road, Wollombi	Replacement of guttering	\$3960	\$1000
TOTAL		\$15,073	\$4290

2. Council allocate the balance of the dollar for dollar funds as follows:
 - That the NSW Heritage Office be asked to allocate the balance of its funds (\$5,355) together with Council's balance of \$5,355, providing a total of \$10,710 to be allocated towards improvements to Council owned, Heritage listed buildings, if not;
 - That Council's balance of funds (\$5,335) be allocated towards improvements to Council owned, Heritage listed buildings in the 2007/2008 financial year or;
 - Revote the funds towards the 2008/09 Heritage dollar for dollar grant scheme.
3. Council endorse the report of the Dollar for Dollar Committee meeting held on 5 March 2008.

To: **The General Manager**
Strategic & Community Services
Committee - 19 March 2008

S EADE
ACTING DIRECTOR STRATEGIC &
COMMUNITY SERVICES
11 March 2008

ACTING DIRECTOR STRATEGIC & COMMUNITY SERVICES

REPORT NO. 23/2008

**SUBJECT: CESSNOCK COMMUNITY PERFORMING ARTS CENTRE -
CONSTRUCTION PROGRESS REPORT NUMBER 2**

Recreation and Community Services Manager, Ms N Benson, reports:-

BACKGROUND

On 16 October 2007 North Construction and Building Pty Ltd were engaged to undertake construction of the Cessnock Community Performing Arts Centre (PAC) and works commenced on the site on 29 October 2007.

A summary of the budget that was approved by Council for the project is as follows:-

COMPONENT	COST
Construction costs	6,275,754
Contingencies	440,000
Construction administration & project management	345,250
Raise floor levels	475,000
Electricity kiosk	101,000
Car park and Castlemaine Street stormwater	463,350
TOTAL	8,100,354

The PAC has been divided into three (3) sections and they are referred to as Building A, B or C. A description is as follows:-

- Building A is the two (2) storey building closest to Aberdare Road and will comprise of community offices, meeting rooms, Senior Citizens Room and toilets and changerooms;
- Building B is the centre building that had been demolished will be the theatre, stage and lounge area; and
- Building C is the building closest to the Aberdare Tavern that has been demolished with the exception of the façade and will form the entry foyer, box office and kitchen.

REPORT

Expenditure on the project is proceeding according to the construction program. Allocations have been made from the contingencies budget to address a number of latent conditions and variations. Overall, the project budget is on schedule.

Major activities since last month's report include:-

- Formation and pouring of under stage in situ walls in building B
- Ground slabs to building B continue to be excavated and poured
- Waterproofing to building A has commenced
- The centre portion of the tiered seating structural steel for the theatre has been erected and concrete plats installed
- Pre-cast wall panels to building B erected
- Formation and construction of the lift shaft in building A has commenced

Forecast activities for the coming month include:-

- Continued erection of pre-cast wall panels for building B
- Wall and floor tiling to building A
- Commencement of painting in building A
- Stage floor framing and under stage ceiling framing in building B

Works at the site have not proceeded in accordance with the program as both rain and latent ground conditions have caused delays. The original contract completion date is 31 July 2008. North Construction and Building Pty Ltd have adjusted the program to suit the current site conditions and have continued to concentrate on works in sheltered areas such as building A. The revised contract completion date is 11 September. It should be noted that this date will continue to change as the project progresses. Depending on weather conditions and adjustments to the program the date could actually move closer to the original contract completion date.

Liaison with the Cessnock Senior Citizen's Association and the Samaritans continues with meetings regarding fit-out and timeframes held at regular intervals. Community consultation has been maintained through correspondence and meetings with local schools, dance groups and performing arts committees.

RECOMMENDATION that the information be noted.

To: **The General Manager**
Strategic & Community Services
Committee – 19 March 2008

S EADE
ACTING DIRECTOR STRATEGIC &
COMMUNITY SERVICES
11 March 2008

ACTING DIRECTOR STRATEGIC & COMMUNITY SERVICES
REPORT NO. 24/2008

**SUBJECT: NORTH BELLBIRD PRECINCT – AMENDED STRUCTURE PLAN
RESOLUTION OF COUNCIL AND REQUEST FOR AUTHORISATION TO
EXHIBIT DRAFT LEP**

Consultant Planner, Leanne Saccaro, reports:-

This report relates to the North Bellbird rezoning and the submission of an amended structure plan by the Johnson Property Group (JPG). This follows consideration of the matter by the Department of Planning (DoP) and negotiations between relevant Stakeholders including Government Agencies.

Council previously considered the rezoning submission and resolved to seek authorisation from the Department of Planning (DoP) to exhibit at its Committee meeting held 7 March 2007. The DoP did not issue the required section 65 certificate and representations by the Johnson Property Group to the DoP, in consultation with the Department of Conservation and Climate Change (DECC), have resulted in an amended structure plan being presented to Council. An addendum report, supporting the amended structure plan, was lodged by the JPG with Council in February 2008. The amended structure plan and subsequent amended draft LEP map are the subjects of this report.

In considering the amended structure plan Council needs to have regard to comments received from the Director General of the Department of Planning which requires that Council confirm their previous section 54 resolution(s) to prepare a draft LEP to all of the land the subject of the investigation area. It is noted that the total area of the investigation area has not changed since Council's last consideration of the matter on 7 March 2007, despite the proposed changes to the structure plan.

The previously prepared LES has been considered, concurrent with the consultation with relevant agencies required by Section 62 of the EP&A Act. Notwithstanding the latest amendments to the structure plan, it is considered that the issues raised in the draft LES and during consultation have been resolved to the extent that the draft LEP may be exhibited for public comment. A copy of the LES has been provided to Councillors under separate cover.

It is recommended that Council resolve to exhibit the draft LEP and draft LES for a period of 60 days and seek a Written Authorisation to Exercise Delegations from DoP.

BACKGROUND

In March 2007 Council resolved, pursuant to Section 64 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to seek written Authorisation to Exercise Delegations from the Department of Planning, to allow exhibition of the draft LEP, draft LES and supporting material for the North Bellbird precinct.

Council also resolved to seek any necessary opinions or approvals from the Director General of the Department of Planning (DoP) in relation to the section 117 Directions of the *Environmental Planning and Assessment Act 1979*.

In accordance with the Council resolution of 7 March 2007, authorisation from the DoP was sought seeking a section 65 certificate to enable Council to exhibit the Draft LEP by letter dated 21 March, 2007. This included the draft instrument (Amendment No. 121) and the draft Local Environmental Study (LES). The Director General of the DoP wrote to Council on 24 April 2007 advising that the section 65 certificate was not being issued as there were a number of outstanding matters that were still required to be addressed by Council's submission. These issues involved retention of the 1(v) zone, justification for the clearing of 14.6ha of Endangered Ecological Communities (EEC's) and other administrative matters.

Council's General Manager responded to the DoP requesting reconsideration regarding a meeting held at Councils' offices on 7 June 2007, attended by the DoP and a representative of the Johnson Property Group (JPG) and response letters provided by the JPG.

The DoP replied on 31 August 2007, providing additional clarification of their original letter. This provided that the Department would consider rezoning part of 1(v) zoned land for a proposed residential zoning, with the use of 100m buffers to minimise impacts on any adjoining working vineyard. This letter also reminded Council of the need to address the other issues as raised in the Department's original letter. The DoP letters are included as an attachment to the draft LES.

In November 2007 JPG approached Council with an amended structure plan which included additional areas of residential zoned land and increased areas proposed for clearing, an alternative school site and alternative locations areas for land zoned for large lot residential development. An addendum report, supporting the amended structure plan, was lodged with Council in February 2008.

The amended structure plan appears to have the written support of the DECC subject to biodiversity impacts resulting from the development being offset. Verbal advice from the DoP is that negotiations are currently underway between the DoP, DECC and the JPG regarding the proposed offsets and any Voluntary Planning Agreements (VPAs) which may subsequently apply to the land. A copy of the letter to the DoP from the DECC is included as an attachment in the draft LES.

PROPOSED REZONING

The Bellbird North investigation area forms part of the Black Creek Catchment. It has been identified in the Cessnock City Wide Settlement Strategy (Stage 1) (CWSS) as having potential for urban development. The Lower Hunter Regional Strategy has identified the site as a "major priority release area" having a yield of up to 4,000 lots. The site has a total area of 496 hectares, in a number of ownerships. The rezoning process thus far has been driven by the Johnson Property Group (JPG), which owns or has options over a large part of the site. The studies undertaken to support the proposal, while funded by JPG, cover all of the land in the investigation area, regardless of ownership, and the rezoning proposal prepared by Insite Planning and Engineering on behalf of JPG (hereafter referred to as the JPG submission) makes zoning recommendations for all of the land.

The Lower Hunter Regional Strategy refers to new urban release areas being planned to achieve an average yield of 12 dwellings per hectare. The JPG submission provides for a developable area (ie after removing open space etc) of approximately 303 hectares. At 12 dwellings per hectare this would result in approximately 3,636 dwellings. It should be noted that these yields are somewhat higher than those currently achieved in new release areas in Cessnock LGA, where average yields are estimated to be in the range of 10 to 12 dwellings per hectare. An additional 3,600 residential lots has the potential to increase the population of the town of Cessnock by almost one third.

Amended Structure Plan 2008

When compared to the previous proposal, the amended structure plan includes additional areas of residential zoned land and increased areas proposed for clearing. The proposed school site has been relocated and included as land to be zoned for urban purposes. The plan provides alternative locations areas for land zoned for large lot residential development.

The following table illustrates how the amended structure plan differs from that previously considered by Council and the DoP.

Zone Breakdowns

Zone (Feb 08)	Area (ha)	Comment
R2 R3	267 11	<i>Increase in area for urban purposes of approx. 30.5ha (23.5ha new areas + 4ha school + 3ha previously B4)</i>
Total	278	<i>N.B. 4ha school site not be used in Lot Yield Calculations</i>
R5	22	<i>Overall decrease of 7ha but when taking into account removal of Lots 1 and 2 DP 66183 (14.2ha), there is an additional area of approx 8ha proposed in alternative location(s).</i>
B4	3	<i>Reduction in 'Mixed use' area(s) of 5ha (Now R2/R3 and RE1)</i>
RE1	121	<i>Additional area of 3.14ha (Carmichael Park) – Previously not included. Although all RE1, confirmation of existing vegetated areas to be retained/revegetated and those for passive/active recreation required.</i>
Total	424.0	

Areas to be cleared

March 2007	Feb 2008	Comment
14.6ha	32.96ha	<i>Increase in vegetation to be cleared of 18.36ha. Takes into account 'new' urban areas and additional R5 areas which were previously zoned proposed E2.</i>

The amended structure plan indicates how the yields might be achieved while protecting riparian zones and vegetation. The plan is included at **Attachment A**. For comparative purposes the previous structure plan is included at **Attachment B**.

The structure plan also indicates retention of the majority of the existing 1(v) Vineyard zone in the western most part of the site, which is an area which contains or adjoins existing, active vineyards. The residential components of the structure plan show where medium density housing is proposed, being land in the R3 zone, close to the proposed village centre and in proximity to open space areas and transport links. The proposed zoning plan generally reflects the various components of the structure plan, as discussed below.

Confirmation of Council's Resolution to Prepare

In September 2005 Council resolved, pursuant to Section 54 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to prepare a draft local environmental plan to allow future urban development of the Bellbird North Precinct, as identified in the Cessnock City Wide Settlement Strategy Stage 1. This included those areas added by Council resolutions of 8 December 2004. On 15 February 2006, Council resolved to extend the Investigation Area and these extensions were subsequently agreed to by the Department of Planning (DoP).

The DoP has asked Council to confirm that their resolution to prepare applied to the entire investigation area, including those areas added by Council resolution 15 February 2006. This is included in the recommendations below.

Proposed Zone Map

After discussion with DoP, and given the timing of the new comprehensive LEP for Cessnock, due for completion by March 2008 in accordance with the NSW Government's 'Standard Instrument', it has been decided to utilise the Standard Instrument zones at Bellbird North. These will then integrate easily into the new LGA wide plan, and also provide a range of zone options that better reflect the environmental constraints on parts of the site.

The proposed draft zone map is included at **Attachment C**. The zones proposed are:

R2 – Low Density Residential. This zone covers approximately 267 hectares of the site, including the proposed school site which comprises approx. 4 hectares. This residential zone is intended to provide for dwelling houses and other appropriate uses in the residential zone such as child care centres, community facilities, neighbourhood shops and places of public worship.

R3 – Medium Density Residential. This zone covers approximately 11 hectares of the site and provides for Dwelling houses, dual occupancies, multi dwelling housing and other appropriate uses as per the R2 zone as well as serviced apartments.

R5 – Large Lot Residential. This zone covers approximately 22 hectares of land principally along the northern and north-western edges of the urban area, and acts as a buffer between residential zones and vineyard areas. It is intended that vegetation on these larger lots will provide a visual buffer to the edge of the development as well as providing for maintenance and/or re-establishment of vegetation and habitat corridors through the Investigation Area, to improve linkages with remnant vegetation and existing/proposed corridors.

It is quite similar to the new "Rural Lifestyle Zone" that was proposed with similar intent in the CWSS Stage 1.

B4 – Mixed Use. This zone covers approximately 3 hectares in the village centre, in two areas centrally located within the Investigation Area. This is a commercial zone intended for use where a wide range of land uses are envisaged, including retail, employment, residential community and other uses. The JPG submission envisages medium to high density housing in this zone, close to retail, commercial and community uses.

RE1 – Public Recreation. This zone covers approximately 121 hectares of land including smaller active open space areas as proposed on the Structure Plan and land where sporting ovals will be established. This zone also provides for existing vegetation to be retained, particularly in riparian buffers. The zone is intended to protect land that has high conservation value in areas so nominated by any future DCP applying to the area.

In addition to the zoning controls in the LEP, it is proposed to prepare a detailed Development Control Plan (DCP) which would form part of the Cessnock DCP 2006. The JPG submission proposes that the DCP controls would address:

- housing type, density and location;
- provision and location of community facilities;
- a landscape strategy;
- connection with adjoining land;
- water management provisions; and
- conservation management provisions.

The appropriateness of the proposed spatial extent of the zones is discussed in more detail in later sections of this report.

SECTION 62 CONSULTATION

In September 2006 Council commenced Section 62 consultation pursuant to the EP&A Act. Sixteen (16) agencies were consulted. The comments received were considered by Council at its meeting held 7 March 2007 and are considered in detail in the draft LES.

While no additional formal consultation has been undertaken in relation to the amended structure plan additional advice has been provided to Council by the DoP, DET and DECC. The following issues are considered relevant when considering the comments provided by the s.62 consultation having regard to the amended structure plan:

Relocation of School Site

Originally the Department of Education and Training did not respond to Council's s.62 consultation. The DoP have since advised Council that they are in receipt of a letter from the DET stating that DET agrees to the provision for a Primary School Site of an area of approx 4 hectares to be provided for in the R2 zone. Funding mechanisms, including potential land dedication, are to be considered in any VPA applying to the land and negotiations are currently underway between the State and the proponent. This matter will need to be addressed prior to finalisation of the LEP process.

When commenting on the previous structure plan, the Ministry of Transport recommended that the location of the proposed school be reconsidered (with a view to a more central location, co-located with community facilities and near higher residential densities) and that generally more consideration needs to be given to supporting a modal shift from private cars to public transport, in both the LES and in future subdivision design.

Under the amended structure plan the proposed school site has been relocated, closer to the neighbourhood centre. As this site will not be specifically zoned for a school, as schools are generally permissible in the R2 zone, the final location of the school site will be dependant on a number of factors including consideration of accessibility to transport as raised by the Ministry.

Clearing of EEC's and Revegetation of Riparian Vegetation

Three agencies have either objected to, or recommended against, clearing of any native vegetation on the site. It was previously proposed to clear 14.6 hectares of EECs, retain 55.6 hectares of such vegetation, and replant 86 hectares of vegetation in riparian and other corridor areas.

The structure plan has since been amended to provide for the clearing of a total of 32.96 hectares of EEC's and the retention of 37.24 hectares of such vegetation. No formal commitment to revegetate these areas appears to have been made under the amended structure plan and it is currently unclear, given the proposed RE1 zoning, how this will be managed and by whom.

Given the total site area of 496 hectares, and given the amount of future urban land now identified for the Cessnock LGA by the Lower Hunter Regional Strategy, there needs to be clear justification for the proposed clearing of any EEC. This matter needs further investigation and discussion with DECC, but at this point there is insufficient evidence to suggest that removal of the 32.96 hectares from the development footprint will lead to any shortfall in residential land supply. Unless it can be demonstrated otherwise during exhibition of any draft LEP, it is recommended that Council does not support the clearing of EECs on the site.

Notwithstanding the previous issues raised by DECC, the amended structure plan is supported by correspondence from DECC supporting increased clearing of native vegetation subject to biodiversity impacts resulting from the development being offset. Verbal advice from the DoP is that negotiations are currently underway between the DoP, DECC and the JPG regarding the proposed offsets and any Voluntary Planning Agreements (VPAs) which may subsequently apply to the land. This is noted.

Flooding and Drainage

The Department of Natural Resources provided comments on stormwater management, buffer zones near wetlands and extensive advice regarding flooding. The recommendations about the location of stormwater capture and treatment works and the like will need to be considered in detailed design plans. In summary, these structures should not be on-line.

It also requires that an assessment of the impact of the proposed development on groundwater and groundwater dependent ecosystems, including wetlands, be undertaken. This has ramifications for the Hunter Lowlands Redgum Forest on the site, which is considered to be a groundwater dependent ecosystem.

In March 2007 Patterson and Britton and Partners were engaged by JPG to examine the flooding, stormwater and riparian corridor constraints for the site in response to the issues raised. The resulting 'Floodplain Risk Management and Stormwater Management Strategy' has been completed and makes recommendations for the future development of the land. Council notes however, that it does not include the additional urban zoned land the subject of the amended structure plan.

Traffic and Transport

Additional consultation was undertaken with the RTA as a result of the submission of the 'Technical Review of Traffic Investigations report' which was prepared in response to the issues raised by the RTA.

The RTA concurs with exhibition of the proposed rezoning but maintains their objection to the proposal under section 62 of the EP&A Act until certain issues are addressed by Council prior to the adoption of the LEP amendment. In general terms this involves justification for the maximum lot yield assumptions and other recommendations made by the technical review, including the provision of additional supporting/technical information for the consideration of the RTA. The RTA also requires appropriate funding mechanisms to cover the cost of any additional road and transport infrastructure related to the future development of the land.

The proponent has been advised of the RTA's comments and is actively seeking resolution of these matters.

CWSS AND THE LOWER HUNTER REGIONAL STRATEGY

The Cessnock City Wide Settlement Strategy (CWSS) identifies land across the Cessnock Local Government Area (LGA) for investigation for future urban development. Council considered a report on the CWSS at its meeting 21 November 2007.

The Lower Hunter Regional Strategy (LHRS) was released by the Department of Planning in 2006. The strategy aims to guide the Lower Hunter's growth for the next 25 years (2006-2031) by identifying future development areas, principal land use types, settlement patterns and conservation outcomes. All councils in the Lower Hunter are required to implement the outcomes and actions in the LHRS primarily through local environmental plans.

The CWSS has been reviewed at the Department's request. The CWSS was revised in 2007 to incorporate both stages of the CWSS into one document to form a single strategy. The CWSS (2007) incorporates the outcomes and actions arising from the LHRS (where possible in the timeframe for preparation of the new LEP) and extends the life of the CWSS to correspond with the twenty five (25) year time frame.

The Lower Hunter Regional Strategy (LHRS) identifies the land as part of a 'major priority release area' (up to 4,000 dwellings). The Bellbird North Precinct is a new release area under the CWSS (2007) Settlement Strategy.

DRAFT LES RECOMMENDATIONS

Section 57 of the EP&A Act states in part that *"a council shall prepare an environmental study in accordance with such specifications, if any, relating to the form, content and preparation of the study as have been notified to the council by the Director-General and are then applicable."*

For the North Bellbird rezoning where JPG have already prepared detailed studies of the subject land, DoP has agreed that the LES can incorporate those studies with an independent review of them by Council.

The LES concludes that there are no issues that prevent development of the precinct for urban purposes. The specialist consultant reports accompanying the submission provide a good coverage of the relevant issues. However, the section 62 consultation has raised a number of issues relating to the location and spatial extent of parts of the proposed development, the location of zone boundaries, and potential constraints to development including flooding.

The LES is unusual therefore in that it includes consideration of the issues raised during section 62 consultation and is able to address them in part. The key issues for consideration are:

- Proposed removal of vegetation, including EECs;
- The potential impact on adjoining land zoned 1(v);
- The need for updating the floodplain risk management plan;
- The need to consider public transport provision and walkability of the site, and the location of key community facilities within it, to reduce the dependence of future residents on private car use;
- The spatial extent of the zones, particularly the B4 Mixed Use zone and the R1 Residential zone, given the amount of new land release identified for the Cessnock LGA in the final Lower Hunter Regional Strategy, and the need to reduce any impact of new commercial/retail development on the Cessnock Town Centre;
- The ability to provide the necessary infrastructure for the development and the sources of funding for that infrastructure.

- Ongoing ownership and management of large areas of open space/riparian zone in the RE1 Public Recreation Zone.

The following consideration of section 117 Directions addresses some of these issues and it is recommended that the draft LES be adopted by Council as the final LES for the Investigation Area. The LES will form part of the supporting documentation for the exhibition of the draft LEP.

SECTION 117 DIRECTIONS

The section 117 Directions in the EP&A Act provide guidance and direction that Councils must have regard to in preparing LEPs. Draft LEPs must be consistent with the Directions, or meet the requirements contained within them, some of which must be met prior to exhibition of a draft LEP. Relevant section 117 Directions are discussed below, with any action required outlined.

1.1 Business and Industrial Zones: The B4 Mixed Use business zone is proposed for approximately 3 hectares of land in the centre of the estate, to accommodate a range of commercial, community and medium density housing needs. The Economic Demand and Impact Analysis, prepared by Castlecrest Consultants, suggests the need for a neighbourhood centre to serve a possible population of up to 13,000 people in up to 5,000 dwellings, with an allocation of between 1.2 and 2.3 hectares of land to accommodate between 4,800 and 6,860 square metres of floor space. Council notes that a neighbourhood centre will be required and that the 3 hectares proposed is consistent with this report.

As noted in the Castlecrest report, the Bellbird North area is not mentioned in the current CWSS Stage 2 – Industrial and Commercial Lands Study. In terms of the section 117 Direction therefore, the additional commercial land is not “identified in a strategy prepared by the Council and approved by the Director-General”. The 3 hectares of land nominated as the B4 zone is also not considered to be “of a minor significance”. However, it is noted that the B4 zoned area was previously nominated as an 8 hectare area under the original structure plan. The 3 hectares proposed is therefore a substantial reduction from the previous proposal. The land is also identified in CWSS (2007) and the Lower Hunter Regional Strategy for future urban purposes, and a development of this size would be expected to include land for commercial and retail uses. The amount of land zoned B4, and controls proposed to limit the amount of commercial/retail floor space as opposed to residential development should the 3 hectares be supported, will be further investigated during and after the exhibition period.

Action required: Investigate the final amount of B4 land to be rezoned and other necessary controls over it during and after exhibition of any draft LEP, in conjunction with the ongoing consideration of the updated CWSS.

1.2 Rural Zones: The Bellbird North precinct is identified for future urban development in both the CWSS and the Lower Hunter Regional Strategy and for this reason is considered to be consistent with this Direction.

However, it is noted that DPI has raised concerns about the land in the western part of the precinct being developed for residential or rural residential purposes and the DoP have requested the removal of Lots 1 and 2 DP 66183 from the rezoning and the retention of the 1(v) zone and/or conservation/recreation zones in this area. It is noted that this was prior to the latest amendments to the structure plan being considered which propose R2 zoning on adjoining, currently zoned 1(v) land.

The cleared northern parts of Lot 3 DP 597226 are particularly suitable for residential development, form a logical part of the development footprint, are relatively isolated from existing vineyards, and were included in the Investigation Area on the basis of favourable viticultural reports. This rezoning is unlikely to create a precedent for other similar rezoning applications because this land is identified in the local and regional strategies for urban development of approximately 4,000 lots. Other land zoned 1(v) has not been identified in strategies and will be protected.

Lots 1 and 2 DP 66183 are to be retained in the 1(v) zone and are not proposed to be rezoned for urban or large lot purposes as part of the LEP process. Lot 1 DP 196460 retains the 1(v) zone with some R5 Large Lot Residential providing for a transition between the residential development to the east and the existing vineyards to the west. This is consistent with DoP advice.

The Structure Plan is generally considered acceptable in regard to protection of viable rural lands and existing vineyards. However when considering the rezoning of the southern portions of Lot 3 as indicated on the amended structure plan it is considered that there is the potential to adversely impact upon the adjoining 1(v) zoned land, particularly Lot 2 DP 66183 and the southern portion of Lot 1 196460 from a visual and general amenity perspective.

Under the amended structure plan 'Area 4' lies adjacent to Lot 2 DP 66183 and the southern portion of Lot 1 DP 196460. 'Area 4' is proposed to be zoned R2 separated by the adjoining land zoned 1(v) to the west by a public road. While Area 4 is largely located on land which has a vegetative cover of less than 30%, the western most portion of 'Area 4' contains ecologically constrained land. This area is approximately 40m wide, is well vegetated and forms the boundary between of land to be retained in the 1(v) zone. Containing Hunter Lowland Redgum Forest which is an Endangered Ecological Community, this area comprises approximately 1 hectare of the additional 17.62 ha proposed to be removed under the amended structure plan (total vegetation to be cleared 32.96 hectares). The existing creeklines to the north and south are proposed to be zoned RE1 under the amended structure plan. The existing tree line along the property boundary visually links the proposed RE1 zones to the north and south and the retention of this existing vegetation along this property boundary is considered to be necessary as a way of providing a physical method of protecting and preserving the existing character and future agricultural/viticultural potential of the adjoining 1(v) zoned land.

Notwithstanding, it is noted that development is not permitted within 50m of the property boundary adjoining land zoned 1(v) due to spray drift considerations under the provisions of the Cessnock Development Control Plan 2006. Part of the area (northern section) is also affected by the 100 year flood envelope as indicated by the Floodplain Risk Management and Stormwater Management Strategy. The DoP's comments in relation to the provision of a 100m wide buffer to this land are also noted in this regard. Subsequently it is recommended that this portion of existing vegetation, linking proposed areas of land to be zoned RE1, be included in the RE1 zone to provide both a visual and physical buffer between the proposed R2 zoning and adjoining land zoned retained in the 1(v) zone. It is proposed that the RE1 zone be extended between the northern and southern creeklines, along the property boundary so as to be consistent with the existing vegetation outline.

Action required: Extend the RE1 to link the proposed RE1 zones along the property boundary between Lot 2 DP 66183, Lot 1 DP 196460 and 'Area 4' R2 zone. During exhibition of any draft LEP consult again with DPI (Agriculture) and ensure the boundaries of the existing 1(v) Vineyard zone and proposed R2 Residential, R5 Large Lot Residential and RE1 Public Recreation zones are located appropriately to protect rural lands.

1.3 Mining, Petroleum Production and Extractive Industries: Council has sought the advice from the Director-General of DPI on the development potential of resources within the Investigation area and take into consideration issues likely to lead to land use conflict between other land uses and (i) development of resources in accordance with the Direction. The DPI advised that there are no significant mineral resources concerns but noted that a current Petroleum Exploration Licence, currently held by Sydney Gas Operations P/L, although the DPI considers prospects for this site are currently low. The LEP amendment will not specifically prohibit or restrict development of resources and is consistent with the Ministerial Direction.

Action required: No further action required.

2.1 Environmental Protection Zones: The site has been identified for urban purposes in the CWSS Stage 1 and the Lower Hunter Regional Strategy, and the proposal is considered consistent with this Direction.

Action required: No further action required.

2.3 Heritage Conservation: The European Heritage Assessment undertaken by Stedinger Associates concludes that the development should not be prevented on the basis of European Heritage grounds. It makes a number of recommendations about sites where permits may be required as a result of future development, and also recommends retention of significant views (through use of single storey dwellings in some locations) and retention of the cottage at Lot 141 DP 986905 Mt View Road as an intact example of a residence from c.1910, and to preserve an aesthetic heritage element in the area. It does not recommend any listing in Schedule 3 of Cessnock LEP.

The matters raised can be managed through the DCP and development assessment process. As noted above, comments were sought but not received from the NSW Heritage Office at section 62 consultation stage.

The Aboriginal Heritage Assessment prepared by Archaeological & Heritage Management Solutions Pty Ltd concludes that there are no Aboriginal heritage constraints to rezoning of the land because Aboriginal sites, objects and cultural values can be managed as part of any future DA processes. It recommends an application to DECC for a Section 87 Preliminary Research Permit to undertake archaeological test excavation in advance of any future development. This should be done during pre-DA planning and prior to any detailed development design.

Action required: Seek clarification from Stedinger Associates and the Heritage Office during any exhibition whether the cottage at Lot 141 DP 986905 Mt View Road should be listed in Schedule 3 of Cessnock LEP.

Ensure appropriate provisions are included in any DCP to achieve outcomes required from the European and Aboriginal heritage assessments.

3.1 Residential Zones: The Bellbird North precinct is identified for future urban development in both the CWSS and the Lower Hunter Regional Strategy and is considered to be consistent with this Direction.

Action required: No further action required.

3.3 Home Occupations: The draft LEP provides for Home Occupations in accordance with the standard instrument and is consistent with this Direction.

Action required: No further action required.

3.4 Integrating Land Use and Transport: The comments of the Ministry of Transport are relevant to consideration of this Direction. While the land is identified for future 'urban land' (in terms of the Direction) in both the CWSS and the Lower Hunter Regional Strategy, it is considered that further investigation needs to be undertaken by the proponent to ensure compliance with these policies during detailed development design. The suitability of the relocated school site, in light of the Ministry of Transport's comments and its proximity to other community facilities, should be further considered during exhibition of the draft LEP.

Action required: Consider the location of community facilities including the school site, and ensure appropriate controls are included in the DCP regarding subdivision design, access to transport, public transport availability (and provision) and walkability of the estate.

4.1 Acid Sulfate Soils: The Preliminary Geotechnical and Contamination Assessment, prepared by Network Geotechnics Pty Ltd, did not reveal the presence of acid sulfate soils on the site.

Action required: No further action required.

4.3 Flood Prone Land: Parts of the land are affected by flooding. DNR has recommended preparation of a Floodplain Management Plan, prepared in accordance with the NSW Floodplain Development Manual 2005. This is in accordance with the Direction which requires that development on flood prone land only occur in accordance with such a floodplain risk management plan, or that the development be considered of a minor significance in the opinion of the Director General of DoP. A Floodplain Risk Management and Stormwater Management Strategy has been prepared. It is noted that the Floodplain Risk Management and Stormwater Management Strategy does not include the additional urban zoned land the subject of the amended structure plan. However, the residential components of the Structure Plan appear to be in locations consistent with this Direction. The LEP amendment does not impose flood related development controls above the residential flood planning level for residential development on land..

Action required: Investigate whether or not the Floodplain Risk Management and Stormwater Management Strategy needs to be updated to cater for increased urban development under the amended structure plan during exhibition of the draft LEP.

4.4 Planning for Bushfire Protection: This Direction requires consultation with the NSW Rural Fire Service if a draft LEP affects land mapped as bushfire prone land. The subject land is mapped as Bushfire Prone Land and a Bushfire Planning Assessment was prepared by HWR Ecological Research and Innovation Pty Ltd. Comments received from the RFS during section 62 consultation confirm that future development requires bushfire safety authorities to be issued by the RFS to enable the land to be developed.

Council notes that the required Asset Protection Zones (APZs) appear to impinge on remnant vegetation/EECs, a position which is not supported by both DNR and DECC. As provided by Planning for Bushfire Protection 2006, APZs are required to be located within the subject property, completely contained within the development footprint.

Action required: Seek further RFS comments during exhibition of any draft LEP and ensure APZs are contained within the development footprint agreed following exhibition of the draft LEP.

5.1 Implementation of Regional Strategies: The draft LEP is consistent with a Lower Hunter Regional Strategy released by the Minister for Planning, being identified for future urban development.

Action required: No further action required.

6.1 Approval and Referral Requirements: The draft LEP is consistent with the provisions of the standard instrument and with this direction.

Action required: No further action required.

6.2 Reserving Land for Public Purposes: The proposal includes large areas of RE1 Public Recreation zone. Direction No 26 requires the approval of the relevant public authority (Council in this case) and the Director General of DoP for creation of new public recreation zones, prior to issuing a section 65 certificate for exhibition of a draft LEP. The RE1 zone was chosen in place of the previously nominated E2 zone, in keeping with the recent recommendations for the Comprehensive LEP 2008. Subject to minor variation during exhibition and detailed development design, the public recreation zoning is considered to be the most appropriate and is considered satisfactory subject to DCP controls regarding the location and management of passive and active recreation areas. It is recommended that the Director General's approval be sought as required by the Direction.

Action required: In any section 64 submission to DoP, Council seek the approval of the Director General to the creation of the RE1 zones in the draft LEP, and during exhibition and detailed design of the subdivision, fine tune the boundaries to ensure adequate, well located public open spaces for both passive and active recreation.

6.3 Site Specific Provisions: The draft LEP is consistent with the provisions of the standard instrument and with this direction.

Action required: No further action required.

The above considerations have been provided for in the proposed zone map attached.

PROCESS TO BE FOLLOWED

Should Council so resolve, the draft LEP and LES and this Council report should now be forwarded to DoP with a request for a Written Authorisation to Exercise Delegations in respect of section 65(1) of the EP&A Act, meaning that Council can place the draft LEP and any required supporting material on exhibition for public comment. The matter will be considered by the DoP LEP Review panel as the section 54 notification of Council's decision to prepare the draft LEP preceded the Panel's existence.

Section 66 of the EP&A Act requires that the LES be exhibited with the draft LEP and comment will be sought from the general public and relevant agencies. It is proposed that at least one community open day would be held to explain the draft LEP to interested persons.

At the end of the exhibition period all submissions will be considered and a further report presented to Council for consideration regarding any necessary amendments to and finalisation of the draft plan.

CONCLUSION

The Bellbird North precinct represents a major addition to the land supply in Cessnock LGA and the Hunter Region. It is one of the larger release areas identified in the Lower Hunter Regional Strategy. There are issues to be resolved through further consultation with agencies and the proponent during and subsequent to the exhibition period. This consultation may result in minor alterations to the development footprint and the location/spatial extent of the zones proposed. However, the issues are not considered by Council or DoP to be of such significance that they will prevent development of the precinct for urban and related purposes, providing in the order of 4,000 new dwellings.

It is therefore recommended that Council resolve to seek Written Authorisation to Exercise Delegations from DoP to allow exhibition of the draft plan for comment from the public and relevant agencies pursuant to section 65 of the EP&A Act.

Submissions received will be considered and the matter reported back to Council for consideration and determination of the final content of the draft LEP.

RECOMMENDATION that:-

1. Pursuant to Section 54 of the *Environmental Planning and Assessment Act 1979*, Council confirms their previous resolution(s) to prepare a draft local environmental plan to allow future urban development of the Bellbird North Precinct, as identified in the Cessnock City Wide Settlement Strategy (2007), including those areas added by Council resolution of 8 December 2004 and on 15 February 2006.
2. Council adopt the LES for the Bellbird North Investigation Area dated March 2008.
3. Pursuant to Section 64 of the *Environmental Planning and Assessment Act 1979*, Council seek Written Authorisation to Exercise Delegations from the Department of Planning, to allow exhibition of the draft LEP, LES and supporting material for the Bellbird North precinct.
4. Council seek any necessary opinions or approvals from the Director General of the Department of Planning in relation to the section 117 Directions of the *Environmental Planning and Assessment Act 1979*.
5. Upon receipt of the Authorisation Council exhibit the draft LEP for a period of 60 days.
6. Council consider a further report following exhibition of the draft LEP to determine the final content of the plan.

To: **The General Manager**
Strategic & Community Services
Committee - 19 March 2008

S EADE
ACTING DIRECTOR STRATEGIC &
COMMUNITY SERVICES
28 February 2008

ACTING DIRECTOR STRATEGIC & COMMUNITY SERVICES

REPORT NO. 25/2008

SUBJECT: SWAMP/FISHERY CREEK FLOODING ISSUES AT ABERMAIN AND WESTON - PROGRESS REPORT

PURPOSE

This report has been prepared in response to a number of Questions Without Notice from Councillors seeking a progress report on Council's response to the June 2007 storm event, in particular with regard to the flood affected areas of Abermain and Weston. It also reports on a meeting held 10 March 2008 at which technical issues regarding the matter were considered by stakeholders from government agencies and Council.

BACKGROUND

The June 2007 storm event was caused by an East Coast Low weather system which generated extremely high levels of rainfall in the Lower Hunter region, with some areas experiencing rainfalls of between 240mm – 330mm in less than twelve hours.

A number of houses were flooded in Abermain, Weston and South Cessnock. This report focuses on the impact on Abermain and Weston and the flooding emanating from the Swamp/Fishery Creek catchment.

Previous significant flood events in this area occurred in 1955, 1978 and 1990. The 1990 flooding caused substantial damage and personal loss to many residents living on the banks of the creek at Abermain and Weston. However anecdotal and other evidence indicate that it was not as severe as the June 2007 event in this area.

The relevant flood study covering Abermain and Weston is the Wallis and Swamp/Fishery Creeks Flood Study by consultants Patterson Britton & Partners Pty Ltd (October 2005). The upstream study adjoining this is the Deep Creek Flood Study completed by consultants Lawson and Treloar (September 2002). The Wallis and Swamp/Fishery Creeks Flood Study was at "final draft" stage, awaiting inclusion of Council comments forwarded to the consultant when the June 2007 storm event occurred.

As a result of the extensive additional information Council has collected from the June 2007 storm flood event, Council requested Patterson Britton & Partners to include the event's data into the report, as well as recalibrating the model itself. This will result in a more accurate model of flood behaviour in this catchment.

The Department of Environment and Climate Change (DECC) has indicated that this additional work should receive a favourable response to requests for further funding.

The final report for Wallis Swamp/Fishery Creeks Flood Study, incorporating the June 2007 storm flood event, will be placed on public exhibition for comment, prior to submission to Council for adoption.

A consultant will then be engaged to undertake the Floodplain Risk Management Study and Plan (FRMSP), a lengthy and detailed multi-disciplinary process, involving community consultation. The FRMSP will consider and balance a number of differing factors to generate recommendations for an appropriate mix of management measures to deal with the different types of flood risk, including:

- Flood behaviour, damage and danger (hydraulic & hazard categorisation)
- The community costs of flooding
- Future land use
- A comprehensive range of flood risk management measures
- The environmental needs of the stream and floodplain areas
- Environmental and cultural impacts of management measures

The implementation of the FRMSP will depend on:

- How soon measures can be implemented
- Resourcing required
- The constraints that exist (including financial and physical)
- How these can be addressed
- How effective these measures are

An application will be submitted shortly to DECC for funding assistance (DECC 2: Council 1 basis) to assist with the FRMSP.

REPORT

MEETING HELD 10 MARCH 2008

In order to expedite this process, which is essential to gain a full understanding of the issues and constraints at play, a meeting of stakeholders was held on 10 March 2008.

The focus of the meeting was to consider the technical issues and constraints of which the stakeholders are already aware, and to develop an Action Plan for the short to medium term in anticipation of the completion of the Wallis and Swamp/Fishery Creeks Flood Study (with the June 2007 data included) and the FRMSP.

Attendees at the meeting included representatives of DECC, the Department of Water and Energy, the Department of Lands, the Catchment Management Authority, the State Emergency Services, the Mayor Councillor John Clarence, Council staff and Council's consultant, Mr Chris Thomas of Worley Parsons Pty Ltd (formerly Patterson Britton & Partners Pty Ltd).

The meeting considered a number of possible options for short term actions to reduce flood risk, bearing in mind the issues and constraints, and pending finalisation of the Flood Study and subsequent FRMSP.

A summary of the discussions in the meeting follows:

Possible actions

Suggested actions in the short term could include –

- Undertake a floor level survey to identify the number of houses affected by various sized floods eg 100 year flood, 200 year flood and PMF
- Use the model developed for the Flood Study to assess the magnitude of the potential benefit of channel clearing in terms of the likely reduction in peak flood levels
- Consider house raising as an option where residential dwellings are particularly vulnerable to inundation
- Consider voluntary purchase of properties at greatest risk of flooding
- Install a flood warning system and develop evacuation measures

It should be noted that channel clearing, even if approved, might only impact on the flood level by a minimal amount, with most threatened properties still at risk of flooding. If this is the case, such clearing work will not be cost effective nor achieve the desired outcome. It may also result in more serious problems, such as damaging erosion, undermining of structures and wash-aways.

It is also essential to determine the cost benefit of any works.

Data

One problem in undertaking the Flood Study of Wallis Swamp/Fishery Creeks is the lack of data from specific flood events for the Abermain area. There is very little available prior to the 1990 event, which means relying on rainfall data and residents' accounts from memory.

Discussion took place regarding the historical profile of the Abermain/Weston areas, and how the impact of development and changes in land use have affected the environment within and around the creeks and their catchments.

There was also discussion regarding the scale of the June 2007 event. It is apparent that this will vary from area to area within the region, and even within localities sharing close proximity. The input of June 2007 data and its calibration in the Flood Study model will clarify this within the Cessnock LGA. Early indications are that Abermain in June 2007 may have been close to a 1 in 100 year event, whilst at Weston it may have been rarer than a 1 in 100 year event. June 2007 was a much larger event than 1990 (based on anecdotal evidence, preliminary data and the Carman Survey).

Worley Parsons plan to incorporate the rainfall data recorded during the June 2007 into the flood model and use the updated flood model to simulate the June 2007 event. The flood model would also be calibrated to recorded flood levels gathered by Council's Roads, Bridges and Drainage Section. This will allow the frequency or severity of the June 2007 event to be established.

It would be useful to determine the extent of houses at risk, depending on the scale of a given flooding event. For example, if an event was 1 in 200 years, how many more houses affected?

Emergency response

Management of the situation is necessary, as there are no simple solutions. A Management Plan has to take into account issues such as intense rainfall over a short period of time and the timeframes for alerting residents to possibly imminent flooding. The SES reported that it was not informed of the situation in June 2007 until after the event, and even if it had notice, it would have had difficulty in attending due to access and communications issues. It was pointed out that phone lines were cut very early in the storm event and many residents do not own mobile phones. An emergency system would need to include a secure telephone and access to a back up generator.

Clearing of the creek - issues

It should be noted that much of the land containing the natural creek channel is in private ownership.

There was extensive consideration given to the issues associated with clearing the creek, and to determine the impact of roughness (eg vegetation) on flow.

It was agreed that reeds “lie down” in a strong flow. Removal of reeds, and establishment of, for example, a grassline channel would result in the need for regular mowing. Overall, flattened reeds and/or grass would be unlikely to result in a significant change to flood behaviour.

If the creek bed has too many trees established, the roughness gets significantly higher, which does cause problems. There would probably be a need to maintain low flow channel free of trees.

If concrete lined channel (trowelled concrete) were created, like Cottage Creek in Newcastle, there would be no guarantee of flood mitigation – ask Newcastle about Cottage Creek in the June 2007 event. The flood level took water well above the banks.

Concrete lining might have some benefit, but not significant, and also raises the potential for downstream problems from increased flow velocities.

Net result could be 200mm – 500mm (more likely 100 to 300mm maximum given flood profile provided) reduction in flood level.

Need to maintain low flow channel (eg reed lined creek bed) – trees on bank are not an issue.

From a Department of Water and Energy perspective, it is vital to maintain stability of the channel to prevent downstream problems or undermining of local houses. Stability is the main criteria when assessing applications for approved clearing. Therefore vegetation on banks and in the flood plain can be very important.

Structures in the system such as bridges are likely to be the most significant “controls” on flow and flood levels, especially when debris is trapped upstream (this is a particular issue at Abermain with the number of bridges and pipes in the vicinity of Cessnock Road).

Planning impact

What do the recorded levels from the June 2007 storm flood event mean to design for 100 year profile? It is possible that a new planning flood level will need to be set?

Action Plan

The following Action Plan has been drafted based on comments and contributions by those present:

	Action	Responsibility	Timeframe
1.	Apply for DECC funding to undertake Floodplain Risk Management Study as soon as the Flood Study is adopted by CCC	CCC	March 2008
2.	SES to meet with CCC to develop timeframe for the re-establishment of a Cessnock SES	SES and CCC	March 2008
3.	Determine availability of funding to establish a Flood Warning system, with CCC to apply if available	CCC	March 2008
4.	Provide initial feedback and preliminary recommendations on 2007 data modelling	Consultant	April 2008 if possible
5.	Complete the Flood Study incorporating the June 2007 data and modelling	CCC, DECC and Consultant	May 2008

	Action	Responsibility	Timeframe
6.	Provide feedback on possible solutions	Consultant	June 2008
7.	Undertake and complete floor level surveys of potentially affected houses (could possibly be expedited with LIDAR aerial survey data)	CCC and DECC	June/July 2008
8.	Exhibit Flood Study	CCC	June/July 2008
9.	Adopt Flood Study	CCC	August 2008
10.	Call quotations for and engage consultants to undertake Floodplain Risk Management Study	CCC and Consultant	September/October 2008
11.	Develop emergency response and evacuation plan	SES and CCC	By September 2008
12.	Deliver a targeted education program for residents on how to prepare and respond to storm/flood events	CMA and SES	By December 2008

CONCLUSION

It is acknowledged that there is an urgent need to make progress in developing a number of strategies to prepare the communities for future flood events, and to seek to mitigate the potential damage and distress that such events cause.

However, it is imperative that the variabilities in terms of clearing the creek bed, undertaking works on the creek bed and banks and altering flow capacities are thoroughly modelled and understood before any decisions are made. This modelling will be completed within a matter of months, enabling informed decisions to then be made.

The initial Action Plan which has been drafted will provide a clear means by which Council can address the issues and implement measures which will deliver a number of flood mitigation outcomes.

RECOMMENDATION that:-

1. The information be noted.
2. A further report on progress be provided to the Council meeting scheduled for 21 May 2008 (sooner if key information becomes available).

To: **The General Manager**
Strategic & Community Services
Committee - 19 March 2008

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ACTING DIRECTOR STRATEGIC &
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12 March 2008