



**Cessnock City Council**

**Annual  
Report  
2010-11**



### **General enquiries or after hours assistance**

T: (02) 4993 4100

F: (02) 4993 2500

E: [council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au)

W: [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)

### **Street Address**

Council Administration Centre

62-78 Vincent Street

CESSNOCK NSW 2325

### **Postal Address**

P.O. Box 152

CESSNOCK NSW 2325

The 2010-11 Annual Report, State of The Environment Report and Financial Statements are available online at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au).

In order to reduce our impact on the environment we encourage printing be kept to a minimum.

To ensure the information is accessible by all, copies of the full report are available at our Administration Centre and at Cessnock and Kurri Kurri Libraries.

Copies may also be requested by calling our Community Help and Information Centre on (02) 4993 4100.

# Contents

## **PART A - ANNUAL REPORT**

<b>Our Community's Vision and Objectives</b>	<b>5</b>
Key Statistics	6
Mayor's Message	7
Council's Charter	8
Councillors	9
Council and Committee Meetings	10
General Manager's Message	11
<b>A Connected, Safe &amp; Creative Community</b>	<b>12</b>
Highlights	13
Performance	13
Aged and Disabled Services	14
Access	14
Youth Services	14
Child Care and Pre-school Services	14
Aboriginal and Torres Strait Islanders	15
People with Diverse Cultural and Linguistic Backgrounds	15
Community Development Expenditure Scheme	15
Cessnock City Libraries	16
Crime Prevention	16
Companion Animals	17
Animal Shelter Data	17
Off Leash Areas in the LGA	17
Cultural Planning and Development	18
Cessnock Performing Arts Centre	18
<b>A Sustainable, and Prosperous Economy</b>	<b>19</b>
Highlights	20
Performance	20
Business Activities	21
<b>A Sustainable and Healthy Environment</b>	<b>22</b>
Highlights	23
Performance	23
Bushfire Reduction	24
Planning Agreements	25
Recreation Facilities	25

# Contents

<b>Accessible Infrastructure, Services &amp; Facilities</b>	<b>26</b>
Highlights	27
Performance	27
Public Works	28
Capital Works Program	28
Cemeteries	29
Traffic Facilities	30
Street Sweeping and Cleaning	30
Street Lighting	30
Public Transport	30
<b>Civic Leadership and Effective Governance</b>	<b>31</b>
Highlights	32
Performance	32
Public Participation	33
Councillor Payments and Expenses	34
Contributions and Grants	35
Rates and Charges	37
Stormwater Management Service Program	37
Partnerships	38
Controlling Interests	38
Financial Statements	38
Replacement and Sale of Assets	39
Privacy	40
Privacy Issues	40
Accessing Council Documents	41
Amending Council Records	41
Government Information (Public Access) Regulation 2009	42
Contracts	44
Work on Private Land	44
Legal Proceedings	45
Human Resources	46
Equal Employment	46
Senior Staff	47
Delegated Functions	47
<b>Statutory Requirements</b>	<b>48</b>
<b>PART B - STATE OF THE ENVIRONMENT REPORT</b>	<b>52</b>
<b>PART C - FINANCIAL REPORTS</b>	<b>112</b>

## Our Community's Vision and Objectives

### **Cessnock - *attractive, thriving and welcoming***

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



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

## Cessnock Local Government Area

### Key Statistics

Usual residence	2006	
	Number	%
<b>Population</b>		
Males	22,861	49.5
Females	23,348	50.5
<b>Total Population</b>	<b>46,209</b>	<b>100.0</b>
Australian citizens	42,291	91.5
Indigenous population	1,602	3.5
<b>Age Structure</b>		
< 17 years	12,064	26.1
18 to 64 years	27,864	60.3
> 65 years	6,281	13.6
<b>Birthplace</b>		
Australia	40,578	87.8
Overseas born	2,913	6.4
Mainly English speaking countries	1,822	3.9
Non-English speaking backgrounds	1,091	2.4
<b>Employment</b>		
Employed	17,976	91.4
Unemployed	1,690	6.9
<b>Household income (gross weekly)</b>		
Less than \$350	3,012	18.1
\$350 to \$999	5,549	31.3
\$1,000 and over	6,242	37.5
<b>Total Households</b>	<b>16,663</b>	<b>100.0</b>
<b>Housing tenure</b>		
Owned	6,617	38.4
Purchasing	5,752	33.4
Renting	3,767	21.9
<b>Total dwellings</b>	<b>17,233</b>	<b>100.0</b>

Source: Australian Bureau of Statistics, Census of Population and Housing, 2006

## Mayor's Message

On behalf of Cessnock City Council it gives me great pleasure to present Council's 2010/2011 Annual Report.

In October 2010 Council adopted its first community strategic plan, Cessnock 2020 – that described the community's vision for the future of our area:

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

Also, during the year we welcomed a new General Manager and Leadership Group, who are driving a focus on strategic planning and customer service in our organisation.

Council has continued to work hard at delivering services to the community and this quick snapshot across a range of areas shows just how productive staff have been in 2010/2011.

In 2010/2011 Council:

- Completed ten kilometres of local road re-seals.
- Upgraded 20 priority public transport stops to comply with the Disability Discrimination Act.
- Collected 36,645 tonnes of waste that was landfilled at Cessnock Waste and Reuse Centre and collected 3,990 tonnes of recyclables through the kerbside service.
- Maintained 552 hectares of open space, parks, and gardens.
- Made 241,685 loans from the library.
- Had 8,708 young people attend and participate in structured youth programs and drop-in services.
- Increased the audience at the Performing Arts Centre by 57%, and
- Determined 798 development applications.

These statistics highlight the tremendous work of Council staff and I look forward to working with them over the next twelve months to create the attractive, thriving and welcoming community that we all want.

**Councillor Alison Davey  
Mayor of the City of Cessnock**



## Council's Charter

Cessnock City Council is constituted as a body politic of the State under section 220 of the Local Government Act 1993. Section 8 of the Local Government Act states that a Council's charter is:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible
- to engage in long-term strategic planning on behalf of the local community
- to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

The charter is a set of principles that are meant to guide the Council in the carrying out of its functions.

Cessnock City Council currently consists of 12 Councillors who are elected from four (4) Wards, with three (3) representatives from each Ward.

The Mayor, who is elected by popular vote, is also deemed to be a Councillor.

## Councillors

### Ward A



Clr Cordelia Burcham



Clr James Hawkins



Clr Rachel Main



### The Mayor

Councillor Alison Davey

The Mayor of the City of Cessnock is popularly elected during the local government elections which are held every four years, usually in September.

The last local government election was held in September 2008.

Three Councillors are elected to represent the community of each of the four wards of the local government area.

### Ward B



Clr Ian Olsen

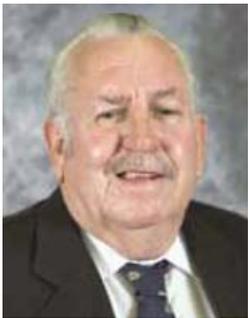


Clr Bob Pynsent



Clr Dale Troy

### Ward C



Clr Jeff Maybury



Clr Allen McCudden



Clr Chris Parker

### Ward D



Clr Neil Gorman



Clr James Ryan



Clr Graham Smith

## Council and committee meetings

The elected representatives comprise the governing body of the Council. The role of the Council is to direct and control the affairs of the Council in accordance with the Local Government Act and the decisions of the Council are formalised through the meeting process.

The Council is required to meet at least 10 times each year, each time in a different month.

Council has resolved that regular meetings will be held in the Council Chambers on the first and third Wednesday of each month commencing at 6.30pm, with the exception that the last meeting scheduled for December and the first meeting scheduled for January each year will not be held.

Council has also appointed various sub-committees and "sunset" committees to carry out selected tasks.

- Council can form Committees and determine their functions, powers, membership and voting rights. Membership of a Council Committee is not restricted to Councillors.
- A Council Committee could be advisory or it could have decision-making powers as delegated by the Council. However a Committee can exercise a Council's regulatory functions under Chapter 7 of the Act only if all its members are either Councillors or Council employees.
- Advisory Committees or Sub-Committees are common and usually have the power to make recommendations but not make decisions. The recommendations of Advisory Committees can assist a Council in making informed decisions on complex matters.

Council has a Code of Meeting Practice which provides comprehensive details of meeting procedure, etc. A copy of the Code is available on request at Council's Administration Building or online at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au).

The General Manager is responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.

## General Manager's Message

This year has been one of change and consolidation for Cessnock City Council.

A realignment of the Council's structure was completed resulting in a more streamlined approach to the services and activities Council provides for its community.

Strategic planning for the needs and desires of our community is vital if Council is to move forward in an organised and sustainable manner.

To this end, a new department, or group, "Strategy and Sustainability" was established to bring together the strategic functions from across the Council. This group has a definitive focus across our land use, asset, community and environmental planning to provide a cohesive and engaged approach to our planning for the future of the local government area.

There are many areas of accomplishment detailed in this report. As you will see, the organisation has experienced both small and large achievements, all of which benefit our community.

Those achievements, no matter their size, have demonstrated the commitment of this Council and its staff to continuing to strive for excellence.

In summary, it has been a very productive year and one which has laid a solid foundation upon which we can continue to strengthen our already robust community.

**Lea Rosser**  
**General Manager**



# A Connected, Safe & Creative Community





## *A connected, safe and creative community*

- Almost 1,600 young people participated in **Youth Week** 2011 events including a pool challenge; an open microphone night; breakfasts at the four high schools; workshops on graphic novels, creative writing and music, and the YouthFest event.
- Approximately 700 people participated in a diverse program of 24 activities during **Seniors' Week** in March 2011.
- More than 200 people attended the **NAIDOC Week** 2010 events – a ceremony/celebration/expo at Kurri Kurri and a short film at Cessnock Performing Arts Centre – presented by Council in partnership with the Barkuma Neighbourhood Centre and Black Creek Aboriginal Corporation.
- Wireless access to the internet for community use was introduced at **Cessnock and Kurri Kurri Libraries**.
- The **Cessnock Performing Arts Centre** delivered a comprehensive and diverse program of performances. There were particularly strong ticket sales for the Comedy Festival Roadshow, the David Strassman show, Carl Barron, The Witches (a Hunter Region Drama School performance), the Rock Show and dance school end-of-year concerts.

### Performance



9 actions completed



0 actions in progress



1 action scheduled in future years



0 actions not scheduled

# *A connected, safe and creative community*

## **Aged and disabled services**

Cessnock City Council provides significant infrastructure for aged and disabled services operated by Home and Community Care Services in the local government area including:

- Domestic Assistance Service
- Personal Care Service
- Social Support Service
- Home Maintenance & Modification
- Transport Services
- Disability Services

Council is also actively involved in organising, promoting and delivering a range of events as part of Seniors' Week activities.

## **Access**

During 2010/2011 the Access Advisory Committee (comprising elected Councillors, community representatives and Council officers) worked with a local disability service provider to disseminate information to local businesses about improving access for people with disabilities, Council also updated its Mobility Maps.

## **Youth services**

Council operates the Cessnock Youth Centre and Outreach Service (CYCOS) which provides programs and activities to meet the social, recreational and vocational needs of young people. CYCOS operates with a full time co-ordinator, a permanent part-time youth worker and a team of casual staff.

During 2010/2011 the Cessnock Youth Centre and Outreach Service (CYCOS) had approximately 8,708 young people attend and participate in structured programs and drop-in services.

Outreach activities included events at local skate parks, bike and skate competitions and programs within local schools. CYCOS was also involved in the delivery of a range of events as part of Youth Week 2011.

A highlight of the year was the recognition of the locally-developed Smart Choices - Youth Crime Prevention Program at a national conference. The Smart Choices program developed in partnership with the Local Area Command NSW Police, was delivered to two local high schools to raise awareness of issues relating to drugs and alcohol, community behaviour, road safety and team building.

## **Child care and pre-school services**

Cessnock City Council assisted local Pre-school providers with support via the Pre-school Growth Program. The Pre-school Growth program provided an opportunity to apply for capital infrastructure funding to expand local Pre-school services.

Council also provided space for 8 Child care and Pre-school services across the Cessnock Local Government Area.

## Aboriginal and Torres Strait Islanders

The total Aboriginal and Torres Strait Islander resident population in Cessnock local government area is approximately 1,602 (2006 Census). Cessnock City Council worked in partnership with the Barkuma Neighbourhood Centre and Black Creek Aboriginal Corporation to deliver a local NAIDOC event in 2010. An event was held at Kurri Kurri Rotary Park and included a Flag Raising Ceremony and a service provider expo showcasing a range of health, welfare and social services. A second event was held at the Cessnock Performing Arts Centre and showcased a collection of short films.

Council continues to be represented on the Cessnock Correctional Centre's Aboriginal Consultative Committee, which has been established to encourage the creation of Aboriginal employment opportunities during the construction of the extension to the Cessnock Correctional Centre.

## People with diverse cultural and linguistic backgrounds

The 2006 Census found that there were over 35 languages being spoken by residents in the local government area and that 6.4% of residents were born overseas. The Hunter Valley Multicultural Friendship Group (Cessnock Branch) was officially launched in May 2010. The group was established by representatives from the Social Work Service, Cessnock Hospital (Hunter New England Area Health Service), Northern Settlement Services (NSS) and Cessnock City Council.

This group provides an opportunity for culturally and linguistically diverse communities to come together and celebrate diversity.



## Community Development Expenditure Scheme

Cessnock City Council facilitated the Community Development Expenditure Scheme (CDES) for 2010 with almost \$90,000 in funding allocated to local and regional projects under the state-wide scheme. (This Scheme requires registered clubs with gaming machines profits over \$1M to contribute 1.5 per cent of those profits to the provision of front line services in the community.)

# Cessnock City Libraries

Wireless access to the Internet for public use was introduced at Cessnock and Kurri Kurri Libraries.

The establishment and fitout of the new IT training/meeting room at Cessnock Library provides a well equipped facility for both Council and community use.

Cessnock and Kurri Kurri libraries held several displays throughout the year with a particular focus on exhibitions by local artists, school students and art and community groups.

Other activities and events included the annual sale of discarded library stock, author talks (including Judy Nunn as part of the national Get Reading program, and a performance poet at a local high school), public information talks, a State Records workshop and activities to celebrate several themes and weeks during the year. The various activities and events generated considerable local media interest, with several articles in local newspapers.

These programs were also extended to include Kurri Kurri Library, which represents a significant expansion to a broader sector of the community.

The regular program of activities for young children, their parents and carers was well supported. This program includes rhyme time, pre-school storytimes, Kidz Club and the weekly cards and games club. Other activities held during the year included participation in the National Simultaneous Storytime, competitions, occasional school visits at Cessnock Library, and the regular class visit program at Kurri Kurri Library.

In addition, the School Holiday Programs and Children's Book Week were also very successful.

## *A connected, **safe** and creative community*

### Crime prevention

The second year of implementation of Council's Crime Prevention Plan 2009 – 2012 focused on minimising malicious property damage.

The following strategies were completed during the year:

- An LGA-wide media and community promotional campaign highlighting the need to report malicious property damage crimes.
- Strategies to promote increased participation of youth within the community.
- A study regarding the benefits, limitations and costs of closed circuit television (CCTV) within the Cessnock and Kurri Kurri Business Districts.
- Reducing pedestrian traffic from licensed premises to residential areas within the central Cessnock area particularly on Friday and Saturday nights.
- Training in *Crime Prevention through Environmental Design* for planning officers.

# Companion animals

Cessnock City Council actively enforces the Companion Animals Act 1998 through the following activities:

- Regular patrols of the local government area.
- Educating the community on responsible pet ownership including distribution of pooch pouches, dog leads, brochures and promotional materials (magnets, pencils and balloons).
- Companion Animal Lifetime Registration audits and reminder letters.
- Dangerous and restricted dog audits and inspections
- Attending to complaints and ensure that Companion Animal Owners adhere to the NSW Companion Animals Act 1998 and regulations.

Cessnock City Council's Companion Animal Management Plan was adopted by Council in January 2010.

Council spent \$29,930 in 2010/2011 to implement the Companion Animal Management Plan and \$301,000 to operate the Animal Shelter.

Cessnock City Council entered into an agreement with the RSPCA to provide pound facilities for the Cessnock City Local Government Area. From the 1 August 2011 all impounded animals have been taken to the RSPCA Rutherford Shelter. This new agreement improves the welfare and well-being of animals taken to the pound as the old facility at Kurri Kurri did not meet current animal welfare standards.

## Animal shelter data

There were 168 reported dog attacks in the Cessnock City Council LGA in 2010/2011.

- 43 were infringed
- 53 received cautions as they were minor incidents
- 37 cases, no action was taken due to offending dog not being able to be identified
- 22 were seized and destroyed

In 2010/2011 Cessnock City Council seized (224) cats and (502) dogs. Of these animals, (186) cats and (315) dogs, were transferred to rescue groups for re-homing. Other key statistics include:

- (53) dogs were returned to their owners without requiring transfer to the animal care facility.
- (5) cat and (213) dogs were released to their owners by the animal care facility.
- (124) cats and (156) dogs were euthanased due to lack of holding room, illness, or poor suitability for re-homing due to temperament.
- There were (83) cats and (208) dogs surrendered by their owners.
- (29) cats and (49) dogs were brought to the animal care facility by members of the public who claimed they were not the animal's owner.

## Off Leash Areas in the LGA

Cessnock City Council currently has 6 leash free areas for the community to use:

- The south-eastern portion of Varty Park, Weston
- The northern portion of Greta Central Park, Greta
- Stanford Merthyr Park at Maitland Street, Stanford Merthyr
- Northern end of Manning Park, Blackwood Avenue, Cessnock
- Northern end of Hall Park, West Cessnock
- The very western end of Miller Park, Branxton

## *A connected, safe and creative community*

### **Cultural Planning and Development**

As part of the implementation of its Social and Cultural Plan 2009-2014 which encourages participation in community based events and festivals, Council planned for the River of Black Gold festival to celebrate the 125th anniversary of the discovery of the Greta Coal Seam.

Cessnock City Council administered its Community Cultural Development \$ for \$ Grant Program in 2010/2011 and \$25,679 was allocated to 13 projects.

The City of Cessnock Hall of Fame held its fifth induction in November 2010. Four nominees were recognised with the installation of bronze plaques at various locations across the Local Government Area, on Council's Hall of Fame website and on the Wall of Fame at the Cessnock Performing Arts Centre. This brings the total number of inductees into the Hall of Fame to 43.

Council continued its support for the Cessnock Regional Art Gallery Inc during the year through the provision of funding assistance and the purchase of the property occupied by the Gallery, thereby relieving the Gallery of the need to pay commercial rent to occupy the premises.

Council's youth service, the Cessnock Youth and Community Outreach Services (CYCOS), also participated in the Gallery's Pandora's Box project which aimed to bring youth together to creatively renew the empty shop-fronts in Cessnock's Central Business District.

### **Cessnock Performing Arts Centre**

Since the Cessnock Performing Arts Centre opened, in November 2008, centre management has been working to build the centre's reputation as a growing cultural facility that provides quality arts events and performance experiences, excellent customer service and access to quality facilities with highly skilled professional staff. This has paid off and is clearly evidenced by increased audience numbers – up by 57.58% in 2010/2011, expanded program activity and growth in theatre hire by both professional and non professional performance producers and promoters.

Our 2010/2011 program included sell out performances of The Rock Show, Menopause the Musical, The Rhythms of Ireland and Carl Barron. The success of these productions has raised the profile of both Cessnock and The Performing Arts Centre and makes the venue very attractive to local, state and interstate producers looking for new markets.

The number of performances for young people also increased in 2010/2011 with a visit by erth's Dinosaur Petting Zoo and Hunter Region Drama presenting The Witches and Alice in Wonderland – these productions attracted good audiences and it was great to see young people from the area performing.

The program also included a series of free events specifically designed to build and strengthen ties with the broader community of Cessnock. These events were presented in partnership with the local newspaper and included 'sneak peeks' of coming events, short films and feature films, to provide an accessible cultural experience for many who would not normally consider attending a performing arts centre.

# A Sustainable & Prosperous Economy





## *A Sustainable and Prosperous Economy*

- A **Buy Local Campaign** was implemented in Cessnock, in partnership with the Chamber of Commerce, and was strongly supported by the business community.
- The **Nostalgia Festival** in Kurri Kurri attracted around 40,000 people over three days.
- The Vineyard District **Tourist Information** map boards and pull-over bays were upgraded.

### Performance



7 actions completed



0 actions in progress



0 actions scheduled in future years



0 actions not scheduled

## Business activities

Council conducts a number of activities which can be defined as business or commercial activities. These have been undertaken with the intention of generating financial surpluses which, if achieved, can be used to subsidise other Council operations.

Council does not operate any Category 1 Business Activities as defined under the National Competition Policy (NCP) Guidelines.

Council operates the following Category 2 Business activities:

- Noxious Weed Control on private property
- Lawn Cemeteries

Lawn Cemeteries – Council manages and operates two (2) lawn cemeteries which generated a combined profit of \$15,745. The profits have been internally restricted for future cemetery capital works and long-term maintenance.

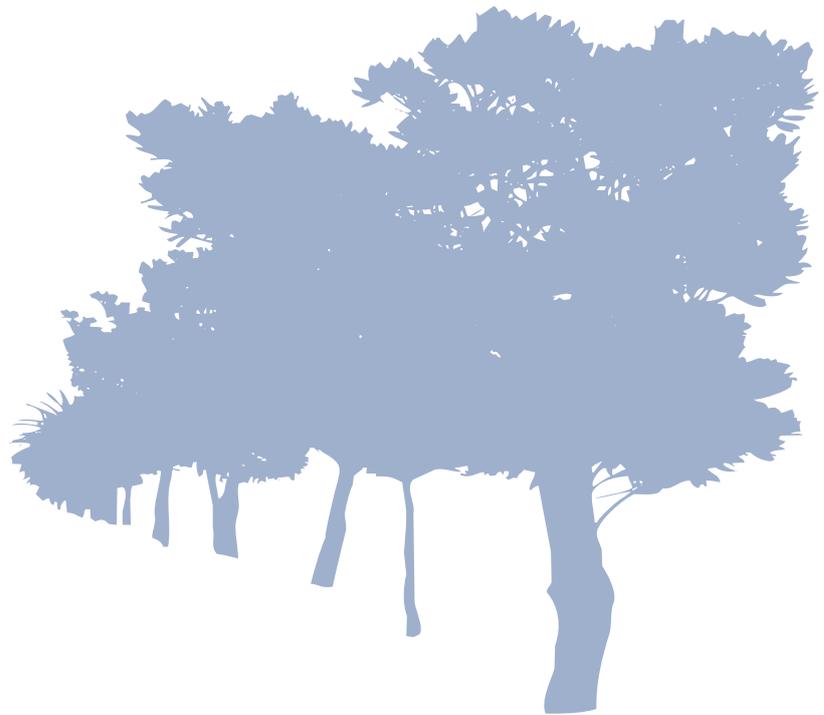
- Vineyard Grove – During 2010/2011 8 lots were sold.

To ensure adherence to the NCP requirements, Council has adopted an application of Activity Based Costing (ABC) to allocate overheads to appropriate cost centres.

Council's complaints handling mechanism is able to identify and segregate any complaints received regarding National Competition Policy.



# A Sustainable and Healthy Environment





## *A Sustainable and Healthy Environment*

- 942 **development applications** were lodged during 2010/2011 (compared to 1072 in 2009/2010).
- There were 82 participants in the free **Food Safety** Seminars in April 2011.
- There were 1272 inspections of **on-site sewage management** systems undertaken during 2010/2011.
- A **showerhead exchange** program, run in conjunction with Hunter Water, was held in March and April 2011 with 205 units exchanged.
- 20,000 surveys were distributed to determine **future waste service** requirements such as bin size and green waste management.
- The Cessnock local government area received five awards at the Annual **NSW Tidy Town Awards**.
- The **Draft Local Environmental Plan 2010** was submitted to the Department of Planning in October 2010.
- The **City Wide Settlement Strategy (2010)** was endorsed to provide for orderly development and conservation outcomes for the City of Cessnock.
- **Playground renovations and extensions** were undertaken at Slacks Park, Wollombi, Miller Park, Branxton and Peace Park, Weston.
- Extensions to Millfield **Community Hall** were completed.
- Lift and roof upgrade at Kurri Kurri **Community Centre**.

### Performance



18 actions completed



1 action in progress



5 actions scheduled in future years



0 actions not scheduled

## Bushfire reduction

Cessnock City Council is an important partner in the management of Volunteer Rural Fire Brigades. Council's participation includes financial support of volunteers and ongoing management of the local organisation through the Service Level Agreement between the NSW Rural Fire Service and Council.

The internet project has seen all brigades receive a modem which will enable them to constantly have access to the latest weather, alerts and the NSW MyRFS site; which is a volunteer website to better communicate and provide information to our volunteers. Each brigade has also been given a brigade email address which allows brigades and staff to communicate quickly and effectively through a consistent means.

A number of small private hazard reductions have been completed in and around the township of Abermain and Kurri Hospital which is providing a buffer. Partial burning has been completed around Richmond Vale Rail Museum. Hazard Reductions have also been carried out in the Pokolbin and Neath areas. However given the current weather conditions of 2011 numerous burns have been proposed once vegetation dries out. We have been fortunate to also have the use of the State Mitigation Crews in preparing for hazard reductions.

There are 14 brigades and 3 support brigades in the Cessnock local government area and 640 active members. During 2010/2011 the North Rothbury brigade and Wollombi brigade received new vehicles.

Brigade Responses	
Type of Incident	Number of Incidents
Fire & Explosive	179
Motor Vehicle Accidents	64
Hazardous Conditions	13
Service Calls	12
Good Intent Calls	61
False Alarms	36
Other Responses	16
<b>TOTAL</b>	<b>381</b>

The rural fire service received 90 development applications from the Cessnock local government area for assessment, of which 89 were completed with 1 refusal.

The Lower Hunter Zone completed 184 community education activities during the 2010/2011 financial year.

Volunteer Training		
Training Course	Number of courses	Total Attendance
Basic Firefighter	6	106
Village Firefighter	3	31
Advanced Firefighter	1	17
Crew Leader Supervision	1	13
Driving	5	26
First Aid	6	71
CABA	9	67
Chainsaw	2	14
Other	9	97
<b>Total</b>	<b>42</b>	<b>442</b>

## Planning agreements

During 2010/11 one (1) Voluntary Planning Agreement (VPA) was endorsed by Council at Heddon Greta.

This Planning Agreement will be enforced under the provisions of a development approval.

## Recreation facilities

Cessnock City Council maintains in the vicinity of 552 hectares of open space throughout the Local Government area, in the form of formal gardens and civic spaces, playgrounds, outdoor sports facilities, parkland and drainage reserves.

The open space areas are maintained on a 4-6 week maintenance schedule depending on the time of year and climatic conditions. The majority of outdoor sporting facilities are heavily utilised during the winter period, in particular for soccer, netball and rugby league, whilst during summer the main user groups are cricket and athletics.

Council also operates three (3) public swimming pools at Cessnock, Kurri Kurri and Branxton. There are six (6) major aquatics based clubs in the area, predominantly utilising Cessnock Pool. The establishment of the Kurri Kurri Aquatic Centre provides a year round swimming facility which has proven to be highly popular with annual attendance levels in the vicinity of 100,000.

# Accessible Infrastructure, Services and Facilities





## *Accessible Infrastructure, Services and Facilities*

- **Bus stops** were upgraded to comply with the requirements of the Disability Discrimination Act 1992.
- New fencing and signage was installed at **Council's cemeteries**.
- The Rothbury Riot **Memorial Garden** was renovated.
- **Drainage improvements** were undertaken at Stanford Merthyr Equestrian area.
- An **accessible carpark** was constructed at Greta Arts and Sports Centre.
- Stage 1 **drainage works** were carried out at Whitburn Estate.
- **Road reconstruction** works were undertaken at Swanson St.

### Performance



5 actions completed



0 actions in progress



5 actions scheduled in future years



2 actions not scheduled

## Public Works

The condition of the infrastructure under Council's control, an estimate to bring it up to satisfactory standard and the maintenance expenditure incurred during 2010 is included in Special Schedule 7 of Council's financial reports.

The financial reports, together with the auditor's reports, are included as Part C of this report and can be viewed at the Administrative Offices, 62-78 Vincent Street, Cessnock or online at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au). The reports cover the period from 1 July 2010 to 30 June 2011.

## Capital Works Program

Capital works and improvement projects include expenditure on the acquisition and construction of new infrastructure assets and the augmentation or improvement of existing infrastructure assets. Infrastructure assets include roadworks, drainage, parking areas, parks and buildings.

The following capital works projects were undertaken in the year 2010/11.

Projects	Cost	
	Adopted 2010/2011	Actual 2010/2011
<b>Local Roads</b>		
Rural Construction	\$2,085,000	\$509,595
Urban Construction	\$1,574,000	\$914,812
Infrastructure Improvement (additional rate)	\$0	\$273,805
"Roads to Recovery"	\$0	\$18,449
AusLink Strategic Regional Program	\$0	\$2,076,228
Resealing	\$1,518,900	\$1,312,407
Gravel Resheeting & Sealing Program	\$114,000	\$17,529
Drainage Construction	\$900,000	\$136,899
Stormwater Management Services Program	\$1,050,000	\$1,440,333
Bridge Construction & Improvement	\$788,000	\$0
Traffic Facilities Construction	\$55,000	\$34,790
Heritage Grants Program	\$0	\$565,806
LGA Pathways	\$91,000	\$124,307
Entrance Signposting	\$12,500	\$10,498
SUB-TOTAL	\$8,188,400	\$7,435,458
<b>STATE ROADS</b>		
State Road Single Invitation Contract Work Orders (Resurfacing/Resealing, Rehabilitation, Road Safety & Traffic Management)	\$1,700,000	\$2,431,745
SUB-TOTAL	\$1,700,000	\$2,431,745
<b>REGIONAL ROADS</b>		
Blackspot Program	\$0	\$8,188
Regional Roads Repair Program	\$526,000	\$706,138
Regional Roads Timber Bridge Program	\$2,016,000	\$2,435,593
Regional Roads Block Grant Renewals Program	\$328,000	\$170,463
SUB-TOTAL	\$2,870,000	\$3,320,382

Projects	Cost	
	Adopted 2010/2011	Actual 2010/2011
<b>RECREATION &amp; PARKS</b>		
Parks, Park Buildings & Playgrounds Capital Works	\$949,000	\$762,553
Pools – Capital	\$77,000	\$75,673
Cemeteries	\$108,800	\$84,295
SUB-TOTAL	\$1,134,800	\$922,521
<b>BUILDINGS</b>		
Community Buildings Capital Works	\$240,000	\$389,969
SUB-TOTAL	\$240,000	\$389,969
<b>TOTAL</b>	<b>\$14,133,200</b>	<b>\$14,500,075</b>

Additional funds were received during the year from:

- Uncompleted works from 2009/2010.
- The Roads & Traffic Authority with additional grants for the Timber Bridge Program and Single Invitation Contract.
- Federal Grants under heritage and job funds programs and Regional and Local Community Infrastructure Program.

The following factors contribute significantly to the variations in expenditure across the various Infrastructure Programs:

- A number of Roads, Bridges and Stormwater Drainage grant funded infrastructure projects have completion dates that do not align with the end-of-financial year and therefore are ongoing and not delayed or deferred as at 30 June 2011. Council contributions to these projects are 'carried forward'.

## Cemeteries

Council has care, control and management of Aberdare, Branxton, Cessnock, Ellalong, Glenmor, Greta, Kurri Kurri, Millfield, Rothbury and Wollombi general cemeteries, and Gordon Williams Memorial Lawn Cemetery at Aberdare and Kurri Kurri Lawn Cemetery. All general cemeteries are fully operational cemeteries with the exception of Cessnock, which only allows for interments in reserved lots or in a re-opened grave. A Cemetery Strategy outlining the future development of each cemetery has been adopted by Council.

## Traffic facilities

The installation of all traffic facility devices (roundabouts, road narrowing points, pedestrian refuges, traffic medians etc) as well as changes to traffic management and traffic flow infrastructure (on roads other than those under the care and control of the Roads and Traffic Authority) requires approval by the Local Traffic Committee and Council. Requests received from the public, developers, other public utility authorities and Council are referred to this Committee (for recommendation or advice) and to Council for final adoption where required.

The Local Traffic Committee considers a broad and diverse range of issues concerning traffic management and the safe movement of all road users (including motorists, cyclists and pedestrians) along the transport network. The Committee consults co-operatively with other community stakeholders, including bus and taxi companies, public utility authorities, emergency services and other key stakeholders in order to ensure a balanced outcome for the community as a whole.

Replacement of damaged or missing signposting continues to be an expensive exercise. Additionally, specific types of signage and pavement markings have legal requirements (for planning and approval purposes) under the Roads Act, the Transport Management Act and the Australian Road Rules.

## Streetsweeping and cleaning

During 2010/2011 Cessnock City Council has funded street sweeping throughout the local government area to reduce the accumulation of debris on the road surface which has positive road safety implications. Street cleaning operations were undertaken in Cessnock, Weston and Kurri Kurri to provide acceptable conditions for pedestrians.

## Street lighting

Cessnock City Council's Street Lighting network is maintained by an external public utility authority (Ausgrid). Annual maintenance of the network has seen the replacement of a large number of older technology street lighting luminaries with newer, efficient lamps that consume less energy per annum and are less costly to maintain.

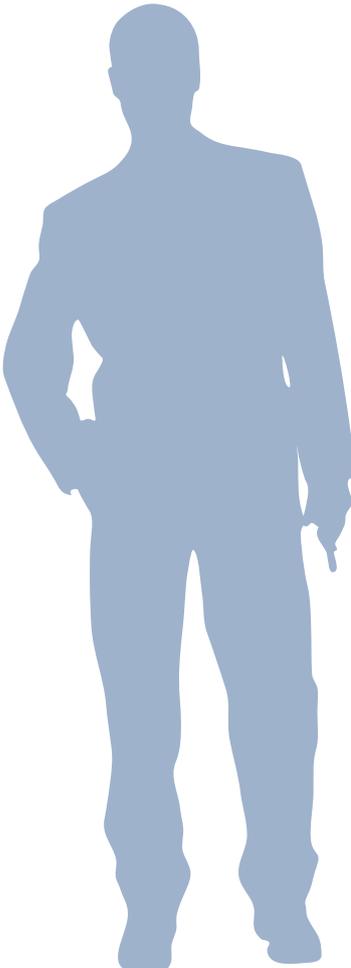
Several new subdivisions have been approved by Council and, in all cases, new street lighting luminaries in these subdivisions have adopted energy efficient luminaries in their street lighting designs.

## Public transport

During 2010/2011 Council has focussed on the maintenance of its existing public transport assets through the Bus Shelter Maintenance program. Twenty (20) priority public transport stops were upgraded to comply with the Disability Discrimination Act, 1992.

Cessnock Council is an active member of the Lower Hunter Transport Group consisting of representatives from Cessnock, Lake Macquarie, Maitland, Newcastle and Port Stephens Councils. This group looks at public transport from a regional perspective. During 2010/2011 this group has supported an improved public transport service between Cessnock/Kurri Kurri and the Morisset Railway Station provided by Rover Coaches and supported the F3 Expressway extension to Branxton.

# Civic Leadership and Effective Governance





## *Civic Leadership and Effective Governance*

- Consultation on the draft **Cessnock 2020 Community Plan** involved 500 participants in a community survey, 400 participants across sixteen Workshops, 83 participants via online, telephone and written submissions and 50 participants in a school art project.
- The Cessnock 2020 Community Plan was adopted by Council in October 2010 and **Council's 2011-13 Delivery Program was adopted** in June 2011.
- There were approximately 50 attendees at the **Volunteers' Day** held in December 2010 at Cessnock Shed and Community Garden.

### Performance



9 actions completed



1 action in progress



10 actions scheduled in future years



0 actions not scheduled

## Public participation

Cessnock City Council is a strong advocate of community consultation and uses this process to ensure it is meeting the community's needs and establishing the type of future the residents of Cessnock desire.

Some of the ways Council invites public participation and comment include:

- Residents are welcome to contact Council in person, by telephone or in writing with their views or suggestions for improving the local government area.
- Council seeks public comment on important matters. This may be by way of public meetings, public exhibitions or more formalised public hearings. Details of all public meetings and exhibitions are published in local newspapers.
- The elected Council considers all policy matters at Council meetings which are open to the public. Council's Code of Meeting Practice makes provision for members of the public to address Council meetings and prescribes the framework for such participation.
- There are also avenues for members of the public to personally participate in the policy development functions of the Council. Several Council Committees comprise or include members of the public. These committees include:
  - Access Advisory Committee
  - Cultural Planning and Development Committee
  - Environment Committee
  - Floodplain Management Committee
  - Kurri Kurri Aquatic Centre Committee



## Councillor payments and expenses

Cessnock City Council has in place a Councillors' Expenses & Facilities Policy that governs the expenses paid and facilities provided to the Mayor, Deputy Mayor and Councillors in the discharge of their civic duties. The Councillors' Expenses & Facilities Policy is published as a separate document and can be viewed at the Administrative Offices, 62-78 Vincent Street, Cessnock or online at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au).

In 2010/2011 the cost of expenses incurred by and facilities provided to Councillors was \$57,501. This includes domestic travel expenses such as accommodation and registration fees for seminars and conferences, as well as office administration such as telephones, faxes, postage, meals and refreshments.

Annual fees were paid to the Mayor and Councillors as required by the Local Government Act 1993 and in accordance with the determination of the Local Government Remuneration Tribunal.

The following summary shows the amount expended during the year on mayoral fees and councillor fees, the amount expended on provision of facilities for use by councillors and the payment of councillors' expenses.

Mayoral and Councillor fees for the year 2010/2011 were fixed within the range of fees established by the Local Government Remuneration Tribunal. The Mayoral fee was fixed at \$34,860 and the Councillor fee at \$15,970.

The fees paid were as follows: -

Nature of Expenses	Amount
Mayoral Fees	\$34,860
Councillor Fees	\$207,610

Breakdown of Mayoral and Councillor Expenses	
Nature of Expenses	Amount
Provision of dedicated office equipment, including laptop computers, mobile phones, telephone, fax and installation of internet access.	\$7,913
Telephone calls, including mobiles, landlines, fax and internet services.	\$16,503
Spouse / Partner Accompanying Person	NIL
Conferences and Seminars	\$22,508
Training and Skill Development	NIL
Interstate Travel	\$1,473
Overseas Travel	NIL
Meetings - Travel	\$8,494
Care and Other Related Expenses	\$610
<b>Total</b>	<b>\$57,501</b>

In 2010/2011 there was no overseas visits by elected Councillors.

## Contributions and grants

Under the provisions of Section 356 of the Local Government Act, 1993, Council may, for the purpose of exercising its functions, grant financial assistance to other persons.

During 2010/11 Council provided rates subsidies totalling \$21,264.99 to community groups/organisations.

Group/Organisation	Amount
RSL Hall - Maitland St, Branxton	\$1,620.76
RSL Hall - Wollombi Rd, Cessnock	\$857.41
RSL Hall - Cessnock Rd, Weston	\$787.71
Cessnock Masonic Hall	\$1,268.96
Paxton Masonic Hall	\$857.41
Weston Masonic Hall	\$915.82
Pre-School - Dudley St, Cessnock	\$1,780.07
Day Care Centre - Dudley St, Cessnock	\$1,096.37
Kurri Kurri Day Care Centre	\$1,640.68
Weston Pre-School	\$309.59
Aberdare Pre-School	\$1,501.28
Bellbird Pre-School	\$1,116.29
Greta Pre-School Kindergarten	\$1,441.54
Challenge Disability Services	\$1,919.46
Cessnock Homing Pigeon Club	\$795.01
Cessnock Pistol Club	\$711.23
Cessnock Mini-Bike Club	\$413.35
Kurri Kurri Motor Cycle Club	\$262.86
Richmond Vale Preservation Co-op Society	\$819.71
Cessnock Multi Purpose Children's Centre	\$1,149.48
<b>Total</b>	<b>\$21,264.99</b>

During 2010/11 Council provided \$92,089.66 in general financial assistance to community groups/organisations.

Group/Organisation	Amount
<b>Community Halls \$ for \$ Program</b>	
Weston Community Pre-School	\$3,278.00
Branxton Community Hall	\$2,289.09
Kearsley Community Hall	\$2,644.55
Wollombi Community Hall	\$1,057.27
Wollombi Valley Progress Association	\$1,500.00
Wollombi Valley Tennis	\$2,366.36
Kurri Kurri Community Centre	\$3,550.00
Aberdare Pre-School	\$5,000.00
Cessnock Gem and Mineral Club	\$1,197.00
Cessnock Quilters and Embroiders	\$213.00
<b>Sub-Total</b>	<b>\$23,095.27</b>

Group/Organisation	Amount
<b>Community Cultural Development \$ for \$ Program</b>	
Abermain Eisteddfod Society	\$2,000.00
Abermain Heritage Preservation	\$2,500.00
Central Hunter Community	\$1,000.00
Cessnock City Country Music	\$1,500.00
Cessnock District Historical Society	\$1,220.00
Cessnock Regional Art Gallery	\$2,550.00
Cessnock Youth Development	\$1,750.00
Coalfield Heritage Group	\$1,250.00
Hunter Valley Actors Centre	\$3,000.00
Hunter Valley MultiCultural	\$300.00
Sculpture in the Vineyards Inc	\$1,500.00
Towns With Heart	\$5,109.03
Weston Art Show	\$2,000.00
<b>Sub-Total</b>	<b>\$25,679.03</b>
<b>Recreation Minor Projects \$ for \$ Program</b>	
Wollombi Valley Pony Club Inc	\$2,750.00
Abermain - Weston Hawks R.L.F.C.	\$1,500.00
Cessnock Minor Rugby League	\$2,350.00
Cessnock District Netball	\$1,848.00
Cessnock Dog Club	\$6,239.00
Greta Branxton Pony Sports Club	\$1,741.00
Kurri Kurri Rugby League Club	\$1,818.00
Cessnock Hornets	\$3,188.00
Cessnock Rugby League Football	\$7,970.00
Kurri Kurri Athletic Centre	\$1,095.00
Cessnock Target Archers	\$2,886.00
Pelaw Main Titan's Soccer Club	\$3,623.00
Branxton Croquet Club	\$930.00
Cessnock Minor Rugby League	\$2,136.36
Cessnock Tennis Club	\$1,965.00
Kurri Kurri Tennis Club	\$1,276.00
<b>Sub-Total</b>	<b>\$43,315.36</b>
<b>Total</b>	<b>\$92,089.66</b>

# Rates and charges

Details of gross rates and charges levied and written off are shown below:

Gross Rates and Charges Levied and Written Off		
Ordinary Rates (Specify)		
Residential	\$18,453,833	
Farmland	\$3,601,171	
Business	\$4,211,721	
Mining	\$649,301	
<b>Total Rates</b>		<b>\$26,916,026</b>
Domestic Waste Management Charges		\$7,975,133
Stormwater Management Charges		\$455,819
Gross Rates and Charges		\$35,346,978
Less: Written Off		
Pensioners (Section 575)	\$1,196,603	
Pensioners (Section 582)	\$121,268	\$1,317,871
		\$34,029,107
Net Transfers to and from Postponed Rates		\$2,710
Net Rates and Annual Charges		\$34,031,817
Net Extra Charges - Interest and Legal per note 3		\$198,877
		<b>\$34,230,694</b>

The 2010/11 year was the fifth year of a special rates variation granted to Council by the Minister for Local Government. An amount of \$1,387,000 was levied under this special variation with the funds being expended on the following capital works:

Infrastructure from Additional Rate Increase		
Harle Street, Abermain	Macquarie Avenue, Cessnock	Brunker Street, Kurri Kurri
Howe Park, Abermain	McGrane Street, Cessnock	Kline Street, Weston
Bowen Street, Branxton	Campbell Street, Ellalong	Paynes Crossing Road, Wollombi
Jeffries Street, Cessnock		

Stormwater Management Service Program	
Mulbring Main Drain	Anne Street, Cessnock
Edgeworth Street drainage	Black Creek Flood Study
Wollombi FRMS&P	Cessnock FRMS&P
Swamp Fisheries Wallis Creek Flood Study	Church Street, Ellalong
Railway Street/Branxton Street, Branxton	Whitburn Estate drainage
<b>Adopted 2010/2011</b>	<b>Actual 2010/2011</b>
<b>\$1,050,000</b>	<b>\$1,440,333</b>

## Partnerships

Council did not hold any controlling interest in any companies during 2010/2011.

- Council is a member of the New South Wales Local Government (Jardine Lloyd Thompson) Mutual Liability Scheme. This is a self-insurance scheme comprising the majority of Councils in New South Wales. It was established with the purpose of purchasing public liability and professional indemnity insurance. This enables Council to meet its insurance obligations under the Act.
- Hunter Resource Recovery is a public company, limited by guarantee. Registered ABN 35071432570. The company was established by the member Councils (Cessnock, Lake Macquarie & Maitland) to manage the kerbside recycling contract. Extension of services will now see the contract continue until June 2012.
  - The Company is made up of 12 Directors. Each Council is represented by four (4) Directors.
  - The Company was established in 1995. During 2010/2011, Cessnock recycled 4,225 tonnes of material from 19,177 homes.
- Council is a joint guarantor for a loan which was drawn down on 1 July 2003 by Hunter Councils Limited. The total loan borrowing is \$2.86 million and Council's exposure is \$351,416.
  - Hunter Councils Limited has been established to improve the quality and efficiency of local government service throughout the Hunter Region. One such service is the establishment and provision of a Record Repository Centre for the use of the Member Councils and to outsource this service to other organisations.
- Hunter Integrated Resources is a public company, limited by guarantee Registered ACN 095 330 813 established by the four (4) member Councils (Cessnock, Lake Macquarie, Maitland and Newcastle) to investigate alternate waste technology that may benefit member Councils through economies of scale.

## Controlling interests

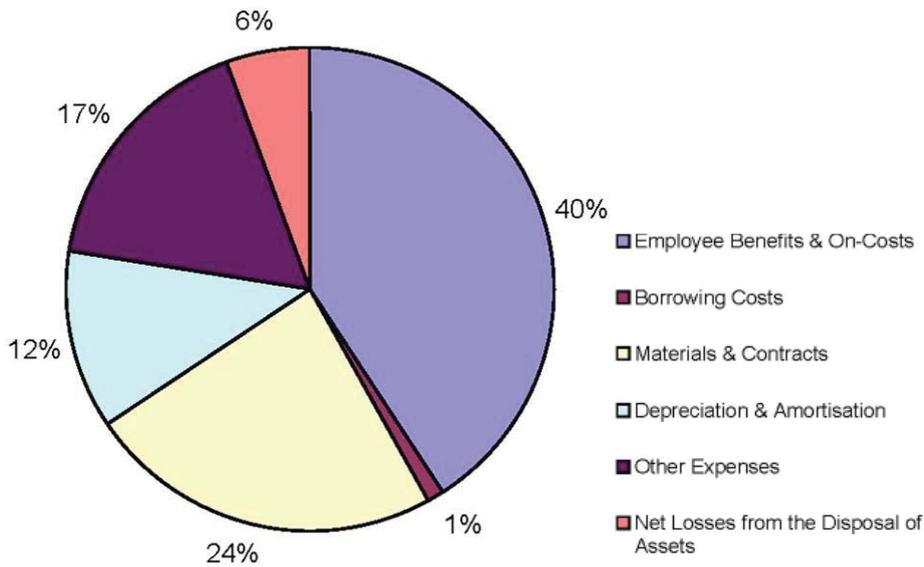
Council held no controlling interests in companies as defined under S428(2) (p) of the Local Government Act.

## Financial statements

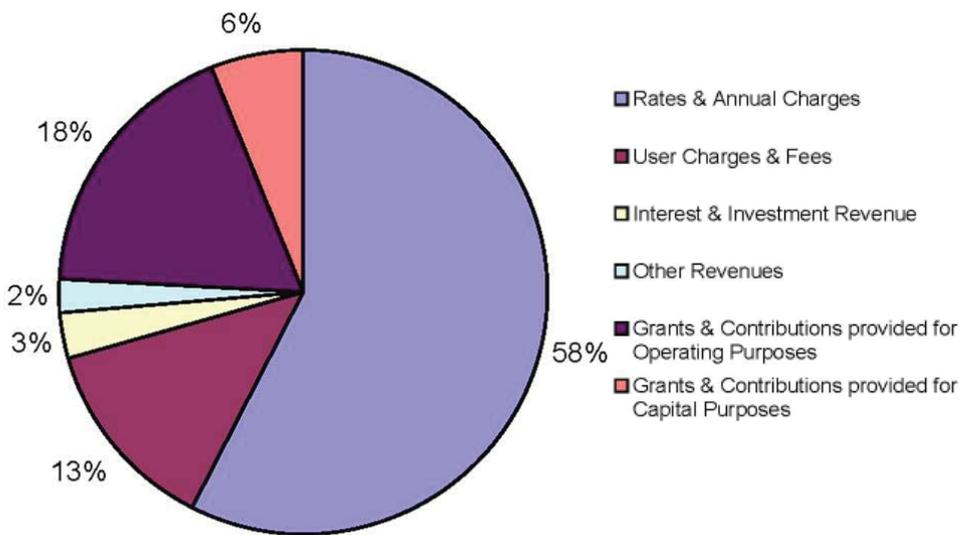
Under the provisions of Division 2 of Part 3 (Financial Management) of the Local Government Act, 1993, Council's audited financial reports and the auditor's reports for the year 2010/2011 were adopted by Council on 16 November 2011.

The financial reports comprise general purpose financial reports and special schedules. The financial reports, together with the auditor's reports, are included as Part C of this report and can be viewed at the Administrative Offices, 62-78 Vincent Street, Cessnock or online at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au). The reports cover the period from 1 July 2010 to 30 June 2011.

## Operating Expenditure 2010/11



## Operating Revenue 2010/11



## Replacement and sale of assets

Council's policy is to replace all items of plant at the end of their beneficial economic life.

The general replacement schedule for sedans and station wagons over the past financial year has been no less than 40,000 kilometres and up to 100,000 kilometres or 2 years, whichever comes first.

The proposed and actual plant replacement program for the 2010/11 year is set out below. In all cases except those noted, the items shown were replaced by a similar unit.

Plant Replacement Program	Changeover Cost (Ex GST) and Number 2010/11	
Description of Items	Proposed \$	Actual \$
Sedans and Wagons	616,000	792,413 (23) Note 1
Utilities and Vans	132,000	290,922 (8)
Two Tonne Utilities		Note 2
Three Tonne Tippers	125,000 (4)	Note 2
Five Tonne Tipping Trucks		
Twelve Tonne Tipping Trucks		252,401 (1)
Slashers Mowers Tractor Driven	30,000 (2)	62,023 (3)
Tractors	75,000 (2)	156,021 (2)
Ride-on Mowers/Heavy Duty		
Graders		
Skidsteer	48,000 (1)	Note 2
Compaction Rollers	140,000 (1)	Note 2
Backhoe	150,000 (2)	Note 2
<b>Special Plant</b>		
Streetsweeper		
Other Special Plant – Mini Street Sweeper	100,000 (1)	Note 2

Notes:

1. Some replacements postponed due to Vehicle Leaseback Policy Review.
2. Replacement(s) postponed.

## Privacy

The Privacy and Personal Information Protection Act (PPIPA) came into effect from 1 July 2000. In accordance with the PPIPA, Council adopted the Local Government and Shires Association Model Privacy Management Plan on 18 October 2000, which outlines how Council may use and disclose personal information. Personal information may be in written, photographic, video or auditory format.

The twelve Information Protection Principles outlined in the Act provide practical guidance regarding:

- How Council determines what personal information is to be collected,
- From whom it is to be collected,
- Who is to collect it,
- How it is to be collected,
- How it is to be stored and
- Who can access it.

As a result of the Act, Council is required to:

- Comply with, adopt and implement the information protection principles as outlined in the PPIPA.
- Protect the personal information to which Council has access, and not disclose personal information otherwise than in accordance with official duties and in accordance with the law.
- Adhere to Council's adopted Privacy Management Plan, and comply with the Privacy Code of Practice.
- Inform the public whenever we collect personal information and inform them of the reasons for collection and uses of the information.

## Privacy issues

When accessing Council documents, you need to be aware of the Privacy and Personal Information Protection Act 1998 which helps to protect personal information and the privacy of individuals. Councils are required to develop a privacy management plan under the Privacy and Personal Information Protection Act and comply with other legislation regarding public access to information.

If you are refused access to documents on the grounds of privacy, you should read a document called 'Privacy, you and your local Council'. It provides a brief overview of the Privacy and Personal Information Protection Act and answers some frequently asked questions. This document is available at the Division of Local Government website at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au).

- Identify any register which contains personal information and which is provided to third parties, and comply with public register provisions.
- Amend personal records immediately and free of charge to ensure the information held is accurate, relevant, up to date, complete and not misleading.
- Report compliance with the Act in each year's annual report and conduct an internal review of complaints made against it by the public.

Council's Privacy Management Plan and Privacy Code of Practice may be viewed at Council's Libraries and Administration Centre. Information about Privacy and Access to Documents as well as the Privacy Management Plan and Code of Practice are available on Council's web-site [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au).

Council's Privacy Contact Officer may be contacted on (02)4993 4100.

During 2010/11 no reviews were conducted by or on behalf of Cessnock City Council under Part 5.

## Accessing Council documents

Members of the public are entitled to have access to Council information and records under the Government Information (Public Access) Act 2009 (the GIPA Act) which replaced the Freedom of Information Act 1989 and Section 12 of the Local Government Act 1993 from 1 July 2010.

The GIPA Act introduces a new scheme for providing public access to government information, and focuses on the legislative requirement in favour of disclosure of the information through consideration of the public's best interest.

The GIPA Act establishes 4 pathways for accessing information:

1. Mandatory Disclosure (e.g. obligatory publication of information on the web)
2. Proactive release (e.g. certain publications and application tracking)
3. Informal release (e.g. documents under the repealed Section 12 of Local Government Act)
4. Formal Access (e.g. previous Freedom of Information application).

Open access information (or mandatory release information) must be published on Council's website, unless to do so would impose unreasonable additional costs. It can also be made available in any other way. At least one of the ways in which Council makes the open access information publicly available must be free of charge.

Open access information includes the following:

- a publication guide
- policy documents
- a disclosure log of access applications
- a register of Council contracts
- Council's record of the open access information (if any) that it does not make publicly available on the basis of an overriding public interest against disclosure.

Copies of information can generally be made available free of charge although you may have to pay reasonable photocopying charges if you want your own copy. If you have a simple request that can be satisfied by reference to a single file or entry in a register Council can usually respond on the spot, and at no charge. However, in the case of a more complex request or if the file has to be accessed off-site, you may be requested to complete a Government Information (Public Access) Act 2009 application form to allow Council to process your request.

## Amending Council records

Members of the public interested in obtaining access to information or who wish to seek an amendment to the Council's records concerning their personal affairs, should contact Council's Help and Information Centre.

If you are unhappy with the accuracy or use of your personal information held by Council you can ask that the information be amended. This can be done by writing to the Right to Information Officer outlining the reasons for your request.

Further information regarding Accessing Council Information can be found in Council's Access to Information Policy or by contacting Council's Right to Information Officer, Cessnock City Council, P.O. Box 152, Cessnock, 2325.

# Government Information (Public Access) Regulation 2009

Council has reviewed its program for the release of government information in accordance with section 7.

Details of requests for information received by Council for the year ending 30 June, 2011 are as follows:

Table A: Number of applications by type of applicant and outcome								
	Access granted in full	Access granted in part	Access refused in full	Info not held	Info already available	Refuse to deal with application	Refuse to confirm/deny whether info is held	Application withdrawn
Media	2	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	3	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	1	2	0	0	0	0	0	0
Members of the public (other)	6	4	1	0	0	0	0	0

Table B: Number of applications by type of application and outcome								
	Access granted in full	Access granted in part	Access refused in full	Info not held	Info already available	Refuse to deal with application	Refuse to confirm/deny whether info is held	Application withdrawn
Personal information applications	0	0	0	0	0	0	0	0
Access applications (other than personal information applications)	12	6	1	0	0	0	0	0
Access applications that are partly personal info applications and partly other	0	0	0	0	0	0	0	0

Table C: Invalid applications	
Reason for invalidity	No. of applications
Application does not comply with formal requirements (section 41 of the Act)	0
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
<b>Total number of invalid applications received</b>	<b>0</b>
Invalid applications that subsequently became valid applications	0

**Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act**

	No. of times consideration used *
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	0
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0

**Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act**

	No. of occasions when application not successful
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	6 (access in part)
Business interests of agencies and other persons	1 (access refused)
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate FOI legislation	0

**Table F: Timeliness**

	No. of applications
Decided within the statutory timeframe (20 days plus any extensions)	18
Decided after 35 days (by agreement with applicant)	1
Not decided within time (deemed refusal)	0
<b>Total</b>	<b>19</b>

**Table G: Number of applications reviewed under Part 5 of Act (by type of review & outcome)**

	Decision varied	Decision upheld	Total
Internal review	0	0	0
Review by Information Commissioner*	0	0	0
Internal review following recommendation under s. 93 of Act	0	0	0
Review by ADT	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table H: Applications for review under Part 5 of the Act (by type of applicant)**

	No. of applications for review
Applications by access applicants	0
Applications by persons to whom information the subject of access application relates (see s.54 of Act)	0



## Contracts

Details of contracts awarded for amounts over \$150,000 (not including employment contracts).

Successful Tender	Item	Amount payable per Tender (incl. GST)
Babic Construction Pty Ltd	T1011/02 – Extensions to the Millfield Community Hall	\$183,090
Humes Holcim (Australia Pty Ltd)	T1011/04 – Supply of RCBC Crown Units for Greta (Trunk Drainage)	\$283,927
The Rix Group Pty Ltd	T1011/06 – Rock Stabilisation Paynes Crossing The Grange	\$420,463
Civica Pty Ltd	T1011/01 - Enterprise Content Management System	\$544,081
LabourCo – Primary Supplier and Skilled Group – Secondary Supplier	T1011/07 – Hire of Casual Labour	\$827,205
Civilbuild Pty Ltd	T1011/05 – Wollombi Road Bridge Replacement	\$1,918,915

## Work on private land

Under Section 67 of the Local Government Act, 1993, Council may, by agreement with the owner or occupier of any private land, carry out on the land any kind of work that Council may lawfully undertake.

Council undertook the following works during 2010/2011:

### Private Works on Public Land

NIL

### Private Works on Private Land

Murrays Run Road, Laguna - maintenance grading

- installation 8 farm gates

### Public Works on Private Land

NIL

## Legal proceedings

Summarised below are details of legal proceedings taken by Council or taken against Council during 2010/11. The result of the proceedings is shown together with the nature and amount of the legal costs incurred.

Matter	Court	Cost	Result
Bigeni v Cessnock City Council 925 Old Maitland Road, Bishops Bridge Proceedings 10390/10 against refusal of Development Application 8/2007/288/1	Land & Environment Court	\$95,769.71	The proceedings were discontinued costs awarded against the applicant.
Covercopy Pty Limited v Cessnock City Council 2011 NSWLEC 1136. - land located at the northern end of Anstey Street and to the north of dwellings fronting Anzac Avenue. Appeal against the refusal by Council to modify consent.	Land & Environment Court	\$35,521.86	The appeal was dismissed.
Abernethy Developments P/L v Cessnock City Council 2011 Proceedings 10914 of 2010 – 83 Fergusson Street Abernethy Application directly to the Court to modify development consent.	Land & Environment Court	\$34,692.40	The appeal was dismissed.
Lees and anor v Cessnock City Council 2011 NSWLEC 1098 - erection of a dwelling at 88 Sawyers Gully Road, Sawyers Gully. Appeal against the refusal by Cessnock City Council of an application to modify a condition of development consent.	Land & Environment Court	\$23,582.07	The appeal was upheld.
Cessnock City Council v Bimbadgen Estate Pty Ltd 2011 790 McDonalds Road, Pokolbin NSWLEC 140. Proceedings for committing the offence of carrying out earthworks on the land without consent.	Land & Environment Court	\$22,642.28	The respondent pleaded guilty and was convicted of offence.
Urbanesque Planning Pty Ltd v Cessnock City Council 117 Littlewood Road, North Rothbury 54 Christy Road Private Access Mount View. Appeal against the refusal by Cessnock City Council (the council) of an application to modify a condition of development consent.	Land & Environment Court	\$22,632.40	Parties reached agreement and the appeal was upheld.
RW & K Littlewood v Cessnock City Council Appeal 10129 of 2011 for Lot 8 DP 752111 Littlewood Road, Rothbury. Appeal against conditions of Development Approval 8/2004/1044/2.	Land & Environment Court	\$10,140.79	The proceedings were discontinued.
O'Dowd v Cessnock City Council 10448 of 2011 - 7 Tramminer Grove Vineyard Grove Estate Appeal against conditions of development consent.	Land & Environment Court	\$0	The proceedings were discontinued.
<b>TOTAL</b>		<b>\$244,981.51</b>	

## Human resources

Cessnock City Council's future success depends upon the skills, energy and commitment of its people. Council must attract, develop and retain employees of the highest quality and provide a working environment that will enable employees to maximise their contribution to the achievement of Council's strategic goals.

Effective utilisation of Council's human resources is of paramount importance if the organisation is to gain benefits from its industrial arrangements and supporting human resource policies and procedures. These offer a framework to improve Council's performance through efficiency, flexibility and responsiveness and a productive, high quality workforce.

Staff costs account for a significant component of Council's operating budget and as such a focused, planned approach to the management of people is essential for Council to meet its operational and strategic goals.

Council recognises the importance of the contribution of the individual and the consequent obligation to provide a safe, supportive and stimulating work environment for all its employees. These issues fundamentally drive the HR function to effectively use Council's human talent to achieve the goals of Council and individual employees.

A strategic realignment of Council's structure following on from a change in General Manager and Leadership Group during 2010/2011 has led the way for a significant cultural shift within the organisation so the staff, the Councillors and the community can start to see Council as the catalyst for change and growth.

The change in organisation structure was based on a realignment of Council functions into a more focussed and team based approach. The new structure focuses on:

- Innovation and sustainability
- Community needs and social planning
- Moving strategic planning for all functions of Council into a discrete group
- Refining the focus of operational areas.

There is now a process of transformational change under way based on an Employee Value Proposition. The Employee Value Proposition is intrinsic in driving the culture of the organisation ensuring that Council is in a position to:

- Attract and keep the best people in the organisation and allow them to be the best they can be;
- Build a positive workplace culture with a shared vision and understanding of that vision, and each and everyone's role in the realisation of the vision.

Council's first Workforce Plan outlining human resource strategies for the future was completed and submitted within the required timeframes. The Workforce Plan addresses concerns mainly in the current workforce demographic as well as being proactive in areas of attracting a skilled workforce given our external labour market factors. The Workforce Plan contains strategies that will be implemented over the next 2 years.

## Equal employment

Council continues to raise awareness of Workplace Diversity through the Workplace Diversity Contact Officers network and an internal advertising campaign consisting of workplace posters and other promotional material used to raise staff awareness of the need to recognise and respect diversity in the workplace.

## Senior staff

A statement of the total amount paid to each senior staff member employed during 2010/2011.

	General Manager	Director City Planning	Director Corporate & Community	Director Infrastructure & Services
	1/07/10 to 6/10/10	1/07/10 to 1/04/11	1/07/10 to 3/03/11	1/07/10 to 30/06/11
	\$	\$	\$	\$
Total Value of Salary Component of Package:	\$49,906.30	\$109,593.57	\$105,205.89	\$166,908.75
Total amount of any bonus payments, performance or other payments that do not form part of salary:	-	-	\$2,640.00	\$1,340.00
Total payable superannuation (salary sacrifice and employers contribution):	\$4,491.57	\$9,863.42	\$9,468.53	\$32,275.80
Total value of non-cash benefits – Provision of Motor Vehicle:	\$2,630.14	\$7,534.25	\$6,739.73	\$8,301.37
Total payable fringe benefits tax for non cash benefits:	\$2,520.00	\$5,855.00	\$3,763.00	\$5,527.00
<b>Total Remuneration Package</b>	<b>\$59,548.01</b>	<b>\$132,846.23</b>	<b>\$127,817.14</b>	<b>\$214,352.92</b>

	General Manager	Group Leader Built & Natural Environment	Group Leader Strategy & Sustainability	Group Leader Customer Services
	5/10/10 to 30/06/11	27/04/11 to 30/06/11	27/04/11 to 30/06/11	2/05/11 to 30/06/11
	\$	\$	\$	\$
Total Value of Salary Component of Package:	\$155,510.87	\$27,774.29	\$28,591.18	\$26,391.86
Total amount of any bonus payments, performance or other payments that do not form part of salary:	-	-	-	-
Total payable superannuation (salary sacrifice and employers contribution):	\$14,971.98	\$2,499.69	\$5,153.21	\$2,375.27
Total value of non-cash benefits – Provision of Motor Vehicle:	\$7,369.86	\$1,780.82	\$1,780.82	\$1,643.84
Total payable fringe benefits tax for non cash benefits:	\$1,691.00	-	-	-
<b>Total Remuneration Package</b>	<b>\$179,543.71</b>	<b>\$32,054.79</b>	<b>\$35,525.21</b>	<b>\$30,410.96</b>

## Delegated functions

Hunter Resource Recovery (HRR) is the provider of Council's domestic kerbside recycling service. It is jointly owned and operated by Cessnock, Lake Macquarie and Maitland City Councils.

HRR manages the kerbside recycling collection service contract with Solo Resource Recovery and the subsequent recyclables processing by Visy Recycling.

# Statutory Requirements



Section/ Clause	Requirement	Page
<b>Local Government Act</b>		
428(2)(a)	A copy of the council's audited financial reports	112
428(2)(b)	A comparison of the Council's actual performance of its principal activities during that year (measured in accordance with the criteria set out in the relevant management plan) with the council's projected performance of those activities (as contained in the relevant management plan), together with a statement of the reasons for any difference between them.	13, 20, 23, 27 & 32
428(2)(c)	A report as to the state of the environment in the area	52
428(2)(d)	A report on the condition of the public works (including public buildings, public roads and water, sewerage and drainage works) under the control of the council as at the end of that year together with: (i) an estimate (at current values) of the amount of money required to bring the works up to a satisfactory standard; and (ii) an estimate (at current values) of the annual expense of maintaining the works at that standard; and (iii) the council's program of maintenance for that year in respect of the works.	28
428(2)(e)	A summary of the amounts incurred by the council during that year in relation to legal proceedings taken by or against the council (including amounts, costs and expenses paid or received by way of out of court settlements, other than those the terms of which are not to be disclosed) and a summary of the state of progress of each legal proceeding and (if it has been finalised) the result.	45
428(2)(f)	The total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses.	34
428(2)(g)	A statement of the number of senior staff employed by the council during that year, together with a statement of the total amount of money payable in respect of the employment of senior staff, including money payable for salary, for the provision of fringe benefits and for all other on-costs connected with their employment.	47
428(2)(h)	Details of each contract awarded by council during that year (whether as a result of tender or otherwise) other than: (i) employment contracts (that is, contracts of service but not contracts for services); and (ii) contracts for less than \$100,000 or such other amount as may be prescribed by the regulations, including the name of the contractor, the nature of goods or services supplied by the contractor and the total amount payable to the contractor under the contract.	44
428(2)(i1)	A report on the bush fire hazard reduction activities of the council during that year, including activities carried out under a bush fire management plan approved under the Rural Fires Act 1997.	24
428(2)(j)	Details of programs undertaken by the council during that year to promote services and access to services for people with diverse cultural and linguistic backgrounds in a manner that is consistent with the principles of multiculturalism.	15
428(2)(k)	Details or a summary (as required by section 67 (3)) of resolutions made during that year under section 67 concerning work carried out on private land and details or a summary of such work if the cost of the work has been fully or partly subsidised by the council, together with a statement of the total amount by which the council has subsidised any such work during that year.	44
428(2)(l)	The total amount contributed or otherwise granted under section 356.	35
428(2)(m)	A statement of the human resource activities (such as training programs) undertaken by the council during that year.	46
428(2)(n)	A statement of the activities undertaken by the council during that year to implement its equal employment opportunity management plan.	46
428(2)(o)	A statement of all external bodies (such as county councils) that during that year exercised functions delegated by the council.	47

Section/ Clause	Requirement	Page
<b>Local Government Act</b>		
428(2)(p)	A statement of all companies in which the council (whether alone or in conjunction with other councils) held a controlling interest during that year.	38
428(2)(q)	A statement of all partnerships, co-operatives or other joint ventures (including public-private partnerships) to which the council was a party during that year.	38
428(2)(r)	Such other information as the regulations may require.	
<b>Local Government (General) Regulation 2005</b>		
217(1)(a)	Details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons while representing the council (including visits sponsored by other organisations).	34
217(1)(a1)	<p>Details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:</p> <ul style="list-style-type: none"> <li>(i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs).</li> <li>(ii) Telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile installed in councillors' homes,</li> <li>(iii) The attendance of councillors at conferences and seminars,</li> <li>(iv) The training of councillors and the provision of skill development for councillors,</li> <li>(v) Interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,</li> <li>(vi) The expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time,</li> <li>(vii) Expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions.</li> </ul>	34
217(1)(b)	<p>A statement of the total remuneration comprised in the remuneration package of each senior staff member employed during the year that is to include, for each such member, the total of the following:</p> <ul style="list-style-type: none"> <li>(i) the total value of the salary component of the package,</li> <li>(ii) the total amount of any bonus payments, performance payments or other payments made to the member that do not form part of the salary component of the member's package,</li> <li>(iii) the total value of any non-cash benefits for which the members may elect under the package, and</li> <li>(iv) the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits.</li> </ul>	47
217(1)(c)	Details of the activities undertaken by the council during the year to develop and promote services and programs that provide for the needs of children.	14
217(1)(d)(i)	A report (in the form required by the Department) on the council's performance in relation to access and equity activities to meet residents' needs outlined in the council's management plan relating to the year and undertaken by the council during the year.	14
217(1)(d)(ii)	A list of the Category 1 business activities of the council.	21
217(1)(d)(iii)	A list of the Category 2 business activities of the council.	21
217(1)(d)(iv)	A statement of expenses, revenues and assets in relation to each category 1 business activity.	21
217(1)(d)(v)	A summary of the progress of council implementing the principals of competitive neutrality.	21

Section/ Clause	Requirement	Page
<b>Local Government (General) Regulation 2005</b>		
217(1)(d)(vi)	A statement as to whether the competitive neutrality pricing requirements have or have not been applied to each category 1 business activity.	21
217(1)(d)(vii)	A statement regarding the establishment of a complaints handling mechanism for competitive neutrality complaints, and as to the manner in which the council publicises and makes the mechanism known to the public.	21
217(1)(d)(viii)	A comparison of the actual performance of each category 1 business activity of the council (measured in accordance with the criteria set out in the relevant management plan) with its projected performance (outlined in the management plan relating to the year concerned) together with a statement of the reasons for any difference between them.	21
217(1)(d)(ix)	A summary of competitive neutrality complaints that have been made against the council during the year (including details of the number of complaints received and the subject matter or nature of the complaints) and a statement as the outcome of those complaints (including details as to the number of complaints disposed of during the year and the number still outstanding at the end of the year).	21
217(1)(e)	If the council has levied an annual charge for stormwater management services – a comparison of the actual stormwater management services made available by the council during the year (measured in accordance with the criteria set out in the relevant management plan) with the projected stormwater management services that were proposed to be made available (outlined in the management plan relating to the year concerned), together with a statement of the reasons for any difference between them.	37
217(1)(f)	A detailed statement, prepared in accordance with such guidelines as may be issued by the Director-General from time to time, of the council's activities during the year in relation to enforcing, and ensuring compliance with, the provisions of the Companion Animals Act 1998 and the regulations under that Act.	17
217(2)	An annual report of a council is to include the matter required by Subdivision 2 (State of the Environment reports).	52
s508(2)	Report on special variation expenditure if required to do so by the instrument made by the Minister.	37
<b>Government Information (Public Access) Regulation 2009</b>		
cl 7 (a)	Details of the review carried out under section 7(3) of the Act during the reporting year and the details of any information made publicly available as a result of the review.	42
cl 7 (b)	The total number of access applications received during the reporting year.	42
cl 7 (c)	The total number of access applications received during the reporting year that have been refused because the application was for the disclosure of information referred to in Schedule 1 to the Act.	42
cl 7 (d)	Information as set out in the form required in Schedule 2.	42
<b>Privacy and Personal Information Protection Act 1998</b>		
s33	Statement of action taken by council in complying with the requirements of the PPIP Act.	40
s33	Statistical details of any review conducted by or on behalf of the council under Part 5.	-
<b>Environmental Planning and Assessment Act 1979</b>		
s93 G (5)	Particulars of compliance with and effect of planning agreements in force during the year.	25