



10 February 2017

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, 15 February 2017 at 6.30pm, for the purposes of transacting the undermentioned business.

**AGENDA:**

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<b>(1) OPENING PRAYER</b>	
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## ***Principles for Local Government***

### **Exercise of functions generally**

The following general principles apply to the exercise of functions by Councils:

- a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e) Councils should work co-operatively with other Councils and the State government to achieve desired outcomes for the local community.
- f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g) Councils should work with others to secure appropriate services for local community needs.
- h) Councils should act fairly, ethically and without bias in the interests of the local community.
- i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

### ***Council's Values***

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

### ***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, 1 FEBRUARY 2017, COMMENCING  
AT 6.30PM**

**PRESENT:** His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Olsen, Doherty, Dunn, Fagg, Stapleford, Suvaal, Fitzgibbon, Gray, Dagg, Burke, Sander and Lyons.

**IN ATTENDANCE:** General Manager  
Director Planning and Environment  
Director Corporate and Community Services  
Director Works and Infrastructure  
Senior Media & Communication Officer  
Corporate Governance Officer  
Relief Executive Assistant

MINUTES:

MOTION

Moved: Councillor Stapleford

Seconded: Councillor Dagg

95

RESOLVED

that the Minutes of the Ordinary Meeting of Council held on 14 December 2016, as circulated, be taken as read and confirmed as a correct record.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

## ***DISCLOSURES OF INTEREST***

### ***DISCLOSURES OF INTEREST NO. DI1/2017***

***SUBJECT: DISCLOSURES OF INTEREST***

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#### ***RECOMMENDATION***

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

NIL

#### ***PETITIONS***

NIL

#### ***ADDRESS BY INVITED SPEAKERS***

NIL

## **MAYORAL MINUTES**

### **MAYORAL MINUTES NO. MM1/2017**

**SUBJECT:     PROPOSED CLOSURE OF WESTON FIRE STATION**

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**MOTION           Moved:**     Mayor Pynsent

96

#### **RESOLVED**

1.     That Council write to Mr Clayton Barr MP, State Member for Cessnock and the Hon Troy Grant MP, Minister for Emergency Services and Ms Catherine Cusack, Parliamentary Secretary for the Hunter thanking them for supporting the community in retaining the Weston Fire Station.
2.     That Council request Fire & Rescue NSW to provide Council and the community with information on the current staffing levels at Weston Fire Station, including any current shortfalls of retained firefighters, and what actions or strategies have been undertaken or planned in regards to recruitment and training to fill these current vacancies.
3.     That Council request the Deputy Commissioner for Fire & Rescue NSW Mr Jim Hamilton, who is the Acting Commissioner pending the commencement of Commissioner Designate Mr Paul Baxter in March or April 2017, to address Council as a matter of urgency on strategies to ensure the adequate resourcing of both firefighters and appliances for all Fire & Rescue Stations in Cessnock LGA to ensure the protection of communities which considers issues such as distance and accessibility in times of disaster events which Cessnock LGA has experienced in recent times.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## ***MOTIONS OF URGENCY***

### ***MOTIONS OF URGENCY NO. MOU1/2017***

***SUBJECT: MOTIONS OF URGENCY***

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#### ***RECOMMENDATION***

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

NIL



## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE1/2017**

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

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Gray

97

**RESOLVED**

**That Council receive the report and note the information.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC1/2017**

**SUBJECT: REGIONAL PROCUREMENT TENDER FOR THE SUPPLY AND DELIVERY OF BULK CATIONIC BITUMEN CRS (REGPRO221617)**

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Stapleford  
98  
**RESOLVED**

1. That Council accept Regional Procurement Tender for the Supply and Delivery of Bulk Cationic Bitumen CRS (REGPRO221617).
2. That Downer EDI Works Pty Ltd be accepted as the single source supplier to Cessnock City Council under Regional Procurement Tender for the Supply and Delivery of Bulk Cationic Bitumen CRS (REGPRO221617).
3. That Council note the contract term for the Supply and Delivery of Bulk Cationic Bitumen CRS (REGPRO221617) is from 1 January 2017 to 31 December 2018 with an option for a 12 month contract extension based on satisfactory supplier performance.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC2/2017**

**SUBJECT: INVESTMENT REPORT - DECEMBER 2016**

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Stapleford

99

**RESOLVED**

**That Council receive the report and note the information.**

<b>FOR</b>	<b>AGAINST</b>
------------	----------------

Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

**Total (13)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN**

### **BUSINESS WITH NOTICE NO. BN1/2017**

**SUBJECT: UPGRADE OF BELLBIRD BMX TRACK**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Stapleford

That Council investigate the upgrade of Bellbird BMX Track to a standard that is acceptable for the use as a competition track and user friendly to all ages. A report to be brought back to Council as soon as possible with costings and designs so we can plan the improvements of this facility.

**AMENDMENT**      **Moved:** Councillor Dunn      **Seconded:** Councillor Fitzgibbon

1. That a report be brought back to Council, immediately after the 2017 Recreation & Open Space Strategic Plan is delivered to Council on the implementation of the Key Recommendations from the Cessnock Skate and BMX Facilities Needs Assessment 2020 that was undertaken in 2011 and any recommendations from the 2017 Recreation & Open Space Strategic Plan, specifically pertaining to the Charmichael Park BMX Track precinct.
2. That the report outline what works have been completed and what is planned, as well as timeframes and sources of funding for all skate and BMX facilities, especially Bellbird BMX Track.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

The Amendment was **PUT** and **CARRIED** and as such became the **MOTION**.

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

**MOTION**      **Moved:**    Councillor Dunn      **Seconded:**    Councillor Fitzgibbon  
100  
**RESOLVED**

1. That a report be brought back to Council, immediately after the 2017 Recreation & Open Space Strategic Plan is delivered to Council on the implementation of the Key Recommendations from the Cessnock Skate and BMX Facilities Needs Assessment 2020 that was undertaken in 2011 and any recommendations from the 2017 Recreation & Open Space Strategic Plan, specifically pertaining to the Charmichael Park BMX Track precinct.
2. That the report outline what works have been completed and what is planned, as well as timeframes and sources of funding for all skate and BMX facilities, especially Bellbird BMX Track.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

**CARRIED**

**BUSINESS WITH NOTICE NO. BN2/2017**

**SUBJECT:     INSTALLATION OF RACQUET BALL COURT**

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**MOTION**           **Moved:**   Councillor Olsen           **Seconded:**   Councillor Suvaal

101

**RESOLVED**

**That Council investigate the installation of a Racquet Ball Court in the Cessnock Local Government Area (outdoor gym) with costings, location and findings be brought back to Council as soon as possible with the vision of installing this in the next financial year.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	

<b>Total (0)</b>
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**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN3/2017**

**SUBJECT: TENDER FOR ROADWORKS**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Dunn

**That Council change any policy for roadwork constructions or major improvements to roads and put all roadworks out to tender.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	Councillor Doherty
	Councillor Dunn
	Councillor Fagg
	Councillor Stapleford
	Councillor Suvaal
	Councillor Fitzgibbon
	Councillor Gray
	Councillor Dagg
	Councillor Burke
	Councillor Sander
	Councillor Lyons
	Councillor Pynsent
<b>Total (1)</b>	<b>Total (12)</b>

The Motion was **PUT** and **LOST**.

**BUSINESS WITH NOTICE NO. BN4/2017**

**SUBJECT: UPGRADE OF SIGNAGE PROHIBITING THE RIDING OF BICYCLES ON FOOTPATHS**

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**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Burke

102

**RESOLVED**

1. That Council upgrade the signage which prohibits bicycles on footpaths in the Cessnock CBD and extends the prohibition to scooters and skateboards.
2. That Council write to the NSW Police Force requesting more resources be made available for the policing of the use of the footpaths in the Cessnock CBD.
3. The General Manager investigate resourcing in relation to enforcing the rule and a report be brought back to Council explaining how.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



***ANSWERS TO QUESTIONS FOR NEXT MEETING***

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ1/2017***

***SUBJECT: OUTDOOR STAFF EMPLOYEES***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ2/2017***

***SUBJECT: BRIEFING FOR SECTION 94 CONTRIBUTIONS***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ3/2017***

***SUBJECT: INTERSECTION OF WOLLOMBI ROAD/O'NEILL STREET WEST  
CESSNOCK***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ4/2017***

***SUBJECT: O'NEILL PARK - MACQUARIE AVENUE, WEST CESSNOCK***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ5/2017***

***SUBJECT: UPDATE INTERSECTION MAIN ROAD/HEDDON STREET***

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The answer was noted.

## **ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ6/2017**

**SUBJECT: BUSINESS PAPERS ON I-PAD**

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The answer was noted.

### **QUESTIONS FOR NEXT MEETING**

*Councillor Ann Sander*

#### **CONSULTANT COSTS**

Councillor Sander asked what the cost was for Consultants in the last 3 years and the areas where the funds have been expended?

*Councillor Rod Doherty*

#### **ABERDARE STREET, KURRI KURRI - KERB & GUTTERING AND DRAINAGE WORKS**

Councillor Doherty asked where and where from and what budget items in the delivery plan has the money for Aberdare Street, Kurri Kurri been taken from and what forward works will be put off in this financial year as a result of this blowout in costs?

*Councillor Rod Doherty*

#### **CASUAL RV STOP OVER AT JOHNS PARK, BRANXTON**

Councillor Doherty understands that the Casual RV Stop Over at Johns Park, Branxton has been stopped by Council due to flooding concerns and asked for a full report to Councillors on why the Branxton Community is being deprived of an RV Stop Over when they have already installed an RV Dump Point and had previously promised the Community an RV Camp.

*Councillor Paul Dunn*

#### **ABBOTSFORD STREET BRIDGE UPDATE**

Councillor Dunn asked for an update on the time frame and completion date for the Abbotsford Street bridge.

*Councillor Melanie Dagg*

**BUS SHELTER ADJACENT TO GRETA CENTRAL OVAL, NEW ENGLAND HIGHWAY, GRETA**

Councillor Dagg referred to the bus shelter adjacent to Greta Central Oval, New England Highway, Greta which was damaged and the shelter removed and asked whether any investigations had been undertaken to replace the shelter and if not are there any due to take place in the foreseeable future.

*Councillor Mark Lyons*

**OUTDOOR GYM**

Councillor Lyons asked whether Council was approached several years ago by an organisation in Abernethy to privately fund the creation of an Outdoor Gym and why was this proposal rejected?

*Councillor Mark Lyons*

**KERB MAINTENANCE CHARGES & POLICY**

Councillor Lyons asked in the makeup of the rates is kerb maintenance charged by the Council? What is the maintenance policy for kerbs in residential streets?

*Councillor Di Fitzgibbon*

**INSTALLATION OF SPLASH PAD**

Councillor Fitzgibbon asked if Council Officers could investigate the cost of a Splash Pad, similar to the one at Maitland, and identify any grants needed for funding this project.

*Councillor Ian Olsen*

**OPENING FRAME DRIVE BRIDGE**

Councillor Olsen asked whether all of the \$4 million was spent on the bridge and the road works and if not why haven't Council done the road works when will they be done and why was the bridge opened before the road works were done?

*Councillor Ian Olsen*

**TRAFFIC COMMITTEE - REFERRAL OF ISSUES**

Councillor Olsen submitted a request regarding stop signs at Moore Street/Lightfoot Street and advised that these particular requests were previously sent to the Traffic Committee to be investigated. Councillor Olsen advised that he had received an answer without the matter being reported to the Traffic Committee and asked why they aren't referred anymore.

*Councillor Jay Suvaal*

**REPORT PE1/2017 - DEVELOPMENT APPLICATION PERFORMANCE MONITORING**

Councillor Suvaal noticed that the Complying Development only 1 had been issued by Council and 52 by Private Certifiers and asked for an overview of why the significant difference.

The Director Planning and Environment advised, in short, that it is a huge discrepancy and that further details will be provided to the next Council meeting in that regard.

## CORRESPONDENCE

### CORRESPONDENCE NO. CO1/2017

**SUBJECT:** **MINISTER FOR THE ENVIRONMENT, MARK SPEAKMAN, EAST CESSNOCK FLYING-FOX CAMP - RESPONSE TO RESOLUTIONS 16 APRIL 2016.**

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Stapleford  
103  
**RESOLVED**

**That Council note the correspondence received.**

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORRESPONDENCE NO. CO2/2017**

**SUBJECT: NORTH ROTHBURY PRIORITY SEWERAGE SCHEME - RESPONSES  
FROM THE MINISTER FOR LANDS & WATER AND HUNTER WATER  
CORPORATION**

---

**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Sander  
104  
**RESOLVED**

1. That Council note the correspondence received.
2. That Council write to the Minister for Lands and Waste thanking him for his correspondence and requesting North Rothbury be the top priority of the 3 townships mentioned due to the health concerns at the Village.
3. That Council write requesting consideration of options which will allow the North Rothbury reconnection to commence prior to the completion of the Wyee Project, whether that be by running both projects simultaneously or by tapping into the existing sewere system at Huntlee.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORRESPONDENCE NO. CO3/2017**

**SUBJECT: CESSNOCK CORRECTIONAL CENTRE EXPANSION - RESPONSES  
UPDATE**

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Stapleford  
105  
**RESOLVED:**

**That Council note the correspondence.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **COUNCILLOR'S REPORTS**

Mayor Pynsent

### **Australia Day**

The Mayor reported that Australia Day was a very successful day. All of the emergency services who participated were thankful for being acknowledged. There were 24 new Australian Citizens and the concept of the Mayor Cricket Challenge. The Mayor congratulated the Cessnock Rep side of defeating the Mayor's 11 on the 2<sup>nd</sup> last ball.

*The Meeting Was Declared Closed at 7.28pm*

**CONFIRMED AND SIGNED** at the meeting held on 15 February 2017

.....**CHAIRPERSON**

.....**GENERAL MANAGER**



**Disclosures Of Interest**

**Report No. DI2/2017**

**Corporate and Community Services**



**SUBJECT:** *DISCLOSURES OF INTEREST*

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

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**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.

Mayoral Minute

Report No. MM3/2017

General Manager's Unit



## ***MAYORAL MINUTE No. MM3/2017***

***SUBJECT: TRANSPORT LINK BETWEEN THE HUNTER EXPRESSWAY AND CESSNOCK - FUNDING FOR URGENT ROAD IMPROVEMENT WORKS - NEW***

### ***RECOMMENDATION***

That Council writes to the Hon. Andrew James Constance, MP, Minister for Transport and Infrastructure; the Hon. Melinda Pavey, MP, Minister for Roads, Maritime and Freight; Mr Clayton Barr, MP, State Member for the Electorate of Cessnock and the Hon. Catherine Cusack, MLC, Parliamentary Secretary for the Hunter; seeking urgent State Government funding assistance to undertake road improvement works along the link roads between the Hunter Expressway and Cessnock.

### ***REPORT/PROPOSAL***

An important transport link between the Hunter Expressway and the City of Cessnock was re-established on 1 February 2017 with the opening of the new Frame Drive Bridge.

Council is aware that traffic numbers will inevitably increase along this route with the bridge now open to all traffic. This will in turn have a large impact on vehicle movements through key intersections, including the Hart Road / Sawyers Gully Road / Gingers Lane intersection; the Gingers Lane / Frame Drive intersection; the Frame Drive / Baileys Lane intersection and; the Orange Street / Cessnock Road intersection.

The increase in traffic volumes along the route will also have a major impact on the condition of the local road network in the area, as it will now be required to carry traffic loads between two nodes of the State Road Network. As a result, Council will likely see a rapid deterioration of the roads along the route.

In addition, Council has recently completed a specialist road safety audit that has identified and recommended a number of short, medium and long term road upgrade works which are required to improve road safety along the route.

### ***ENCLOSURES***

There are no enclosures for this report

Mayoral Minute

Report No. MM4/2017

General Manager's Unit



## ***MAYORAL MINUTE No. MM4/2017***

**SUBJECT:** *MINUTES OF THE ORGANISATIONAL AND GENERAL MANAGERS REVIEW COMMITTEE MEETING HELD 8 FEBRUARY 2017*

### **RECOMMENDATION**

That the Minutes of the Organisational and General Managers Review Committee of 8 February 2017 be adopted as a resolution of the Ordinary Council.

### ***MINUTES OF THE REVIEW OF GENERAL MANAGER'S EMPLOYMENT ARRANGEMENTS COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD ON 8 FEBRUARY 2017, COMMENCING AT 4.00 PM***

**PRESENT:** The Mayor, Councillor Bob Pynsent  
Councillor's Stapleford, Suvaal and Burke

**IN ATTENDANCE:** Councillors Lyons, Dagg, Dunn, Fitzgibbon, Olsen and Gray  
Darrylen Allan (Human Resources Manager)

**APOLOGIES:** NIL

### **LISTED MATTERS**

- i. Terms of Reference
- ii. Organisational Review
- iii. General Managers Intention for re-appointment
- iv. Future meeting schedule.

### **RESOLUTIONS**

1. That the committee accepts the draft Terms of Reference with the following changes:
  - a. **Clause 5 - Coordination** – Change the word “may” to “will” in the 2<sup>nd</sup> paragraph.
  - b. Additional **Clause 9 – Confidentiality** - All matters dealt with by the committee are confidential unless indicated otherwise by the chairperson.

**Moved:** Councillor Stapleford    **Seconded:** Councillor Suvaal

**Mayoral Minute**

**Report No. MM4/2017**

**General Manager's Unit**



2. That the General Manager presents the committee with the draft 3 directorate structure to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.

**Moved:** Councillor: Suvaal

**Seconded:** Councillor Stapleford

3. a. That the review of the General Manager's Performance takes place for the period of June 2016 – March 2017.  
b. That the Human Resources Manager, on the behalf of the Committee, seeks expressions of interest from suitably qualified consultants to assist in the review.  
c. Council acknowledges the letter from the General Manager seeking re-appointment under his contract and that Council will notify the General Manager of its decision by 3 May 2017.

**Moved:** Councillor Burke **Seconded:** Councillor Suvaal

4. The next meeting be convened 1 March 2017 at 4.00pm.

**Moved:** Councillor Stapleford **Seconded:** Councillor Burke

**GENERAL BUSINESS**

**NIL**

**ENCLOSURES**

- 1 Draft Terms of Reference

**Motions of Urgency**

**Report No. MOU2/2017**

**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.



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

**RESPONSIBLE OFFICER:** ***Integrated Planning & Strategic Property Manager - Bronwyn Rumbel***

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### **SUMMARY**

Update of progress against Council's 2013-17 Delivery Program.

### **RECOMMENDATION**

1. That Council note the progress in implementing the 2013-17 Delivery Program as at 31 December 2016.
2. That Council endorse the following changes to the 2016-17 Capital Works Program:
  - a. Add: CBC-2017-006 Bellbird Community Hall – Kitchen Replacement
  - b. Remove: CFR-2017-004 – Baddeley Park Cessnock – Floodlighting and Power Upgrade.
3. That Council note the progress in the implementation of Council's Improvement Proposal and the updated forecasts against the Fit for the Future benchmarks.

### **BACKGROUND**

Section 404(5) of the *Local Government Act 1993* requires the General Manager to provide regular progress reports to Council with respect to progress against the principal activities detailed in its Delivery Program. Progress reports must be provided at least every six months.

The Quarterly Budget Review Statements, required under clause 203 of the *Local Government (General) Regulation 2005*, provide financial information in regards to estimates of income and expenditure and are separately reported to Council.

Council adopted the 2013-17 Delivery Program in June 2013 and then adopted the revised 2013-17 Delivery Program in February 2014. The 2016-17 Operational Plan was adopted in June 2016.

The Delivery Program outlines the activities that Council will undertake to implement the strategies identified in the Community Strategic Plan. The Delivery Program is a single point of reference for all principal activities undertaken by an elected Council during its term in office.

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**REPORT****Executive Summary December 2016 Quarter**

An Executive Summary has been prepared summarising the progress against Delivery Program actions and the Capital Works Program. Refer to **Enclosure 1**.

Some highlights of the December 2016 quarter included:

- Over 2,500 people attended Carols in the Park, with the arrival of Santa in a helicopter a crowd favourite.
- Another 367 mattresses were collected in the Mattress Muster held in October 2016.
- Council was successful in obtaining funding for floodplain management projects including: Greta/Anvil Creek Flood Study; South Cessnock investigation & design; and voluntary house raising schemes at Swamp Creek and Cessnock (Black Creek).
- Back-up generator for the Works Depot commissioned.
- Comprehensive new Councillor Induction delivered.

**2013-17 Delivery Program – Progress of Deliverables**

At 31 December 2016, 49 (or 82 percent) of the deliverables (from the Delivery Program) were on-track.

	<b>Status of Deliverables</b>	<b>Number</b>	<b>%</b>
	On Track	<b>49</b>	<b>82%</b>
	At Risk	<b>10</b>	<b>17%</b>
	Not achieved	<b>1</b>	<b>1%</b>
	<b>Total Actions</b>	<b>60</b>	<b>100%</b>

At the end of this quarter, ten deliverables were classified as “At Risk” because the actions from the adopted 2013-14, 2014-15 and/or 2015-16 Operational Plan have not yet been achieved. There is however, the opportunity for these deliverables to be achieved over the life of the Delivery Program (i.e. by 30 June 2017).

Details of these “At Risk” deliverables are below:

<b>Ref.</b>	<b>“At Risk” Deliverables</b>
2.1.1	Continue to update marketing material for the Local Government Area.
	<i>The 2013-14 Action: “Develop an Investment Prospectus for the Cessnock Local Government Area” is not yet completed. This project is dependent on the Business Capability Study (which has been completed); a Gap Analysis (in progress) and the Employment Lands Study (in progress). Expected completion: 2016-17.</i>

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2.1.3	Commence implementation of the Economic Development Strategy.
	<i>The 2014-15 Action: "Develop a Business Investment Program" is not yet completed. The Business Capability Study has been completed and the Gap analysis has commenced to determine what businesses need to be attracted to Cessnock, followed by development of an Investment Program. Expected completion: 2016-17.</i>
2.1.4	Commence implementation of the Cessnock CBD Masterplan.
	<i>The 2015-16 Action: "Complete the development strategy for Cessnock CBD Commercial Precinct Project (including draft development control plan and draft contributions plan)" is not yet completed. The project is progressing with draft CBD Masterplan, public domain works and DCP being reviewed with a Councillor briefing scheduled for April 2017, with public exhibition and consultation commencing April 2017. Expected completion: 2016-17.</i>
3.1.4	Commence implementation of Council's Trunk Stormwater Drainage Strategy.
	<i>The 2013-14 Action: "Complete Trunk Stormwater Drainage Strategy" and the 2014-15 Action "Complete the Trunk Stormwater Drainage Needs Analysis component of the City Wide Infrastructure Strategy" are not completed. A consultant has been engaged to prepare the Needs Analysis. The Draft Trunk Stormwater Drainage Strategy has identified preliminary sub-catchment priorities. Expected completion: 2016-17.</i>
3.1.6	Continue to efficiently and effectively process development applications and respond to planning-related enquiries.
	<i>The 2013-14 Action: "Implement on-line applications relating to development assessment" is not yet completed. The NSW Department of Planning and Environment online application module is scheduled to be rolled out in June quarter 2017. Expected completion: 2016-17.</i>
4.1.3	Complete all components of the City Wide Infrastructure Strategy.
	<i>The 2014-15 Action: "Complete the Transport &amp; Land Use Planning Needs Analysis component of the City Wide Infrastructure Strategy" is not yet completed. A consultant has been engaged and the strategy is in progress. Expected completion: 2016-17.</i>
4.3.1	Advocate for health services on behalf of the community.
	<i>The 2014-15 Action: "Finalise the development of a Health Strategic Plan for the Cessnock Local Government Area" is not yet completed. A final draft of the Plan is being discussed with stakeholders and is expected to be presented to Council early 2017. Expected completion: 2016-17.</i>
5.2.2	Improve Council's use of technology to inform and engage the community.
	<i>The 2013-14 Action: "Implement on-line customer requests" is not yet completed. Work is progressing on online lodgment of customer requests, a trial is expected to commence during the March quarter on a limited number of customer request types. Once confirmed to be functioning well, an expansion of the number of categories will be implemented and a communication plan developed to raise community awareness of this service option. Expected completion: 2016-17.</i>



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5.3.2	Implement systems and strategies to improve productivity across the organisation.
	<i>The 2013-14 Actions: "Implement the Performance Management System" and "Implement a new remuneration system" are not yet completed. The Salary System and Performance Management System are now in final draft. Expected completion: 1 July 2017.</i>
5.3.3	Develop and implement a strategic and operational internal audit program.
	<i>The 2014-15 Action: "Implement the annual internal audit program" is not yet completed. Following the recruitment of a new Internal Auditor, the scheduled Environmental Management Systems audit was finalised in 2016. The Records Management audit was incorporated into the 2015-16 program and was reported to the Audit Committee in January 2017. Expected completion: March 2017.</i>

One deliverable has been classified as "Not Achieved" as the adopted deliverable will not be met during over the life of the Delivery Program (i.e. by 30 June 2017).

Details of the "Not Achieved" deliverable is below:

<b>Ref.</b>	<b>"At Risk" Deliverables</b>
4.2.5	Adopt the City Wide Section 94 Contributions Plan.
	<i>The City Wide Section 94 Contributions Plan will not be adopted by June 2017. A Section 94A Plan is being developed as a priority. A Councillor Briefing regarding Section 94 is scheduled for April 2017.</i>

**2013-17 Delivery Program – Progress of Measures**

At 31 December 2016, 11 (or 65 percent) of the Delivery Program measures were on-track.

	<b>Status of Measures</b>	<b>Number</b>	<b>%</b>
	On Track	11	65%
	At Risk	5	29%
	Not achieved	1	6%
	<b>Total Actions</b>	<b>17</b>	<b>100%</b>

Five measures have been classified as "At Risk". There is however, the opportunity to make up these results over the life of the Delivery Program (i.e. by 30 June 2017).

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Details of the “At Risk” measures are below:

Library Utilisation	
Target: >235,000 p.a. combined visits and hits Year to date: 86,736	Due to a change in data collection software for website hits; it appears unlikely that the Delivery Program target is going to be met.
Grants secured for the community	
Target: 94 applied for, 46 secured, >\$2.3m secured.  Actual: 82 applied for, 44 (\$9.62m) secured during from 1 July 2015 to 30 September 2016.	The funding secured has exceeded the target however, the number of grants applied for is not meeting the Delivery Program target.
Environmental health and protection inspections	
Target: >900 2015-16 Result: 749	Resourcing issues impacted the program during 2016. These inspections will be caught up during 2016-17.
Response to Telephone Calls	
Target: 90% 2016-17 ytd Result: 88.2%	The 2015-16 result (of 86.5%) was consistent with the 2014-15 result (of 86.6%).
Response to Customer Requests	
Target: 80% 2016-17 ytd Result: 75%	For the first 42 months of the Delivery Program the response rate was 76%.

One measure has been classified as “Not Achieved” as the adopted target will not be met during over the life of the Delivery Program (i.e. by 30 June 2017).

Details of the “Not Achieved” measure is below:

Km of Cycleways in the LGA	
Target: >13.6km Actual: 9.7km	Asset data collection for the asset revaluation process confirmed the length of off-road cycleways (now defined as shared paths of 2m or more in width) as 9.7km.  The Delivery Program target will not be met, as the 2016-17 Capital Works Program does not include projects to make up this shortfall during the next twelve months.

Details of progress against each action and measure in the 2013-17 Delivery Program are included in **Enclosure 2** to this report.

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**2011-13 Delivery Program – carried forward deliverables**

At its meeting of 21 August 2013, Council resolved to continue to monitor the incomplete deliverables from the 2011-13 Delivery Program in future quarterly reviews.

Ten deliverables were carried forward from the 2011-13 Delivery Program and, to date, seven of these deliverables have been completed. During the September 2016 quarter no further deliverables were completed. Of the remaining three deliverables, one of them is substantially (over 85 percent) complete.

Details of the remaining carry-forward deliverables, along with progress comments, are included in **Enclosure 2** to this report.

**2016-17 Capital Works Program**

During the December quarter, eight projects from the current program were completed.

An additional project, Bellbird Community Hall – kitchen renewal, was added to the program during the quarter. This project is partially funded from a Stronger Communities Program grant.

During the quarter Council was advised that it was unsuccessful in securing grant funding for Baddely Park Cessnock – Floodlighting and Power Upgrade. As a result this project will be removed from the 2016/17 program and included in the draft 2017/18 program as funding opportunities continue to be pursued. At the end of the quarter funding for one capital works project remained unconfirmed.

	<b>Planning</b>	<b>Construction</b>	<b>Renewal</b>	<b>Total Projects</b>	<b>%</b>
Completed	-	8	5	13	15%
In progress	-	5	7	12	14%
On track	-	41	18*	59	69%
Unconfirmed	-	1	-	1	1%
At risk	-	1	-	1	1%
No funding	-	1	-		
<b>Total Works</b>	-	<b>56</b>	<b>30</b>	<b>86</b>	<b>100%</b>
Planning	21	-	-	21	
<b>Total Program</b>	<b>21</b>	<b>56</b>	<b>30</b>	<b>107</b>	

\* Includes one new program

The works finalised during the December quarter included:

- Great North Road (Lemming Corner) Laguna Stage 2 construction
- Kitchener Poppethead Park – walkway renewal
- Kurri Kurri Tennis Courts – retaining wall renewal
- Playground edging program
- Kurri Kurri Central Park – RV Area
- Peace Park Weston – installation of BBQ

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- Stanford Merthyr Pony Ground – Facility renewal including new roof
- Kurri Kurri Citizens Hall – pathway renewal
- Branxton Pool – facilities renewal

In addition, 4 of the 17 carried forward projects from 2015-16 were also completed during the September quarter, including:

- Broke Rd Pokolbin Reconstruction and Widening Stage 2 (construction)
- Birrale Senior Amenities Replacement – Stage 2 (construction)

**Fit for the Future Improvement Proposal**

Council's Improvement Proposal was based on the adopted Financial Sustainability Initiative – an umbrella initiative for a series of projects that will contribute to securing Council's fiscal future by focusing on reducing costs, increasing revenues and improving value-for-money. A fourth objective, to improve governance, was also included in the Improvement Proposal because a robust governance framework is an essential part of an organisation having the capacity to be fit for the future.

The *Fit for the Future* Improvement Proposal noted that a central theme was to address “*the Operating Performance Ratio without compromising the other benchmarks – the key focus is incremental advances commencing with a service review and the identification of productivity improvements and efficiencies underpinned by a continuous improvement culture change program.*”

The Improvement Proposal noted that monitoring of the implementation of the identified projects would be embedded into Council's Integrated Planning and Reporting Framework (and this commenced in the December 2015 quarter).

As at December 2016, most of the Improvement Proposal projects had commenced. Detailed information on progress against the Improvement Proposal is included as **Enclosure 3**.

The most recent *Fit for the Future* criteria forecasts are based on the actual results for 2014-15 and 2015-16, the adopted 2016-17 budget while retaining the forecasts from 2017-18 onwards from the Long-Term Financial Plan (adopted in June 2015).

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**Summary of when Fit for the Future benchmarks will be met as at 31 December 2016**

<b>Ratio</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>
Operating Performance	Yes	No	No	Yes	Yes	Yes
Own Source Revenue	Yes	Yes	Yes	Yes	Yes	Yes
Building & Infrastructure Asset Renewal	Yes	Yes	Yes	Yes	Yes	Yes
Infrastructure Backlog	Yes	No	Yes	Yes	Yes	Yes
Asset Maintenance	No	Yes	Yes	Yes	Yes	Yes
Debt Service	Yes	Yes	Yes	Yes	Yes	Yes
Real Operating Expenditure per capita	N/A	No	Yes	Yes	Yes	Yes

Source: Cessnock City Council Financial Data Return

Detailed information on progress against each of the *Fit for the Future* criteria forecasts is included as **Enclosure 3**.

**CONSULTATION**

The General Manager, Directors, Managers and Coordinators provided the information for inclusion into this report and its enclosures.

Project Managers provided updates on the status of the adopted Council Improvement Proposal projects; and Council's Financial Accountant provided the financial forecasts for inclusion in **Enclosure 3** to this report.

**STRATEGIC LINKS****Delivery Program****a. Delivery Program**

This report is a crucial part of the organisation's governance framework – providing feedback on the progress against the key plans adopted by Council. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance*."

In addition, the key actions in the Improvement Proposal have been incorporated into Action 5.3.7.a of the adopted 2016-17 Operational Plan.

**b. Other Plans**

Council's *Fit for the Future* Improvement Proposal is consistent with Council's adopted Financial Sustainability Initiative.

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**IMPLICATIONS**

**a. Policy and Procedural Implications**

As part of Council's plan to become *Fit for the Future* there may be policy and procedural implications and, if these arise, they will be separately reported to Council.

**b. Financial Implications**

The December quarter budget review forecasts will be reported separately to Council.

The IPART assessment of Council's fitness has been predicated on the assumption that the strategies (in the proposal) would be implemented and the financial projections realised.

The Office of Local Government will monitor and publicly report on Councils' performance against projections.

The financial implication of this is that annual budgets must be closely aligned with the Long-Term Financial Plan forecasts that formed the basis of Council's *Fit for the Future* Improvement Proposal.

**c. Legislative Implications**

This report satisfies the requirements of Section 404 of the *Local Government Act 1993*.

**d. Risk Implications**

The IPART report noted that the implications of a Council not meeting its *Fit for the Future* projections will be matters for the NSW Government.

**e. Other Implications**

N/A

**CONCLUSION**

The review of the Delivery Program for the quarter ended 31 December 2016, along with the progress in implementation of Council's Improvement Proposal and updated forecasts against the *Fit for the Future* benchmarks are submitted for Council's consideration.

**ENCLOSURES**

- 1** Enclosure 1 - December Quarter Review Executive Summary
- 2** Enclosure 2 - December 2016 Quarter Review of progress against 2013-17
- 3** Enclosure 3 - December 2016 Quarter Review of progress against Financial Sustainability Initiative and Fit for the Future Improvement Proposal

**SUBJECT:** ***AUDIT OF NORTH ROTHBURY ON-SITE SEWAGE  
MANAGEMENT SYSTEMS***

**RESPONSIBLE OFFICER:** ***Environmental Health Team Leader - Megan Savill  
Acting Health & Building Manager, Kurt Livens***

## **SUMMARY**

Council at its meeting of 19 October 2016 considered a Notice of Motion (report BN9/2016) relating to the North Rothbury Priority Sewerage Scheme and resolved that an audit of on-site sewage management (OSSM) systems be undertaken. The audit was conducted by the Environmental Health Team during the months of October, November & December 2016. Audit results are provided herein for the information of Council.

## **RECOMMENDATION**

**That Council note this report.**

## **BACKGROUND**

Council at its meeting of 19 October 2016 considered a Notice of Motion (report BN9/2016) relating to the North Rothbury Priority Sewerage Scheme and resolved:

1. **That Council reiterates its support for its previous resolution of 2 April 2014 in relation to the provision of the sewerage services to North Rothbury and other villages within the Cessnock Local Government Area as a high priority and for these works to be completed by August 2020.**
2. **That Council writes to the Hunter Water Corporation and to the Minister for Lands and Water, requesting an urgent review of the decision not to provide sewerage services to North Rothbury until 2024/25 and that the necessary works be brought forward by Hunter Water as a matter of priority.**
3. **That Council writes to the Parliamentary Secretary for the Hunter, Scot MacDonald and the State Member for Cessnock, Clayton Barr, MP requesting support for Council's position.**
4. **That the General Manager undertake an audit of the sewerage systems to consider health issues.**

Resolution 4 resulted with the Environmental Health Team conducting an audit of OSSM systems in the North Rothbury area.

## **REPORT/PROPOSAL**

During the months of October, November and December 2016 an Environmental Health Officer conducted 185 OSSM inspections in the North Rothbury area. Of these 157 (85%) were found to be in a satisfactory condition whilst 28 (15%) were not operating as per conditions of approval. Non-compliance for 6 OSSM systems was resolved through

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maintenance and repair by service agents, whilst 21 required reinspection. Of these 21 OSSM systems, only 7 required a second reinspection with all but 1 of these being satisfactory. Four reinspections are pending Notice of Entries being issued, a requirement of the *Local Government Act 1993*.

Common defects included altering the waste water disposal method without prior approval, failing disposal areas and access to the OSSM system not being gained by the inspecting officer.

Note that the level of compliance differed largely between the various types of OSSM systems. This may be attributed to the system (ease of use and maintenance, age, etc.) and/or property characteristics and constraints (size, slope, proximity to environmentally sensitive locations, etc.).

**CONSULTATION**

Environmental Health Officer  
Acting Health and Building Manager  
Director of Planning and Environment  
Landowners and residents of North Rothbury

**STRATEGIC LINKS**

**a. Delivery Program**

Objective 1.3 "*Promoting safe communities*"; and specifically:

*Action 1.3.2 Carry out regulatory and education programs to protect residential amenity and community health and safety.*

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Non-complying OSSM systems will be subject to regulatory action as per Council's Compliance and Enforcement Policy, On-Site Sewage Management Strategy and the *Local Government Act 1993*.

**b. Financial Implications**

N/A



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**c. Legislative Implications**

Non-complying OSSM systems will be subject to regulatory action as per Council's Compliance and Enforcement Policy, On-Site Sewage Management Strategy and the *Local Government Act 1993*.

**d. Risk Implications**

Refer to implications below.

**e. Environmental Implications**

Improper treatment and disposal of wastewater may impact the receiving environment. This risk is mitigated by the delivery of Council's approved OSSM inspection program.

**f. Other Implications**

Improper treatment and disposal of wastewater may impact public health. This risk is mitigated by the delivery of Council's approved OSSM inspection program.

**CONCLUSION**

An audit of OSSM systems located in the North Rothbury area was undertaken. Audit results indicate varying compliance rates which may be attributed to the type of OSSM in operation and the property on which it is located.

**ENCLOSURES**

There are no enclosures for this report.

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Corporate and Community Services



**SUBJECT:** *QUARTERLY BUDGET REVIEW STATEMENTS - DECEMBER 2016*

**RESPONSIBLE OFFICER:** *Management Accountant - Paul Grosbernd  
Chief Financial Officer - John Oliver*

## **SUMMARY**

The purpose of this report is to present the December 2016 Quarterly Budget Review Statements (QBRS) for Council's consideration, as per requirements of Clause 203 of the Local Government (General) Regulation 2005.

## **RECOMMENDATION**

1. That Council note the December 2016 Quarterly Budget Review Statements were presented to and endorsed by the Audit Committee on 31 January 2017.
2. That Council approve the variations to the income, expenditure and capital budgets as detailed in the December 2016 Quarterly Budget Review Statements.

## **BACKGROUND**

Clause 203 of the Local Government (General) Regulation 2005 requires Quarterly Budget Review Statements to be prepared and submitted to Council. A separate report to Council contains information in regard to Council's Delivery Program and reporting requirements under Integrated Planning & Reporting legislation.

The review is presented in accordance with the Office of Local Government's reporting guidelines and, in line with these requirements, an operating statement, capital expenditure statement, cash and investment summary, reserves listing, legal expenditure summary and consultants' expenses summary are shown for the quarter.

The QBRS for December 2016 are presented to the Council for consideration and adoption. The Audit Committee has reviewed and endorsed the QBRS prior to referral to Council.

## **REPORT/PROPOSAL**

The budget review process involved responsible cost centre managers reviewing income and expenditure patterns and after consultation with finance staff, proposing any required changes. Changes may have been from unforeseen circumstances or elements beyond the control of Council, additional funding opportunities, or from Council resolutions.

Directors have been provided full group summaries for review and have endorsed the proposed changes as outlined in the QBRS.

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The quarterly review has taken into account a range of cost increases/decreases. Additional revenues and reductions in expenditure items have been identified where appropriate to ensure the adopted budget strategy remains intact and that an appropriate source of funding is identified for unexpected expenditure variations.

*General Budget Commentary*

The QBRS are provided to Council at **Enclosure 1** and are showing on a cash basis a surplus of \$4,559. In light of past budget reviews, Council's financial position and the Council adopted remedial measures to improve this financial position, the surplus is recommended for retention as a buffer against future deteriorations and to help improve Council's unrestricted cash position.

*Profit and Loss Statement Commentary*

The Income & Expenses Budget Review Statement (Profit & Loss) shows a net increase of approximately \$66,200. The major items altered in this review are detailed in the enclosed Quarterly Budget Review Statement.

*Road and Infrastructure Programs*

Transfer of \$50,000 from the Regional Rd Renewal Program to the Local Road Traffic Facilities Construction Program.

**Responsible Accounting Officer Statement**

Section 203 (2) of the Local Government (General) Regulation 2005 requires that the budget review statement include or be accompanied by a report from the Responsible Accounting Officer. This report is required to indicate whether the Responsible Accounting Officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure, and if that position is unsatisfactory, recommendations for remedial action.

Upon inspection of the quarterly budget review statements, I John Oliver, as Responsible Accounting Officer hereby certify that having regard to the original estimates of income and expenditure, the financial position of Council is considered **satisfactory** in relation to the current financial year as the identified changes proposed have been offset by suitable funding allocations.

In making this statement and the presentation of the QBRS it is highlighted that while the adopted balanced budget strategy has been preserved through a cash surplus, current operations and future commitments as outlined in past reports and the Delivery Program (inclusive of the Operational Plan and Long Term Financial Plan) continued to exert considerable pressure on our capacity to manage our financial position, particularly in the medium to long term.

Budget commitments and associated processes will continue to undergo careful reassessment with a view to identifying opportunities for improvement. These actions are particularly important with the need to improve Council's financial position in response to past TCorp ratings, Fit for the Future reform package and Council's Financial Sustainability

**Corporate and Community**

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Initiatives, and to reduce the need to balance the budget overall by drawing from reserves, which is not considered viable in the longer term.

It is for these reasons that the required Responsible Accounting Officer statement on the financial position of Council whilst considered satisfactory for the current financial year also contains a number of qualifying statements which highlight longer term concerns.

**Continued Improvement Strategies**

1. Continuation of the remedial actions as identified in previous Quarterly Budget Review Statements.
2. That Council continue the review of all expenditure commitments to identify projects or programs that can be reduced or delayed while at the same time identifying additional income opportunities.
3. That any additional revenues identified be quarantined for the purpose of improving Councils cash position.
4. That any loan repayment commitments not required from loans not drawn down be quarantined for the purpose of improving Councils cash position.

**CONSULTATION**

The following staff provided input into the preparation of this report and its enclosures:

- Directors
- Managers
- Chief Financial Officer
- Senior finance staff

**STRATEGIC LINKS**

**a. Delivery Program**

This report is a crucial part of the organisation's governance framework – providing feedback on the progress against the budget adopted by Council. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance.*"

**IMPLICATIONS**

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

The QBRS are presented in accordance with the adopted balanced budget strategy. The detailed review of all operational and capital budgets is a continuous process. The objective is to improve Council's financial position.

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**c. Legislative Implications**

Clause 203 of the Local Government (General) Regulation 2005 requires the responsible accounting officer to prepare and submit to Council a QBRS that shows revised estimates of income and expenditure for the year.

**d. Risk Implications**

N/A

**e. Other Implications**

N/A

***CONCLUSION***

The QBRS for December 2016 are submitted for consideration and adoption.

***ENCLOSURES***

- [1](#) December 2016 Quarterly Budget Review Statement

Corporate and Community

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Corporate and Community Services

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**SUBJECT:** *RESOLUTIONS TRACKING REPORT*

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

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**SUMMARY**

The enclosure contains pending actions from previous meetings as well as completed actions for the months of November 2016, December 2016 and January 2017.

**RECOMMENDATION**

**That Council receive the report and note the information.**

**ENCLOSURES**

- 1 Completed Actions - November 2016, December 2016 and January 2017
- 2 Outstanding Actions

Corporate and Community

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Corporate and Community Services



**SUBJECT:** *INVESTMENT REPORT - JANUARY 2017*

**RESPONSIBLE OFFICER:** *Chief Financial Officer - John Oliver*  
*Financial Accountant - Robert Wilson*

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### **SUMMARY**

Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy require a monthly report to Council detailing all money invested.

### **RECOMMENDATION**

**That Council receive the report and note the information.**

### **BACKGROUND**

The Local Government Act 1993, the Local Government (General) Regulation 2005 and Council's Investment Policy require a monthly report to Council detailing all money invested.

### **REPORT**

#### **Statement by the Responsible Accounting Officer**

I, John Oliver, as Responsible Accounting Officer, hereby certify that this report is produced in accordance with Clause 212 of the Local Government (General) Regulation 2005 and that all investments have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's Investment Policy.

#### **General Investment Commentary**

Following assessment of projected cash flow requirements, surplus funds are invested in accordance with Council's Investment Policy.

The Reserve Bank of Australia (RBA) official cash rate as at 31 January 2017 was 1.50 percent. Scheduled RBA Board meetings are held on the first Tuesday of each month (excluding January) at which the official cash rate is one of the matters considered. The February meeting held on 7 February 2017 retained the official cash rate at 1.50 percent.

Investment revenues to the end of January 2017 exceeded budget and the adopted benchmark in the Investment Policy, with an actual level of return 11.0 percent more than budget.

## Corporate and Community

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## Corporate and Community Services

**Investment Portfolio Information**

Total cash and investments held by Council as at 31 January 2017 are:

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	Cash			1.15%	2,196
	Commonwealth Bank	At Call			0.70%	41
1243	AMP Bank	At Call			2.05%	500
1233n	Suncorp Bank	TD	182	15-Mar-17	2.62%	700
1255n	ANZ Bank	TD	181	18-Jul-17	2.45%	800
1256j	National Australia Bank	TD	245	07-Jun-17	2.71%	900
1258l	ANZ Bank	TD	186	13-Feb-17	2.50%	700
1260h	National Australia Bank	TD	212	11-May-17	2.72%	1,000
1262m	Newcastle Permanent BS	TD	274	2-Jun-17	2.70%	600
1263h	Westpac Bank	TD	184	23-Feb-17	2.40%	600
1264i	IMB Bank	TD	182	15-Feb-17	2.60%	600
1269f	Maitland Mutual BS	TD	140	8-Feb-17	2.95%	900
1270l	Bendigo & Adelaide Bank	FRN	92	14-Feb-17	3.03%	500
1273g	Members Equity Bank	TD	154	24-May-17	2.85%	600
1276k	Newcastle Permanent BS	TD	146	3-May-17	2.75%	800
1277k	Greater Building Society	FRN	92	24-Feb-17	3.06%	500
1281e	National Australia Bank	TD	203	22-Feb-17	2.80%	700
1282d	Maitland Mutual BS	TD	140	8-Mar-17	2.85%	500
1284e	National Australia Bank	TD	273	5-Jul-17	2.73%	800
1285e	National Australia Bank	TD	217	19-Jul-17	2.68%	600
1286e	IMB Bank	TD	182	2-Mar-17	2.60%	900
1287h	IMB Bank	TD	184	17-May-17	2.50%	700
1288d	Members Equity Bank	TD	203	8-Mar-17	2.65%	800
1289d	Suncorp Bank	TD	181	24-May-17	2.76%	800
1290h	Newcastle Permanent BS	TD	183	6-Jun-17	2.75%	700
1292c	Suncorp Bank	TD	186	13-Feb-17	2.60%	700
1293c	Maitland Mutual BS	TD	210	8-Feb-17	2.80%	800
1295f	Newcastle Permanent BS	TD	183	22-Mar-17	2.60%	900
1297c	Members Equity Bank	TD	188	15-Mar-17	2.65%	900
1298f	Newcastle Permanent BS	VRD	90	3-Apr-17	2.60%	800
1301b	Maitland Mutual BS	TD	182	29-Mar-17	2.85%	800
1302b	Suncorp Bank	TD	183	23-Feb-17	2.65%	900
1303b	IMB Bank	TD	186	27-Feb-17	2.60%	700
1304b	AMP Bank	TD	212	22-Mar-17	2.95%	800
1305c	Commonwealth Bank	TD	154	26-Apr-17	2.63%	900
1306b	Suncorp Bank	TD	202	5-Apr-17	2.62%	900



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Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
1307d	Bankwest	TD	155	17-May-17	2.62%	800
1308d	Bankwest	TD	183	20-Apr-17	2.55%	900
1311b	Bankwest	TD	183	19-Apr-17	2.55%	600
1312	Newcastle Permanent BS	TD	185	13-Feb-17	2.80%	700
1313	Commonwealth Bank	TD	216	26-Apr-17	2.61%	800
1314	Newcastle Permanent BS	TD	127	12-Apr-17	2.75%	800
1315	IMB Bank	TD	216	12-Jul-17	2.60%	600
<b>TOTAL</b>						<b>32,737</b>

The following table provides information on the level of funds held and the percentage invested with financial institutions in the investment portfolio:

Financial Institution	Amount \$'000	% of Portfolio
Commonwealth Bank of Australia	3,937	12.02%
Newcastle Permanent Building Society	5,300	16.19%
National Australia Bank	4,000	12.22%
Suncorp Bank	4,000	12.22%
IMB Bank	3,500	10.69%
Maitland Mutual Building Society	3,000	9.16%
Members Equity Bank	2,300	7.03%
Bankwest	2,300	7.03%
ANZ Bank	1,500	4.58%
AMP Bank	1,300	3.97%
Westpac Bank	600	1.83%
Bendigo & Adelaide Bank	500	1.53%
Greater Building Society	500	1.53%
<b>TOTAL</b>	<b>32,737</b>	<b>100.00%</b>

The following table provides information on investment types including a risk assessment and the amount and percentage invested compared to the total investment portfolio:

Investment Type	Risk Assessment		Amount \$'000	% of Portfolio
	Capital	Interest		
Term Deposits	Low	Low	28,200	86.14%
Cash/At Call Deposits	Low	Low	2,737	8.37%
Variable Rate Deposit	Low	Low	800	2.44%
Floating Rate Notes	Low	Low	1,000	3.05%
<b>TOTAL</b>			<b>32,737</b>	<b>100.00%</b>

## Corporate and Community

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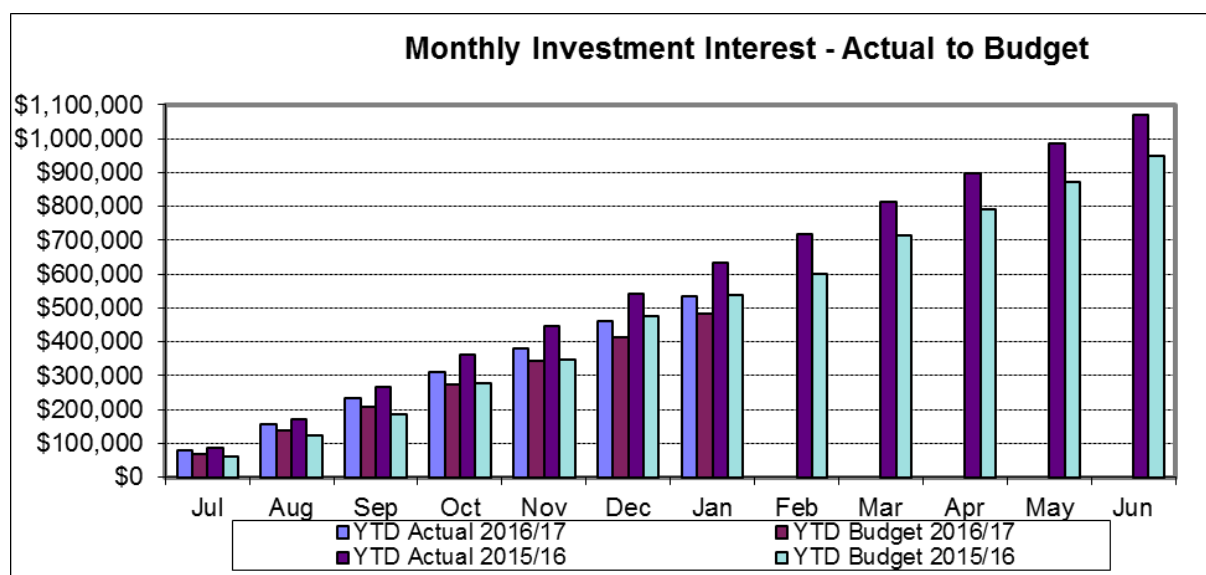
The following table provides information on interest rates and earnings this year compared to last year as well as a comparison of investment balances from this year to last year:

Performance Measures	This Year	Last Year
Portfolio Average Interest Rate (year to date)	2.53%	2.75%
BBSW Average Interest Rate (year to date) *	1.78%	2.16%
Actual Investment Interest Earned (year to date)	\$534,249	\$633,752
Budget Investment Interest (year to date)	\$481,250	\$537,652
Original Budget Investment Interest (Annual)	\$825,000	\$650,000
Revised Budget Investment Interest (Annual)	\$825,000	\$850,000

Investment Balances (Par Value)	This Year	Last Year
Opening Balance as at 1 July	\$37,684,000	\$37,253,000
Month End Current Balance	\$32,737,163	\$37,323,000

- BBSW 90 day Bank Bill Reference Rate (performance measure as per Council's Investment Policy)

The following graph compares actual interest earned to budget for this year and last year.



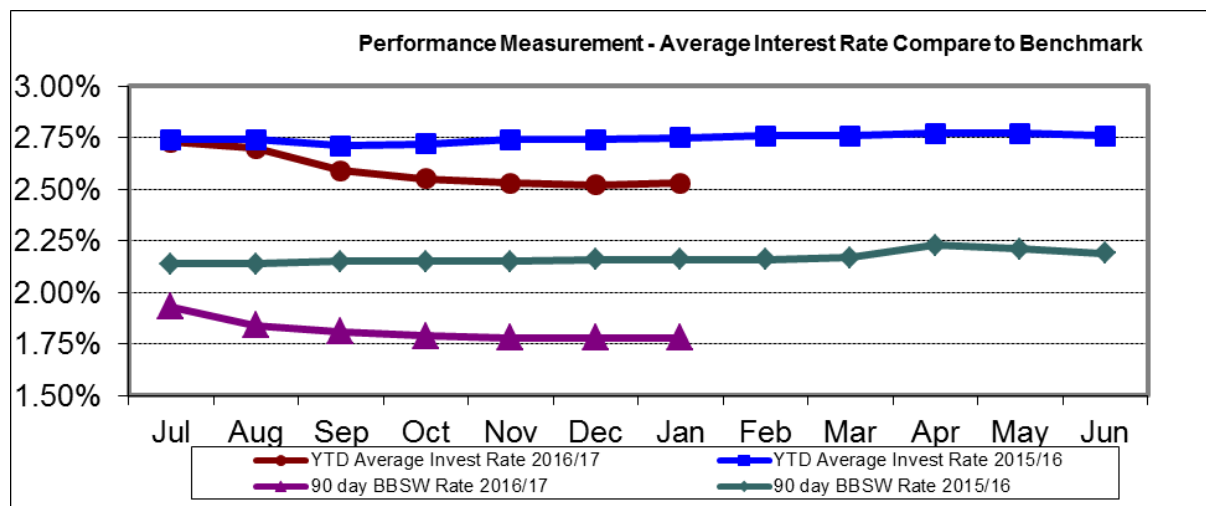
## Corporate and Community

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The following graph compares current year portfolio performance to prior year performance.

**OPTIONS**

N/A

**CONSULTATION**

Financial Accountant

**STRATEGIC LINKS****a. Delivery Program**

Investment returns are an integral part of funding sources for future services and community expectations within the Delivery Program and Operational Plan.

This report is a part of the organisation's governance framework – providing feedback on the progress against the investment policy and budget adopted by Council. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance.*"

**b. Other Plans**

N/A

**IMPLICATIONS****a. Policy and Procedural Implications**

Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order.

Corporate and Community

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**b. Financial Implications**

Investment returns are included in Council's Delivery Program and Operational Plan. Amendments are effected through the Quarterly Budget Review process. Investment portfolio performance is detailed within the report with comparisons to prior year and budget.

A portion of the portfolio and its associated investment income is restricted as it relates to funds held from Developer Contributions, Domestic Waste Management and Property Investment Reserve and is not available for operational projects.

**c. Legislative Implications**

This report meets Council's statutory obligations under the Local Government (General) Regulation 2005 and the Local Government Act 1993.

**d. Risk Implications**

Investment risks are detailed within this report.

**e. Other Implications**

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

**CONCLUSION**

The report details investments held and meets statutory and policy reporting obligations.

**ENCLOSURES**

There are no enclosures for this report.

Works and Infrastructure

Report No. WI1/2017

Works and Infrastructure



**SUBJECT:** *RICHMOND VALE RAIL MUSEUM*

**RESPONSIBLE OFFICER:** *Director Works and Infrastructure - Justin Fitzpatrick-Barr*

**SUMMARY**

The Richmond Vale Rail Museum Board is seeking in-kind support, in the way of road base material, to allow for the setup of a level surface area to display a restored ROD locomotive.

**RECOMMENDATION**

**That Council provides in-kind support to the Richmond Vale Rail Museum by supplying road base material to allow for set up of a level surface area to display a restored ROD Locomotive.**

**BACKGROUND**

The Richmond Vale Rail Museum Board (RVRMB) is planning to host an official unveiling of a restored ROD Locomotive on 8 April 2017.

The proposed function has seen an invitation extended to the Governor General. The board is planning to extend this invitation to other government representatives and funding bodies once the scheduling has been confirmed.

The RVMB has approached Council seeking in-kind support to allow for the construction of a level surface area to display the ROD Locomotive. This report details the extent of the sponsorship requested and seeks Council's endorsement to provide the in-kind support.

**REPORT/PROPOSAL**

The RVRMB is a volunteer non-profit organization, formed in 1979 with the aim of preserving the Railway and Mining Heritage of J. & A. Brown and the Hunter Valley. The Museum is located in the old Richmond Main Colliery site, Main Road 135, Leggett's Drive, Richmond Vale 4kms south of Kurri Kurri. This site is owned by Council.

The RVRMB is planning to display a recently restored ROD Locomotive on the site and requires some road base material in order to construct a level display area,

Council currently imports clean road base material onto the site when works crews undertake road maintenance along roads leading into the Museum. This material is funded through Council's unsealed road maintenance budget.

The estimated cost to provide additional road base material for the RVRMB to construct the locomotive display area is in the order of \$1,500.

**Works and Infrastructure**

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**OPTIONS**

1. Council provides in-kind support to the RVRMB by supplying road base material to allow for set up of a level surface area to display a restored ROD Locomotive at an estimated cost of \$1,500. This is the preferred option;
2. Council does not provide in-kind support to the RVRMB

**CONSULTATION**

In writing this report the following were consulted, Works Delivery Manager and RVRMB

**STRATEGIC LINKS**

**a. Delivery Program**

The proposed in-kind sponsorship supports *Objective 2.3 – Increasing Tourism Opportunities and Visitation in the Area*.

**b. Other Plans**

Nil

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

The cost of providing road base material to the RVRMB is estimated to be \$1500. This in-kind support can be funded within existing recurrent operating budgets.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Environmental Implications**

The road base material will be clean material sourced from a local quarry.

**f. Other Implications**

Nil

**Works and Infrastructure**

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***CONCLUSION***

On the basis of supporting events and community groups that promote visitation to the LGA, it is recommended that Council provides in-kind support to the RVRMB detailed in the report.

***ENCLOSURES***

There are no enclosures for this report

**SUBJECT:** *MINUTES OF LOCAL TRAFFIC COMMITTEE HELD 23 JANUARY 2017*

**RESPONSIBLE OFFICER:** *Design Delivery Manager - Katrina Kerr*

#### **RECOMMENDATION**

That Council endorse the recommendations of the Cessnock City Council Local Traffic Committee meeting held on 23 January 2017 for the items TC1/2017, TC2/2017 being:

1. That temporary road closures be approved for the Kurri Kurri Nostalgia Festival 2017 between:

5am and 4pm on Saturday 25 March 2017,

- for Lang Street, from Allworth to Hampden Streets.

5am and 4pm on Sunday 26 March 2017,

- for Lang Street, from 60m west of Allworth Street to Mitchell Avenue.
- for Allworth Street, from lane 50m north of Lang Street to lane 50m south of Lang Street.
- for Hampden Street, from Brunner Street to 50m south of Barton Street.
- for Barton Street, from Hampden Street to Allworth Street.

The existing bus stop on Hampden Street be temporarily relocated to Rawson Street.

2. That a traffic island and associated line marking be installed on Mavis Street, Cessnock at the intersection of Lindsay Street with:

- R2-3AA Keep Left sign,
- Double Barrier (BB) line on Mavis Street extending east 20m from the end of 10m traffic island,
- Double Barrier (BB) line on Lindsay Street extending 20m south, and
- C3 No Stopping line around the kerb corners for 10m from the intersection.

#### **MINUTES OF TRAFFIC COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD IN COMMUNITY MEETING ROOM ON MONDAY, 23 JANUARY 2017, COMMENCING AT 9.30 AM**

**PRESENT:** Senior Constable Margaret Bernard – NSW Police  
Councillor Darrin Gray – Cessnock City Council (Chair)  
Perri Hodge – State Member representative  
Councillor Mark Lyons – Cessnock City Council (Deputy Chair)  
Nick Trajcevski – Roads and Maritime Services



Works and Infrastructure

Report No. WI2/2017

Works and Infrastructure



**IN ATTENDANCE:** Nathan Goodbun – Acting Road Officer  
Warren Jeffrey – Road Safety Officer  
Katrina Kerr – Design Delivery Manager  
Stephen Long – Strategic Asset Manager  
John Meldrum – Hunter Valley Buses

**APOLOGIES:** **RESOLVED** that the apologies tendered on behalf of;  
Clayton Barr MP – State Member,  
Maria Nikolaidis – Strategic Traffic & Transport Planning Engineer  
for unavoidable absence, be accepted.

**OPENING:** The meeting opened at 9:30am.

**INTRODUCTIONS:** The new Chair introduced himself and invited members and attendees to introduce themselves around the table.

**MINUTES:** *Previously accepted.*

### **DISCLOSURES OF INTEREST**

NIL

### **BUSINESS ARISING FROM PREVIOUS MINUTES**

NIL

### **LISTED MATTERS**

**SUBJECT:** **KURRI KURRI NOSTALGIA FESTIVAL -  
TEMPORARY ROAD CLOSURES**

**REPORT NO.:** **TC1/2017**

**REFERENCE.:** **8/2016/301**

**MATTER:** Council seeks consent from RMS, under Section 116 of the *Roads Act 1993* to regulate traffic on roads surrounding Kurri Kurri Rotary Park in connection with an application for the Kurri Kurri Nostalgia Festival 2017.

**DISCUSSION:** The Meeting noted that:

- Council is assessing a Development Application (DA) and associated Traffic Management Plan (TMP) and Traffic Control Plans (TCPs) for a festival, including the temporary closure of Lang, Allworth, Hampden and Barton Streets over the 4<sup>th</sup> weekend in March 2017.

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- The TMP describes the detours, provision for parking, and alterations to bus stops and routes required to affect the closures. The existing bus stop on Hampden Street will be temporarily located on Rawson Street.
- The festival had been run successfully for a number of years and this experience was a benefit to organisers and proposed arrangements.
- The community awareness about the event was raised by organisers marketing and no submissions had been received from the formal advertising undertaken for the temporary road closure.

The Meeting generally agreed that:

- whilst temporary road closures may cause inconvenience to some local residents and road users, the temporary road closures maximize the space available and the contribute to a safer environment for festival participants.

**RECOMMENDATION**

**That temporary road closures be approved for the Kurri Kurri Nostalgia Festival 2017 between:**

**5am and 4pm on Saturday 25 March 2017,**

- **for Lang Street, from Allworth to Hampden Streets.**

**5am and 4pm on Sunday 26 March 2017,**

- **for Lang Street, from 60m west of Allworth Street to Mitchell Avenue.**
- **for Allworth Street, from lane 50m north of Lang to lane 50m south of Lang Street.**
- **for Hampden Street, from Brunner Street to 50m south of Barton Street.**
- **for Barton Street, from Hampden Street to Allworth Street.**

**The existing bus stop on Hampden Street be temporarily relocated to Rawson Street.**

**MOTION:     *Moved:* Nick Trajcevski   *Seconded:* S/C Bernard  
CARRIED UNANIMOUSLY**

Works and Infrastructure

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Works and Infrastructure



**SUBJECT:** **MAVIS STREET, CESSNOCK  
TRAFFIC ISLAND**

**REPORT NO.:** **TC2/2017**

**REFERENCE.:** **CRL2017 004**

**MATTER:** Requests from residents for traffic calming at the intersection of Mavis and Lindsay Streets, Cessnock.

**DISCUSSION:** The Meeting noted that:

- Mavis Street is currently used as an operational access route to the Cessnock Correctional Centre. There may be changes to this arrangement as a result of current negotiations associated with the current expansion of the Centre.
- Empirical evidence suggests that many of the speeding vehicles on Mavis Street are connected with journeys to and from the Cessnock Correctional Centre, which is a major trip generator in that area
- The design aims to calm traffic, reduce speed at the intersection and improve lane discipline so that drivers cannot cut the corner at speed. It also defines the Centre access point and an adjacent residential driveway so that drivers perceive the extent of the public road and slow to enter these properties.

The Meeting agreed that:

- The proposed works would improve the intersection and should proceed, subject to further liaison and outcomes of current negotiations regarding the future of the entry to the expanded Centre.
- To improve safety in the short term, the centerline marking be installed with raised reflective pavement markers.

**RECOMMENDATION**

**That a traffic island and associated line marking be installed on Mavis Street, Cessnock at the intersection of Lindsay Street with:**

- **R2-3AA Keep Left sign,**
- **Double Barrier (BB) line on Mavis Street extending east 20m from the end of 10m traffic island,**
- **Double Barrier (BB) line on Lindsay Street extending 20m south, and**
- **C3 No Stopping line around the kerb corners for 10m from the intersection.**

**MOTION:** **Moved:** Nick Trajcevski **Seconded:** Perri Hodge  
**CARRIED UNANIMOUSLY.**

## **CORRESPONDENCE**

*NIL*

## **GENERAL BUSINESS**

### **1. WINE COUNTRY DRIVE, NORTH ROTHBURY**

The State Member representative enquired as to the status of a request regarding a number of traffic matters on behalf of North Rothbury Tidy Towns.

The Meeting received an outline update. Council officers to follow up outstanding issues including safety concerns about the location of temporary bus stops, particularly for school children, and a request for a footway on Wine Country Drive. Council officers to provide info to RMS on the issue of unformed access onto Wine Country Drive.

### **2. BLACK HILL ROAD, BLACK HILL**

The Hunter Valley Buses representative acknowledged the traffic management improvements in the school zone and thanked Council for the efforts to achieve a good outcome in a short timeframe.

### **3. HUNTLEE, NORTH ROTHBURY**

The Hunter Valley Buses representative described concerns about the need to collaboratively plan for bus services in the new residential estate, and timeframes for school routes and Transport NSW approvals.

The Meeting was advised that, as State significant development, Council was not the consent authority. Council officers to follow up and advise on available avenues for consultation on bus routes, and the location of stops and shelters, including a possible meeting with Council planners.

### **4. FERGUSON STREET, CESSNOCK**

The Deputy Chair reported concerns about congestion at the intersection of Allandale Road and Ferguson Street.

The Meeting was advised that as Allandale Road is a state road the matters can be reported directly to RMS.

### **5. DOYLE STREET, CESSNOCK**

The Deputy Chair reported concerns about the 4 way STOP signs at the intersection of Ferguson and Doyle Streets.

The Meeting discussed the general misunderstanding of the Road Rules as they apply to 4 way STOP controls and the need for improved driver education. The Meeting noted that a similar intersection control exists on Catherine Street at its intersections with Francis Street and Michael Street. Council officers to undertake observations on Doyle Street to determine if there are issues other than compliance with existing road rules.

**Works and Infrastructure**

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**6. SPEED ZONE REVIEWS**

The RMS representative reported that speed zone reviews had been recently undertaken on:

- Wine Country Drive,
- Hermitage Road,
- Old North Road, and
- New Street, Mulbring.

The Meeting noted that RMS has taken a consistent position on speeds zones for gravel roads where drivers are required to exercise caution and drive according to their individual capabilities, the type of vehicle, any load, and the prevailing road conditions at the time.

The State Member representative pointed out that crash reporting requirements to Police have changed. This has affected the accuracy of direct comparison of pre 2014 crash data with post 2014 data.

**7. GREAT NORTH ROAD, LAGUNA**

Council's Design Delivery Manager passed on thanks to RMS and reported the benefits of recent Black Spot funding to undertake road improvements at Lemming Corner. No crashes have been reported since the opening of the completed works.

**8. GRETA STREET, ABERDARE**

Council's Design Delivery Manager enquired after the timeframe for completion of the delineation for the intersection of Greta and Colliery Streets.

The RMS representative advised that, in company with Council's Road Safety Officer, he had recently inspected and photographed the location for internal RMS follow up.

**CLOSURE:** The Meeting was declared closed at 10.31am.

**ENCLOSURES**

There are no enclosures for this report

Works and Infrastructure

Report No. WI3/2017

Works and Infrastructure



**SUBJECT:** *BUILDING BETTER REGION FUND*

**RESPONSIBLE OFFICER:** *Strategic Asset Planning Manager - Stephen Long*

**SUMMARY**

The report seeks Council's approval to submit two (2) grant applications under the Australian Government's Building Better Regions Fund – Infrastructure Projects Stream.

**RECOMMENDATION**

**That Council endorses the submission of two (2) applications under the Building Better Regions Fund – Infrastructure Projects Stream for the following projects:**

- 1. Bridges Hill Park Masterplan Regional Playground Implementation – Stage 2**
- 2. Cessnock LGA Hunter Valley Wine Country Signage Strategy Implementation.**

**BACKGROUND**

The Australian Government's Building Better Regions Fund (BBRF) provides \$297.7 million over four years (2016-17 to 2019-20) to support the *"Australian Government's commitment to create jobs, drive economic growth and build stronger regional communities into the future"*.

The fund has been split into two funding streams:

- **Infrastructure Projects Stream** - to support projects which involve the construction of new infrastructure, or the upgrade or extension of existing infrastructure. The minimum grant amount is \$20,000 and the maximum is \$10 million and projects must be completed by 31 December 2019.
- **Community Investments Stream** - to fund community building activities including, but not limited to, new or expanded local events, strategic regional plans, and leadership and capability building activities. The minimum grant amount is \$5,000 and the maximum is \$10 million, however, the government expect most applications will be under \$100,000. Projects must be completed within 12 months of executing the grant agreement and prior to 31 December 2019.

Under the remoteness classification used by the Government, the co-funding required from Cessnock City Council is on a 50:50 basis.

The program is competitive and must meet eligibility and merit criteria and applications are compared with other grant applications received by the Government. Funding for remote/very remote areas will have the highest priority and regional areas close to larger metropolitan areas the lowest.

The guidelines note that projects still in the planning/concept stage may be eligible for funding, but may not be as competitive as projects that are further progressed in their planning. Further funding rounds may be announced by the Government depending on the number of projects that receive funding under the program.

**Works and Infrastructure**

**Report No. WI3/2017**

**Works and Infrastructure**



The purpose of this report is to outline the application process and eligibility and assessment criteria for the Building Better Regions Fund, and to seek Council's endorsement to lodge two (2) applications under the Infrastructure Projects Stream.

***REPORT/PROPOSAL***

**Program Outcomes**

Through the BBRF the Australian Government is expecting to achieve the following outcomes in regional and remote communities:

- create jobs
- have a positive impact on economic activity, including Indigenous economic participation through employment and supplier-use outcomes
- enhance community facilities
- enhance leadership capacity
- encourage community cohesion and sense of identity.

Not all projects will be able to contribute to each desired outcome, however collectively the projects will meet the BBRF desired outcomes.

**Application Process**

To be considered applications must be received prior to following closing times:

- The Infrastructure Projects Stream - 5pm local time on 28 February 2017.
- Community Investments Stream - 5pm local time on 31 March 2017.

Local government bodies can submit two applications for each funding stream and the government is seeking investment-ready projects which have:

- confirmed co-funding (this excludes in kind contributions),
- identified all required regulatory and/or development approvals
- can demonstrate robust planning,
- can commence within 12 weeks of signing the funding agreement.

To be considered all eligibility criteria must be met.

**Eligibility & Assessment Criteria**

**Eligibility requirements**

Applicants must comply with all of the following to be considered eligible for the BBRF program:

- Be a legal entity with an ABN;
- An organization that is one of the following:
- Local Government body as defined by the Local Government (Finance Assistance) Act 1995 or;

**Works and Infrastructure**

**Report No. WI3/2017**

**Works and Infrastructure**



- A not for profit organization that has been established for at least two years;
- Seek a grant of at least \$20,000 and up to a maximum of \$10M (dependent upon the funding stream);
- Contribute dollar for dollar funding (not including in kind contributions) to match the BBRF grant;
- Provide evidence confirming the matching funding;
- Complete the NSRF funded component of the project on or before 31 December 2019 (dependent upon the funding stream);
- Deliver a benefit to the region beyond the period of project completion;
- Meet the report requirements of the fund;
- Meet all legislation and regulations relating to the project.

Assessment requirements

To be competitive, an application must address each of the four merit criteria in the application and scoring is applied to each criteria. The nature and size of the project will determine the amount of information required:

1. Economic benefit (15 points)
2. Social benefit (10 points)
3. Value for money (5 points)
4. Project delivery (5 points)

Projects will be assessed against other projects according to the total project cost not the amount of funding requested to ensure that ranking occurs between projects of a similar size as follows:

Infrastructure Stream

- total project cost under \$1 million
- total project cost \$1 million to \$5 million
- total project cost over \$5 million

Community Stream

- total project cost between \$5,000 and \$20,000
- total project cost between \$20,001 and \$100,000
- total project cost over \$100,000.

**Exceptional circumstances co-funding exemption**

The program has exceptional circumstance provisions where organisations have limited capacity to meet the co-funding requirement.

An application for an exemption must be submitted providing evidence demonstrating the exceptional circumstances and demonstrate how the project outcomes would be maintained into the future. If an exemption is not granted an application under the program will be ineligible.



**Works and Infrastructure**

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The following should be noted:

- *“Exemptions will only be granted in very limited circumstances*
- *If an exemption is not granted your application will be ineligible and there will be no opportunity to resubmit your application in the same funding round*
- *All applications, including those granted an exemption, will be assessed against each of the merit criteria. Applications without co-funding may receive a lower score against the ‘value for money’ criterion (merit criterion 3)*
- *You are encouraged to leverage cash contributions, community partnerships and in-kind contributions, even if you seek an exemption, to strengthen your application and increase your score against the ‘value for money’ criterion.*

*Exceptional circumstances may include:*

- *Drought and/or disaster declaration*
- *Limited financial capacity of the local council*
- *Impact of industry decline*
- *Significant recent change in population or community demographics”.*

**Suitable Projects**

Council has previously considered a number of large scale projects in the Cessnock LGA that are deemed suitable for grant funding opportunities, these projects include:

- Broke & Hermitage Roads (completed or near completion)
- Old North and Deasys Roads, with cycleways;
- Cessnock Airport – enhance airport infrastructure;
- Upgrade of links to the Hunter Expressway (HEX);
- Bridges Hill, Convent Hill and East End Oval Masterplan Implementation;
- Wollombi Road, Millfield;
- Greta to Branxton Cycleway;
- Cessnock to Kurri Kurri – HEX Cycleway;
- Frame Drive Bridge, Abermain (bridge complete)
- Fosters Bridge (Sandy Creek Road) , Mulbring (funding successful);
- Sandy Creek Road;
- Great North Road, Bucketty;
- The Pinch - Wollombi Road, Pelton;
- Lomas Lane Bridge, Nulkaba (project completed);
- Abbotsford Street Bridge, Bellbird;
- Cessnock Waste Management Facility.

In assessing the suitability of each of the above projects against the criteria set for BBRF, Council officers have determined that the *‘Bridges Hill Park Masterplan Regional Playground Implementation’* and a second project *‘Cessnock LGA Hunter Valley Wine Country Signage Strategy Implementation’* have the greatest chance of success.

The following provides a brief description of the identified projects, along with a cost estimate for each.

**Works and Infrastructure**

**Report No. WI3/2017**

**Works and Infrastructure**



**Project 1 – Bridges Hill Park Masterplan Regional Playground Implementation – Stage 2**

The Convent Hill, Bridges Hill Park and East End Oval Masterplan (2016) comprises a range of improvements including: upgrades to pedestrian access linking the Cessnock CBD to Bridges and Convent Hill areas and within the open space, outdoor fitness trails, installation of a significant regional playground area, public amenities and BBQ area, way finding, lighting, bush regeneration and car parking. The cost to complete the overall masterplan implementation is estimated at \$4.2M.

The total cost of the playground component of the masterplan is estimated at \$1.5M.

Council, with assistance from the recent successful National Stronger Regions Fund application, has commenced implementation of Stage 1 of the regional playground (project construction cost \$600,000). An application to BBRF for Stage 2 works (project construction cost \$900,000) could be funded under the BBRF.

A successful application would enable the Bridges Hill Park Regional Playground to be put in place and completed. This project links strongly with the assessment criteria, particularly the issues of economic benefit (eg direct and indirect opportunities - tourism growth, future benefits) and social benefit (eg addressing disadvantage, attract new residents and future benefits) and will be investment ready.

Council does not currently have funding available through existing Recreation and Community Facilities Programs. Council's dollar for dollar matching funds (\$450,000) would therefore need to come from either internal unrestricted reserves, loans or a redistribution of funding from other program areas, or a combination of the above.

**Project 2 – Cessnock LGA Hunter Valley Wine Country Signage Strategy Implementation**

This Signage Strategy was developed to provide guidance on the planning, design and installation of signage in the area known as Hunter Valley Wine Country (HVWC). The Strategy is intended to facilitate the development of well designed and positioned signage that reflects the values of the region, communicates a strong brand identity and effectively guides visitors within and around the area. This project is investment ready.

The BBRF signage strategy project aims to install visitor information bays in key locations and to roll out gateway, precinct and wayfinding signage contained within the Strategy. The cost to complete the bays and the signage implementation is estimated at \$2.5M.

Council's dollar for dollar matching funds (\$1.25M) could be drawn from the successful Hermitage Road - Resources for Regions Fund application and funds held in a restricted Section 94 reserve.

**Works and Infrastructure**

**Report No. WI3/2017**

**Works and Infrastructure**



**OPTIONS**

Option 1 - Council endorses the lodgement of two (2) applications under the BBRF, being for the '*Bridges Hill Park Masterplan Regional Playground Implementation - Stage 2*' and '*Cessnock LGA Hunter Valley Wine Country Signage Strategy Implementation*' and in the event that either or both of the applications are successful Council provides the matching funds for each project through either loans, redistribution of funds within existing programs and/or restricted reserves or a combination of all three, whichever is applicable. This is the preferred option.

Option 2 - Council endorses a different list of projects for submission;

Option 3 - Council does not participate in the BBRF.

**CONSULTATION**

Identification of the listed major infrastructure projects, and the prioritisation of those considered eligible for nomination under BBRF, involved consultation with the following stakeholders:

- Director Works & Infrastructure
- Strategic Asset Planning Manager
- Design Delivery Manager
- Economic Development Manager
- Economic Development Officer
- Recreation Services Manager
- Strategic Recreation & Facilities Planner

**STRATEGIC LINKS**

**a. Delivery Program**

Community Objective 1.1 - 'Promoting social connections';  
Community Objective 2.1 - 'Diversifying Local Business Options';  
Community Objective 2.3 - 'Increasing Tourism Opportunities & Visitation in the Area';  
Community Objective 3.2 - 'Better Utilisation of Existing Open Space';  
Community Objective 4.1 - 'Better transport links'.

**b. Other Plans**

Hunter Regional Transport Plan (2014)  
Hunter Strategic Infrastructure Plan (2013)  
Hunter Economic Infrastructure Plan (2013)  
Community Strategic Plan (2013)  
Cessnock Cycling Strategy (2016)  
Hunter Valley Wine Country Signage Strategy (2016)  
Cessnock CBD Masterplan (2012)  
Convent Hill, Bridges Hill Park and East End Oval Masterplan (2016)  
*Draft Bridges Hill Park, Regional Playground Design.*  
*Draft Recreation Open Space Strategic Plan (2017)*

**Works and Infrastructure**

**Report No. WI3/2017**

**Works and Infrastructure**



**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

The BBRF is a dollar for dollar funding program. If Council is successful with either or both of its applications, it will be required to provide matching funds as detailed in the report.

**c. Legislative Implications**

Nil

**d. Risk Implications**

That Council is not willing to make an application under BBRF foregoing the opportunity of securing external funds to undertake significant infrastructure projects.

**e. Environmental Implications**

Nil

**f. Other Implications**

Nil

**CONCLUSION**

Council has an opportunity to make applications under BBRF to potentially receive external funds to support the undertaking of two (2) large scale projects within the Cessnock LGA.

Council officers have determined the following two (2) projects as being most suitable for applications:

1. *'Bridges Hill Masterplan Regional Playground Implementation – Stage 2'*
2. *'Cessnock LGA Hunter Valley Wine Country Signage Strategy Implementation'*

The funding being offered under BBRF is dollar for dollar.

If Council is successful with either or both of its applications it will need to contribute matching funds as detailed in the report.

**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN5/2017

General Manager's Unit



***NOTICES OF MOTION No. BN5/2017***

**SUBJECT:** ***CALL FOR URGENT MEETING REGARDING HEDDON GRETA TRAFFIC ISSUES***

**COUNCILLOR:** ***Darrin Gray***

***MOTION***

**The the General Manager make representation to the Hon Melinda Pavey MP , the NSW Minister for Roads regarding the accumulated traffic issues, creating dangerous hazardous conditions on Main Road, Heddton Greta, between the Hunter Expressway and Testers Hollow Cliftleigh.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 15 February 2017.

**RATIONALE**

The current state of affairs on this stretch of road is becoming increasingly dangerous for residents and commuters alike.

The Hunter Expressway is a magnificent piece of infrastructure however it is not without its negatives, from the lack of commuter parking facilities at key nodes along its length, to forcing congestion onto our residential streets. The Hunter Expressway traffic is ruining the amenity of many residences living in Heddton Greta.

This includes but not limited to ...

1. No ability to turn from service centre
2. No Parking for commuters
3. Frequent illegal U turning across Main road
4. Dangerous U turning in residential streets and driveways
5. No traffic lights at Heddton Street meaning long waiting times from new residential precinct at Heddton Greta
6. Increased traffic flows down Adams Street
7. Only left in and out at Traders Way
8. No action on the lifting of Tester Hollow

The safety and amenity of our local town and residents is seriously being adversely impacted.

Sgd: Darrin Gray  
Date: 1 February 2017

***ENCLOSURES***

There are no enclosures for this report

Notices Of Motion

Report No. BN6/2017

General Manager's Unit



***NOTICES OF MOTION No. BN6/2017***

**SUBJECT:** ***CORNER WOLLOMBI ROAD AND MOUNT VIEW ROAD MILLFIELD -  
TOURIST DIRECTIONAL SIGNAGE***

**COUNCILLOR:** ***Allan Stapleford, Paul Dunn, Mark Lyons***

***MOTION***

**That a new Tourist Directional sign be installed at the corner of Mount View Road and Wollombi Road, Millfield to direct tourists to the wineries in both the Mount View and Wollombi regions.**

It is our intention to move the above motion at the next Ordinary Meeting of Council on 15 February 2017.

**RATIONALE**

An existing Tourist Directional sign (white lettering on brown background) on the corner of Mount View Road and Wollombi Road, Millfield directs motorists to wineries along Mount View Road, making no reference to wineries in the Wollombi area. It would be beneficial to have the sign changed to direct motorists to wineries in both the Mount View and Wollombi regions.

Sgd: Allan Stapleford  
Paul Dunn  
Mark Lyons

Date: 7 February 2017

**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN7/2017

General Manager's Unit



***NOTICES OF MOTION No. BN7/2017***

**SUBJECT:** ***ROAD SAFETY IMPROVEMENTS - EAST OF STONEHURST  
WINERY WOLLOMBI ROAD CEDAR CREEK***

**COUNCILLOR:** ***Allan Stapleford, Paul Dunn, Mark Lyons***

***MOTION***

1. That Council undertakes an investigation and detailed design to improve road safety at the subject location to have the project shovel ready.
2. That the project be listed for consideration in the draft four year Delivery Program 2017-2021.
3. That a report be provided to Council in 2017/18 on the funding options available to undertake the project.

It is our intention to move the above motion at the next Ordinary Meeting of Council on 15 February 2017.

**RATIONALE**

There is a section of Wollombi Road, east of Stonehurst Winery, between the winery and Cedar Creek Road, which poses a significant risk to motorists. The subject road section comprises a sweeping bend with a steep embankment (approx. 1:1) on its northern side. The travelling lanes are also narrow at this location.

A recent Road Safety Audit from Cessnock to Peats Ridge (undertaken by SMEC on behalf of Cessnock Council) identified this location as a serious safety concern and recommended protecting the subject embankment with a road safety barrier. Council officers have since investigated the matter and determined that there is insufficient road shoulder for this to occur.

Sgd: Allan Stapleford  
Paul Dunn  
Mark Lyons

Date: 7 February 2017

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ16/2017

Works and Infrastructure

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**SUBJECT:** *MOUNT VIEW ROAD FAILURE*

**RESPONSIBLE OFFICER:** *Works Delivery Manager - Geoffrey Bent*

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**Q88/2016 – Mount View Road Failure**

Asked by Councillor Olsen at the Ordinary Meeting of Council held on 14 December 2016.

*“Councillor Olsen referred to his previous question in April of this year and asked for an update?”*

Council staff are liaising with Hunter Water Corporation to initiate relocation of the existing aged watermain located within the Mt View Road road pavement.

Following completion of the watermain relocations Council will undertake “in-situ stabilisation” of the pavement as recently recommended by geotechnical consultants.

It is expected this work will be undertaken in either the 2017/18 or 2018/19 financial years.

**ENCLOSURES**

There are no enclosures for this report



Answers To Questions For Next Meeting

Report No. AQ17/2017

Works and Infrastructure



**SUBJECT:** ***ABERDARE STREET, KURRI KURRI - KERB & GUTTERING AND DRAINAGE WORKS***

**RESPONSIBLE OFFICER:** ***Strategic Asset Planning Manager - Stephen Long***

**Q2/2017 – Aberdare Street, Kurri Kurri – Kerb & Guttering and Drainage Works**

Asked by Councillor Doherty at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Doherty asked where and where from and what budget items in the delivery plan has the money for Aberdare Street, Kurri Kurri been taken from and what forward works will be put off in this financial year as a result of this blowout in costs?*

The Aberdare Street, Kurri Kurri project came to Council's attention due to frequent storm water issues affecting properties on the northern side of the street.

The initial scope for the project (2014/15) comprised a simple piped drainage system, with limited kerb and gutter on either side of Aberdare Street, to capture overland flows. The original estimated cost for this concept design was \$230,000.

Following more detailed site investigations and design the scope of the project increased significantly to include; kerb and gutter on both sides of the street, additional underground drainage, reshaping of the original road profile, pavement works and relocation of an old Hunter Water Main.

The water main relocation was undertaken in the 2015/16 financial year following a Council resolution (Report WI17/2016). The remaining works were deferred until the 2016/17 financial year.

Funding for Aberdare Street, Kurri Kurri drainage works in 2016/17 is being sourced through a revoted amount of \$291,000 from 2015/16 to 2016/17 (Report CC53/2016), a \$78,000 reimbursement from HWC and an allocation from the Roads to Recovery funding program.

The project budget for 2016/17 is \$670,000.

No projects listed in the adopted 2016/17 Operational Plan will be deferred to enable funding of the Aberdare Street project.

The costs associated with the Aberdare Street project increased as a result of scope changes that were identified through the design process. These costs were known prior to the commencement of construction.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ18/2017

Works and Infrastructure

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**SUBJECT:** *ABBOTSFORD STREET BRIDGE UPDATE*

**RESPONSIBLE OFFICER:** *Strategic Asset Planning Manager - Stephen Long*

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**Q4/2017 – Abbotsford Street Bridge Update**

Asked by Councillor Dunn at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Dunn asked for an update on the time frame and completion date for the Abbotsford Street bridge.*

Abbotsford Bridge, Bellbird was listed for refurbishment in the 2016/17 financial year however this was deferred following a series of Level 3 bridge inspections, which resulted in a reprioritisation of bridge works across the LGA (Council Report WI28/2016). A further report to Council on the priority for Abbotsford Bridge is programmed for 15 March 2017, following a further round of the Level 3 inspections.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ19/2017

Works and Infrastructure

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**SUBJECT:** ***BUS SHELTER ADJACENT TO GRETA CENTRAL OVAL,  
NEW ENGLAND HIGHWAY, GRETA***

**RESPONSIBLE OFFICER:** ***Strategic Asset Planning Manager - Stephen Long***

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**Q5/2017 – Bus Shelter Adjacent to Greta Central Oval**

Asked by Councillor Dagg at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Dagg referred to the bus shelter adjacent to Greta Central Oval, New England Highway, Greta which was damaged and the shelter removed and asked whether any investigations had been undertaken to replace the shelter and if not are there any due to take place in the foreseeable future.*

Further investigation is required to determine the issues pertaining to the location and why the shelter wasn't replaced at the time the damage occurred. Additional information on the matter will be provided to Councillors once these investigations are completed.

It is noted that funding is not currently available for reinstatement of the subject bus shelter.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ20/2017

Works and Infrastructure

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**SUBJECT:** *OUTDOOR GYM*

**RESPONSIBLE OFFICER:** *Recreation Services Manager - Nicole Benson*

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**Q6/2017 – Outdoor Gym**

Asked by Councillor Lyons at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Lyons asked whether Council was approached several years ago by an organisation in Abernethy to privately fund the creation of an Outdoor Gym and why was this proposal rejected?*

Council was contacted in May 2015 by the Abernethy Healthy Lifestyle Association (AHLA) regarding the installation of an outdoor gym at Abernethy Park. The group asked whether Council would be interested in partnering with them by way of providing matching funds. At the time the group was advised that provision of outdoor gyms would be considered in the preparation of the Recreation Needs Analysis, which would inform future planning for recreation infrastructure across the Local Government Area. Furthermore, that if the Recreation Needs Analysis demonstrated the need for an outdoor gym in Abernethy, Council would then investigate all associated costs such as site preparation, equipment, soft fall and ongoing maintenance.

Based on this information Council officers advised the group that Council was not in a position to assist AHLA with their request at that point in time.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ21/2017

Works and Infrastructure

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**SUBJECT:** *KERB MAINTENANCE CHARGES & POLICY*

**RESPONSIBLE OFFICER:** *Strategic Asset Planning Manager - Stephen Long*

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**Q7/2017 – Kerb Maintenance Charges & Policy**

Asked by Councillor Lyons at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Lyons asked in the makeup of the rates is kerb maintenance charged by the Council? What is the maintenance policy for kerbs in residential streets?*

Contributions or charges are not levied for maintenance or renewal of existing kerb and gutter. However, Council has an existing policy “*Cessnock City Council Contributions Levied for Kerb and Guttering Construction Policy*” to enable levying of contributions from property owners where new kerb and gutter is constructed (ie where no kerb and gutter has previously existed) as part of programmed road works.

Maintenance needs of kerb and gutter asset is identified through the regular road inspection program and any identified works are undertaken on a priority basis where safety issues are considered to be significant.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ22/2017

Works and Infrastructure



**SUBJECT:** *INSTALLATION OF SPLASH PAD*

**RESPONSIBLE OFFICER:** *Recreation Services Manager - Nicole Benson*

**Q8/2017 – Installation of Splash Pad**

Asked by Councillor Fitzgibbon at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Fitzgibbon asked if Council Officers could investigate the cost of a Splash Pad, similar to the one at Maitland, and identify any grants needed for funding this project.*

The cost of a splash pad similar to Maitland Pool would be in the vicinity of \$500,000.

Potential grants to fund this type of project include:

**Australian Government**

Building Better Regions Fund, Department of Infrastructure and Regional Development.

Funding Available: Up to \$10million on a dollar for dollar basis.

**NSW State Government**

Community Building Partnership, NSW Department of Family & Community Services.

Funding Available: \$300,000 across the Cessnock State Electorate on a dollar for dollar basis for Local Council projects (including s355 Committees).

**Other**

ClubNSW - ClubGRANTS Category 3, NSW Office of Liquor & Gaming.

Funding Available: Up to \$1million - 100% funded.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ23/2017

Works and Infrastructure



**SUBJECT:** *OPENING FRAME DRIVE BRIDGE*

**RESPONSIBLE OFFICER:** *Strategic Asset Planning Manager - Stephen Long*

**Q9/2017 – Opening Frame Drive Bridge**

Asked by Councillor Olsen at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Olsen asked whether all of the \$4 million was spent on the bridge and the road works and if not why haven't Council done the road works, when will they be done and why was the bridge opened before the road works were done?*

Project costs

- The final cost to install the new Frame Drive Bridge is approximately \$1.0M (including approvals, site investigation and concept design, service relocations - at the bridge site - and a design and construct bridge tender process).
- The estimated cost to upgrade the road either side of Frame Drive Bridge, between Gingers Lane and Lismore Street, is approximately \$3.0M (includes, service relocations, final road designs, roadworks and required safety works).

Investigation and Design

Investigation and design for the road work has been undertaken concurrently with the design and construction for the bridge.

A number of factors will determine the final extent of roadworks between Gingers Lane and Lismore Street, Abermain, with the primary factor being funding to match scope.

The design process for these roadworks is complex and significantly more time consuming than the bridge, as it involves:

- Assessment of environmental conditions including flora, fauna, indigenous heritage,
- service relocations, including high voltage overhead power and water mains under the existing pavement,
- latent conditions including drainage issues,
- possible property acquisitions, and
- safety at the intersections at Baileys and Gingers Lanes.

Project Timeframes

The key milestones, pending outcome of the REF and other factors outside of Council's control including weather and availability of utility service providers, are as follows:

- |  |               |
|--|---------------|
| • Complete Final Design and Final Cost Estimate:           | 31 March 2017 |
| • Commence staged relocation of services:                  | 30 June 2017  |
| • Commence staged road work construction:                  | 30 June 2017  |
| • Complete services relocation and road work construction: | 30 June 2018  |

**Answers To Questions For Next Meeting**

**Report No. AQ23/2017**

**Works and Infrastructure**

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Bridge Opening

The bridge was open prior to undertaking the roads works to provide immediate benefit to the community and motorists who use the subject route.

***ENCLOSURES***

There are no enclosures for this report



Answers To Questions For Next Meeting

Report No. AQ24/2017

Works and Infrastructure



**SUBJECT:** *TRAFFIC COMMITTEE - REFERRAL OF ISSUES*

**RESPONSIBLE OFFICER:** *Design Delivery Manager - Katrina Kerr*

**Q10/2017 – Traffic Committee – Referral of Issues**

Asked by Councillor Olsen at the Ordinary Meeting of Council held on 1 February 2017.

*Councillor Olsen submitted a request regarding stop signs at Moore Street/Lightfoot Street and advised that these particular requests were previously sent to the Traffic Committee to be investigated. Councillor Olsen advised that he had received an answer without the matter being reported to the Traffic Committee and asked why they aren't referred anymore.*

Roads and Maritime Services (RMS) has delegated installation of certain traffic control devices on Regional and Local roads to the Councils of NSW. Matters relating to state roads or functions that have not been delegated to Council's must be referred directly to the RMS.

To exercise its' delegation, Council is required to have a Local Traffic Committee (LTC) and to refer relevant traffic control matters to the Committee. Rather than having decision-making powers, the Committee is primarily a technical review committee. It advises Council on matters for which the Council has delegated authority to make decisions on, such as parking and traffic management.

Council is not bound by the advice given by the Committee, however, if Council does wish to act contrary to the unanimous advice of the Committee or when the advice is not unanimous, it must notify the RMS and the NSW Police and wait 14 days before proceeding.

The Committee, chaired by a Councillor, has members who are local representatives of Police and RMS, as well as the State Member. Attendees at the Meeting include transport providers, and Council Officers who provide professional and technical advice.

The Committee considers reports investigated and prepared by Council Officers and makes recommendations to Council on the installation of regulatory traffic control devices on Regional and Local roads that are enforceable by NSW Police. In preparing reports, Council Officers apply current standards and operation of the Australian Road Rules, including Australian Standards, Austroads and RMS Technical Directions.

Regarding requests for investigation of matters by the Local Traffic Committee, the Committee considers reports investigated by Council Officers, which are based on the above standards. Requests for matters that do not require regulatory traffic control devices on Regional and Local roads and are not enforceable by NSW Police are resolved at Council Officer level and do not require referral to the Committee.

Matters that are investigated by Council Officers which leads to the need to install regulatory traffic control devices on Regional and Local roads that are enforceable by NSW Police, such as GIVE WAY, marked pedestrian crossings or centerlines, are reported to and considered by the Committee.

**Answers To Questions For Next Meeting**

**Report No. AQ24/2017**

**Works and Infrastructure**

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The Committee has no powers or delegation to act on illegal driver behaviour or non-compliance with road rules such as speeding, hooning or use of unregistered vehicles. These matters should be reported directly to NSW Police.

***ENCLOSURES***

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ25/2017

Planning and Environment



**SUBJECT:** *REPORT PE1/2017 - DEVELOPMENT APPLICATION PERFORMANCE MONITORING*

**RESPONSIBLE OFFICER:** *Business Support Manager - Roslyn Ashton*

**Q11/2017 - Report PE1/2017 - Development Application Performance Monitoring**

Asked by Councillor Suvaal at the Ordinary Meeting of Council held on 1 February 2017.

*"Councillor Suvaal noticed that the Complying Development only 1 had been issued by Council and 52 by Private Certifiers and asked for an overview of why the significant difference.*

*The Director Planning and Environment advised, in short, that it is a huge discrepancy and that further details will be provided to the next Council meeting in that regard?"*

The number of Complying Development Certificates (CDC) issued by Council was underreported due to an error in our reporting system at the time of generating the Council report. The correct figure is a total of six (6) CDC's were issued by Council and 52 Certificates issued by Private Certifiers during the December 2016 quarter.

Council has issued a total 19 CDC's year to date compared to 104 certificates issued by Private Certifiers. This reflects an 15% market share. A brief review of the past few years indicates Council continues to work on increasing our market share each year.

There are several reasons as to why Council receives fewer applications for CDC's than private certifiers:

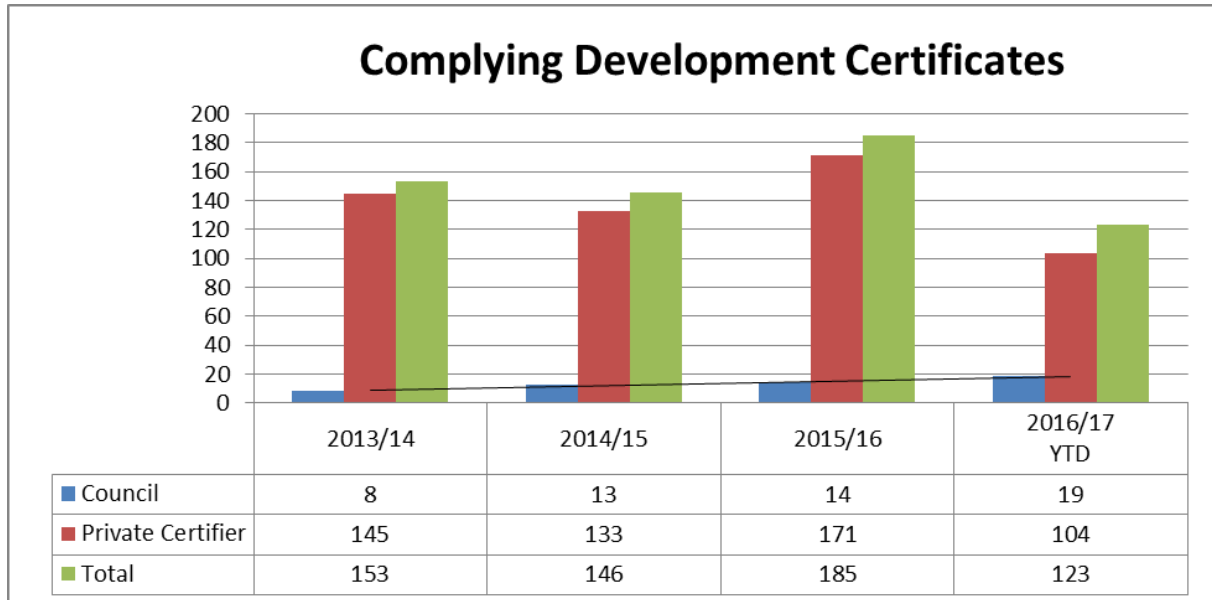
- *Until recently the fees charged by Council for a CDC were not competitive with private certifiers. A significant redesign of council's building certification fee structure in 2015/16 financial year may be contributing to the gradual increase in market share.*
- *Private certifiers have no authority to determine DA's and have been geared for many years to attract and approve CDC applications in quick timeframes.*
- *Council also has responsibility for DA's and CDC's – clients who are attracted to Council services have shown a preference for DA approvals instead of CDC's. For single dwellings Council DA times are comparable to a CDC processing time and while this is good for Council's DA numbers it has discouraged applicants from applying for CDC's*
- *The CDC process, can be confusing and often applicants prefer the security and familiarity of a DA process*

The difference in the number of CDC's issued by private certifiers and Council was (and continues to be) seen as a business opportunity for Council. Our Building Certification team has adopted a marketing plan to increase CDC market share and this is seeing our market share increase. The table below provides an overview of the steadily increasing market share over the last few years.

Answers To Questions For Next Meeting

Report No. AQ25/2017

Planning and Environment



**ENCLOSURES**

There are no enclosures for this report

Correspondence

Report No. CO4/2017

Corporate and Community Services



**SUBJECT:** *INFRASTRUCTURE FUNDING - ESTABLISHMENT OF A \$200M FUTURE FUND - MINISTER FOR LOCAL GOVERNMENT RESPONSE*

**RESPONSIBLE OFFICER:** *Director Corporate and Community Services - Robert Maginnity*

#### **RECOMMENDATION**

**That Council note the correspondence received.**

Council at its meeting of 2 November 2016 considered a Notice of Motion regarding the establishment of a future fund for infrastructure and resolved:

1. That Council write to the State Government via the Premier, Treasurer, Parliamentary Secretary for the Hunter and our local State MP seeking the establishment of a 10 year \$200 million future fund for the ongoing upgrade and replacement of local, Regional and State roads within the LGA (including bridges and drainage assets).
2. That the future fund allocate \$20 million per year to Cessnock City Council to undertake a rolling Capital Works Program.
3. That any unspent funds from the future fund would roll over to the next financial year.
4. That the future fund would be overseen in consultation with Treasury Corporation, Roads and Maritime Service and Cessnock City Council.

In accordance with that resolution a letter requesting the establishment of a Future Fund for Cessnock was forwarded to the NSW Premier on 18 November 2016. On the 24 November 2016 the then Parliamentary Secretary to the Premier, the Hon Catherine Cusack MLC responded on behalf of the Premier advising that the request has been forwarded to the Minister for Local Government for the Ministers information and consideration. This correspondence was provided to Council at the meeting of 14 December 2016.

Correspondence dated 10 January 2017 was received from Justin Mulder, Chief of Staff for the then Minister for Local Government, the Hon Paul Toole MP which advised that the "Government does not have the discretionary funds available within the budget to fund Council's proposal". The latest correspondence is attached for Council's information.

#### **ENCLOSURES**

- 1 Correspondence received on behalf of Hon. Paul Toole MP, Minister for Local Government