



2 September 2016

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that the next Ordinary Meeting of Council will be held in the Council Chambers, on Wednesday, 7 September 2016 at 6.30 pm, for the purposes of transacting the undermentioned business.

AGENDA:

PAGE NO.

(1) OPENING PRAYER	
(2) ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS	
(3) RECEIPT OF APOLOGIES	
(4) CONFIRMATION OF MINUTES OF PREVIOUS MEETING	
Minutes of the Ordinary Meeting of Council held on 17 August 2016.....	5
(5) DISCLOSURES OF INTEREST	
DI15/2016 Disclosures of Interest	24
(6) PETITIONS	
(7) ADDRESS BY INVITED SPEAKERS	
(8) MOTIONS OF URGENCY	
MOU15/2016 Motions of Urgency.....	25
(9) GENERAL MANAGER'S UNIT	
‡ GMU11/2016 Cessnock City Council Picnic Day	26
(10) PLANNING AND ENVIRONMENT	
‡ PE63/2016 End of Term Report - 2016	29
PE64/2016 Development Application No. 8/2016/337/1 for a change of use from a garage to a dwelling.....	31
(11) CORPORATE AND COMMUNITY	
CC57/2016 Financial Statements for the Year Ended 30 June 2016 - Refer For Audit and Council Certification.....	48
CC58/2016 Feasibility for Additional Flagpoles within the Administration Centre Carpark	52

(12) WORKS AND INFRASTRUCTURE

WI44/2016	Minutes of the Local Traffic Committee Meeting held 15 August 2016	57
-----------	--	----

(13) ANSWERS TO QUESTIONS FOR NEXT MEETING

AQ60/2016	Sanitary Services - Port-A-Loo Service.....	65
-----------	---	----

(14) QUESTIONS FOR NEXT MEETING

(15) COUNCILLORS' REPORTS



Council's Charter

- 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 State Government (and through it, the wider community) informed about its activities.
- To ensure that, in the exercise of its regulatory functions, its acts consistently and without bias, particularly where an activity of the Council is affected.
- To be a responsible employer.

Council's Values

- | | | |
|-------------|--------------|--------------|
| • Respect | • Innovation | • Teamwork |
| • Integrity | • Fairness | • Commitment |

Our Community's Vision

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 – thriving, attractive and welcoming.

Our Community's Desired Outcomes

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



Council Model Code of Conduct

Council adopted its current Code of Conduct on 3 February 2016. This Code provides details of statutory requirements and gives guidance in respect of the way in which pecuniary and conflict of interest issues should be approached.

Generally, the policies refer to the following issues:

1. Councillors are under an obligation at law to disclose any interest they may have in any matter before the Council and to refrain from being involved in any consideration or to vote on any such matter
2. Councillors must disclose any interest in any matter noted in the business paper prior to or at the opening of the meeting
3. The nature of the interest shall be included in the notification
4. Councillors shall immediately and during the meeting disclose any interest in respect of any matter arising during the meeting which is not referred to in the business paper
5. All declarations of interest shall be recorded by the General Manager
6. All disclosures of interest shall as far as is practicable be given in writing
7. Any member having a pecuniary or non-pecuniary significant conflict of interest shall leave the meeting and remain absent while the subject of the interest is being considered by Council
8. The meeting shall not discuss any matter in which a Councillor has a pecuniary or non-pecuniary significant conflict of interest while the Councillor is present at the meeting

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 17 AUGUST 2016, COMMENCING
AT 6.30 PM**

PRESENT: His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Gibson, Troy, Doherty, Olsen, Ryan, Stapleford, Hawkins, Smith, Campbell and Parsons.

IN ATTENDANCE: Acting General Manager (Director Planning and Environment)
Acting Director Planning and Environment (Development Services Manager)
Director Corporate and Community Services
Director Works and Infrastructure
Manager Governance and Business Services
Media & Communication Officer
Corporate Administration Officer
Relief Executive Assistant

MINUTES:

MOTION **Moved:** Councillor Parsons
Seconded: Councillor Doherty

1778

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 3 August 2016, as circulated, be taken as read and confirmed as a correct record.

FOR

Councillor Gibson
Councillor Troy
Councillor Doherty
Councillor Olsen
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent

Total (11)

AGAINST

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI14/2016

SUBJECT: DISCLOSURES OF INTEREST

NIL

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

The following person has been invited to address the meeting of Council:

Speakers	Company	For / Against	Report	Page No.	Duration
Mr Geoff Armstrong		Against	PE60/2016 - Section 96(1A) Application proposing to amend Development Consent 2013/735 which granted approval for a two lot subdivision. The application seeks to amend the proposed lot configuration 10 Anderson Avenue, Paxton		3 mins

EXTENSION OF TIME

Moved:

Councillor Doherty

Seconded:

Councillor Hawkins

1779

RESOLVED

That an extension of one minute be granted to allow the speaker to complete his presentation.

FOR

Councillor Gibson
Councillor Troy
Councillor Doherty
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent
Total (10)

AGAINST

Councillor Olsen

Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE60/2016

**SUBJECT: SECTION 96(1A) APPLICATION PROPOSING TO AMEND
DEVELOPMENT CONSENT 2013/735 WHICH GRANTED APPROVAL
FOR A TWO LOT SUBDIVISION. THE APPLICATION SEEKS TO
AMEND THE PROPOSED LOT CONFIGURATION**

10 ANDERSON AVENUE, PAXTON

MOTION Moved: Councillor Smith **Seconded:** Councillor Campbell

1. That Council determine the Section 96(1A) Application (8/2013/735/2) proposing to modify Development Consent 8/2013/735/1, seeking to amend the lot configuration at 10 Anderson Avenue, Paxton, pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the reasons detailed in this report.
2. That Council prepare a Planning Proposal to amend the Cessnock Local Environmental Plan 2011 to resolve development constraints relating to the dual zoning and dual lot size anomalies in Anderson Avenue, Paxton.

AMENDMENT Moved: Councillor Ryan **Seconded:** Councillor Olsen

That the Section 96(1A) application 8/2013/735/2 be approved.

FOR	AGAINST
Councillor Gibson	Councillor Troy
Councillor Olsen	Councillor Doherty
Councillor Ryan	Councillor Smith
Councillor Stapleford	Councillor Campbell
Councillor Hawkins	Councillor Parsons
	Councillor Pynsent
Total (5)	Total (6)

The Amendment was **PUT** and **LOST**.

The Motion was then **PUT** and **CARRIED**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1780
RESOLVED

1. That Council determine the Section 96(1A) Application (8/2013/735/2) proposing to modify Development Consent 8/2013/735/1, seeking to amend the lot configuration at 10 Anderson Avenue, Paxton, pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the reasons detailed in this report.
2. That Council prepare a Planning Proposal to amend the Cessnock Local Environmental Plan 2011 to resolve development constraints relating to the dual zoning and dual lot size anomalies in Anderson Avenue, Paxton.

FOR	AGAINST
Councillor Troy	Councillor Gibson
Councillor Doherty	Councillor Olsen
Councillor Hawkins	Councillor Ryan
Councillor Smith	Councillor Stapleford
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (7)	Total (4)

CARRIED

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU14/2016

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU10/2016

SUBJECT: MINUTES OF THE INTERNAL AUDIT COMMITTEE MEETING HELD 2 AUGUST 2016 COMMENCING AT 9.00AM IN THE ANTE ROOM

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell

1781

RESOLVED

That the Minutes of the Internal Audit Committee of 2 August 2016 be adopted as a resolution of the Ordinary Council.

FOR	AGAINST
Councillor Gibson	Councillor Ryan
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE61/2016

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING
REPORT - JUNE 2016 QUARTER**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1782
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
------------	----------------

Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE62/2016

SUBJECT: JUNE 2016 QUARTER REVIEW OF 2013-17 DELIVERY PROGRAM AND FIT FOR THE FUTURE IMPROVEMENT PROPOSAL

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1783
RESOLVED

1. That Council note the progress in implementing the 2013-17 Delivery Program as at 30 June 2016.
2. That Council endorse the following changes to the 2015-16 Capital Works Program:
 - a. Remove: CRL-2016-001 Kurri Kurri Library Raised Threshold
 - b. Add: CBS-2016-008 Sale St Greta foot bridge
 - c. Add: CBS-2016-002 Hetton St Bridge refurbishment
 - d. Add: CBS-2016-007 Cedar Creek Bridge
 - e. Add: CBS-2016-009 Lindsay St Bridge
 - f. Add: CBS-2016-010 Hunter St Bridge
 - g. Remove: PMF-2016-002 Wollombi Flood Risk Management Plan Priority Recommendations
 - h. Remove: PMF-2016-003 Cessnock City (Black Creek) Flood Risk Management Plan Priority Recommendations (grant funding dependent)
 - i. Remove: PMF-2016-004 Swamp/Fishery Creek Flood Risk Management Plan Priority Recommendations
 - j. Add: RFR-2016-008 Peace Park Pond Bank Stabilisation Investigation
 - k. Add: CFR-2014-006 Mount View Basin Drainage – stage 3
3. That Council note the inclusion of individual projects in the Capital Works Local Road Special Rate Variation Resurfacing Program and the Regional Road Special Rate Variation Resurfacing Program.
4. That Council note the progress in the implementation of Council's Improvement Proposal and the updated forecasts against the Fit for the Future benchmarks.

FOR	AGAINST
Councillor Troy	Councillor Gibson
Councillor Olsen	Councillor Doherty
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (2)

CARRIED

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC52/2016

SUBJECT: LOCAL GOVERNMENT NSW - CONTRIBUTION TO LEGAL ASSISTANCE FOR COWRA SHIRE COUNCIL

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
1784
RESOLVED

That Council makes a voluntary contribution of \$584.38 in legal assistance for Cowra Shire Council in accordance with the Local Government NSW request for contribution.

FOR	AGAINST
Councillor Pynsent	Councillor Gibson
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Total (10)	Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC53/2016

SUBJECT: REVOTING OF EXPENDITURE FROM 2015-16 TO 2016-17

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Parsons
1785
RESOLVED

That Council authorise the revoting of expenditure from 2015-16 to 2016-17 being:

	Council Funds	Section 94 Funds	Grants	Total Revotes
Local Road Renewal Program	291,000			291,000
Local Road Construction Program		28,600		28,600
Vineyard Roads Construction Program	548,800			548,800
Pathways Construction Program	211,800			211,800
Strategic Infrastructure Planning Projects	183,000			183,000
Total Roads, Bridges & Drainage	1,234,600	28,600		1,263,200
Recreational Buildings & Pools Renewal Program	44,500			44,500
Recreation Facilities Construction Program	47,100		185,400	232,500
Recreation Buildings Construction Program		600,000	130,300	730,300
Cessnock Civic Precinct Revitalisation Project		38,100		38,100
Total Recreation Services	91,600	638,100	315,700	1,045,400
Visitors Information Centre	19,600			19,600
CYCOS Building		25,000		25,000
Total Other Projects	19,600	25,000	0	44,600
Total Revotes – All sources	1,345,800	691,700	315,700	2,353,200

FOR**AGAINST**

Councillor Gibson
Councillor Troy
Councillor Doherty
Councillor Olsen
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent
Total (11)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC54/2016

SUBJECT: INVESTMENT POLICY

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1786
RESOLVED

That Council adopt the revised Investment Policy.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC55/2016

SUBJECT: INVESTMENT REPORT - JULY 2016

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1787
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC56/2016

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1788
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN6/2016

**SUBJECT: PROVISION OF FUNDS TO LOCAL GOVERNMENT FOR
INFRASTRUCTURE PROJECTS**

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Stapleford
1789

RESOLVED

1. That Council notes that the Reserve Bank has lowered the cash rate to a historic low of 1.5%, as a response to persistently low inflation and sluggish economic growth.
2. That Council notes that 10 year Government bond yields have fallen below 2%.
3. That Council notes that councils around Australia face long-standing infrastructure backlogs, with the issue especially acute in regional areas.
4. That Council writes to the Prime Minister and the Treasurer urging them to stimulate local economies by providing grants to Local Governments for infrastructure projects.
5. That Council submit motions to the NSW and National Local Government Associations for consideration.

FOR	AGAINST
Councillor Ryan	Councillor Gibson
Councillor Stapleford	Councillor Troy
Councillor Hawkins	Councillor Doherty
Councillor Smith	Councillor Olsen
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (7)	Total (4)

CARRIED

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ54/2016

SUBJECT: **ECOLOGICAL CONSIDERATIONS IN REGARD TO THE CESSNOCK
CORRECTIONAL CENTRE DRAFT SUBMISSION TO INCLUDE
REGENT HONEY EATER**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ55/2016

SUBJECT: **CESSNOCK BASKETBALL STADIUM CONTRACT**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ56/2016

SUBJECT: **CESSNOCK SKATE PARK**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ57/2016

SUBJECT: **SANITARY SERVICE**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ58/2016

SUBJECT: **COUNCIL'S STORAGE AREA ADJACENT TO THE FOOTBALL FIELDS
– MARGARET JOHNS**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ59/2016

SUBJECT: EAST CESSNOCK FLYING FOXES - CAMP MANAGEMENT PLAN

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Catherine Parsons

SANITARY SERVICES – PORT-A-LOO SERVICE

Councillor Parsons referred to her previous question and advised that she was referring to the port-a-loo service and asked how many there are in the area and does Council have a Management Plan for the disposal of grey water.

COUNCILLOR'S REPORTS

Councillor Smith

Cessnock/Kurri Kurri Local Health Advisory Committee

Councillor Smith advised that a number of changes have occurred over the last couple of months. A restructure has resulted in Cessnock and Kurri Kurri Hospitals coming under the same Health Services Manager, Jenny Whiting. In the near future, a staff specialist emergency physician will be appointed to Cessnock Hospital which will reduce the load on local GP's. The new rehabilitation wing at Kurri Kurri will be open shortly and will result in the consolidation of rehabilitation services for the sector and bring two rehabilitation specialists to Kurri Kurri. In 2017 it is proposed that a Registrar from Maitland Hospital will be deployed to Kurri Kurri on the day shift.

The impact of the expansion of the jail on the Hospital in regard to patients and Corrective Services staff as well as privacy on both staff and prisoners who are being escorted was also discussed.

The renovation works on Cessnock House are now complete, and a number of Allied Health Services will be moving in.

Councillor Gibson

Acknowledgement to Staff and Councillors

Councillor Gibson advised that this will be his last Council meeting, and wished to thank staff and Councillors for their support and contribution over the past 4 years.

The Mayor thanked Councillor Gibson on behalf of the Council and the Community for his contribution.

The Meeting Was Declared Closed at 7.07pm

CONFIRMED AND SIGNED at the meeting held on 7 September 2016

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI15/2016

Corporate and Community Services



SUBJECT: *DISCLOSURES OF INTEREST*

RESPONSIBLE OFFICER: *Manager Governance and Business Services - Kim Appleby*

RECOMMENDATION

That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

SUMMARY

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

ENCLOSURES

There are no enclosures for this report.

Motions of Urgency

Report No. MOU15/2016

Corporate and Community Services



SUBJECT: *MOTIONS OF URGENCY*

RESPONSIBLE OFFICER: *Manager Governance and Business Services - Kim Appleby*

RECOMMENDATION

That Councillors now indicate if there are any matters of urgency which they believe should be conducted at this meeting of Council.

SUMMARY

Under Clause 10.5 of Council's Code of Meeting Practice, business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. This can only happen if a motion is passed to have the business transacted at the meeting, the Mayor rules that the business is of great urgency and the business notified in the agenda for the meeting has been disposed of.

Only the mover of such a motion can speak to the motion before it is put.

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU11/2016
General Manager's Unit



SUBJECT: *CESSNOCK CITY COUNCIL PICNIC DAY*
RESPONSIBLE OFFICER: *Human Resources Manager - Darrylen Allan*
General Manager - Stephen Glen

SUMMARY

This report provides Council with information on the adopted date for the annual Cessnock City Council Picnic Day.

RECOMMENDATION

That the report be received and noted.

BACKGROUND

The Cessnock City Council Picnic Association (the Association) has written to the General Manager requesting that approval be given for the Annual Cessnock City Council Picnic Day to be held on Friday 28 October 2016.

Council services, facilities and offices, including libraries, do not operate on Cessnock City Council Picnic Day. Council employees are available for emergency situations.

REPORT

The *Local Government (State) Award 2014* (the Award) at clause 20B Union Picnic Day provides

- (i) *Union Picnic Day shall for the purposes of this Award be regarded as a holiday for employees who are financial members of the union(s). The Union Picnic Day shall be on such day as is agreed between the employer and the union(s).*
- (ii) *The union(s) shall advise the employer of financial members as at the time of the Union Picnic Day. Such advice must be given at least two weeks prior to the Union Picnic Day.*
- (iii) *Employees who are not financial members of the union(s) and who are required to work on Union Picnic Day shall be paid ordinary pay for their normal working day.*
- (iv) *Employees who are not financial members of the union(s) and who are not required to work on Union Picnic Day, may apply to the employer to take annual leave, long service leave, time off in lieu of overtime, leave without pay, such other leave as may be approved by the employer, or may be required by the employer to make up time.*

The General Manager has approved Friday 28 October 2016 as the Union Picnic Day in accordance with the Award.

General Manager's Unit

Report No. GMU11/2016

General Manager's Unit



The annual picnic will be held at Baddeley Park Cessnock and consists of a spit roast lunch and dessert as well as numerous rides.

The Association has extended an invitation to the Mayor and Councillors to attend as guests of the Association.

Council services, facilities and offices, including libraries, do not operate on Cessnock City Council Picnic Day. Council employees are available for emergency situations.

Council will notify members of the Community of the Council closure by way of notices in local print media, on Council's website and all Council's social media outlets. In addition notices are posted in the Administration Building and the Cessnock Library and Kurri Kurri Library.

STRATEGIC LINKS

a. Delivery Program

This report links to the community's desired outcome outlined of *Civic Leadership and Effective Governance*.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

Provision has been made in the Delivery Program and Operational Plan.

c. Legislative Implications

Local Government (State) Award 2014

d. Risk Implications

N/A

e. Other Implications

N/A

General Manager's Unit

Report No. GMU11/2016

General Manager's Unit



CONCLUSION

The Council is advised of the date and details of the 2016 Cessnock City Council Picnic Day.

ENCLOSURES

There are no enclosures for this report.

Planning and Environment

Report No. PE63/2016

Planning and Environment



SUBJECT: *END OF TERM REPORT - 2016*

AUTHOR: *Integrated Planning & Strategic Property Manager - Bronwyn Rumbel*

SUMMARY

The End-of-Term report is a report on the progress on implementation of the community strategic plan and must be presented at the final meeting of an outgoing council.

RECOMMENDATION

That Council note the End-of-Term report.

BACKGROUND

Council adopted the community strategic plan, *Cessnock 2023*, on 19 June 2013. Council's 2013-17 Delivery Program (to implement the community strategic plan) was also adopted in June 2013 and then revised in February 2014.

REPORT/PROPOSAL

The End-of-Term report is a report on a council's progress in implementing the community strategic plan.

This End-of-Term report has been prepared with a focus on Cessnock City Council's achievements during the period from September 2012 to August 2016 (the term of this elected Council) and is included as Enclosure 1.

Section 428(2) of the Local Government Act requires that the End-of-Term report be reported to the final meeting of an outgoing Council and also be incorporated in the annual report for that year.

In line with Circular 16-20 from the Office of Local Government, the end-of-term report will be published separately on Council's website following the Council election on 10 September 2016.

OPTIONS

N/A

CONSULTATION

Staff from across the organisation provided information for inclusion in the End-of-Term report.

The End-of-Term report was reviewed by the General Manager and Directors.

Planning and Environment

Report No. PE63/2016

Planning and Environment



STRATEGIC LINKS

a. Delivery Program

The End-of-Term report is part of the organisation's governance framework in line with the community's desired outcome of: *Civic Leadership and Effective Governance*.

b. Community Strategic Plan

The review of the community strategic plan, *Cessnock 2023*, (to be undertaken during this financial year) will be informed by the end-of-term report, a review of the information that informed the original community strategic plan, and a community engagement strategy.

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Nil

c. Legislative Implications

Section 428(2) of the Local Government Act requires the preparation of an End-of-Term report. The End-of-Term report must be presented at the final meeting of an outgoing council.

d. Risk Implications

N/A

e. Other Implications

Nil

CONCLUSION

The End-of-Term report is tabled for Council's information.

ENCLOSURES

- [1](#) Enclosure 1 - End of Term Report 2016

Planning and Environment

Report No. PE64/2016

Planning and Environment



SUBJECT: *DEVELOPMENT APPLICATION NO. 8/2016/337/1 FOR A CHANGE OF USE FROM A GARAGE TO A DWELLING*

RESPONSIBLE OFFICER: *Building Services Team Leader - Grant Hamilton*

APPLICATION NUMBER:	8/2016/337/1
PROPOSAL:	Change of use from a garage to a dwelling and ancillary structures
PROPERTY DESCRIPTION:	Lot 234 Section DP 755225
PROPERTY ADDRESS:	10 Glennie Street Ellalong
ZONE:	RU2 – Rural Landscape
OWNER:	Mr A Geary
APPLICANT:	Mr A Geary

RECOMMENDATION

1. That Council determine Development Application No. 8/2016/337/1 proposing a change of use from a garage to a dwelling and ancillary structures at 10 Glennie Street Ellalong pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 by the granting of consent subject to the conditions contained in this report.
2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.

REASON FOR REPORT

Development Application No 8/2016/337/1 is being referred to Council for determination as objections were received in response to the public exhibition period, and it is considered such objections constitute 'significant objection' in accordance with the provisions of Council's Development Practice Note G3 – Delegations for Determination of Development Applications.

Planning and Environment

Report No. PE64/2016

Planning and Environment



In terms of Council's caretaker responsibilities outlined by the NSW Office of Local Government, Council may consider this application because the matter does not relate to the determination of a 'controversial development application' which is defined as an application where at least 25 persons have submitted an objection. In this case four objections were received.

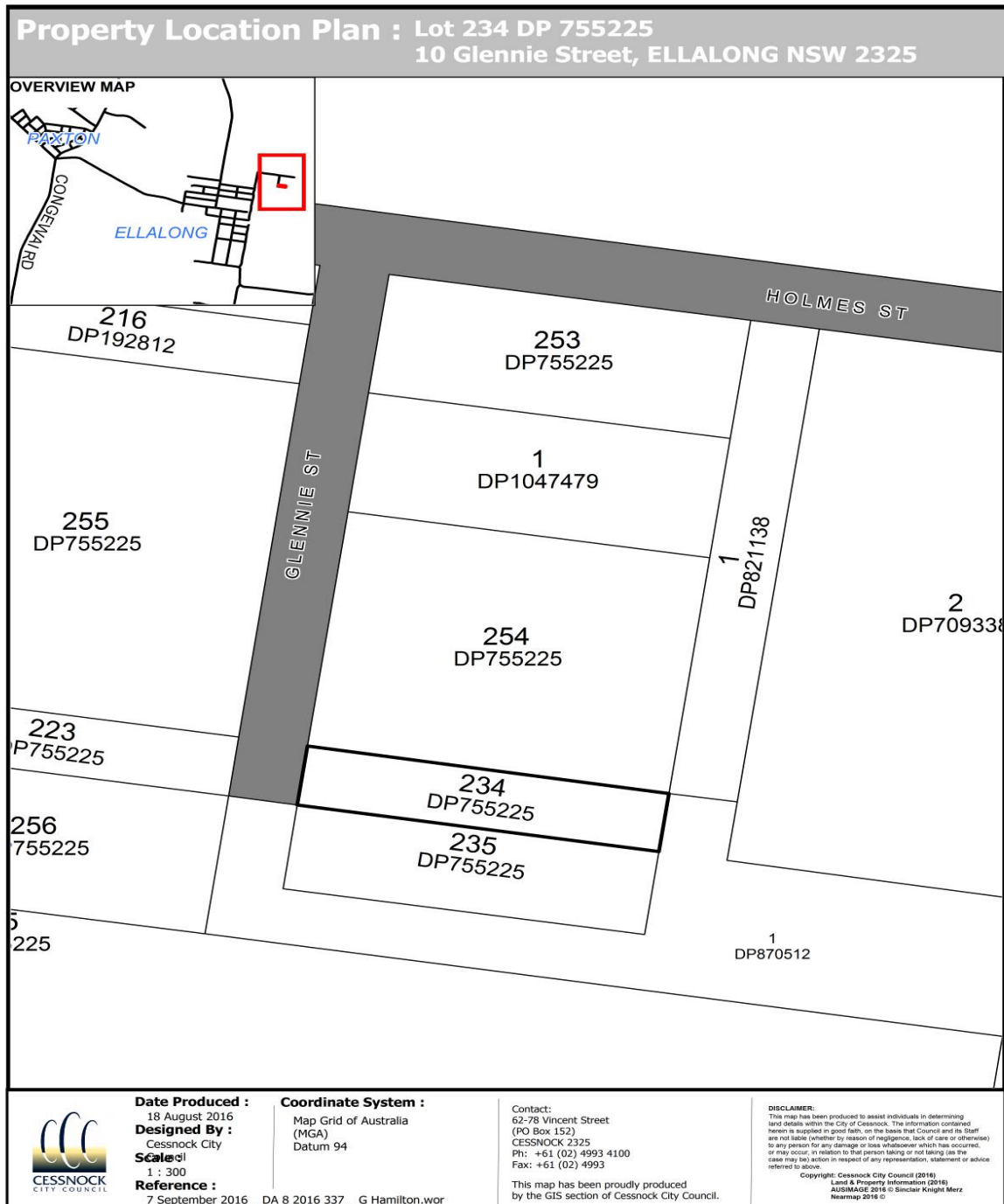
EXECUTIVE SUMMARY

Council is in receipt of Development Application No 8/2016/337/1 seeking approval for the use of an existing garage for the purposes of a dwelling at 10 Glennie Street Ellalong.

The Development Application has been assessed against the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulations 2000, relevant Environmental Planning Instruments and Council policies. The outcome of this assessment is detailed further in this report.

The Development Application was publicly exhibited and four submissions were received. The issues and concerns raised in the submissions are addressed in the following report. Based on assessment of the application and consideration of the submissions, it is recommended that the Development Application be approved subject to the conditions of consent included in this report.

LOCATION MAP



AERIAL



SITE DESCRIPTION AND LOCALITY

The subject site is commonly known as 10 Glennie Street ELLALONG, and is legally described as Lot 234, Deposited Plan 755225.

The subject site is located on the eastern side of Glennie Street. The site has a frontage of 20m to Glennie Street, a depth of 106m, and an overall site area of 2131m². Vehicle access to the site is from the Glennie Street frontage.

The subject site is currently occupied by a garage that has been converted to a dwelling without approval and two smaller sheds.

The surrounding properties are characterised by single storey dwellings on rural residential size allotments.

Relevant Development Consents issued within the direct locality include:

- Shed _ 8/2015/3/1 – 7 Glennie St ELLALONG
- Garage _ 8/2013/71/1 – 10 Glennie St ELLALONG (The subject land)

HISTORY

Although the history of the Development Application is outlined below, it is important to note the prior history of the development application to provide context to why an application has been made.

Council received a complaint about the current owner occupying the garage on the property. Upon investigation by Council staff it was confirmed the garage had been illegally converted to a dwelling and was being occupied by the current owner. In accordance with Council's directions, the owner lodged an application seeking to regularise the use of the building. This negated the need for further compliance action by Council.

Date	Action
7 June 2016	Development Application lodged for change of use of existing shed with alterations and additions
16 June 2016	Proposed development notified to adjoining properties for a period of ten days.
21 June 2016 to 27 June 2016	Three submissions from notified parties and one additional submission received.

Planning and Environment

Report No. PE64/2016

Planning and Environment



11 July 2016	Site inspection undertaken by Council's building surveyor. A preliminary assessment identified the need for additional information to be provided including proposed treatments to improve the aesthetics of the building.
1 August 2016	Amended plans submitted by Thomas & Associates

DETAILS OF THE PROPOSED DEVELOPMENT

Development Application No 8/2016/337/1 seeks approval for use of Existing Garage as a Dwelling-House and associated Alterations & Additions.

Specifically, the proposed development involves:

The use of an existing garage as a dwelling, which will comprise an open living room, one bedroom, attached double garage and existing verandah with roof over. The existing garage has approval under DA 8/2013/71/1, however has been converted to a dwelling without approval. This application seeks to regularise the use of the existing building and associated unauthorised works as a dwelling.

A detached 9.6m x 3.8m open framed steel awning with a 2.5m wall height is also proposed to be located on the northern boundary. This awning will adjoin the existing shed that is on the northern boundary of the property.

Onsite Wastewater Management

The subject lot does not have access to reticulated sewer services and requires onsite management of wastewater. An onsite wastewater management application has been lodged with Council (15/2016/31/1) seeking the use on an existing septic tank and associated land application area that had previously not received installation approval.

An assessment of the application has been made and the site is considered capable of managing wastewater from the proposed development in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and relevant Australian Standards and Guidelines.

ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a Development Application, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the Development Application on the subject property:

Planning and Environment

Report No. PE64/2016

Planning and Environment



(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

1. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
2. Cessnock Local Environmental Plan 2011

An assessment of the proposed development under the Environmental Planning Instruments is provided below:

1. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate has been submitted and the commitments have been indicated on the plans. The certificate has been checked and found to be satisfactory.

2. Cessnock Local Environmental Plan 2011

2.1 Permissibility

The subject site is zoned RU2 –Rural Landscape under the provisions of the Cessnock Local Environmental Plan 2011. The proposed development is defined as a change of use from a garage to a dwelling house and ancillary structures under the Cessnock Local Environmental Plan.

A dwelling is defined as

“a room or suite or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile”.

The development satisfies the above definition, as the development comprises of a change of use from a garage to a dwelling and ancillary structures.

Development for the purpose of a dwelling is a permitted land use in the RU2 Rural Landscape zone.

2.2 Objectives

The objectives of the RU2 Rural Landscape are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To enable other forms of development that are associated with rural activity and require an isolated location or support tourism and recreation.
- Ensure that the type and intensity of development is appropriate in relation to the rural capability and suitability of the land, the preservation of the agricultural, mineral and extractive production potential of the land, the rural environment (including scenic resources) and the costs of providing services and amenities.
- To maintain and enhance the scenic character of the land.

Planning and Environment

Report No. PE64/2016

Planning and Environment



- To ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.
- To minimise the visual impact of vegetation clearing in order to be consistent with the rural character of the locality.
- To minimise disturbance to the landscape from development through clearing, earthworks, access roads and construction of buildings.
- To ensure development does not intrude into the skyline when viewed from a road or other public place.

While the proposed dwelling is a permissible use in the RU2 Rural Landscape zone, the objectives of the zone are primarily focussed on rural/agricultural purposes. It is important to note that Glennie Street Ellalong while zoned RU2 Rural Landscape, is more typically signified by large lot residential development comprising of dwellings and associated structures. The subject lot has an area of 2136m² which is generally a typical size of other lots within this street.

The proposed development seeks to use an existing garage for the purposes of a dwelling. The land use is consistent with other land uses within the surrounding area.

2.3 Relevant Clauses

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

No Draft Environmental Planning Instruments are relevant to the application.

(a)(iii) The Provisions of any Development Control Plan

Cessnock Development Control Plan 2010

The Development Application was assessed against the following relevant clauses of CLEP 2011:

- Clause 4.2A – Erection of dwelling houses on land in certain residential, rural and environmental protection zones

Pursuant to Clause 4.2A(3)(d) of *CLEP 2011* the subject allotment comprises the whole of an “existing holding” as defined by *CLEP 2011* (existing holding as at 31 December 1984 was in the name of LJ Hodgers & PN Walker) and therefore the erection of a dwelling house is deemed permissible subject to Development Consent.

The following is an assessment of the proposal’s compliance with the numerical standards in the Development Control Plan. Discussion of any variations of the standards is provided after the compliance table.

Chapter	Complies						Comment
B2 - PUBLIC NOTIFICATION AND ADVERTISING	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	The proposal has been notified in accordance with the requirements of this chapter after Council received numerous complaints regarding unauthorised use of the garage. Four (4) submissions have been received and are discussed in further detail below.
C.4 – LAND USE CONFLICT AND BUFFER ZONES	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	The proposed dwelling satisfies the minimum building line setback of 18m. The side boundary setbacks are compatible with adjoining residential development on rural –residential size allotments. Agricultural use on these size lots would be limited and therefore not significantly impacted.
C.5 WASTE MANAGEMENT AND MINIMISATION	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	A waste management plan has been submitted.

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

No such agreement has been proposed as part of this application.

(a)(iii) The Regulations

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

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

The existing building was approved as a garage on 27 March 2013 and received an occupation certificate in August 2013.

The subject development application seeks to change the use of the existing garage to a dwelling. As the building already exists, changing the use of the building to the purposes of a dwelling is considered to have negligible impact on the existing built and natural

Planning and Environment

Report No. PE64/2016

Planning and Environment



environment. It is important to note that the application includes façade treatment on the elevation that faces the street which is viewed as being an improvement to the existing building.

The social and economic impacts of the proposal are considered negligible due to the land use being consistent with surrounding land uses, i.e. a mix of residential accommodation and farm style buildings.

(c) *The suitability of the site*

The site is situated amongst other similar sized rural residential sized lots. The use of the site for the purposes of a dwelling is considered suitable and consistent with other land uses within the area.

(d) *Any submissions made in accordance with this Act or the Regulations*

The Development Application was publicly exhibited for a period of 14 days. The exhibition period was from 16 June 2016 to 29 June 2016.

Four submissions were received during the exhibition period. The following discussion addresses the issues and concerns raised in the submissions.

Allowing an industrial sized building to be used as a dwelling is inconsistent with the character of the local area

The subject building is dimensioned 14m (l) x 7m (w) and 3.6m wall height, a total of 98m² floor area. The dimensions of the building are not considered 'industrial sized' on the basis that it is of a size less than that permitted as complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

The character of the local area comprises of detached single dwellings and ancillary outbuildings such as garages, sheds and rural uses. The subject building is a small dwelling which is considered consistent with the character and land uses of other developments in the area.

Undesirable precedent allowing an industrial sized building to be used as a dwelling

The subject building is not considered to be of 'industrial size' and is consistent with other similar buildings in the area.

It is important to emphasise that Council does not have any planning controls that stipulate what a dwelling must look like, i.e there is nothing that prevents a garage style building from being used as a dwelling. The applicant also proposes to apply a façade treatment to the elevation that faces the street which is considered to be an improvement to the existing building.

The building will also be upgraded to comply with the Building Code of Australia (BCA) and bushfire protection requirements. A BASIX certificate has been submitted and the commitments will be incorporated into the building. The subject building has also been certified by a professional engineer as structurally adequate and suitable for the purposes of a dwelling.

Planning and Environment

Report No. PE64/2016

Planning and Environment



The approval of the garage style building to be used as a dwelling is not considered to create an undesirable precedent in the area on the basis that 70 percent of the lots in Glennie Street have already been developed with a dwelling and ancillary outbuildings and the remaining lots already containing at least one garage style building.

The increase in size of the building compared to that originally approved

The dimensions of the subject building are consistent with that of its original approval in 2013. The existing concrete patio area at the rear of the building is to be covered with an awning to become a verandah area of approximately 20m². This application does not propose any changes to the external building footprint.

There is also an open style awning addition proposed to the existing shed on the northern elevation of the lot.

Impact on local property value

The surrounding area is already predominantly developed with similar style buildings and land uses. The economic impact of permitting a garage style building to be used as a dwelling is considered negligible. Notwithstanding, the consideration on whether a development proposal will affect local property values is not a valid planning consideration.

(e) The public interest

The public interest is served through the detailed assessment of this Development Application under the Environmental Planning and Assessment Act, 1979, Environmental Planning and Assessment Regulation 2000, Environmental Planning Instruments and Council Policies.

Based on the above assessment, the proposed development is consistent with the public interest.

SECTION 94 CONTRIBUTIONS

Section 94 Contributions are not payable for the proposal.

INTERNAL REFERRALS

The Development Application was not required to be referred to any Council Officer/s for assessment.

EXTERNAL REFERRALS

The Development Application was not required to be referred to any external agency for comment.

Planning and Environment

Report No. PE64/2016

Planning and Environment



CONCLUSION

The Development Application has been assessed in accordance with Section 79C(1) of the Environmental Planning and Assessment Act 1979 and all relevant instruments and policies.

A development proposal that seeks consent to use a garage style building for the purposes of a dwelling is not of a nature that would ordinarily be presented to Council for determination. The occupation of garage style buildings is not uncommon within the LGA with each proposal being considered on their merits.

In accordance with Council's Development Control Plan, the application was notified to adjoining properties to allow them to comment on the proposal. While the majority of properties notified did object to the proposal, the reasons for their objections have been addressed and demonstrated as not having sufficient planning grounds to justify the refusal of the application.

Based on the assessment, Development Application No. 8/2016/337/1 is recommended for approval subject to the conditions of consent included in this report.

ENCLOSURES

- 1 Architectural Plans

CONDITIONS OF CONSENT

SCHEDULE 1

TERMS OF CONSENT

1. Approved Plans and Documents

Approval is granted for **use of the Existing Garage as a Dwelling-House and Associated Alterations & Additions**

Development must comply with DA No 8/2016/337/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Site layout plan, elevations, section detail, BASIX commitments sheet, Bushfire Schedule and floor plan. Project No. 160077. DWG No's A01-A09 inclusive.	Thomas and Associates Consulting	10/05/2016 & 01/08/2016

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

2. CC, PCA & Notice Required

In accordance with the provisions of Section 81A of the *EP&A Act 1979* construction works required by this consent must not commence until:

- a) A CC has been issued by the consent authority, Council or an accredited certifier; and
- b) A PCA has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*; and
- c) If Council is not the PCA, notify Council no later than two days before building work commences as to who is the appointed PCA; and
- d) At least two days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

PRIOR TO THE USE OF THE BUILDING FOR THE PURPOSES OF A DWELLING

The following conditions are required to be complied with prior to the use of the existing building for the purposes of a dwelling.

3. Existing building to be upgraded for the purposes of a dwelling

Prior to the use of the existing building for the purposes of a dwelling, Council is to be provided with a copy of a Compliance Certificate issued by suitably qualified accredited certifier certifying that the following requirements have been satisfied:

Bushfire Compliance

- a) The dwelling is to comply with AS 3959-2009 'Construction of buildings in bushfire prone areas' – Bushfire Attack Level (BAL) 19 and the additional requirements of Addendum Appendix 3 to Planning for Bushfire Protection 2006;
- b) Roofing shall have guttering screened to prevent the build-up of flammable material. Any materials used shall have a Flammability Index no greater than 5 when tested in accordance with AS 1530.2-1993 '*Methods for fire tests on building materials, components and structures – Test for flammability of materials*';
- c) Garage doors are to be tight fitting to door jambs with gaps no greater than 5mm when closed, and any roller shutter is to be provided with an ember protection device at the top of the shutter that captures any embers where a gap of 2mm or greater exists on the external surface.

Compliance with Building Code of Australia

- d) A report is to be obtained from a suitably qualified professional detailing those components of the building that are required to be altered in order for the existing building to become compliant with the 2016 version of the *BCA* for a class 1 dwelling.

The required alterations in order for the building to comply with the *BCA* are to be incorporated into the building.

Note: Where the alterations comprise of 'building work' (as defined within the *Environmental Planning and Assessment Act 1979*) a construction certificate is required to be obtained prior to building work commencing.

4. Onsite Wastewater Management System

An approval under Section 68 of the Local Government Act 1993 for the alterations of the existing wastewater management system is to be obtained and a satisfactory final inspection undertaken by Council, prior to the use of the existing building for the purposes of a dwelling.

PRIOR TO COMMENCEMENT OF WORKS

The following conditions are to be complied with prior to the commencement of works on the subject site/s.

5. PCA Signage and Contact Details

Prior to the commencement of works, a sign must be erected in a prominent position on the site on which the proposal is being carried out. The sign must state:

- a) Unauthorised entry to the work site is prohibited
- b) The name of the principal contractor (or person in charge of the site) and a telephone number on which that person may be contacted at any time for business purposes and including outside working hours
- c) The name, address and telephone number of the *PCA* for the work

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

DURING WORKS

The following conditions are to be complied with during works.

6. BCA Compliance

Pursuant to Section 80A (11) of the *EP&A Act 1979* all building work must be carried out in accordance with the requirements of the *BCA*.

7. Construction Hours

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

8. Erosion and Sediment Controls

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

9. Waste Management

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

Planning and Environment

Report No. PE64/2016

Planning and Environment



10. Securing Excavations

All associated excavations and backfilling associated with the development must be executed safely and in accordance with the appropriate professional standards, and must be properly guarded and protected to prevent them from being dangerous to life or property.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Principal Certifying Authority, prior to issue of either an Interim or Final Occupation Certificate (as specified within the condition):

11. Compliance with Conditions 3 and 4

The matters relating to the upgrading of the building as required by Condition No.3 and the approval for the use and operation of an onsite wastewater management system as required by Condition No.4 are to be satisfied prior to issue of an OC.

12. Roof Stormwater – Dispersion Trench

Where the fall of land is such that drainage of roof water to the street gutter cannot be achieved, the roof water from the dwelling and detached awning shall be disposed of by discharging to a dispersion trench 800mm wide x 850 deep and 20 metres long. Approved tunnel trenching material shall be installed in the trench, and the trench backfilled with blue metal or similar material to within 100mm of the finished ground level. The blue metal or similar shall be covered with geotextile material or similar and 100mm of topsoil.

The trench shall be:-

- a) located parallel to the contour of the land
- b) sited in such a position that the overflow or seepage from the trench will not adversely affect the footings of the building or other buildings

These works shall be completed prior to the issue of an OC.

13. Landscaping

A landscape buffer shall be planted along the western boundary. The landscaping shall comprise of tree/shrub species that are endemic to the region and will grow to approximately 1-1.5 metres in height. The mature trees/shrubs are to achieve a minimum 80 percent visual screening of the dwelling when viewed from Glennie Street. Evidence shall be provided to the nominated PCA demonstrating compliance with this condition prior to the issue of and OC for the building.

Planning and Environment

Report No. PE64/2016

Planning and Environment



ONGOING USE

The following conditions are to be complied with as part of the ongoing use of the premises.

14. Maintenance of Landscaping

Landscaping shall be maintained in accordance with the approved plan in a healthy state, and in perpetuity, by the existing or future owners and occupiers of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.

SUBJECT: *FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016 - REFER FOR AUDIT AND COUNCIL CERTIFICATION*

RESPONSIBLE OFFICER: *Chief Financial Officer - John Oliver*

SUMMARY

The draft financial reports for the year ended 30 June 2016 are required to be formally referred for external audit.

Section 413 of the Local Government Act 1993 and the Local Government Code of Accounting Practice and Financial Reporting require a statement in the approved form to be adopted by Council in regards to the financial reports.

RECOMMENDATION

1. That the financial statements are formally referred for external audit.
2. That in accordance with Section 413(2)(c) of the Local Government Act, 1993 the following statement of Council be adopted:

The General Purpose Financial Report has been prepared in accordance with:

- The Local Government Act 1993 and the Regulations made thereunder.
- The Australian Accounting Standards and professional pronouncements.
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these reports:

- Present fairly the Council's operating result and financial position for the year, and
- Accord with Council's accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

3. That in accordance with the Local Government Code of Accounting Practice and Financial Reporting the following statement of Council be adopted:

The Special Purpose Financial Reports have been prepared in accordance with:

- The Local Government Code of Accounting Practice and Financial Reporting.
- NSW Government Policy Statement "Application of National Competition Policy to Local Government".
- Department of Local Government Guidelines "Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality".

To the best of our knowledge and belief, these reports:

- Present fairly the operating result and financial position for each of Council's declared Business Activities for the year, and
- Accord with Council's accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

4. That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Council on its Opinion of the 2015-16 Financial Statements.
5. That following receipt of the Auditor's Report, the Ordinary Meeting of 16 November 2016 be set as the meeting at which the 2015-16 Financial Statements will be presented to the public.

BACKGROUND

Section 413(1) of the Local Government Act 1993 requires Council to prepare General Purpose Financial Reports for the financial year ending 30 June. Council must also prepare Special Purpose Financial Reports in accordance with the Local Government Code of Accounting Practice and Financial Reporting. Both of these financial reports require a Council resolution to formally refer them for audit and separate statements in the approved form as to Council's opinion on the reports as referred for audit.

REPORT

The financial statements set out the financial performance, financial position and cash flows of Council at each year ending 30 June and are supported by detailed notes.

Section 413(1) of the Local Government Act 1993 requires Council to prepare financial reports each year and refer them for audit. The financial reports must include a general purpose financial report, any other matter prescribed by the regulations and a statement in the approved form by the Council as to its opinion on the general purpose financial reports.

The Local Government Code of Accounting Practice and Financial Reporting requires Council to prepare Special Purpose Financial Statements and to provide a statement in the approved form by the Council as to its opinion on the special purpose financial reports.

The statements by Council and Management are required to be authorised by a resolution of Council and need to be signed in accordance with that resolution by the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer.

The financial statements have been prepared and are scheduled for audit by Council's external Auditors, Forsyths Chartered Accountants in the week ending 14 October 2016.

Section 419 of the Local Government Act 1993 requires that following audit the Annual Financial Statements are to be presented to Council and the public. It is proposed that the audited financial statements for the year ended 30 June 2016 be presented to Council on 16 November 2016.

Corporate and Community

Report No. CC57/2016

Corporate and Community Services



The Audit Committee will also review the Annual Financial Statements and external Auditor documentation for comment prior to presentation to Council and the public.

Copies of the Councillor and Management statements and draft primary financial reports are attached as enclosures to this report.

OPTIONS

N/A

CONSULTATION

Senior Finance Staff
Asset Management Staff
Forsyths Chartered Accountants

STRATEGIC LINKS

a. Delivery Program

N/A

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

This report has no direct policy implications.

b. Financial Implications

Nil

c. Legislative Implications

Council's General Purpose Financial Reports have been prepared in accordance with Section 413 of the Local Government Act 1993 and the Special Purpose Financial Reports have been prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting (Guidelines).

Referral of the financial reports for audit, including the Council and management statements as to its opinion on the financial reports is in accordance with legislative requirements.

d. Risk Implications

Nil

Corporate and Community

Report No. CC57/2016

Corporate and Community Services



e. Other Implications

There are no environmental, community, consultative or other implications to this report.

CONCLUSION

Council is required to prepare financial reports each year and refer them for audit. The financial reports must include a statement in the approved form by the Council as to its opinion on the reports and the statements by Council and Management are required to be authorised by a resolution of Council and signed in accordance with that resolution by the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer.

ENCLOSURES

[1](#) Draft Financial Reports 2 Pages

SUBJECT: *FEASIBILITY FOR ADDITIONAL FLAGPOLES WITHIN THE ADMINISTRATION CENTRE CARPARK*

RESPONSIBLE OFFICER: *Principal Community Planner - Natalie Drage*
Community & Cultural Engagement Manager - Simon Eade

SUMMARY

The Council administration building currently has two flagpoles which fly the Australian Flag and Australian Aboriginal Flag. It is common for community and government buildings to also fly the Torres Strait Islander Flag. In recognition of this Council resolved that a report be prepared that considers the inclusion of at least one additional flagpole to accommodate the Torres Strait Islander Flag.

RECOMMENDATION

1. That Council installs two additional flagpoles within the car park area of the Council administration centre, with the location as detailed in the report.
2. That the order of flag flying will be in accordance with flag flying protocols.
3. That the required funding be sourced from the operational budget for maintenance and an adjustment made at the September quarterly budget review.

BACKGROUND

Following a recommendation from the Aboriginal and Torres Strait Islander Advisory Committee, Council at its meeting held 20 April 2016 resolved:-

‘That the General Manager review flagpole protocols and standards and report to Council on the feasibility and associated costs of expanding the number of flagpoles to accommodate as a minimum the addition of the Torres Strait Islander flag at the carpark entrance of the Council Administration’.

This report provides Council with information in a response to that resolution.

REPORT/PROPOSAL

Council over recent years has engaged in a number of initiatives to collaborate and engage with people who identify as an Aboriginal and/or Torres Strait Islander person. These initiatives include participation in organising and hosting NAIDOC Week celebrations, introducing an Acknowledgement of Country at its Council meetings, establishment of the Aboriginal and Torres Strait Islander Advisory Committee and the adoption of a Reconciliation Action Plan.

The administration building has two flagpoles which currently fly the Australian Flag and Australian Aboriginal Flag. The omission of the Torres Strait Islander Flag was noted by the Aboriginal and Torres Strait Islander Advisory Committee at its meeting held 1 April 2016 and these Committee minutes were adopted by Council on 20 April 2016. Council resolved to

Corporate and Community

Report No. CC58/2016

Corporate and Community Services



investigate protocols and options to “as a minimum” provide an additional flagpole to fly the Torres Strait Islander Flag.

In addressing the resolution through discussions with key Council staff, a number of matters were identified for consideration in respect of the installation of any additional flagpoles:-

- Road safety – ensuring any new flagpole does not cause traffic/car parking hazards.
- Pedestrian safety – designated walkways and pathways not to be inhibited.
- Visual presence – there was a strong desire for the existing two flagpoles (9 metres in height) to remain in their current location given it was suggested they frame and provide an appealing entrance to the building and are in good condition
- Symmetry – the flagpole arrangement needs to be symmetrical and provide visual balance.
- Positioning – flagpoles need to be located in an area that allows the participation of the community in civic events, for example a flag raising ceremony as part of NAIDOC Week celebrations.

In considering the options available to Council as detailed further in this report, the installation of two additional flagpoles is considered to be the preferred option. Visual symmetry and balance is able to be achieved by placing the additional two flag poles in a manner that compliments the existing arrangement. By extending the existing arrangement to provide a uniform line, road and pedestrian safety considerations were also able to be met. Traffic movements within the carpark are not impeded nor are any designated walkways obstructed. This arrangement also does not result in a reduction of car parking spaces, nor is a redesign of the carpark area being required.

To assist Council to visualise the proposed positioning of two additional flagpoles an aerial diagram of the suggested arrangement is provided at **Enclosure 1**.

A photographic image of the proposed flagpole arrangement is provided at **Enclosure 2**. This image has been provided by a supplier and accompanied a written quote and it is highlighted that the image of the existing two flagpoles has been superimposed to identify the position of the proposed flagpoles only. It does not accurately represent the actual order of precedence for flag flying with the correct order of precedence detailed below.

Order of precedence for four flagpoles

In consulting the resource ‘Australian Flags’ authored by the Department of the Prime Minister and Cabinet there are a number of options available to Council for situations where there are four flagpoles. When looking towards the administration building the options for the order of precedence from the left to the right flagpole are:-

Order of precedence - Option A:

Australian Flag, Australian Aboriginal Flag, Torres Strait Islander Flag, Australian Flag.

In accordance with the protocol, if there is an even number of flagpoles the Australian flag should be flown at each end of the line.

Corporate and Community

Report No. CC58/2016

Corporate and Community Services



Order of precedence - Option B:

Australian Flag, NSW State Flag, Australian Aboriginal Flag, Torres Strait Islander Flag.

There may be occasions when Council chooses to fly other flags, in which case the relevant order of precedence would be adopted, guided by the flag flying protocols.

OPTIONS

Option one

- Install two additional flagpoles to complement the existing two flagpoles.

This is the preferred option as it provides symmetry and balance to the existing arrangement and does not result in a reduction of carpark space. This arrangement also does not impede a designated walkway or pathway, nor does the car park need to be redesigned.

Option two

- Install one flagpole only.

Installing one flagpole near to the existing two flagpoles would visually be unbalanced, the distance between each of the flags having variations and a uniform line will not be achieved.

Option three

- Relocate the existing two flagpoles and installing one additional flagpole at a new location within the carpark.

An assessment of the site has found that a redesign of areas within the carpark will need to occur. This would be the most costly option and would result in a reduction in parking space as each flagpole requires separation of approximately 3.5 metres. A suitable location and costing has not been fully developed for this option.

Option four

- Remain with the current arrangement and not install any additional flagpoles.

This option would prohibit Council from engaging in a flag raising activity as part of NAIDOC Week celebrations. It would also limit Council's opportunity to publicly acknowledge the Torres Strait Islander community. Council should also be mindful that many government buildings already fly the Torres Strait Islander Flag alongside the Australian Flag and Australian Aboriginal Flag.

CONSULTATION

To ensure flag flying protocols would be adhered to, the Department of the Prime Minister and Cabinet was sent email correspondence on 18 August 2016 indicating the positioning of the proposed two additional flagpoles and the measurements between each of the flagpoles.

Corporate and Community

Report No. CC58/2016

Corporate and Community Services



On 22 August 2016 the Department of the Prime Minister and Cabinet provided a response advising that “there are no issues with the configuration that was proposed, so long as they are consistently treated as a single set of flagpoles (rather than two separate sets)”.

Council staff consulted in preparing this report for Council included:-

- Director Corporate and Community Services
- Staff working party for the Reconciliation Action Plan
- Road Safety Officer
- Building Maintenance Co-ordinator
- Development Services Duty Officer

STRATEGIC LINKS

a. Delivery Program

The Delivery Program includes the strategy ‘Engage with the Indigenous community’ (Objective 1.1.2).

b. Other Plans

The report has links to actions listed in the Council Reflect Reconciliation Action Plan.

IMPLICATIONS

a. Policy and Procedural Implications

The resource ‘Australian Flags’ authored by the Department of the Prime Minister and Cabinet, Australian Government was consulted. The resource provides guidance for the protocols in positioning the Australian Flag, Australian Aboriginal Flag and Torres Strait Islander Flag.

In regards to Council planning requirements, the installation of a flagpole greater than 6 metres in height requires a development application for consent.

b. Financial Implications

The costs for two additional flagpoles are indicated in the below table.

Item	Cost (excludes GST)
2 x 9 metre tapered aluminum flagpoles, 100mm diameter, clear anodised finish, 5mm internal halyard, nylon all-weather fittings	\$2,984
2 x spun aluminium coverplate	\$600
Installation of both flagpoles	\$1,190
Delivery	\$100
TOTAL	\$4,874

The cost for only one additional flagpole is estimated at \$2,437.

Corporate and Community

Report No. CC58/2016

Corporate and Community Services



In terms of recurrent costs, for each flagpole it is estimated that two flags per annum are required as protocol advises that flags should never be flown when damaged, faded or in dilapidated condition. The replacement cost of each flag is estimated to be \$140, therefore, for two additional flagpoles, the annual additional recurrent cost would be \$560.

Given the above, the total cost of the project to install two flagpoles (including the purchase of the initial two flags) is estimated to be \$6,354. This includes the fees payable for the required development application which is expected to be \$1,200.

c. Legislative Implications

Nil

d. Risk Implications

If Council resolved to not proceed with an additional flagpole, Council would be prevented from hosting a flag raising event as part of annual NAIDOC Week celebrations. It could also be perceived to be contrary to reconciliation and Council's Reconciliation Action Plan.

e. Other Implications

Nil

CONCLUSION

Additional flagpoles will allow Council to acknowledge, include and fly the Torres Strait Islander Flag alongside the Australian Flag and National Aboriginal Flag. It will also provide Council with an opportunity to host a flag raising ceremony as part of Reconciliation Week and local NAIDOC Week celebrations. An event such as a flag raising ceremony that coincides with key Aboriginal and Torres Strait Islander celebrations will assist to demonstrate Council's ongoing commitment and engagement with reconciliation.

ENCLOSURES

1 Enclosure 1 - Aerial Diagram of Proposed Flagpole Arrangement

2 Enclosure 2 - Photograph of Proposed Flagpole Arrangement

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



SUBJECT: *MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD 15 AUGUST 2016*

RESPONSIBLE OFFICER: *Traffic Engineer - Michael Kolos
Design Delivery Manager - Katrina Kerr*

RECOMMENDATION

That Council endorse the recommendations of the Cessnock City Council Local Traffic Committee meeting held on 15 August 2016 for the items TC5/2016, TC6/2016, TC7/2016, TC8/2016 being:

1. That parking restriction signage be erected and parking bays be marked on Cessnock Street, Kitchener adjacent to Poppethead Reserve as follows:
 - Five R5-505 90° ANGLE PARKING REAR TO KERB signs,
 - Two R5-400 NO STOPPING signs,
 - Two R5-1-2 Disability User Limitation Parking Space signs,
 - Line marking for four car parking spaces,
 - Line marking for two accessible parking spaces, and
 - Pavement marking with international symbol of access on two accessible parking spaces.
2. That kerb extensions and associated line marking be installed on Congewai Street, Aberdare at the intersection of Quarrybylong Street with:
 - BB Double Barrier line extending 20m east on Congewai Street, and
 - C3 No Stopping line around the kerb corners for a 10m extent from the intersection.
3. That parking restriction signage and associated line marking be installed on Dalwood Road, East Branxton near Wyndham Street with:
 - Three R5-505 90° ANGLE PARKING REAR TO KERB signs,
 - Five R5-40 No Parking Symbolic signs,
 - Two R9-2 BUSES EXCEPTED signs,
 - Five R5-400 NO STOPPING signs,
 - Three R9-302 "KISS & RIDE AREA" signs, and
 - C3 no stopping line within signed no stopping lengths.
4. That kerb extensions and associated line marking be installed on Gordon Avenue, Cessnock at the intersection of Quarrybylong Street with:
 - BB Double Barrier line extending 15m west on Gordon Avenue,
 - BB Double Barrier line extending 20m north and south on Quarrybylong Street,
 - E1 Edge line extending 30m on the north and 20m on the south of Gordon Avenue,

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



- E5 Median Outline line for the 25m eastern extent of the median on Gordon Avenue, and
- C3 No Stopping line around the kerb corners for a 10m extent from the intersection.

**MINUTES OF TRAFFIC COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COMMUNITY MEETING ROOM ON MONDAY, 15 AUGUST 2016,
COMMENCING AT 9.30 AM**

PRESENT: Perri Hodge – State Member representative
Sergeant Damon Bugden – NSW Police

IN ATTENDANCE: Warren Jeffrey – Road Safety Officer
Katrina Kerr – Design Delivery Manager
Michael Kerr – Rover Coaches
Michael Kolos – Acting Traffic Engineer

APOLOGIES: **RESOLVED** that the apologies tendered on behalf of;
Clayton Barr MP - State Member
Nicholas Trajcevski – RMS, and
John Meldrum – Hunter Valley Buses,
for unavoidable absence, be accepted.

As the Chair and his alternate delegate were not present, the Committee elected Perri Hodge as Chair for the Meeting.

In accordance with RMS *A guide to the delegation to councils for the regulation of traffic* concurrence will be sought from the RMS representative subsequent to the meeting.

The meeting opened at 9:41am.

MINUTES: **NOTED** that the Minutes of the Traffic Committee held on 15 February 2016, as circulated, were previously confirmed as a true and correct record.

DISCLOSURES OF INTEREST

NIL

BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



LISTED MATTERS

SUBJECT: CESSNOCK STREET, KITCHENER
ON-ROAD PARKING

REPORT NO: TC5/2016

REFERENCE: PROJECT RFR-2017-004

MATTER:

Request from Council's Recreation Services Unit to upgrade parking adjacent to Poppethead Reserve in Kitchener.

DISCUSSION:

Noted that this proposal formalises existing 90° parking. Existing practice is to park front in. The proposed signs require rear to kerb parking.

RECOMMENDATION:

That parking restriction signage be erected and parking bays be marked on Cessnock Street, Kitchener adjacent to Poppethead Reserve as follows:

- Five R5-505 90° ANGLE PARKING REAR TO KERB signs,
- Two R5-400 NO STOPPING signs,
- Two R5-1-2 Disability User Limitation Parking Space signs,
- Line marking for four car parking spaces,
- Line marking for two accessible parking spaces, and
- Pavement marking with international symbol of access on two accessible parking spaces.

MOTION: *Moved:* Damon Bugden *Seconded:* Perri Hodge
CARRIED UNANIMOUSLY

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



SUBJECT: CONGEWAI STREET, ABERDARE
KERB EXTENSIONS AT QUARRYBYLONG STREET

REPORT NO: TC6/2016

REFERENCE: CRL 2017 003

MATTER:

Requests for pedestrian safety improvements to the intersection of Congewai Street and Quarrybylong Street, Aberdare.

DISCUSSION:

Noted Congewai Street is a parallel route to Melbourne Street, which has known speed issues. While a median on Melbourne Street at Quarrybylong improves turn discipline, there is no such definition at the currently wide intersection of Congewai and Quarrybylong Streets. The proposal seeks to calm entering traffic and improve pedestrian safety by narrowing the crossing distance.

The Rover Coaches representative confirmed Congewai Street is not used in their service or school routes.

Out of Session: The RMS Representative required removal of the C4 bicycle lane continuity lines around the kerb extension.

RECOMMENDATION:

That kerb extensions and associated line marking be installed on Congewai Street, Aberdare at the intersection of Quarrybylong Street with:

- BB Double Barrier line extending 20m east on Congewai Street, and
- C3 No Stopping line around the kerb corners for a 10m extent from the intersection.

MOTION: *Moved:* Damon Bugden *Seconded:* Perri Hodge
CARRIED UNANIMOUSLY.

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



SUBJECT: *DALWOOD ROAD, EAST BRANXTON
PARKING IMPROVEMENTS*

REPORT NO: *TC7/2016*

REFERENCE: *CPW 2015 006*

MATTER:

Requests by parents, residents, road users and bus operators to upgrade access and parking at bus stops on New England Highway and Wyndham Street, East Branxton.

DISCUSSION:

Noted that:

- This is a very busy site which requires formalization of the existing 90° angle parking practice.
- There is demand for a “kiss and drop” zone which the No Parking area will effectively operate as. Education regarding No Parking and other parking signs has been provided at schools by Council’s Road Safety Officer.
- Introduction of the turn head minimises the danger of reverse movements when children are dropped off.
- Introduction of footpaths over the existing table drain, which is an obstruction in wet weather to pedestrians.
- There is no existing bus shelter at the bus stop on Maitland Road (New England Highway).
- A NO PARKING – BUSES EXCEPTED area on Wyndham Street is proposed north of the existing bus zone to allow a wait area for up to 3 buses in busy periods. Sight distance when exiting from Dalwood Road is achieved by a widened pavement west of the travel lane on Wyndham Street allowing drivers to proceed slowly and safely forward to obtain improved sight distance.
- Hunter Valley Buses provided their support for the proposal prior to the meeting.

Out of Session: RMS Representative required the addition of R9-302 KISS & RIDE AREA signs be placed under each of the No Parking signs.

RECOMMENDATION:

That parking restriction signage and associated line marking be installed on Dalwood Road, East Branxton near Wyndham Street with:

- Three R5-505 90° ANGLE PARKING REAR TO KERB signs,
- Five R5-40 No Parking Symbolic signs,
- Two R9-2 BUSES EXCEPTED signs,
- Five R5-400 NO STOPPING signs,
- Three R9-302 “KISS & RIDE AREA” signs, and
- C3 no stopping line within signed no stopping lengths.

MOTION: *Moved:* Perri Hodge *Seconded:* Damon Bugden
CARRIED UNANIMOUSLY.

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



SUBJECT: GORDON AVENUE, CESSNOCK
EXTENSIONS AT QUARRYBYLONG STREET

REPORT NO.: TC8/2016

REFERENCE.: CRL-2017-005

MATTER:

Requests for traffic calming of the intersection of Gordon Avenue and Quarrybylong Street, Cessnock.

DISCUSSION:

Noted initial consultation with property owners and occupiers has been undertaken by mail out. Agreed further consultation is needed to explain the scheme particularly with respect to a left turn only out of properties where kerb around the median is proposed. The proposal may require non regulatory changes to accommodate input from residents.

RECOMMENDATION:

That kerb extensions and associated line marking be installed on Gordon Avenue, Cessnock at the intersection of Quarrybylong Street with:

- BB Double Barrier line extending 15m west on Gordon Avenue,
- BB Double Barrier line extending 20m north and south on Quarrybylong Street,
- E1 Edge line extending 30m on the north and 20m on the south of Gordon Avenue,
- E5 Median Outline line for the 25m eastern extent of the median on Gordon Avenue, and
- C3 No Stopping line around the kerb corners for a 10m extent from the intersection.

MOTION: *Moved:* Perri Hodge *Seconded:* Damon Bugden
CARRIED UNANIMOUSLY.

CORRESPONDENCE

NIL

GENERAL BUSINESS

1. DARWIN STREET, CESSNOCK

For information, the Traffic Control Plan (TCP) for the 2016 Australian Postie Bike Grand Prix to be held 30 September event was tabled.

The proposed road event route is unchanged. The TCP has been refined following the 2015 event debrief. Two changes were noted:

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



- a. Darwin Street southbound is temporarily closed for the event from North Avenue. Previously Darwin Street was closed near the Coles / Target delivery access. While deliveries are not planned during the event, traffic controllers will coordinate with delivery drivers to provide access, should the need arise.
- b. A label noting Miller Street as the detour route from West Avenue to Wollombi Road was added.

The Meeting noted that no Rover Coaches service routes are affected by the event and that the TCP and Traffic Management Plan have been forwarded to Roads and Maritime Services and NSW Police for their review and approval.

2. MEMBER CONTACT DETAILS

A review of current committee member contact details noted no change is required.

3. HEDDON STREET, HEDDON GRETA

The State Member representative enquired on behalf of a resident why STOP signs are used on Heddon Street and not GIVE WAY signs.

The Meeting was advised of the need for traffic calming on Heddon Street, which is unlikely to be achieved with GIVE WAY signs. The intersection of Heddon Street and Main Road may be signalised in the future should further stages of residential development be implemented, in which case the need for STOP signs would be reviewed.

4. RADFORD STREET, HEDDON GRETA

The State Member representative raised concerns by residents of vehicle speeds on Radford Street.

The Meeting was advised that a recent traffic survey conducted on Radford Street recorded vehicle speeds within acceptable limits. The Meeting discussed the perception of speed by residents.

5. WOLLOMBI ROAD, CESSNOCK

The State Member representative raised concerns on behalf of constituents regarding changes to traffic control at the recent 7 Eleven development, from the round-about at Darwin Street to the intersection with Westcott Street including:

- Lack of visibility of a new NO STOPPING parking sign,
- Apparent increase of illegal U Turn manoeuvres, and
- Lack of pedestrian crossing facility between 7 Eleven and fast food outlets.

Further issues were also raised regarding the new median finger which is narrow with a sloping top and is unsuitable for pedestrians to stand on when attempting to cross Wollombi Road.

The Meeting was advised that, as the concerns relate to the recent development, the concerns would be passed onto Council's Development Services for consideration and check of compliance.

Works and Infrastructure

Report No. WI44/2016

Works and Infrastructure



6. ALLANDALE ROAD, CESSNOCK

The State Member representative enquired on behalf of a resident regarding the length of the bus zone along the frontage of properties adjacent to John Street.

The Meeting was advised that the length of the bus zone would be checked for conformity to the standards and consultation with RMS as Allandale Road is part of a Classified State Road.

The Meeting Was Declared Closed at 10.37am

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ60/2016

Planning and Environment



SUBJECT: *SANITARY SERVICES - PORT-A-LOO SERVICE*

RESPONSIBLE OFFICER: *Health & Building Manager - Colin Davis*

Q59/2016 - Sanitary Services

Asked by Councillor Parsons at the Ordinary Meeting of Council held on 17 August 2016

“Councillor Parsons referred to her previous question and advised that she was referring to the port-a-loo service and asked how many there are in the area and does Council have a Management Plan for the disposal of greywater?”

A search of Council's register indicates that there are currently 5 properties serviced by port-a-loos within the Local Government Area. All of these systems are considered high risk and the port-a-loos and greywater systems are inspected annually in accordance with Council's adopted On-Site Sewage Management Strategy, to ensure compliance. Council does not have a separate Management Plan for the disposal of greywater.

ENCLOSURES

There are no enclosures for this report