



30 January 2020

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, 5 February 2020 at 6.30 pm, for the purposes of transacting the undermentioned business.

**AGENDA:**

PAGE NO.

(1)	<b>OPENING PRAYER</b>	
(2)	<b>ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS</b>	
(3)	<b>RECEIPT OF APOLOGIES</b>	
(4)	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>	
	Minutes of the Ordinary Meeting of Council held on 11 December 2019	6
(5)	<b>DISCLOSURES OF INTEREST</b>	
	DI1/2020 Disclosures of Interest .....	45
(6)	<b>PETITIONS</b>	
(7)	<b>PUBLIC ADDRESS</b>	
(8)	<b>CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS</b>	
(9)	<b>MAYORAL MINUTES</b>	
(10)	<b>MOTIONS OF URGENCY</b>	
	MOU1/2020 Motions of Urgency .....	46
(11)	<b>GENERAL MANAGER'S UNIT</b>	
	GMU1/2020 Minutes of the Committee to Consider Council Initiated Awards Meeting of Cessnock City Council held on 18 December 2019 .....	47
(12)	<b>PLANNING AND ENVIRONMENT</b>	
	PE1/2020 Draft Cessnock City Wide Local Infrastructure Contributions Plan .....	50
	PE2/2020 Amendment of the Cessnock Section 7.12 Contributions Plan and repeal of the Tourism Section 94 Contributions Plan .....	58

PE3/2020	Minutes of the Strategic Property & Community Facilities Committee meeting of 11 December 2019 .....	62
PE4/2020	Vineyard Grove Development - Stage 8 Update .....	66
<b>(13) CORPORATE AND COMMUNITY</b>		
‡ CC1/2020	Council Recess Period - Decisions Made Under Delegated Authority .....	71
CC2/2020	Councillor Professional Development and Training Report .....	74
CC3/2020	Minutes of the Cultural Facilities Committee Meeting of Cessnock City Council held 18 December 2019 .....	81
CC4/2020	Acquisition of land by boundary adjustment to add to Turner Park and granting an easement for stormwater within Turner Park Lot 501 DP 1108309 .....	84
‡ CC5/2020	2020 National General Assembly of Local Government - Call for Motions and Councillor Nominations to Attend .....	91
‡ CC6/2020	Investment Report - December 2019 .....	95
‡ CC7/2020	Local Government NSW Tourism Conference 2020 .....	101
<b>(14) WORKS AND INFRASTRUCTURE</b>		
WI1/2020	Financial Sustainability Initiative Projects .....	105
WI2/2020	Minutes of Local Traffic Committee held 18 November 2019 .....	111
WI3/2020	Congewai Road, Congewai Petition for Bridge at Helens Crossing .....	135
WI4/2020	Heddon Street, Kurri Kurri Reinstatement of Nature Strip .....	143
WI5/2020	Cessnock Road, Weston Naming of Lane .....	149
‡ WI6/2020	2019/20 Community Swimming Grants Program .....	157
WI7/2020	Kurri Kurri Nostalgia Festival - March 2020 .....	160
WI8/2020	Rotary Park Kurri Kurri Park Naming .....	164
WI9/2020	Minutes of Roads Review Committee Meeting held 6 December 2019 .....	167
<b>(15) BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN</b>		
BN1/2020	Millfield RFS Premises .....	170
BN2/2020	Re-instate "Questions for Next Meeting" .....	172
BN3/2020	Gallagher Street, Cessnock .....	174
<b>(16) CORRESPONDENCE</b>		
‡ CO1/2020	Wollombi Community Bus Service .....	175
<b>(17) COUNCILLORS' REPORTS</b>		

‡ - Denotes that Report is for notation only.



## ***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 17 April 2019. This Code provides details of statutory requirements and gives guidance in respect of the way in which pecuniary and conflict of interest issues must be disclosed.

Generally, the Code outlines 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



## ***Notice of Copyright and Disclaimer***

*In accordance with Council's Code of Meeting Practice, Council Meetings are recorded and the audio later webcast.*

*The entire chamber including the public gallery is included in the audio recordings and visitors in the gallery who attend Council meetings may have their voice captured and webcast.*

*By attending a Council meeting you consent to your speech or other personal information being captured, recorded and webcast.*

*For this reason all those in attendance are advised that any opinions expressed or statements made by individual persons during the course of this meeting are the opinions or statements of those individual persons and are not opinions or statements of Council. Council accepts no liability for any defamatory remarks made during the course of the Council meeting.*

*The audio recordings of Council Meetings and the official minutes are protected by copyright owned by Council and no part thereof may be copied or recorded or made available to others without the prior written consent of Council.*

*These recordings are not, and shall not, be taken to be an official record of Council or of any meeting or discussion depicted therein. Only the official minutes constitute an official record of the meeting.*

*Confidential Meetings will not be webcast. Audio recordings will be archived by Council for no less than 12 months.*

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 11 DECEMBER 2019, COMMENCING  
AT 6.30 PM**

**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  
Acting Director Works and Infrastructure (Open Space and Community Facilities Manager)  
Strategic Planning Manager  
Acting Economic Development Manager  
Strategic Recreation & Community Facilities Planner  
Media & Communication Officer  
Corporate Governance Officer

**APOLOGY:** **NIL**

**MINUTES:** **MOTION** **Moved:** Councillor Dagg  
**Seconded:** Councillor Suvaal  
1097  
**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 20 November 2019, as circulated, be taken as read and confirmed as a correct record.

<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>

**CARRIED**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI23/2019**

**SUBJECT: DISCLOSURES OF INTEREST**

---

#### **RECOMMENDATION**

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

**MM20/2019 - Donation to NSW Rural Fire Service in lieu of fireworks at Carols in the Park 2019** – Councillor Fagg declared a Non Pecuniary Less than Significant Conflict for the reason that his wife is an active member of call out officers for Rothbury Rural Fire Service. Councillor Fagg advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

**MM19/2019 - Cessnock Correctional Centre Access** - Councillor Suvaal declared a Non Pecuniary Less than Significant Conflict for the reason that his sister is an employee of Justice Health working at the Cessnock Correctional Centre. Councillor Suvaal advise that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it will not impact her employment.

***PETITIONS***

**NIL**

***ADDRESS BY INVITED SPEAKERS***

***NIL***



## **CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBE OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**

**MOTION**                      **Moved:**    Councillor Doherty                      **Seconded:**    Councillor Suvaal  
1098

**RESOLVED** that having read and considered the reports in the agenda related to items:-

‡ GMU24/2019	Business Capability Study Report .....	72
GMU25/2019	Acting General Manager .....	78
GMU26/2019	Minutes of the Audit and Risk Committee meeting held 12 November 2019 .....	80
‡ PE79/2019	Development Application Performance Monitoring Report – September 2019 Quarter .....	100
CC119/2019	Minutes of the Aboriginal and Torres Strait Islander Committee Held on 15 November 2019 .....	137
‡ CC120/2019	Disclosures of Interests in Written Returns .....	141
‡ CC121/2019	Investment Report - November 2019 .....	144
WI88/2019	Traffic & Transport Strategy - Resourcing for Implementation Program.....	151
WI91/2019	Roadside Drainage Strategy 2019 - Outcome of Exhibition and Adoption .....	203
WI94/2019	Review of Recreation & Open Space Strategic Plan 2018 .....	225
WI95/2019	Funding for Sporting Facility Infrastructure.....	230
WI97/2019	Adoption of the revised Naming of Council Assets Policy .....	239
‡ CO30/2019	Weston Fire and Rescue Station .....	268

**Council adopt the recommendations as printed for those items.**

<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**

**PROCEDURAL MOTION**

**Moved:**

Councillor Pynsent

**Seconded:**

Councillor Sander

1099

**RESOLVED** that Mayoral Minute MM18/2019 be dealt with at the end of the Ordinary Meeting.

**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**

## **MAYORAL MINUTES NO. MM19/2019**

### **SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS**

---

*Councillor Suvaal declared a Non Pecuniary Less than Significant Conflict for the reason that his sister is an employee of Justice Health working at the Cessnock Correctional Centre. Councillor Suvaal remained in the Chamber and participated in discussion and voting.*

**MOTION**            **Moved:**    Councillor Pynsent

1.     That Council notes that the access to the Cessnock Correctional Centre is a decision for the State Government and the Department of Corrections;
2.     That Council reaffirms that Council's position is that access to the Correctional Centre at Lindsay Street/Mavis Street be closed and that a new access is created via direct route from Wine Country Drive onto land owned by Hunter New England Health;
3.     That Council notes that on a meeting on 12 November 2019 with Minister for Corrections Anthony Roberts and Member for Cessnock Clayton Barr, the Minister outlined concerns with the proposed route through Hunter New England Health land. Following this meeting the Member for Cessnock addressed a meeting of the Cessnock Correctional Centre Consultative Committee on 6 December 2019 and outlined the reasons why the Health Land Access Proposal would not progress;
4.     That Council requests the General Manager engage with the Department of Corrections to confirm their suggested solution to establish an access to the Cessnock Correctional Centre via Wine Country Drive; and
5.     That Council calls on the Department of Corrections to meet the following conditions when selecting the State Governments preferred access route:
  - \*       That access to the Correctional Centre is via a route that has minimal impact on private residences before it adjoins the State Road Network;
  - \*       Sufficient security fencing and screening be installed along the route to prohibit vehicle and pedestrian access near private residences;
  - \*       The route minimises traffic on Cessnock Council maintained roads; and
  - \*       That safe access be maintained where the route joins the State Road Network.

**PROCEDURAL MOTION****Moved:**

Councillor Olsen

**Seconded:**

Councillor Fitzgibbon

**That the Mayoral Minute be Deferred to the first meeting in February to enable residents to investigate and come back to Council with their reasons to keep negotiating with Hunter Health.**

**FOR**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Fitzgibbon  
Councillor Burke  
Councillor Sander

**Total (8)****AGAINST**

Councillor Suvaal  
Councillor Gray  
Councillor Dagg  
Councillor Lyons  
Councillor Pynsent

**Total (5)****CARRIED**

**MAYORAL MINUTES NO. MM20/2019**

**SUBJECT: DONATION TO NSW RURAL FIRE SERVICE IN LIEU OF FIREWORKS AT CAROLS IN THE PARK 2019**

---

*Councillor Fagg declared a Non Pecuniary Less than Significant Conflict for the reason that his wife is an active member of call out officers for Rothbury Rural Fire Service. Councillor Fagg remained in the Chamber and participated in discussion and voting.*

**MOTION**            **Moved:**    Councillor Pynsent

1100

**RESOLVED**

1.    That Council make a donation of \$4,500 to the NSW Rural Fire Service being in lieu of the fireworks exhibition originally planned for the Cessnock City 2019 Carols in the Park event, noting that the fireworks component of that event was cancelled due to the current bush fire conditions and in respect to fire fighters and people directly impacted by the fires.
2.    That the \$4,500 be distributed among the 14 RFS brigades in the Cessnock Local Government Area, as identified in the Cessnock Local Emergency Management Plan.

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**

## ***MOTIONS OF URGENCY***

### ***MOTIONS OF URGENCY NO. MOU21/2019***

***SUBJECT: MOTIONS OF URGENCY***

---

NIL

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU24/2019**

**SUBJECT: BUSINESS CAPABILITY STUDY REPORT**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1101  
**RESOLVED**

**That Council endorses the completed Cessnock City Business Capability Study (2019) report for publication and grant acquittal for the funding from the Australian Government's Building Better Regions Fund Community Investment Stream.**

<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**

**GENERAL MANAGER'S UNIT NO. GMU25/2019**

**SUBJECT: ACTING GENERAL MANAGER**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1102  
**RESOLVED**

That Council formally approves for the General Manager to appoint any of the Directors, as designated senior staff under the *Local Government Act 1993*, to act in the role of General Manager, with the associated delegations, when the General Manager is on leave.

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**



**GENERAL MANAGER'S UNIT NO. GMU26/2019**

**SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 12 NOVEMBER 2019**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1103  
**RESOLVED**

**That the Minutes of the Audit and Risk Committee Meeting held 12 November be adopted as a resolution of the Ordinary Council.**

<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**

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE77/2019**

**SUBJECT: DRAFT CESSNOCK FLYING-FOX CAMP MANAGEMENT PLAN**

---

**MOTION**

1104

**Moved:** Councillor Suvaal

**Seconded:** Councillor Gray

**RESOLVED**

**That Council places the draft Cessnock Flying Fox Camp Management Plan on public exhibition for a minimum period of fifty (50) days.**

<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**

**PLANNING AND ENVIRONMENT NO. PE78/2019**

**SUBJECT: FEES AND CHARGES AMENDMENT - BUILDING, REGULATORY AND LIBRARY SERVICES**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dagg  
1105  
**RESOLVED**

**That Council adopts the amended and new fees and charges for fee types A, D, E, G in accordance with Schedule 1 of this report.**

<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**

**PLANNING AND ENVIRONMENT NO. PE79/2019**

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING  
REPORT - SEPTEMBER 2019 QUARTER**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1106  
**RESOLVED**

**That Council receives and notes the Development Application Performance Monitoring Report – September 2019 Quarter.**

<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**

### **CORPORATE AND COMMUNITY NO. CC118/2019**

**SUBJECT: COMPLAINT HANDLING POLICY AND COMPLAINT HANDLING PROCEDURES**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
1107  
**RESOLVED**

1. That Council adopts the Complaint Handling Policy and notes the Complaint Handling Procedures with the following amendments:-

**7.3 – Complaints forwarded by Councillors will be received as complaints and treated as a complaint received direct from the resident/complainant.**

**3.4.4 - include the word Councillor after member of Parliament.**

2. That Council receive a briefing on the policy.

<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. CC119/2019**

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE HELD ON 15 NOVEMBER 2019**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1108  
**RESOLVED**

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 15 November 2019 be adopted as a resolution of the Ordinary Council.
2. That Council notes that the Aboriginal and Torres Strait Islander Committee meeting became inquorate prior to consideration of the final agenda item AACLM23/2019 Innovate Reconciliation Action Plan (2018-2020) and General Business, and accept the meeting notes for these two items.

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**

**CORPORATE AND COMMUNITY NO. CC120/2019**

**SUBJECT: DISCLOSURES OF INTERESTS IN WRITTEN RETURNS**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1109  
**RESOLVED**

That Council notes the tabling of the disclosures of interests written returns (for the period 1 August 2019 to 31 October 2019) by the General Manager in accordance with Council's Code of Conduct.

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**

**CORPORATE AND COMMUNITY NO. CC121/2019**

**SUBJECT: INVESTMENT REPORT - NOVEMBER 2019**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1110  
**RESOLVED**

**That Council receives the report and notes:**

- **Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order; and**
- **Council's month end balance was \$41,837,495, year to date interest earned to 30 November was \$320,352 and the interest earned for November was \$54,191.**

<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**



## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI88/2019**

**SUBJECT:      TRAFFIC & TRANSPORT STRATEGY - RESOURCING FOR  
IMPLEMENTATION PROGRAM**

---

**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Suvaal  
1111  
**RESOLVED**

1.      That Council endorses the 12 month appointment of a Traffic Engineer and part time Technical Support Officer dedicated to developing an Implementation Program to deliver outcomes of the adopted *Cessnock LGA Traffic and Transport Strategy Report 2018 Technical Report*.
2.      That Council allocates \$140,000 from the funds reserved for potential leverage against grant funding opportunities to fund the temporary appointment of the dedicated staff as detailed in the report.

<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**

**WORKS AND INFRASTRUCTURE NO. WI89/2019**

**SUBJECT: ELEVENTH AVENUE, MILLFIELD - LOCAL AREA TRAFFIC MANAGEMENT SCHEME**

---

**MOTION**      **Moved:**    Councillor Stapleford    **Seconded:**    Councillor Fitzgibbon  
1112

**RESOLVED**

1. That Council notes that the low traffic volumes in Millfield do not warrant the implementation of road closures and other Local Area Traffic Management treatments as proposed in Council's resolution (913) dated 15 May 2019, and further that these Local Area Traffic Management treatments are overwhelmingly opposed by the residents within the affected area.
2. That Council treats the Wollombi Road/Bennett Street intersection, and improves wayfinding signage, to reduce through traffic at the intersection of Eleventh Avenue and Millfield Road as part of the current Wollombi Road Millfield Stage 6, Regional Road Renewal Project.
3. That the General Manager liaise with the Traffic Committee to consider an appropriate traffic signage plan.
  1. That the traffic sign on Wollombi Road, west of Eleventh Avenue read "Sydney, Mulbring and Ellalong".
  2. The sign on Eleventh Avenue, north of Millfield Road reads "Sydney, Mulbring and Ellalong".
  3. That a sign be placed on Eleventh Avenue at the intersection of Tenth Avenue to read "No Through Road".
  4. The intersection of Eleventh Avenue and Millfield Road, a "Stop" sign be placed on the southern side with white line markings on the road.
  5. On the intersection of Millfield Road and Eleventh Avenue, that 'warning' marks be placed on the road warning of a 'Stop' sign.
  6. On the intersection of Millfield Road and Bennett Street, a larger sign be placed further away from the intersection to direct long and heavy vehicles down Bennett Street on to Wollombi Road.

**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***

**WORKS AND INFRASTRUCTURE NO. WI90/2019**

**SUBJECT: METCALFE LANE, SAWYERS GULLY - TRAFFIC MANAGEMENT**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
1113  
**RESOLVED**

That Council notes that traffic on Metcalfe Lane, Sawyers Gully has been regulated under Section 115 of the *Roads Act 1993* by closure to through traffic in accordance with the Metcalfe Lane Sawyers Gully -Traffic Management Overview Option A.

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**

**WORKS AND INFRASTRUCTURE NO. WI91/2019**

**SUBJECT:      ROADSIDE DRAINAGE STRATEGY 2019 - OUTCOME OF  
EXHIBITION AND ADOPTION**

---

**MOTION              Moved:**      Councillor Doherty      **Seconded:**      Councillor Suvaal

1114

**RESOLVED**

1.      That Council notes the outcome of the public exhibition and submission received.
2.      That Council adopts the Roadside Drainage Strategy 2019.
3.      That Council makes provision for the implementation of the Roadside Drainage Strategy in consideration of future Operational Plans and available resources.

**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**

**WORKS AND INFRASTRUCTURE NO. WI92/2019**

**SUBJECT: REVIEW OF UNSEALED RURAL ROADS MAINTENANCE**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Stapleford  
1115

**RESOLVED**

1. That Council adopts Option 3 of the revised *Rural Road Maintenance Schedule* where Category 1 roads are based on the past three year average servicing history and all other roads are based on one service annually; and
2. That Council notes that Option 3 of the revised *Rural Road Maintenance Schedule* is within the current Works and Operations Road Maintenance budget allocations.

**FOR**

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 (12)**

**AGAINST**

Councillor Olsen

**Total (1)**

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI93/2019**

**SUBJECT: EXHIBITION OF DRAFT TRAILS STRATEGY**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray

1116

**RESOLVED**

1. That Council places the draft Trails Strategy on public exhibition in late January 2020 for a minimum period of 28 days and invite public submissions.
2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Trails Strategy.

**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**

**WORKS AND INFRASTRUCTURE NO. WI94/2019**

**SUBJECT: REVIEW OF RECREATION & OPEN SPACE STRATEGIC PLAN 2018**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal

1117

**RESOLVED**

**That Council note the amendments to the adopted Recreation and Open Space Strategic Plan 2018.**

<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**



**WORKS AND INFRASTRUCTURE NO. WI95/2019**

**SUBJECT: FUNDING FOR SPORTING FACILITY INFRASTRUCTURE**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal

1118

**RESOLVED**

1. That \$60,000 from the 2019/20 Recreation Buildings Renewal Program be allocated towards the replacement of the electronic scoreboard at Cessnock Sportsground.
2. That \$3,746 from the 2019/20 Recreation Buildings Renewal Program be allocated towards the repairs to the synthetic hockey surface at Baddeley Park Hockey Centre.
3. That the Cessnock Rugby League Football Club and the Cessnock District Hockey Association be thanked for their contribution.

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**

**WORKS AND INFRASTRUCTURE NO. WI96/2019**

**SUBJECT: FEES AND CHARGES - OPEN SPACE AND RECREATION**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander

1119

**RESOLVED**

1. That Council place the draft Fees and Charges for vegetation removal, security keys, cemetery memorial plaques and swimming lessons on public exhibition for 28 days.
2. That the General Manager investigate the cost of a Coffin lowering device.

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**

**WORKS AND INFRASTRUCTURE NO. WI97/2019**

**SUBJECT: ADOPTION OF THE REVISED NAMING OF COUNCIL ASSETS  
POLICY**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1120

**RESOLVED**

**That Council adopts the Naming of Council Assets Policy.**

<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**

**WORKS AND INFRASTRUCTURE NO. WI98/2019**

**SUBJECT: INFRASTRUCTURE GRANTS PROGRAM NOVEMBER 2019 ROUND**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Fitzgibbon  
1121

**RESOLVED**

1. That Council endorses the submission of an application for the Miller Park Community Hub under the November 2019 Round of the Infrastructure Grants Program.
2. That if the application is successful, Council contributes up to \$121,200 in co-contribution funding from the funds reserved for potential leverage against grant funding opportunities.
3. That Council write to the following to seek their support for the project:-

Member for Cessnock Clayton Barr  
Shadow Minister for Local Government, Greg Warren  
Relevant minister  
Taylor Martin MLC

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**

**WORKS AND INFRASTRUCTURE NO. WI99/2019**

**SUBJECT: WASTE LEVY EXEMPTION - AREAS EFFECTED BY FIRE**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dagg

1122

**RESOLVED**

1. That Council waives the fees to dispose of waste generated as a result of bushfire events declared in AGRN 871 Natural Disaster Declaration to assist affected residents of fire affected communities.
2. That Council notifies fire affected communities advising them of the opportunity to dispose of eligible waste at no cost.

**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**

**WORKS AND INFRASTRUCTURE NO. WI100/2019**

**SUBJECT: BUILDING BETTER REGIONS FUND - ROUND FOUR**

---

**MOTION**                      **Moved:**    Councillor Dagg                      **Seconded:**    Councillor Suvaal

1123

**RESOLVED**

1.      That Council endorses the submission of an application under the Building Better Regions Fund: *Infrastructure Projects Stream, Round Four – Drought Support* for the Branxton to Greta Cycleway project,
2.      That Council allocates a co-contribution of \$650,000 (25%) from within Council operational funding for cycleways, the grant funding leverage reserve and potential loans to fund the project, should the grant be successful.
3.      That the General Manager work towards ensuring that more projects are shovel ready from adopted strategies across the whole LGA.
4.      That Council write to the Federal Member for Hunter seeking his support.

**FOR**

Councillor Doherty  
Councillor Fagg  
Councillor Suvaal  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (9)**

**AGAINST**

Councillor Olsen  
Councillor Dunn  
Councillor Stapleford  
Councillor Fitzgibbon

**Total (4)**

**CARRIED**

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

### **BUSINESS WITH NOTICE NO. BN31/2019**

**SUBJECT: MAITLAND ROAD ROUNDABOUT**

---

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

1. That Council considers the roundabout at the intersection of Maitland Road, Old Maitland Road and Gallagher Street in the development of the implementation program related to the Traffic and Transport Strategy.
2. That investigation into previous plans be undertaken.

**AMENDMENT**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Suvaal

1. That Council considers a roundabout or suitable intersection treatment at the intersection of Maitland Road, Old Maitland Road and Gallagher Street in the development of the implementation program related to the Traffic and Transport Strategy.
2. That investigation into previous plans be undertaken.

<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 Fitzgibbon **Seconded:** Councillor Suvaal

1124

**RESOLVED**

1. That Council considers a roundabout or suitable intersection treatment at the intersection of of Maitland Road, Old Maitland Road and Gallagher Street in the development of the implementation program related to the Traffic and Transport Strategy.
2. That investigation into previous plans be undertaken.

**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**



**BUSINESS WITH NOTICE NO. BN32/2019**

**SUBJECT: NULKABA SCHOOL SAFETY**

---

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

1125

**MOTION**

**That the General Manager investigates the safety around the Nulkaba Public School at times of drop off and pick up of children and design a plan that can improve the safety for all students and pedestrians, and that the General Manager bring this back to Council within 6 months for ratification and finding funds to complete any improvements recommended.**

*Councillor Doherty left the meeting, the time being 7.47pm*

**FOR**

**AGAINST**

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

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

*Councillor Doherty returned to the meeting, the time being 7.49pm*

## **CORRESPONDENCE**

**CORRESPONDENCE NO. CO30/2019**

**SUBJECT: WESTON FIRE AND RESCUE STATION**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1126  
**RESOLVED**

**That the correspondence from the Member for Cessnock, Clayton Barr MP, in regards to the Weston Fire and Rescue Station be noted.**

<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

NIL

7.50pm

**MOTION**

**Moved:** Councillor Suvaal

**Seconded:** Councillor Gray

1127

**RESOLVED** that the meeting move into Committee of the Whole to consider Mayoral Minute MM18/2019.

**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**

8.00pm

*The meeting moved back into Open Session and the Mayor reported on the outcome.*

**MAYORAL MINUTES NO. MM18/2019**

**SUBJECT: MINUTES OF THE REVIEW OF THE GENERAL MANAGER'S  
EMPLOYMENT ARRANGEMENTS COMMITTEE MEETING - 20  
NOVEMBER 2019**

---

**MOTION**            **Moved:**    Councillor Pynsent

1128

**RESOLVED**

1.     That Council adopt the minutes of the Review of the General Manager's Employment Arrangement Committee meeting – 20 November 2019.
2.     That the General Managers draft Performance Agreement for the period of November 2019 – November 2020 be adopted by Council.
3.     That the Council delegate authority to the Mayor to make changes to the Performance Agreement in relation to items 2b) and 5b) of the Agreement following receipt of further information from the General Manager and that the changes be reported back to Council.
4.     That the Mayor engages with HR Manager and General Manager to develop a KPI involving road infrastructure funding.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	Councillor Stapleford
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
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**

*The Meeting Was Declared Closed at 8.02pm*

**CONFIRMED AND SIGNED** at the meeting held on 5 February 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

**Disclosures Of Interest**

**Report No. DI1/2020**

**Corporate and Community Services**

---



**SUBJECT: DISCLOSURES OF INTEREST**

**RESPONSIBLE OFFICER: Finance and Administration Manager - Andrew Glauser**

---

**RECOMMENDATION**

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

**SUMMARY**

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

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

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

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

**ENCLOSURES**

There are no enclosures for this report.

Motions of Urgency

Report No. MOU1/2020

Corporate and Community Services

---



**SUBJECT:** *MOTIONS OF URGENCY*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

---

**RECOMMENDATION**

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

**SUMMARY**

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

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

**ENCLOSURES**

There are no enclosures for this report.

General Manager's Unit

Report No. GMU1/2020

General Manager's Unit



**SUBJECT:** *MINUTES OF THE COMMITTEE TO CONSIDER COUNCIL INITIATED AWARDS MEETING OF CESSNOCK CITY COUNCIL HELD ON 18 DECEMBER 2019*

**RESPONSIBLE OFFICER:** *Mayor - Bob Pynsent*

**RECOMMENDATION**

That the minutes of the meeting of the Council Initiated Awards Committee held on 18 December 2019 be received and noted.

**MINUTES OF THE COMMITTEE TO CONSIDER COUNCIL INITIATED AWARDS MEETING OF CESSNOCK CITY COUNCIL HELD IN THE MAYOR'S OFFICE ON 18 December 2019 COMMENCING AT 2.00 PM**

**PRESENT:** The Mayor, Councillor B Pynsent, Councillors Stapleford and Burke

**IN ATTENDANCE:** G Radford (minute taker)

**APOLOGIES:** NIL

**DISCLOSURES OF INTEREST:**

**Councillor Burke - A Non-Pecuniary Interest – Significant Conflict in Community Event Award** – Councillor Burke advised that he would remain in the meeting and not participate in discussion and voting as he was a participant of Stars of the Hunter Valley.

**GENERAL BUSINESS**

Consideration of Australia Day Awards Recipients 2020.

*RECOMMENDED* that the Committee of Council resolve that the following recipients be awarded for the 2020 Australia Day Awards.

<b>Citizen of the Year</b>	<b>Melissa Gontier</b>	<b><i>Outstanding contribution to our community</i></b>
<b>Senior Citizen of the Year</b>	<b>Edgar (Ted) Jackson</b>	<b><i>Outstanding contribution to gaining better support for the aged in our community</i></b>
<b>Young Citizen of the Year</b>	<b>Chelsea Webb</b>	<b><i>Outstanding contribution through leadership in various youth initiatives</i></b>
<b>Maree Callaghan Award – Young Female Achiever</b>	<b>Trinity Woodhouse</b>	<b><i>Outstanding achievement and leadership for young women</i></b>



This is Page 48 of the Agenda of the Ordinary Council Meeting of the Cessnock City Council to be held on 5 February 2020



General Manager's Unit

Report No. GMU1/2020

General Manager's Unit



Community Award	Stars of the Hunter Valley (Cancer Council NSW)	<i>Raising \$108,000 for Cancer Council NSW</i>
Moved: Councillor Stapleford                      Seconded: Mayor Pynsent		

***The Meeting was declared closed at 2.21 pm.***

***ENCLOSURES***

There are no enclosures for this report.

Planning and Environment

Report No. PE1/2020

Planning and Environment



**SUBJECT:** ***DRAFT CESSNOCK CITY WIDE LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN***

**RESPONSIBLE OFFICER:** ***Strategic Planning Manager - Martin Johnson***

### **SUMMARY**

The purpose of this Report is to seek Council's endorsement to publicly exhibit the Draft Cessnock City Wide Local Infrastructure Plan and to publish a notice of intent to repeal the existing Contributions Plans made under Section 7.11.

### **RECOMMENDATION**

1. That Council place the draft Cessnock City Wide Local Infrastructure Contribution Plan on public exhibition for a minimum period of 28 days.
2. That in accordance with Clause 32 of the *Environmental Planning and Assessment Regulations 2000*, Council publish a notice of intent to repeal the following Plans:
  - Residential Section 94 Contributions Plan
  - Bellbird North Section 94 Contribution Plan 2010
  - Mount View Road, Millfield Precinct Section 94 Contribution Plan 2011
  - Government Road Precinct, Cessnock Section 94 Contribution Plan 2010
  - Averys Village, Heddon Greta Section 94 Contribution Plan 2013
  - Section 94 Contributions Plan Extension of Operations at Black Hill Quarry, Parish of Stockrington 1995
  - Nulkaba Section 94 Contributions Plan.
3. That following public exhibition, Council receive a further report on the outcomes of the public exhibition of the Draft Cessnock City Wide Local Infrastructure Plan, including details on the allocation of the repealed funds collected under those Plans proposed to be repealed.
4. That a further review of the Works Schedule and cost estimates contained within the Draft Cessnock City Wide Contribution Plan be undertaken within a period of 12 months from the date of adoption of the draft Plan.

### **BACKGROUND**

The *Environmental Planning and Assessment Act 1979* (EP&A Act) makes provision for the collection of development contributions at the development application stage under Contributions Plans prepared in accordance with section 7.11 of the EP&A Act, section 7.12 of the EP&A Act, or via a Planning Agreement. All funds collected must be collected, managed and expended in accordance with all relevant legislation, Department of Planning and Environment Practice Notes and relevant Plan(s).

**Planning and Environment**

**Report No. PE1/2020**

**Planning and Environment**



Section 7.11 of the EP&A Act (formerly known as section 94) allows Council to charge developers contributions for public services and amenities (infrastructure), necessary as a consequence of new development. Contributions may be in the form of cash payments, transfer or dedication of land to Council, works in kind or the provision of a material public benefit. Cessnock City Council currently has seven adopted Contribution Plans which are subject to requirements of section 7.11. Contributions collected under section 7.11 must have a direct nexus between the development and the demand for the infrastructure or the service.

Council has recently amended the former Cessnock S94A Contributions Plan (now re-named the Cessnock Section 7.12 Levy Contributions Plan). That Plan is separate to Council contributions plans under section 7.11 and the new draft Cessnock City Wide Contributions Plan does not affect the Cessnock Section 7.12 Levy Contribution Plan.

Following a number of actions identified by Council's Internal Audit Program over the last few years, Council has undertaken a review of all current Contribution Plans to ensure they meet the anticipated infrastructure needs generated by future development. This work has led to the development of a new Draft Cessnock City Wide Local Infrastructure Contributions Plan (Draft Plan) (**Enclosure 1**). The Draft Plan has been prepared in accordance with section 7.11 of the EP&A Act.

**REPORT/PROPOSAL**

Section 7.11 has traditionally been the principal method enabling council to levy contributions for local infrastructure for a public purpose as a consequence of new development. This may be the provision of a new facility or an expansion of an existing facility where the demand is generated by new development. Without an adopted contributions plan, Council is unable to impose any condition levying development contributions. Contributions can only be applied to the capital funding of facilities, apart from Traffic Generating Development, where recurrent funding is permitted to the on-going maintenance of roads where heavy vehicular traffic movements arise directly from a specific development.

Council currently has seven adopted Contributions Plans prepared under section 94 of the EP&A Act (now section 7.11). These Plans are:

- Residential Section 94 Contributions Plan
- Bellbird North Section 94 Contribution Plan 2010
- Mount View Road, Millfield Precinct Section 94 Contribution Plan 2011
- Government Road Precinct, Cessnock Section 94 Contribution Plan 2010
- Averys Village, Heddon Greta Section 94 Contribution Plan 2013
- Section 94 Contributions Plan Extension of Operations at Black Hill Quarry Parish of Stockrington 1995
- Nulkaba Section 94 Contributions Plan 2017

The majority of these plans are now outdated. As a result, the demographics, works schedules and costings contained within the Plans are out of date and inconsistent. To ensure that all anticipated development contributes to the infrastructure required to meet the needs of a growing community, a review of all contribution plans has been undertaken. This review has resulted in a Draft Cessnock City Wide Local Infrastructure Contributions Plan (Draft Plan) (**Enclosure 1**) which will assist in consistency of works, ease of administration and delivery of

**Planning and Environment**

**Report No. PE1/2020**

**Planning and Environment**



local infrastructure. The Draft Plan will apply to all residential development in the LGA that is not covered by an existing Planning Agreement.

The Draft Plan incorporates:

- Updated population projections
- An updated works schedule in accordance with Council's current plans and strategies which consists of LGA wide, district wide and local area catchments
- Four planning districts, being Cessnock, Branxton-Greta, Kurri Kurri and Rural West
- Updated cost estimates
- Consistency with Council's Recreation and Open Space Strategy, Traffic and Transport Strategy and Community Infrastructure Strategic Plan and other relevant endorsed strategies/plans
- A detailed Traffic and Roads Assessment for the Bellbird North Urban Release Area which has been recently undertaken by The Transport Planning Partnership.

Through the review it was identified that some types of development and/or infrastructure requirements were not covered by Council's existing Contributions Plans, these are:

- Traffic Generating Development (for example events, extractive industries and other development that has a significant impact on the road pavement)
- Cycleways.

The Draft Cessnock City Wide Local Infrastructure Contributions Plan includes a chapter on Traffic Generating Development, the nexus for such development and how contributions will be calculated and applied to such development.

In accordance with Council's Cycling Strategy 2016 the new category of Cycleways has been included in the Draft Plan. The works and costings identified in the Cycling Strategy have been replicated and indexed (with CPI) and included in the Works Schedules of the Draft Plan.

The draft Cessnock City Wide Local Infrastructure Contributions Plan will replace the eight existing Contribution Plans that are currently adopted by Council.

If adopted following exhibition, it is recommended that a further a review of the Draft Plan is undertaken within a 12 month period to ensure adequate consideration has been given to the works and cost estimates specifically related to roads which will be required to support the revised plan.

**CONSULTATION**

The draft Cessnock City Wide Local Infrastructure Contributions Plan was developed in consultation with Council's Development Contributions Steering Group. This Group has representatives from key areas of Infrastructure, Open Space and Community Facilities, Community and Cultural Engagement and Finance. Staff from each of these sections contributed to the development of the work program in the Draft Plan.

It should be noted that due to timing constraints, the roads and traffic items contained within the works schedule of the Draft Plan have been transferred from the work scheduled of Council's existing contributions plans (unless already delivered) and have been considered against the works identified within the Cessnock LGA Traffic and Transport Strategy 2018. A

**Planning and Environment**

**Report No. PE1/2020**

**Planning and Environment**



full review of the traffic items including updated cost estimates will be included in the first review of the Draft Plan.

A detailed Councillor briefing was provided on 25 September 2019.

Public exhibition is recommended for a minimum of 28 days in accordance with the relevant legislation. Key development groups such as The Housing Industry Association (HIA), Urban Development Institute of Australia (UDIA) and the Property Council of Australia will be notified in writing of the Draft Plan. The exhibition material will be available on Council's webpage and at the Kurri Kurri and Cessnock Libraries.

Section 7.11 contributions for residential development for some areas are capped at \$20,000 per dwelling/lot and \$30,000 in Greenfield areas by the State Government. These areas are outlined in a Ministerial Direction (made under the EP&A Act) as amended on 18 December 2018. At present Council's existing Contributions Plans are subject to the \$20,000 cap as no Greenfield areas within the Cessnock LGA have been identified by the Minister for Planning and Public Spaces to date. The Bellbird North Catchment is the only area within the Draft Plan that exceeds \$20,000 per lot/dwelling. A letter has been sent to the Minister, requesting the inclusion of the Bellbird North Urban Release Area to be included as nominated Greenfield area in the Ministerial Direction and hence subject to the \$30,000 cap, rather than the current \$20,000 cap. If the Draft Plan is adopted prior to the Minister determining the matter, the \$20,000 cap will apply. If the Minister does not approve the request, the \$20,000 cap will remain applicable to the Bellbird North Urban Release area.

**STRATEGIC LINKS**

**a. Delivery Program**

The Draft Plan will contribute positively to the desired outcomes of the Community Strategic Plan and Delivery Programs and aligns with the following objectives of the Cessnock 2020 Community Strategic Plan:

- Objective 1.1 - Promoting social connections
- Objective 1.2 - Strengthening community culture
- Objective 1.3 - Promoting safe communities
- Objective 1.4 - Fostering an articulate and creative community
- Objective 2.1 - Diversifying local business options
- Objective 2.2 - Achieving more sustainable employment opportunities
- Objective 2.3 - Increasing tourism opportunities and visitation in the area
- Objective 3.2 - Better utilisation of existing open space
- Objective 4.1 - Better transport links
- Objective 4.2 - Improving the road network
- Objective 5.2 - Encouraging more community participation in decision making
- Objective 5.3 - Making Council more responsive to the community.

**b. Other Plans**

This Draft Plan is directly linked to:

- Hunter Regional Plan 2036
- State and Regional Environmental Planning Policies

**Planning and Environment**

**Report No. PE1/2020**

**Planning and Environment**



- Cessnock City Wide Settlement Strategy 2010
- Draft Cessnock Local Strategic Planning Statement (LSPS)
- Cessnock 2027 Community Strategic Plan
- Cessnock Community Infrastructure Strategic Plan
- Cessnock Recreation and Open Space Strategy 2018 (as amended)
- Cessnock LGA Traffic and Transport Strategy
- Council's eight (8) existing Contributions Plans
- Cessnock City Library Services Review Report and Strategy
- Cessnock Economic Development Strategy
- Cessnock Cycling Strategy 2016
- Aquatic Needs Analysis 2014
- Skate and BMX Facilities Needs Assessment 2020
- Council's Masterplans
- Disability Inclusion Action Plan (2017 – 2020)
- The Branxton Sub Regional Land Use Strategy
- Cessnock City Council Cemetery Strategy and Masterplan
- Pedestrian Access and Mobility Plan (PAMP) 2016.

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The recommendation to repeal all existing Development Contribution Plans relating to Section 7.11 (formerly section 94) will require changes to the administrative and accounting procedures. This will require an update to the internal contributions calculator, amend conditions of consent where necessary and to train internal staff of new procedures.

Repealing these Plans and collecting contributions under one City Wide Contribution Plan has a number of benefits to Council including:

- The Draft Plan is significantly easier to administer
- Council has a much reduced risk of legal challenge by providing an up to date Contributions Plan that contains an updated Works Schedule and costings
- The Draft Plan now aligns with up to date strategic plans within Council
- The Draft Plan also allows the pooling of funds (including borrowing between catchments and categories) within the Plan which allows Council to be more responsive to resource allocations as grants become available
- The Draft Plan will comply with current legislative requirements.

**b. Financial Implications**

Outdated cost estimates and therefore inadequate contributions being collected under the existing contribution plans places financial strain on Council to provide infrastructure required for the growing community, as it is responsible to fund the shortfall of the costs. The Draft Plan seeks to ensure that adequate contributions are collected from new development in order to meet the local infrastructure needs of the growing community.

The current cap on contributions per lot/dwelling is \$20,000, however in areas identified as Greenfield areas under Ministerial Direction (made under the EP&A Act) as amended on 18 December 2018, the cap is \$30,000. Staff have written to the NSW Minister for Planning and

**Planning and Environment**

**Report No. PE1/2020**

**Planning and Environment**



Public Spaces, seeking approval for the Bellbird North Urban Release Area (URA) to be identified in Schedule 2 of the Ministerial Direction as a Greenfield area. This will allow the area to be subjected to a cap of \$30,000 rather than \$20,000.

If the Minister does not endorse Council's request for Bellbird North URA to be included as a Greenfield area, the cap of \$20,000 per lot/dwelling will apply to that catchment. This may delay the delivery of some facilities nominated in the Bellbird North Catchment of the Draft Plan, as this will cause a shortfall in contributions.

If adopted, the Draft Plan will be placed on exhibition for 28 days. At the same time, a notice of Intent to Repeal the seven existing 7.11 Contribution Plans will be exhibited. After the exhibition period, a further report to Council will contain details of any submissions received and a proposed list of projects to which repealed contribution funds could be allocated.

Contributions collected under existing 7.11 Contribution Plans have been deducted from the costings in the Works Schedules of the Draft Plan. Apportionment rates in the Draft Plan outline Council's financial commitment to the Plan. As is the case with all 7.11 Contribution Plans, the population generated by new development is apportioned against existing the population and new development is only responsible for paying for the demand it generates. Therefore, if the Draft Plan is adopted, Council will have a commitment to fund the percentage of the cost of works shown in the Works Schedule of the Plans to service the existing population in each catchment.

**c. Legislative Implications**

The draft Plan has been developed in accordance with relevant legislation under the EP&A Act and Regulation as well as the Department of Planning and Environment Practice Notes. It is recommended that if adopted, the Draft Plan be reviewed within 12 months to ensure proposed works and cost of those works, contained in the works schedule of the Draft Plan reflect the changing needs of the growing LGA. This review is particularly important for the roads and traffic works within the Plan which, apart from Bellbird North where a consultant has been engaged, have been transferred from the existing plans (with indexation applied) to the new draft Plan. The costing and work schedule should be reviewed regularly to ensure the work schedule aligns with the Councils Delivery Program.

The timing of the endorsement of this report is critical due to recent and current legal appeals regarding proposed developments within the Bellbird North Urban Release Area. If this draft Plan is not adopted, then Council will continue to be open to legal risk in this area.

**d. Risk Implications**

There are significant risks associated in maintaining and administering all current plans. The key risk is legal challenges to the existing Plans. The Draft Plan seeks to reduce these risks by ensuring all information within the new Draft Plan is up to date and meets legislative requirements.

**e. Environmental Implications**

NIL

**Planning and Environment**

**Report No. PE1/2020**

**Planning and Environment**

---




**f. Other Implications**

If the Draft Plan is not adopted, Council will not only continue to be vulnerable to legal risk due to the existing Contributions Plans being outdated, it is almost certain that due to the outdated cost estimates contained within these existing Plans, there will be a shortfall in funds to deliver local infrastructure in years to come which will affect the growing community of the Cessnock LGA.

**CONCLUSION**

The Draft Plan will provide Council with an opportunity to ensure that appropriate development contributions can be imposed on developments throughout the Cessnock LGA. The Draft Plan is a further step in the continued review and improvement to the management of development contributions within the organisation.

**ENCLOSURES**

- 1  Draft Cessnock City Wide Local Infrastructure Contributions Plan - UNDER SEPARATE COVER



# Placeholder for Enclosure 1

Planning and Environment No. PE1/2020

Draft Cessnock City Wide Local Infrastructure  
Contributions Plan - UNDER SEPARATE COVER

0 Pages

Planning and Environment

Report No. PE2/2020

Planning and Environment



**SUBJECT:** ***AMENDMENT OF THE CESSNOCK SECTION 7.12 CONTRIBUTIONS PLAN AND REPEAL OF THE TOURISM SECTION 94 CONTRIBUTIONS PLAN***

**RESPONSIBLE OFFICER:** ***Strategic Planning Manager - Martin Johnson***

### **SUMMARY**

At its meeting on 2 October 2019, Council considered a report to repeal the Tourism Section 94 Contribution Plan (Tourism CP) and to exhibit the amended Section 7.12 Contributions Plan (S7.12 CP). At that meeting, Council resolved to receive a report back on the amended S7.12 CP after consultation with the community. No submissions were received during the exhibition period and therefore, it is recommended to repeal the Tourism CP and to adopt the amended S7.12 CP.

### **RECOMMENDATION**

1. That Council notes the draft amended Section 7.12 Levy Contributions Plan 2017 was publicly exhibited for 28 days from 30 October 2019 to 27 November 2019 and no public submissions were received.
2. That Council repeals the Tourism Section 94 Contributions Plan.
3. That Council allocates \$400,000 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Hunter Valley Wine Country Signage Strategy Implementation Project.
4. That Council adopts the amended Section 7.12 Levy Contributions Plan 2017 and transfer \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Section 7.12 Levy Contributions Plan 2017.

### **BACKGROUND**

The Tourism Section 94 Contributions Plan (Tourism CP) collects contributions from tourist-related development across the Cessnock Local Government Area. A number of issues were identified with the Tourism CP during the review and an internal audit of the plan.

In 2017, Council adopted a Section 7.12 Contributions Plan (s7.12 CP) that levies contributions from all development that is not covered by another contributions plan. The S7.12 CP provides an alternative mechanism to capture contributions from tourism-related development.

The S7.12 CP has been amended to address minor administrative changes and to include tourism-related development. These changes required the exhibition of the draft S7.12 CP.

A report was presented to Council on 2 October 2019 recommending the repeal of the Tourism CP and application of the S7.12 CP to tourist-related development. The Council resolved in

**Planning and Environment**

**Report No. PE2/2020**

**Planning and Environment**



addition to the repeal of the Tourism CP and placing the amended Section 7.12 CP on public exhibition, to receive a further report post exhibition. This is that report.

**REPORT/PROPOSAL**

The draft s7.12 CP was placed on public exhibition for 28 days from 30 October 2019 to 27 November 2019. No submissions were received. Council may now repeal the Tourism Section 94 Contributions Plan and adopt the amended Section 7.12 Contributions Plan.

Once repealed, \$400,000 in contributions collected from the Tourism Plan is proposed to be allocated to assist in funding works associated with the implementation of information bays and critical tourism signage identified in the Cessnock LGA Hunter Valley Wine Country Signage Strategy.

It is also appropriate that the \$476,923.75 in remaining funds collected from the Tourism Section 94 Contributions Plan be transferred to the Section 7.12 Contributions Plan.

**OPTIONS**

NIL

**CONSULTATION**

Community consultation has been undertaken in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Act Regulation 2000*. No submissions were received.

**STRATEGIC LINKS**

**a. Delivery Program**

The recommendations will contribute to the following objectives:

- Objective 1.2 - Strengthening community's culture
- Objective 2.3 - Increasing tourism opportunities and visitation in the area
- Objective 4.1 - Better transport links
- Objective 4.2 - Improving the road network
- Objective 5.3 - Making Council more responsive to the community.

**b. Other Plans**

NIL

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Repealing the Tourism CP and collecting contributions under the s7.12 CP has a number of benefits to Council including:

**Planning and Environment**

**Report No. PE2/2020**

**Planning and Environment**



- The s7.12 Plan is significantly easier to administer than the Tourism CP and administrative costs are anticipated to be lower
- Council has a much reduced risk of legal challenge under the s7.12 Plan.

**b. Financial Implications**

Repealing the Tourism CP and collecting contributions under the s7.12 CP has a number of financial implications for Council including:

- The s7.12 Plan provides greater flexibility in how the funds can be spent. S7.12 does not require Council to demonstrate a nexus between each development application and the work schedule identified in the Plan.
- Under the s7.12 CP the apportionment rate can be up to 100% of the costs of the project.
- The s7.12 plan also allows the pooling of funds within the Plan which allows Council to be more responsive to resource allocations as grants become available.
- The \$400,000 in contributions collected under the Tourism CP can be allocated to works associated with the Cessnock LGA Hunter Valley Wine Country Signage Strategy.
- The \$476,923.75 in remaining contributions collected under the Tourism CP can be transferred into the amended s 7.12 CP and used for the purposes in that plan.

**c. Legislative Implications**

The repeal of the Tourism S94 Plan and the amendment of the Section 7.12 Plan are being undertaken in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

**d. Risk Implications**

There is a risk in maintaining the current Tourism CP. The risk is from potential legal challenge to the Plan. Furthermore, the Tourism CP is difficult to interpret and administer, which introduces risk in the application of plan and the calculation of contributions.

**e. Environmental Implications**

NIL

**f. Other Implications**

NIL

**CONCLUSION**

No submissions were received during the exhibition period of the amended 7.12 CP or the notice to repeal the existing Tourism CP. Therefore, it is recommended that the Council repeal the existing Tourism CP and adopted the amended Section 7.12 CP.

**ENCLOSURES**

- 1 [↓](#) Sect 7.12 Contributions Plan Levy 2019 - UNDER SEPARATE COVER

# Placeholder for Enclosure 1

Planning and Environment No. PE2/2020

Sect 7.12 Contributions Plan Levy 2019 - UNDER  
SEPARATE COVER

0 Pages

Planning and Environment

Report No. PE3/2020

Planning and Environment



**SUBJECT:** *MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING OF 11 DECEMBER 2019*

**RESPONSIBLE OFFICER:** *Strategic Planning Manager - Martin Johnson*

**RECOMMENDATION**

1. That Council adopts the Minutes of the Strategic Property Committee of 11 December 2019 as a resolution of the Ordinary Council.
2. That Council adopts the Airport Strategic Plan as contained in the enclosure to this report.

**MINUTES OF STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE OF THE CESSNOCK CITY COUNCIL HELD IN ANTE ROOM ON WEDNESDAY, 11 DECEMBER 2019, COMMENCING AT 1.30PM**

**PRESENT:** His Worship the Mayor, Councillor B Pynsent (in the Chair) and Councillors Lyons, Sander and Dunn.

**IN ATTENDANCE:** General Manager (Lotta Jackson)  
Director Planning & Environment (Gareth Curtis)  
Director Works & Infrastructure (Justin Fitzpatrick-Barr)  
Director Corporate & Community (Rob Maginnity)  
Strategic Planning Manager (Martin Johnson)  
Finance and Administration Manager (Andrew Glauser)  
Senior Strategic Property Specialist (Peter Waghorn)  
Councillor Fitzgibbon

**APOLOGIES:**

Planning and Environment

Report No. PE3/2020

Planning and Environment



## **OFFICER'S REPORTS**

### **OFFICER'S REPORTS NO. SPOR19/2019**

**SUBJECT:** **POST EXHIBITION REPORT - CESSNOCK AIRPORT STRATEGIC PLAN 2019**

**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Lyons

#### **RECOMMENDATION**

1. That the Committee considers the feedback received during public exhibition and support the revised Cessnock Airport Strategic Plan.
2. That the Committee recommends that Council adopt the Draft Cessnock Airport Strategic Plan 2019.

**CARRIED UNANIMOUSLY**

### **OFFICER'S REPORTS NO. SPOR20/2019**

**SUBJECT:** **PROPERTY INVESTMENT FUND UPDATE**

**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Dunn

#### **RECOMMENDATION**

That the Committee notes the balance of the Property Investment Fund as at October 2019 is \$13,897,092 (comprised of cash and property assets).

**CARRIED UNANIMOUSLY**

Planning and Environment

Report No. PE3/2020

Planning and Environment



**OFFICER'S REPORTS NO. SPOR22/2019**

**SUBJECT: STRATEGIC PROPERTY REVIEW PROJECT STATUS**

**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Dunn

**RECOMMENDATION**

That the Committee notes the information contained within this report and, in particular, the progress relating to Vineyard Grove, Varty Park, Dover Street Development, Cessnock Airport Strategic Plan, Hebburn Estate and general property updates such as reclassifications and sales.

**CARRIED UNANIMOUSLY**

*The Meeting Was Declared Closed at 1:51pm*

**ENCLOSURES**

1 [↓](#) Airport Strategic Plan - UNDER SEPARATE COVER



# Placeholder for Enclosure 1

Planning and Environment No. PE3/2020

Airport Strategic Plan - UNDER SEPARATE COVER

0 Pages

Planning and Environment

Report No. PE4/2020

Planning and Environment



**SUBJECT:** *VINEYARD GROVE DEVELOPMENT - STAGE 8 UPDATE*

**RESPONSIBLE OFFICER:** *Director Planning and Environment - Gareth Curtis*  
*Director Corporate and Community Services - Robert Maginnity*

### **SUMMARY**

The purpose of this report is to update Council on the Vineyard Grove Stage 8 Development. This development has been impacted by a number of events that have collectively resulted in a significant delay, which is likely to result in the on ground development works and associated sales not being able to occur until the 2020/21 year.

This has necessitated the need to adjust the Operational Plan for 2019/20, which will result in a material impact for the forecast operating result for Council for 2019/20. This adjustment is included in the December 2019 Quarterly Budget Review Statements (QBRs), which will be presented to Council at the meeting of 19 February 2020.

### **RECOMMENDATION**

1. That Council notes that the Residential Development (Vineyard Grove Stage 8) has been impacted by the redesign of the subdivision to support road widening, and legislative implications relating to the *Biodiversity Conservation Act 2016* may require a higher standard of review relating to environmental factors associated with the revised development plan which have delayed the progress of the project.
2. That as a consequence of the resourcing and legislative impacts the project is not likely to substantially commence until the 2020/21 financial year, and the 2019/20 Operational plan will be revised to remove both estimated revenue from the proposed sale of lots and associated expenditure, with an adverse impact on Council's forecast operating result for 2019/20.
3. That the proposed adjustments to the 2019/20 Operational plan will be reported for approval to Council as part of the December 2019 Quarterly Budget Review Statements on 19 February 2020.
4. That a detailed report be provided to the next Strategic Property & Community Facilities Committee meeting outlining the impacts of the planning legislative requirements; potential impacts on the project relating to the delay, including any additional costs or reduced returns and an updated expected timeline for finalisation for the project.

Planning and Environment

Report No. PE4/2020

Planning and Environment



**BACKGROUND**

At its meeting of 19 September 2018 Council resolved (No. 658) to adopt the minutes of the Strategic Property and Community facilities Committee of 5 September 2018, which included in relation to report SPOR21/2018, in part as follows:

*“3. That the road widths be reviewed to allow access for service and emergency vehicles, and to consider car parking.”*

The detailed investigation of the road widths was reported to the Strategic Property and Community Facilities Committee on 13 November 2018. The Committee amended the recommendation to that report to include:

*That the Committee recommend that Council widen the road reserve width to 15-metres for Saxonvale Grove.*

The minutes of the Strategic Property and Community Facilities Committee Meeting of 13 November 2018 were reported to Council on 12 December 2018 under Report PE 87/2018, and Council resolved (No.712) in part:

*“2. That Council increase the road reserve width to 15-metres for Saxonvale Grove.”*

Council staff subsequently implemented the resolution and amended the subdivision plan for Vineyard Grove Stage 8 to ensure the road width was increased as per the resolution of Council. This necessitated plan amendments and a change to lot layouts and the lodgement of a modification application to amend the original development approval. Unfortunately this has also triggered more stringent requirements for assessment of the modification application to address new Biodiversity Conservation legislation and has therefore delayed the modification assessment.

As a result, and notwithstanding resourcing issues within Council, the project cannot proceed until the biodiversity issue is addressed under the current modification application and then if that modification is granted consent. The application remains under assessment and a timeframe for completion is not known. Therefore the original project timelines cannot be met and the forecast completion of the development and subsequent sales will not be realised in the current financial year.

**REPORT/PROPOSAL**

Subsequent to the decision to increase road widths in the estate a number of events have transpired which impact the expected commencement and completion of the project including:

- Planning legislative changes may place a higher environmental standard on the proposed amended development approval (s4.55 modification) and is likely to trigger the need for more comprehensive environmental studies or offsets. These changes are likely to impact the revised subdivision plans for Stage 8 and have already created delays as the need for a comprehensive biodiversity study is assessed.
- The *Biodiversity Conservation Act 2016* may require the biodiversity offset scheme entry requirements to be applied to modified developments in cases where the development was assessed and approved under former planning provisions. Further

**Planning and Environment**

**Report No. PE4/2020**

**Planning and Environment**



environmental studies may also be required to establish whether new biodiversity impacts will result from the modification.

- Dependent on this assessment, any such conditions might require further redesign (and additional delays and cost) and possibly further impact the viability of the project by reducing land available for the subdivision or requiring actions which add cost.
- Lack of resourcing in the Strategic Property area.

Combined these have resulted in a delay to the timing of the project and it is expected that works and associated sales initially anticipated to occur in 2019/20, will now be more likely to occur in 2020/21. This has necessitated an adjustment as part of the December 2019 QBRS to remove both expenditure and income from the 2019/20 Operational Plan, with the QBRS to be presented to Council at the meeting of 19 February 2020. Whilst the financial impacts are essentially timing related, there will be an adverse impact on Councils forecast Operating Result for 2019/20 as a substantial amount of revenue will now not be received until the 2020/21 period.

With some uncertainty in regards to the impact legislative changes might have, and whether a more detailed and comprehensive biodiversity study might be required, a report will be prepared for the Strategic Property & Cultural Facilities Committee which will provide a more detail assessment of the financial and environmental impacts, as well as the timing of the development so as to allow Council to make an informed decision in regards to the development and future expected returns.

**OPTIONS**

N/A

**CONSULTATION**

- Senior Strategic Property Specialist
- Manager Strategic Planning
- Manager Finance and Administration

**STRATEGIC LINKS**

**a. Delivery Program**

The Strategic Property project, of which Vineyard Grove Stage 8 is a priority project, is a key project within the 2017-21 Delivery Program.

**b. Other Plans**

The project aligns with a number of outcomes in the Community Strategic Plan including:

- A connected and safe community  
1.1 promoting social connections
- A sustainable and healthy environment  
2.2 achieving more sustainable employment opportunities
- Civic leadership and effective governance  
5.3 making Council more responsive to the community

## **IMPLICATIONS**

### **a. Policy and Procedural Implications**

- Major Capital Projects Governance Policy
- Property Investment Policy
- Procurement Policy

### **b. Financial Implications**

There is the potential for reduced returns from the development if additional environmental constraints are imposed as part of the amended Development Proposal. The project has been delayed and it has meant that the expected expenditure and revenue for 2019/20 will need to be removed from the Operational Plan, and included in the draft 2020/21 Operational Plan. These adjustments have been made as part of the December 2019 QBRS, and will have a negative impact on Councils forecast Operating Result for 2019/20.

Forecast income and expenditure related to Vineyard Gove for 2019/20 which needs to be reversed includes:

- \$2.3m in sales revenue (Profit and Loss)
- \$409,000 operational expenses in materials/Contracts (Profit and Loss)
- \$632,000 capital expenditure
- \$1.259m transfer to reserve

The Operating Result for 2019/20 will be negatively impacted in the amount of \$1.891m which is the reversal of the two items that show in the Profit and Loss statement only. From a cash perspective (which matches expenditure and income, both capital and operational, as well as reserve transfers) there is no impact to Council's unrestricted cash position nor does this impact the funding of other budgeted projects. The benefits identified will now be realised in subsequent years.

As part of a detailed project review to be submitted to the Strategic Property & Cultural Facilities Committee relating to timing, increased environmental impacts and expected financial assessment for the project, expected returns may vary to those originally anticipated.

### **c. Legislative Implications**

In accordance with requirements of the *Biodiversity Conservation Act 2016*, changes to the subdivision layout and associated modification of the proposed development will potentially trigger entry into the Biodiversity Offset Scheme.

### **d. Risk Implications**

Due to delays in the delivery of the project and potential environmental impacts of the amended plan, there may be increased risk related to the project and these need to be carefully assessed, managed and reported to Council to ensure an informed decision can be made.

**Planning and Environment**

**Report No. PE4/2020**

**Planning and Environment**

---



**e. Environmental Implications**

Changes to the subdivision layout and associated modification of the proposed development may have a significant effect on environmental factors and potentially trigger entry into the Biodiversity Offset Scheme.

**f. Other Implications**

N/A

**CONCLUSION**

The Vineyard Grove Stage 8 Development has been impacted by a number of events that have collectively resulted in a significant delay to the development. The delay will result in a material impact for the forecast operating result for Council for 2019/20. A detailed report will be presented to the Strategic Property & Community Facilities Committee on the expected impacts for the project, and the December 2019 Quarterly Budget Review Statements will include an adjustment for a delay in project delivery from 2019/20 to 2020/21.

**ENCLOSURES**

There are no enclosures for this report

Corporate and Community

Report No. CC1/2020

Corporate and Community Services



**SUBJECT:** ***COUNCIL RECESS PERIOD - DECISIONS MADE UNDER DELEGATED AUTHORITY***

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

---

### **SUMMARY**

This report provides notification to Council of matters considered under delegated authority pursuant to Section 377 of the *Local Government Act 1993* (the Act), by the Mayor and the General Manager jointly exercising the function of Council during the recess period.

### **RECOMMENDATION**

**That Council notes that during the recess period of Council, the Mayor and General Manager under delegated authority exercised the following decisions of Council:**

- **Extended the public exhibition period for the Draft Cessnock Local Strategic Planning Statement to 28 February 2020.**
- **Determined to deal with issues relating to dwelling entitlements separately to the adoption of the Draft Cessnock Local Strategic Planning Statement to ensure statutory compliance for the adoption of the Draft Cessnock Local Strategic Planning Statement.**

### **BACKGROUND**

Council at the meeting of 20 November 2019 resolved (resolution 1080) that Council be in recess between the December 2019 meeting and the first scheduled meeting in February 2020, and that delegations be made to the Mayor and/or Deputy Mayor and General Manager to jointly exercise any functions of Council during the recess period and that a full list of any matters considered be reported to Council at the first scheduled meeting in February 2020.

This report provides information on matters considered during the recess period.

### **REPORT/PROPOSAL**

At the date of preparing this report, one matter was considered under this delegation and if other matters are considered during the recess period after the date of this report being prepared, those items will be reported to Council verbally on the night of the meeting, and reported separately to a later Council meeting.

Corporate and Community

Report No. CC1/2020

Corporate and Community Services



### **Draft Cessnock Local Strategic Planning Statement (LSPS)**

At its meeting of 20 November 2019, Council considered Report No. *PE76/2019 – Exhibition of the Draft Cessnock Local Strategic Planning Statement* and resolved as follows:

- 1. That Council places the Draft Cessnock Local Strategic Planning Statement on public exhibition for a minimum period of 10 weeks and in accordance with the Community Engagement Plan**
- 2. That Council receives a further report following public exhibition of the Draft Cessnock Local Strategic Planning Statement.**

Accordingly, the Draft Cessnock LSPS was placed on public exhibition on 27 November 2019 with the exhibition to close on 5 February 2020. Following a number of community consultation sessions during the exhibition period, it became evident that issues associated with dwelling entitlements was a significant concern in the community and that these issues would result in significant submissions, which may affect the ability of Council to meet its statutory timelines in regards to the adoption of the LSPS. In addition several residents had requested an extension of time to prepare submissions to the LSPS, given the bushfire crisis which had affected the LGA, had made it difficult for them to consider the document in a timely manner.

In this regard, the General Manager and Mayor determined to extend the exhibition period for the LSPS and to deal with the issues associated with dwelling entitlements separately to the adoption of the LSPS.

In this way the concerns relating to dwelling entitlements can be dealt with separately, without risking the statutory timeline for adoption of the LSPS. This also provided additional time for residents impacted by bushfires to consider the LSPS and make submissions.

### **OPTIONS**

N/A

### **CONSULTATION**

General Manager  
Director Planning and Environment  
Manager Strategic Planning

### **STRATEGIC LINKS**

#### **a. Delivery Program**

This report is linked to the Community Strategic Plan Cessnock 2027, specifically, the key objective of *Civic Leadership and Effective Governance*.

#### **b. Other Plans**

N/A



Corporate and Community

Report No. CC1/2020

Corporate and Community Services

---



### ***IMPLICATIONS***

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

N/A

**c. Legislative Implications**

Section 377 of the Local Government Act 1993 provides for delegations to the General Manager and Council endorsed delegations to the Mayor and General Manager to jointly exercise any functions of Council during the period of recess.

**d. Risk Implications**

N/A

**e. Other Implications**

N/A

### ***CONCLUSION***

To ensure effective and efficient processing of development applications and other functions of Council during the recess period, delegated authority was granted to the Mayor and/or Deputy Mayor and the General Manager for the recess period. This report provides information for Council and the community on matters considered under this delegation during the recess period of Council.

### ***ENCLOSURES***

There are no enclosures for this report.

Corporate and Community

Report No. CC2/2020

Corporate and Community Services



**SUBJECT:** ***COUNCILLOR PROFESSIONAL DEVELOPMENT AND TRAINING REPORT***

**RESPONSIBLE OFFICER:** ***Governance and Council Support Coordinator - Teresa Chadwick***

---

### **SUMMARY**

This report outlines the professional development and training provided to Councillors for 2018/19 in accordance with Council's [\*Councillor Training and Development Policy\*](#) (**Policy**) and proposes a *Professional and Development Plan (PDP)* (**Attachment 1**) to 30 June 2020.

### **RECOMMENDATION**

1. That Council adopts the draft Councillor Professional Development Plan 2020.
2. That Council notes the Councillor Professional Development Report 2018/19.

### **BACKGROUND**

Council is committed to developing a Plan for the Mayor and Councillors to assist them in fulfilling their civic roles and responsibilities. To this end, Council adopted its Policy on 15 August 2018 which was based of the model proposed within the [\*Councillor Induction and Professional Development Guidelines\*](#) (**Guidelines**) prepared by the Office of Local Government (**OLG**) in 2018.

The Guidelines propose the 70/20/10 principle as an approach to tailoring professional development activities for the PDP:

- 70% of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice
- 20% of learning activities are provided via learning and developing through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations
- 10% of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the council, external training providers or industry bodies.

### **The 2018/19 PDP – How it came about?**

To lay the foundation for the 2018/19 PDP, in February 2018 Councillors were asked to complete the following:

- i. an online skills audit survey where Councillors could list their existing skills, nominate areas for improvement and any desired learning opportunities, and

**Corporate and Community**

**Report No. CC2/2020**

**Corporate and Community Services**



- ii. the capability assessment provided by the Local Government NSW (LGNSW)'s [PD in a Box](#) platform. This capability assessment involved Councillors answering questions about their personal attributes, relationships, delivery of results, utilisation of Council resources, and civic leadership. Councillors also had the opportunity to provide feedback on their colleagues in the form of a peer review.

Results from the audit survey and the capability assessment informed the development of the PDP for 2018/19.

**The 2018/19 PDP – How was the training delivered?**

The implementation of the 2018/19 PDP was managed using the PD in a Box platform. The identified training consisted of:

- in-house training provided by LGNSW and Council's Legal service providers
- learning resources prepared by Council staff
- online and self-guided courses
- conferences and seminars
- any professional development identified by individual Councillors additional to their individual PDP.

The topics targeted by the professional development activities ranged from social media, elected life, financial issues in Local Government, planning for non-planners, to disclosure of Council information and copyright, Code of Meeting Practice and Code of Conduct.

Council supported the implementation of the Plans by providing Councillors with a weekly circular and other communications containing information on further professional development opportunities on offer, updates and information of importance communicated by key stakeholder bodies and organisations, information on community matters of importance. The purpose of these circulars and communications were to enable Councillors to identify further development opportunities as appropriate.

**REPORT/PROPOSAL**

Council recognises that it is essential to provide Councillors with ongoing professional development and training, as well as relationship building between Councillors if the community is to be well served by their elected representatives. It is also recognised in the Policy that the Mayor and each Councillor must make all reasonable endeavours to attend and participate in professional development activities arranged for them.

**Reporting on the 2018/19 PDP**

To demonstrate transparency and accountability, the Policy requires the General Manager to report annually on the training and development opportunities provided to Councillors as well as attendance and any identified areas for improvement.

The adopted PDP for 2018/19 lists the professional development for all Councillors to undertake and these are outlined in **Attachment 2**. The data also provides information on Councillor attendance for each professional development opportunity.

**Corporate and Community**

**Report No. CC2/2020**

**Corporate and Community Services**

---



Councillors were then encouraged to individualise the PDP according to their needs and the areas for improvement PD in a Box has identified specifically for them, based on the responses they provided to the capability assessment. As the individual PDPs managed through PD in a Box are confidential in nature, they are not able to be shared. For this reason, Council will evaluate the professional development program at the end of each Council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfill their civic roles. This is in line with the model policy provided within the Guidelines. Furthermore, Council already reports on the training and professional development activities offered to the Mayor and Councillors in Council's annual report, in line with the model policy provided for in the Guidelines and the *Local Government (General) Regulation 2005* (NSW) (**Regulation**).

**Draft 2019/20 PDP**

The draft 2019/20 PDP has been created following Councillor feedback, sought and data obtained through both the online skills audit survey and the capability assessments for the 2018/19 period.

The draft 2019/20 PDP contains a selection of generic proposed learning activities and is not intended to be a one-size-fits-all, but a guide to assist in putting together a plan for Councillors. The draft 2019/20 PDP will be tailored to meet each individual Councillor's needs and will be assessed according to priority, need and budget.

The Mayor and Councillors are encouraged to identify professional development opportunities and may seek approval from the General Manager to attend any such activities. Approval of training, payment and reimbursement for expenses relating to a Councillors registration and attendance at training will be determined in accordance with Council's Councillor Expenses and Facilities Policy.

The Public Officer will continue to maintain data pertaining to Councillor induction and professional development activities and attendance.

**OPTIONS**

N/A

**CONSULTATION**

General Manager  
Mayor and Councillors  
Director Corporate and Community Services  
Finance and Administration Manager  
Governance Team  
Executive Assistance to the General Manager

**Corporate and Community**

**Report No. CC2/2020**

**Corporate and Community Services**



**STRATEGIC LINKS**

**a. Delivery Program**

This report links directly to the community's desired outcome of: "*Civic Leadership and Effective Governance*" and in particular the objectives of:

5.1 Fostering & supporting community leadership

5.1.1 Foster professional development of Councillors.

5.1.2 Conduct pre-induction and induction programs for the 2020 Local Government Election.

5.3 Making Council more responsive to the community

5.3.7 Continue to educate staff on statutory obligations.

5.3.8 Carry out governance functions, provide advice and conduct education programs to comply with legislation and best practice.

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The recommendations outlined in this report are in accordance with Policy and the Guidelines.

**b. Financial Implications**

Professional development and training for Councilor's has been included in the budget for Councillor Expenses and Facilities.

**c. Legislative Implications**

The Guidelines have been issued under section 23A of the *Local Government Act 1993* (NSW) (**Act**) to assist general managers and council staff to develop, deliver, evaluate and report on the induction and professional development programs they are required to provide mayors and councillors under the Regulation. Councils are required to consider the Guidelines when undertaking these activities.

The Guidelines have also been developed to ensure mayors and councillors are aware of the knowledge, skills and personal attributes expected of them in their civic roles under the Act and support their council should be providing to ensure they are able to effectively fulfil their roles.

**d. Risk Implications**

The Guidelines and Regulation set out reporting requirements in regard to the training and ongoing development of elected members. Non-compliance with these reporting requirements may expose Council to review by the OLG.

Corporate and Community

Report No. CC2/2020

Corporate and Community Services

---



**e. Environmental Implications**

N/A

**f. Other Implications**

N/A

**CONCLUSION**

This report outlines the professional development and training provided to Councillors for 2018/19 in accordance with Council's [Policy](#) and proposes a **PDP** to 30 June 2020.

**ENCLOSURES**

- [1](#) Draft Councillor Professional Development and Training Plan 2020
- [2](#) Councillor Training and Development 2018-19

**Draft Councillor Professional Development and Training Plan - 2020**

**Self-Paced Learning:**

The following Learning Activities are self-paced activities that can be done by Councillors via the PD in a Box Portal at no cost. These activities provide Councillors with knowledge and skills specific to Elected Members.

Capability	Learning Activity
Technology and Information	Follow Council's social media platforms and stay informed and aware of community interests
Plan and prioritise	Initiate strategic planning conversations with fellow Councillors and executive staff
Manage self	Talk to the General Manager and the Governance Team about development options
Manage self	Take an online survey to identify your leadership strengths
Manage self	Regularly update your development plan with feedback from peers and others
Make Quality Decisions	Review the role of the governing body in the NSW Local Government Act
Inspire Direction and Purpose	Review and bookmark the NSW legislation on guiding principles for councils
Displays Resilience and Adaptability	Take this emotional intelligence questionnaire
Community and Customer Focus	Familiarise yourself with the community profile of your LGA
Community and Customer Focus	Visit the ABS quick statistics on your LGA community
Communicate and Engage	Join up to and participate in professional associations and regional networks
Assets and Tools	Visit the IPWEA NSW online publication library
Act with Integrity	Practice using evidence and logic in challenging situations

**Structured Learning:**

The following structured learning activities were identified as learning activities of interest and benefit with a cost. These structured learning activities will be provided in accordance with Council's Councillor Expenses and Facilities Policy. Councillors can nominate other learning activities specific to their own learning needs and these can be assessed according to priority, need and budget.

Capability	Learning Activity	Activity Type	Cost
Communicate and Engage	<a href="#">Media Skills for Councillors</a>	Structured Learning	\$770.00 per person
Represents Communities	<a href="#">Chairing and Effective Meeting Procedures</a>	Structured Learning	\$770.00 per person

**Training and Professional Development Attended by Councillors in 2018/19 Financial Year**

Councillor Attendance	Date	Pynsent	Burke	Dagg	Doherty	Dunn	Fagg	Fitzgibbon	Gray	Lyons	Olsen	Sander	Stapleford	Suvaal
Disclosure of Information and Copyright	19 Sept 2018	x	x	x	x		x	x	x	x		x		x
Social Media Training	10 Oct 2018	x		x	x	x		x	x	x		x	x	
LGNISW Annual Conference	22-23 Oct 2018	x		x		x				x				x
Elected Life	7 Nov 2018	x	x	x	x	x		x	x	x		x	x	x
Financial Issues in Local Government	14 Nov 2018	x		x	x	x	x	x	x	x		x	x	
Code of Conduct Training	27 Mar & 24 Apr 2019	x	x	x	x	x	x	x	x	x	x	x	x	x
Code of Meeting Practice Training	12 Jun 2019	x	x	x	x			x	x	x	x	x	x	x

Briefings were provided twice per month in regard to matters to be discussed at the following Council Meetings and individual Councillors attended various seminars and conferences in addition to the development and training offered above as required.



Corporate and Community

Report No. CC3/2020

Corporate and Community Services



**SUBJECT:** *MINUTES OF THE CULTURAL FACILITIES COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD 18 DECEMBER 2019*

**RESPONSIBLE OFFICER:** *Community & Cultural Engagement Manager - Natalie Drage*

---

**RECOMMENDATION**

That the Minutes of the meeting of the Cultural Facilities Committee held on 18 December 2019 be adopted as a resolution of the Ordinary Council.

**MINUTES OF THE CULTURAL FACILITIES COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD WEDNESDAY 18 DECEMBER 2019 IN THE COMMUNITY MEETING ROOM, COMMENCING AT 3.00PM**

**PRESENT:** The Mayor, Councillor Pynsent  
Councillors Dunn, Fitzgibbon and Lyons (alternate)

**IN ATTENDANCE:** General Manager  
Director Corporate & Community Services  
Community and Cultural Engagement Manager  
Principal Community Planner

**INVITEES:** Nil

**APOLOGIES**

Councillor Dagg

**CONFIRMATION OF MINUTES**

**MINUTES:** **RECOMMENDED** that the Minutes of the Cultural Facilities Committee held on 24 October 2019, as circulated, be taken as read and confirmed as a correct record.

Corporate and Community

Report No. CC3/2020

Corporate and Community Services



## ***LISTED MATTERS***

### ***LISTED MATTERS - COMMITTEE NO. CFCCLM10/2019***

***SUBJECT: BUSINESS CASE FOR AN EXPANDED CESSNOCK LIBRARY BRANCH***

***Moved:*** Councillor Lyons

***Seconded:*** Councillor Fitzgibbon

### ***RECOMMENDATION***

1. That the Business Case for an Expanded Cessnock Library Branch be endorsed by the Cultural Facilities Committee.
2. That the Cultural Facilities Committee notes the Cessnock Library Branch for its population catchment is currently undersized by 220m<sup>2</sup> and by 2031 the total additional floor space required is 811m<sup>2</sup>.
3. That the Cultural Facilities Committee considers the options listed in the Business Case for an Expanded Cessnock Library Branch.
4. That the Cultural Facilities Committee notes the level of financial contribution required by Council for an expanded Cessnock Library Branch is dependent on the option selected and proposed location.
5. That the Cultural Facilities Committee recommends the Renewal option be adopted as the preferred position for an expanded Cessnock Library Branch and that this option be considered for inclusion in the next Delivery Program.
6. That the Cultural Facilities Committee informs the Strategic Property and Community Facilities Committee of the preferred position for an expanded Cessnock Library Branch.

***CARRIED UNANIMOUSLY***



**LISTED MATTERS - COMMITTEE NO. CFCCLM11/2019**

**SUBJECT:     MARTHAVILLE ARTS AND CULTURAL CENTRE TIMBER SLAB  
                  SHED**

**Moved:**     Councillor Lyons

**Seconded:**   Councillor Dunn

**RECOMMENDATION**

1.     That the Cultural Facilities Committee notes the timber slab shed at Marthaville Arts and Cultural Centre requires rectification works to ensure its preservation as a local heritage item.
2.     That the Cultural Facilities Committee notes the estimated cost for the works associated with the rectification of the timber slab shed at Marthaville Arts and Cultural Centre is \$22,000 and appropriate funding for the required works is currently under review, with the aim of facilitating the repair works in 2019/20.

**CARRIED UNANIMOUSLY**

**LISTED MATTERS - COMMITTEE NO. CFCCLM12/2019**

**SUBJECT:     UPDATE FOR INVESTIGATIONS OF A CULTURAL HUB AT  
                  CESSNOCK PERFORMING ARTS CENTRE**

**Moved:**     Councillor Lyons

**Seconded:**   Councillor Fitzgibbon

**RECOMMENDATION**

That the Committee notes the progress for investigating the creation of a cultural hub at Cessnock Performing Arts Centre and that indicative costings for the concept design should be available in early 2020.

**CARRIED UNANIMOUSLY**

**CORRESPONDENCE**

Nil

**GENERAL BUSINESS**

Nil

*The Meeting Was Declared Closed at 3:45pm*

**ENCLOSURES**

There are no enclosures for this report.

Corporate and Community

Report No. CC4/2020

Corporate and Community Services



**SUBJECT:** *ACQUISITION OF LAND BY BOUNDARY ADJUSTMENT TO ADD TO TURNER PARK AND GRANTING AN EASEMENT FOR STORMWATER WITHIN TURNER PARK LOT 501 DP 1108309*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager – Andrew Glauser*

### **SUMMARY**

The purpose of this report is to seek Council endorsement of a proposed acquisition of land and granting of an easement within Turner Park Aberdare, Lot 501, DP1108309 as a means to address encroachments onto private property.

### **RECOMMENDATION**

1. That Council consents to the boundary adjustment and gaining that additional land marked on the attached plans:
  - a) That Council authorises the General Manager to negotiate the agreement between the adjoining owners on Aberdare Road, Cessnock;
  - b) That Council authorises for the Common Seal of Cessnock City Council to be affixed to the related documents between Cessnock City Council and the owner of Lot 3 Section 50 DP 758002, Aberdare Road, Cessnock
  - c) That Council authorises the Mayor and the General Manager to execute all documents relating to the land transfer.
2. That Council consents to the granting of an easement benefiting Lot 3 Section 50 DP 758002 burdening Council land being Lot 501 DP 1108309 for stormwater purposes subject to the following:
  - a) The easement, of no greater than 1.5m wide to be located on the eastern boundary of Cessnock Tennis Courts Lot 501 DP 1108309 and in accordance with approved plans;
  - b) That the stormwater drainage infrastructure be constructed underground within the easement;
  - c) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement;
  - d) That Council advises the applicant that all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner;
  - e) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and
  - f) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.

Corporate and Community

Report No. CC4/2020

Corporate and Community Services



**BACKGROUND**

In March 2018, the property owner of 49B Aberdare Road (the former Cessnock City Bowling Club site) advised Council Officers in writing (**Enclosure 1**) that the site was being encroached upon by the neighbouring Cessnock Hornets football facility and Cessnock Tennis Courts, which are both part of the Council owned facility Turner Park.

The encroachments outlined include:

- Access to the Cessnock Tennis caretakers cottage off Aberdare Road;
- The Cessnock Hornets Football Club ticket booth; and
- A portion of the boundary fence on the northern side of the Cessnock Hornets football facility.

Aside from the above infrastructure being located on private land, there are significant public liability issues present for the property owner, particularly around access to the caretakers cottage which the property owner would like to resolve.

**REPORT/PROPOSAL**

The written advice from the property owner to Council in regards to the encroachments on 49B Aberdare Road, essentially proposes a 'land transfer'. That being, Area 1 (170m<sup>2</sup>) and Area 2 (30m<sup>2</sup>) will be gifted to Council, in exchange for granting a stormwater easement (232m<sup>2</sup>) on Council land (**Enclosure 2**).

The property owner has advised that in order to develop the site, a stormwater easement is required to drain water from the rear of 49B Aberdare Road through Council owned land (Turner Park). A mutually beneficial arrangement could be reached in regards to the encroachments and easement that is required.

In order to consider this proposal further each of the proposed encroachments were investigated by Council Officers with the outcomes outlined below.

- Caretakers Cottage: the access off Aberdare Road is the only vehicular access available to the cottage. Alternate routes were investigated, including vehicle access to the rear of the cottage – through Turner Park, however this was not determined as being feasible due to existing tennis infrastructure, and the hornets ground being a licenced closed facility.
- Cessnock Hornets Football Club Ticket Booth: the ticket booth could be relocated from within 49B Aberdare Road, however this would impact on how the football club currently operate on game days and there would also be a financial impact on the club (especially considering the ticket booth has not long been upgraded using club funds).
- Northern Boundary Fence: there are no alternatives in this instance as the fence line is clearly within private land and needs to be relocated.

The above investigations identified that the encroachment issues could not easily be resolved, and that further consideration of the property owner's proposal was needed. Based on this an independent valuation report was completed (**Confidential Enclosure 3**) for the following:

**Corporate and Community**

**Report No. CC4/2020**

**Corporate and Community Services**



- Proposed stormwater easement 232m<sup>2</sup> to be piped underground through the reserve to the drainage channel on the southern boundary
- Lot 1 - Driveway for Caretakers Cottage 170m<sup>2</sup>
- Lot 2 – Ticket box land 30m<sup>2</sup>

The valuation report identified that essentially the land transfer being proposed for Areas 1 and 2 (200m<sup>2</sup>) and for the stormwater easement (232m<sup>2</sup>) would have positive outcomes for Council and could be financially agreeable.

The property owner has researched options for the proposed easement and the Council land is the only practical option. Further to this, the most viable option to address the current encroachment issues at the site is to acquire the affected land. Further, all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner.

**OPTIONS**

N/A

**CONSULTATION**

Engagement has been held internally with the following stakeholders:

- Senior Property Officer
- Open Space & Community Facilities Manager
- Recreation and Community Facilities Planner
- Parks & Reserves Coordinator

External stakeholders have also been engaged and are supportive of the proposal:

- Cessnock Tennis Club
- Cessnock Hornets Football Club
- Owners of 49B Aberdare Road

**STRATEGIC LINKS**

**a. Delivery Program**

This report is linked to Council's Delivery Program and the Community's Desired Outcomes of "Accessible Infrastructure Services and Facilities, specifically flooding and drainage" and "Civic Leadership and Effective Governance" in respect to compliance with legislation.

**b. Other Plans**

Nil

**Corporate and Community**

**Report No. CC4/2020**

**Corporate and Community Services**



**IMPLICATIONS**

**a. Policy and Procedural Implications**

Council has a procedure for the use of Council's Seal and Execution of Documents.

**b. Financial Implications**

Aside from the Valuation Report which was absorbed within the 2018/2019 Recreation Capital Works Program, there are nil proposed costs to Council in regards to the acquisition of land or granting of the easement.

The property owner has confirmed they will pay for all survey and legal and administrative costs in relation to this matter which is estimated to be in the order of \$5,500.

**c. Legislative Implications**

Acquisition of the Land would need to be undertaken in accordance with the following Sections of the *Local Government Act 1993*:-

- Section 186 – provides that Council may acquire land for the purpose of exercising any of its functions.
- Section 377 provides that only Council, not its staff or individual Councillors, can authorise the purchase of land.

In addition, Section 46 of the *Local Government Act 1993*, provides that Council may grant a lease, licence or other estate in respect of community land for the purposes of providing pipes under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other public utility providers.

Clause 400 of the *Local Government (General) Regulation 2005* sets out the requirements for the fixing of Council's seal to a document related to the business of Council.

**d. Risk Implications**

The benefiting property owner is responsible for the preparation and registration of documents identifying the easement and all costs associated with the matter will be borne by the benefiting property owner.

If Council elects not to grant the easement, the adjoining land owner will have the right to apply to the Supreme Court to seek compulsory acquisition for the easement.

Additionally, If Council adopts not to consider the boundary adjustment the owner could close off access to the Caretakers Cottage and request removal of other structures currently encroaching on private land.

**e. Environmental Implications**

Nil

Corporate and Community

Report No. CC4/2020

Corporate and Community Services

---




**f. Other Implications**

Nil

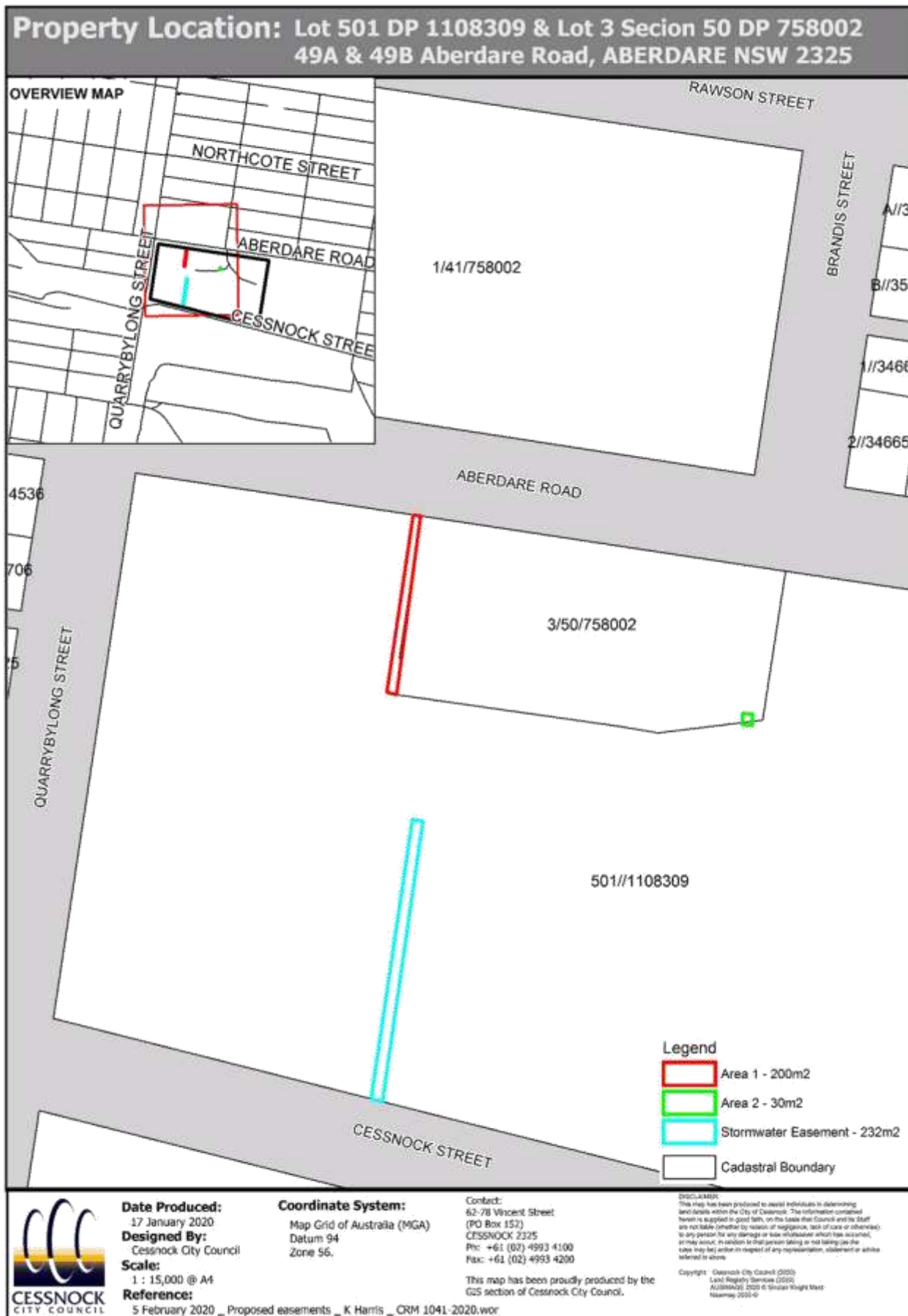
**CONCLUSION**

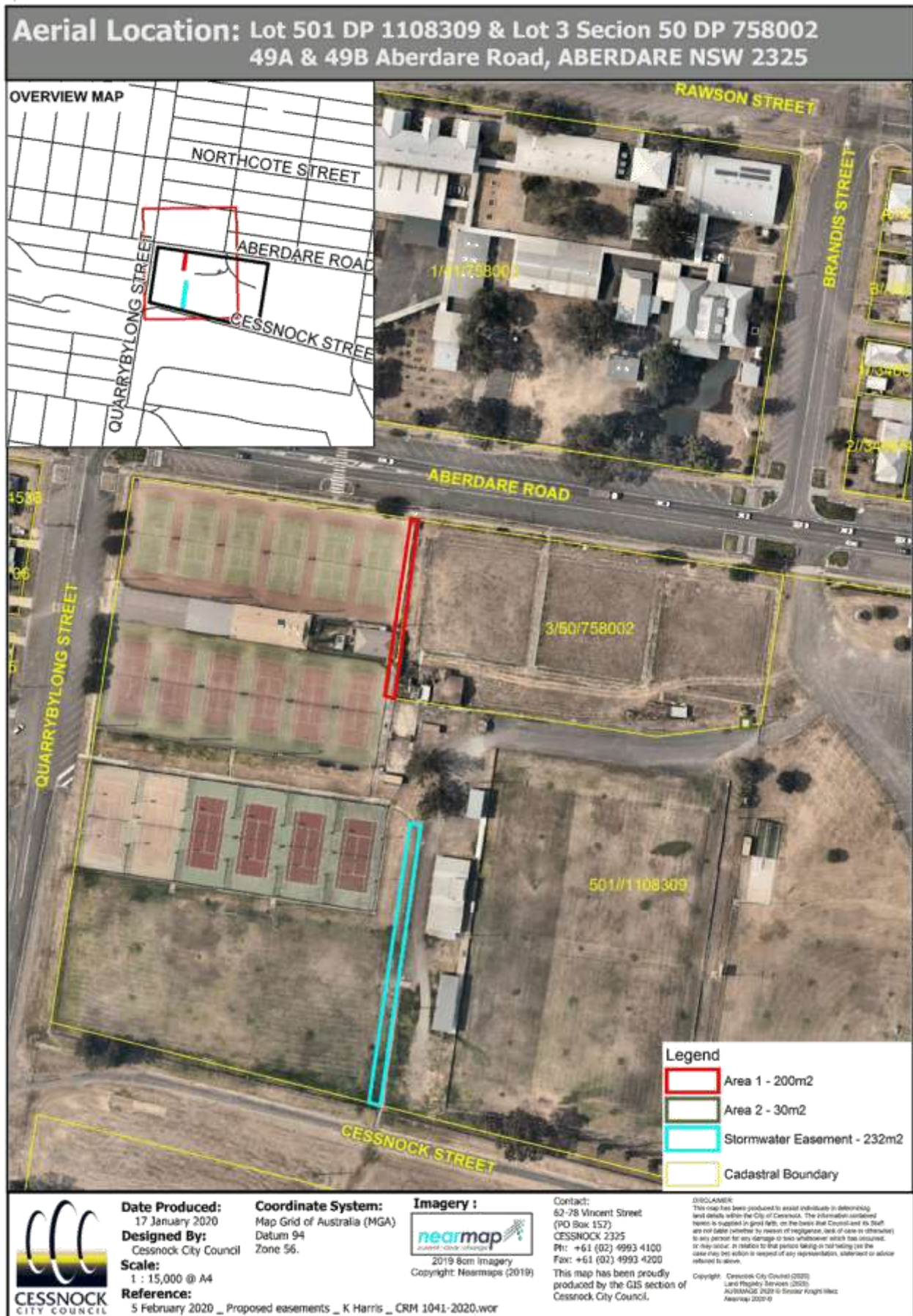
The proposed property adjustment will have positive outcomes for Council including improved access to existing infrastructure and ensuring existing infrastructure is on Council owned land.

**ENCLOSURES**

- 1** Enclosure 1: Property Owner Proposal - *This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- 2**  Enclosure 2: Maps
- 3** Enclosure 3: Valuation Report - 49A and 49B Aberdare Road - *This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*







Corporate and Community

Report No. CC5/2020

Corporate and Community Services



**SUBJECT:** *2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - CALL FOR MOTIONS AND COUNCILLOR NOMINATIONS TO ATTEND*

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

---

### **SUMMARY**

The 2020 National General Assembly of Local Government is to be held in Canberra 14-17 June 2020. The Australian Local Government Association (ALGA) has called for motions under the theme “*Working Together for Our Communities*”. Councillors interested in attending are requested to submit a nomination for attendance.

### **RECOMMENDATION**

1. That Councillors submit motions for the 2020 National General Assembly of Local Government to the General Manager’s office by 6 March 2020, so as to allow inclusion in the agenda for the meeting of 18 March 2020 for Council determination.
2. That Councillors seeking to attend the 2020 National General Assembly of Local Government submit a Request to Attend Conference application to the General Manager’s office by 6 March 2020, so as to allow inclusion in the agenda for the meeting of 18 March 2020 for Council determination.

### **BACKGROUND**

ALGA has extended an invitation to Councils to participate in the National General Assembly (NGA) of Local Government to be held in Canberra from 14 to 17 June 2020. Councillors interested in attending are required to submit a nomination to attend.

### **REPORT/PROPOSAL**

#### **Call for Motions**

The ALGA Board is calling for motions for the 2020 NGA under this year’s theme “*Working Together for Our Communities*” with motions needed to be submitted by 27 March 2020.

Councillors are asked to submit motions in line with the theme for the conference to allow Council to consider referring the motions to the ALGA. Motions are required to be submitted to the General Manager by Friday 6 March 2020 so they can be included in a report for Council to consider at the meeting on 18 March 2020. If endorsed by Council at that meeting, the motion can then be submitted to ALGA.

**Corporate and Community**

**Report No. CC5/2020**

**Corporate and Community Services**



To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of Local Government nationally
2. not be focused on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
3. be consistent with the themes of the NGA
4. complement or build on the policy objectives of your State and Territory Local Government Association
5. be submitted by a Council which is a financial member of their State or Territory Local Government Association
6. propose a clear action and outcome, i.e. call on the Australian Government to do something
7. not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members or to gain National political exposure for positions that are not directly relevant to the work of, or in the National interests of Local Government.

Council endorsed motions are to be lodged online and are required to be received by ALGA no later than 11.59pm on Friday 27 March 2020.

**Councillor Attendance**

In accordance with *Councillors Expenses and Facilities Policy*, a Council resolution is required to approve Interstate conferences and related travel expenditure. Councillors are requested to submit applications (**Enclosure 1**) to attend, to the General Manager by 6 March 2020 to allow Council to consider delegates at the Council meeting of the 18 March 2020. Dependent on the number of Councillors interested in attending, Council may have to consider nominating a voting delegate, as each Council is allocated one vote at the Assembly.

Details on the Conference can be found at the ALGA website:

<https://conferenceco.eventsair.com/nga2020/>

**OPTIONS**

N/A

**CONSULTATION**

General Manager  
Governance Coordinator

**STRATEGIC LINKS**

**Delivery Program**

This report aligns with Objective 5.1 *Fostering and Supporting Community Leadership*, with professional development for Councillors intrinsically linked to Civic Leadership and Effective Governance.



**Corporate and Community**

**Report No. CC5/2020**

**Corporate and Community Services**

---



**IMPLICATIONS**

**a. Policy and Procedural Implications**

Application for attendance to the 2020 National General Assembly of Local Government is in accordance with *Councillors Expenses and Facilities Policy*.

**b. Financial Implications**

It is estimated the costs will be approximately \$2,000 per delegate (registration, accommodation and travel), with funding currently available from the 2019-20 budget for Councillor conferences, with \$20,070 expended from a budget allocation of \$27,100.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Other Implications**

N/A

**CONCLUSION**

This report provides information regarding the 2020 National General Assembly of Local Government.

**ENCLOSURES**

[1](#) Councillor Request to Attend Conference

## COUNCILLOR REQUEST TO ATTEND CONFERENCE, SEMINAR OR TRAINING

COUNCILLOR DETAILS					
<b>Name:</b>					
<b>Mobile Phone Number:</b>		<b>Dietary Requirements:</b>			

CONFERENCE/SEMINAR/TRAINING DETAILS					
<b>Course Name:</b>					
<b>Organiser:</b>				<b>Location:</b>	
<b>Date:</b>		<b>Cost:</b>		<b>Job Number:</b>	
<b>Detail benefits to you and your role in Council</b>					
<b>Details of conferences / seminars / training already attended in this term of Council</b>					

TRAVEL & ACCOMMODATION					
<b>Accommodation</b>					
<b>Is Accommodation Required?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
<b>Name:</b>				<b>Phone:</b>	
<b>Check in Date:</b>				<b>Check out Date:</b>	
<b>Travel</b>					
<b>Airfare Required?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
<b>Other Transport Require?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<b>Transport requirement:</b>	
<b>Special Requirements?</b>					

AUTHORISATION					
<b>Mayor / Councillor</b>					
<b>Name:</b>			<b>Signature:</b>		
				<b>Date:</b>	
<b>General Manager</b>					
<b>Full Name:</b>			<b>Signature:</b>		
				<b>Date:</b>	
<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved					

OFFICE USE ONLY					
	Date	Signature		Date	Reference / Reservation Number
<b>Received by EA:</b>			<b>Registered in RM:</b>		
<b>TRIM link to HR:</b>			<b>Registration Booked:</b>		
<b>Clr Advised:</b>			<b>Accommodation Booked:</b>		
			<b>Travel Booked:</b>		

Corporate and Community

Report No. CC6/2020

Corporate and Community Services



**SUBJECT:** *INVESTMENT REPORT - DECEMBER 2019*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

### **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 receives the Investment Report for December 2019 and notes:**

- **Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order**
- **Council's month end balance was \$40,534,344, year to date interest earned to 31 December was \$378,440 and the interest earned for December was \$58,088.**

### **BACKGROUND**

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

### **REPORT**

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

I, Robert Maginnity, 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. Investment revenues to the end of December 2019 exceeded the benchmark in the Investment Policy with an actual level of return at 114.68 % of the year to date budget.

The Reserve Bank of Australia (RBA) official cash rate as at 31 December 2019 was 0.75%. 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 meeting held on 3 December 2019 retained the official cash rate at 0.75%.

**Corporate and Community**

**Report No. CC6/2020**

**Corporate and Community Services**



**Investment Portfolio Information**

**Table 1** Total cash and investments held by Council as at 31 December 2019

<b>Invest No</b>	<b>Financial Institution Investment Held With</b>	<b>Invest Type</b>	<b>Interest Coupon Term</b>	<b>Maturity / Next Coupon Date</b>	<b>Current Coupon Rate</b>	<b>Par Value \$'000</b>
	Commonwealth Bank	CASH			0.40%	2,093
	Commonwealth Bank	At Call			0.10%	41
1243	AMP Bank	At Call			1.05%	500
1277w	Greater Bank	FRN	91	24-Feb-20	2.33%	500
1281j	National Bank	TD	245	31-Mar-20	1.81%	700
1298q	Newcastle Permanent Building Society	VRD	92	03-Jan-20	2.25%	800
1306h	Suncorp Bank	TD	214	14-Jul-20	1.50%	900
1324d	National Bank	TD	208	06-Jan-20	2.10%	900
1325c	Members Equity Bank	TD	272	19-May-20	1.68%	900
1330b	National Bank	TD	209	21-Jan-20	2.00%	900
1332c	Suncorp Bank	TD	271	25-Feb-20	2.15%	1,000
1338b	Bankwest	TD	203	14-Jan-20	1.87%	800
1341b	AMP Bank	TD	280	12-May-20	2.00%	1,000
1345c	National Bank	TD	217	05-May-20	1.65%	800
1347b	Suncorp Bank	TD	210	26-May-20	1.58%	800
1358b	National Bank	TD	230	07-Jul-20	1.48%	1,000
1360a	National Bank	TD	210	24-Mar-20	1.63%	1,000
1361a	AMP Bank	TD	339	05-Jun-20	2.20%	1,000
1362a	AMP Bank	TD	337	10-Jun-20	2.20%	1,000
1366a	Bankwest	TD	210	10-Mar-20	1.62%	1,000
1368a	Suncorp Bank	TD	222	14-Apr-20	1.61%	1,000
1369a	National Bank	TD	231	30-Jun-20	1.52%	1,000
1370a	IMB Bank	TD	217	25-Jun-20	1.52%	1,000
1371a	Members Equity Bank	TD	270	08-Sep-20	1.58%	1,000
1372	AMP Bank	TD	217	24-Jan-20	2.30%	1,000
1373	Bank of QLD	TD	270	17-Mar-20	2.08%	1,000
1374	National Bank	TD	216	29-Jan-20	2.00%	1,000
1375	National Bank	TD	186	04-Feb-20	1.83%	1,000
1376	Suncorp Bank	TD	193	11-Feb-20	1.80%	800
1377	Suncorp Bank	TD	200	18-Feb-20	1.80%	600
1379a	Commonwealth Bank	TD	63	07-Jan-20	1.44%	600
1380a	Commonwealth Bank	TD	71	14-Jan-20	1.43%	600
1381	Macquarie Bank	TD	215	07-Apr-20	1.75%	1,000
1383	Macquarie Bank	TD	224	21-Apr-20	1.75%	1,000
1384	Macquarie Bank	TD	224	28-Apr-20	1.75%	1,000
1385	Commonwealth Bank	TD	273	23-Jun-20	1.52%	900
1387	Suncorp Bank	TD	221	16-Jun-20	1.55%	1,000
1388	Suncorp Bank	TD	257	11-Aug-20	1.50%	1,000
1389	Suncorp Bank	TD	131	08-Apr-20	1.48%	600
1390	Suncorp Bank	TD	151	28-Apr-20	1.52%	600
1391	Macquarie Bank	TD	222	13-Jul-20	1.55%	1,000
1392	Commonwealth Bank	TD	105	17-Mar-20	1.30%	600
1393	Commonwealth Bank	TD	209	29-Jun-20	1.31%	600
1394	National Bank	TD	220	13-Jul-20	1.47%	600
1395	ANZ Bank	TD	237	04-Aug-20	1.40%	700
1396	ANZ Bank	TD	251	18-Aug-20	1.40%	700
1397	ANZ Bank	TD	216	21-Jul-20	1.40%	1,000
<b>TOTAL</b>						<b>40,534</b>



## Corporate and Community

Report No. CC6/2020

## Corporate and Community Services

**Table 2** Level of funds held and the percentage invested with financial institutions

Financial Institution	Rating	Maximum Counterparty	Amount \$'000	% of Portfolio
Commonwealth Bank	A1+	25%	5,434	13.40%
Bankwest	A1+	25%	1,800	4.44%
IMB Bank	A2-	10%	1,000	2.47%
National Bank	A1+	25%	8,900	21.96%
Suncorp Bank	A1	25%	8,300	20.48%
Members Equity Bank	A2	10%	1,900	4.69%
Newcastle Permanent Building Society	A2	10%	800	1.97%
AMP Bank	A2-	10%	4,500	11.10%
Greater Bank	A2	10%	500	1.23%
Bank of QLD	A2	10%	1,000	2.47%
Macquarie bank	A1	25%	4,000	9.87%
ANZ bank	A1+	25%	2,400	5.92%
<b>TOTAL</b>			<b>40,534</b>	<b>100.00%</b>

**Table 3** Investment types, risk assessment, amount and percentage invested compared to the total

Investment Type	Risk Assessment		Amount	% of
	Capital	Interest	\$'000	Portfolio
Term Deposits	Low	Low	36,600	90.29%
Cash/At Call Deposits	Low	Low	2,634	6.51%
Variable Rate Notes	Low	Low	800	1.97%
Floating Rate Deposit	Low	Low	500	1.23%
<b>TOTAL</b>			<b>40,534</b>	<b>100.00%</b>

**Table 4** Comparison of interest rates, earnings and balances this year to last year

Performance Measures	This Year	Last Year
Portfolio Average Interest Rate (year to date)	1.90%	2.56%
BBSW Average Interest Rate (year to date) *	0.96%	1.97%
Actual Investment Interest Earned December	\$58,088	\$90,905
Actual Investment Interest Earned (year to date)	\$378,440	\$523,660
Budget Investment Interest (year to date)	\$330,000	\$417,510
Original Budget Investment Interest (Annual)	\$860,000	\$825,000
Revised Budget Investment Interest (Annual)	\$660,000	\$835,000

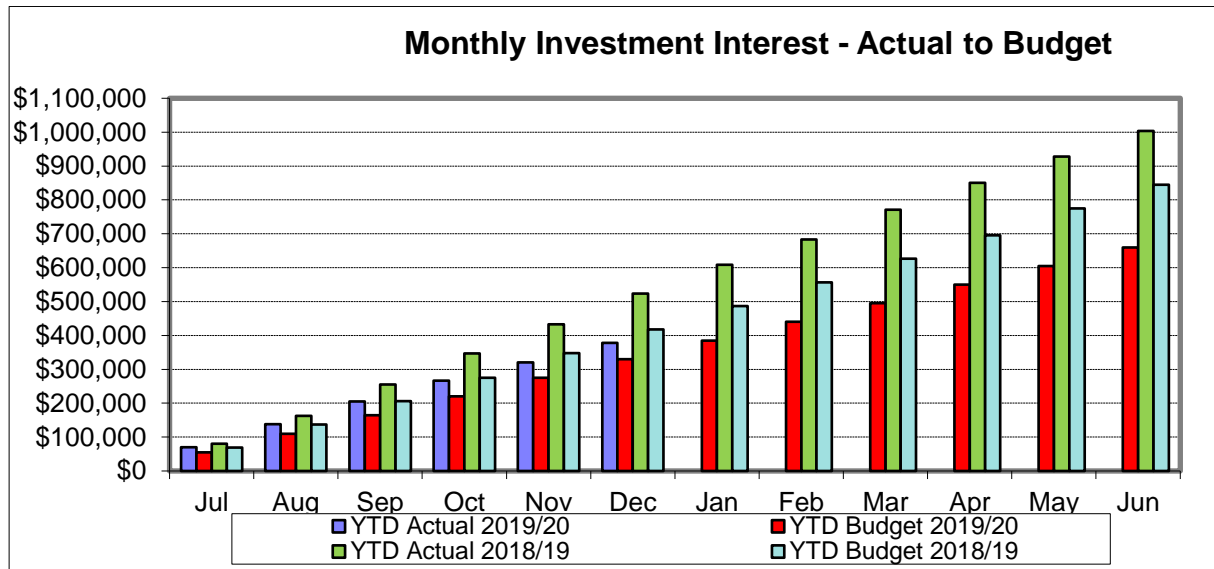
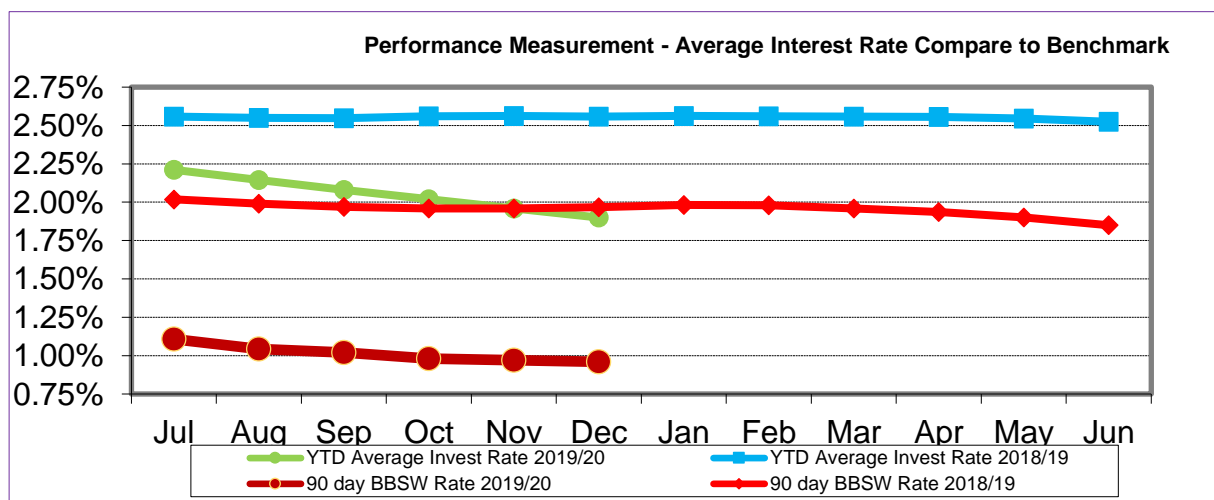
Investment Balances (Par Value)	This Year	Last Year
Opening Balance as at 1 July	\$39,874,176	\$38,760,390
Month End Current Balance	\$40,534,344	\$40,607,419

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

## Corporate and Community

Report No. CC6/2020

## Corporate and Community Services

**Graph 1** Actual interest earned to budget for this year and last year**Graph 2** Current year portfolio performance to prior year performance**Table 5** Internal and external restrictions over cash and investments held

Month End Totals \$'000	Dec 2019	Nov 2019	Oct 2019	Sep 2019	Aug 2019	July 2019
Developer contributions	13,677	13,423	13,361	12,831	12,679	12,376
RMS contributions	2,083	2,083	2,083	2,083	2,083	2,102
Specific purpose unexpended grants	871	773	902	928	1,272	1,272
Domestic waste management reserve	430	430	430	430	430	430
Stormwater management	75	55	87	112	155	-

## Corporate and Community

Report No. CC6/2020

## Corporate and Community Services



<b>External Restrictions</b>	<b>17,136</b>	<b>16,764</b>	<b>16,863</b>	<b>16,384</b>	<b>16,619</b>	<b>16,180</b>
Plant and vehicle replacement	1,712	1,775	1,718	1,484	1,615	2,029
Employees leave entitlement	3,076	3,076	3,076	3,076	3,076	2,621
Carry over works	757	795	816	928	1,114	-
Bridge replacement	1,232	1,081	1,039	1,103	1,103	1,103
Lawn cemeteries	69	69	69	69	69	69
Computer services	366	453	485	485	485	368
Energy efficiency	101	38	38	38	38	38
Insurance provisions	1,420	1,349	1,349	1,308	1,308	1,544
Miscellaneous and property	1,647	1,141	1,141	1,299	1,119	1,119
Grant Fund Leverage	795	795	795	795	795	795
Operations and programs	604	604	612	612	612	412
Property investment fund	833	828	742	906	906	781
Rezoning fees	85	85	85	85	85	85
Civil Works	680	780	762	786	790	820
Waste depot and rehabilitation	3,998	3,998	3,998	3,998	3,998	3,998
Unexpended loan funds	143	131	147	185	421	537
Committed projects(SRV)	1,433	1,565	1,575	1,575	1,800	1,800
<b>Internal Restrictions</b>	<b>18,951</b>	<b>18,563</b>	<b>18,447</b>	<b>18,732</b>	<b>19,334</b>	<b>18,119</b>
<b>Unrestricted - Balance of funds</b>	<b>4,447</b>	<b>6,510</b>	<b>2,746</b>	<b>6,154</b>	<b>4,889</b>	<b>3,673</b>
<b>Total Cash &amp; Investments</b>	<b>40,534</b>	<b>41,837</b>	<b>38,056</b>	<b>41,270</b>	<b>40,842</b>	<b>37,972</b>

**OPTIONS**

N/A

**CONSULTATION**

Director Corporate and Community Services  
Management 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.

**Corporate and Community**

**Report No. CC6/2020**

**Corporate and Community Services**



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*" and more specifically links to strategic direction:

5.3.7: Continue to educate staff on statutory compliance obligations.

5.3.8: Carry out governance functions to comply with legislation and best practice.

**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.

**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.

Corporate and Community

Report No. CC7/2020

Corporate and Community Services



**SUBJECT:** *LOCAL GOVERNMENT NSW TOURISM CONFERENCE 2020*

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

---

### **SUMMARY**

The purpose of this report is to advise Councillors of the upcoming 2020 Local Government NSW Tourism Conference to be held in Jindabyne from 16-18 March 2020.

### **RECOMMENDATION**

**That Councillors interested in attending the Local Government NSW Tourism Conference 2020 make application to the General Manager by Friday 7 February 2020 so that Council can determine attendees at the Council meeting of 19 February 2020.**

### **BACKGROUND**

Over the years, the LG NSW Tourism Conference has delved into themes pertaining to tourism infrastructure, tourism investment, tourism marketing and tourism as a business, with the conference moving regionally across NSW.

The 2020 Conference will once again focus on highlighting the importance of tourism to Councillors, Mayors, General Managers and tourism professional staff, Local Government NSW and its partners.

### **REPORT/PROPOSAL**

This report provides an opportunity for interested Councillors to make application to attend the LG NSW Tourism Conference in 2020, which is to be hosted by Snowy Monaro Regional Council and to be held in Jindabyne from 16 to 18 March 2020.

LGNSW in recognising the challenges many councils and tourism operators throughout NSW are currently facing with the devastating bushfires and in the wake of the fires, have decided to shift some of the focus of the upcoming Tourism Conference to recovery and planning. A major topic of discussion will be "Open for business: Attracting visitors after a natural disaster".

Other aspects of the program will still address many other areas of the tourism business, but the changes will ensure attendees could have an open dialogue about the effects of natural disasters and how councils and operators can rebuild and recover. This is especially fitting given the conference is hosted in a bushfire affected area, Jindabyne.

The updated conference program is on the [LGNSW website](#).

The conference theme for 2020 is **Open for Business**. It is anticipated that cost will be similar to past years.

**Corporate and Community**

**Report No. CC7/2020**

**Corporate and Community Services**



Councillors wishing to attend are requested to submit a "Request to Attend Conference" form to the General Manager by Friday 7 February 2020, so that a report can be prepared for Councils consideration at the meeting of 19 February 2020. Refer to **Enclosure 1**.

Councillors are also reminded that there is a scheduled Council meeting on the 18 March 2020, and that the conference is not scheduled to conclude until 1.30pm on the Wednesday. Dependent on how any interested Councillor was to attend the conference, i.e. either by flying or driving, if the Councillor was to attend the Council meeting and not ask for a leave of absence, the Councillor would need to arrange an earlier departure, noting that the conference program shows that there are scheduled flights from the Canberra Airport at 4pm, which may allow time to return in time for the meeting.

**CONSULTATION**

General Manager

**STRATEGIC LINKS**

**a. Delivery Program**

This report is aligned with Objective 5.1 Fostering and Supporting Community Leadership and professional development for Councillors is linked to Civic Leadership and Effective Governance.

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Application for attendance at the Local Government NSW Tourism Conference 2020 is in accordance with Council Policy.

**b. Financial Implications**

It is estimated the conference costs will be approximately \$2,500 per delegate which includes registration, accommodation and travel and funding is available in the operational budget for Councillor Conferences and Seminars.

**c. Legislative Implications**

N/A

**d. Risk Implications**

N/A

Corporate and Community

Report No. CC7/2020

Corporate and Community Services

---



**e. Other Implications**

N/A

**CONCLUSION**

This report provides information on the LG NSW Tourism Conference 2020 and provides Councillors the opportunity to submit an expression of interest to attend.

**ENCLOSURES**

- 1 [↓](#) Councillor - Request to Attend Conference

## COUNCILLOR REQUEST TO ATTEND CONFERENCE, SEMINAR OR TRAINING

COUNCILLOR DETAILS					
<b>Name:</b>					
<b>Mobile Phone Number:</b>		<b>Dietary Requirements:</b>			

CONFERENCE/SEMINAR/TRAINING DETAILS					
<b>Course Name:</b>					
<b>Organiser:</b>				<b>Location:</b>	
<b>Date:</b>		<b>Cost:</b>		<b>Job Number:</b>	
Detail benefits to you and your role in Council					
Details of conferences / seminars / training already attended in this term of Council					

TRAVEL & ACCOMMODATION					
Accommodation					
<b>Is Accommodation Required?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
<b>Name:</b>				<b>Phone:</b>	
<b>Check in Date:</b>				<b>Check out Date:</b>	
Travel					
<b>Airfare Required?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
<b>Other Transport Require?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<b>Transport requirement:</b>	
<b>Special Requirements?</b>					

AUTHORISATION					
Mayor / Councillor					
<b>Name:</b>			<b>Signature:</b>		
				<b>Date:</b>	
General Manager					
<b>Full Name:</b>			<b>Signature:</b>		
				<b>Date:</b>	
<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved					

OFFICE USE ONLY					
	Date	Signature		Date	Reference / Reservation Number
<b>Received by EA:</b>			<b>Registered in RM:</b>		
<b>TRIM link to HR:</b>			<b>Registration Booked:</b>		
<b>Clr Advised:</b>			<b>Accommodation Booked:</b>		
			<b>Travel Booked:</b>		



**Works and Infrastructure**  
**Report No. WI1/2020**  
**Works and Infrastructure**



**SUBJECT:** *FINANCIAL SUSTAINABILITY INITIATIVE PROJECTS*  
**RESPONSIBLE OFFICER:** *Director Works and Infrastructure - Justin Fitzpatrick-Barr*

**SUMMARY**

This report responds to a Council resolution from the meeting of 5 June 2019 (Report WI30/2019) relating to the adopted Financial Sustainability Initiative (FSI) projects.

**RECOMMENDATION**

**That Council notes the information provided in the report relating to the progress of the Financial Sustainability projects.**

**BACKGROUND**

At its meeting of 5 June 2019, Council considered a report on Financial Sustainability Initiatives (WI30/2019) and resolved as follows:

1. *That Council notes the information provided in the report.*
2. *That the General Manager continues to manage and monitor the implementation of Council's adopted Financial Sustainability Initiative (FSI) projects through the Integrated Planning & Reporting framework.*
3. *That any actual savings greater than \$1,000 from the FSI Projects are put into the roads maintenance budget.*
4. *That a further report on the status of the FSI Projects be provided to Council in December 2019.*

This report is in response to the above resolution, particularly Item 4.

**General Manager's note:** due to the fires in December, with staff attending to these emergencies, reports to the December Council meeting needed to be focused on what was essential for Council's decision making. This FSI report is reporting on progress of projects and as such does not require decision making, and that is why this report was delayed until the first meeting in February 2020.

**REPORT/PROPOSAL**

**Financial Sustainability Initiatives**

As previously reported, in June 2015 Council adopted a package of Financial Sustainability Initiatives (FSI's) that included 16 projects aimed at improving the efficiency and effectiveness of Council's operations.

**Works and Infrastructure**

**Report No. WI1/2020**

**Works and Infrastructure**



Table 1, below, provides a list of the 16 FSI projects and their current status. The projects highlighted in orange are projects currently listed in the 2019-20 Operational Plan and the status of various actions relating to each of these projects is provided in **Table 2**.

**Table 1 – List of Financial Sustainability Initiatives projects adopted by Council June 2015**

No.	Project	Lead	Status
P01	Service Review	Strategic Project Manager	
P02	Productivity Improvements and Cost Savings Project	Business Support and Customer Relations Manager	On-going (SIPs)
P03	Sponsorship & Subsidies Review	Director Works & Infrastructure	Complete
P04	Strategic Property Review	Strategic Land Use Planning Manager	
P05	Fees & Charges Review	Finance and Administration Manager	
P06	Assets, Depreciation and Capital Commitments Review	Infrastructure Manager	Complete – Asset Management Plans (AMPs) adopted. Ongoing review of AMPs and Asset Revaluations in accordance with reporting requirements, now BAU.
P07	Developer Contributions Review	Strategic Land Use Planning Manager	Partially Complete – Draft City Wide Contributions Plan Developed
P08	Business Opportunities Framework	Economic Development Manager	Complete but ongoing activity as now BAU
P09	Special Rate Variation Strategy	Finance and Administration Manager	
P10	Investment Strategy	Finance and Administration Manager	
P11	Plant and fleet management review	Manager Works and Operations	
P12	Procurement review	Finance and Administration Manager	
P13	Project management framework improvement	Infrastructure Manager	On-going
P14	Rating structure review	Finance and Administration Manager	
P15	Records management review	Information Technology Manager	Complete
P16	Embed a continuous improvement culture	Human Resources Manager	Complete but now ongoing as BAU

The details of each of the FSI projects listed in Table 1 were subsequently included in a submission to the Local Government Fit for the Future (FFTF) reforms process.

The FSI's, along with other projects that contribute to Council's ongoing financial sustainability, have been incorporated into Council's Integrated Planning and Reporting (IP&R) framework. In the adopted 2019-20 Operational Plan all projects that support financial sustainability are identified with an orange colored asterisk and the following notation;

**\*Project supporting financial sustainability**

**Works and Infrastructure**

**Report No. WI1/2020**

**Works and Infrastructure**



**Service Review (Recap)**

As reported previously, in 2017 Council undertook an important FSI Service Review project, which focused primarily on productivity improvements and potential cost savings, utilising a methodology outlined in the Australian Centre of Excellence for Local Government's publication; "Service Delivery Review: A how to manual for local government" (2nd Edition, June 2015).

The review identified in excess of 50 services and 150 sub-services currently offered by Council.

In considering the information provided in each of the service statements that were compiled as part of the review, seven Service Improvement Projects (SIPs) were initiated, being:

- Certifying Authority
- Compliance
- Heavy Plant & Equipment
- Procurement & Purchasing
- Rural Road Maintenance
- Landfill Operations
- Cessnock & Branxton Swimming Pools

A number of actions stemming from the seven SIP's were implemented in 2017-18 and 2018-19, through the respective Operational Plans. Further actions from these SIP's are listed in the 2019-20 Operational Plan, and as highlighted above, these actions are identified with an orange colored asterisk and an associated notation.

**2019-20 Operational Plan**

Enclosure 1 provides a listing of the specific FSI actions identified in the 2019-20 Operational Plan, along with the current status of each.

**OPTIONS**

That Council notes the information provided in the report.

**CONSULTATION**

Executive Leadership Team (ELT)  
Manager Works and Operations  
Resource Coordinator, Works Delivery  
Manager Infrastructure  
Manager Environment and Waste Services  
Sustainability Officer, Environment and Waste Services  
Manager Open Space & Community Facilities  
Manager Finance and Administration  
Senior Contracts and Tendering Officer, Financial Services  
Operations Accountant, Financial Services  
Senior Adviser – Business Improvement, Community and Corporate Services  
Manager Strategic Planning

**Works and Infrastructure**  
**Report No. WI1/2020**  
**Works and Infrastructure**



**STRATEGIC LINKS**

**a. Delivery Program**

The report links directly to the 2017-21 Delivery Program through:

Community Desired Outcome - Civic Leadership and Effective Governance

- Objective 5.3 – Making Council more responsive to the community
  - Section 5.3.11 – Continue implementation of the Financial Sustainability Initiatives projects

**b. Other Plans**

Council's submission in to the Local Government Fit for the Future reforms process.

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

The FSI projects focus on four key objectives; being to reduce costs, increase revenues, improve value-for-money and strengthen Council's governance framework.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Environmental Implications**

Nil

**f. Other Implications**

Nil

**CONCLUSION**

Council has an adopted suite of FSI projects aimed at improving the efficiency and effectiveness of Council's operations.

The implementation of these adopted FSI projects is currently being managed and monitored through Council's Integrated Planning and Reporting framework.

**ENCLOSURES**

[1](#) 2019-20 Operational Plan Actions

FSI Ref	FSI Description	Code	Action	Status	Comment
P01	Service Review	5.3.11.b	Evaluate community feedback on service and funding options and develop scenarios for community consultation	Not Due To Start	This action will be progressed once the scale and nature of community consultation is determined as part of the community engagement activity.
P01	Service Review	5.3.12.a	Undertake service level (condition) scenarios of council assets and evaluate financial impact in LTFP	In Progress	Joint exercise with Infrastructure team. Currently a condition assessment is being undertaken for the majority of council's infrastructure assets. This will form the basis for undertaking service level based scenarios. Waiting for the data on the condition of relevant assets to be returned from the consultant.
P04	Strategic Property Review	5.3.9.a	Progress and implement the Strategic Property Review Project	In Progress	Senior Strategic Property Specialist appointed. Work program being implemented.
P05	Fees & Charges Review	5.3.11.e	Develop recommendations for consideration on changes to Fees & Charges to ensure preferred mix between ratepayer and user funding of specific services.	Not Progressing	A series of recommendations will be developed for consideration as part of the next CSP / Delivery program
P05	Fees & Charges Review	5.3.12.b	Review Council's Revenue Policy to assess when Council will charge for services and the basis for determining the charges that should apply.	Not Due To Start	This action will be able to be completed upon completion of 5.3.11.h - Review options for the generation of alternative revenue sources which might reduce the reliance on rates to fund incremental increases in funding requirements.
P09	Special Rate Variation Strategy	5.3.11.h	Review options for the generation of alternative revenue sources which might reduce the reliance on rates to fund incremental increases in funding requirements.	Not Progressing	The fees and charges process is currently under review by managers and finance staff for the 2020/21 financial year. This includes a review of the current fees and charges and the potential additional revenue sources.
P10	Investment Strategy	5.3.11.g	Review and update the Investment Policy to allow a broader range of compliant investment options to be considered to enable higher investment returns to be realised whilst meeting agreed risk parameters.	Not Due To Start	
P11	Plant and fleet management review	4.2.3.a	Complete the priority projects from the heavy plant and equipment service improvement project	In Progress	Ongoing following utilisation reviews.
P11	Plant and fleet management review	5.3.11.d	Continue implementation of the Plant and Fleet Management review to ensure efficient and effective use of resources.	In Progress	Ongoing review of plant utilisation.
P12	Procurement review	5.3.11.f	Enhance contract and vendor management processes as part of Purchasing and Procurement Service Improvement Project.	In Progress	Draft strategy is under development. Still progressing through the project and now entering year 2 of the implementation program which has a focus on supplier management.
P14	Rating structure review	5.3.11.a	Review Council's ratings mix and develop options to recalibrate model to better reflect ratepayer base (includes forecasting of growth in LGA).	In Progress	Council has reviewed the IPART report and provided feedback. Supported most recommendations. Will rely on the implementation of the recommendations from the IPART rating review as these will provide council with greater flexibility - can undertake analysis

FSI Ref	FSI Description	Code	Action	Status	Comment
Additional	Additional FSI's	3.1.5.a	Develop an action plan for Council's Revolving Energy Fund.	In Progress	DIPE funding postponed until late 2020; after Round 1 assessment completed.
Additional	Additional FSI's	3.3.2.a	Investigate alternate capping technologies, remaining void space and current approval for existing landfill site.	In Progress	Additional field work undertaken to better inform extent of waste fill level, which will in turn inform the existing Landfill Closure Plan.
Additional	Additional FSI's	4.1.1.a	Prepare applications for available grant funding to improve commuter, freight and tourism transport links.	In Progress	Submitted applications for external grant funding under Restart NSW Fixing Country Roads Round 2 program for upgrade of Sandy Creek Road, Upgrade Weston By-pass, and George Booth Drive Route Assessment.
Additional	Additional FSI's	4.1.1.b	Prepare funding applications for upgrades of public transport stops	Complete	Prepared and submitted application for upgrades of public transport stops under the Country Passenger Transport Infrastructure Grants Scheme for 2020-21.
Additional	Additional FSI's	4.2.1.a	Develop prioritised Capital Works Programs in line with adopted Asset Management Plans.	In Progress	Prepared Prioritisation Spreadsheets for asset classes to contribute to future Capital Works Programs.
Additional	Additional FSI's	4.2.2.a	Investigate alternative treatments for maintenance and construction works	In Progress	Investigating alternative material additives.
Additional	Additional FSI's	5.2.2.a	Actively participate in and collaborate with Hunter Joint Organisation to promote the interests of the LGA	In Progress	Mayor and General Manager Lotia Jackson attending scheduled meetings and sub committees as required.
Additional	Additional FSI's	5.2.3.a	Monitor and respond to the State Government's local government reform program.	In Progress	ongoing
Additional	Additional FSI's	5.3.11.c	Maintain principle of balanced operating budget and ensure programs are fully funded	In Progress	Ongoing process of reviewing both operating and cash budgets and actuals and confirming adherence to this principle.
Additional	Additional FSI's	5.3.6.a	Implement an electronic performance management system to improve productivity and integration across council.	In Progress	<p>The implementation of an electronic performance management system is currently being undertaken as part of the Human Capital component of introducing Pulse. Council's current paper based system has been replicated into the Pulse system. Some enhancements to the system needed to replicate Council's current system.</p> <p>The aim is to be using Pulse for the 20/21 Performance Review period and potentially the mid year check in for the 19/20 Performance Review period.</p>

Works and Infrastructure  
Report No. WI2/2020  
Works and Infrastructure



**SUBJECT:** *MINUTES OF LOCAL TRAFFIC COMMITTEE HELD 18 NOVEMBER 2019*

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

**RECOMMENDATION**

That the Minutes of the Local Traffic Committee Meeting of 18 November 2019 be adopted as a resolution of the Ordinary Council.

1. TC46A/2019 - That Council authorises the installation of regulatory parking signage on Tomalpin Street, Kearsley in accordance with the Tomalpin Street Kearsley \_ Signage & Line Marking Diagram.
2. TC47/2019 - That Council authorises the installation of regulatory parking signage on Rothbury Street, Nulkaba in accordance with the Rothbury Street Nulkaba \_ Signage Diagram.
3. TC48/2019 - That Council authorises the installation of signage and barriers on the laneway between Mount View Road and Tempranillo Crescent, Cessnock in accordance with Tempranillo Crescent Cessnock \_ Signage & Barrier Diagram.
4. TC49/2019 - That Council authorises installation of line marking on Averys Lane, Buchanan in accordance with the Averys Lane Buchanan \_ Line Marking Diagram.
5. TC50/2019 - That Council authorises installation of line marking at the intersection of Beaufort Avenue and Kendall Street, Bellbird, in accordance with the Beaufort Avenue Bellbird \_ Line Marking Diagram.
6. TC51/2019 - That Council authorises the installation of regulatory parking signage and line marking on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock \_ Signage & Line Marking Diagram.
7. TC52/2019 - That Council notes the consent of Roads and Maritime Services has been received for implementation of a 10km/h Shared Zone in Charlton Street, Cessnock as outlined in the Charlton Street Cessnock \_ Shared Zone Approval.

**MINUTES OF LOCAL TRAFFIC COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD IN ANTE ROOM ON MONDAY, 18 NOVEMBER 2019, COMMENCING AT 9.34AM.**

**PRESENT:** Councillor Gray (in the Chair)  
Mrs Anne Lomas – NSW State Member Representative  
Senior Constable Amy Sweeney – NSW Police  
Ms Wendy Wallace – RMS

**IN ATTENDANCE:** Mr Nathan Goodbun – Traffic Engineering Officer  
Mr Richard Ingall – Rover Coaches  
Mr Warren Jeffery – Principal Engineer - Traffic & Transport

**Works and Infrastructure**

**Report No. WI2/2020**

**Works and Infrastructure**



Mrs Katrina Kerr – Infrastructure Manager  
Mr John Meldrum – Hunter Valley Buses

***APOLOGIES***

***RESOLVED*** that the apology tendered for unavoidable absence be accepted on behalf of:

Mr Clayton Barr MP – NSW State Member

***CONFIRMATION OF MINUTES***

***NOTED*** that the Minutes of the Local Traffic Committee held on 21 October 2019 as circulated, were previously confirmed as a true and correct record.

***DISCLOSURES OF INTEREST***

Nil

***BUSINESS ARISING FROM PREVIOUS MINUTES***

Nil

***MOTIONS OF URGENCY***

Nil

***LISTED MATTERS***

***SUBJECT:*** ***TOMALPIN STREET, KEARSLEY  
REGULATORY PARKING***

***REPORT NO.:*** ***TC46A/2019***

***REFERENCE.:*** ***WI76/2019***

***MATTER:*** At the Ordinary Meeting of 23 October 2019, Council resolved that Council upgrades pedestrian and car parking facilities in the school zone on the eastern side of Tomalpin Street, Kearsley, by installing the treatments outlined in Option 1 of the report, being:

- Concrete pathway between Mulbring Street and the school' pedestrian access gate;
- A 25m (parallel parking) school-zone-timed, Kiss and Ride area;
- 13 x Rear to Kerb 90° angle parking spaces; and
- 1 x Mobility Scheme Parking Space.

***DISCUSSION:*** The matter was described as per the report, without further discussion.



Works and Infrastructure

Report No. WI2/2020

Works and Infrastructure



**RECOMMENDATION**

That Council authorises the installation of regulatory parking signage on Tomalpin Street, Kearsley in accordance with the Tomalpin Street Kearsley \_ Signage & Line Marking Diagram.

**SUPPORT:** Unanimous

**SUBJECT:** ROTHBURY STREET, NULKABA  
REGULATORY PARKING

**REPORT NO.:** TC47/2019

**REFERENCE.:** DOC2019/082351

**MATTER:** The Principal of Nulkaba Public School has advised the School's intention to provide an on-site (off-street) Mobility Parking Scheme space to suit the specific requirements of a special needs student. The school has nominated a suitable site and the works will be arranged and executed by the Department of Education. In order to provide unfettered access to the site, the school requested that the proposed entrance be covered by regulatory NO STOPPING signage.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

- It was noted that treatments on O'Connors Road had previously been recommended by the Committee, but these works were not funded, and have not been included in the Delivery Program at this time.

**RECOMMENDATION**

That Council authorises the installation of regulatory parking signage on Rothbury Street, Nulkaba in accordance with the Rothbury Street Nulkaba \_ Signage Diagram.

**SUPPORT:** Unanimous

**SUBJECT:** TEMPRANILLO CRESCENT, CESSNOCK  
SHARED PATH SIGNAGE & PEDESTRIAN BARRIERS

**REPORT NO.:** TC48/2019

**REFERENCE.:** CRM'S 19750/2019, 19711/2019, 19605/2019 & 20382/2019

**MATTER:** The residents of Tempranillo Crescent, Cessnock, have raised concerns regarding the safety of pedestrians in the laneway between Tempranillo Crescent and Mount View Road, due to its use by four wheel drive vehicles.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

**Works and Infrastructure**

**Report No. WI2/2020**

**Works and Infrastructure**



- It was noted that multiple CRM's have been received in relation to this matter.

**RECOMMENDATION**

That Council authorises the installation of signage and barriers on the laneway between Mount View Road and Tempranillo Crescent, Cessnock in accordance with Tempranillo Crescent Cessnock \_ Signage & Barrier Diagram.

**SUPPORT:** Unanimous

**SUBJECT:** AVERYS LANE, BUCHANAN  
LINE MARKING

**REPORT NO.:** TC49/2019

**REFERENCE.:** CC 110/2019/29/1

**MATTER:** The approved subdivision and development of Lot 1 DP1251405 on Averys Lane, Buchanan requires an upgrade to sections of Averys Lane as a condition of consent.

**DISCUSSION:** The matter was described as per the report, without further discussion.

**RECOMMENDATION**

That Council authorises installation of line marking on Averys Lane, Buchanan in accordance with the Averys Lane Buchanan \_ Line Marking Diagram.

**SUPPORT:** Unanimous

**SUBJECT:** BEAUFORT AVENUE, BELLBIRD  
INTERSECTION LINE MARKING

**REPORT NO.:** TC50/2019

**REFERENCE.:** DA 8/2002/919

**MATTER:** An approved development of Lot 90 DP 839032 at number 92 - 94 Kendall Street, Bellbird has resulted in the installation of a new 'T' Intersection requiring the installation of line marking.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

- It was recommended that *Side Road Intersection on Straight* signs be installed in advance of the intersection;
- It was noted that the Development Consent dated from 2002, and did not specify an upgraded intersection treatment, such as a BAR treatment for Kendall Street.

Works and Infrastructure

Report No. WI2/2020

Works and Infrastructure



**RECOMMENDATION**

That Council authorises installation of line marking at the intersection of Beaufort Avenue and Kendall Street, Bellbird, in accordance with the Beaufort Avenue Bellbird \_ Line Marking Diagram.

**SUPPORT:** Unanimous

**SUBJECT:** CUMBERLAND STREET, CESSNOCK  
REGULATORY PARKING

**REPORT NO.:** TC51/2019

**REFERENCE.:** DOC2019/118596

**MATTER:** The redevelopment of the Cessnock Police Station requires changes to regulatory parking and line marking to facilitate upgraded vehicular access, and dedicated on-street parking in Cumberland Street Cessnock, for police vehicles.

**DISCUSSION:** The matter was described as per the report, and discussed as follows:

- The RMS representative advised that the RMS Land Use Development section had not received notification of the police station upgrade. Generally such notification from the Developer would be forthcoming due the close proximity to a signalised, State road intersection.
- It was noted that general reservations exist with the proposed entry and exit driveway on the north eastern end of Cumberland Street (formerly Millfield Street) due to the potential to increase the queue length at the singalised T-intersection with Wollombi Road and the presence of the 90° bend on the eastbound approach presenting potential sight distance issues. Left in / left out is the preferred option, as well as a 10 – 15 metre set back at the vehicle control point (gate or barrier) to enable off-road storage.

**RECOMMENDATION**

That Council authorises the installation of regulatory parking signage and line marking on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock \_ Signage & Line Marking Diagram.

**SUPPORT:** Unanimous

Works and Infrastructure

Report No. WI2/2020

Works and Infrastructure



## **CORRESPONDENCE**

**SUBJECT:** CHARLTON STREET, CESSNOCK  
SHARED ZONE

**REPORT NO.:** TC52/2019

**REFERENCE.:**

**MATTER:** Consent has recently been received from Roads and Maritime Services (RMS) to implement a 10 km/h Shared Zone on Charlton Street, Cessnock.

**COMMENT:** Stage 1 of the Cessnock Civic Precinct Revitalisation project is nearing completion. Within Stage 1, Cooper and Charlton Streets have been designed and treated to accommodate a 10 km/h Shared Zone, with the removal of kerb and guttering, installation of a raised threshold with paving tiles across the width of the road reserve, as well as architectural and landscaping treatments.

The intersection of Cooper and Charlton Streets is currently operating under temporary traffic control with some turning restrictions and a 10 km/h Road Work Speed Limit prevailing, within the existing 40 km/h High Pedestrian Activity Area. The new road environment created has the appearance of a Shared Zone, but as yet is not afforded the regulatory obligations on road users or the safety benefits to pedestrians.

RMS granted consent to a proposal for implementation of the 10 km/h Shared Zone along the treated sections of Charlton Street, as part of the Stage 1 works, to enhance pedestrian safety and amenity.

It is noted that the implementation of this initial Shared Zone, ahead of future introduction of the full Shared Zone encompassing Cooper Street, will serve to reduce speed through the temporarily reinstated roundabout. In keeping with the materials used and improved pedestrian amenity provided, this speed reduction is desirable in the newly created road environment.

### **RECOMMENDATION**

**That Council notes the consent of Roads and Maritime Services has been received for implementation of a 10km/h Shared Zone in Charlton Street, Cessnock as outlined in the Charlton Street Cessnock \_ Shared Zone Approval.**

## **GENERAL BUSINESS**

Nil

**CLOSURE:** The Meeting was declared closed at 10.27am

**Works and Infrastructure**

**Report No. WI2/2020**

**Works and Infrastructure**

---



**ENCLOSURES**

- [1](#) TC46/2019 - Tomalpin Street Kearsley \_ Signage & Line Marking Diagram
- [2](#) TC47/2019 - Rothbury Street Nulkaba \_ Signage Diagram
- [3](#) TC48/2019 - Tempranillo Crescent Cessnock \_ Signage & Barrier Diagram
- [4](#) TC48/2019 - Tempranillo Crescent Cessnock \_ Pedestrian Barrier Specification
- [5](#) TC49/2019 - Averys Lane Buchanan \_ Line Marking Diagram
- [6](#) TC50/2019 - Beaufort Avenue Bellbird \_ Line Marking Diagram
- [7](#) TC51/2019 - Cumberland Street Cessnock \_ Signage & Line Marking Diagram
- [8](#) TC52/2019 - Charlton Street Cessnock \_ Shared Zone
- [9](#) TC52/2019 - Charlton Street Cessnock \_ Shared Zone Approval



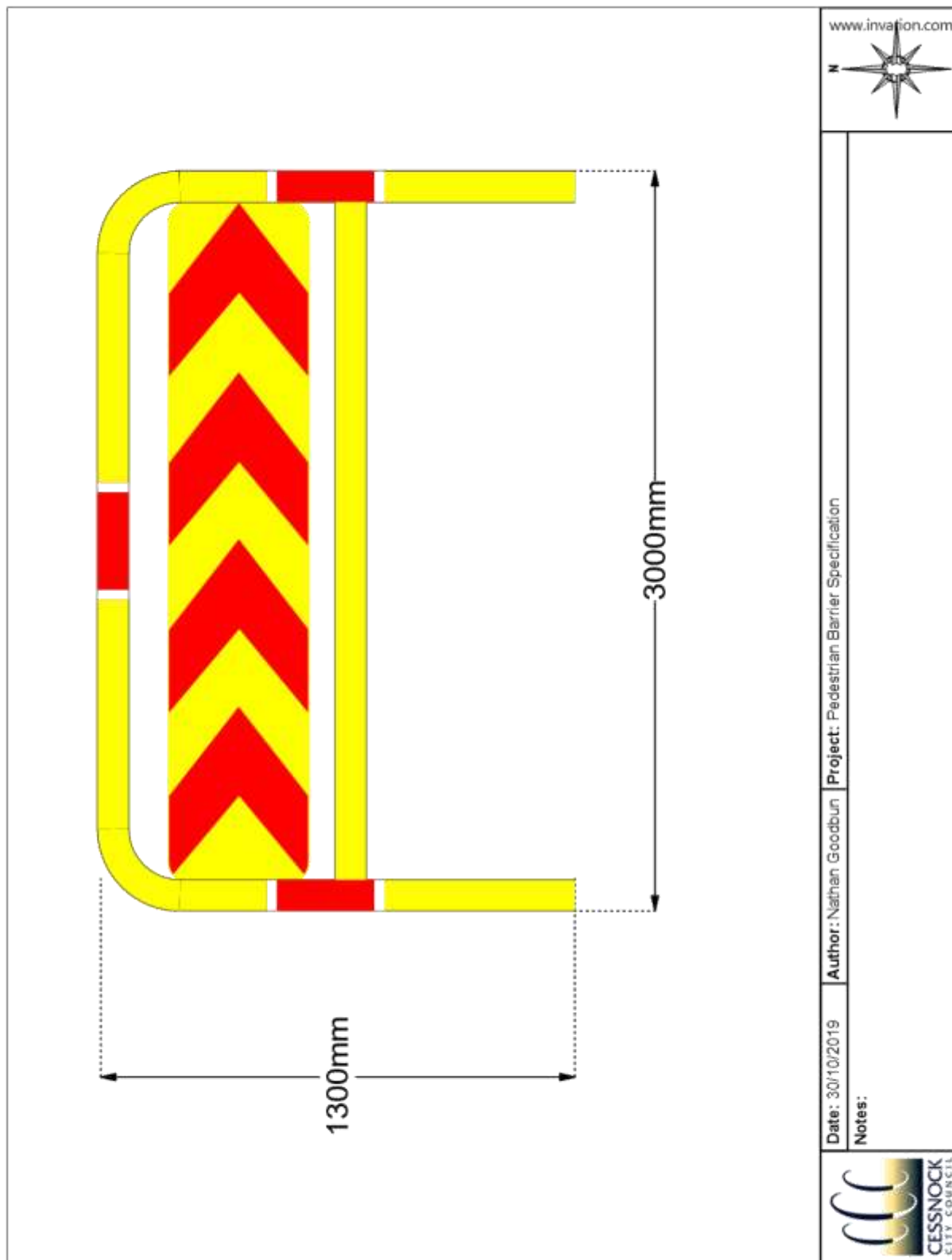












## CONSTRUCTION CERTIFICATE ISSUE

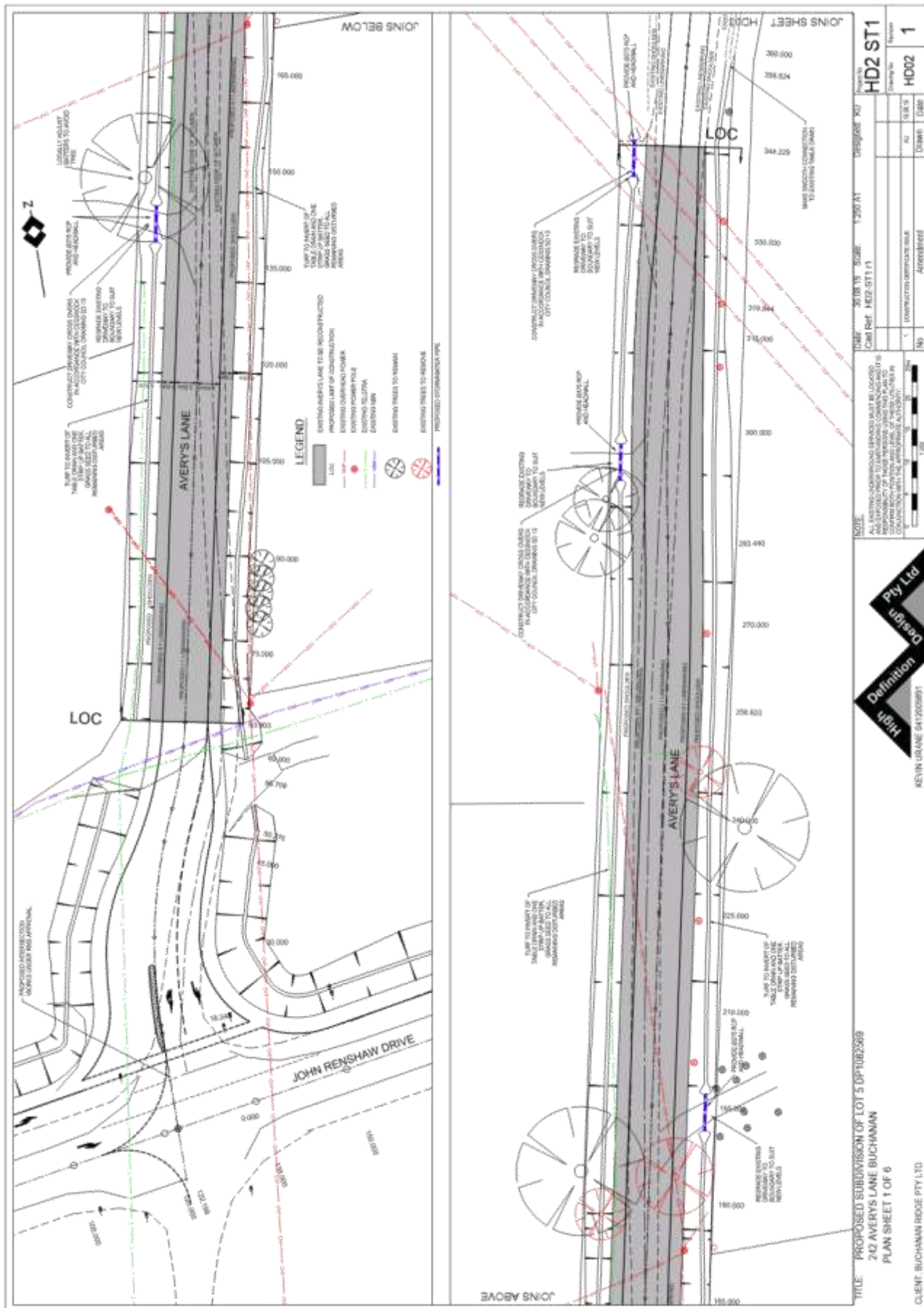


- DRAWING SCHEDULE

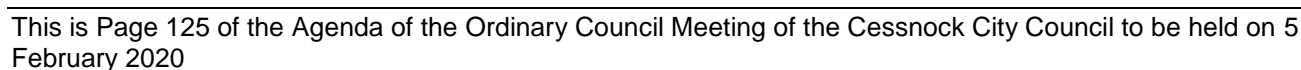
DATE - 10TH AUGUST 2019		SHEET TITLE	REVISION
DIVD No.	CONTR SHEET		
H001	CHIMNEY, PLUMB BERRY	01	
H002	PLUMB BERRY 1 OF 6	01	
H003	PLUMB BERRY 2 OF 6	01	
H004	PLUMB BERRY 3 OF 6	01	
H005	PLUMB BERRY 4 OF 6	01	
H006	PLUMB BERRY 5 OF 6	01	
H007	PLUMB BERRY 6 OF 6	01	
H008	ANALYS LANE LONVICAL, SECTION 1 OF 3	01	
H009	ANALYS LANE LONVICAL, SECTION 2 OF 3	01	
H010	ANALYS LANE LONVICAL, SECTION 3 OF 3	01	
H011	ANALYS LANE LONVICAL, SECTION 4 OF 3	01	
H012	ANALYS LANE LONVICAL, SECTION 5 OF 3	01	
H013	ANALYS LANE LONVICAL, SECTION 6 OF 3	01	
H014	ANALYS LANE LONVICAL, SECTION 7 OF 3	01	
H015	ANALYS LANE LONVICAL, SECTION 8 OF 3	01	
H016	ANALYS LANE LONVICAL, SECTION 9 OF 3	01	
H017	ANALYS LANE LONVICAL, SECTION 10 OF 3	01	
H018	ANALYS LANE LONVICAL, SECTION 11 OF 3	01	
H019	ANALYS LANE LONVICAL, SECTION 12 OF 3	01	
H020	ANALYS LANE LONVICAL, SECTION 13 OF 3	01	
H021	ANALYS LANE LONVICAL, SECTION 14 OF 3	01	
H022	ANALYS LANE LONVICAL, SECTION 15 OF 3	01	
H023	ANALYS LANE LONVICAL, SECTION 16 OF 3	01	
H024	ANALYS LANE LONVICAL, SECTION 17 OF 3	01	
H025	ANALYS LANE LONVICAL, SECTION 18 OF 3	01	
H026	ANALYS LANE LONVICAL, SECTION 19 OF 3	01	
H027	ANALYS LANE LONVICAL, SECTION 20 OF 3	01	
H028	ANALYS LANE LONVICAL, SECTION 21 OF 3	01	
H029	ANALYS LANE LONVICAL, SECTION 22 OF 3	01	
H030	ANALYS LANE LONVICAL, SECTION 23 OF 3	01	
H031	ANALYS LANE LONVICAL, SECTION 24 OF 3	01	
H032	ANALYS LANE LONVICAL, SECTION 25 OF 3	01	
H033	ANALYS LANE LONVICAL, SECTION 26 OF 3	01	
H034	ANALYS LANE LONVICAL, SECTION 27 OF 3	01	
H035	ANALYS LANE LONVICAL, SECTION 28 OF 3	01	
H036	ANALYS LANE LONVICAL, SECTION 29 OF 3	01	
H037	ANALYS LANE LONVICAL, SECTION 30 OF 3	01	
H038	ANALYS LANE LONVICAL, SECTION 31 OF 3	01	
H039	ANALYS LANE LONVICAL, SECTION 32 OF 3	01	
H040	ANALYS LANE LONVICAL, SECTION 33 OF 3	01	
H041	ANALYS LANE LONVICAL, SECTION 34 OF 3	01	
H042	ANALYS LANE LONVICAL, SECTION 35 OF 3	01	
H043	ANALYS LANE LONVICAL, SECTION 36 OF 3	01	
H044	ANALYS LANE LONVICAL, SECTION 37 OF 3	01	
H045	ANALYS LANE LONVICAL, SECTION 38 OF 3	01	
H046	ANALYS LANE LONVICAL, SECTION 39 OF 3	01	
H047	ANALYS LANE LONVICAL, SECTION 40 OF 3	01	
H048	ANALYS LANE LONVICAL, SECTION 41 OF 3	01	
H049	ANALYS LANE LONVICAL, SECTION 42 OF 3	01	
H050	ANALYS LANE LONVICAL, SECTION 43 OF 3	01	
H051	ANALYS LANE LONVICAL, SECTION 44 OF 3	01	
H052	ANALYS LANE LONVICAL, SECTION 45 OF 3	01	
H053	ANALYS LANE LONVICAL, SECTION 46 OF 3	01	
H054	ANALYS LANE LONVICAL, SECTION 47 OF 3	01	
H055	ANALYS LANE LONVICAL, SECTION 48 OF 3	01	
H056	ANALYS LANE LONVICAL, SECTION 49 OF 3	01	
H057	ANALYS LANE LONVICAL, SECTION 50 OF 3	01	
H058	ANALYS LANE LONVICAL, SECTION 51 OF 3	01	
H059	ANALYS LANE LONVICAL, SECTION 52 OF 3	01	
H060	ANALYS LANE LONVICAL, SECTION 53 OF 3	01	
H061	ANALYS LANE LONVICAL, SECTION 54 OF 3	01	
H062	ANALYS LANE LONVICAL, SECTION 55 OF 3	01	
H063	ANALYS LANE LONVICAL, SECTION 56 OF 3	01	
H064	ANALYS LANE LONVICAL, SECTION 57 OF 3	01	
H065	ANALYS LANE LONVICAL, SECTION 58 OF 3	01	
H066	ANALYS LANE LONVICAL, SECTION 59 OF 3	01	
H067	ANALYS LANE LONVICAL, SECTION 60 OF 3	01	
H068	ANALYS LANE LONVICAL, SECTION 61 OF 3	01	
H069	ANALYS LANE LONVICAL, SECTION 62 OF 3	01	
H070	ANALYS LANE LONVICAL, SECTION 63 OF 3	01	
H071	ANALYS LANE LONVICAL, SECTION 64 OF 3	01	
H072	ANALYS LANE LONVICAL, SECTION 65 OF 3	01	
H073	ANALYS LANE LONVICAL, SECTION 66 OF 3	01	
H074	ANALYS LANE LONVICAL, SECTION 67 OF 3	01	
H075	ANALYS LANE LONVICAL, SECTION 68 OF 3	01	
H076	ANALYS LANE LONVICAL, SECTION 69 OF 3	01	
H077	ANALYS LANE LONVICAL, SECTION 70 OF 3	01	
H078	ANALYS LANE LONVICAL, SECTION 71 OF 3	01	
H079	ANALYS LANE LONVICAL, SECTION 72 OF 3	01	
H080	ANALYS LANE LONVICAL, SECTION 73 OF 3	01	
H081	ANALYS LANE LONVICAL, SECTION 74 OF 3	01	
H082	ANALYS LANE LONVICAL, SECTION 75 OF 3	01	
H083	ANALYS LANE LONVICAL, SECTION 76 OF 3	01	
H084	ANALYS LANE LONVICAL, SECTION 77 OF 3	01	
H085	ANALYS LANE LONVICAL, SECTION 78 OF 3	01	
H086	ANALYS LANE LONVICAL, SECTION 79 OF 3	01	
H087	ANALYS LANE LONVICAL, SECTION 80 OF 3	01	
H088	ANALYS LANE LONVICAL, SECTION 81 OF 3	01	
H089	ANALYS LANE LONVICAL, SECTION 82 OF 3	01	
H090	ANALYS LANE LONVICAL, SECTION 83 OF 3	01	
H091	ANALYS LANE LONVICAL, SECTION 84 OF 3	01	
H092	ANALYS LANE LONVICAL, SECTION 85 OF 3	01	
H093	ANALYS LANE LONVICAL, SECTION 86 OF 3	01	
H094	ANALYS LANE LONVICAL, SECTION 87 OF 3	01	
H095	ANALYS LANE LONVICAL, SECTION 88 OF 3	01	
H096	ANALYS LANE LONVICAL, SECTION 89 OF 3	01	
H097	ANALYS LANE LONVICAL, SECTION 90 OF 3	01	
H098	ANALYS LANE LONVICAL, SECTION 91 OF 3	01	
H099	ANALYS LANE LONVICAL, SECTION 92 OF 3	01	
H100	ANALYS LANE LONVICAL, SECTION 93 OF 3	01	
H101	ANALYS LANE LONVICAL, SECTION 94 OF 3	01	
H102	ANALYS LANE LONVICAL, SECTION 95 OF 3	01	
H103	ANALYS LANE LONVICAL, SECTION 96 OF 3	01	
H104	ANALYS LANE LONVICAL, SECTION 97 OF 3	01	
H105	ANALYS LANE LONVICAL, SECTION 98 OF 3	01	
H106	ANALYS LANE LONVICAL, SECTION 99 OF 3	01	
H107	ANALYS LANE LONVICAL, SECTION 100 OF 3	01	

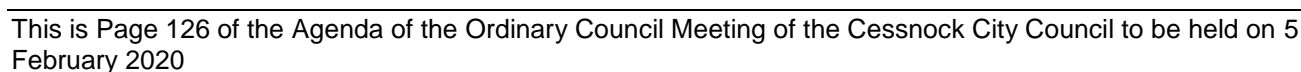
SEVIN LIGANE 0412008991  
High Definition Design Pty Ltd







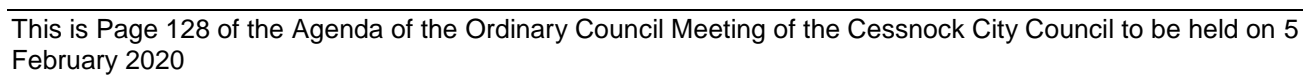
















1 November 2019

Nicholas Trajcevski  
RMS – Network & Safety Officer  
Level 8, 266 King Street  
NEWCASTLE NSW 2300

Contact: Warren Jeffery  
Our Ref: DOC2019/115809  
CRM: R-2093

Dear Nicholas

**Proposed Shared Zone  
Charlton Street, Cessnock**

I refer to the comprehensive documents previously supplied by Council, seeking approval from RMS for the implementation of a 10 km/h Shared Zone within the Cessnock CBD, on relevant lengths of Cooper and Charlton Streets, as part of our extensive CBD Revitalisation Project.

I am aware that the relevant documents have been reviewed by RMS and that in principle support for the proposal was communicated to Council, in a letter dated 23 April, 2018, from Mark Morrison, the then RMS - Acting Manager of Network and Safety Services.

We are now approaching the conclusion of Phase 1 of the project and our current position is that the intersection of Cooper and Charlton Street has been treated to accommodate a Shared Zone, with the removal of kerb and guttering, installation of a raised threshold (paving tiles across the width of the road reserve), as well as architectural and landscaping treatments.

In essence, we have created a road environment with the appearance of a Shared Zone but as yet not affording the regulatory obligations on road users or the safety benefits to pedestrians.

The intersection is currently operating under temporary traffic control with a 10 km/h Road Work Speed Limit prevailing in what is ordinarily a 40 km/h High Pedestrian Activity Area.

Prior to undertaking Phase 2 of the CBD Revitalisation Project it is proposed to reintroduce the previously existing roundabout controls at the intersection – returning it to free flowing conditions, whilst essential land procurement is being undertaken to connect the adjacent Keene Street to Wollombi Road, so that buses can be removed from Cooper Street, which will then be converted to meet Shared Zone criteria.

t: 02 4993 4100 f: 02 4993 2500  
p: PO Box 152 Cessnock NSW 2325 or DX 21502 Cessnock  
e: [council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au) w: [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)  
ABN 60 919 148 928

Page 2

In the interim period, in order to enhance pedestrian safety and amenity, Council is seeking approval for the implementation of a 10 km/h Shared Zone along the treated sections of Charlton Street, as depicted on the attached concept plan.

If you require any further information, or would like to meet with us and visit the site, please do not hesitate to contact me by telephone on 02 9993 4283 or by email on [warren.jeffery@cessnock.nsw.gov.au](mailto:warren.jeffery@cessnock.nsw.gov.au).

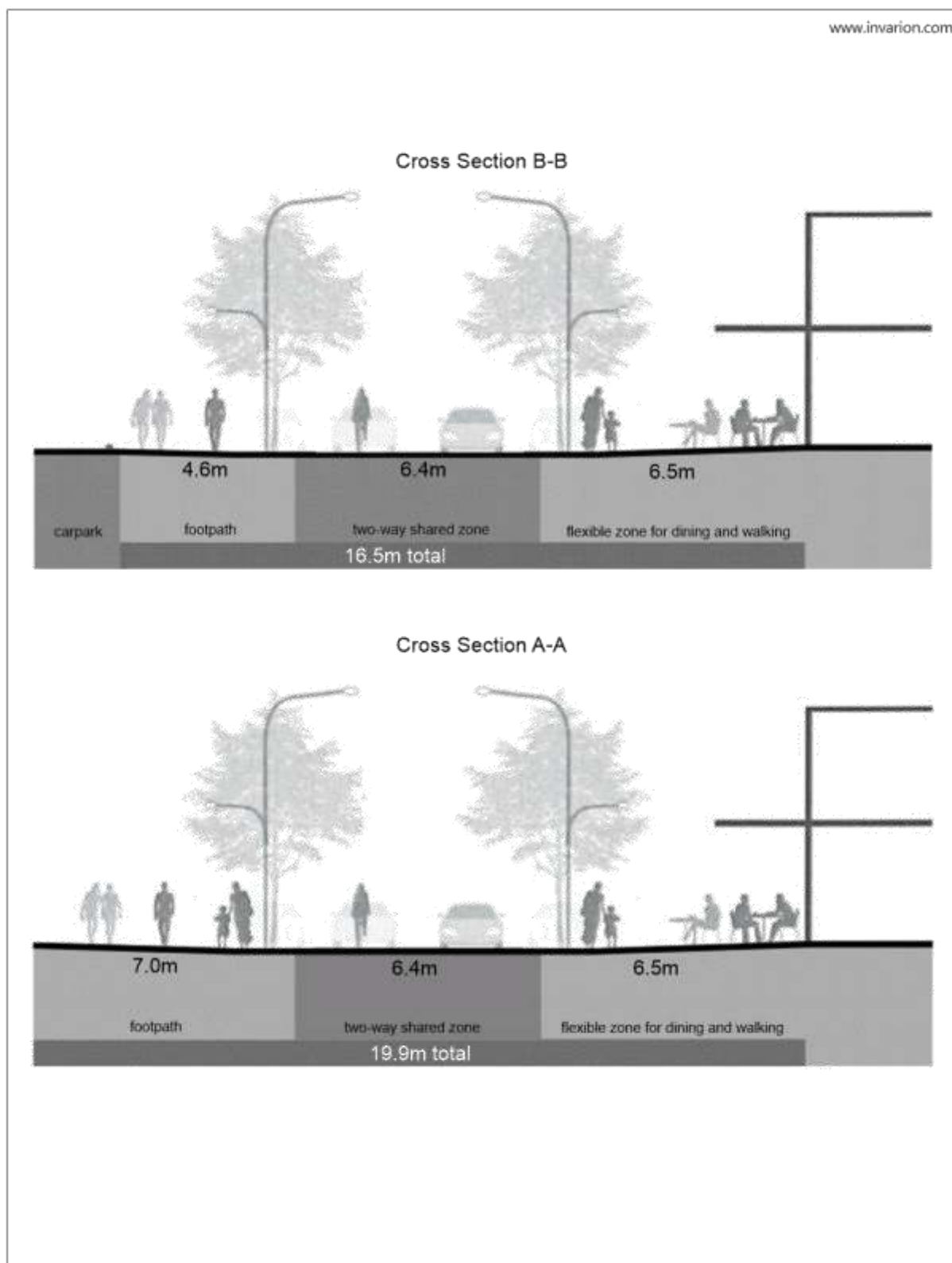
Yours faithfully



Warren Jeffery  
Principal Engineer – Traffic & Transport

Enc. 2







**From:** Warren Jeffery  
**Sent:** Friday, 8 November 2019 3:07 PM  
**To:** Nicholas Trajcevski <nicholas.trajcevski@rms.nsw.gov.au>  
**Cc:** Ken Saxby <ken.saxby@rms.nsw.gov.au>  
**Subject:** Traffic & Transport \_ Charlton Street Cessnock \_ Shared Zone Approval \_ Roads & Maritime Services

Hi Nicholas,

Thank you for the update and your prompt attention to our request.

Regarding your query about parking; the relevant sections of Charlton Street have no provision for the parking of motor vehicles, however both lengths connect to adjacent car parks which will be accessible from points beyond the shared zone.

We will advise you by email when the 10 km/h shared zone is installed and we will report the matter to LTC as a General Business item for information purposes.

Once again, thank you for your assistance with this matter.

Kind regards,



**Warren Jeffery** Principal Engineer Traffic & Transport Infrastructure  
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325  
p 02 4993 4283 | m 0401 107 417  
[www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



**Integrity, Respect, Teamwork, Accountability and Excellence**

**From:** Nicholas Trajcevski  
**Sent:** Friday, 8 November 2019 2:09 PM  
**To:** Warren Jeffery  
**Cc:** Ken Saxby  
**Subject:** RE: Traffic & Transport \_ Charlton Street Cessnock \_ Proposed Shared Zone \_ Roads & Maritime Services

Hi Warren

I refer to council's letter requesting the implementation of the 10km/h shared zone signage for Charlton Street/ Cooper Street, Cessnock.

Upon reviewing the concept design, RMS gives Cessnock City Council approval to install the 10km/h shared zone (R4-4, R2-10 & R4-5) signage for the sections treated along Charlton Road, north and south of the intersection of Cooper Street.

In relation to the following stages of the project, Council will be required to seek further concurrence for further shared zone signage.

Following the implementation of these signs on Charlton Street, RMS requests that council undertake traffic volume counts of the shared zones to review the impact of the speed change. I would assume that this design will be presented at LTC?  
I only ask as the design doesn't show us any parking signage or changes within these locations.

Any questions please let me know.

Regards,  
Nicholas Trajcevski  
Network & Safety Officer  
Regional and Outer Metro

T - 02 49 087 751  
Level 8, 266 King Street Newcastle NSW 2300  
[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)

**From:** Warren Jeffery [<mailto:Warren.Jeffery@cessnock.nsw.gov.au>]  
**Sent:** Friday, 1 November 2019 4:12 PM  
**To:** Nicholas Trajcevski  
**Cc:** Ken Saxby  
**Subject:** Traffic & Transport \_ Charlton Street Cessnock \_ Proposed Shared Zone \_ Roads & Maritime Services

Hi Nicholas,

Please find attached letter regarding the proposed 10 km/h shared zone for Cessnock CBD. A hard copy has been forwarded by post.

Your prompt consideration of this matter would be appreciated, as the intersection is currently operating as a road works zone, under temporary traffic control and the community is keen for the CBD to return to free flowing conditions.

If you require clarification of any issues or additional information, please do not hesitate to contact me by reply email or telephone on the numbers below,.

Kind regards,



Warren Jeffery Principal Engineer Traffic & Transport Infrastructure  
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325  
p 02 4993 4283 | m 0401 107 417  
[www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



Integrity, Respect, Teamwork, Accountability and Excellence

Before printing, please consider the environment

**IMPORTANT NOTICE:** This email and any attachment to it are intended only to be read or used by the named addressee. It is confidential and may contain legally privileged information. No confidentiality or privilege is waived or lost by any mistaken transmission to you. Roads and Maritime Services is not responsible for any unauthorised alterations to this email or attachment to it. Views expressed in this message are those of the individual sender, and are not necessarily the views of Roads and Maritime Services. If you receive this email in error, please immediately delete it from your system and notify the sender. You must not disclose, copy or use any part of this email if you are not the intended recipient.

Works and Infrastructure

Report No. WI3/2020

Works and Infrastructure



**SUBJECT:** *CONGEWAI ROAD, CONGEWAI  
PETITION FOR BRIDGE AT HELENS CROSSING*

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

**SUMMARY**

The purpose of this report is to address a petition lodged by residents requesting that Council provide a bridge across Congewai Creek, at the top end of Congewai Valley.

**RECOMMENDATION**

1. That Council notes the petition lodged by residents requesting a bridge across the Congewai Creek at the top end of Congewai Valley.
2. That Council retain the existing causeway and notifies the petition organiser accordingly.

**BACKGROUND**

A written and signed petition was lodged by residents of Congewai Creek at the top end of Congewai Valley, requesting that Council provide a bridge across the creek, on the grounds of safety, access and water quality.

The top end of the Congewai Valley is a remote rural area with six (6) properties served by an existing causeway on Congewai Road.

This report details the assessment of the request based on the 'Criteria for Prioritisation' as documented in Council's adopted Stormwater, Waterway and Floodplain Strategy 2018.

**REPORT/PROPOSAL**

**Petition:** The petition, features five signatories, one of whom appears to reside in Congewai Road, Congewai and two who reside elsewhere within the LGA, and two from outside the LGA. The petitioners are requesting that Council construct a bridge on Congewai Road, Congewai at Helens Crossing. The petition further states that two property owners "intend to live full time on their land". The Petition is provided as **Enclosure 1**.

**Location:** Congewai Road roughly follows the floor of the Congewai Valley to its upper reaches. The area is rural, the majority of land being rated Farmland, with limited residential buildings beyond an existing causeway that crosses Congewai Creek.

The existing unsealed road services approximately six properties beyond the causeway, and is currently maintained once per year.

The existing causeway is located on Congewai Road as shown in **Figure 1** below:

## Works and Infrastructure

Report No. WI3/2020

## Works and Infrastructure



Figure 1 – Location Map - Helens Crossing, Congewai Road, Congewai

**Existing Infrastructure:** The existing causeway at Helens Crossing is similar to Balder Creek crossing on Sawpit Road, Cedar Creek, with only one access road in and out. There are several bridges and culverts located along Congewai Road, as detailed in **Table 1** below.

Table 1 – Existing Bridges and Culverts - Congewai Road, Congewai

Asset ID	Asset Name	Asset Type	Replacement Cost
192	Crawford Bridge	Timber Bridge	\$267,547
45	Burgesses Bridge	Timber Bridge	\$177,722
190	Lowes Bridge Culverts	Concrete Culverts	\$301,307
149	Multi Cell Culverts	Concrete Culverts	\$239,467

**Requested Bridge:** Construction of a bridge is not listed in any current capital works program. Based on the Criteria for Prioritisation as documented in Council's adopted *Stormwater, Waterway and Floodplain Strategy 2018*, the Prioritisation Criteria and Criteria Significance Score for a bridge is 15 out of 49, as shown in **Table 2** below.

Table 2 – Prioritisation Criteria

Criteria	Weight	Score	Max Score	Weighted Score	Max Weighted Score
Risk to life	3	1	4	3	12
Risk to property	2	0	4	0	8
Risk to infrastructure	2	1	4	2	8
Risk to environment	1	2	4	2	4
Known priority area flooding problem	2	1	2	2	4
Pipe / structure condition	1	1	5	1	5
Known priority erosion hazard	2	1	2	2	4
Maintenance hotspot	1	2	2	2	2
Customer Request	1	1	2	1	2
Priority Score				<b>15</b>	<b>49</b>



**Works and Infrastructure**

**Report No. WI3/2020**

**Works and Infrastructure**



Given the low score attained from the Prioritisation Criteria, it is unlikely that this proposal will be recommended for Capital funding in the near future.

**OPTIONS**

N/A

**CONSULTATION**

**Internal Consultation:** This report has been prepared in consultation with the following Council officers:

- Principal Engineer – Environmental Infrastructure
- Principal Engineer – Traffic & Transport
- Works Engineer

**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017- 21:** The recommendation of this report aligns with the following:

- |           |        |  |
|-----------|--------|--|
| Objective | 1.3    | Promoting Safe Communities – Our roads are safe for motorists and pedestrians                              |
|           | 1.3.5  | Improve the safety of the road network   |
| Objective | 4.1    | Better transport links   |
|           | 4.1.1  | Advocate for increased road, public and community transport and associated infrastructure funding.         |
|           | 4.1.1a | Prepare applications for available grant funding to improve commuter, freight and tourism transport links. |
| Objective | 4.2    | Improving the road network   |
|           | 4.2.1  | Develop prioritised capital works programs in line with adopted asset management plans.                    |
|           | 4.2.2  | Deliver prioritised on-ground capital works and maintenance programs.                                      |

**b. Other Plans**

**Community Strategic Plan - Cessnock 2027:** The recommendation of this report aligns with the following objectives:

- |           |     |  |
|-----------|-----|--|
| Objective | 1.3 | Promoting safe communities - Our roads are safe for motorists and pedestrians. |
|-----------|-----|--|

**Works and Infrastructure**

**Report No. WI3/2020**

**Works and Infrastructure**



**Operational Plan 2018-19:** The recommendation of this report aligns with the following objectives:

- |           |        |  |
|-----------|--------|--|
| Objective | 1.3    | Promoting Safe Communities   |
|           | 1.3.5  | Improve the safety of the road network.  |
| Objective | 4.1    | Better transport links   |
|           | 4.1.1  | Advocate for increased road, public and community transport and associated infrastructure funding                                    |
|           | 4.1.1a | Prepare applications for available grant funding to improve commuter, freight and tourism transport links                            |
|           | 4.1.2  | Commence implementation of the Traffic & Transport Strategy.   |
| Objective | 4.2    | Improving the road network   |
|           | 4.2.1  | Develop prioritised capital works programs in line with adopted asset management plans   |
|           | 4.2.2  | Deliver prioritised on-ground capital works and maintenance programs   |
|           | 4.2.2b | Undertake in-house design and document road work, bridges and culverts to meet required service levels for the Capital Works Program |
|           | 4.2.2c | Advocate for and support applications for grant funding to improve road infrastructure.  |

**Stormwater, Waterway and Floodplain Strategy 2018:** The recommendation of this report aligns with the following Strategic Directions:

**Effective Stormwater Planning Strategy**

1. Water is considered a material planning consideration
2. Apply a holistic and multi-disciplinary approach to water planning
3. Maximise partnership opportunities in stormwater management and planning.

**Effectively Manage the Stormwater System Strategy**

1. Water assets are both maintainable and maintained
2. Maximise Water Sensitive Urban Design and water re-use opportunities in the planning and management of water
3. Soil controls and potential impacts are considered during planning and construction
4. Health and safety is addressed in water planning and management.

**Manage and Plan for Floodplain Risk and Floodplain Use Strategy**

1. Reduce the risk and impact of flooding and flood liability.

**Manage Council's Natural Waterways Strategy**

1. Natural waterways and riparian land is protected, restored and reinstated.
2. Holistic and multi-disciplinary approach to natural waterways management
3. Inform and raise awareness amongst the community of Council's management of water
4. Improved waterway health through effective implementation of the Stormwater, Floodplain and Waterways Strategy and Delivery Program.

**Works and Infrastructure**

**Report No. WI3/2020**

**Works and Infrastructure**



**Cessnock City Council - Road Safety Strategic Plan (2014 - 2018):** The recommendation of this report aligns with the following objectives:

Safer Roads: Develop Programs that will deliver safer roads and roadsides:

- |               |  |
|---------------|--|
| Objective 2.1 | Continue to manage Council's assets in an innovative and cost effective manner, delivering treatments for safe road use through improved design, construction, maintenance, operation and auditing of the road network |
| Objective 2.2 | Make applications under State and Federal Government road safety funding grant schemes for targeted road infrastructure works programs to enhance safety outcomes for all road users.                                  |
| Objective 2.3 | Administer Council's Capital Works Program to ensure that road safety is considered throughout the design, construction, maintenance, operation and audit of the road network for all road users.                      |

**IMPLICATIONS**

**a. Policy and Procedural Implications**

**Capital Works:** Capital works are recommended, considered and adopted in line with procedures for preparation of Council's 4-year Delivery Program. Recommendations are based on the condition of existing assets, demand (such as traffic volumes), and planned future development.

**Petitions:** This report has been prepared in accordance with Council's standard practice for reporting petitions.

**b. Financial Implications**

**Current Funding:** No funding is currently allocated to carry out any capital works at the location.

**Cost to Council of Request:** The cost of the requested bridge is likely to be in the order of \$250,000.

**c. Legislative Implications**

**Civil Liability Act 2002:**

- Section 42 – Principles concerning resources, responsibilities etc. of public and other authorities
- Section 43 – Proceedings against public or other authorities based on breach of statutory duty
- Section 45 – Special nonfeasance protection for roads authorities
- Section 46 – Exercise of function or decision to exercise does not create duty.

**d. Risk Implications**

**Safety Risk:** It is untenable to simply install a bridge without investigating the feasibility of alternative options that may improve existing conditions, albeit to a lesser level of service.

**Works and Infrastructure**

**Report No. WI3/2020**

**Works and Infrastructure**



**Financial Risk:** Council risks financial liability for potential capital costs due to unforeseen requirements, including but not limited to property acquisition or temporary occupation licence to provide a detour during construction.

**Reputational Risk:** Council faces reputational risk if it expends funds on infrastructure for which there is a demonstrated lack of demand, rather than directing such funds to more essential infrastructure.

Conversely, Council also faces reputational risk if it fails to meet community expectations in the provision of infrastructure, particularly where there is no alternative means of access.

**e. Environmental Implications**

**Water Quality:** There are potential issues resulting from pollution of waterways from run-off of the gravel road and cars using the existing crossing.

There is a risk of water quality implications during construction of creek crossing, particularly during a rain event.

**f. Other Implications**

Nil

**CONCLUSION**

Given the low score attained from the Prioritisation Criteria, it is recommended that Council does not proceed with upgrading the existing causeway, known as "Helens Crossing" on Congewai Road, Congewai.

**ENCLOSURES**

[1](#) Congewai Road Congewai - Request Bridge Petition

Mayor Councillor Bob Pynsent

General Manager Stephen Glen

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



**RESIDENTIAL ACCESS TO CONGEWAI ROAD AT HELEN'S CROSSING**

To the Hon Bob Pynsent and Mr Glen,

We, the undersigned, are landowners and ratepayers with land in the vicinity of the ford across Congewai Creek, colloquially known as "Helen's Crossing" at the top-end of the Congewai Valley. We are writing to ask council to provide a bridge across the creek, on the grounds of safety, access and water quality.

We seek an on-site meeting with the Mayor and the council General Manager, so we can outline our concerns and stories personally, at the earliest possible time.

In recent years, Cessnock City Council approved the subdivision of larger rural land holdings east of the creek crossing, which are designated as rural lifestyle blocks. This reflects the reality that the historical rural enterprises are no longer capable of generating sufficient income with traditional farming or timber-getting methods to be viable.

In terms of the recent subdivision, the owners of both Lots 170 and 171, Fiona Ryan-Clark and Dr Chantal Peters, intend to live full time on their land. It is a matter of health and safety that these ratepayers are able to access health care and other services – including emergency services - like any other resident of the council area. Furthermore even for those owners who do not require access

and egress every single day it is just as important that they are able to gain access/egress when needed and we know of instances when a helicopter has had to be ordered up to allow a hospital attendance.

The existing river crossing frequently does not permit access or egress to these and the other properties, a matter which should have informed council's process in giving approval to the subdivision, and redesignation of the land's zoning.

Further, local landowners have repeatedly raised the water quality issues resulting from the existing ford, not just from traffic but also from the grading of the dirt road. This will only get worse with the inevitable traffic from residential occupation and construction in this portion of the valley. There is currently a joint NSW Government and Hunter Water program to improve the water quality in both the Congewai and Quorrobolong valleys. As this crossing is near the head of the valley, incidents which decrease water quality at this point have the potential to affect all downstream properties. In this, as in the safety and access issues, the construction of a bridge at this point is the only solution.

Provision of a bridge at this point would also allow landowners to have postboxes near their own property gates, as currently Australia Post will not cross the ford to provide deliveris.

If council would like to liaise in the meantime, then Fiona Ryan-Clark, [REDACTED] has offered to act as the contact point for this group of ratepayers.

Kind regards

Fiona Ryan-Clark

Chantal Peters

Ron Kaplan

Roger Sweetman

Chris Stothard

Works and Infrastructure  
Report No. WI4/2020  
Works and Infrastructure



**SUBJECT:** *HEDDON STREET, KURRI KURRI  
REINSTATEMENT OF NATURE STRIP*

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

### **SUMMARY**

The purpose of this report is to update Council regarding requests made to the Developer of 26 Lang Street, Kurri Kurri to reinstate the nature strip on Heddon Street associated with the development.

### **RECOMMENDATION**

1. That Council notes the most recent request for the Developer to reinstate the nature strip on Heddon Street.
2. That Council notes, that in the event that the Developer does not undertake the reinstatement as requested, that Council carries out the required works and recovers the cost from the Developer in accordance with Council's adopted *Fees & Charges 2019-20*.

### **BACKGROUND**

The Developer of an exhibition home on the corner of Lang and Heddon Streets, Kurri Kurri placed loose non-compatible aggregate on the nature strip in the Council road reserve without obtaining the necessary prior approval from Council.

At its Ordinary Meeting of 17 July 2019, Council considered Report WI40/2019, *Minutes of the Local Traffic Committee of 24 June 2019*, and resolved;

***TC20/2019 – Heddon Street Kurri Kurri – that this matter be referred to the General Manager for review to return the footpath back to a grass nature strip and that a further report come back to Council.***

This report provides an update and way forward in relation to requests made to the Developer to reinstate the nature strip on Heddon Street, Kurri Kurri.

### **REPORT/PROPOSAL**

**Location:** An exhibition home was developed at 26 Lang Street, Kurri Kurri on the corner of Lang and Heddon Streets, as shown in **Figure 1** below.





**Works and Infrastructure**

**Report No. WI4/2020**

**Works and Infrastructure**



**Requests to Reinstate:** In the first instance, correspondence was sent to the Developer advising of Council's resolution, and requesting that the nature strip be returned to "its traditional state i.e. grass nature strip / footpath and unsealed traversable road shoulder."

No formal response has been received to date and the requested works have not been undertaken. The applicant has not formally advised whether or not they intend to comply with the request.

In the second instance on 9 January 2020, further correspondence was sent to the Developer, which:

- requested that they reinstate the road reserve to its original condition within 21 days.
- outlined their current breaches under the *Roads Act 1993* and *Protection of the Environment Operations Act 1997*,
- advised the anticipated consequences if they do not comply with the request within the given timeframe, including that Council would:
  - undertake the work, or
  - arrange for a contractor to undertake the work, and
  - seek to recover the cost of the work from the applicant.

To date no response has been provided by the Developer.

**OPTIONS**

N/A

**CONSULTATION**

**Internal Consultation:** Consultation on this matter has occurred with Council officers as follows:

- Principal Engineer - Traffic & Transport Infrastructure
- Roads Officer
- Principal Development Engineer
- Works and Operations Manager
- Works Engineer
- Finance and Administration Manager
- Governance Officer

**External Consultation:** External consultation on this matter has occurred with external parties as follows:

- Macquarie Knight Designer Homes
- Members of the Local Traffic Committee, during inspections on 12 April 2019
- Rover Coaches

**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017-21:** This matter is related to the following objective:

- Objective 4.1 - Better transport links

**Works and Infrastructure**  
**Report No. WI4/2020**  
**Works and Infrastructure**



**b. Other Plans**

This matter is related to the the following Plans:

- *Cessnock City Council Road and Road Infrastructure Network Asset Management Plan (2017)*
- *Cessnock LGA Traffic & Transport Strategy 2018*
- *Community Strategic Plan Cessnock 2027*

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

**Cost to Council:** Should the Developer fail to act on the direction to remove the improvements, the cost of reinstatement works undertaken by Council will be recovered from the Developer. In such a case, the work will be undertaken, records kept, and a debtor account raised against the Developer to recover all costs incurred. There are not expected to be any permanent costs to Council, as costs incurred will be recovered from the Developer.

**c. Legislative Implications**

**Roads Act 1993:** Relevant to this matter, the Act provides:

**PART 1 – PRELIMINARY**

**6 Right of access to public road by owners of adjoining land**

(1) The owner of land adjoining a public road is entitled, as of right, to access (whether on foot, in a vehicle or otherwise) across the boundary between the land and the public road.

**PART 7 - PROTECTION OF PUBLIC ROADS AND TRAFFIC**

**Division 1 - Protection of public roads**

**101 Restoration of public road following excavation etc**

(1) A roads authority may direct any person by whom a public road is dug up to restore the road to its previous condition.

(2) If a public road is damaged as a result of a leakage from, or breaking or bursting of, any object or work placed in, on or over the road, the appropriate roads authority may direct the person:

- (a) who was responsible for placing the object or work in, on or over the road, or
  - (b) who has the care or control of the object or work, or
  - (c) whose act or omission caused the leakage, breaking or bursting,
- to restore the road to its previous condition.

(3) A direction under this section may specify:

**Works and Infrastructure**

**Report No. WI4/2020**

**Works and Infrastructure**



- (a) the manner in which or the standard to which, and
- (b) the period (being at least 14 days) within which,
- (c) the direction must be complied with.

(4) Instead of giving a direction under this section, a roads authority may take such action as is necessary to restore the road to its previous condition.

(5) The costs incurred by a roads authority in taking action under this section are recoverable from the person referred to in subsection (1) or (2), as a debt, in a court of competent jurisdiction.

(6) Nothing in this section authorises a roads authority to recover an amount greater than that necessary to restore the road to its previous condition.

**102 Liability for damage to public road**

(1) A person who causes damage to a public road, or to any road work on a public road or any traffic control facility on a road or road related area within the meaning of section 4 (1) of the Road Transport Act 2013 (other than a road or road related area that is the subject of a declaration made under section 18 of that Act relating to all of the provisions of that Act), is liable to pay to the appropriate roads authority the cost incurred by that authority in making good the damage.

(2) If damage referred to in this section is caused by a motor vehicle or vessel, the owner and the driver of the motor vehicle or, as the case may be, the owner and the master of the vessel are jointly and severally liable for the damage.

**PART 9 - REGULATION OF WORKS, STRUCTURES AND ACTIVITIES**

**Division 3 - Other works and structures**

**138 Works and structures**

(1) A person must not:

- a) erect a structure or carry out a work in, on or over a public road, or
- b) dig up or disturb the surface of a public road, or
- c) remove or interfere with a structure, work or tree on a public road, or
- d) pump water into a public road from any land adjoining the road, or
- e) connect a road (whether public or private) to a classified road,

otherwise than with the consent of the appropriate roads authority.

**Protection of the Environment Operations Act 1997:** Relevant to this matter, the Act provides:

**CHAPTER 5 - ENVIRONMENT PROTECTION OFFENCES**

**PART 5.3 - WATER POLLUTION**

**120 Prohibition of pollution of waters**

(1) A person who pollutes any waters is guilty of an offence.

**Works and Infrastructure**

**Report No. WI4/2020**

**Works and Infrastructure**



Note : An offence against subsection (1) committed by a corporation is an offence attracting special executive liability for a director or other person involved in the management of the corporation--see section 169.

(2) In this section:

"pollute" waters includes cause or permit any waters to be polluted.

123 Maximum penalty for water pollution offences

A person who is guilty of an offence under this Part is liable, on conviction:

in the case of an individual--to a penalty not exceeding \$250,000 and, in the case of a continuing offence, to a further penalty not exceeding \$60,000 for each day the offence continues.

**d. Risk Implications**

**Safety Risk:** There is currently a low risk of injury to members of the public due to the trip hazard when traversing the loose non-compactable aggregate.

There is currently a moderate risk of property damage and injury to road users due to impact hazard of aggregate stones being thrown up by an errant vehicle driver.

**Legal Risk:** There is currently a moderate risk of a claim on Council's Public Liability insurance in the event of damage or injury being sustained.

**e. Environmental Implications**

**Road Maintenance:** The current loose non-compactable aggregate may become an issue for future maintenance.

**f. Other Implications**

Nil

**CONCLUSION**

It is noted that, in accordance with Council's resolution of 17 July 2019, actions have been taken to expedite removal of the current loose non-compactable aggregate, reinstate the nature strip, and, where necessary, invoice the Developer to recover the costs incurred in the event that Council undertake these works.

**ENCLOSURES**

There are no enclosures for this report

Works and Infrastructure

Report No. WI5/2020

Works and Infrastructure



**SUBJECT:** *CESSNOCK ROAD, WESTON  
NAMING OF LANE*

**AUTHOR:** *Infrastructure Manager - Katrina Kerr*

**SUMMARY**

This report informs Council of a proposed name for the existing unnamed lane adjoining properties at 126 to 136 Cessnock Road, Weston and seeks approval to notify, advertise and seek gazettal of the proposed name in accordance with the relevant legislation.

**RECOMMENDATION**

1. That Council notes the proposed name of Middleby Lane for the existing unnamed lane adjoining 126 to 136 Cessnock Road, Weston in accordance Council's adopted Policy No.S35.2 – *Streets - Listing of Names for Use in naming of Streets* and the provisions of Section 162 of the *Roads Act 1993*.
2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Regulation 7 of the *Roads Regulation 2018*.
3. That provided no contrary submissions are received following notification and advertising of the proposed name, Council authorises the General Manager to proceed with the proposed name by seeking gazettal as required by the provisions of Regulation 7 of the *Roads Regulation 2018*.

**BACKGROUND**

Council has granted consent for a dual occupancy development at 136 Cessnock Road, Weston this property, along with the adjoining properties at 126, 128, 130, 132 and 134 Cessnock Road Weston could continue to be legally addressed to Cessnock Road, the NSW Geographical Names Board's (GNB) *NSW Address Policy and User Manual* for addressing state that "the main access, or where access is most likely to occur for a visitor, from a road to an address site (e.g. front door) determines the primary access".

Along the northern frontage of the subject properties, Cessnock Road dips away to a substantially lower level, such that the GNB definition of access and addressing is best met by access from the existing lane to the south. This matter has been brought to Council's attention by the recent development consent.

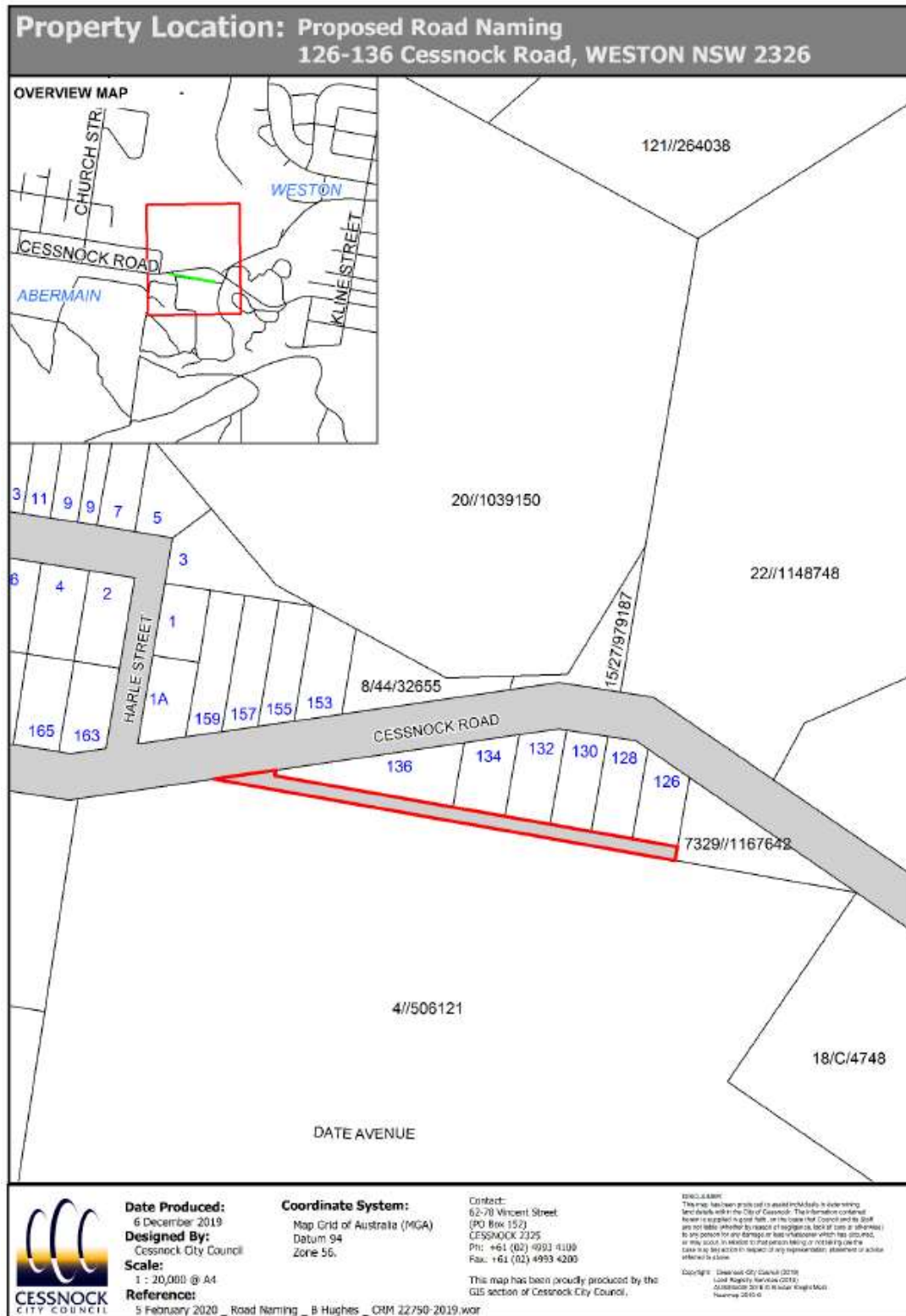
This report informs Council of a proposed name of Middleby Lane for the existing unnamed lane to the south of the properties in accordance with Council's adopted Policy No.S35.2 – *Streets - Listing of Names for Use in naming of Streets* and seeks to formalise the name through notification, advertising, consideration of submissions and gazettal in accordance with the provisions of the *Roads Act 1993* and the *Roads Regulation 2018*.

Works and Infrastructure  
Report No. WI5/2020  
Works and Infrastructure



**REPORT/PROPOSAL**

**Location:** The subject section of the unnamed lane is shown in **Figures 1 and 2** below.



**Figure 1 - Street Location Plan – Cessnock Road, Weston**





**Works and Infrastructure**

**Report No. WI5/2020**

**Works and Infrastructure**



Due to the local topography, access off Cessnock Road affects the subject properties shown in figures 1 and 2. While the majority of the subject residences have front doors that face Cessnock Road, should emergency services need to access these properties or visitors enter the properties, it is highly likely to be from the existing unnamed lane at the rear.

**Standards for Addressing:** The Australian and New Zealand Standard for addressing, *AS/NZS 4819:2011 Rural and urban addressing* states that "Address numbers shall be assigned according to the location of the point of access to the address site" and accordingly those properties accessed from the lane should be addressed to the presently un-named laneway.

**Geographical Names Board:** The GNB *NSW Address Policy and User Manual* are designed to reduce ambiguity in addressing particularly where it may delay emergency vehicles. As a result of this (and to correctly address the new dual occupancy development) it is proposed to name the existing unnamed lane to provide an alternative address for the properties. To minimise ambiguity it would be ideal if all the adjacent properties, 126, 128, 130, 132 and 134, are addressed to the lane.

**Road/Street Names:** The GNB Manual suggests preferred sources for road names include Aboriginal names, local history, early pioneers or other eminent persons, war lists or thematic names. The names should also be unique and avoid duplication of spelling or similarity of sound wherever possible.

Council's Policy No. S35.2 – *Streets - Listing of names for use in naming of streets* provides a list of pre-approved road names. The names listed were considered by the then Council and include names of pioneers of the area and names of horticultural significance. The list was adopted by a resolution of Council in 1976.

**Proposed Name:** The proposed name, taken from the remaining names on the list with Policy No.S35.2, is Middleby, which was proposed by an Alderman of the day. For the list of the remaining names, see **Enclosure 1**.

In proposing the name, the Council officer with appropriate delegation, used AS/NZS 4819:2011 and the GNB Manual in consideration of suitable names from the Policy list used.. For example, since the nearby Maybury Peace Park was previously known as Peace Park, Peace Lane was considered however found unacceptable as it sounds too similar to Pearce Street, noting that the road type being street or lane are ignored in these decisions to ensure clarity. Similarly, Hebburn Lane could not be used as the name Hebburn has already been allocated. By association with the location of the renamed park, Maybury Lane was also considered.

**Community Engagement:** Council officers consulted directly affected property owners. One submission was received from Mr Herbert who proposed the name Grifher Lane, based on a combination of part of his and his next door neighbour's (Mr Griffiths) surnames. This suggestion did not meet the GNB Manual, which also states that "*the names of people who are still alive shall not be used because community attitudes and opinions can change over time*".

Mr Herbert was contacted to explain the GNB Manual and as a result verbally suggested Holden, as he owns several; or Rogan, as his greyhounds used to have Rogan in their racing



**Works and Infrastructure**

**Report No. WI5/2020**

**Works and Infrastructure**



names. Although there are numerous roads named Holden in NSW and Victoria, both appeared to generally meet the GNB Manual.

Another resident, attended Council's Administration Building to discuss the matter and advised that she may send in suggestions based on the names of sporting fields however no further submission was received.

**Middleby Lane:** In view of the fact that the GNB has the final ruling on whether a proposed name is approved, the name Middleby was chosen from the adopted list within Council's Policy No.S35.2 – *Streets – Listing of names for Use in naming of Streets*.

It is recommended that Council note the proposed name of Middleby Lane and proceed to formalise naming of the existing unnamed lane. This is the preferred option as the name is:

- sourced from the current Council Policy,
- meets preferences in accordance with AS/NZS 4819:2011, and
- follows the GNB Manual.

**OPTIONS**

Council may not support the naming of this lane. This option is not preferred as the confusion would remain which may cause delay for emergency services and other people visiting the properties.

**CONSULTATION**

**Internal Consultation:** Consultation on this matter occurred with the following Council officers:

- GIS Officer

**External Consultation:** Consultation on this matter occurred with the following stakeholders:

- Directly affected property owners.

The broader community and relevant Authorities will be notified in accordance with Section 7 of the *Roads Regulation 2018*.

**STRATEGIC LINKS**

**a. Delivery Program**

**Delivery Program 2017-21:** This matter related to the following objective:

- Objective 4.1 Better Transport Links.

**b. Other Plans**

Nil

**Works and Infrastructure**

**Report No. WI5/2020**

**Works and Infrastructure**



**IMPLICATIONS**

**a. Policy and Procedural Implications**

The proposed name "Middleby" is taken from a list of names within Council's Policy No. S35.2 – *Streets - Listing of names for use in naming of streets*

- Standards - The Australian and New Zealand Standard for addressing, *AS/NZS 4819:2011 Rural and urban addressing*.
- NSW Geographical Names Board of NSW, NSW Address Policy and User Manual.

**b. Financial Implications**

**Cost to Council:** The proposal to name the road is estimated to cost \$600. This cost includes administration costs for notifications, advertising on Council's website, Gazettal Notice, notices to relevant Authorities and a street blade.

Funds are available under the Works & Infrastructure, Strategic Asset Planning, Road Administration budget.

**Cost to Owners and Occupiers:** There will be some impost on owners and occupiers to advise their alternate address should they choose to use it.

**c. Legislative Implications**

**Roads Act, 1993:** Council, as the Roads Authority and in accordance with s162 of the *Roads Act 1993*, may name and number council public roads.

**Roads Regulation 2018:** *The Regulations sets out* the process to be followed by Council to name or rename public roads.

The actions proposed in this report comply with the provisions of Section 162 of the *Roads Act 1993* and the provisions of the regulation now applicable, being regulation 7 of the *Roads Regulation 2018*, regarding notifications and advertising.

**d. Risk Implications**

**Safety Risk:** There is currently a moderate safety risk during an emergency response due to possible confusion in finding the location and gaining immediate access during an emergency.

Emergency service response to the community relies on street names and house numbering to be standardised in accordance with the GNB Manual for addressing and *AS/NZS 4819:2011 Rural and urban addressing* for house numbering.

**Economic Risk:** There is a very low economic risk due to possible confusion for transport, communication and mail/delivery services in finding the location and gaining timely access.

**e. Other Implications**

Nil.

**Works and Infrastructure**

**Report No. WI5/2020**

**Works and Infrastructure**

---



**CONCLUSION**

The recommendation of this report confirms to the applicable Australian Standard and NSW Address Policy and User Manual. Naming of the existing unnamed lane will improve clear road naming and way finding minimising confusion, errors and omissions and aims improve the ability for services, in particular emergency services, to locate the relevant properties.

The recommended name aligns with Council's Policy No. S35.2 – *Streets - Listing of names for use in naming of streets*.

**ENCLOSURES**

- [1](#) Council pre-approved road names

		Council pre-approved road names	
Arkinstall	Pioneer of North Arm Wollombi Brook		
Bickmore	Built brick store in Kurri		
Bourne	Pioneer of North Arm Wollombi Brook		
Clint	Pioneer of North Arm Wollombi Brook		
Craik	First solicitors in Kurri		
Crothers	Pioneer of North Arm Wollombi Brook & South Arm Wollombi Brook		
Crumblin	First bandmaster of Kurri Kurri band		
Dark	First postmaster in Kurri Kurri, store owner, founder of Kurri Progress Assoc		
De Bovis	Owner of hat salon in Vincent St		
Du Moulin	First Doctor in Wollombi		
Eugenia	From Cessnock Garden Club		
Fairs	Pioneer of Kurri Kurri District		
Felicia	From Cessnock Garden Club		
Gellately	First licensee of the Greta Inn		
Maugham	Pioneer of Kurri Kurri District		
Meffan	Pioneer of Kurri Kurri District		
Middleby	Suggested by Alderman		
Pendergast	Pioneer of North Arm Wollombi Brook		
Pogonoski	Launched Cessnock Express newspaper in 1905		
Purves	Pioneer of Black Creek		
Raisbeck	local artist		
Searston	Tennis Player		
Slack	Pioneer of North Arm Wollombi Brook		
Upfold	Owner of Electrical Business in Vincent St		
Vulpina	From Cessnock Garden Club		

Works and Infrastructure

Report No. WI6/2020

Works and Infrastructure



**SUBJECT:** *2019/20 COMMUNITY SWIMMING GRANTS PROGRAM*

**RESPONSIBLE OFFICER:** *Open Space and Community Facilities Manager - Nicole Benson*

---

### **SUMMARY**

This report provides information on the outcome of Council's application for funding under Swimming Australia's Community Swimming Grants program.

### **RECOMMENDATION**

**That Council notes the information contained within the report including that Council's application for funding under Swimming Australia's Community Swimming Grants program was unsuccessful.**

### **BACKGROUND**

At its meeting held on 23 October 2019 Council resolved *inter alia* that:

*If the School Holiday Intensive Water Safety program is covered by the Community Swimming Grants program and if Council is successful, Council consider offering the service as subsidised or free and a further report come to Council once the grant has been determined.*

### **REPORT/PROPOSAL**

Council lodged an application for grant funds under Swimming Australia's Community Swimming Grants Program on 8 November 2019 and was advised on 2 December 2019 that the application was unsuccessful. The email notification received from Swimming Australia stated the following:-

*We received an overwhelming number of strong applications from aquatic facilities, charity organisations, community organisations, councils, learn to swim providers, schools, swim clubs and other organisations.*

*After undertaking a thorough process, unfortunately on this occasion your application has not been successful.*

*As per the Community Swimming Grants program guidelines, applications were assessed by a panel, according to criteria regarding how well they met the funding objectives.*

*Consideration was also given to the geographical spread of locations including breakdown of metro, regional and remote locations nationwide.*

Council delivered a School Holiday Intensive Water Safety program at Branxton and Cessnock Pools from the 6<sup>th</sup> to 10<sup>th</sup> and 13<sup>th</sup> to 17<sup>th</sup> January 2020, respectively. Five classes were

**Works and Infrastructure**

**Report No. WI6/2020**

**Works and Infrastructure**

---



delivered each day and a total of 25 participants attended over the two week duration. Each participant paid the adopted fee of \$14.00 per lesson.

Further detailed information will be contained in the 2019/2020 Aquatic Season review when presented to Council.

***OPTIONS***

N/A

***CONSULTATION***

Swimming Australia  
Aquatic Facilities Coordinator

***STRATEGIC LINKS***

**a. Delivery Program**

N/A

**b. Other Plans**

N/A

***IMPLICATIONS***

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

The expenditure to provide the two week Intensive Water Safety program at Branxton and Cessnock Pools was \$1,195.00.

The total number of participants was 118.

The total income received from the program was \$1,652.00 (inclusive GST).

**c. Legislative Implications**

N/A

**d. Risk Implications**

N/A

**e. Environmental Implications**

N/A

**Works and Infrastructure**

**Report No. WI6/2020**

**Works and Infrastructure**

---



**f. Other Implications**

N/A

***CONCLUSION***

Council's application for funding under Swimming Australia's Community Swimming Grants program was unsuccessful.

***ENCLOSURES***

There are no enclosures for this report

Works and Infrastructure

Report No. WI7/2020

Works and Infrastructure



**SUBJECT:** *KURRI KURRI NOSTALGIA FESTIVAL - MARCH 2020*

**RESPONSIBLE OFFICER:** *Open Space and Community Facilities Manager - Nicole Benson*

### **SUMMARY**

Council has been approached by Towns With Heart (TWH) seeking in-kind support for the upcoming Kurri Kurri Nostalgia Festival, which is to be held on the weekend of 27, 28 and 29 March 2020.

The purpose of this report is to detail the extent and estimated cost of the assistance being requested by TWH and to seek Council's approval to provide in-kind support to the event.

### **RECOMMENDATION**

**That Council supports the Kurri Kurri Nostalgia Festival on 27, 28 and 29 March 2020 by providing in-kind support valued at \$8,417 as detailed in the report for the following services; waste management, road closure equipment, park management and amenity management.**

### **BACKGROUND**

The 2020 Kurri Kurri Nostalgia Festival is being held over the weekend of 27, 28 and 29 March 2020. Council has in previous years provided in-kind support for the Festival and TWH openly acknowledges that this support has been critical to the event's success.

TWH has approached Council seeking various forms of in-kind support for the 2020 Festival.

This report details the extent of the support being requested by TWH and seeks Council's endorsement to provide the support.

### **REPORT/PROPOSAL**

The following in-kind support for the 2020 Kurri Kurri Nostalgia Festival is requested by TWH:

#### Waste Management

- Provision of bins for the weekend (up to 50);
- Provision of bin liners;
- Delivery and pick up of bins pre and post event;
- Emptying of bins on Saturday and Sunday night;

#### Road Closure Equipment

Delivered to Kurri Kurri Visitor Centre:

- 40 water filled barriers;
- 20 bollards and bases;



**Works and Infrastructure**

**Report No. WI7/2020**

**Works and Infrastructure**



- 10 star pickets;
- 20 traffic cones;
- Bunting / safety line;
- 10 Barrier boards and 20 stands.

Park Management

- Mowing of Rotary Park prior to the Festival weekend;
- Access to and use of Booth Park for car parking over the weekend;
- Waiver of all fees and charges for the use of Rotary Park and Booth Park.

Amenity Management

- Provision and delivery of supplies to public amenities in Rotary Park, Kurri Kurri Central and Booth Park (paper towels and toilet paper);
- Servicing and cleaning of the public toilet block in Rotary Park on a regular basis during the Saturday and Sunday of the Festival;
- Cyber key access to power and water in Rotary Park;
- Access to amenities block at Booth Park;

The estimated cost to waive applicable fees (excl. GST) and supply the above is as follows:

• Waste Management	\$3,500
• Road Closure Equipment	\$950
• Park Management	\$1,292
• Amenity Management	\$2,675
<b>TOTAL REQUESTED IN-KIND SUPPORT</b>	<b>\$8,417</b>
<b>TOTAL RECOMMENDED IN-KIND SUPPORT</b>	<b>\$8,417</b>

In reviewing the requests, Council officers have determined that in-kind support for the above can be provided within existing recurrent operating budgets.

**OPTIONS**

N/A

**CONSULTATION**

In writing this report the following stakeholders have been consulted:

- Environmental & Waste Services staff
- Open Space and Community Facilities staff
- Operations Accountant
- Towns With Heart

**Works and Infrastructure**  
**Report No. WI7/2020**  
**Works and Infrastructure**



**STRATEGIC LINKS**

**a. Delivery Program**

The proposed in-kind sponsorship for this event supports:

*Objective 2.3 – Increasing Tourism Opportunities and Visitation in the Area*, as the event has the potential of attracting in excess of 20,000 people to the LGA over the weekend of 27, 28 and 29 March 2020.

**b. Other Plans**

Nil

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The objectives of the Community Sponsorship and Fee Waiver Policy are:

- To establish a governing framework for the consideration of requests for financial and/or in-kind assistance, by way of sponsorship and/or fee waiving;
- To ensure that the administration of such requests is conducted in a consistent, equitable, transparent and financially sustainable manner to provide maximum benefit to the community of the Cessnock Local Government Area (LGA).

An assessment has been undertaken and the request from TWH is consistent with the criteria set out in the Community Sponsorship and Fee Waiver Policy.

**b. Financial Implications**

The estimated cost of providing the in-kind support for the requests being made by TWH \$8,417. This estimate is primarily based on Council's adopted fees and charges for waste management, cleaning and park preparation and park usage. The recommended in-kind support for the above can be provided within existing recurrent operating budgets.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Other Implications**

Nil

**Works and Infrastructure**

**Report No. WI7/2020**

**Works and Infrastructure**

---



***CONCLUSION***

On the basis of supporting events that promote visitation across the Cessnock LGA, it is recommended that Council provides in-kind support to the 2020 Kurri Kurri Nostalgia Festival as detailed in the report.

***ENCLOSURES***

There are no enclosures for this report.

Works and Infrastructure

Report No. WI8/2020

Works and Infrastructure



**SUBJECT:** *ROTARY PARK KURRI KURRI PARK NAMING*

**RESPONSIBLE OFFICER:** *Open Space and Community Facilities Manager - Nicole Benson*

### **SUMMARY**

This report advises of feedback received from the Geographical Names Board (GNB) on the proposal to rename Rotary Park in Kurri Kurri to Col Brown Rotary Park.

### **RECOMMENDATION**

1. That Council notes the submissions received by the Geographical Names Board of NSW in relation to the proposed renaming of Rotary Park Kurri Kurri.
2. That Council advises the Geographical Names Board of NSW that it wishes to formally name the park in Kurri Kurri known as Rotary Park as “Col Brown Rotary Park” subject to gazettal by the Geographical Names Board of NSW.
3. That if approval is received from the Geographical Names Board of NSW, Council install appropriate signage.
4. That the Rotary Club of Kurri Kurri Inc., as the applicant for the naming be notified of the outcome of the application.

### **BACKGROUND**

The GNB has the role of assigning names to places and natural features. The GNB's guidelines and procedures are aimed at ensuring community input, giving all interested parties a say in a naming decision and minimising the duplication of names.

In March 2019, Council received correspondence from the Rotary Club of Kurri Kurri seeking approval to formally dedicate the parcel of land in Kurri Kurri known as Rotary Park (Lot 190; DP 1108272), to “Col Brown Rotary Park”.

Officers investigated the matter in line with the Naming of Council Assets Policy and the *Geographical Names Act 1966* and prepared a report for Council's consideration.

At its meeting of 7 August 2019 Council considered report WI47/2019 - Proposal to Rename Rotary Park, Kurri Kurri and resolved as follows:-

1. That Council formally rename Rotary Park Kurri Kurri to “Col Brown Rotary Park”.
2. That Council complete a Naming Proposal Application for determination and gazettal by the Geographical Names Board of NSW.
3. That if assigned as a geographical name by the Geographical Names Board of NSW, Council install appropriate signage.

**Works and Infrastructure**

**Report No. WI8/2020**

**Works and Infrastructure**



4. *That the Rotary Club of Kurri Kurri Inc., as the applicant for the renaming proposal be notified of the outcome of the application.*
5. *That all persons who provided a submission be notified of the outcome of the application.*
6. *The GNB has requested Council to consider the feedback received through the public consultation phase and determine whether it wishes to proceed with the proposed renaming despite the objections.*

**REPORT/PROPOSAL**

Council officers submitted an application to the GNB on 23 August 2019 following a Council managed public exhibition period. The GNB considered the proposal at its meeting held on 10 September 2019 and resolved the name "Col Brown Rotary Park" be advertised for public comment. The proposal was advertised in the Cessnock Advertiser from 4 December 2019 to 11 January 2020.

A total of 32 submissions were received by the GNB and these are attached in the **Confidential Enclosure**. 30 submissions were in support of the proposed name and two were in objection. The supportive submissions were predominantly about recognising the contribution of Col Brown to the local community and Rotary Club of Kurri Kurri over many years, with many acknowledging that it was a fitting gesture to honour his tireless work over many years. The two objections to the proposed name feel that to honour any one individual over others who have served and continue to serve this community would be disrespectful.

In considering the GNB's request and reviewing the submissions made in relation to the proposed renaming of Rotary Park, Kurri Kurri to Col Brown Rotary Park, it is recommended that Council proceed with the application lodged on 23 August 2019 on the basis that there is significant support for the proposed name and the applicant for the name change is the local Rotary Club of Kurri Kurri.

**OPTIONS**

That Council not progress the matter any further.

**CONSULTATION**

Council advertised the proposal in the local media in June 2019 and the GNB advertised the proposal in the local media from 4 December 2019 to 11 January 2020.

**STRATEGIC LINKS**

**a. Delivery Program**

The proposal to formally dedicate the Park in Kurri Kurri after Col Brown aligns with the Community Delivery Program Objective 5.1 'Fostering and Supporting Community Leadership'.

**b. Other Plans**

The proposal is in line with the Recreation and Open Space Strategic Plan (2019).

## **IMPLICATIONS**

### **a. Policy and Procedural Implications**

The preparation of this report and the recommendation is consistent with Council's Naming of Council Assets Policy.

### **b. Financial Implications**

The only financial implication with the naming of the park will be the purchase and installation of appropriate signage, which can be funded from existing operational budgets.

### **c. Legislative Implications**

The naming proposal has been considered by the GNB in line with the *Geographical Names Act 1966*.

### **d. Risk Implications**

NIL

### **e. Environmental Implications**

NIL

### **f. Other Implications**

Renaming Rotary Park, Kurri Kurri as Col Brown Rotary Park is a fitting way to recognise Col Brown, who was an active member of the Kurri Kurri Rotary Club from 1976 to 2016. He was also a highly respected electrical contractor and was heavily involved with community events held in Rotary Park for over 40 years.

## **CONCLUSION**

30 of the 32 submissions received from the community in relation to the proposed renaming of Rotary Park, Kurri Kurri to Col Brown Rotary Park, were in support of the proposal.

## **ENCLOSURES**

- 1 Public submissions - Confidential - *This matter is considered to be confidential under Section 10A(2) (j) of the Local Government Act, as it deals with Council Policy.*

Works and Infrastructure  
Report No. WI9/2020  
Works and Infrastructure



**SUBJECT:** *MINUTES OF ROADS REVIEW COMMITTEE MEETING  
HELD 6 DECEMBER 2019*

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

---

**RECOMMENDATION**

That the Minutes of the Roads Review Committee of 11 October 2019 be adopted as a resolution of the Ordinary Council.

**MINUTES OF ROADS REVIEW COMMITTEE MEETING OF CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ANTE ROOM ON FRIDAY, 6 DECEMBER 2019,  
COMMENCING AT 3.42PM**

**PRESENT:** The Mayor, Councillor Pynsent (in the Chair)  
Councillor Dunn  
Councillor Lyons  
Councillor Sander

**IN ATTENDANCE:** Councillor Fagg  
Councillor Fitzgibbon  
Ms Lotta Jackson - General Manager  
Mrs Katrina Kerr - Infrastructure Manager  
Mr Paul Taylor - Senior GIS Officer  
Mr Warren Vandermeer - Principal Engineer - Road Infrastructure

**INVITEES:** Mr James Erskine – Pavement Network Analysis Solutions

**APOLOGIES**

**MOTION** **Moved:** Councillor Lyons **Seconded:** Councillor Dunn

**RECOMMENDED** that the apology tendered for unavoidable absence, be accepted and leave of absence granted, on behalf of:  
Councillor Stapleford

**SUPPORT:** Unanimous

**CONFIRMATION OF MINUTES**

**NOTED** that the Minutes of the Unsealed Roads Committee held on 11 October 2019, as circulated, were previously confirmed as a true and correct record.

**BUSINESS ARISING FROM THE MINUTES**

Nil

## OFFICER'S REPORTS

### REPORTS NO. RRCOR13/2019

**SUBJECT:** **ROADS - CONDITION DATA COLLECTION, ANALYSIS AND MODELLING**

**MATTER:** The presentation of information on road condition data collection, analysis and modelling.

**DISCUSSION:** James Erskine of Pavement Network Analysis Solutions presented information on the current road condition data collection. It was noted that:

- Data is collected by the Automatic Road Analyser using cameras, sensors, GPS, laser scanners mounted to the vehicle.
- Quality control of the data includes removing bridge joints, speed humps etc.
- Pavement Distress is identified and recorded as one of the following:
  - Cracking,
  - Potholes & Patching,
  - Ravelling,
  - Heavy Patching,
  - Roughness, and
  - Rut Depth.
- Data collected on current condition will be mapped and analysed.
- From the analysis a Pavement Condition Index (PCI) and Surface Condition Index (SCI) are determined.
- Pavement Distress, together with:
  - Road Hierarchy,
  - Weight Factor, and
  - Extent,are used to calculate the Overall Condition Index (OCI) as a score 0 to 5, where 0 is new condition and 5 is worst condition.
- Analytical processes are performed in the PARMMS Road Manager Pavement Management System (PMS) including Deterioration Modelling.
- For an optimised Works Program the selection of treatments as a 60/40 split of resurfacing/rehabilitation in urban/rural areas will be used.
- Prioritisation will consider the road hierarchy and distress weighting.
- Network Funding Models will again be prepared for a spend of \$4M, \$7.5M, \$10M, and \$15M.



**Works and Infrastructure**

**Report No. WI9/2020**

**Works and Infrastructure**



- Works Program Mapping and predicted conditions will again be calculated for current, 10, and 20 year horizons.
- From this modelling, an optimised road renewal program, based on the current and predicted conditions and the available budget, will be proposed.

**MOTION:**            **Moved:** Councillor Lyons            **Seconded:** Councillor Dunn

**RECOMMENDATION**

**That the Roads Review Committee notes the information presented by road asset management specialists, Pavement Network Analysis Solutions.**

**SUPPORT:**        Unanimous

**REPORTS NO. RRCOR14/2019**

**SUBJECT:**        **ROADS REVIEW COMMITTEE - 2020 MEETING DATES**

**MATTER:**        Dates for meetings of the Roads Review Committee in 2020.

**DISCUSSION:** To coincide with the calendar for Ordinary Council Business Paper Agenda meetings, the following bimonthly meeting dates are proposed:

- 4:00 Friday 14 February 2020
- 4:00 Friday 10 April 2020
- 4:00 Friday 12 June 2020
- 4:00 Friday 14 August 2020
- 4:00 Friday 16 October 2020, and
- 4:00 Friday 11 December 2020.

**MOTION:**            **Moved:** Councillor Lyons            **Seconded:** Councillor Dunn

**RECOMMENDATION**

**That the Roads Review Committee endorsed the bimonthly meeting dates.**

**SUPPORT:** Unanimous

**CLOSURE:**        The Meeting was declared closed at 4.27pm.

**ENCLOSURES**

There are no enclosures for this report.

**Notices Of Motion**

**Report No. BN1/2020**

**General Manager's Unit**



***NOTICES OF MOTION No. BN1/2020***

**SUBJECT:** *MILLFIELD RFS PREMISES*

**COUNCILLOR:** *Paul Dunn*

***MOTION***

**That the General Manager bring back a report and recommendation to Council within three months outlining:**

- a) Councils current position relating to the location of new premises for the Millfield RFS brigade;**
- b) How Council intends to further progress our current position;**
- c) The costs and funding sources, internal and external to deliver the required infrastructure, as appropriate, in conjunction with external bodies;**
- d) A timeline for delivery that takes in to account all stakeholders.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 5 February 2020.

**RATIONALE**

There are long standing issues with respect to the location of the Millfield RFS.

There are many stakeholders of which Cessnock City Council is one.

Cessnock City Council needs to ensure that we are not the reason for the delivery of infrastructure being delayed, and are transparent as to our role in the relationship with external bodies.

**SOURCE OF FUNDING:**

To be determined upon receipt of a report to Council by resolution, both internal and by external bodies.

**DELIVERY PROGRAM:**

Objective 1.3:  
Promoting safe communities

Objective 3.1:  
Protecting and enhancing the natural environment and the rural character of the area

Objective 3.2:  
Better utilisation of existing open space

Objective 5.2:  
Encouraging more community participation in decision making

Notices Of Motion

Report No. BN1/2020

General Manager's Unit

---



Sgd: Paul Dunn

Date: 20 January 2020

***ENCLOSURES***

There are no enclosures for this report

Notices Of Motion

Report No. BN2/2020

General Manager's Unit



**NOTICES OF MOTION No. BN2/2020**

**SUBJECT:** *RE-INSTATE "QUESTIONS FOR NEXT MEETING"*

**COUNCILLOR:** *Ian Olsen*

**MOTION**

1. That the Cessnock City Council Code of Meeting Practice be amended to include the Agenda Item "Questions for Next Meeting" in Council's general order of business and that provision be made for each councillor to ask no more than two "Questions for Next Meeting" per Council meeting.
2. That when such questions are asked, if there is nothing preventing an answer being given straight away, that the answer will be given.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 5 February 2020.

**RATIONALE**

Currently we as Councillors cannot ask questions in open council due to an oversight when adopting the new Code of Meeting practice. I believe as a Councillor we should be allowed to ask questions of our directors in open sessions so that we can be given an answer in open council. We are elected to do a job and there are times when our directors need to be accountable for their actions or inactions on many issues before council. We currently can't ask for a report or a letter to be sent in open council. Without the opportunity to ask questions we are not being allowed to represent the people that elected.

The Division of Local Government, in their circular 10-10 of May 2010 states that:

*"The Division considers that it is acceptable for a council to adopt a practice of allowing councillors, just prior to the end of a meeting, to raise questions on the understanding that the answers will be provided at the next meeting."*

*Such questions should be recorded in the minutes of the meeting. This could be formalised by the way of an agenda item "Questions for Next Meeting". This would constitute a means of giving notice of the question for the following meeting, providing that there is sufficient time between the two meetings to meet the notice requirements of clause 241. When such questions are listed, there is nothing preventing an answer being given straight away, if it makes sense to do so."*

After reading the above extract I believe we are entitled to re-instate questions onto the agenda.

**SOURCE OF FUNDING:**

Not required

Notices Of Motion

Report No. BN2/2020

General Manager's Unit

---



**DELIVERY PROGRAM:**

Not applicable

Sgd: Ian Olsen

Date: 23 January 2020

***ENCLOSURES***

There are no enclosures for this report

**Notices Of Motion**

**Report No. BN3/2020**

**General Manager's Unit**



***NOTICES OF MOTION No. BN3/2020***

**SUBJECT:** *GALLAGHER STREET, CESSNOCK*

**COUNCILLOR:** *Ian Olsen*

***MOTION***

The General Manager bring a report back to Council regarding the turning circle that is being investigated for the middle of Gallagher Street with the status of the project, and.

- The report is to include any evidence of justification of the installation of the turning area.
- If the project is to proceed how this will be funded and
- How this became a priority over the other 19 streets that have the same problem.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 5 February 2020.

**RATIONALE**

Currently this project is in our operational plan and has been stalled by opposition from residents of Gallagher. If it is to proceed we need to know when and how it will be funded or we should be removing it from our operational plan.

**SOURCE OF FUNDING:**

Not required

**DELIVERY PROGRAM:**

Operational plan states Waste Reserve.

Sgd: Ian Olsen

Date: 23 January 2020

***ENCLOSURES***

There are no enclosures for this report

Correspondence

Report No. CO1/2020

Corporate and Community Services



**SUBJECT:** *WOLLOMBI COMMUNITY BUS SERVICE*

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

---

**RECOMMENDATION**

**That the correspondence from Clayton Barr MP advising of his support for a Wollombi Community Bus Service be noted.**

At its Ordinary Meeting of 6 November 2019 Council considered report BN29/2019 – Wollombi Community Bus Service and resolved:

***That the General Manager write a letter of support to Rover Motors, the Minister for Transport and the Local Member to give support to the Wollombi Community for a bus service for Wollombi.***

A response has been received from by Clayton Barr MP advising of his support for a regular bus service between Wollombi-Laguna and Cessnock.

A copy of the correspondence from the State Member is attached for Councils information.

**ENCLOSURES**

[1](#) Response from Clayton Barr MP



# Clayton Barr, MP

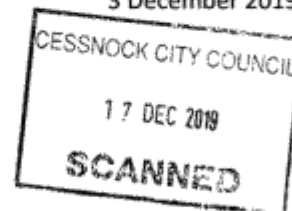
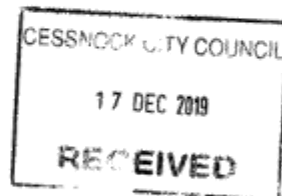
STATE MEMBER FOR THE ELECTORATE OF CESSNOCK



Our ref: CB2-CessnockCityCouncil-Tra-20191203  
Council's ref: DN29/2019  
DOC 2019/123999

3 December 2019

Ms Lotta Jackson  
General Manager  
Cessnock City Council  
PO Box 152  
CESSNOCK NSW 2325



*Lotta*

Dear ~~Ms Jackson~~

Thank you for your recent letter, on behalf of Cessnock City Council, relating to the proposal to introduce of a regular bus service between Wollombi-Laguna and Cessnock.

I had been previously been contacted by the Wollombi Valley Community Assistance (WVCA) with regards to their proposal to a regular bus service between Wollombi-Laguna and Cessnock and wish to advise that I support the introduction of the proposed service.

Yours sincerely

**CLAYTON BARR, MP**

State Member for the Electorate of Cessnock  
Shadow Minister for Water  
Shadow Minister for Innovation, Science and  
Tertiary Education  
Shadow Minister for the Hunter

118 Vincent Street (PO Box 242), Cessnock NSW 2325

P (02) 4991 1466 | 1300 550 114 F (02) 4991 1103 E [cessnock@parliament.nsw.gov.au](mailto:cessnock@parliament.nsw.gov.au)

*Country Labor - Thinking outside of the City*