



9 April 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, 15 April 2020 at 6.30 pm, for the purposes of transacting the undermentioned business.

The meeting is to be held electronically as per the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020 and the meeting will be closed to the public. The public may view the meeting via a link on Councils website. Councillors will need to attend the meeting via teleconference.

AGENDA:

PAGE NO.

- (1) **OPENING PRAYER**
- (2) **ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**
- (3) **RECEIPT OF APOLOGIES**
- (4) **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
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- (5) **DISCLOSURES OF INTEREST**
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- (6) **PETITIONS**
- (7) **PUBLIC ADDRESS**
- (8) **CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**
- (9) **NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION**
NI3/2020 Notice of Intention to Deal with matters in Confidential Session.

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(18) COUNCILLORS' REPORTS

**(19) REPORT OF THE CONFIDENTIAL SESSION OF THE ORDINARY COUNCIL
MEETING ON 15 APR 2020**

‡ - 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



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**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 18 MARCH 2020, 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
Director Works and Infrastructure
Strategic Planning Manager
Economic Development & Tourism Manager
Building Services Team Leader
Corporate Governance Officer
Acting General Managers Executive Assistant

APOLOGY: **NIL**

MINUTES: **MOTION** **Moved:** Councillor Sander
Seconded: Councillor Suvaal
1203
RESOLVED that the Minutes of the Ordinary Meeting of Council held on 4 March 2020, as circulated, be taken as read and confirmed as a correct record.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	Councillor Dagg
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI4/2020

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.

WI26/2020 - Bridges Hill Regional Playground - Councillor Dunn declared a Non Pecuniary Interest Less than Significant conflict for the reason that he is a member of Wine Country Lions Club. Councillor Dunn 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.

GMU8/2020 - Minutes of the Town Coordinators Review Committee – 26 February 2020 – Councillor Burke declared a Pecuniary Interest for the reason that he is a Town Coordinator contracted by Cessnock Chamber of Commerce. Councillor Burke advised that he will leave the chamber and take no part in discussion and voting.

GMU7/2020 - NSW Government's Economic Recovery and Community Resilience funding proposal - Councillor Burke declared a Non Pecuniary Interest Less than Significant conflict for the reason that the Cessnock Chamber of commerce are partners in the ACC. Councillor Burke advised that he will leave the Chamber and take no part in discussion and voting.

GMU6/2020 - 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 at the Cessnock Correctional Centre. Councillor Suvaal 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.

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

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

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

Speakers	For / Against	Report	Page No.	Duration
Craig Findley	Not Specified	GMU6/2020 – Cessnock Correctional Centre Access	53	3 mins

EXTENSION OF TIME

Moved:

Councillor Suvaal

Seconded:

Councillor Sander

1204

RESOLVED that extension of 1 minute be given to Mr Findley to complete his presentation.

FOR

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)

AGAINST

Total (0)

CARRIED UNANIMOUSLY

GENERAL MANAGER'S UNIT NO. GMU6/2020

SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1205

RESOLVED

1. That Council notes the final option from the State Government for the Correctional Centre Access is option 3A in the *Cessnock Correctional Complex Road Options Analysis report (December 2019)*.
2. That Council writes to the Department of Corrections stating their support for option 3A in the *Cessnock Correctional Complex Road Options Analysis report (December 2019)* pending written confirmation from Minister Roberts that this is the only option the State Government will consider and that item 6 & 7 from resolution (1158) at the Ordinary Council meeting held on 19 February 2020 be supported and funded by the State Government before Council will give its approval.

FOR

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

Total (10)

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn

Total (3)

CARRIED

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

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1206

That having read and considered the reports in the agenda related to items

NI2/2020	Notice of Intention to Deal with matters in Confidential Session. CC26/2020 – Request for Waiver of court Awarded Costs for Fire Safety Upgrade Orders.....	43
GMU4/2020	Minutes of the Audit and Risk Committee meeting held 11 February 2020	45
GMU7/2020	NSW Government’s Economic Recovery and Community Resilience funding proposal.....	57
PE11/2020	Adoption of Cessnock Flying-Fox Camp Management Plan	92
CC20/2020	2020 National General Assembly of Local Government – Update on Councillor Requests to Attend and Motions Submitted	101
CC21/2020	Erection of Neighbourhood Watch and Safety House Signs Policy – Recommendation for Revocation.....	105
CC22/2020	Minutes of the Aboriginal and Torres Strait Islander Committee held on Friday 28 February 2020.....	110
‡ CC23/2020	Investment Report - February 2020	115
WI23/2020	Disaster Recovery Funding Arrangement Payment	195
WI25/2020	Categorisation of Council Managed Land	210
‡ AQ1/2020	Barriers - Halls Road and De Beyers Road Pokolbin	230

Council adopt the recommendations as printed for those 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	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROCEDURAL MOTION

Moved:

Councillor Dagg

Seconded:

Councillor Gray

1207

RESOLVED that the above item, Consideration and Adoption of all Reports by Englobo or Individually with Nominated Exceptions be recommitted to remove GMU7/2020 – NSW Government's Economic Recovery and community Resilience funding proposal from the list.

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

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI2/2020

**SUBJECT: NOTICE OF INTENTION TO DEAL WITH MATTERS IN
CONFIDENTIAL SESSION.**

**CC26/2020 - REQUEST FOR WAIVER OF COURT AWARDED COSTS
FOR FIRE SAFETY UPGRADE ORDERS**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1208
RESOLVED

1. That Council considers in Confidential Session the following matters in accordance with Sections 10A (2)(b) of the *Local Government Act 1993*:

Report No. CC26/2020 - Request for Waiver of Court Awarded Costs for Fire Safety Upgrade Orders as it deals with discussion in relation to the personal hardship of a resident or ratepayer.
2. That Council requests the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

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

NIL

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU4/2020

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU4/2020

SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 11 FEBRUARY 2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg

1209

RESOLVED

That the Minutes of the Audit and Risk Committee Meeting held 11 February 2020 be adopted as a resolution of the Ordinary Council.

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

GENERAL MANAGER'S UNIT NO. GMU5/2020

**SUBJECT: NOTIFICATION OF VISITS OF FEDERAL AND STATE MINISTERS
POLICY**

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
1210
RESOLVED

That Council revokes the Notification of Visits of Federal and State Ministers Policy.

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

GENERAL MANAGER'S UNIT NO. GMU7/2020

SUBJECT: NSW GOVERNMENT'S ECONOMIC RECOVERY AND COMMUNITY RESILIENCE FUNDING PROPOSAL

Councillor Burke declared a Non Pecuniary Interest Less than Significant conflict for the reason that the Cessnock Chamber of commerce are partners in the ACC. Councillor Burke advised that he will leave the Chamber and take no part in discussion and voting.

Councillor Burke left the meeting, the time being 7.35pm

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Gray
1211
RESOLVED

1. That Council endorses the following 'Program of Activities' to be funded by the \$250,000 Bushfire Community Resilience and Economic Recovery Fund grant;
 - a) \$30,000 for the design and construction of a walking trail information point in Wollombi Village,
 - b) \$10,000 for the marketing and promotional of Wollombi and Laguna community events,
 - c) \$10,000 to establish a visitor information kiosk within the Wollombi Museum,
 - d) \$30,000 to plan and deliver an event to thank the Rural Fire fighter Brigades in the Cessnock LGA and all agencies within the incident Management Team in line with the Mayoral Minute MM2/2020, Resolution 1187,
 - e) \$40,000 for Tourist Drive 33 marketing and promotional activities,
 - f) \$40,000 for the creation of a Hunter Valley ONE ROAD Great Australian Road Trip episode,
 - g) \$20,000 for a Hunter Valley cooperative marketing campaign with Destination NSW that aligns with the 'Love NSW' and 'Holiday HERE' campaigns currently being promoted,
 - h) \$20,000 for the replacement of faded Hunter Valley Visitor Centre signage,
 - i) \$20,000 for the creation of a Hunter Valley tourism smart device application that promotes the regions beauty and experiences, and
 - j) \$30,000 for a 'Buy Local' campaign to encourage increased spending within the Cessnock City Council local government area.

2. That Council delegates authority to the General Manager to manage any variance in expenditure of the grant funding as per the intent of this Council Report.
3. That an urgent meeting be called between Advance Cessnock City Partners to implement a buy local plan to support local businesses across the Local Government Area.

Councillor Doherty left the meeting, the time being 7.37pm

FOR	AGAINST
Councillor Olsen	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

GENERAL MANAGER'S UNIT NO. GMU8/2020

**SUBJECT: MINUTES OF THE TOWN COORDINATORS REVIEW COMMITTEE -
26 FEBRUARY 2020**

Councillor Burke declared a Pecuniary Interest for the reason that he is a Town Coordinator contracted by Cessnock Chamber of Commerce. Councillor Burke left the Chamber and took no part in discussion and voting.

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Gray
1212

RESOLVED

That the recommendations of the minutes of the Town Coordinators Review Committee of 26 February 2020, be adopted as a resolution of the Ordinary Council as follows:

- 1. That Council disbands the Town Co-ordinators Review Committee.**
- 2. That the future management of the Economic Development & Sponsorship Program is undertaken by the General Manager.**
- 3. That Council adopts the updated Economic Development Grants and Sponsorships Program Guidelines (Enclosure 1).**
- 4. That the following amendments be made to the Guidelines:-**
 - all heading references to (for existing participants only) be removed.**
 - Item D, paragraph 3 to be amended to read “Town Co-ordinator funding is available to all ACC partners upon application, and currently provided to two of those partners. These are the Cessnock Chamber of Commerce (covering Cessnock) and Towns with Heart (covering Kurri Kurri and district).**
 - Item D, paragraph 4 remove (15,000 plus attendees).**
- 5. That a full acquittal of the funds allocated be reported back to Council.**

Councillor Doherty returned to the meeting, the time being 7.40pm

FOR

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

Total (11)**AGAINST**

Councillor Olsen

Total (1)***CARRIED***

Councillor Burke returned to the meeting, the time being 8.00pm

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE11/2020

SUBJECT: ADOPTION OF CESSNOCK FLYING-FOX CAMP MANAGEMENT PLAN

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg

1213

RESOLVED

That Council adopts the revised Cessnock Flying-Fox Camp Management Plan and repeal the existing East Cessnock Camp 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

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC19/2020

SUBJECT: CLASSIFICATION OF LAND - 2-4 ALLANDALE ROAD, CESSNOCK

MOTION

1214

Moved: Councillor Dagg

Seconded: Councillor Gray

RESOLVED

That Council classify 2-4 Allandale Road, Cessnock, being Lot 1 DP 359456 and Lot 1 DP 657198 as Operational Land.

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

CORPORATE AND COMMUNITY NO. CC20/2020

**SUBJECT: 2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT -
UPDATE ON COUNCILLOR REQUESTS TO ATTEND AND MOTIONS
SUBMITTED**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1215

RESOLVED

1. That Council endorses the request to attend the 2020 National General Assembly of Local Government from Mayor Pynsent and that Mayor Pynsent be determined as the voting delegate.
2. That Council notes that no motions for the conference were received.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC21/2020

**SUBJECT: ERECTION OF NEIGHBOURHOOD WATCH AND SAFETY HOUSE
 SIGNS POLICY - RECOMMENDATION FOR REVOCATION**

MOTION Moved: Councillor Doherty **Seconded:** Councillor Dagg
1216
RESOLVED

**That Council revokes Erection of Neighbourhood Watch and Safety House Signs
Policy (Policy Number S18.1).**

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

CORPORATE AND COMMUNITY NO. CC22/2020

SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE HELD ON FRIDAY 28 FEBRUARY 2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1217
RESOLVED

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 28 February 2020 be adopted as a resolution of the Ordinary Council.
2. That the General Manager investigate Cessnock Performing Arts Centre screening all three films being “In my blood it runs”, “Occupation Native” and “Teach a man to fish” presented at the Committee meeting as part of Council’s National Reconciliation Week and NAIDOC Week activities for 2020.

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

CORPORATE AND COMMUNITY NO. CC23/2020

SUBJECT: INVESTMENT REPORT - FEBRUARY 2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1218
RESOLVED

That Council receives the Investment Report for February 2020 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 \$43,039,913, year to date interest earned to 29 February was \$480,999 and the interest earned for February 2020 was \$48,269.

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

CORPORATE AND COMMUNITY NO. CC24/2020

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Burke
1219
RESOLVED

That Council receives the report and notes the information in the Resolutions Tracking Report.

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

CORPORATE AND COMMUNITY NO. CC25/2020

SUBJECT: EXCLUSION OF ITEM FROM THE AGENDA

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Burke
1220
RESOLVED

That Council notes that, as assessed by the General Manager, the received notice of motion would have been contrary to a contractual agreement, and could therefore not be included on the agenda for the Council meeting held on 4 March 2020.

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	
Total (12)	Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC27/2020

**SUBJECT: DELEGATION OF AUTHORITY - RISK MITIGATION AGAINST
POTENTIAL IMPACTS OF NOVEL CORONAVIRUS ON COUNCIL
OPERATIONS**

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Suvaal
1221
RESOLVED

1. That Council pursuant to Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council should the need arise which would limit the orderly operations of Council in regards to the operations of the governing body of elected members.
2. That a list of any matters considered under such delegated authority be submitted for Council's information to the next available schedule Ordinary Meeting of Council after such decision is made under the temporary delegation.
3. That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus or if the administration centre or local government area is subject to a shutdown from the virus.
4. That Council reconsider the temporary delegation at the second meeting in May 2020 if possible or at the earliest possible opportunity thereafter.
5. That Council write to the Minister for Local Government with a copy to the Shadow Minister for Local Government and Local Government NSW requesting amendments to the Local Government Act and Code of Meeting Practice to allow Council meetings to be held electronically if Council deems it necessary during the Covid-19 Pandemic.

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

WORKS AND INFRASTRUCTURE NO. WI23/2020

SUBJECT: DISASTER RECOVERY FUNDING ARRANGEMENT PAYMENT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg

1222

RESOLVED

That Council endorses the following 'Program of Works' to be funded by an additional \$416,667 Disaster Recovery Funding Arrangements payment;

- a) **\$40,000 to the Wollombi Volunteer Bush Fire Brigade to fund the installation of water tanks, rehabilitate adjoining lands and make good damaged perimeter fencing at the Wollombi Rural Fire Service Station**
- b) **\$30,000 to install a new water tank at Cessnock Airport to increase water storage for firefighting aircraft.**
- c) **An additional \$50,000 to fund embankment stabilisation works along Murrays Run Road**
- d) **\$150,000 to carry out urgent pavement testing at Cessnock Airport and undertake any identified pavement repair/upgrade works**
- e) **An additional \$146,667 to support the replacement of Yango Creek Bridge and Paynes Crossing Bridge in order to provide unimpeded access for future disaster events in the Wollombi region.**

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. WI24/2020

SUBJECT: FUNDING FOR THE FRAME DRIVE - GINGERS LANE UPGRADE PROJECT, INCLUDING AN INTERSECTION UPGRADE AT GINGERS LANE, SAWYERS GULLY ROAD AND HART ROAD.

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
1223

RESOLVED

1. That Council re-allocates \$1,122,000 of funds within the 2019-20 Local Road Renewal Program to undertake Stage 2 of the Gingers Lane project.
2. That Council allocates \$1,926,000 in the 2020-21 Local Road Renewal Program to undertake Stages 3 & 4 of the Gingers Lane project.
3. That in the event that Council's application into the Fixing Country Roads 2019 Round 2 Program is successful, Council redistributes any unspent Local Road Renewal Program funds back into the 2020-21 Local Road Renewal Program and include Mount View Road Cessnock from Barrett Avenue to Links Avenue Cessnock pending the completion of the new access to the Corrective Centre.

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. WI25/2020

SUBJECT: CATEGORISATION OF COUNCIL MANAGED LAND

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg

1224

RESOLVED

That Council notifies the Minister administering the *Crown Land Management Act 2016* in writing of the initial categorisation as listed in Enclosure 1, assigned to Crown land appointed to Council, as referred to in Section 36 of the *Local Government Act 1993*.

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

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI26/2020

SUBJECT: BRIDGES HILL REGIONAL PLAYGROUND

Councillor Dunn declared a Non Pecuniary Interest Less than Significant conflict for the reason that he is a member of Wine Country Lions Club. Councillor Dunn remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Suvaal
1225

RESOLVED

That Council notes the progress of the Bridges Hill Regional Playground project.

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 OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN8/2020

SUBJECT: COSTINGS OF PROJECTS

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

In a recent flyer promoting Council there is a list of completed projects. On those following projects can we get the following information:

1. Original budget provided and final cost?
2. Timeframe, were the projects completed on time and if not how much over estimated timeframe?
3. Which projects were completed by Council staff and which were completed by contractors?
4. Have any failed or needed repairs after completion?

- *Stages 1 & 2 Bridges Hill Park Playground and Access Improvements*
- *Jeffries Park, Abermain upgrade*
- *Weston Civic Centre Toilet upgrade*
- *Frame Drive Abermain upgrade*
- *Citywide Shade Sail Program – installation of 9 shade sails at local parks*
- *Upgrade of Cessnock CBD – Cooper & Charlton Street*
- *Installation of Hunter Valley Wine Country Signage*
- *Sawpit Road, Cedar Creek causeway construction*
- *Kurri Kurri Lawn Cemetery extension*
- *Veterans Memorial Park, Aberdare upgrade*
- *Kurri Kurri Aquatic & Fitness Centre and Cessnock Pool Renewal Program*

AMENDMENT *Moved:* Councillor Suvaal *Seconded:* Councillor Gray

That Council notes the information on projects within the works program is already available to Councillors and the public in the following documents:

- Delivery Program
- Operational Plan
- Quarterly Review of Delivery Program
- Quarterly Budget Review Statements
- Annual Report
- End of Term Report
- Information in council reports where funding opportunities are present
- Cessnock under construction flyer

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	Councillor Stapleford
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (2)

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

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

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1226

RESOLVED

That Council notes the information on projects within the works program is already available to Councillors and the public in the following documents:

- Delivery Program
- Operational Plan
- Quarterly Review of Delivery Program
- Quarterly Budget Review Statements
- Annual Report
- End of Term Report
- Information in council reports where funding opportunities are present
- Cessnock under construction flyer

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	
Total (12)	Total (1)

CARRIED

BUSINESS WITH NOTICE NO. BN9/2020

SUBJECT: WORKS BUDGET ITEMS ANNUAL REPORT

MOTION **Moved:** Councillor Olsen **Seconded:** Councillor Fitzgibbon

At the end of every financial year our Works Department supply a report with regards to all budgeted works with the following information:-

1. Original budget provided and final cost
2. Timeframe, area all projects completed, on time and if not how much over estimated timeframe
3. Which projects were completed by Council staff and which were completed by contractors
4. Have any failed or needed repairs after completion
5. If projects are not completed, go over budget or fail explanations for these happening.

AMENDMENT **Moved:** Councillor Suvaal **Seconded:** Councillor Gray

That Council notes the information on projects within the works program is already available to Councillors and the public in the following documents:

- Delivery Program
- Operational Plan
- Quarterly Review of Delivery Program
- Quarterly Budget Review Statements
- Annual Report
- End of Term Report
- Information in council reports where funding opportunities are present
- Cessnock under construction flyer

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	
Total (12)	Total (1)

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

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

MOTION

1227

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

That Council notes the information on projects within the works program is already available to Councillors and the public in the following documents:

- Delivery Program
- Operational Plan
- Quarterly Review of Delivery Program
- Quarterly Budget Review Statements
- Annual Report
- End of Term Report
- Information in council reports where funding opportunities are present
- Cessnock under construction flyer

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**

BUSINESS WITH NOTICE NO. BN10/2020

SUBJECT: YOUTH CENTRE

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

Council supply a report on the operation of the Youth Centre on Aberdare Road with the following information prior to the setting of the next budget:

1. Number of staff
2. How often is the Aberdare Road complex open and for how long
3. Do they still do school activities
4. Is there support for youth attending court
5. What is the main aim of the Youth Centre.

AMENDMENT **Moved:** Councillor Burke **Seconded:** Councillor Gray

1. That Council notes and acknowledges the work that CYCOS does within our Local Government Area and the importance of having these services for young people.
2. That Council puts out a media release to inform the community of the services that are provided to the community by the centre and its staff.
3. That Council keep track and apply for any upcoming funding available to boost youth programs within the Cessnock LGA.
4. That the General Manager writes to the Minister for Regional Youth Bronnie Taylor MP calling on the State Government to support Regional programs such as CYCOS with funding to support
 - The expansion of Head Space in the Cessnock Local Government Area
 - Youth Mental Health programs
 - Youth Suicide prevention programs
 - Youth drug and alcohol programs
 - Youth Bullying programs
5. That a briefing be held with Councillors to provide an update on CYCOS activities and programs.

FOR	AGAINST
Councillor Dunn	Councillor Olsen
Councillor Fagg	Councillor Doherty
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (2)

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

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

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Gray
1228
RESOLVED

1. That Council notes and acknowledges the work that CYCOS does within our Local Government Area and the importance of having these services for young people.
2. That Council puts out a media release to inform the community of the services that are provided to the community by the centre and its staff.
3. That Council keep track and apply for any upcoming funding available to boost youth programs within the Cessnock LGA.
4. That the General Manager writes to the Minister for Regional Youth Bronnie Taylor MP calling on the State Government to support Regional programs such as CYCOS with funding to support
 - The expansion of Head Space in the Cessnock Local Government Area
 - Youth Mental Health programs
 - Youth Suicide prevention programs
 - Youth drug and alcohol programs
 - Youth Bullying programs
5. That a briefing be held with Councillors to provide an update on CYCOS activities and programs.

FOR

Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (11)

AGAINST

Councillor Olsen
Councillor Doherty

Total (2)

CARRIED

BUSINESS WITH NOTICE NO. BN11/2020

SUBJECT: MOUNT VIEW ROAD FUNDING RE-STATEMENT

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

That Council re-instate funding to the 2020/21 budget for Mount View Road Cessnock that was deferred from the 2017/18 Local Road Renewal Program RRL-2018-010 from Barrett Avenue to Links Avenue as the road is deteriorating and needs these repairs as a matter of urgency.

AMENDMENT **Moved:** Councillor Suvaal **Seconded:** Councillor Gray

That Council notes that Mount View road from Barrett Avenue to Links Avenue has been returned to the Local Road Renewal Program as per motion WI24/2020.

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	
Total (12)	Total (1)

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

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

MOTION

1229

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

That Council notes that Mount View road from Barrett Avenue to Links Avenue has been returned to the Local Road Renewal Program as per motion WI24/2020.

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**

BUSINESS WITH NOTICE NO. BN12/2020

SUBJECT: TRAFFIC ISSUES HEDDON GRETA

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Burke

1230

MOTION

That the General Manager Investigate the concerns of the residents of Heddon Greta with the installation of traffic lights at Heddon Street and Main Road and the potential impact on the local road network. In particular investigating the excessive speeding issues that are now prevalent along Radford Street and surrounding feeder roads, with traffic calming options.

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. BN13/2020

SUBJECT: RUBBISH BINS IN PARKS IN CESSNOCK LOCAL GOVERNMENT AREA

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Suvaal

1231

MOTION

That a report comes back to council outlining the parks in Cessnock LGA that have no rubbish bins, a prioritised plan to provide these services, costs involved and possible funding options.

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

Total (0)

CARRIED UNANIMOUSLY

QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN NO. QWNG2/2020

SUBJECT: QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

FOR COUNCIL'S INFORMATION

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ1/2020

SUBJECT: BARRIERS - HALLS ROAD AND DE BEYERS ROAD POKOLBIN

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1232

FOR COUNCIL'S INFORMATION

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

Total (0)

CARRIED UNANIMOUSLY

COUNCILLORS REPORTS

NIL

9.04PM

Confidential reports (closed session)

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Sander
1233

RESOLVED

That the meeting move into closed session in order to consider confidential items.

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

Total (13)

Total (0)

CARRIED UNANIMOUSLY

9.10PM

Open Session

The meeting moved back into open session and the General Manager reported on the outcomes.

CORPORATE AND COMMUNITY NO. CC26/2020

SUBJECT: REQUEST FOR WAIVER OF COURT AWARDED COSTS FOR FIRE SAFETY UPGRADE ORDERS

This matter is considered to be confidential under Section 10A(2) (b) of the Local Government Act, as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

MOTION

1234

RESOLVED

Moved: Councillor Suvaal

Seconded: Councillor Gray

That Council declines the request for waiver of costs as awarded by the Land and Environment Court.

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

The Meeting Was Declared Closed at 9.10pm

CONFIRMED AND SIGNED at the meeting held on 1 April 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI5/2020

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.

Notice of Intention to Deal With Matters in Confidential Session

Report No. NI3/2020

Corporate and Community Services



SUBJECT: ***NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION.***

CC38/2020 - SALE OF COUNCIL LAND AT 10 & 12 QUORROBOLONG ROAD, CESSNOCK.

WI35/2020 - MINUTES OF THE CONFIDENTIAL SESSION OF THE FLOODPLAIN MANAGEMENT COMMITTEE MEETING OF 4 MARCH 2020

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

RECOMMENDATION

1. That Council considers in Confidential Session the following matters in accordance with Sections 10A (2) (c) & (dii) of the *Local Government Act 1993*:

Report No. CC38/2020 – Sale of Council land at 10 & 12 Quorrobolong Road, Cessnock 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.

Report No. WI35/2020 – Minutes of the Confidential Session of the Floodplain Management Committee Meeting of 4 March 2020 as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

2. That Council requests the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “Confidential” business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

ENCLOSURES

There are no enclosures for this report.

Mayoral Minute

Report No. MM3/2020

General Manager's Unit



MAYORAL MINUTE No. MM3/2020

SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS

RECOMMENDATION

1. That the General Manager writes to the Minister for Corrections Anthony Roberts giving support for Option 3a in the Cessnock Correctional Complex Road Options Analysis Report December 2019 and request a meeting for the General Manager and Mayor discuss entry to the Cessnock Correctional Centre.
2. That Council liaise with the State Member for Cessnock Clayton Barr to develop common strategies on this important project and invite Mr Barr to address Council at a Councillor Briefing Session.

REPORT/PROPOSAL

Council received a letter from Minister for Corrections Anthony Roberts dated 30 March 2020 withdrawing the Department of Corrections offer to relocate the entry to Cessnock Correctional Centre to Kerlew Street.

Council had previously been extremely pleased with the Government's previous announcements they had agreed to relocate the entrance away from Lindsay Street. This has occurred through many years of negotiation and working together to try and achieve the best results for the Cessnock Community.

Previous meetings with the Minister have been very worthwhile and I have previously stated in the Chamber my appreciation for the way Minister Roberts has handled these negotiations since coming into the Corrections portfolio.

Should Council agree on this position per the Mayoral Minute, I am hopeful that Minister Roberts will continue to engage in a positive manner and reinstate the Government's offer to construct the new entrance to the correctional centre.

Council is still committed to the previous resolutions listed below in regards to the closure of the entrance of the Lindsay Street entrance and will continue to work constructively with Corrections and the State Government to achieve this.

1st February 2017:

"That Council reaffirms its position in relation to access to the expanded Cessnock Correctional Centre particularly:

- a. "That access to the proposed expanded State facility be via direct routes to the State Road Network"; and

Mayoral Minute

Report No. MM3/2020

General Manager's Unit



- b. "That local roads paid for by Cessnock ratepayers should not shoulder the significant financial and maintenance burden of the significant expansion of this State facility".

17th April 2019:

"That Council reaffirms its position that Lindsay Street is not an option for the ongoing entrance/exit to the Cessnock Correctional Centre".

ENCLOSURES

There are no enclosures for this report

Motions of Urgency

Report No. MOU5/2020

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.

Planning and Environment

Report No. PE12/2020

Planning and Environment



SUBJECT: *HUNTER WATER CHANNEL NATURALISATION PROJECT - CESSNOCK PRIORITIES*

RESPONSIBLE OFFICER: *Strategic Planning Manager - Martin Johnson*

SUMMARY

Hunter Water (HW) has announced funding for channel naturalisation projects in Cessnock, Newcastle and Lake Macquarie. Officers have previously worked with HW to identify four local projects for concept design. HW is now seeking confirmation of council's priorities to proceed to detailed design and to potentially carry out these works.

It is recommended that Council prioritise works in the Cessnock Commercial Precinct as this will achieve significant improvements in the public domain and is in accordance with the Cessnock Commercial Precinct Public Domain Plan.

RECOMMENDATION

That Council notes that Hunter Water was advised of the following priorities for naturalisation projects in Cessnock:

1. **C10 – Black Creek: Cessnock Commercial Precinct**
2. **C01 – Kearsley Creek, South Cessnock**
3. **C07 – Manning Park**
4. **C06 – Black Creek: Maitland/Allandale Road intersection to Henderson Avenue.**

BACKGROUND

In 2018, Hunter Water (HW) approached three Hunter Councils (Newcastle, Lake Macquarie and Cessnock) to participate in a Desktop Channel Naturalisation Project. Naturalisation means removing parts of the hard drainage channel and replacing them with more natural alternatives. The benefit of naturalisation is improved amenity, increased green spaces and potentially better water quality.

The objectives of the project are:

- To improve ecological conditions and waterway health.
- To restore some of the natural function of the waterway.
- To enhance connection, understanding, and value for urban waterways from the community.
- To encourage recreation and activity in and around the waterways.
- To create a valued, community asset.
- To boost social vibrancy and to activate the public realm.

HW asked each council to identify segments of HW's hard drainage network that could be naturalised if funding became available. In March 2020, HW announced that an undisclosed amount of funding will be available to undertake some naturalisation works in Cessnock, Newcastle and Lake Macquarie.

Planning and Environment

Report No. PE12/2020

Planning and Environment



This report seeks to prioritise works in the Cessnock Commercial Precinct Centre and specifically the drain between the Maitland/Allandale Roads intersection and Keene Street. These works will significantly contribute to the public domain and are consistent with the Cessnock Commercial Precinct Public Domain Plan. It may also be a showcase project for HW and council as it is the only city centre project nominated across the 3 council areas.

REPORT/PROPOSAL

HW owns and maintains more than 45km of concrete-lined channels across the Newcastle, Lake Macquarie and Cessnock which were constructed predominantly between 1920 and 1950. The community is becoming increasingly engaged in naturalising the concrete channels, through introduction of vegetation, rock, changing the size and shape of the channels and introducing landscape and urban design elements such as walking tracks and cycling paths.

The naturalisation of urban waterways provides critical opportunities for high quality, accessible public open space, improved visual amenity as the appearance of the creek becomes more natural, improved active transport connections for residents, and potential urban cooling benefits and other environmental improvements.

Attachment 1 is an extract of the Hunter Channel Naturalisation Concept Design Report which identifies the 4 shortlisted projects in Cessnock. These are:

1. C01 – Kearsley Creek, South Cessnock
2. C06 – Black Creek: Maitland/Allandale Road intersection to Henderson Avenue
3. C07 – Manning Park
4. C10 – Black Creek: Cessnock Commercial Precinct

HW have announced that they expect to receive funding (an undisclosed amount) to spend on naturalisation works across the 3 councils. They have asked each council to prioritise the projects within the Concept Design Report. HW note that some projects will be very expensive to implement and may require breaking down into sub-projects.

The project offers a unique funding opportunity to achieve a key part of the Cessnock Commercial Precinct Public Domain Plan and to improve the quality and function of the public domain. The concept report illustrates a couple of design options along the drain segment between Keene Street and Maitland/Allandale Road. However, these are highly conceptual and the next stage of the process will require detailed design and consideration of specific options. These options will also require discussions with adjoining landowners.

The other options in the concept report also have merit; however the primary concerns at these locations are not naturalisation. Manning Park has safety issues due to the configuration of the channel at this location and the works at Kearsley Creek will reduce flood risk in certain flood events. Ultimately, it will be HWs decision about which option/s to fund. If the commercial precinct option/s does not proceed these lower priority projects may attract the funding. Council is also applying for a Floodplain Management Grant that may include Kearsley Creek (C01) in April. This may be a more appropriate funding stream to address flood related issues rather than this funding opportunity.

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The recommended priority of these projects is:

1. C10 – Black Creek: Cessnock Commercial Precinct
2. C01 – Kearsley Creek, South Cessnock
3. C07 – Manning Park
4. C06 – Black Creek: Maitland/Allandale Road intersection to Henderson Avenue

OPTIONS

NIL

CONSULTATION

No external consultation has been undertaken at this stage.

Council's Strategic Planners and Engineers have been participating in the project since 2018. The priorities listed in this report has been discussed with Council's Principal Engineer - Environmental Infrastructure.

Consultation with adjoining landowners will be undertaken during the detailed design stage. Broader consultation may be undertaken during the process. However, this is HWs project and they are not bound by the same requirements as council.

STRATEGIC LINKS

a. Delivery Program

The following delivery program items are relevant to the project:

A sustainable and prosperous economy

2.1.4 Provide support for activation of commercial centres, business engagement, promotion and support for business growth.

2.1.5 Finalise and commence implementation of the Cessnock Commercial Precinct, Public Domain Plan, DCP and s94 Plan.

A sustainable and healthy environment

3.1.10 Continue implementation of Council's Trunk Stormwater Drainage Strategy to protect and enhance the natural environment.

3.2.4 Provide and maintain recreation facilities, streetscapes and public open space.

3.3.5 Continue to implement programs that target litter and illegal dumping.

b. Other Plans

Cessnock Commercial Precinct Master Plan

Cessnock Commercial Precinct Public Domain Plan and Implementation Strategy

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IMPLICATIONS

a. Policy and Procedural Implications

NIL

b. Financial Implications

Council is not required to contribute to the works as these are not Council assets.

c. Legislative Implications

NIL

d. Risk Implications

NIL

e. Environmental Implications

Naturalisation of channels is reported to have environmental benefits including improved visual amenity, potential urban cooling benefits, water quality and environmental improvements.

f. Other Implications

NIL

CONCLUSION

This funding is a unique opportunity to complete significant public domain improvements in the Cessnock Commercial Precinct. These works may also be a showcase project for HW and Council as it is the only project across the 3 councils that is in a city centre.

Additional projects at Kearsley Creek and Manning Park have been listed to provide a range of projects and may attract funding if the city centre project is not funded.

ENCLOSURES

There are no enclosures for this report.

Planning and Environment

Report No. PE13/2020

Planning and Environment



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

RESPONSIBLE OFFICER: *Business Support & Customer Relations Manager - Roslyn Ashton*

SUMMARY

The purpose of this report is to provide Council with the December 2019 quarterly report in relation to development assessment performance monitoring data and provide an overview of development activity within the Cessnock Local Government Area.

RECOMMENDATION

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

BACKGROUND

Each year, the NSW Department of Planning and Environment analyses data from each Council in NSW to provide comprehensive information on the operation of the local development assessment system for development applications, modification of Consents and complying development.

Over recent years, Council has continued to work with key stakeholders to improve processes and the overall performance in relation to development assessment and processing times

REPORT/PROPOSAL

Data outlined in this report provides details of Council's local development performance during the 2019 December quarter.

The NSW Planning Portal provides additional ePlanning reporting in relation to development assessment. Click on the following link to view details of applications that have been lodged and determined each quarter via the portal. <https://www.planningportal.nsw.gov.au/eplanning-report>

DEVELOPMENT ASSESSMENT

Key Highlights 2019/2020

Development Applications

168 applications Dec Qtr
372 applications YTD
RECEIVED



Modifications

29 applications Dec Qtr
73 applications YTD
RECEIVED

181 applications Dec Qtr
402 applications YTD
DETERMINED



36 applications Dec Qtr
77 applications YTD
DETERMINED

Determination of DAs as defined under the Act (*granting consent or refusing consent*)

36 median YTD
PROCESSING DAYS



26 median YTD
PROCESSING DAYS

Determination of DAs as defined under the Act (*granting consent or refusing consent*)

60 mean (avg) YTD
PROCESSING DAYS



56 mean (avg) YTD
PROCESSING DAYS



Dec Qtr 2019/2020



Determination Body
COUNCIL STAFF

99%



Determination
GRANTING CONSENT

100%

Construction Certificates

59 percent

Principal Certifying Authority
Market Share

Occupation Certificates

25 percent

Principal Certifying Authority
Market Share



\$147,488,804

Development Value
(Development Applications only)

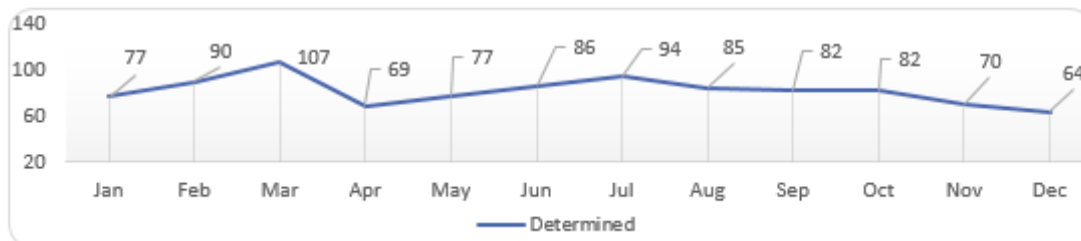


\$15,695,684

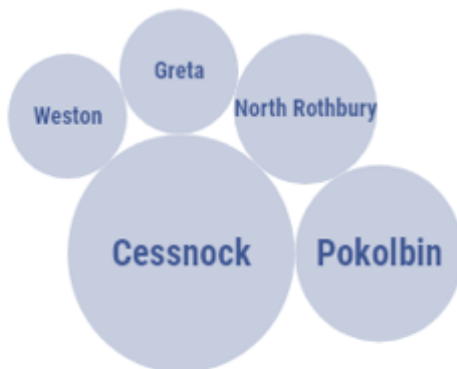
Complying Development
Value for approvals
(Council & Private Certifiers)

2019/2020

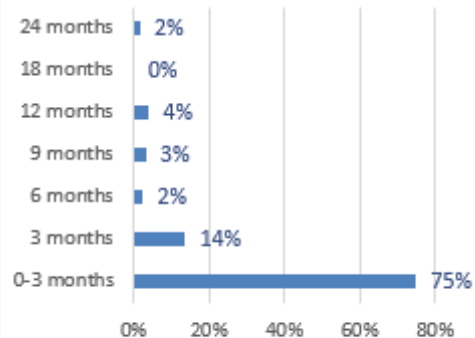
12 Month comparison of applications determined (DAs & Modifications)



Development by location



Percentage of undetermined Development Application



Building approvals

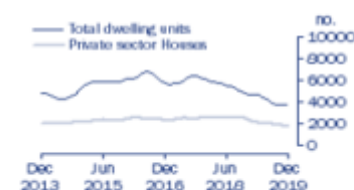
Number of total dwelling units



The trend estimate for Australia rose 2.1% in December.

Dwelling units approved State trends

New South Wales



The trend estimate for total number of dwelling units approved in New South Wales rose 0.5% in December. The trend estimate for the number of private sector houses fell 2.1% in December.

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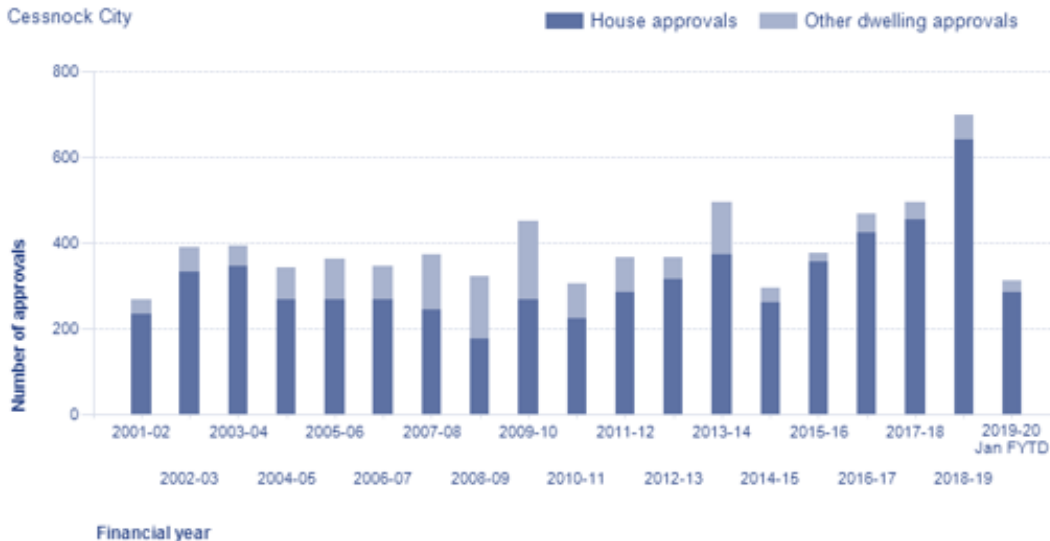
Residential building approvals

Cessnock City	Number			Annual change		
Year (ending June 30)	Houses	Other	Total	Houses	Other	Total
2019-20 Jan FYTD	283	28	311			
2018-19	641	57	698	+186	+16	+202
2017-18	455	41	496	+32	-3	+29
2016-17	423	44	467	+68	+24	+92
2015-16	355	20	375	+93	-13	+80
2014-15	262	33	295	-112	-87	-199
2013-14	374	120	494	+60	+67	+127
2012-13	314	53	367	+29	-28	+1

Source: Australian Bureau of Statistics, Building Approvals, Australia (8731.0). Compiled and presented in profile.id by .id, the population experts (Usual residence data)

Residential building approvals

Cessnock City



Source: Australian Bureau of Statistics, Building Approvals, Australia (8731.0). Compiled and presented by .id, the population experts.

.id
the population experts



311 residential buildings
approved to be built in the financial
year 2019-20 JAN FYTD



The value of **building approvals**
was **\$150m** in the 2019-20
JAN FYTD financial year

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Value of total building approvals

reset export

	Cessnock City			New South Wales			
Financial year	Residential \$('000')	Non- residential \$('000')	Total \$('000')	Residential \$('000')	Non- residential \$('000')	Total \$('000')	Cessnock City as a % of New South Wales
2019-20 Jan FYTD	98,728	51,363	150,091	10,416,261	11,638,576	22,054,837	0.7%
2018-19	209,657	149,537	359,194	21,831,044	16,668,711	38,499,755	0.9%
2017-18	163,405	163,611	327,016	26,688,322	14,681,502	41,369,824	0.8%
2016-17	146,563	200,917	347,480	25,294,965	14,322,685	39,617,649	0.9%
2015-16	112,573	20,406	132,979	24,507,071	11,286,909	35,793,980	0.4%
2014-15	76,046	19,245	95,291	15,651,703	12,000,977	27,652,680	0.3%
2013-14	117,126	37,315	154,441	15,651,703	12,000,977	27,652,680	0.6%
2012-13	83,814	17,007	100,821	11,981,013	7,883,815	19,864,829	0.5%

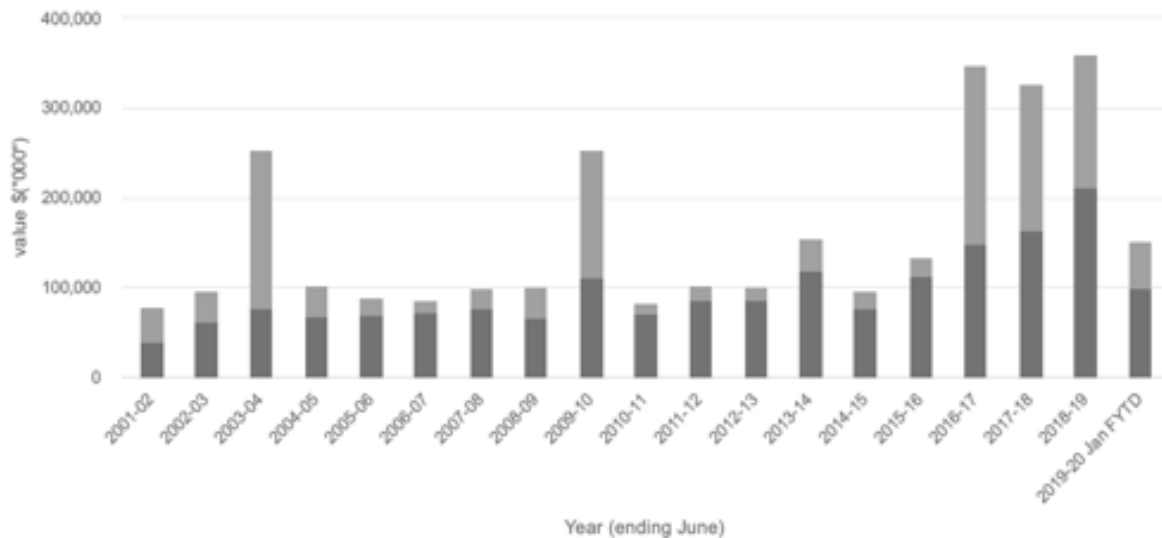
Source: Australian Bureau of Statistics, Building Approvals, Australia, catalogue number 8731.0. Compiled and presented in economy.id by .id the population experts

<https://profile.id.com.au/cessnock/building-approvals>

Value of total building approvals

Cessnock City

Non Residential Residential



<https://economy.id.com.au/cessnock/value-of-building-approval>

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Highlights Commentary

- A total of 168 development applications and 29 modifications were submitted with a total of 181 applications and 36 modifications determined during the December quarter 2019.
- As at 31 December 2019 the number of applications being processed had decreased to 124 (from 144 in the September quarter 2019) with 75% under 3 months, 14% at the key milestone of 3 months, 2% at 6 months, 3% at 9 months, 4% at 12 months and 2% at 24 months..
- During the December Quarter 2019, development application processing days were 36 median days and 60 mean (average) days for development applications. The mean processing time has decreased from 65 days for September 2019 quarter
- 99 percent of applications were determined by council staff.
- The percentage of applications determined in less than 40 days equals 55% for the 2019/20 DEC FYTD period and there were 75% of applications determined less than 60 days.
- Determination of development applications as defined under the Act (*granting consent or refusing consent*) - 100 percent of applications were approved by granting consent. There were no applications refusing consent during the reporting period.
- 61% of housing approvals by Council were determined within 40 days.
- 311 residential dwellings were approved across the Cessnock LGA in the year 2019/20 JAN FYTD. This is trending lower than record residential approvals last financial year, however is still well above previous years.
- The total value of building approvals in Cessnock LGA was \$150m in the 2019/20 JAN FYTD financial year. This figure is also trending lower consistent with the lower trend in approvals.
- Council's Building Certification market share for construction certificates was at 59% during the December 2019 Quarter. This has increased from 57% at the September quarter 2019.
- Cessnock had the highest amount of development activity with 40 applications determined, followed by Pokolbin 22, North Rothbury (Huntlee) 16, Greta 12, and in Weston 12 applications were determined.
- Benchmarking data for LDPM – Local Development Performance Monitoring Data is now available on the NSW Planning Portal. The dashboard provides local development data from all NSW councils, covering financial years 2006/7 to 2017/18. Note: A complete dataset from 2018/19 financial year cannot be displayed until all councils have submitted their LDPM data and quality assurance checks have been completed.
<https://www.planningportal.nsw.gov.au/reporting/local-development-performance-monitoring-ldpm>

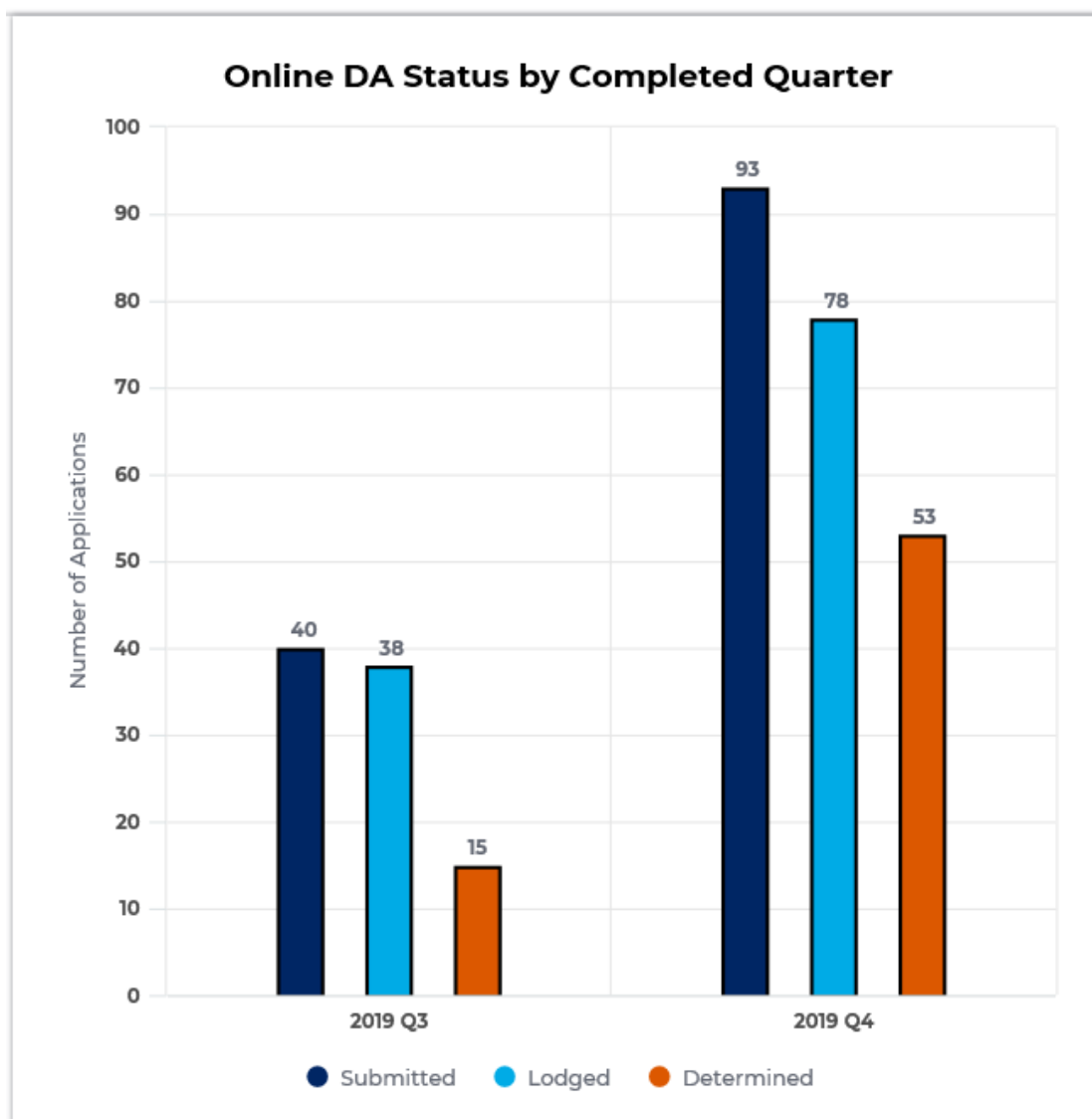
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- ePlanning reporting has made it easier for you to see how many applications have been lodged through the NSW Planning Portal. Development Assessment Data is available for Council's online DA services commencing from July 2019.



- * Submitted equals applications submitted in the NSW Planning Portal. Noting applications not meeting Council requirements are returned at this stage of the process
- * Lodged equals applications that Council has accepted to process.
- * Determined equals applications that were lodged through the NSW Planning Portal and have also been determined. Noting applications determined by council that were not lodged through the NSW Planning Portal are not included in this report.
- * As of 2 January 2020 all development applications and associated certificates have been lodged through the NSW Planning Portal.

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CONSULTATION

NSW Planning – Local Development Performance Monitoring
Civica – Authority and MasterView Consultants
Director Planning and Environment
Health and Building Manager
Development Services Manager

STRATEGIC LINKS

a. Delivery Program

The report is linked to Objective 3.1.6 Continue to efficiently and effectively process development applications, and respond to planning related enquiries

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Nil

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Environmental Implications

N/A

f. Other Implications

Nil

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CONCLUSION

The report is provided for Council information and outlines an overview of the quarterly performance of Development Assessment as at the end of the December 2019 in the 2019/20 Financial Year.

ENCLOSURES

There are no enclosures for this report

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Report No. PE14/2020

Planning and Environment



SUBJECT: ***IPART REVIEW OF PRICES FOR HUNTER WATER CORPORATION DRAFT REPORT WATER PRICING MARCH 2020 RELATING TO NORTH ROTHBURY PRIORITY SEWERAGE SCHEME***

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

SUMMARY

At the Ordinary Meeting of 2 October 2019, Council resolved to endorse a submission to the *IPART Issues Paper – Review of prices for Hunter Water Corporation From 1 July 2020*.

This report provides an update to Council following the release of the IPART Draft Report – Water Pricing – Review of Pricing for Hunter Water Corporation March 2020 (Draft Report) following the close of submissions. Council staff have reviewed the Draft Report released by IPART and determined that a further submission was not necessary.

IPART indicated that matters raised by Council with regard to the provision of backlog sewerage services is outside the scope of the IPART review and may be resolved between agencies. Council may now consider its future direction with regard to the provision of backlog sewerage services to North Rothbury and other villages across the Cessnock Local Government Area.

RECOMMENDATION

1. That Council notes IPART Draft Report – Water Pricing – Review of Pricing for Hunter Water Corporation March 2020.
2. That Council notes IPART advice that the provision of backlog sewerage services to North Rothbury and other villages across the Cessnock Local Government Area is outside the scope of the IPART – Pricing Review and may be resolved between agencies.
3. That the General Manager make arrangements to meet with Hunter Water Corporation to advocate for and assist Hunter Water Corporation to develop an approach that provides equitably funded backlog sewage services to North Rothbury and other villages across the Cessnock Local Government Area.

BACKGROUND

At its meeting on 2 October 2019, Council resolved (no.1008) as follows in response to Report PE65/2019 – Council Submission to IPART Issues Paper – HWC Pricing Proposal 2019 relation to North Rothbury Sewerage Scheme:

1. That Council endorse the submission to the *IPART Issues Paper – Review of prices for Hunter Water Corporation From 1 July 2020* with the following amendment being made to the wording, paragraph 2 provided in Council's Submission:-

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For many years Cessnock City Council and its representatives have been in consultation with HWC and its representatives in an effort to address the backlog of sewerage service works to the village of North Rothbury as a priority along with other villages within its Local Government Area.

2. *That consultation regarding Council's submission to IPART be communicated back to the community of North Rothbury via the Branxton/Greta News.*
3. *That Council's submission be amended to include our concerns that local residents may not be able to afford an increase in their water rates. This should include socio economic data on our LGA.*

REPORT/PROPOSAL

In response to the Council resolution of 2 October 2019 (No. 1008), Council's submission was forwarded to IPART for consideration on 17 October 2019.

In response to Council's submission, IPART invited Council to participate in the public hearing roundtable held at Newcastle on 19 November 2019 to discuss and further articulate the Council's submission.

The Mayor as Council's representative attended the public roundtable and presented Council's position in this regard.

The issues raised in Council's submission, and again raised by the Mayor at the public hearing roundtable, were considered by IPART and appear to have been addressed within the IPART *Draft Report Water Pricing - Review of Pricing for Hunter Water Corporation from 1 July 2020* on the 10 March 2020.

In their draft determination, IPART have accepted Hunter Water's Proposal to discontinue the Environment Improvement Charge (EIC) for 2020 determination period noting that

In response to our Issues Paper, Cessnock City Council strongly opposed discontinuation of the EIC, noting that the cost to residents to pay for backlog services to their homes was too high. At the Public Hearing, both Cessnock City Council and the City of Newcastle raised concerns about funding backlog services to certain townships in their area "We consider in the absence of Government direction for Hunter Water to deliver further backlog sewerage services and for these to be funded via prices to the broader customer base, there is no strong case for broader customer base to continue funding these services.

IPART has further clarified that,

"The decision to nominate an area for a backlog program is not within the scope of a pricing review" and;

"It is the community, together with government and Hunter Water that decide whether it is optimal for particular areas to be seweraged. If they are to be seweraged, it is IPARTS role to determine the maximum prices that both the existing and the new customers should pay"

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Whilst alternative mechanisms are available, these rely on HWC to initiate and develop and for direction to be provided by the NSW Government. Council has formally approached several relevant NSW Ministers in the past without any success. There has not been any direction issued by the NSW Government to HWC on the matter. Comments from IPART are clear that the NSW Government may direct the service to be provided. Council seems to be going in circles without any real support from the Government or HWC.

In this regard a further submission to IPART which raises the same issues is considered futile and is not recommended.

Whilst this is a disappointing outcome to Council's submission, IPART have essentially indicated that Council may instead resolve this by working with HWC directly.

Ongoing engagement directly with HWC to identify and develop an approach to provide equitably funded backlog sewage services to North Rothbury and other villages across the Cessnock Local Government, is therefore considered the best course of action. Should this direct engagement not provide satisfactory progress or outcomes, then a further report may be provided for the Council to consider taking an alternative approach.

In light of the draft determination Council staff have not prepared a further submission and instead recommend engagement with Hunter Water Corporation as suggested by IPART.

For reference, Council raised the following matters in our submission and these are addressed in the following table:

Issue raised in Council submission	<i>Draft Report Water Pricing - Review of Pricing for Hunter Water Corporation from 1 July 2020</i>
Proposed discontinuance of the Environmental Improvement Charge	Reference: (page 86 and Appendix M on page 216)
Increased time between price reviews from 4 to 5 years	Reference pages (pages 28 -29)
Discretionary Expenditure	Reference pages (pages 99-103)

OPTIONS**Option 1**

That Council notes IPART Draft Report – Water Pricing – Review of Pricing for Hunter Water Corporation March 2020.

That the General Manager make arrangements to meet with Hunter Water Corporation to advocate for and assist HWC to develop an approach to provide equitably funded backlog sewage services to North Rothbury and other villages across the Cessnock Local Government.

Option 2

Council may consider that enough resources have been provided to resolve this matter. In this regard Council may determine to take no further action.

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CONSULTATION

Team Leader Environmental Health
Health and Building Manager
Director Planning & Environment
General Manager

STRATEGIC LINKS

a. Delivery Program

Objective 1.3: *Promoting safe communities* and specifically:

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

Objective 3.1: *Protecting and enhancing the natural environment and the rural character of the area* and specifically:

Strategic direction: *Our environmental amenity is protected and enhanced.*

Action 3.1.8: *Carry out regulatory and education programs to protect and enhance the natural environment and environmental health.*

b. Other Plans

NIL

IMPLICATIONS

a. Policy and Procedural Implications

NIL

b. Financial Implications

The financial implications relate only the cost of staff resources and time to follow up the matters.

c. Legislative Implications

NIL

d. Risk Implications

The provision sewerage services to North Rothbury minimise the risk of ongoing environmental, economic and social related issues to both Council and the wider community.

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From a social planning perspective, there is a risk of community disadvantage and inequality where villages remain unsewered in close proximity to new growth areas such as will be the case when the Huntlee development will surround the township of North Rothbury

e. Environmental Implications

The provision of sewerage services to North Rothbury minimises the ongoing risk of environmental related issues to both Council and the wider community.

A review of wastewater inspections and complaints received by Council for North Rothbury indicates that septic systems regularly periodically fail or are not properly maintained which has a significant health and environmental risk to the occupants, neighbouring properties and the community. The provision of sewerage to North Rothbury will minimise the environmental risks due to all human waste being managed by a reticulated town sewerage system.

f. Other Implications

NIL

CONCLUSION

According to the information available to Council, there remains no definite plans to provide backlog sewerage services to North Rothbury.

The decision to nominate an area for a backlog program is outside of the scope of IPART's pricing review and relies on Hunter Water Corporation to initiate and develop.

Direct engagement is necessary to continue to advocate for and assist HWC to develop an approach to provide equitably funded backlog sewage services to North Rothbury and other villages across the Cessnock Local Government.

ENCLOSURES

- 1 [↓](#) IPART Draft report water pricing - Review of prices for Hunter Water Corporation - Provided under Separate Cover

Placeholder for Enclosure 1

Planning and Environment No.

IPART Draft report water pricing - Review of prices for
Hunter Water Corporation - Provided under Separate
Cover

Corporate and Community

Report No. CC28/2020

Corporate and Community Services



SUBJECT: *MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING OF 1 APRIL 2020*

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

RECOMMENDATION

1. That the Minutes of the Strategic Property and Community Facilities Committee of 1 April 2020 be adopted as a resolution of the Ordinary Council.
2. That Council, whilst investigations are underway, not hire, lease or licence 16 Vincent Street Cessnock and use the facility only for its own operational purposes.
3. That Council endorses the Strategic Property Review project staged implementation plan 2020/21.

MINUTES OF STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE OF THE CESSNOCK CITY COUNCIL HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 1 APRIL 2020, COMMENCING AT 3.30PM

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

IN ATTENDANCE: Councillor Fitzgibbon
Councillor Gray
General Manager
Director Planning & Environment
Director Corporate & Community
Strategic Planning Manager
Finance & Administration Manager
Community & Cultural Engagement Manager
Senior Strategic Property Specialist
EA to Director Corporate & Community
Corporate Governance Officer

APOLOGIES: Nil

MINUTES: **MOTION** **Moved:** Councillor Sander
Seconded: Councillor Dunn

RECOMMENDED that the Minutes of the Strategic Property & Community Facilities Committee held on 11 December 2019, as circulated, be taken as read and confirmed as a correct record.

Corporate and Community

Report No. CC28/2020

Corporate and Community Services



CARRIED UNANIMOUSLY

OFFICER'S REPORTS

OFFICER'S REPORTS NO. SPOR1/2020

SUBJECT: PREFERRED POSITION FOR AN EXPANDED CESSNOCK LIBRARY BRANCH

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

RECOMMENDATION

1. That the Strategic Property & Community Facilities Committee notes the Renewal option was adopted as the preferred position for an expanded Cessnock Library Branch and that this option be included in the 2020-21 Operational Plan.
2. That the Strategic Property & Community Facilities Committee notes the Former Civic Park 204-218 Vincent Street, Cessnock and is located adjacent to Cessnock Performing Arts Centre is not a preferred location for an expanded Cessnock Library Branch.

CARRIED UNANIMOUSLY

Corporate and Community

Report No. CC28/2020

Corporate and Community Services



OFFICER'S REPORTS NO. SPOR2/2020

**SUBJECT: PROPERTY PREVIOUSLY OCCUPIED BY CESSNOCK REGIONAL
ART GALLERY INCORPORATED, 16 VINCENT STREET AND 3A
CUMBERLAND STREET CESSNOCK**

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

RECOMMENDATION

1. That the Strategic Property & Community Facilities Committee notes the Cessnock Regional Art Gallery Incorporated has terminated their lease for occupation of 16 Vincent Street Cessnock Lot 901 DP 1145687 effective 31 January 2020.
2. That the Strategic Property & Community Facilities Committee notes investigations are underway for the establishment of a cultural hub at Cessnock Performing Arts Centre and the concept design includes an art space with associated works currently unfunded.
3. That the Strategic Property & Community Facilities Committee notes the Cessnock Regional Art Gallery Building will be surplus to operational requirements if the establishment of a cultural hub at Cessnock Performing Arts Centre is to proceed and this surplus is identified in the adopted 2031: A Vision for the Future, Community Infrastructure Plan.
4. That the Strategic Property & Community Facilities Committee notes responsibility for 16 Vincent Street Lot 901 DP 1145687 and 3A Cumberland Street Cessnock Lot 902 DP 1145687 will be transferred to Strategic Property for an evaluation of future options including sale with a further report to be tabled to the Committee once an independent valuation is complete.
5. That Council whilst investigations are underway not hire, lease or licence 16 Vincent Street Cessnock and use the facility only for its own operational purposes, which may include during the Cessnock City Library Branch closure with its lift installation.
6. That the Strategic Property & Community Facilities Committee in principle support that in the event any of the properties are sold, then the proceeds be used to discharge the financial loan for 16 Vincent Street Cessnock Lot 901 DP 1145687 with remaining funds directed to works associated with the investigation of a cultural hub at Cessnock Performing Arts Centre.

CARRIED UNANIMOUSLY

Corporate and Community

Report No. CC28/2020

Corporate and Community Services



OFFICER'S REPORTS NO. SPOR3/2020

SUBJECT: STRATEGIC PROPERTY REVIEW UPDATE

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

RECOMMENDATION

1. That the Committee notes and supports the submission of separate reports to Council recommending approval be granted to sell the following six Stage 1 properties (sixteen lots):
 - 26 Tulloch Street East Branxton
 - 27 & 29 Aberdare Street Kitchener
 - 29 & 31 Cessnock Street Kitchener
 - 62 to 76 Cessnock Street Aberdare
 - 16A Stephen Street Cessnock
 - 10 & 12 Quorrobolong Street Cessnock
2. That the Committee notes the following three properties are now sold:
 - 27 Middle Street East Branxton
 - 5 Frederick Street North Rothbury
 - 163 Cessnock Road Weston
3. That the Committee recommend to Council the following seventeen properties (34 lots) are no longer subject to Strategic Property Review investigations:
 - 28 North Avenue Cessnock
 - 2 Quorrobolong Road Cessnock
 - 47 Evatt Street Pelaw Main
 - 9 Mavis & Myra Street Cessnock
 - 4 John Rose Avenue Branxton (Branxton Park)
 - 15 - 17 Brooks Street Kurri Kurri
 - 58 - 60 Colliery Road Neath
 - 22 Occident Street Nulkaba
 - Wine Country Drive Nulkaba
 - 31 Lindsay Street Cessnock
 - 5 Kenny Street Cessnock
 - 27A Charles Street Abermain (Howe Park)
 - 232A Wollombi Road Cessnock (Apex Park)
 - South Ave Cessnock
 - Mount View Road Mount View
 - Mount Bright Road Mount View
 - 101 Maitland & 107 Lang Streets Kurri Kurri
4. That the Committee recommend Council endorse the Strategic Property Review project staged implementation plan 2020/21.

Corporate and Community

Report No. CC28/2020

Corporate and Community Services



5. That the Committee note and support the information contained in this report and the broadened focus on enhancing Council returns across the portfolio of property assets and keep the Committee informed of progress against this objective and other associated strategic property management matters in the future.

CARRIED UNANIMOUSLY

OFFICER'S REPORTS NO. SPOR4/2020

SUBJECT: VINEYARD GROVE ESTATE STAGE 8 UPDATE

MOTION **Moved:** Councillor Sander **Seconded:** Councillor Dunn

RECOMMENDATION

1. That the Committee notes the requested information in response to Council resolution PE4/2020 Vineyard Grove Estate Development Stage 8 Update.
2. That consequent to changes in biodiversity conservation legislation, the Committee notes and supports the preferred option, Option 3 for progressing the project. This involves an evaluation of both the original proposal and the revised subdivision plan (which was developed to support the requested road widening). This will include the following actions:
 - Procure an updated assessment of the site's englobo value;
 - Undertake detailed re-evaluation of available development options;
 - Findings and recommendations to be reported to the Committee for consideration.

CARRIED UNANIMOUSLY

Corporate and Community

Report No. CC28/2020

Corporate and Community Services



OFFICER'S REPORTS NO. SPOR5/2020

SUBJECT: RICHMOND MAIN - ECO-TOURISM HUB SITE SUITABILITY INVESTIGATION

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

RECOMMENDATION

That the Committee recommends deferral of the Richmond Main eco-tourism venture assessment for nine months which will give greater economic certainty around conditions, which would significantly impact the viability of any newly established eco-tourism venture and will also allow soil investigations currently underway to be progressed.

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 4.15pm

ENCLOSURES

There are no enclosures for this report

Corporate and Community

Report No. CC29/2020

Corporate and Community Services



SUBJECT: *TRANSFER OF WOLLOMBI (EAST) AND ROTHBURY CEMETERIES TO COUNCIL*

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

SUMMARY

The purpose of this report is to outline a proposal Council has received from the Newcastle Anglican Church (**Enclosure 1**) to transfer the land titles for both Wollombi (East) and Rothbury cemeteries to Council.

RECOMMENDATION

1. That Council agrees to the transfer of the two land titles being lot 7 DP 239505 at Wollombi and Lot 1 DP 1142814 at Rothbury, and to classify as Operational Land.
2. That Council authorises the General Manager and the Mayor to execute transfer documentation.

BACKGROUND

Newcastle Anglican Church (NAC) has provided correspondence to Council outlining that the land titles for Wollombi (East) Lot 7 DP 239505 and Rothbury Cemeteries Lot 1 DP 1142814 are currently held in the name of Trustees for Church Property for the Diocese of Newcastle. NAC has no formal ongoing involvement in either cemetery, and as the cemeteries have been operated and maintained by Council for some time, NAC propose to transfer the land titles to Council. Plans and title particulars are shown in **Enclosure 2**.

REPORT/PROPOSAL

Council have historically maintained Wollombi (East) and Rothbury cemeteries, and prior to being approach by NAC, had believed the sites were Council owned. As this appears to be an historical error, NAC are proposing that the land for both cemetery sites be transferred into Council's name at a peppercorn value.

The parcels of land proposed to be transferred are:

- Lot 7 DP239505 known as Rothbury Cemetery, Wilderness Road, Lovedale
- Lot 1 DP1142814 known as Wollombi Cemetery (East), Wollombi Road, Wollombi

As the above mentioned cemeteries are incorporated within an existing maintenance tender for cemeteries, and these cemeteries form part of a broader network of cemeteries in the Cessnock LGA, this proposal is supported.

OPTIONS

Council has the opportunity to accept or decline the offer of the two sites.

Corporate and Community

Report No. CC29/2020

Corporate and Community Services



CONSULTATION

- Vegetation & Civic Spaces Coordinator
- Cemeteries Officer
- Open Space & Community Facilities Manager
- Principal Recreation & Community Planner

STRATEGIC LINKS

a. Delivery Program

The proposal is linked to the Operational Plan, Objective 1.2 strengthening community culture.

b. Other Plans

Cessnock City Council Cemeteries Masterplan 2019
CCNSW Strategic Plan 2015 – 20
Cessnock City Council Cemetery Strategy 2012

IMPLICATIONS

a. Policy and Procedural Implications

Policy C10.12 Cessnock City Council Cemetery Policy will be reviewed along with existing cemetery management and administration procedures.

The land has to be classified upon transfer. The classification of the two sites will be Operational Land as it best fits the use and needs of Council.

b. Financial Implications

The 2 cemeteries are maintained via a formal tender and annual maintenance costs.

Both parties to the transfer will each pay their own legal costs. Council legal costs will be approximately \$1,500.

c. Legislative Implications

CCCNSW Code of Practice 2018
Cemeteries and Crematoria Act 2013
Crown Land Management Act 2016
Local Government Act 1993
Public Health Act 2010

d. Risk Implications

N/A

e. Environmental Implications

NIL

Corporate and Community

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f. Other Implications

Access to the Wollombi site is directly off Wollombi Road frontage however the Rothbury site is located within 438 Wilderness Road, Rothbury. This land is privately owned but the cemetery site has a legal Right of Way from Wilderness Road to the land with the cemetery thereon.

CONCLUSION

The acceptance of the transfer of both parcels will assist Council to fully manage 14 cemeteries within the LGA and deliver a comprehensive outcome for the community.

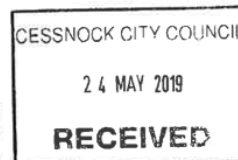
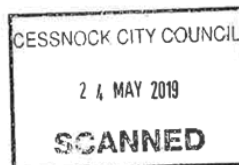
ENCLOSURES

- [1](#) Letter from Anglican Church
- [2](#) Plans of both sites



21 May 2019

Mr Stephen Glen
General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325



Dear Mr Glen

COUNCIL OPERATED CEMETERIES AT ROTHBURY & WOLLOMBI

It has recently come to our attention that the land titles for the above cemeteries are currently held in the name of Trustees for Church Property for the Diocese of Newcastle.

These properties are managed and operated as part of by Cessnock City Council, and have been for some time. Recent enquiries with Council's staff seemed to indicate Council believed it already owned the land at both sites. We note the Diocese of Newcastle has no formal ongoing involvement in either cemetery.

It appears to be an historical error that the land titles have not previously been transferred to Council. To correct this we are proposing that the land for both cemetery sites be transferred into Council's name at a peppercorn value.

For clarity the parcels of land proposed to be transferred are listed below:

1. Lot 7 DP 239505 known as Rothbury Cemetery, Wilderness Road, Lovedale; and
2. Lot 1 DP 1142814 known as Wollombi Cemetery (East), Paynes Crossing Rd, Wollombi.

We have also enclosed recent title searches for your information. It would be appreciated if an appropriate member of Council's team could contact our Strategic Property Advisor, Elyssa Kingston-Brown on 4926 3733 or elyssakingston-brown@newcastleanglican.org.au to further discuss this proposal.

Level 3,
134 King Street
Newcastle NSW 2300

Phone: (02) 4926 3733
Web: newcastleanglican.org.au
ABN: 66 773 701 473

Postal Address:
PO Box 817
Newcastle NSW 2300



Page 2 of 2

We thank Council for its ongoing commitment to respecting the beloved dead and providing peaceful places for reflection and memory at cemeteries throughout the Cessnock local government area.

Yours sincerely,

Linda Wilson
Acting Chief Executive Officer
P: (02) 4926 3733
E: LindaWilson@newcastleanglican.org.au

Wollombi Anglican Church cemetery site



Rothbury Anglican Church cemetery site



Corporate and Community

Report No. CC30/2020

Corporate and Community Services

**SUBJECT: DONATIONS UNDER SECTION 356 - RATES RELIEF****RESPONSIBLE OFFICER: Finance and Administration Manager - Andrew Glauser****SUMMARY**

A number of requests from Community Groups have been received for rate relief via a donation under Section 356 of the Local Government Act 1993 (the Act) as per the Cessnock City Council Rates Subsidy Policy.

RECOMMENDATION

1. That Council endorses the Rates Subsidy of 50% for the following Assessments in accordance with the "Rates Subsidy Policy" effective for the 2020-21 rating year.

Assessment	Organisation	Location
5173	Cessnock Masonic Hall	Cessnock
17178	Country Women's Association	Cessnock
40386	RSL Hall - Maitland St, Branxton	Branxton
59204	Cessnock Homing Pigeon Club	Cessnock
123596	Trustees Masonic Hall	Paxton
139378	Weston Pre-School	Weston
139907	Weston Masonic Hall	Weston
158337	Cessnock Clay Target Gun Club	Cessnock
198655	Aberdare Pre-School	Aberdare
198861	Bellbird Pre-School	Bellbird
252916	Richmond Vale Preservation. Co-op Soc.	Kurri Kurri
275529	Cessnock Pistol Club	Cessnock
286674	Branxton Preschool	Branxton
291963	Kurri Kurri Early Childhood Centre	Kurri Kurri

2. That Council does not apply a rates subsidy for the 2020-21 rating year for the following assessments as the organisations did not return the required documentation to allow for assessment.

Organisation	Location	Comments
Greta Pre-School Kindergarten	Greta	Did not return required documentation to allow for assessment
Kurri Kurri Motor Cycle Club	Buchanan	Did not return required documentation to allow for assessment

Corporate and Community

Report No. CC30/2020

Corporate and Community Services



3. That the General Manager write to each applicant advising of Council's decision according to the Rates Subsidy Policy.

BACKGROUND

Council currently provides a donation via rate relief for a number of specified properties under Section 356 of the Act. The subsidy is up to 50% rebate of the general rates levy and is applied during the rate levy process.

The Rates Subsidy Policy (Policy) which was revised 17 April 2019, provides a transparent process for the subsidy to be applied for and then applied in the forthcoming financial year. The Policy revision, provided that applicants needed to demonstrate adherence to the Policy and the applications, have been assessed against the criteria set by Council.

REPORT/PROPOSAL

Council received 14 applications from not-for-profit community groups. **Confidential Enclosure 1** contains the applicants who have been able to supply all the information required and comply with the principles of the Policy.

The rate subsidy for 2020-21 financial year would be approximately \$36,237.93, which will be included in the Annual budget for 2020-21. As the rates structure for 2020-21 has not yet been set by Council, the calculation is estimated using the current financial year rating structure and therefore will be slightly different for the forthcoming financial year, 2020-21.

Council received 2 applications from not-for-profit community group, who have not been able to supply all the information required and do not comply with the principles of the Policy. **Confidential Enclosure 2** details the applicants. Council staff made numerous attempts to obtain the information required from the applicants, however this was not forthcoming.

The principles of the policy are outline in section 4 of the Policy.

The Policy "Rates Subsidy" provides up to 50% general rate subsidy for a number of specified properties and provides for rate relief on an ongoing basis for those identified groups. The Annual Report provides the community with information as to those community groups/organisations which receive this subsidy.

For 2019-20 under the Policy, subsidies totalling \$41,394.45 were provided and the listing of properties is provided at **Enclosure 3** to this report.

The current community groups who are receiving the donation for the current financial year all received a letter and application form however a number of them have chosen not to return the application and information required for assessment under the Policy.

OPTIONS

N/A

Corporate and Community

Report No. CC30/2020

Corporate and Community Services



CONSULTATION

Operations Accountant
Revenue Team Leader
Management Accountant
Director Corporate and Community Services

STRATEGIC LINKS

a. Delivery Program

The provision of rates relief for not-for-profit community groups would be consistent with 'Objective 1.2 - Strengthening Community Culture Strategic Directions' of the Delivery Program 2017-2021.

This report is also linked to the community's desired outcome of "*Civic Leadership and Effective Governance*".

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

The Policy "Rates Subsidy" provides a rate subsidy for a number of specified properties and provides for rate relief for those identified groups at the rate of up to 50% of the general rates component for the forthcoming financial year.

b. Financial Implications

The expected costs associated with the donation under Section 356 of the Act in accordance with Policy "Rates Subsidy" will be provided for in the annual budget for the 2020-21 financial year.

c. Legislative Implications

Section 356 of the Act allows Council to make such a donation.

d. Risk Implications

If Council elects not to make a donation as requested the financial impact of the not-for-profit community groups may be adversely affected, which might cause some financial hardship for these groups.

e. Environmental Implications

Nil

Corporate and Community

Report No. CC30/2020

Corporate and Community Services



f. Other Implications

Nil

CONCLUSION

Council is able to grant a donation under the provisions of Section 356 of the Act. Policy "Rates Subsidy" provides a subsidy to not-for-profit community groups.

The requests are provided for Councils consideration as listed in Enclosure 1 and recommended to be granted the donation of 50% rate relief of the general rates.

ENCLOSURES

- 1** Rates Subsidy 2020-21 - *This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*
- 2** Incomplete Applications 2020-21 - *This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*
- 3** [↓](#) Rates Subsidy 2019-20

Cessnock City Council
Section 356 Donations - 50% as per Resolution
MAJOR AGENT - 13 JOURNAL TYPE CODE 356

Assessment	Organisation	Category	Rateable Value		Base Amount	Ad Valorem	Total	Subsidy %	Subsidy
			(GV 2016)						
5173	Cessnock Masonic Hall	Business	153,000	\$	535.00	\$ 2,907.18	\$ 3,442.18	50	\$ 1,721.09
17178	Country Womens Association	Business	203,000	\$	535.00	\$ 3,857.24	\$ 4,392.24	50	\$ 2,196.12
40386	RSL Hall - Maitland St, Branxton	Business	181,000	\$	535.00	\$ 3,439.22	\$ 3,974.22	50	\$ 1,987.11
45260	Challenge Disability Services	Business	264,000	\$	535.00	\$ 5,016.31	\$ 5,551.31	50	\$ 2,775.66
59204	Cessnock Homing Pigeon Club	Business	104,000	\$	535.00	\$ 1,976.12	\$ 2,511.12	50	\$ 1,255.56
123596	Paxton Masonic Hall	Business	126,000	\$	535.00	\$ 2,394.15	\$ 2,929.15	50	\$ 1,464.58
139378	Weston Pre-School	Business	100,000	\$	535.00	\$ 1,900.12	\$ 2,435.12	50	\$ 1,217.56
139907	Weston Masonic Hall	Business	120,000	\$	535.00	\$ 2,280.14	\$ 2,815.14	50	\$ 1,407.57
157156	Cessnock Mini-Bike Club	Business	75,000	\$	535.00	\$ 1,425.09	\$ 1,960.09	50	\$ 980.05
158337	Cessnock Clay Target Gun Club	Business	338,000	\$	535.00	\$ 6,711.41	\$ 7,246.41	50	\$ 3,623.21
176263	Greta Pre-School Kindergarten	Business	173,000	\$	535.00	\$ 3,287.21	\$ 3,822.21	50	\$ 1,911.11
191502	Kurri Kurri Motor Cycle Club	Business	37,700	\$	535.00	\$ 716.34	\$ 1,251.34	50	\$ 625.67
198655	Aberdare Pre-School	Business	214,000	\$	535.00	\$ 4,066.25	\$ 4,601.25	50	\$ 2,300.63
198861	Bellbird Pre-School	Business	158,000	\$	535.00	\$ 3,002.19	\$ 3,537.19	50	\$ 1,768.60
252916	Richmond Vale Preserv. Co-op Soc.	Business	300,000	\$	535.00	\$ 5,700.36	\$ 6,235.36	50	\$ 3,117.68
275529	Cessnock Pistol Club	Business	345,000	\$	535.00	\$ 6,555.41	\$ 7,090.41	50	\$ 3,545.21
286674	Branxton Preschool	Business	158,000	\$	535.00	\$ 3,002.19	\$ 3,537.19	50	\$ 1,768.60
291963	Kurri Kurri Early Childhood Centre	Business	230,000	\$	535.00	\$ 4,370.27	\$ 4,905.27	50	\$ 2,452.64
312710	Cessnock Multipurpose Children's Centre Ltd	Business	169,000	\$	535.00	\$ 3,211.20	\$ 3,746.20	50	\$ 1,873.10
312728	Cessnock Multipurpose Children's Centre Ltd	Business	330,000	\$	535.00	\$ 6,270.39	\$ 6,805.39	50	\$ 3,402.70

TOTALS \$ 82,788.79 \$ 41,394.45
SUBSIDY ASSESSMENT COUNT 20

Corporate and Community

Report No. CC31/2020

Corporate and Community Services



SUBJECT: *COMMUNITY SUPPORT FOR RATEPAYERS AS A RESULT OF COVID-19*

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

SUMMARY

The purpose of this report is to outline Council's COVID-19 community support for rates and licensing matters, while minimising risk to Council's future financial sustainability nor creating an unsustainable burden for current and future ratepayers.

RECOMMENDATION

1. That Council endorse the following measures to provide support to the community of Cessnock LGA.
 - a. Printing of an invitation on the 4th rates instalment to contact Council to make an arrangement should you be facing challenges in making payment by the due date.

The payment arrangement will consist of:

 - i. Extension to pay the 4th rates instalment until 31 August 2020.
 - ii. No interest to be applied from the point of contact by the ratepayer until 31 August 2020.
 - b. Referral of ratepayers to the Financial Counsellor only if the ratepayer was in hardship prior to COVID-19.
 - c. Extension of the Hardship Policy to encompass all assessments.
 - d. That until 31 August 2020, no new debt collection legal action will commence.
2. That Council suspends Commercial and Operational Licensing and Leasing rent on a month by month basis from 1 April 2020.
3. That Council provides delegation to the General Manager to write off amounts of up to \$10,000 where hardship is assessed and accepted by Council as being related to COVID-19.
4. That any debts written off by the General Manager be included as part of the Quarterly Budget Review Statements.

BACKGROUND

Given the broad impact of the Government responses to the COVID-19 pandemic across the Cessnock LGA's 3,003 local businesses and 59,101 residents, the community financial support is focused on providing for small businesses and residents and is not industry specific. Further industry responses may be considered in following months as the impacts of the crisis evolve and become better understood.

Corporate and Community

Report No. CC31/2020

Corporate and Community Services



REPORT/PROPOSAL

Rates and Annual Charges

Council has a Hardship Policy in place however it limits Council from helping the wider community. The policy only applies to the principle place of residence and requires the ratepayer to attend a financial counsellor unless the hardship is caused by medical or compassionate grounds. Given the current pandemic and the number of jobs which have been lost as a result, Council has received a significant influx of calls from ratepayers requesting help. The *Local Government Act 1993* (The Act) is very restrictive in how Council can help. The act does not allow for a blanket approach to defer interest or to defer the due date of the instalments. Section 564 does however allow Council to enter into an arrangement with individual ratepayers and is silent as to which rating category such an arrangement applies to.

The General Manager already has delegations to enter into such arrangements with rate payers under this section and delegated officers have been using this to deal with the current enquiries related to the pandemic and other previous payment arrangements.

It is proposed that Council consider the following measures as a way to support the residents and businesses within the Cessnock Local Government Area.

- Printing of an invitation on the 4th instalment to contact Council to make an arrangement should you be facing challenges in making payment by the due date.
 - The payment arrangement will consist of:
 - a) Extension to pay the 4th instalment until 31 August 2020.
 - b) No interest to be applied from the point of contact by the ratepayer until 31 August 2020.
- Referral of ratepayers to the Financial Counsellor only if the ratepayer was in hardship prior to COVID-19. This will ease the burden on the Financial Counsellors, many of whom are already overwhelmed.
- Extension of the Hardship Policy to encompass all assessments not just residential.
- No new debt collection processes to commence. The debt collection which has already commenced due to prior arrears is to be critically reviewed at each step.

Commercial and Operational Licensing and Leasing Support

Council has a number of commercial tenancies who use space under either a lease or a license agreement. These businesses/tenancies may rely on servicing or supporting the wider community in the Local Government Area. Recently with the impact of both State and Federal Government directives, business have been affected as their customer base may or have ceased to use their services. This has a huge impact on their short term and long term viability.

Commercial agreements like these leases and licenses have provisions to mediate disputes but in general terms are silent on 'relief' measures or hardship arrangements. Council, as a responsible community based citizen has a Hardship Policy but it is more apt to assist "ratepayers" in need. In general, the businesses pay rent, wages and costs (which sometimes includes rates levied by Council as an "outgoing" cost). Staff, sadly will lose work, costs will reduce due to lack of purchasing product to sell and staff to service the business customers, but ongoing rent obligations are a key issue in their survival.

Corporate and Community

Report No. CC31/2020

Corporate and Community Services



Rent is outside the general implications of the hardship policy. Council receives rent which is added to its income budget. Currently the income derived from Council owned assets is approximately \$35,000 per month with some additional annual tenancies, not due to be invoiced until later in the year.

It is proposed that Council consider the following measures as a way to support the residents and business within the Cessnock Local Government Area.

- Suspend rent on a month by month basis from 1 April 2020.

This will mean Council loses rent for each month during the suspension period. It may allow an operator to hold on to their business, or it will allow them to wait, without debt increasing, until a government clearance is provided to resume business. Initial suspension is one element. Another is supporting a business rebuild over another future period. It may take operators months to get back on their feet. Each operator will have separate issues and Council should consider their requests as to how they can resume and provide support dependent upon their individual requests. Potentially a sliding scale of support could assist but would be considered at that time per applicant. It could mean Council offer support at a partly subsidised rent level as they rebound.

Fees Charges and Other Financial Obligations

Due to the impact COVID-19 is having on our community, Council will consider all approaches regarding outstanding fees, charges or financial obligations on a case by case basis. Council will use the same principles as under the Hardship Policy.

Delegations Required to Support the Community

To enable Council to support the community in a timely manner it is recommended that the General Manager delegation to write off Rates, fees and charges, rents and license fees be increased to \$10,000. Details on amounts written off each quarter will be reported to Council as part of the Quarterly Budget Review Statements.

OPTIONS

N/A

CONSULTATION

General Manager
Director Corporate Community & Community Services
Finance and Administration Manager
Economic Development and Tourism Manager
Operations Accountant
Team Leader Revenue
Debt Management Officer
Senior Property Officer
Hunter Region Revenue Professionals

Corporate and Community

Report No. CC31/2020

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STRATEGIC LINKS

a. Delivery Program

The provision of rates relief for not-for-profit community groups would be consistent with 'Objective 5.3: Making Council more responsive to the community' of the Delivery Program 2017-2021.

This report is also linked to the community's desired outcome of "*Civic Leadership and Effective Governance*".

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

The proposed community support has the same principle and intentions of the Hardship Policy however it is outside the rule and application of the current policy. The intentions being to be able to support those residents whom are in financial distress by working in collaboration.

b. Financial Implications

Council's KPI for outstanding Rates and Annual Charges was 2.02% for the 2018-2019 financial year. It is anticipated that this KPI will increase significantly.

Council's 2019-2020 budget and income would be adversely affected. Council's budget for rates interest income is \$125,900 of which the actual income received is \$112,128 year to date as at 1 April 2020.

Council's 2019-2020 budget and income would be adversely affected by approximately \$35,000 per month for rental income should Council endorse the suspension of rent on a month by month basis.

c. Legislative Implications

The proposed community support is in line with the legislative requirements for the *Local Government Act 1993* concerning the collection of rates and annual charges particularly Sections 562 and 564.

d. Risk Implications

There is a risk that should the ratepayers not make any payments during the deferred interest period they might have a large arrears balance which interest would be charged and payable. This may cause some financial hardship to some ratepayers. The current interest rate for the 2019-2020 financial year is 7.5% pa calculated daily on the arrears balance.

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There is a risk that the deferment of rent payments to a later date will mean rent is still a liability and will need to be repaid in the future. Businesses will not be able to re-start trade easily, and some not at all. Once the community trust this COVID-19 is under control and it is safe to return to normal, there will be considerable lead time to get staff back, inject capital to buy product, and hope customers will return. Deferral is pushing a debt of rent to a later date and may cause financial hardship into the future.

e. Environmental Implications

Nil

f. Other Implications

If Council declines the options to provide community support, then there is a risk that many ratepayers will become significantly affected, which may cause health and social stresses.

If Council offers no rental support and was to let the tenancy tribunal make judgments on the liability on a breach of lease, or license, due to non-payments of rent (being an essential term in an agreement) then Council would be liable for the legal costs for taking this approach.

CONCLUSION

The proposed community support as detailed in the body of the report will provide a consistent, transparent and equitable approach while working within the confines for the *Local Government Act 1993*. The proposed support will ease the burden on the already overwhelmed Financial Counsellors while potentially providing more disposal cash for ratepayers during an unprecedented climate.

Given the volume of enquiries and financial hardship requests from ratepayers, Council staff have decided to present the options to Council to provide immediate financial support, which in many cases has already been implemented with those that have contacted Council seeking rate payment extensions in particular. It should be noted that other areas of Council are considering options to provide support to the Cessnock LGA.

Council staff will continue to monitor the situation and as required will report any proposed changes that may be required.

ENCLOSURES

There are no enclosures for this report

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Corporate and Community Services



SUBJECT: *COUNCILLOR SUPERANNUATION DISCUSSION PAPER - PROPOSED SUBMISSION*

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

SUMMARY

The Office of Local Government (OLG) has issued a discussion paper (**Enclosure 1**) to seek the views of councils and their local communities on whether councillors should receive superannuation payments.

This report provides a draft submission on the proposal and seeks Council endorsement for lodgment of the submission deadline of 8 May 2020.

RECOMMENDATION

That Council makes a submission on the Councillor Superannuation discussion paper supporting Option 3 : Amending the NSW Local Government Act 1993 to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

BACKGROUND

Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

The OLG has released a discussion paper seeking the views of councils and their local communities, with the release of the discussion paper prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

REPORT/PROPOSAL

Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

The OLG has released a discussion paper seeking the views of councils and their local communities, with the release of the discussion paper prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections. Refer to OLG circular 20-05 **Enclosure 2**.

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Council has in the past raised motions to the LGNSW Annual Conference and made submissions to the Local Government Remuneration Tribunal (the Tribunal) in regards to increasing the allowances payable and having superannuation payable for elected members to reflect the level of increased workloads on elected members. LGNSW and other NSW Councils have also made similar motions and submissions.

The release of the discussion paper provides Council an opportunity to comment on the provision of superannuation for councillors. The Office of Local Government is seeking the views of councils, councillors and council staff on this issue. Councils are also encouraged to inform their local communities about the discussion paper and to encourage members of the community to make submissions.

The discussion paper seeks the views of councils and others on the following four options:

- maintaining the status quo – mayors and councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice
- mandate the current voluntary situation – amend the Local Government Act 1993 (the Act) to make it compulsory for councils to pay a portion of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors
- amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views, or
- amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

Submissions may be made to olg@olg.nsw.gov.au, labelled 'Councillor Superannuation Consultation' and should be made before COB **Friday 8 May 2020**. Members of the public can also make a submission direct to the OLG at any time up to the closing date for submissions.

The arguments put forward to support the provision of compulsory superannuation include:

- It will ensure mayors and councillors are adequately remunerated for their duties.
- It may encourage more women to stand as candidates for election.
- State and federal members of parliament received superannuation contributions.
- The broader workforce already receives the benefits of superannuation guarantee payments.

Remuneration received by mayors and councillors across NSW is set annually by the Local Government Remuneration Tribunal. These allowances are based upon the categorisation of a council and increases in the amount payable for allowances are currently capped at 2.5% unless a council has a change in category. Cessnock is currently categorised as a Regional Rural Council with a maximum annual allowance of \$20,280 for a councillor and \$44,250 for the Mayor.

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Discussion Paper Options

Option 1: Maintaining the status quo.

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW Local Government Act 1993 to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW Local Government Act 1993 to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees. A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW Local Government Act 1993 to give councils the option to pay an amount equivalent to the superannuation guarantee into a Councillor Superannuation – Discussion Paper 14 complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees. As with Option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Implications of the Various Options

Logistics – With the obvious exception of Option 1 being to retain the status quo, the implications of the other options are essentially the same, with only the financial impact being the variant. Any of the options to pay a superannuation contribution will result in additional workload to administer and setup up the monthly contributions. As councilors are not employees, they cannot be added to Council's salary system, so another electronic payment process and potentially payment gateway would need to be established that satisfied

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superannuation and ATO guidelines. Once established there would be staff resource involved in each payment run.

Financial – the net financial impact would depend on what option was ultimately adopted. If any superannuation was paid out of the existing councillor allowances, there would be nil additional cost to council, with the net payable direct to councillor being lower each month. If Option 3 was adopted then the impact would currently amount to an additional \$29,250 per annum being incurred as an expense for council. Option 4 would be similar however the amount would only be payable if council elected to provide the optional superannuation guarantee payment.

Perceived outcome – whether the intended result to increase female representative in councillors would be achieved is difficult to determine. Indeed, whether the amounts being proposed would also lead to more professional councillor candidates is also difficult to determine. For Cessnock the superannuation for a councillor would amount to approximately \$1,927 annually (either as an additional amount or sacrificed from the allowance). The circumstances of each individual councillor may determine whether any of the proposals have merit.

Community perception – whilst many in the community may not fully appreciate the amount of time required for a councillor to perform the duties required, particularly in relation to the level of legislative requirements associated with the role, there may be some negativity if Council was to support increasing the amounts payable to councillors. This sensitivity may be particularly relevant in the current climate with the uncertainty around the pandemic and its impacts on the community.

OPTIONS

N/A

CONSULTATION

General Manager
Finance and Administration Manager

STRATEGIC LINKS

a. Delivery Program

Councillors are elected to provide strategic leadership for the community. This report is linked to Item 5 - "Civic leadership and effective governance" of the Community's Desired Outcome as adopted in the Community Strategic Plan.

b. Other Plans

N/A

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IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

Councillor and Mayoral fees are accommodated for in the annual Operational Plan. Dependent on the outcome and timing of any legislative change allowing the provision of superannuation for councillors following submissions to the discussion paper, any additional costs associated with councillor fees may need to have an allocation of funds in future budgets.

If a 9.5% superannuation contribution for mayors and councillors were to apply over and above existing the annual allowance the impact would be an additional cost of \$29,249.55 (\$1,926.60 per Councillor and \$4,203.75 for the Mayor).

c. Legislative Implications

Councils are required under Sections 248 and 249 of the *Local Government Act 1993* to fix the annual fees to be paid to the Mayor and Councillors within the minimum and maximum fees for Councillors and Mayors in each of the categories determined by the Tribunal.

Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

Submissions on the discussion paper are required to be lodged by 8 May 2020, and the OLG is seeking the views of councils and local communities on the Councillor superannuation discussion paper.

ENCLOSURES

- 1 [↓](#) Discussion Paper Councillor Superannuation
- 2 [↓](#) OLG Circular 20-05



Office of
Local Government

COUNCILLOR SUPERANNUATION

Discussion paper

March 2020

Strengthening local government

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Minister's foreword



Since becoming the Minister for Local Government, I have actively engaged with local councils across New South Wales. I am constantly impressed by the passion held by our mayors and councillors, and frequently find myself commenting on the incredible work ethic of many who continually deliver for their communities.

I am proud to be a part of a Government that is committed to supporting councils to deliver for their local communities. Since 2011 this Government has provided more than \$9 billion to local councils to deliver and improve local infrastructure, services and facilities for their communities. About half of this funding has gone to regional and rural communities which are struggling through one of the worst droughts on record and are recovering and rebuilding after the recent natural disasters. This funding boost has helped local councils provide the very things that make our communities tick – from local infrastructure to essential services and programs that unite local residents.

Under Commonwealth legislation, councils are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors because they are not employees of councils. Recently I was pleased to host a workshop where the obstacles that deter women from nominating to be a councillor or mayor were identified, and the lack of superannuation payments was one of the barriers raised. It can also be said that this goes some way in deterring people under 35 from representing their community on their local council.

As you know, mayors and councillors currently receive a level of remuneration that is independently set by the Local Government Remuneration Tribunal based on the application of a range of criteria. It is currently possible for councils to make superannuation contributions on behalf of mayors and councillors on a pre-tax basis out of the fees they receive from the council as determined by the Tribunal.

However, the Government recognises that not everyone agrees with the current arrangements and acknowledges the calls for councils to be required to make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fees. The purpose of this discussion paper is to encourage further discussion about this issue and assist the Government in better understanding the views of the local government sector and the broader community.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- provides different options and legislative models.

I welcome your input into this conversation and look forward to hearing your views.

The Hon Shelley Hancock MP
Minister for Local Government

1. Should mayors and councillors in NSW receive superannuation payments in addition to their fees?

Reasons that mayors and councillors should receive superannuation payments in addition to their fees can be summarised as follows:

- it will ensure that mayors and councillors are adequately remunerated for the performance of their duties
- it will address a historic anomaly that has seen mayors and councillors denied the benefit of superannuation guarantee payments enjoyed by the broader workforce, and
- it is hoped it will encourage more women to stand as candidates for election to councils.

Each of these arguments are examined below.

Are NSW mayors and councillors adequately remunerated?

In NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal.

Under section 239 of the NSW *Local Government Act 1993* (the Act), the Tribunal is required to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.

To ensure that mayors and councillors receive remuneration that is commensurate with, and reflects their workload and responsibilities, the Tribunal is required to consider a range of criteria under section 240 of the Act in determining remuneration categories. These include:

- the size, physical terrain, population and the distribution of the population of each local government area
- the nature and volume of business dealt with by each council
- the nature and extent of the development of each local government area
- the diversity of the communities each council serves
- the regional, national and international significance of the council, and
- any other matters the Tribunal considers relevant to the provision of efficient and effective local government.

The Tribunal last undertook a significant review of the categories and the allocation of councils into each of the categories in 2017. The Tribunal has indicated that it will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2020.

Under section 241 of the Act, the Tribunal is required to determine, no later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

As noted above, in determining the maximum and minimum fees payable in each of the categories, the Tribunal is required under section 242A(1) of the Act, to give effect to the same policies on increases in remuneration as the Industrial Relations Commission.

The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

However, the Tribunal is able to determine that a council can be placed into another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A(3) of the Act. This means that where, for whatever reason, the workload or responsibilities of the mayor and councillors increase, they may receive an increase in remuneration that reflects their increased workload even if that increase exceeds the 2.5% public sector wages cap.

The current remuneration levels for mayors and councillors in each category are set out below:

Table 1: Minimum and maximum fees for NSW mayors and councillors

Category		Councils in Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
			Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	1	27,640	40,530	169,100	222,510
	Major CBD	1	18,430	34,140	39,160	110,310
	Metropolitan Large	8	18,430	30,410	39,160	88,600
	Metropolitan Medium	9	13,820	25,790	29,360	68,530
	Metropolitan Small	11	9,190	20,280	19,580	44,230
General Purpose Councils – Non - metropolitan	Regional City	2	18,430	32,040	39,160	99,800
	Regional Strategic Area	2	18,430	30,410	39,160	88,600
	Regional Rural	37	9,190	20,280	19,580	44,250
	Rural	57	9,190	12,160	9,780	26,530
County Councils	Water	4	1,820	10,140	3,920	16,660
	Other	6	1,820	6,060	3,920	11,060

- Mayors and county council chairpersons receive their fee **in addition to** the fee they receive as a councillor/member.

A comparison of average remuneration received by mayors and councillors in NSW with the remuneration received by their counterparts in other jurisdictions indicates that NSW councillors receive similar or higher levels of remuneration than their counterparts in other jurisdictions other than Queensland.

Table 2: Interjurisdictional comparison of councillor remuneration

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	24,860	9,190		40,530	
QLD	121,194	53,049	577%	189,338	467%
VIC	27,450	8,660	94%	46,240	114%
TAS	22,824	9,322	101%	36,326	90%
WA	17,634	3,589	39%	31,678	78%
NT	23,263	7,755	84%	38,770	96%
SA	16,215	6,500	71%	25,930	64%

Table 3: Interjurisdictional comparison of mayors' remuneration

Jurisdiction	Average	Lowest Fee	% NSW fee	Highest fee	% NSW fee
NSW	160,315	57,590		263,040	
QLD	209,255	106,100	184%	312,410	119%
VIC	129,291	61,651	107%	196,931	75%
TAS	79,884	32,626	57%	127,142	48%
WA	70,685	4,102	7%	137,268	52%
NT	80,385	26,796	47%	133,974	51%
SA	101,500	26,000	45%	177,000	67%

Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee?

The superannuation guarantee was introduced in 1992-93, with compulsory contributions rising at regular intervals from 3 per cent of wages in that year to 9 per cent in 2002-03 and 9.5 per cent in 2013-14. The superannuation guarantee is scheduled to rise incrementally from 9.5 per cent of wages today to 12 per cent by July 2025.

While superannuation guarantee payments are made in addition to an employee's wages, as the Grattan Institute has demonstrated¹, higher compulsory superannuation contributions are ultimately funded by lower wages. When the superannuation guarantee increases, this is wholly or mostly borne by workers who receive smaller pay rises and lower take-home pay. For example, when the superannuation guarantee increased by from 9 per cent to 9.25 per cent in 2013, the Fair Work Commission stated in its minimum wage decision that the proposed minimum wage increase was "lower than it otherwise would have been in the absence of the Super Guarantee increase".

Given the evidence that superannuation guarantee payments are in effect paid for by workers through lower wages, it would be over simplifying the situation to assume that workers are receiving a 9.5% supplementary payment that is being denied to NSW mayors and councillors.

The last increase in the superannuation guarantee came into effect in 2013/14 when the contribution rate increased from 9.25% to 9.5%. A comparison of increases in average weekly earnings with increases in NSW mayors' and councillors' remuneration as determined by the Tribunal since then indicates that NSW mayors and councillors have, on average, enjoyed slightly higher increases in remuneration than the rest of the community.

Table 4: Comparison of increases in average weekly earnings with increases in mayors' and councillors' remuneration

Financial year	Average weekly ordinary time earnings Aust - annual average increase June to June each year	Councillor remuneration increase 1 July
1 July 2014 – 30 June 2015	2.3%	2.5%
1 July 2015 – 30 June 2016	2.0%	2.5%
1 July 2016 – 30 June 2017	2.2%	2.5%
1 July 2017 – 30 June 2018	1.8%	2.5%
1 July 2018 – 30 June 2019	2.7%	2.5%
1 July 2019 – 30 June 2020	3.1%	2.5%

¹ See John Daley and Brendan Coates (2018) [Money in retirement: More than enough](#). Grattan Institute. November 2018

Were councils to be required to make an additional payment on behalf of mayors and councillors equivalent to the superannuation guarantee amount (currently 9.5% of their fees) this would, in effect confer on mayors and councillors a 9.5% increase in their remuneration outside of the normal process for setting mayors' and councillors' remuneration by the Local Government Remuneration Tribunal.

This will not be a one-off increase. With the superannuation guarantee set to increase to 12% in the years up to 2025, this would see further increases to mayors' and councillors' remuneration over and above any increases approved by the Tribunal.

While the receipt of a 9.5% increase in their remuneration through the payment of the superannuation guarantee is likely to be widely supported by mayors and councillors, it is important that the community is consulted and support shown by them before changes are made.

At present it is not clear whether ratepayers would support seeing the revenue they contribute to their local councils being diverted from providing services and infrastructure to fund a 9.5% increase in remuneration for their elected representatives.

Will payment of the superannuation guarantee encourage more women to stand as candidates at council elections?

Payment of the superannuation guarantee for mayors and councillors has been promoted as an equity measure to address disparities in men's and women's superannuation balances.

Research has demonstrated that the principal impediments to more women standing as candidates at local government elections are:

- lack of awareness of local government and the role of councils and councillors
- feeling unqualified
- balancing carer and work commitments
- the investment of time required to be an effective councillor, and
- perceptions of the culture of councils and councillor conduct.²

The payment of the superannuation guarantee would benefit male and female councillors alike. In the short term, male mayors and councillors will be the principal beneficiaries of any increase in remuneration through the receipt of an additional superannuation payment given that they currently comprise 69% of councillors in NSW³.

Major stakeholders promoting an increase in the number of females represented on councils including Local Government NSW, Women for Election Australia, Australian Local Government Women's Association and the Country Women's Association of NSW recently noted that *"a key barrier for women standing for election to local government can be the lack of access to superannuation, with women unwilling to take on more work with insufficient remuneration"*. The stakeholders also noted *"women tend to have far lower superannuation balances than men, often due to time out of the workforce caring for family members"*.

² See Manion, Jo and Sumich, Mark (2013), [*Influencing Change – Views of elected representatives on leadership, decision making and challenges for Local Government in NSW*](#)

³ See Office of Local Government (2019), [*NSW Candidate and Councillor Diversity Report 2017*](#)

Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?

Two separate studies undertaken by the University of Melbourne in 2014⁴ and 2015⁵ found that younger people tend not to be engaged by and are uninterested in superannuation or retirement planning. HECS repayments and saving to purchase a first home tend to be higher financial priorities for younger people than saving for retirement.

The average tenure of councillors is between one to two terms. More than three quarters (77%) of councillors elected at the 2012, 2016 and 2017 elections had served two terms or less. Assuming that councillors were to receive the superannuation guarantee of 9.5% with respect to their fees over one or two terms, as demonstrated by table 5, the value of the capital contributions made to their superannuation funds would, at retirement, represent a small proportion of their accumulated lifetime superannuation capital.

Table 5: Comparison of superannuation contribution amounts that would be made on the maximum annual fee in each category of council at a rate of 9.5% over 1 term (4 years) and 2 terms (8 years).

Category		Number of Councils in Category	Councillor/Member Maximum Annual Fee	4 years at 9.5%	8 years at 9.5%
General Purpose Councils – Metropolitan	Principal CBD	1	40,530	15,401	30,802
	Major CBD	1	34,140	12,973	25,946
	Metropolitan Large	8	30,410	11,556	23,112
	Metropolitan Medium	9	25,790	9,800	19,600
	Metropolitan Small	11	20,280	7,706	15,412
General Purpose Councils – Non-metropolitan	Regional City	2	32,040	12,175	24,350
	Regional Strategic Area	2	30,410	11,556	23,112
	Regional Rural	37	20,280	7,706	15,412
	Rural	57	12,160	4,621	9,242
County Councils	Water	4	10,140	3,853	7,706

⁴ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2014), [Superannuation Knowledge, Behaviour and Attitudes in Young Adults in Australia](#), CIPR Paper No. RP002/2014

⁵ See Ali, Paul and Anderson, Malcolm and Clark, Martin and Ramsey, Ian and Shekhar, Chander (2015), [No Thought for Tomorrow: Young Australian Adults' Knowledge, Behaviour and Attitudes About Superannuation](#), Law and Financial Markets Review Vol. 9, No. 2, pages 90-105

	Other	6	6,060	2,303	4,606
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How much will it cost and who will pay?

The cost of paying the superannuation guarantee for mayors and councillors will need to be met by each council out of its existing budget.

This cost will vary from council to council depending on what fees the mayor and councillors receive and how many councillors there are on the council. The table below sets out the average annual cost to councils in each remuneration category of paying the 9.5% superannuation guarantee for the mayor and each councillor based on the maximum annual fee payable in each category.

The total estimated annual cost of paying the 9.5% superannuation guarantee for mayors and councillors for the local government sector as whole is close to \$3 million (\$2,758,739).

Table 6: Average annual cost to councils of making a 9.5% superannuation contribution for mayors and councillors

Category		Councils in Category	Average annual cost of paying 9.5% superannuation contribution for mayors and councillors
General Purpose Councils – Metropolitan	Principal CBD	1	55,792
	Major CBD	1	55,886
	Metropolitan Large	8	45,973
	Metropolitan Medium	9	35,911
	Metropolitan Small	11	21,541
General Purpose Councils – Non-metropolitan	Regional City	2	46,007
	Regional Strategic Area	2	45,973
	Regional Rural	37	21,543
	Rural	57	11,762
County Councils	Water	4	9,289
	Other	6	5,081

2. Why are councils not required to make superannuation guarantee payments to mayors and councillors?

The Commonwealth *Superannuation Guarantee (Administration) Act 1993* (SG Act) imposes an obligation on an employer to pay the superannuation guarantee of 9.5% of an employee's earnings to a complying superannuation fund nominated by the employee.

The obligations under the SG Act do not extend to councils with respect to the fees they pay to mayors and councillors because they are not employees of the council for the purposes of that Act. Mayors and councillors are elected to a civic office in the council and the council is not their employer.

Section 12(9A) of the SG Act expressly excludes mayors and councillors across Australia from the definition of "employee" meaning that councils are not obliged to make superannuation guarantee payments to mayors and councillors under that Act. Section 12(9A) of the SG Act provides that, "*a person who holds office as a member of a local government council is not an employee of the council*".

Section 251 of the NSW Local Government Act also makes it clear that the payment of a fee to a mayor or councillor does not constitute the payment of a salary and mayors and councillors are not to be taken to be employees of councils because of the payment of the fee.

3. Can NSW councils make superannuation contributions on behalf of mayors and councillors as a component of their fees?

There is nothing currently preventing councils from making superannuation contributions on a voluntary basis on behalf of the mayor and councillors.

The Australian Tax Office has made a definitive ruling, (ATO ID 2007/205) that allows for mayors and councillors to redirect their annual fees into superannuation on a pre-tax basis.

In practical terms, there is nothing currently preventing mayors and councillors, who wish to make concessional contributions to their superannuation funds, from entering into an arrangement with their council under which they agree to forego part of their remuneration in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Councils are also able to determine for themselves, by council resolution and/or within an appropriate council policy, if and how councillors may do this.

4. Can NSW councils make superannuation contributions on behalf of mayors and councillors in addition to the payment of their fee?

It is open to councils under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the Commonwealth *Taxation Administration Act 1953* (TAA) to resolve that mayors and councillors are subject to Pay As You Go withholding. The resolution must be unanimous to be effective.

A resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA operates to take the mayor and councillors out of section 12(9A) of the SG Act, which recognises that they are not employees of the council, and brings them within section 12(10) of the SG Act which states that:

A person covered by paragraph 12-45(1)(e) in Schedule 1 to the Taxation Administration Act 1953 (about members of local governing bodies subject to PAYG withholding) is an employee of the body mentioned in that paragraph.

Section 12(1) effectively deems the mayor and councillors to be employees and the council to be their employer for the purposes of the SG Act. This will mean the council will be obliged to make superannuation guarantee contributions (currently 9.5% of the mayor's and councillors' fees) to complying superannuation funds in respect of fees paid to the mayor and councillors. These contributions would be paid in addition to the fees received by the mayor and councillors.

It should be noted however that a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA will also result in mayors and councillors being treated as employees for a wide range of other taxation purposes. Among other things:

- the council will have to withhold amounts from the payment of fees to the mayor and councillors in accordance with section 12-45(1)(e) of Schedule 1 of the TAA
- the council will be subject to fringe benefits tax under the Commonwealth *Fringe Benefits Tax Assessment Act 1986* on the taxable value of expenses paid to and facilities provided to the mayor and councillors under the council's councillor expenses and facilities policy adopted under section 252 of the LGA, and
- the council will be obliged under Commonwealth *Child Support (Registration and Collection) Act 1988* to withhold payments from fees paid to the mayor and councillors for the purposes of making child support/maintenance/carer payments.

It is unclear however whether a resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA is permissible under sections 248(2) and 249(3) of the Act where it would have the consequence of requiring a council to make a superannuation guarantee contribution in respect of the fees paid to councillors and the mayor that, taken together with their fees, exceeds the maximum amount determined by the Local Government Remuneration Tribunal.

It is also unclear what impact section 242A of the Act would have in relation to a council's resolution under sections 446-5(1)(a) and 12-45(1)(e) of Schedule 1 of the TAA. Section 242A of the Act places an obligation on the Local Government Remuneration Tribunal when determining the remuneration of mayors and councillors, to apply the same policies on increases in remuneration as those that the Industrial Relations Commission is required to apply under section 146C of the NSW *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

It is possible that where a council is obliged to make superannuation guarantee contributions on behalf of the mayor and councillors in addition to their fee, the Tribunal may, in turn, be obliged under section 242A to make a determination reducing the mayor's and councillors' fees to ensure that the fee and superannuation contribution do not result in an increase that exceeds the 2.5% public sector wages cap.

5. What is the position in Queensland?

Section 226 of the Queensland *Local Government Act 2009* gives councils the option to pay an amount into a complying superannuation fund on behalf of the mayor and councillors up to an amount payable with respect to employees of the council. The amount paid is in addition to the amount the mayor and councillor receive as a fee. Alternatively, councils may contribute a portion of the mayor's or councillors' fees to complying superannuation fund as is the case in NSW.

6. Options

Option 1: Maintaining the status quo

Under this option, councils will continue not to be obliged to make superannuation guarantee payments on behalf of the mayor and councillors. Mayors and councillors who wish to make concessional contributions to their superannuation funds can continue to enter into an arrangement with the council under which they agree to forego part of their fee in exchange for the council making contributions to a complying superannuation fund on their behalf on a pre-tax basis.

Option 2: Amending the NSW *Local Government Act 1993* to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Under this option, the Act would be amended to require councils to pay a proportion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

Option 3: Amending the NSW *Local Government Act 1993* to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors' fees.

Under this option, all councils will be required to pay an amount equivalent to the superannuation guarantee contribution payable with respect to the mayor's and councillors' fees, into a complying superannuation fund nominated by the mayor and councillors. The payment would be made in addition to the payment of the mayor's and councillors' fees.

A supporting amendment would be required to exempt the additional payment from section 242A of the Act.

Option 4: Amend the NSW *Local Government Act 1993* to give councils the option to pay an amount equivalent to the superannuation guarantee into a

**complying superannuation fund nominated by the mayor and councillors
in addition to the mayor's and councillors' fees.**

This option is based on the Queensland model. Under this option, the payment of an additional superannuation contribution in addition to the mayor's and councillors' fees would be optional for councils. Councils would also have the option to make a superannuation contribution on behalf of the mayor and councillors as a portion of the mayor's or councillors' fees.

As with option 3, a supporting amendment would be required to exempt the additional payment from section 242A of the Act.

7. Have Your Say

We now want to hear from you.

**Key
questions
to
consider**

- **Should councils be required to make superannuation contributions for the mayor and councillors?**
- **Should contributions be made as a portion of mayors' and councillors' fees or in addition to them?**
- **Which is your preferred option?**
- **Do you have an alternative suggested option?**

Submissions may be made in writing by COB Friday 8 May 2020 to the following addresses.

Post

Locked Bag 3015
NOWRA NSW 2541

Email:

olg@olg.nsw.gov.au

Submissions should be labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.

3/4/2020

20-05



STRENGTHENING LOCAL GOVERNMENT

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Council Circular

3 March 2020

20-05 Release of councillor superannuation discussion paper

Circular Details	Circular No 20-05 / 3 March 2020 / A692818
Who should read this	Councillors / General Managers / Council staff
Contact	Council Governance - (02) 4428 4100/ olg@olg.nsw.gov.au
Action required	Council to Implement
PDF Version of Circular	 20-05 Release of councillor superannuation discussion paper

What's new or changing

- The Office of Local Government has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments.
- Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.
- The release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.
- The discussion paper is available on the Office of Local Government's (OLG) website at www.olg.nsw.gov.au.

What this will mean for your council

- The Office to Local Government is seeking the views of councils, councillors and council staff on this issue.
- Councils are also encouraged to inform their local communities about the discussion paper and to encourage members of the community to make submissions.
- Submissions may be made to olg@olg.nsw.gov.au, labelled 'Councillor Superannuation Consultation' and marked to the attention of OLG's Council Governance Team.
- Submissions should be made before COB **Friday 8 May 2020**.

info.olg.nsw.gov.au/pub/pubType/EO/pubID/zzzz5e5debe49c34b522/print/1/

1/2

3/4/2020

20-05

Key points

- The discussion paper seeks the views of councils and others on the following four options:
 - maintaining the status quo – mayors and councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice
 - mandate the current voluntary situation – amend the Local Government Act 1993 (the Act) to make it compulsory for councils to pay a portion of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors
 - amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views, or
 - amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

Where to go for further information

- For further information please contact the Council Governance team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Tim Hurst
Deputy Secretary
Local Government, Policy and Planning

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Corporate and Community

Report No. CC33/2020

Corporate and Community Services



SUBJECT: *ORDINARY MEETINGS OF COUNCIL - TEMPORARY AMENDMENT TO THE CODE OF MEETING PRACTICE*

AUTHOR: *Director Corporate and Community Services - Robert Maginnity*

SUMMARY

This report outlines a proposed temporary amendment to the Code of Meeting Practice to reduce the number of scheduled Ordinary Meetings of Council to one per month for the months of May, June and July as part of risk management for the COVID19 Pandemic.

RECOMMENDATION

That Council temporarily amends clause 3.1 of the Code of Meeting Practice, which deals with the timing of Ordinary Meetings of Council, to hold one meeting per month for the months of May, June and July 2020.

BACKGROUND

Council is required to meet at least 10 times per year, each time in a different month as per Section 356 of the *Local Government Act 1993* ("the Act"). Councils Code of Meeting Practice provides for meetings on the first and third Wednesday of each calendar month at 6:30pm, with the exception that there is only one meeting scheduled for December and no scheduled meetings in January.

REPORT

Part 3 of Council's Code of Meeting Practice references meetings being scheduled on the first and third Wednesday of each calendar month at 6:30pm, with the exception that there is only one meeting scheduled for December and no scheduled meetings in January. Council can amend the frequency and/or times of meetings at a later date if required or make an amendment to the meeting schedule when it reviews its Code of Meeting Practice.

As part of the ongoing risk management for the COVID19 Pandemic, the Mayor in accordance with section 226(d) of the Act exercised the policy making functions of the governing body of the council and cancelled the scheduled 1 April 2020 Council meeting.

Following concerns raised across the local government sector and as contemplated by Council in delegating powers under Section 377 of the Act to the Mayor and General Manager (report CC27/2020) at the meeting on 18 March 2020, the State Government has legislated to allow councils to hold official meetings electronically.

This is prescribed as part of the *COVID-19 Legislation Amendment (Emergency Measures) Bill 2020* which:

- amends the Local Government Act to allow councils to hold official meetings electronically instead of physically.
- Virtual meetings will allow councils to continue to function and make decisions on behalf of their local communities while helping to reduce the risk of spreading COVID-19.

Corporate and Community

Report No. CC33/2020

Corporate and Community Services



- Under previous legislation, councillors had to be physically present at meetings and residents allowed to attend in person to watch them deliberate and make important decisions on behalf of the community.
- For the next six months, these attendance requirements will be satisfied if council meetings are held remotely using audio visual links such as Skype. If that method is not available, council meetings will be able to be held in any other manner approved by the Minister.
- To ensure meetings are open to the public, councils will be required to webcast their meetings. All councils have been required to webcast their meetings since 14 December 2019 under existing requirements.
- Use of electronic meetings can be extended to 12 months if required.

Council staff are currently investigating options to appropriately cater for the provision of electronic meetings should this be necessary. However as a further risk management action and to lessen the logistical impacts on operational staff in the preparation of meeting agenda's this report proposes a temporary amendment to the Code of Meeting Practice to reduce the number of scheduled Ordinary Meetings of Council to one per month for the months of May, June and July 2020.

OPTIONS

N/A

CONSULTATION

General Manager

STRATEGIC LINKS

a. Delivery Program

This report is linked to the objective of *Civic Leadership and Effective Governance*.

b. Other Plans

N/A

STATUTORY IMPLICATIONS

a. Policy and Procedural Implications

Council's Code of Meeting Practice Part 3 deals with the number of and when Council Meetings are to be held.

b. Financial Implications

N/A

Corporate and Community

Report No. CC33/2020

Corporate and Community Services



c. Legislative Implications

Under section 365 of the Act, Councils are required to meet at least ten times each year, each time in a different month.

d. Risk Implications

N/A

e. Other Implications

N/A

CONCLUSION

Section 365 of the Act requires councils to meet a minimum of 10 times per year, each time in a different month. Clause 3.1 of Council's Code of Meeting Practice specifies scheduled council meetings on the first and third Wednesday each month, excluding December where one meeting is scheduled and no meetings in January.

This report outlines a proposed temporary amendment to the Code of Meeting Practice to provide one meeting per month for the months of May, June and July 2020 as part of risk management for the COVID19 Pandemic.

ENCLOSURES

There are no enclosures for this report.

Corporate and Community

Report No. CC34/2020

Corporate and Community Services



SUBJECT: *DECISIONS MADE UNDER DELEGATED AUTHORITY*

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

SUMMARY

This report provides notification to Council of matters determined by the Mayor in exercising the function of Council pursuant to section 226(d) of the *Local Government Act 1993* (the Act).

RECOMMENDATION

That Council notes that the Mayor pursuant to section 226(d) of the *Local Government Act 1993* exercised the following decisions of Council due to the COVID19 Pandemic:

- Temporarily amended clause 3.1 of the Code of Meeting Practice, which deals with the timing of Ordinary Meetings of Council.
- Cancelled the scheduled 1 April 2020 Ordinary Council meeting.

BACKGROUND

Section 226(d) of the Act prescribes that part of the role of the Mayor is to “exercise, in cases of necessity, the policy making functions of the governing body of the council between meetings”.

This report provides information on matters considered under this legislative delegation.

REPORT/PROPOSAL

The Mayor exercised the policy making functions of the governing body of the council and cancelled the scheduled 1 April 2020 Council meeting. This decision was made as part of the ongoing risk management associated with the COVID19 Pandemic and to provide for the safety and welfare of Councillors, staff and the community.

OPTIONS

N/A

CONSULTATION

General Manager

Corporate and Community

Report No. CC34/2020

Corporate and Community Services



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

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

N/A

c. Legislative Implications

Section 226 outlines the role of the Mayor and 226(d) provides that the role of the Mayor is to “exercise, in cases of necessity, the policy making functions of the governing body of the council between meetings”.

d. Risk Implications

N/A

e. Other Implications

N/A

CONCLUSION

Section 226 outlines the role of the Mayor and 226(d) provides for the Mayor to “exercise, in cases of necessity, the policy making functions of the governing body of the council between meetings”. This report provides information on a decision made by the Mayor as part of the risk management related to the COVID19 Pandemic.

ENCLOSURES

There are no enclosures for this report.

Corporate and Community

Report No. CC35/2020

Corporate and Community Services



SUBJECT: *RESOLUTIONS TRACKING REPORT*

RESPONSIBLE OFFICER: *Corporate Administration Officer - Robyn Larsen
Finance and Administration Manager - Andrew Glauser*

SUMMARY

The enclosure contains pending actions from previous meetings as well as completed actions for period 12 March 2020 to 8 April 2020.

RECOMMENDATION

That Council receives the report and notes the information in the Resolutions Tracking Report.

ENCLOSURES

- [1](#) ↓ Completed Actions
- [2](#) ↓ Outstanding Actions

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC19/2020	Ordinary Council 18/03/2020	Rathborne, Michael	Corporate and Community	Classification of Land - 2-4 Allandale Road, Cessnock	15/04/2020	8/04/2020
1214 MOTION 1214 RESOLVED	Moved:	Maginnity, Robert Councillor Dagg	Seconded:	Councillor Gray		
<p>That Council classify 2-4 Allandale Road, Cessnock, being Lot 1 DP 359456 and Lot 1 DP 657198 as Operational Land.</p> <p>8 Apr 2020 - 10:14 AM - Michael Rathborne Classification to Operational Land has been completed by resolution of Council last meeting 8 Apr 2020 - 10:54 AM - Michael Rathborne Action completed by: Keegan, Robyn Classification of land has been completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC26/2020	Ordinary Council 18/03/2020	McGowan, Kelly	Corporate and Community	Request for Waiver of Court Awarded Costs for Fire Safety Upgrade Orders	15/04/2020	31/03/2020
1234 MOTION 1234 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Gray		
<p>That Council declines the request for waiver of costs as awarded by the Land and Environment Court.</p> <p>31 Mar 2020 - 1:57 PM - Kelly McGowan Action completed by: McGowan, Kelly Mrs E Berger has been notified of Council's decisions to decline the request.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE4/2020	Ordinary Council 5/02/2020	Waghorn, Peter	Planning and Environment	Vineyard Grove Development - Stage 8 Update	1/04/2020	8/04/2020
1135 MOTION 1135 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> 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 <i>Biodiversity Conservation Act 2016</i> 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. 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. 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. 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. 						

7 Feb 2020 - 3:14 PM - Yvonne Blake

Detailed report to be provided to the next Strategic Property & Community Facilities Committee meeting as per the resolution.

9 Mar 2020 - 3:36 PM - Peter Waghorn

Revised Target Date changed by: Waghorn, Peter From: 4 Mar 2020 To: 01 Apr 2020

Reason: New date scheduled for SPCF Committee meeting

11 Mar 2020 - 12:05 PM - Peter Waghorn

Revised Target Date changed by: Waghorn, Peter From: 1 Apr 2020 To: 01 Apr 2020

Reason: An update report is scheduled for submission to SPCFC 1 April 2020

8 Apr 2020 - 11:19 AM - Peter Waghorn

Action completed by: Keegan, Robyn

Refer to report that went to Strategic Property & Community Facilities Committee meeting on 1 April 2020 - SPOR4/2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC27/2020	Ordinary Council 18/03/2020	Maginnity, Robert	Corporate and Community	Delegation of Authority - Risk Mitigation Against Potential Impacts of Novel Coronavirus on Council Operations	15/04/2020	23/03/2020
1221 MOTION 1221 RESOLVED	Moved:	Maginnity, Robert Councillor Dagg	Seconded:	Councillor Suvaal		
<p>1. That Council pursuant to Section 377 of the <i>Local Government Act 1993</i>, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council should the need arise which would limit the orderly operations of Council in regards to the operations of the governing body of elected members.</p> <p>2. That a list of any matters considered under such delegated authority be submitted for Council's information to the next available scheduled Ordinary Meeting of Council after such decision is made under the temporary delegation.</p> <p>3. That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus or if the administration centre or local government area is subject to a shutdown from the virus.</p> <p>4. That Council reconsider the temporary delegation at the second meeting in May 2020 if possible or at the earliest possible opportunity thereafter.</p> <p>5. That Council write to the Minister for Local Government with a copy to the Shadow Minister for Local Government and Local Government NSW requesting amendments to the Local Government Act and Code of Meeting Practice to allow Council meetings to be held electronically if Council deems it necessary during the Covid-19 Pandemic.</p> <p>23 Mar 2020 - 5:17 PM - Robert Maginnity Action completed by: Maginnity, Robert Noted. Delegation in effect if needed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC22/2020	Ordinary Council 18/03/2020	Miller, Jo	Corporate and Community	Minutes of the Aboriginal and Torres Strait Islander Committee held on Friday 28 February 2020	15/04/2020	31/03/2020
1217 MOTION 1217 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Dagg		
<p>1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 28 February 2020 be adopted as a resolution of the Ordinary Council.</p> <p>2. That the General Manager investigate Cessnock Performing Arts Centre screening all three films being "In my blood it runs", "Occupation Native" and "Teach a man to fish" presented at the Committee meeting as part of Council's National Reconciliation Week and NAIDOC Week activities for 2020.</p>						

31 Mar 2020 - 9:10 AM - Jo Miller

Item1: Completed - JMiller

31 Mar 2020 - 9:11 AM - Jo Miller

Item 2: Due to changes to delivery of NAIDOC Week and NRW programs. The film screenings have been postponed. An alternative activity to recognise NRW is being investigated. J Miller

31 Mar 2020 - 9:16 AM - Jo Miller

Action completed by: Miller, Jo

Action finalised 31/3/2020 J Miller

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC21/2020	Ordinary Council 18/03/2020	Dennis, Johanna	Corporate and Community	Erection of Neighbourhood Watch and Safety House Signs Policy - Recommendation for Revocation	15/04/2020	23/03/2020
1216 MOTION 1216 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Dagg		
That Council revokes Erection of Neighbourhood Watch and Safety House Signs Policy (Policy Number S18.1).						
23 Mar 2020 - 8:43 AM - Johanna Dennis Governance have been informed the Erection of Neighbourhood Watch and Safety House Signs Policy (s18.1) was revoked at Ordinary Council meeting on 18 March 2020. Relevant notes have been made in TRIM. 23 Mar 2020 - 8:46 AM - Johanna Dennis Action completed by: Dennis, Johanna Policy S18.1 revoked and relevant actions completed						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE9/2019	Ordinary Council 6/03/2019	Waghorn, Peter	Planning and Environment	Vineyard Grove Stage 8 Development	1/04/2020	8/04/2020
784 MOTION 784 RESOLVED	Moved:	Maginnity, Robert Councillor Burke	Seconded:	Councillor Sander		
<ol style="list-style-type: none"> That Council sell proposed lots 801 to 841 being part of Lot 1210 DP1102977 of the Vineyard Grove Stage 8 development and authorise the General Manager to negotiate the sale(s) for no less than 90% of the independent valuation obtained. That Council authorise the General Manager to sign all documents associated with the e-conveyancing transactions including a Client Authorisation form to Council's legal representative to effect the sale of proposed lots 801 to 841 being part of Lot1210 DP1102977 of the Vineyard Grove Stage 8 Development. That Council authorise the Common Seal of Cessnock City Council to be affixed to all documents relating to the plan of subdivision and sale of the proposed lots 801 to 841 being part of Lot1210 DP1102977 of the Vineyard Grove Stage 8 Development, and authorise the Mayor and General Manager to execute those documents. 						
8 Mar 2019 - 10:57 AM - Joe O'Connor The actions have been commenced as per the resolutions. Updates will be provided to the Strategic Property and Community Facilities Committee upon completion of project milestones. 3 May 2019 - 2:20 PM - Joe O'Connor Currently awaiting the determination of the section 4.55, which is anticipated to be reported to Council in the near future. 4 Feb 2020 - 10:40 AM - Hannah McCauley Draft Cessnock Airport Strategic Plan being reported to the Ordinary Meeting on 5 February 2020 to be endorsed for adoption.						

11 Mar 2020 - 12:05 PM - Peter Waghorn
 Revised Target Date changed by: Waghorn, Peter From: 31 Dec 2019 To: 01 Apr 2020
 Reason: An update report is scheduled for submission to SPCFC 1 April 2020
 8 Apr 2020 - 11:12 AM - Peter Waghorn
 Action completed by: Keegan, Robyn
 Action superseded by subsequent report action PE4/2020 Vineyard Grove Development - Stage 8 Development Update

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU8/2020	Ordinary Council 18/03/2020	Chadwick, Tony	General Manager's Unit	Minutes of the Town Coordinators Review Committee - 26 February 2020	15/04/2020	1/04/2020
1212 MOTION 1212 RESOLVED	Moved:	Jackson, Lotta Councillor Dagg	Seconded:	Councillor Gray		
<p>That the recommendations of the minutes of the Town Coordinators Review Committee of 26 February 2020, be adopted as a resolution of the Ordinary Council as follows:</p> <ol style="list-style-type: none"> That Council disbands the Town Co-ordinators Review Committee. That the future management of the Economic Development & Sponsorship Program is undertaken by the General Manager. That Council adopts the updated Economic Development Grants and Sponsorships Program Guidelines (Enclosure 1). That the following amendments be made to the Guidelines:- <ul style="list-style-type: none"> <input type="checkbox"/> all heading references to (for existing participants only) be removed. <input type="checkbox"/> Item D, paragraph 3 to be amended to read "Town Co-ordinator funding is available to all ACC partners upon application, and currently provided to two of those partners. These are the Cessnock Chamber of Commerce (covering Cessnock) and Towns with Heart (covering Kurri Kurri and district). <input type="checkbox"/> Item D, paragraph 4 remove (15,000 plus attendees). That a full acquittal of the funds allocated be reported back to Council. <p>1 Apr 2020 - 2:08 PM - Robyn Larsen Action reassigned to Chadwick, Tony by: Larsen, Robyn for the reason: 1 Apr 2020 - 2:34 PM - Tony Chadwick The Town Coordinator committee has been disbanded and the Economic Development and Sponsorships Guidelines 2020-2021 have been updated as follows:</p> <ul style="list-style-type: none"> all heading references to "for existing participants only" be removed. Item D, paragraph 3 to be amended to read "Town Co-ordinator funding is available to all ACC partners upon application, and currently provided to two of those partners. These are the Cessnock Chamber of Commerce (covering Cessnock) and Towns with Heart (covering Kurri Kurri and district). Item D, paragraph 4 remove (15,000 plus attendees). <p>These changes are shown in document DOC2020/042388 Revision 2. 1 Apr 2020 - 2:41 PM - Tony Chadwick Action completed by: Chadwick, Tony All requested actions are complete with updated guidelines located in DOC2020/042388.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU5/2020	Ordinary Council 18/03/2020	Lewis, Linda	General Manager's Unit	Notification of Visits of Federal and State Ministers Policy	15/04/2020	23/03/2020
1210 MOTION 1210 RESOLVED	Moved:	Jackson, Lotta Councillor Dagg	Seconded:	Councillor Sander		
<p>That Council revokes the Notification of Visits of Federal and State Ministers Policy.</p> <p>23 Mar 2020 - 10:07 AM - Linda Lewis Action completed by: Lewis, Linda Policy document removed from PULSE and relocated in Content Manager to the Revoked Folder. Completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU4/2020	Ordinary Council 18/03/2020	Varghese, Arun	General Manager's Unit	Minutes of the Audit and Risk Committee meeting held 11 February 2020	15/04/2020	31/03/2020
1209 MOTION 1209 RESOLVED	Moved:	Jackson, Lotta Councillor Doherty	Seconded:	Councillor Dagg		
<p>That the Minutes of the Audit and Risk Committee Meeting held 11 February 2020 be adopted as a resolution of the Ordinary Council.</p> <p>31 Mar 2020 - 3:41 PM - Arun Varghese Action completed by: Varghese, Arun The three actions from the Audit and Risk Committee Minutes will be tracked through Pulse.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC20/2020	Ordinary Council 18/03/2020	Radford, Gina	Corporate and Community	2020 National General Assembly of Local Government - Update on Councillor Requests to Attend and Motions Submitted	15/04/2020	31/03/2020
1215 MOTION 1215 RESOLVED	Moved:	Jackson, Lotta Councillor Doherty	Seconded:	Councillor Dagg		
<p>1. That Council endorses the request to attend the 2020 National General Assembly of Local Government from Mayor Pynsent and that Mayor Pynsent be determined as the voting delegate.</p> <p>2. That Council notes that no motions for the conference were received.</p> <p>23 Mar 2020 - 5:20 PM - Robert Maginnity Action reassigned to Radford, Gina by: Maginnity, Robert for the reason: Mayors EA - to arrange registration/accommodation for Mayor and General Manager 31 Mar 2020 - 9:20 AM - Gina Radford Action completed by: Radford, Gina The event has been cancelled due to the Coronavirus pandemic.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU6/2020	Ordinary Council 18/03/2020	Jackson, Lotta	General Manager's Unit	Cessnock Correctional Centre Access	15/04/2020	24/03/2020
1205 MOTION 1205 RESOLVED	Moved:	Jackson, Lotta Councillor Suvaal	Seconded:	Councillor Gray		
<p>1. That Council notes the final option from the State Government for the Correctional Centre Access is option 3A in the <i>Cessnock Correctional Complex Road Options Analysis report (December 2019)</i>.</p> <p>2. That Council writes to the Department of Corrections stating their support for option 3A in the <i>Cessnock Correctional Complex Road Options Analysis report (December 2019)</i> pending written confirmation from Minister Roberts that this is the only option the State Government will consider and that item 6 & 7 from resolution (1158) at the Ordinary Council meeting held on 19 February 2020 be supported and funded by the State Government before Council will give its approval.</p> <p>24 Mar 2020 - 9:35 AM - Lotta Jackson Action completed by: Lewis, Linda Correspondence forwarded to Minister Roberts on 23-03-20 as per Resolution 1205.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE10/2020	Ordinary Council 4/03/2020	Forbes, Richard	Planning and Environment	Development Application 8/2019/235/1 - Fourteen (14) lot residential subdivision to occur in two (2) phases 21 Main Road, Clifftleigh	1/04/2020	20/03/2020
1189 MOTION 1189 RESOLVED	Moved:	Curtis, Gareth Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That:</p> <p>(i) Development Application No. 8/2019/235/1 proposing a fourteen (14) lot residential subdivision to occur in two (2) phases at 21 Main Road, Clifftleigh (Lot 104 DP 1254893 in a subdivision of Lot 1200 DP 1250232), be approved pursuant to Sections 4.16 and 4.17 of the <i>Environmental Planning and Assessment Act 1979</i>, subject to the conditions contained in this report.</p> <p>(ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed subdivision is consistent with the Planning Proposal (Reference No. 18/2016/1) considered/endorsed by Council at its meeting of 19 April 2017 and Planning Gateway Determination (Reference No. 17/06073), to rezone the subject land from zone RE1 – Public Recreation to zone R2 – Low Density Residential, under the provisions of the Cessnock Local Environmental Plan 2011. <input type="checkbox"/> The proposal is a permitted land use in zone R2 under the Cessnock Local Environmental Plan 2011. <input type="checkbox"/> The proposal is consistent with the provisions of the Cessnock Development Control Plan, Part D Chapter 1 – Subdivision Guidelines. <input type="checkbox"/> The proposal incorporates measures to ensure that the development does not result in any adverse impacts on the natural and built environments. <input type="checkbox"/> The subject land is considered suitable for the proposed development as it is located within an established Urban Release Area (URA), and is subject to site specific planning controls with which it complies. 						

- ☐ The proposal is considered to maintain the public interest.

(iii) In considering community views, the following is relevant:

- ☐ The development has been assessed as satisfactory with respect to likely impacts on local amenity and streetscape.
- ☐ The development will not have an adverse impact upon the availability of public open space within the Cliftleigh Precinct.
- ☐ Due consideration has been given to the impact of the development on the local traffic network and connections to Main Road 195, Cliftleigh, and it is considered that the proposed development will not result in adverse traffic impacts.
- ☐ Biodiversity impacts of the proposal have been assessed and satisfactory measures established to offset any likely impact.

(iv) The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*.

2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.

20 Mar 2020 - 3:39 PM - Richard Forbes

Action completed by: Maher, Janine

Determination notice issued.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE77/2019	Ordinary Council 11/12/2019	McDermott, Emma	Planning and Environment	Draft Cessnock Flying-Fox Camp Management Plan	24/04/2020	25/03/2020
1104 MOTION 1104 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Gray		
That Council places the draft Cessnock Flying Fox Camp Management Plan on public exhibition for a minimum period of fifty (50) days.						
<p>19 Dec 2019 - 11:31 AM - Emma McDermott Revised Target Date changed by: McDermott, Emma From: 8 Jan 2020 To: 24 Apr 2020 Reason: public exhibition expected to commence in mid January 2020 4 Feb 2020 - 10:56 AM - Emma McDermott The CMP is on exhibition until the 27 February 2020 25 Mar 2020 - 9:07 AM - Emma McDermott Action completed by: McDermott, Emma Cessnock Flying-Fox Camp Management Plan has been adopted and is now displayed on Council's website.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE11/2020	Ordinary Council 18/03/2020	McDermott, Emma	Planning and Environment	Adoption of Cessnock Flying-Fox Camp Management Plan	15/04/2020	25/03/2020
1213 MOTION 1213 RESOLVED	Moved:	Curtis, Gareth Councillor Doherty	Seconded:	Councillor Dagg		
That Council adopts the revised Cessnock Flying-Fox Camp Management Plan and repeal the existing East Cessnock Camp Management Plan.						
25 Mar 2020 - 9:08 AM - Emma McDermott Action completed by: McDermott, Emma Camp management plan has now been adopted and is displayed on Council's website.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE8/2020	Ordinary Council 19/02/2020	McDermott, Emma	Planning and Environment	Adoption of Draft Contaminated Land Policy - Land Use Planning	2/05/2020	8/04/2020
1165 MOTION 1165 RESOLVED	Moved:	Curtis, Gareth Councillor Burke	Seconded:	Councillor Dagg		
<ol style="list-style-type: none"> That Council places the draft Contaminated Land Policy – Land Use Planning on public exhibition for a period of twenty-eight (28) days. That should public submissions be received, a further report be prepared and submitted to Council for consideration. That should no public submissions be received, the draft Contaminated Land Policy – Land Use Planning be adopted by Council. 						
27 Feb 2020 - 2:04 PM - Emma McDermott Revised Target Date changed by: McDermott, Emma From: 18 Mar 2020 To: 02 May 2020 Reason: Draft Policy will be on public exhibition until the 25 March 2020. 8 Apr 2020 - 10:26 AM - Emma McDermott Action completed by: Johnson, Martin No submission received to exhibition. policy now in place						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W118/2019	Ordinary Council 17/04/2019	Jeffery, Warren	Deferred Business	Proposed Road Closure between Halls Road and De Beyers Road Pokolbin	6/05/2020	2/04/2020
862 MOTION 862 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Lyons		
<ol style="list-style-type: none"> That Council resolve to not close the Council public road between Halls Road and De Beyers Road Pokolbin as indicated in the Property Location Plan. That the General Manager write to those who made submissions, informing them of Council's decision. That the General Manager notify Google Maps and any other relevant mapping agencies that this is not a public road and should not show on their software. 						

4. That Council upgrade the existing road barriers to prevent car traffic but still allow for pedestrian and bicycle traffic flow in consultation with adjoining land owners.
5. That Council work to amend traffic management plans for major events in the surrounding areas to include measures to reduce traffic flow into Halls Road.
6. That a report come back to Council in 12 months to update Council on whether the traffic management items outlined above have reduced problem traffic incidents in the area.
7. That in the report to come back in 12 months time Council identify whether this road reserve will be included in the future vineyard cycleway plan.

3 May 2019 - 8:58 AM - Bruce Hughes

Item 1 - Noted

Item 2 - Sent letters

Item 3 - Checked Googlemaps and road not showing as being trafficable by motor vehicles

Item 4 - Preparing signage and barrier plans

Item 5 - Arranging meeting with stakeholders

Item 6 - Drafted report scheduled for Council's ordinary meeting 6 May 2020

Item 7 - Draft report scheduled for Council's ordinary meeting of April 2020

4 Jun 2019 - 8:51 AM - Tracey Cocking

Item 4 - CRM 7440/2019 generated for additional signage and works have been complete.

Item 5 - Held meeting with stakeholders to amend TMP to include Halls Road

27 Jun 2019 - 10:19 AM - Tracey Cocking

Item 6 - Preparing report to Council by April 2020

Item 7 - Preparing report to Council by April 2020

9 Sep 2019 - 3:46 PM - Warren Jeffery

Item 6 - Reviewing effectiveness of relevant traffic management measures to inform the report to Council due by April 2020

4 Feb 2020 - 10:56 AM - Warren Jeffery

Item 6 - Reviewed effectiveness of relevant traffic management measures. Matter discussed at inter-agency vineyard events - traffic management meeting of 22 January 2020.

Item 7 - Commenced preparation of report to Council for April 2020.

12 Mar 2020 - 2:28 PM - Katrina Kerr

Item 6 - Commenced preparation of report to Council for April 2020 regarding effectiveness of traffic management measures.

Item 7 - Commenced preparation of report to Council for April 2020 also covering the appropriateness of this road reserve being part of a future vineyard cycleway plan.

31 Mar 2020 - 10:06 AM - Tracey Cocking

Item 6 - Scheduled report for Ordinary Meeting of Council of 15 April 2020.

Item 7 - Scheduled report for Ordinary Meeting of Council of 15 April 2020.

2 Apr 2020 - 11:13 AM - Warren Jeffery

Action completed by: Cocking, Tracey

Scheduled report for Ordinary Meeting of Council of 15 April 2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN22/2019	Ordinary Council 21/08/2019	Goodbun, Nathan	Business With Notice	Multi-Level Parking Station Cessnock Central	15/04/2020	31/03/2020
946 MOTION 946 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
1.	Council recognises the importance of improving car parking in the Cessnock CBD as a high priority.					
2.	Council promote the number of free and untimed council parking spaces available within the Cessnock CBD.					
3.	Council in consultation with the Business chamber investigate signage publicising locations of car parks and the number of spaces within the Cessnock CBD.					

4. The General Manager undertake an audit of Cessnock CBD street parking to identify any possible multiple use of zones to increase the number of parking spaces available.
5. That Council note the cost estimates for building a multi-level parking station outlined in the adopted 2017 Cessnock Precinct Public Domain Plan with the Keene Street carpark estimated at \$6.65 million and Charlton Street carpark estimated at \$16.56 million.

9 Sep 2019 - 4:39 PM - Warren Jeffery

Item 1 - Noted

Item 2 - Developing promotional package for inclusion on CCC website and social media platform.

Item 3 - Liaising with the Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD.

Item 4 - Investigating the amenability and feasibility of introducing standards compliant multiple use CBD street parking spaces

Item 5 - Noted

18 Sep 2019 - 9:18 AM - Tracey Cocking

Item 3 - Arranging stakeholder meeting with Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD..

10 Oct 2019 - 11:24 AM - Santosh Deo

Item 2 - Working with Media & Communication on developing promotional material for inclusion on CCC website and social media platform..

Item 4 - Investigating the amenability and feasibility of introducing standards compliant multiple use CBD street parking spaces.

15 Oct 2019 - 9:32 AM - Santosh Deo

Item 3 - Arranged meeting with Business chamber to investigate signage publishing locations of car parks and the number of spaces within the Cessnock CBD..

8 Nov 2019 - 2:22 PM - Santosh Deo

Item 2 - Submitted Communication Brief to CCC Media and Communication Unit to promote the number of free and un-timed Council parking spaces available within the Cessnock CBD.

Item 3 - Liaised with the Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD.

Item 4 - Created one additional car parking space on the eastern side of the southern end of the Vincent Street, opposite Rover Motors by reconfiguring regulatory parking arrangements.

27 Nov 2019 - 12:28 PM - Tracey Cocking

Item 2 - Publication of Media release approved.

Item 3 - Attended meeting with Business Chamber and followup communication sent.

Item 4 - Progressed audit.

18 Feb 2020 - 4:23 PM - Tracey Cocking

Item 2 - Published media release 2/12/2019.

Item 3 - Consultation with Cessnock Chamber of Commerce complete and feedback received.

Item 4 - Awaiting quotation.

4 Mar 2020 - 8:17 AM - Tracey Cocking

Item 4 - Received quotation for audit of CBD street parking.

19 Mar 2020 - 4:20 PM - Tracey Cocking

Item 4 - Prepared report for Ordinary Meeting of Council 1 April 2020.

31 Mar 2020 - 10:01 AM - Nathan Goodbun

Action completed by: Cocking, Tracey

Report submitted.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN32/2019	Ordinary Council 11/12/2019	Jeffery, Warren	Business With Notice	Nulkaba School Safety	3/06/2020	2/04/2020
1125 MOTION	Moved:	Fitzpatrick-Barr, Justin 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.						
4 Feb 2020 - 12:15 PM - Warren Jeffery						
Item 1 - Completed investigation, commenced Report to Council.						
31 Mar 2020 - 10:05 AM - Tracey Cocking						

Item 1 - Scheduled report for Ordinary meeting of Council 15 April 2020.
 2 Apr 2020 - 11:11 AM - Warren Jeffery
 Action completed by: Cocking, Tracey
 Scheduled report for Ordinary meeting of Council 15 April 2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI98/2019	Ordinary Council 11/12/2019	Benson, Nicole	Works and Infrastructure	Infrastructure Grants Program November 2019 Round	27/03/2020	2/04/2020
1121 MOTION 1121 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
<p>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.</p> <p>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.</p> <p>3. That Council write to the following to seek their support for the project:-</p> <p>Member for Cessnock Clayton Barr Shadow Minister for Local Government, Greg Warren Relevant minister Taylor Martin MLC</p> <p>16 Dec 2019 - 12:05 PM - Kelly Paterson Item 3 - Sent letters to the following to seek their support for the project:-</p> <p>Member for Cessnock Clayton Barr Shadow Minister for Local Government, Greg Warren Relevant minister - The Hon. Victor Dominello, MP Taylor Martin MLC</p> <p>Memo sent to All Councillors to advise that Council will write to the members as per the resolution, however please note that any correspondence from government representatives will not be considered eligible support material and as such will not be attached to the application.</p> <p>23 Jan 2020 - 3:55 PM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 8 Jan 2020 To: 28 Feb 2020 Reason: Awaiting funding announcements</p> <p>2 Mar 2020 - 11:55 AM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 28 Feb 2020 To: 27 Mar 2020 Reason: Awaiting funding announcements.</p> <p>2 Apr 2020 - 12:16 PM - Nicole Benson Action completed by: Paterson, Kelly</p> <p>1. Complete</p> <p>2. The grant was successful and \$121,200 of Council funding has been allocated to the Community Hub at Miller Park.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W125/2020	Ordinary Council 18/03/2020	Harris, Kate	Works and Infrastructure	Categorisation of Council Managed Land	15/04/2020	2/04/2020
1224 MOTION 1224 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Dagg		
<p>That Council notifies the Minister administering the <i>Crown Land Management Act 2016</i> in writing of the initial categorisation as listed in Enclosure 1, assigned to Crown land appointed to Council, as referred to in Section 36 of the <i>Local Government Act 1993</i>.</p> <p>2 Apr 2020 - 12:51 PM - Kate Harris The Minister has been advised in writing. Please refer to TRIM Document DOC2020/048118</p> <p>2 Apr 2020 - 12:52 PM - Kate Harris Action completed by: Harris, Kate The Minister has been advised in writing and the action is now complete.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W116/2020	Ordinary Council 4/03/2020	Lindsay, Michelle	Works and Infrastructure	Public Exhibition of Draft 2020-25 Waste and Resource Recovery Strategy	8/04/2020	31/03/2020
1191 MOTION 1191 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<p>1. That the draft 2020-25 Waste and Resource Strategy be amended to remove the following points in the Section 6 Action plan:</p> <p><input type="checkbox"/> 3.2; <input type="checkbox"/> 3.4, 3.4.a. & 3.4.b.; and <input type="checkbox"/> 6.1.</p> <p>2. That Council places the amended draft 2020-25 Waste and Resource Recovery Strategy on public exhibition for a minimum of 28 days and invite public submissions.</p> <p>3. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final 2020-25 Waste and Resource Recovery Strategy.</p> <p>4. That a Councillor Workshop be held in early 2021 to consider the progress of the Strategy and a report be returned to Council to consider any changes that may be required to the Strategy prior to Council undertaking any community consultation.</p> <p>11 Mar 2020 - 2:53 PM - Michelle Lindsay Draft Strategy has been placed on public exhibition. 31 Mar 2020 - 10:27 AM - Debbie Kellehear Revised Target Date changed by: Kellehear, Debbie From: 1 May 2020 To: 08 Apr 2020 Reason: Consultation events cancelled due to COVID-19 Pandemic. Public exhibition due to close on 8 April 2020. 31 Mar 2020 - 10:27 AM - Michelle Lindsay Action completed by: Kellehear, Debbie Public exhibition due to close on 8 April 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI23/2020	Ordinary Council 18/03/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Disaster Recovery Funding Arrangement Payment	15/04/2020	2/04/2020
1222 MOTION 1222 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Dagg		
<p>That Council endorses the following 'Program of Works' to be funded by an additional \$416,667 Disaster Recovery Funding Arrangements payment;</p> <p>a) \$40,000 to the Wollombi Volunteer Bush Fire Brigade to fund the installation of water tanks, rehabilitate adjoining lands and make good damaged perimeter fencing at the Wollombi Rural Fire Service Station</p> <p>b) \$30,000 to install a new water tank at Cessnock Airport to increase water storage for firefighting aircraft.</p> <p>c) An additional \$50,000 to fund embankment stabilisation works along Murrays Run Road</p> <p>d) \$150,000 to carry out urgent pavement testing at Cessnock Airport and undertake any identified pavement repair/upgrade works</p> <p>e) An additional \$146,667 to support the replacement of Yango Creek Bridge and Paynes Crossing Bridge in order to provide unimpeded access for future disaster events in the Wollombi region.</p> <p>2 Apr 2020 - 10:09 AM - Justin Fitzpatrick-Barr Action completed by: Paterson, Kelly Noted</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI24/2020	Ordinary Council 18/03/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Funding for the Frame Drive - Gingers Lane Upgrade Project, including an Intersection Upgrade at Gingers Lane, Sawyers Gully Road and Hart Road.	15/04/2020	6/04/2020
1223 MOTION 1223 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Sander		
<p>1. That Council re-allocates \$1,122,000 of funds within the 2019-20 Local Road Renewal Program to undertake Stage 2 of the Gingers Lane project.</p> <p>2. That Council allocates \$1,926,000 in the 2020-21 Local Road Renewal Program to undertake Stages 3 & 4 of the Gingers Lane project.</p> <p>3. That in the event that Council's application into the Fixing Country Roads 2019 Round 2 Program is successful, Council redistributes any unspent Local Road Renewal Program funds back into the 2020-21 Local Road Renewal Program and include Mount View Road Cessnock from Barrett Avenue to Links Avenue Cessnock pending the completion of the new access to the Corrective Centre.</p> <p>6 Apr 2020 - 9:21 AM - Justin Fitzpatrick-Barr Action completed by: Paterson, Kelly noted and completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W175/2019	Ordinary Council 23/10/2019	Goodbun, Nathan	Works and Infrastructure	Local Traffic Committee Minutes 16 September 2019	1/04/2020	17/03/2020
1035 MOTION 1035 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
That the Minutes of the Local Traffic Committee of 16 September 2019 be adopted as a resolution of the Ordinary Council.						
<ol style="list-style-type: none"> TC33/2019 – That Council authorise the installation of GIVE WAY signage on Lomas Lane, Nulkaba in accordance with the Lomas Lane Nulkaba Signage Diagram. TC34/2019 – That Council authorise the installation of GIVE WAY controls on De Beyers Road and Grady Road, Pokolbin, in accordance with the De Beyers & Grady Road Signage & Line Marking Diagram. TC35/2019 – That Council authorise the installation of regulatory parking signage on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock – Signage Diagram. TC36/2019 – That Council authorise the installation of regulatory parking signage on Darwin Street, Cessnock, in accordance with the Darwin Street Cessnock Bus Zone Removal Diagram. TC37/2019 – That Council authorise the installation of BUS ZONE signage on Jurd Street, Cessnock in accordance with the Jurd Street Cessnock Signage & Line Marking Diagram. TC38/2019 – That Council authorise the installation of regulatory signage on View Street, Cessnock in accordance with the View Street Cessnock Signage Diagram. TC39/2019 – That Council authorise the temporary regulation of traffic on Great North Road, Murrays Run Road, and Watagan Creek Road, Laguna, in accordance with the Various Roads Laguna Gravel Grit Laguna Traffic Control Plans. TC40/2019 – That Council authorise the temporary regulation of traffic on Camp Road, Greta, in accordance with the Camp Road Greta Silky Oak Festival Traffic Control Plans. TC41/2019 – That Council authorise the installation of regulatory parking signage on King Street, Abermain, in accordance with the King Street Abermain Amended Line Marking & Signage Diagram. 						
That in addition to the adoption of the Minutes of the Local Traffic Committee:						
<ol style="list-style-type: none"> The General Manager investigate disability parking at the following locations – Weston CBD near local post office and chemist. Centrelink at Kurri Kurri in Barton Street and Post Office in Lang Street, Kurri Kurri. The General Manager conduct an audit of the taxi ranks in the whole of the LGA to identify if these ranks are being used. 						
19 Nov 2019 - 4:08 PM - Tracey Cocking Item 1 - Issued CRM 21481/2019 to Works & Ops. Item 2 - Issued CRM 21488/2019 to Works & Ops. Item 3 - Issued CRM 21548/2019 to Works & Ops. Item 4 - Issued CRM 21607/2019 to Works & Ops. Item 5 - Issued CRM 21608/2019 to Works & Ops. Item 6 - Issued CRM 21609/2019 to Works & Ops. Item 7 - Issued letter of consent 24/10/19. Item 8 - Issued letter of consent 29/10/19. Item 9 - Completed as part of Project works. Item 10 - Commencing investigation. Item 11 - Corresponding with relevant Taxi operators.						

13 Dec 2019 - 11:21 AM - Tracey Cocking
 Item 10 - Continuing investigation.
 4 Feb 2020 - 3:21 PM - Tracey Cocking
 Item 10 - Investigated Mobility Parking Scheme spaces.
 Item 11 - Undertaking audit with Taxi operators.
 9 Mar 2020 - 10:34 AM - Katrina Kerr
 Item 11 - Audited Taxi ranks.
 17 Mar 2020 - 11:02 AM - Nathan Goodbun
 Action completed by: Kerr, Katrina
 Completed all actions.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W117/2020	Ordinary Council 4/03/2020	Gilford, Jim	Works and Infrastructure	Paynes Crossing Road, Paynes Crossing - Evaluation of Tender No T1920-06 Paynes Crossing Bridge Replacement	1/04/2020	31/03/2020
1192 MOTION 1192 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council accepts the tender from Waeger Constructions Pty Ltd in the lump sum amount of \$2,117,406 (including GST) for T1920-06 – Paynes Crossing Bridge Replacement.</p> <p>2. That Council allocates \$500,000 from the Bridge Replacement Reserve to allow acceptance of the tender.</p> <p>9 Mar 2020 - 6:02 PM - Katrina Kerr Item 1 - Accepted tender for Paynes Crossing Bridge Replacement. Item 2 - Allocated \$500,000 from Bridge Replacement Reserve. 31 Mar 2020 - 10:32 PM - Jim Gilford Action completed by: Kerr, Katrina Items completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W119/2020	Ordinary Council 4/03/2020	Kerr, Katrina	Works and Infrastructure	Minutes of Roads Review Committee of 14 February 2020	1/04/2020	8/04/2020
1194 MOTION 1194 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That the Minutes of the Roads Review Committee of 14 February 2020 be adopted as a resolution of the Ordinary Council.</p> <p>2. That the committee reconsider the issue raised by Councillor Dunn at the next committee meeting.</p> <p>9 Mar 2020 - 5:54 PM - Katrina Kerr Item 1 - Noted. Item 2 - Commenced drafting report on issues raised by Councillor Dunn for next Roads Review Committee. 12 Mar 2020 - 2:40 PM - Katrina Kerr Action reassigned to Bent, Geoffrey by: Kerr, Katrina for the reason: For preparation of report to address maintenance of unsealed roads. 2 Apr 2020 - 5:32 PM - Kelly Paterson Maintenance of Unsealed Roads Report drafted for meeting. 8 Apr 2020 - 7:23 AM - Katrina Kerr Action completed by: Paterson, Kelly Completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN5/2020	Ordinary Council 19/02/2020	Fitzpatrick-Barr, Justin	Business With Notice	Establishing a Rural Fire Station in the Community of Weston	15/04/2020	23/03/2020
1182 MOTION 1182 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Burke		
<p>That the General Manager bring back a report and recommendations to Council as soon as possible outlining :</p> <p>A) Council investigate whether the property at Swanson Street is suitable to the Rural Fire Service.</p> <p>B) Council investigate the acquisition of property from Property NSW located on Swanson Street Weston that is due to be vacated by NSW Fire and Rescue for the purpose of establishing a NSW Rural Fire Station at this current site.</p> <p>C) The costs and funding sources internal and external to establish a Rural Fire Station in Weston on the current site.</p> <p>6 Mar 2020 - 8:30 AM - Kelly Paterson Report going to 1 April 2020 Council Meeting 23 Mar 2020 - 2:57 PM - Justin Fitzpatrick-Barr Action completed by: Paterson, Kelly Completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI86/2019	Ordinary Council 20/11/2019	Lindsay, Michelle	Works and Infrastructure	Milsons Arm Road and Yango Creek Road - Petitions regarding Waste Service	1/04/2020	2/04/2020
1091 MOTION 1091 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Fitzgibbon		
<p>1. That Council continues to provide the current waste collection route with remote collection services available to residents of Milsons Arm Road and Yango Creek Road, noting the interest shown in extending the collection service area and advise residents in the area that further investigation will be undertaken as part of the Waste Strategy 2020-25.</p> <p>2. That Council writes to the residents of the petition advising them of its decision.</p> <p>3. That the 2 submissions be considered in the development of the Waste Strategy 2020-25.</p> <p>4 Feb 2020 - 4:28 PM - Michelle Lindsay Revised Target Date changed by: Lindsay, Michelle From: 18 Dec 2019 To: 28 Feb 2020 Reason: Correspondence to residents postponed due to bushfire activity within the area. 4 Feb 2020 - 4:33 PM - Michelle Lindsay An action relating to investigation of the extension of the waste service area has been included in the draft Waste and Resource Recovery Strategy 2020-25. Correspondence has been postponed to residents of the petition due to bushfire activity impacting their local area, and is now planned for mid to late February. 4 Mar 2020 - 5:08 PM - Michelle Lindsay Revised Target Date changed by: Lindsay, Michelle From: 28 Feb 2020 To: 27 Mar 2020 Reason: Date revised to enable signatories to be notified during public exhibition phase of Waste Strategy (subject to Council adoption) 31 Mar 2020 - 10:33 AM - Debbie Kellehear</p>						

Revised Target Date changed by: Kellehear, Debbie From: 27 Mar 2020 To: 01 Apr 2020
Reason: Letters sent to residents on 1 April 2020 (delayed due to COVID-19 and business continuity planning for Waste Services).
2 Apr 2020 - 11:20 AM - Carly Thompson
Mail out sent to residents NFA
2 Apr 2020 - 11:38 AM - Michelle Lindsay
Action completed by: Thompson, Carly
Mail Out Completed

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W113/2020	Ordinary Council 19/02/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Commonwealth Government's Disaster Recovery Funding Arrangement - \$1 Million Bushfire Support Payment	20/03/2020	2/04/2020
1178 MOTION 1178 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>1. That Council endorses the following 'Program of Works' to be funded by the \$1 million Disaster Recovery Funding Arrangements payment;</p> <p>a) Partially fund the regrading and rehabilitation of the worst affected unsealed roads in the Wollombi/Laguna/Bucketty/Paynes Crossing and Congewai areas - \$300,000 (supported by existing operational budgets)</p> <p>b) Partially fund the upgrade of Yango Creek Bridge to remove the current load limit and build resilience for future fire events - \$500,000 (supported by existing capital program budgets)</p> <p>c) Fund road pavement repairs at Paynes Crossing – \$20,000</p> <p>d) Partially fund embankment stabilisation works (various locations) – \$40,000</p> <p>e) Fund the replacement of damaged tourist signs in the Wollombi area – \$10,000</p> <p>f) Partially fund a temporary Disaster Recovery 'Infrastructure' Officer position to set up specialised 'Recover' software and systems to support the recording of infrastructure impacts from disaster events, which in turn supports the disaster claims process – \$30,000 (supported by existing operational budgets)</p> <p>g) Provide funding for Destination Marketing encouraging the local 'open for business' campaigns to support the immediately affected tourism industry - \$100,000.</p> <p>2. That Council supports the Hunter Valley's Bushfire Devastated Communities submission.</p> <p>3. That a further report come back to Council on the proposed use of \$250,000 from the NSW Government's Economic Recovery and Community Resilience funding, once community engagement with the Wollombi and Laguna communities has taken place.</p> <p>5 Mar 2020 - 8:37 AM - Kelly Paterson 1. Noted and tasks allocated to relevant sections 2. Noted 3. Report Drafted 2 Apr 2020 - 10:09 AM - Justin Fitzpatrick-Barr Action completed by: Paterson, Kelly completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W187/2019	Ordinary Council 20/11/2019	Kerr, Katrina	Works and Infrastructure	NSW Government Fixing Local Roads - Application for Funding	30/06/2020	31/03/2020
1092 MOTION 1092 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Gray		
<p>1. That Council endorses the submission of five applications under the NSW Government Fixing Local Roads Round 1 2019 Program for the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Mitchell Avenue, Kurri Kurri – Pavement Rehabilitation <input type="checkbox"/> Cessnock Road, Weston – Pavement Rehabilitation <input type="checkbox"/> Old Maitland Road, Sawyers Gully – Pavement Rehabilitation <input type="checkbox"/> Old Maitland Road, Sawyers Gully – Sealing Unsealed Road <input type="checkbox"/> Northcote Street, Kurri Kurri – Pavement Rehabilitation <p>2. That Council endorses reallocation of up to \$1.25M within the Local Road Renewal Program 2019-20 and 2020-21 of the current Delivery Program 2017-21 as a minimum co-contribution in accordance with the outcome of the grant application.</p> <p>3. That Council send a copy of the report to Clayton Barr MP, Member for Cessnock seeking his support.</p> <p>9 Mar 2020 - 2:50 PM - Katrina Kerr Item 1 – Lodged 5 applications under NSW Government Fixing Local Roads Round 1 2019. Item 2 – Awaiting announcement to allocate funds. Item 3 - Copy of the report sent to Clayton Barr MP, Member for Cessnock seeking his support. 31 Mar 2020 - 10:36 PM - Katrina Kerr Item 2 - Allocation of funds no longer required as applications unsuccessful. 31 Mar 2020 - 10:37 PM - Katrina Kerr Action completed by: Kerr, Katrina Items complete.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W115/2020	Ordinary Council 19/02/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Cessnock Stomp Festival - In Kind Support	20/03/2020	30/03/2020
1180 MOTION 1180 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Dagg		
<p>1. That Council support the 2020 Stomp Festival by providing in-kind support to the value of \$7,795 as detailed in the report for waste management services, waiving of some fees and providing and installing road closure equipment in accordance with the Festival Traffic Control Plan;</p> <p>2. That Council, in light of previous decisions, not waive fees for Street Vending/Market Stalls or provide Council staff to supervise road closures, given these costs cannot be absorbed within existing operational budgets.</p> <p>3. That Council suspends the operation of the Alcohol Free Zone in Vincent and Cooper Streets, Cessnock between the hours of 6.00am and 6.00pm on Sunday, 5 April 2020.</p> <p>4. That council allocates an amount of \$4,500 from the Tourism Related projects Budget to cover the cost of street vending and market stalls, as it is recognised that the event attracts a large number of visitors to the LGA and this directly support Objective 2.3 of Council's Delivery program 2017-21 which is to increase tourism opportunities and visitation in the area.</p>						

5 Mar 2020 - 9:03 AM - Kelly Paterson

1. Letter sent to Cessnock Chamber
2. Noted
3. Noted and allocated to relevant sections
4. Noted

30 Mar 2020 - 3:33 PM - Justin Fitzpatrick-Barr

Action completed by: Paterson, Kelly
Completed

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI14/2020	Ordinary Council 19/02/2020	Jeffery, Warren	Works and Infrastructure	Minutes of Local Traffic Committee held 20 January 2020	6/05/2020	12/03/2020
1179 MOTION 1179 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Suvaal		
That the Minutes of the Local Traffic Committee Meeting of 20 January 2020 be adopted as a resolution of the Ordinary Council.						
1.	TC1/2020 - That Council notes the Transport for NSW approval for the temporary regulation of traffic for the Wine Machine Music Festival event in accordance with the Various Roads Pokolbin _ Wine Machine Traffic Control Plans.					
2.	TC2/2020 - That Council authorises the installation of pedestrian refuges and line marking on Victoria Street and Mayfield Street, Cessnock in accordance with the Victoria & Mayfield Streets Cessnock _ Pedestrian Facilities Diagram.					
3.	TC3/2020 - That Council authorises the installation of a pedestrian refuge, traffic islands, line marking and regulatory parking signage on Traders Way and Radford Street, Cliftleigh in accordance with the Traders Way Cliftleigh - Signage & Line Marking Diagram.					
4.	TC4/2020 - That Council notes the following determinations with regard to specific points raised in Council's resolution of 11 December 2019;					
	<input type="checkbox"/> Point 2 of the resolution, that upgraded wayfinding signage will be installed upon completion of Stage 6 of the Wollombi Road Millfield upgrade;					
	<input type="checkbox"/> Point 3 - 1 of the resolution, that the matter is outside the terms of reference of the Local Traffic Committee;					
	<input type="checkbox"/> Point 3 - 2 of the resolution, that the matter is outside the terms of reference of the Local Traffic Committee;					
	<input type="checkbox"/> Point 3 - 3 of the resolution, that the matter is outside the terms of reference of the Local Traffic Committee;					
	<input type="checkbox"/> Point 3 - 4 of the resolution, that: <ol style="list-style-type: none"> a. The current intersection treatment complies with all relevant Australian Standards, and is the most appropriate road safety treatment to address the crash history at the intersection; b. There have been no reported crashes at the subject intersection since completion of the improvements; and c. The proposed additional treatment is contrary to Australian Standard 1742.2. 					
	<input type="checkbox"/> Point 3 - 5 of the resolution, that: <ol style="list-style-type: none"> a. The proposed additional treatment is contrary to Australian Standard 1742.2: and b. A suitable Australian Standards compliant treatment has been installed. 					
	<input type="checkbox"/> Point 3 - 6 of the resolution, that the proposed treatment was installed in November 2018, in response to a previous resolution of Council.					

4 Mar 2020 - 8:55 AM - Tracey Cocking

Item 1 - Noted.

Item 2 - Listed pedestrian refuge for Quarterly Review.

Item 3 - Completed works.

Item 4 - Noted

12 Mar 2020 - 2:19 PM - Warren Jeffery

Action completed by: Cocking, Tracey

All Actions completed.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN1/2020	Ordinary Council 5/02/2020	Benson, Nicole	Business With Notice	Millfield RFS Premises	17/04/2020	
1152 MOTION 1152 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dunn	Seconded:	Councillor Stapleford		
<p>That the General Manager bring back a report and recommendation to Council within three months outlining:</p> <ol style="list-style-type: none"> Councils current position relating to the location of new premises for the Millfield RFS brigade; How Council intends to further progress our current position; The costs and funding sources, internal and external to deliver the required infrastructure, as appropriate, in conjunction with external bodies; A timeline for delivery that takes in to account all stakeholders. <p>2 Mar 2020 - 11:50 AM - Nicole Benson Report being drafted to meet 3 month timeframe.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN10/2020	Ordinary Council 18/03/2020	Drage, Natalie	Business With Notice	Youth Centre	15/04/2020	
1228 MOTION 1228 RESOLVED	Moved:	Maginnity, Robert Councillor Burke	Seconded:	Councillor Gray		
<ol style="list-style-type: none"> That Council notes and acknowledges the work that CYCOS does within our Local Government Area and the importance of having these services for young people. That Council puts out a media release to inform the community of the services that are provided to the community by the centre and its staff. That Council keep track and apply for any upcoming funding available to boost youth programs within the Cessnock LGA. That the General Manager writes to the Minister for Regional Youth Bronnie Taylor MP calling on the State Government to support Regional programs such as CYCOS with funding to support <ul style="list-style-type: none"> <input type="checkbox"/> The expansion of Head Space in the Cessnock Local Government Area <input type="checkbox"/> Youth Mental Health programs <input type="checkbox"/> Youth Suicide prevention programs <input type="checkbox"/> Youth drug and alcohol programs <input type="checkbox"/> Youth Bullying programs That a briefing be held with Councillors to provide an update on CYCOS activities and programs. <p>1 Apr 2020 - 9:14 AM - Natalie Drage As part of the COVID-19 response a media release was distributed that included information regarding changes to CYCOS service delivery. When returning to full public programming, a comprehensive media release will be issued. Current programming is publicised on the CYCOS Facebook page. Correspondence has been drafted in regards to Resolution 4 - That the General Manger writes to the Minister for Regional Youth supporting increased youth programming. 1 Apr 2020 - 4:54 PM - Natalie Drage Correspondence sent 1 April 2020 to the Minister for Regional Youth, Bronnie Taylor MP. Resolution 4 complete. Resolution 1 and 3 noted and opportunities for funding additional youth programs to be investigated.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN12/2020	Ordinary Council 18/03/2020	Maher, Janine	Business With Notice	Traffic Issues Heddon Greta	29/04/2020	
1230 MOTION 1230 MOTION	Moved:	Curtis, Gareth Councillor Gray	Seconded:	Councillor Burke		
<p>That the General Manager Investigate the concerns of the residents of Heddon Greta with the installation of traffic lights at Heddon Street and Main Road and the potential impact on the local road network. In particular investigating the excessive speeding issues that are now prevalent along Radford Street and surrounding feeder roads, with traffic calming options.</p> <p>8 Apr 2020 - 7:27 AM - Robyn Larsen Under investigation.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN13/2020	Ordinary Council 18/03/2020	Benson, Nicole	Business With Notice	Rubbish Bins in Parks in Cessnock Local Government Area	30/06/2020	
1231 MOTION 1231 MOTION	Moved:	Fitzpatrick-Barr, Justin Councillor Lyons	Seconded:	Councillor Suvaal		
<p>That a report comes back to council outlining the parks in Cessnock LGA that have no rubbish bins, a prioritised plan to provide these services, costs involved and possible funding options.</p> <p>2 Apr 2020 - 1:14 PM - Kelly Paterson Under Investigation</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN19/2019	Ordinary Council 21/08/2019	Alexander, Michael	Business With Notice	Bee Friendly Tree Giveaway	1/05/2020	
943 MOTION 943 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Fitzgibbon		
<p>That Council ask the General Manager to request a briefing with National Parks to discuss ways Council can improve the local ecology and biodiversity including threatened species such as Bees and Regent Honey Eaters.</p> <p>3 Sep 2019 - 3:07 PM - Michael Alexander Sustainability Officer contacted National Parks today and was advised staff on leave. Matter has been referred to Mitchell Carter but may be held until return of field officer. 5 Sep 2019 - 9:47 AM - Michael Alexander Request for response forwarded to National Parks - key personnel on extended leave and response not anticipated for approx. 2 months 6 Dec 2019 - 12:58 PM - Carly Thompson National Parks have been contacted a number of time and response is they can do nothing until the fire season is over 31 Mar 2020 - 10:18 AM - Debbie Kellehear National Parks & Wildlife have been contacted and they are now deciding which agency is most appropriate to make a presentation to Council. National Parks & Wildlife or Department of Planning, Industry and Environment will come back to Council when a decision has been made.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN2/2019	Ordinary Council 20/02/2019	Jeffery, Warren	Business With Notice	Bus Shelters	20/05/2020	
772 MOTION 772 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Burke		
<p>1. That Council provides adequate footpaths in and around any newly installed bus shelters within the LGA to provide unhindered access to and from these shelters for all residents.</p> <p>2. That Council develops a suitable capital works program to retrospectively address similar concerns at existing bus shelter sites which are currently not fully accessible.</p> <p>3. That a report come back to Council regarding the impact of the resolution within the Capital Works Program.</p> <p>17 Apr 2019 - 11:17 AM - Tracey Cocking Item 1 - Preparing program of footpaths to newly installed bus shelters. Item 2 - Preparing program of footpaths to existing bus shelters. Item 3 - Preparing Report to Council. 6 May 2019 - 4:05 PM - Tracey Cocking Item 1 - Provided condition of consent relating to bus shelters to Development Services Unit and included in draft Engineering Guidelines for Design and Construction. Item 2 - Developing a Capital Works Program for Pathways to existing bus shelters. 29 May 2019 - 2:26 PM - Tracey Cocking Item 2 - Developing a Capital Works Program for Pathways to existing bus shelters. 4 Jul 2019 - 2:07 PM - Rachael O'Hara Item 2 - Developed CPTIGs Grant application for bus shelters requiring new footpath access. Item 3 - Progressed Report to Council. 9 Sep 2019 - 3:23 PM - Warren Jeffery Item 2 - Investigating LGA bus stop infrastructure in conjunction with the delivery of approved projects under the Country Passenger Transport Infrastructure Scheme (CPTIGS) and drafting grant funding applications for the current CPTIGS which closes on 30 September 2019. Item 3 - Listed matter for reporting to Council by June 2020. 10 Oct 2019 - 10:44 AM - Tracey Cocking Item 1 - Pending Report to Council. Item 2 - Investigating LGA bus stop infrastructure to assist with the development of a suitable capital works program. Item 3 - Listed matter for reporting to Council by June 2020. 4 Feb 2020 - 10:48 AM - Warren Jeffery Item 2 - Investigating LGA bus stop infrastructure to assist with the development of a suitable capital works program. Item 3 - Listed matter for reporting to Council by June 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN25/2019	Ordinary Council 4/09/2019	Jeffery, Warren	Business With Notice	Timed Parking in Charlton Street Car Park	20/05/2020	
PROCEDURAL MOTION 978 RESOLVED that the Motion be deferred until after Council staff have returned the report in regard to BN22/2019 – Multi-Level Parking Station Cessnock Central which was dealt with at the Council meeting of 21 August 2019.	Moved: Seconded:	Fitzpatrick-Barr, Justin Councillor Suvaal Councillor Fagg				
<p>5 Sep 2019 - 4:14 PM - Kelly Paterson RESOLVED that the Motion be deferred until after Council staff have returned the report in regard to BN22/2019 – Multi-Level Parking Station Cessnock Central which was dealt with at the Council meeting of 21 August 2019.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN28/2019	Ordinary Council 6/11/2019	Harris, Kate	Business With Notice	Fenced Off Leash Dog Area	30/06/2020	
1056 MOTION 1056 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fitzgibbon	Seconded:	Councillor Dagg		
<p>1. That Council wait for the delivery of the off leash dog exercise area strategy as identified in the 2019/20 Operational Plan.</p> <p>2. That the Carmichael Park Masterplan be considered in the Off Leash Dog Exercise Area Strategy.</p> <p>23 Jan 2020 - 3:22 PM - Nicole Benson Development of Off Leash Dog Exercise Strategy underway. Off Leash Dog Exercise area included in draft Carmichael Park Masterplan 23 Jan 2020 - 3:25 PM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 30 Jun 2020 Reason: To align with Operational Plan.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN30/2019	Ordinary Council 6/11/2019	Benson, Nicole	Business With Notice	Water Tank on Council Land - Wollombi	17/04/2020	
1058 MOTION 1058 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Lyons		
<p>That the General Manager investigate the possibility of granting permission for the Wollombi Community to place a water tank on Cessnock City Council land (parcel number 24965) – title PT85Ec, 6 DP759103. The old Wollombi bushfire shed. The slimline tanks will be used as a water supply for fighting fires in the village.</p> <p>The community will fundraise and provide the money. However, will need plans and specifications because of tight fit and the heritage of the village.</p> <p>4 Dec 2019 - 7:24 AM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 31 Jan 2020 Reason: Investigations underway 23 Jan 2020 - 3:25 PM - Nicole Benson Site meeting with stakeholders to occur in February 2020. 23 Jan 2020 - 3:26 PM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 31 Jan 2020 To: 28 Feb 2020 Reason: To enable site meeting and report preparation. 5 Feb 2020 - 9:03 AM - Vickie Stovell Revised Target Date changed by: Stovell, Vickie From: 28 Feb 2020 To: 28 Feb 2020 Reason: Officers have investigated the land zoning and permissible usage. Meeting with key stakeholders 5/2/2020. 2 Mar 2020 - 11:48 AM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 28 Feb 2020 To: 17 Apr 2020 Reason: Report with answers being drafted.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN6/2020	Ordinary Council 4/03/2020	Benson, Nicole	Business With Notice	Community Resilience Funding Laguna and Wollombi Village	27/05/2020	
1197 MOTION 1197 MOTION	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Suvaal		
That the General Manager bring back a report on the possible placement of two large water tanks for protection of the Wollombi Village and one large tank at Laguna.						
9 Mar 2020 - 11:19 AM - Kelly Paterson 1. Report being drafted						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC30/2019	Ordinary Council 1/05/2019	Rathborne, Michael	Corporate and Community	Acquisition of land for road widening - Sandy Creek Road, Mt Vincent	30/06/2020	
893 MOTION 893 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
<ol style="list-style-type: none"> That Council acquire the land part Lot 120 and part Lot 122 of DP 755244 being land currently comprised in Conveyance Book 3144 No 987 and Conveyance Book 3333 No 5 for road purposes and dedicate the land to the public as public road; That Council authorise the General Manager to negotiate compensation with the property owners by private agreement for acquisition of the Land subject to an independent valuation report and in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>; That in the event that negotiations with the property owners cannot be satisfactorily finalised, that Council make application to the Office of Local Government for approval of the Minister and the Governor to proceed with compulsory acquisition of the Land being part Lot 120 and Part Lot 122 DP 755244; That Council authorise the Common Seal of Cessnock City Council to be affixed to the plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244; That Council authorise the General Manager and Mayor/Councillor to execute the Plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244. 						
4 Jun 2019 - 11:44 AM - Susanne Brinkworth Revised Target Date changed by: Brinkworth, Susanne From: 29 May 2019 To: 28 Jun 2019 Reason: Awaiting advice from landowner 9 Aug 2019 - 9:03 AM - Susanne Brinkworth Revised Target Date changed by: Brinkworth, Susanne From: 31 Jul 2019 To: 31 Jul 2019 Reason: Owner has agreed to compensation. Deed of agreement prepared and surveyor engaged to prepare plan of subdivision 3 Sep 2019 - 9:23 AM - Susanne Brinkworth Revised Target Date changed by: Brinkworth, Susanne From: 30 Aug 2019 To: 21 Sep 2019 Reason: Awaiting owner to execute agreement to lodge plan of subdivision 21 Feb 2020 - 2:59 PM - Robert Maginnity Action reassigned to Rathborne, Michael by: Maginnity, Robert for the reason: Acting in position						

9 Mar 2020 - 3:41 PM - Michael Rathborne
 Revised Target Date changed by: Rathborne, Michael From: 31 Oct 2019 To: 31 Mar 2020
 Reason: waiting on amendments to plans
 12 Mar 2020 - 11:01 AM - Michael Rathborne
 Email sent to Solicitor for owners requesting owners consent, and agreement to be returned to CCC.
 8 Apr 2020 - 10:17 AM - Michael Rathborne
 Still awaiting response from land owner. Additional letter sent to their solicitor 6.4.2020
 8 Apr 2020 - 10:50 AM - Robyn Keegan
 Revised Target Date changed by: Keegan, Robyn From: 31 Mar 2020 To: 30 Jun 2020
 Reason: Still awaiting response from land owner. Additional letter sent to their solicitor 6.4.2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC4/2020	Ordinary Council 5/02/2020	Rathborne, Michael	Corporate and Community	Acquisition of land by boundary adjustment to add to Turner Park and granting an easement for stormwater within Turner Park Lot 501 DP 1108309	30/06/2020	
1139 MOTION 1139 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council consents to the boundary adjustment and gaining that additional land marked on the attached plans:</p> <p>a) That Council authorises the General Manager to negotiate the agreement between the adjoining owners on Aberdare Road, Cessnock;</p> <p>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</p> <p>c) That Council authorises the Mayor and the General Manager to execute all documents relating to the land transfer.</p> <p>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:</p> <p>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;</p> <p>b) That the stormwater drainage infrastructure be constructed underground within the easement;</p> <p>c) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement;</p> <p>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;</p> <p>e) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and</p> <p>f) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.</p>						
<p>9 Mar 2020 - 3:43 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 4 Mar 2020 To: 31 Mar 2020 Reason: Almost completed. 8 Apr 2020 - 10:15 AM - Michael Rathborne Awaiting final plan from Surveyors, due 23.4.2020 8 Apr 2020 - 10:53 AM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 31 Mar 2020 To: 30 Jun 2020 Reason: Awaiting final plan from Surveyors, due 23.4.2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC6/2018	Ordinary Council 7/03/2018	Drage, Natalie	Deferred Business	Richmond Main Colliery - Remediation Plan	29/05/2020	
433 MOTION 433 RESOLVED	Moved:	Maginnity, Robert Councillor Fitzgibbon	Seconded:	Councillor Gray		
<p>1. That Council allocate funding of \$50,500 from the Miscellaneous and Property Reserve, for the preparation of a Remediation Action Plan, development application and continuation of temporary fencing at Richmond Main Colliery.</p> <p>2. That a further report be prepared for Council detailing the estimated costs of implementing the Remediation Action Plan once they are known.</p> <p>3. That any future Richmond Main Colliery reports include the cumulative total of expenditure since the September 2017 fire.</p> <p>4. That the General Manager prepare a report in consultation with the site users, including an inventory of equipment, and removal of non essential items from the historic site, with the view to improving visual site amenity, safety and security.</p> <p>13 Mar 2018 - 10:40 AM - Katrina Patch Request for Quote Documentation being prepared in order to engage consultancy to prepare the RAP.</p> <p>13 Mar 2018 - 10:43 AM - Katrina Patch Revised Target Date changed by: Patch, Katrina From: 4 Apr 2018 To: 04 Aug 2018 Reason: Engagement of vendor and preparation of RAP estimated to take 5 months.</p> <p>4 Apr 2018 - 12:09 PM - Katrina Patch The Request For Quote for the preparation of the Remediation Action Plan closes on Tuesday 10 April.</p> <p>7 May 2018 - 2:48 PM - Robyn Keegan GHD was the successful quote and has been engaged. Inception meeting occurred 2 May 2018, and the project has commenced.</p> <p>23 May 2018 - 5:25 PM - Natalie Drage A request for quote has been distributed for the appointment of an external site auditor and is a requirement in accordance with the Contaminated Land Management Guidelines (NSW EPA) and closes 28 May 2018.</p> <p>5 Jul 2018 - 12:17 PM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 4 Aug 2018 To: 31 Oct 2018 Reason: Engagement of vendor and preparation of RAP estimated to take 5 months.</p> <p>5 Jul 2018 - 12:17 PM - Robyn Keegan External site Auditor has been appointed with a site visit to occur with the Auditor during mid July.</p> <p>24 Jul 2018 - 3:10 PM - Natalie Drage The report to Council tabled 4 July 2018, included the cumulative total of expenditure since the September 2017 fire.</p> <p>Resolution 4 - the report to Council on the 4 July 2018 provided an update on the outcome of discussions to date with the Society regarding preparation of an inventory. The Society have been encouraged to commence the removal of non-museum items from the second floor of the museum building. This item will be incorporated into the Site Management Action Plan.</p> <p>6 Aug 2018 - 9:38 AM - Natalie Drage Site visit to Richmond Main occurred with the external auditor and consultant preparing the RAP on 1 August 2018. Consultation to occur with the Preservation Society to assist with understanding current and potential future land uses within Precinct C. This consultation process will be an agenda item for the next meeting with Council staff and the Society Board.</p> <p>29 Aug 2018 - 2:43 PM - Natalie Drage Consultant preparing the Remediation Action Plan met with Council staff and the Board of the Richmond Main Preservation Society on 22 August 2018. The consultation session considered Precinct C, its future uses and identification of priority locations.</p> <p>5 Oct 2018 - 12:50 PM - Natalie Drage Meeting held with GHD and Council staff to discuss the Remediation Action Plan and confirming the high priority areas at the site.</p> <p>26 Oct 2018 - 11:44 AM - Natalie Drage The Richmond Main Preservation Society at the meeting held with Council officers on 23 October 2018 tabled a report advising of site clean up activities undertaken to date within Precinct B.</p> <p>21 Jan 2019 - 12:28 PM - Natalie Drage The report to Council on 21 November 2018 included an update for clean up activities undertaken by the Richmond Main Preservation Society in improving the visual amenity of the site.</p> <p>7 Feb 2019 - 3:59 PM - Natalie Drage</p>						

Costing options for soil sampling has occurred to inform the development of the Remediation Action Plan in consultation with GHD (consultant).
 4 Mar 2019 - 10:52 AM - Natalie Drage
 Soil sampling for Precinct C (Stage 1) to occur and will inform the actions of the RAP.
 2 May 2019 - 12:10 PM - Natalie Drage
 Meeting held at Richmond Main Colliery with consultant preparing the RAP to confirm locations for soil sampling. Stage 1 Area Assessment Sampling, Analysis and Quality Plan (developed by Consultant) provided to external auditor for review and upon the completion of the review soil sampling will commence.
 1 Jul 2019 - 4:08 PM - Natalie Drage
 External auditor has reviewed and provided comments for Stage 1 Area Assessment Sampling, Analysis and Quality Plan. Consultant to commence soil sampling July 2019.
 7 Aug 2019 - 2:46 PM - Natalie Drage
 Soil sampling process commenced.
 3 Sep 2019 - 2:30 PM - Natalie Drage
 Soil sampling process completed.
 2 Oct 2019 - 2:39 PM - Natalie Drage
 With the soil sampling analysis now complete, the consultant is finalising the Remediation Action Plan.
 23 Oct 2019 - 2:51 PM - Natalie Drage
 Meeting held on 21 October 2019 with consultant preparing the Remediation Action Plan for overview of soil sampling findings.
 23 Oct 2019 - 2:55 PM - Natalie Drage
 Revised Target Date changed by: Drage, Natalie From: 31 Oct 2019 To: 20 Dec 2019
 Reason: Soil sampling findings will inform the Remediation Action Plan.
 3 Dec 2019 - 9:17 AM - Natalie Drage
 Draft Preliminary Contamination Assessment of Stage 1 Area received by Consultant and forwarded to external site auditor for review.
 4 Feb 2020 - 10:34 AM - Natalie Drage
 External Auditor has reviewed the Draft Preliminary Contamination Assessment of Stage 1 Area and feedback is being incorporated into the document by the Consultant.
 6 Mar 2020 - 11:14 AM - Natalie Drage
 Amended Contamination Assessment of Stage 1 Area Report received and will be forwarded to External Auditor upon completion of staff review.
 1 Apr 2020 - 9:11 AM - Natalie Drage
 Draft Remediation Action Plan received. Both the Draft Remediation Action Plan and Contamination Assessment of Stage 1 Area Report received and forwarded to External Auditor for review.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC63/2019	Ordinary Council 7/08/2019	Holliday, Jennifer	Corporate and Community	Tender Evaluation Report for T1819-16 - Website Development and Implementation	3/07/2020	
939 MOTION 939 RESOLVED	Moved:	Maginnity, Robert Councillor Dagg	Seconded:	Councillor Gray		
<p>1. That Council accept the tender from OpenCities Pty Ltd for a lump sum of \$308,000 (including GST) for a period of up to five years, to develop, implement and provide ongoing maintenance for the following Council websites:</p> <ul style="list-style-type: none"> * Cessnock City Council corporate website; and * Three smaller satellite websites: <ul style="list-style-type: none"> <input type="checkbox"/> Building Certifiers <input type="checkbox"/> Cessnock Performing Arts Centre <input type="checkbox"/> Cessnock City Council Libraries <p>2. That the General Manager investigate the development and cost of a mobile device app to integrate into the updated Council website.</p>						
<p>14 Aug 2019 - 2:44 PM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 7 Aug 2019 To: 03 Jul 2020 Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019. 14 Aug 2019 - 2:45 PM - Robyn Keegan</p>						

Revised Target Date changed by: Keegan, Robyn From: 3 Jul 2020 To: 03 Jul 2020

Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019. 2. Request for Quotations to be address for mobile device app.

7 Nov 2019 - 3:14 PM - Robyn Keegan

OpenCities are developing the new Website. Quotations are being researched.

6 Feb 2020 - 2:09 PM - Robyn Keegan

Website being developed.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC69/2017	Ordinary Council 4/10/2017	Conner, Martin	Corporate and Community	Easement for Drainage of Water within 10 and 12 Cooper Street, Heddon Greta	17/06/2020	
277 MOTION 277 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Stapleford		
<p>1. That Council acquires an easement for the drainage of water being 7m wide and variable on the south eastern boundary of Lot 15 Section 20 DP 3816 and the northern boundary of Lot 16 Section 20 DP 3816 being 10 and 12 Cooper Street, Heddon Greta.</p> <p>2. That Council authorise the General Manager to negotiate the terms of the easement and prepare the necessary documents for registration at Land and Property Information (LPI) NSW.</p> <p>3. That Council authorise the Common Seal of Cessnock City Council to be affixed to the documents relating to the granting of the easement over Lots 15 and 16 Section 20 DP 3816.</p> <p>4. That Council authorise the Mayor and/or General Manager to execute the documents relating to the granting of the easement over Lots 15 and 16 Section 20 DP 3816.</p> <p>4 Nov 2017 - 11:32 AM - Robyn Keegan Updated by Sue Brinkworth - Surveyor engaged to prepare plan of easement. 5 Sep 2018 - 11:55 AM - Joanne Walpole Action reassigned to Kerr, Katrina by: Walpole, Joanne for the reason: Easement for Cooper Street within Master's property. Matter referred back to Infrastructure Manager for review. 13 Sep 2018 - 10:47 AM - Katrina Kerr Reviewing scale of easement due to outcome of negotiation re value with owner. 7 Nov 2018 - 11:36 AM - Rachael O'Hara Item 1 - Reviewing scale of easement to reduce cost to Council due to the position of negotiations with owner. 13 Feb 2019 - 8:55 AM - Rachael O'Hara Item 2 - Noted. Item 3 - Awaiting finalisation of negotiations. Item 4 - Noted. 7 May 2019 - 9:44 AM - Rachael O'Hara Item 1 - Undertaking upstream catchment analysis and drainage review. Item 3 - Awaiting finalisation of design. 4 Jul 2019 - 1:22 PM - Rachael O'Hara Item 1 - Easement has been acquired for 12 Cooper Street. Negotiations have stalled for creation of easement at 10 Cooper Street due to acquisition price and Council is currently undertaking a drainage investigation, expected to be completed by end December 2019 that may lead to a change in strategy. Item 3 - Easement has been granted for 12 Cooper Street. Awaiting outcome of drainage investigation for 10 Cooper Street. Item 4 - Complete for 12 Cooper Street. Awaiting outcome of drainage investigation for 10 Cooper Street. 11 Nov 2019 - 8:29 AM - Vivian Waugh Item 1 - Acquired easement over 12, corresponded with 10 Cooper Street. Item 3 - Completed for 12, on hold for 10 Cooper Street. Item 4 - Completed 12, on hold for 10 Cooper Street. 3 Feb 2020 - 2:13 PM - Rachael O'Hara Item 1 - Acquired easement over 12 and progressed flood study to determine full effect on number 10. Item 3 - Acquired easement over 12 and progressed flood study to determine full effect on number 10. Item 4 - Acquired easement over 12 and progressed flood study to determine full effect on number 10.</p>						

9 Mar 2020 - 11:23 AM - Katrina Kerr

Item 1 - Completed Minor Heddon Greta Flood Study and Concept Design, 2019, deferred works as per WI21/2020.

Item 3 - Completed Minor Heddon Greta Flood Study and Concept Design, 2019, deferred works as per WI21/2020.

Item 4 - Completed Minor Heddon Greta Flood Study and Concept Design, 2019, deferred works as per WI21/2020.

2 Apr 2020 - 1:16 PM - Katrina Kerr

Item 1 - Acquired easement over 12, progressed design relevant to 10 and 12 in accordance with completed Minor Heddon Greta Flood Study and Concept Design.

Item 3 - Awaiting final design, to determine any necessary easement over Lot 16.

Item 4 - Awaiting final design, to determine any necessary easement over Lot 16.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC88/2019	Ordinary Council 23/10/2019	Rathborne, Michael	Corporate and Community	Request for Easement over Council land Jeffery Park, 24 Congewai Street Kearsley Lot 2882 DP 1158212	30/05/2020	
1028 MOTION 1028 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Stapleford		
<p>That Council consents to the granting of an easement benefiting Lot 156 DP 755215 burdening Council land being Lot 2882 DP 1158212 for connection to Hunter Water sewer infrastructure subject to the following:</p> <p>a) That Council gives landowners consent for the lodgment of a development application that includes a proposed easement for sewer main over the Council land;</p> <p>b) The easement to be located generally on the western boundary of Lot 2882 DP 1158212 and in accordance with the proposed sewer easement plan;</p> <p>c) That the sewer main infrastructure be constructed underground within the easement that also benefits Cessnock City Council;</p> <p>d) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement including the location and compensation that is subject to an independent valuation;</p> <p>e) 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;</p> <p>f) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and</p> <p>g) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.</p> <p>9 Mar 2020 - 3:42 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 23 Oct 2019 To: 31 Mar 2020 Reason: meeting with owner 12.3.2020 to appoint valuer 8 Apr 2020 - 10:09 AM - Michael Rathborne Still waiting on the consent of the DA which relates to the required easement. Staff assessing have been on leave. 8 Apr 2020 - 10:51 AM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 31 Mar 2020 To: 30 May 2020 Reason: Still waiting on the consent of the DA which relates to the required easement. Staff assessing have been on leave.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC89/2019	Ordinary Council 23/10/2019	Rathborne, Michael	Corporate and Community	Request for Easement for stormwater over Council land part of Branxton Park 4 John Rose Avenue, Branxton Lot 2 DP 1049557	30/05/2020	
1029 MOTION 1029 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Suvaal		
<p>That Council consents to the granting of an easement benefiting the Owner's Land (Folio identifiers 672/1003593, 1/1094098, 2/1094098, 3/1094098 and 34/70289 burdening Council land being Lot 2 DP 1049557 for storm water purposes subject to the following:</p> <p>a) That Council provides landowners consent for the lodgment of a s4.55 application to amend an existing development approval for DA8/2011/400/2 regarding the proposed easement for storm water.</p> <p>b) The easement to be 4m wide, located on the northern boundary of Lot 2 DP 1049557 in accordance with plan of proposed easement and the storm water drainage infrastructure be constructed underground within the easement connecting to the existing waterway in accordance with the development consent ;</p> <p>c) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement including compensation that is subject to an independent valuation;</p> <p>d) That Council advises the Owners 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;</p> <p>e) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and</p> <p>f) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.</p> <p>6 Nov 2019 - 4:55 PM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 20 Nov 2019 To: 28 Nov 2019 Reason: Awaiting for applicant to forward the application for S4.55 to Council for execution. 9 Mar 2020 - 3:43 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 28 Nov 2019 To: 31 Mar 2020 Reason: easement documentation supplied by developer is not correct 8 Apr 2020 - 10:11 AM - Michael Rathborne Revised easement form sent to applicant for their review as there were omissions on the previous form sent to Council. 8 Apr 2020 - 10:52 AM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 31 Mar 2020 To: 30 May 2020 Reason: Revised easement form sent to applicant for their review as there were omissions on the previous form sent to Council.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC9/2020	Ordinary Council 19/02/2020	Rathborne, Michael	Corporate and Community	Transfer of Land and Dedication as Public Road - Heaton Road, Quorrobolong	30/04/2020	
1167 MOTION 1167 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>1. That Council agrees to the transfer of the land being Lot 1 DP 844195 and dedicate the land as public road;</p> <p>2. That Council authorises the Common Seal of Cessnock City Council to be affixed to the transfer deed;</p>						

3. That Council authorises the General Manager and Mayor to execute the transfer deed.

9 Mar 2020 - 3:44 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 18 Mar 2020 To: 17 Apr 2020

Reason: Resolved by council to acquire and legal have documentation underway

8 Apr 2020 - 10:13 AM - Michael Rathborne

Awaiting the formal transfer for NSW Trade and Investment - should be completed before 23.4.2020

8 Apr 2020 - 10:53 AM - Robyn Keegan

Revised Target Date changed by: Keegan, Robyn From: 17 Apr 2020 To: 30 Apr 2020

Reason: Awaiting the formal transfer for NSW Trade and Investment - should be completed before 23.4.2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CO23/2019	Ordinary Council 2/10/2019	Jeffery, Warren	Correspondence	Wine Country Drive - Traffic and Safety	3/06/2020	
1013 MOTION 1013 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fitzgibbon	Seconded:	Councillor Sander		
1.	That Council note the correspondence received.					
2.	That Council be briefed on the corridor plan.					
3.	That Council obtain feedback from the police regarding targeted enforcement at the school drop and pick up times.					
 9 Oct 2019 - 4:09 PM - Tracey Cocking Item 1 - Noted Item 2 - Sourcing Transport for NSW Draft Wine Country Drive Corridor Plan. Item 3 - Conversation between Council Officers and Highway Patrol Cluster Supervisor, no infringement data is available, Police intend to liaise directly with School to provide information for school community alerting them to upcoming targeted enforcement. 27 Nov 2019 - 4:22 PM - Tracey Cocking Item 2 - Discussed availability of MR220 Corridor Plan with RMS Project Manager on 5 November 2019 - Plan is in draft form only and is not yet released to external parties. 4 Feb 2020 - 11:16 AM - Warren Jeffery Item 2 - Confirmed that draft Transport for NSW MR220 Corridor Plan has not yet been released to external parties. 9 Mar 2020 - 10:46 AM - Katrina Kerr Item 2 - Sent request for briefing to Transport for New South Wales DOC2020/034554. 17 Mar 2020 - 11:30 AM - Katrina Kerr Item 2 - Awaiting date for briefing from Transport for NSW.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU7/2020	Ordinary Council 18/03/2020	Chadwick, Tony	General Manager's Unit	NSW Government's Economic Recovery and Community Resilience funding proposal	30/06/2020	
1211 MOTION 1211 RESOLVED	Moved:	Jackson, Lotta Councillor Dagg	Seconded:	Councillor Gray		
1.	That Council endorses the following 'Program of Activities' to be funded by the \$250,000 Bushfire Community Resilience and Economic Recovery Fund grant;					
a)	\$30,000 for the design and construction of a walking trail information point in Wollombi Village,					

- b) \$10,000 for the marketing and promotional of Wollombi and Laguna community events,
 - c) \$10,000 to establish a visitor information kiosk within the Wollombi Museum,
 - d) \$30,000 to plan and deliver an event to thank the Rural Fire fighter Brigades in the Cessnock LGA and all agencies within the incident Management Team in line with the Mayoral Minute MM2/2020, Resolution 1187,
 - e) \$40,000 for Tourist Drive 33 marketing and promotional activities,
 - f) \$40,000 for the creation of a Hunter Valley ONE ROAD Great Australian Road Trip episode,
 - g) \$20,000 for a Hunter Valley cooperative marketing campaign with Destination NSW that aligns with the 'Love NSW' and 'Holiday HERE' campaigns currently being promoted,
 - h) \$20,000 for the replacement of faded Hunter Valley Visitor Centre signage,
 - i) \$20,000 for the creation of a Hunter Valley tourism smart device application that promotes the regions beauty and experiences, and
 - j) \$30,000 for a 'Buy Local' campaign to encourage increased spending within the Cessnock City Council local government area.
2. That Council delegates authority to the General Manager to manage any variance in expenditure of the grant funding as per the intent of this Council Report.
3. That an urgent meeting be called between Advance Cessnock City Partners to implement a buy local plan to support local businesses across the Local Government Area.

26 Mar 2020 - 1:20 PM - Tony Chadwick

On 20 March 2020 an application to the Bushfire Community Resilience and Economic Recovery Fund for \$250,000 as per resolution 1211 (GMU7/2020) was submitted via Smarty Grants.

On 25 March 2020 Council received a signed funding agreement from the NSW Government confirming the \$250,000 grant funding as per the grant application (refer DOC2020/044541).

8 projects will be delivered by 30 June 2020 and two event related projects will be delivered by 27 November 2020.

An Advance Cessnock City Partners meeting has been scheduled for 31 March 2020 to discuss implementing a buy local program.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM1/2020	Ordinary Council 19/02/2020	Allan, Darrylen	Mayoral Minutes	General Managers Performance Agreement	18/03/2020	
1160 MOTION 1160 RESOLVED	Moved:	Jackson, Lotta Councillor Doherty	Seconded:	Councillor Fitzgibbon		
That Council note the amendments to the General Managers Performance Agreement for the period of November 2019 - November 2020.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM2/2020	Ordinary Council 4/03/2020	Jackson, Lotta	Mayoral Minutes	Volunteer Firefighters Thank You Event	1/04/2020	
1187 MOTION 1187 RESOLVED	Moved:	Jackson, Lotta Councillor Pynsent				
<p>1. That the General Manager organise an event to thank the Rural Fire Fighter Brigades in the Cessnock LGA and all agencies within the Incident Management Team for their outstanding work in the 2019/2020 fire season.</p> <p>2. That the event be held before 30 June, 2020</p> <p>3. That the event be funded under the joint NSW and Commonwealth Government Funded Bushfire Community Resilience and Economic Recovery Funds: Phase 1.</p> <p>6 Mar 2020 - 12:26 PM - Linda Lewis The CPAC will be hosting this event. Date and time of event yet to be determined.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE1/2020	Ordinary Council 5/02/2020	Petersen, Leanne	Planning and Environment	Draft Cessnock City Wide Local Infrastructure Contributions Plan	31/05/2020	
1132 MOTION 1132 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That Council place the draft Cessnock City Wide Local Infrastructure Contribution Plan on public exhibition for a minimum period of 28 days.</p> <p>2. That in accordance with Clause 32 of the <i>Environmental Planning and Assessment Regulations 2000</i>, Council publish a notice of intent to repeal the following Plans:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Residential Section 94 Contributions Plan <input type="checkbox"/> Bellbird North Section 94 Contribution Plan 2010 <input type="checkbox"/> Mount View Road, Millfield Precinct Section 94 Contribution Plan 2011 <input type="checkbox"/> Government Road Precinct, Cessnock Section 94 Contribution Plan 2010 <input type="checkbox"/> Averys Village, Heddon Greta Section 94 Contribution Plan 2013 <input type="checkbox"/> Section 94 Contributions Plan Extension of Operations at Black Hill Quarry, Parish of Stockrington 1995 <input type="checkbox"/> Nulkaba Section 94 Contributions Plan. <p>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.</p> <p>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.</p> <p>5. That a second briefing to Councillors be scheduled at the conclusion of the exhibition period and include a comparison table of contributions covered in this plan by neighbouring Councils.</p> <p>9 Mar 2020 - 4:23 PM - Martin Johnson On public exhibition until 19 March 10 Mar 2020 - 2:09 PM - Yvonne Blake</p>						

Revised Target Date changed by: Blake, Yvonne From: 4 Mar 2020 To: 30 Apr 2020
Reason: Briefing to be conducted in March, with report to go to Council in April 2020
8 Apr 2020 - 10:24 AM - Martin Johnson
Revised Target Date changed by: Johnson, Martin From: 30 Apr 2020 To: 31 May 2020
Reason: Councillor briefing and report pushed back to May in light of need to assess late submissions

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE29/2018	Ordinary Council 16/05/2018	Fitzpatrick-Barr, Justin	Planning and Environment	Development Application No. 8/2017/282/1 proposing construction of a roundabout to facilitate access to St Philip's Christian College Wine Country Drive, Nulkaba	27/05/2020	
MOTION 475 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That Council determine Development Application No. 8/2017/282/1 proposing the construction of a roundabout to facilitate access to St Philip's Christian College at Wine Country Drive (Lot 1 DP 744377) Nulkaba, pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the reasons detailed in this report.</p> <p>2. That Council supports the concept of a roundabout entrance to St Philips Christian College off Wine Country Drive, Nulkaba for school and community access to the site, subject to an approved design by, and satisfactory arrangements with, the Roads and Maritime Services.</p> <p>3. That the General Manager request the Parliamentary Secretary for the Hunter and Central Coast to coordinate an urgent meeting between Cessnock City Council, the Roads and Maritime Services, State Member for Cessnock and St Philips Christian College to address the traffic and safety concerns at Wine Country Drive and Lomas Lane, Nulkaba.</p> <p>4. That the General Manager continue to work with the Roads and Maritime Services and St Philips Christian College with a view to encourage the submission of a Development Application, as a matter of urgency, by St Philips Christian College, to ensure the necessary upgrade works can be carried out to address serious traffic and safety concerns at Wine Country Drive and Lomas Lane, Nulkaba. The development application must be supported by the necessary documentation and arrangements with the Roads and Maritime Services and be designed in accordance with the requirements of Cessnock City Council and the Roads and Maritime Services.</p> <p>5. That the General Manager investigate any immediate measures that could improve pedestrian and vehicular safety adjacent to the College in Wine Country Drive and Lomas Lane, Nulkaba.</p> <p>5 Jun 2018 - 3:45 PM - Robyn Larsen Item 1 - Determination Issued Item 2 - Noted 6 Jul 2018 - 11:13 AM - Robyn Larsen Item 3 - Acting General Manager spoken to Mr Stephen Wills at the Department of Premier and Cabinet who advised that he would liaise with St Philips and the RMS to seek a meeting to try and resolve the matter. 6 Jul 2018 - 11:53 AM - Joanne Walpole Item 4 - This issue is being dealt with. The Department of Premier and Cabinet are attempting to bring all parties together. Item 5 - Prepared Concept Option for signalised roundabout. Prepared Concept Option for use of internal road network. Attended meeting between RMS and CCC 23/05/18. Arranged drone to film intersection performance 03/08/18. 7 Sep 2018 - 4:03 PM - Kristy Meyers Item 3 - Mr Stephen Wills chaired a meeting on 6 August 2018. Attendees included GM, DW&I, Infrastructure Manager, Development Services Manager and RMS. A teleconference was held with RMS and St Philips School on 4 September 2018. 8 Feb 2019 - 11:44 AM - Kristy Meyers Item 3 - Mr Stephen Wills chaired a meeting on 11 January 2019. 8 Mar 2019 - 10:26 AM - Tracey Cocking Item 5 - Design complete see document DOC2019/022793. 10 Jul 2019 - 5:07 PM - Tracey Cocking</p>						

Item 1 - Complete
 Item 2 - Complete
 Item 3 - Meeting held 11 January 2019, chaired by Stephen Wills
 Item 4 - A number of meetings have been held since May 2018. Most recently, a meeting was held at Council with the applicant and representatives of the school on 24 June 2019 in attendance Development Services Manager & Infrastructure Manager. At that meeting, the applicant provided an overview of the current status of the matter and advised that they were meeting with the RMS the following day (25 June 2019). Exact timing for submission of a development application is unknown at this stage.
 Item 5 - Provided outcome of investigation to St Phillips and RMS, received updated plan from St Phillips encompassing advice.
 9 Sep 2019 - 11:09 AM - Kristy Meyers
 The matter will be resolved once St Philips lodges it's revised development application, which will provide RMS with an opportunity to comment on the proposal and potential road upgrades on Wine Country Drive.
 5 Feb 2020 - 10:39 AM - Kelly Paterson
 Ongoing discussions with RMS, no DA has been lodged to date

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE5/2019	Ordinary Council 20/02/2019	Petersen, Leanne	Planning and Environment	Amendment to Cliftleigh Urban Precinct Planning Agreement	10/03/2021	
759 MOTION 759 RESOLVED	Moved:	Curtis, Gareth Councillor Lyons	Seconded:	Councillor Fitzgibbon		
<p>1. That Council prepare a draft Deed of Variation for the Cliftleigh Urban Precinct Planning Agreement in accordance with the offer from Winten Property Group.</p> <p>2. That Council publicly notify the draft Deed of Variation for a minimum period of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act 1979.</p> <p>3. That Council delegate authority to the General Manager to execute the Planning Agreement unless unresolved written objections are received during the exhibition period.</p> <p>4. That Council develop a Master Plan that fits the 2031: A Vision for the Future Community Infrastructure Community Plan, within 6 months, for a staged development of a multi purpose community centre, to enable Council to apply for grant funding, identify funding sources and a funding model.</p> <p>4 Mar 2019 - 3:17 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 20 Mar 2019 To: 20 Sep 2019 4 Mar 2019 - 3:17 PM - Keren Brown 1. Deed of variation currently being prepared. 2. Awaiting deed of variation 3. Awaiting deed of variation 4. Masterplan to be prepared by Open Space and Community Facilities and Community Planning 2 May 2019 - 11:34 AM - Keren Brown Deed of variation currently being prepared and reviewed 1 Jul 2019 - 5:07 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 20 Sep 2019 To: 02 Sep 2020 Reason: Initial draft deed of variation prepared and being discussed with proponent. 11 Jul 2019 - 4:27 PM - Martin Johnson Recommendation 1: Draft Deed of Variation received and ongoing negotiations underway. Recommendation 4 to be incorporated into broader corridor masterplan for Cliftleigh / Heddon Greta. Recommendation 4 completed. 7 Aug 2019 - 3:16 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 2 Sep 2020 To: 02 Dec 2020 Reason: Initial draft deed of variation prepared and being discussed with proponent. 2 Oct 2019 - 4:52 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 2 Dec 2020 To: 10 Mar 2021 Reason: Negotiations continuing with proponent on the draft deed of variation. 4 Feb 2020 - 5:22 PM - Hannah McCauley Action reassigned to Petersen, Leanne by: McCauley, Hannah for the reason: Reallocated based on staff leave.</p>						

9 Mar 2020 - 4:27 PM - Martin Johnson

Revised Target Date changed by: Johnson, Martin From: 10 Mar 2021 To: 10 Mar 2021

Reason: 30 June 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE56/2019	Ordinary Council 7/08/2019	Taylor, Holly	Planning and Environment	Strategic Land Use Plan - Heddon Greta, Cliftleigh	30/06/2020	
934 MOTION 934 RESOLVED	Moved:	Curtis, Gareth Councillor Gray	Seconded:	Councillor Burke		
<p>1. That Council note the information contained within this report.</p> <p>2. That Council progress the development of the Heddon Greta-Cliftleigh Strategic Land use Plan, noting that the project will require the engagement of a consultant to prepare the Plan.</p> <p>3. That the Heddon Greta-Cliftleigh Strategic Land use Plan be funded from the Rezoning reserve and section 7.11 where appropriate.</p> <p>4. That a further report on the progress of the development of the Strategic Land Use Plan be provided to Council within 6 months.</p>						
<p>15 Aug 2019 - 9:14 AM - Martin Johnson</p> <p>Revised Target Date changed by: Johnson, Martin From: 4 Sep 2019 To: 05 Feb 2020</p> <p>Reason: Project status report due February 2020. Consultant and project brief to be prepared. Meeting with RMS arranged to discuss project.</p> <p>4 Feb 2020 - 11:05 AM - Hannah McCauley</p> <p>Draft Corridor Strategy being prepared, draft anticipated to be available in mid 2020.</p> <p>4 Feb 2020 - 11:07 AM - Hannah McCauley</p> <p>Revised Target Date changed by: McCauley, Hannah From: 5 Feb 2020 To: 30 Jun 2020</p> <p>Reason: Working on drafting document.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE7/2020	Ordinary Council 19/02/2020	Taylor, Holly	Planning and Environment	Heddon Greta and Cliftleigh Urban Corridor Masterplan Project Update	1/06/2020	
1164 MOTION 1164 RESOLVED	Moved:	Curtis, Gareth Councillor Gray	Seconded:	Councillor Burke		
<p>1. That Council notes the update regarding the Heddon Greta Cliftleigh Urban Corridor Masterplan Project.</p> <p>2. That the General Manager bring back a report at the end of August updating Councillors on the RMS traffic study and timeline for the completion of the Heddon Greta Cliftleigh Urban Corridor Masterplan Project.</p>						
<p>6 Mar 2020 - 3:11 PM - Holly Taylor</p> <p>Revised Target Date changed by: Taylor, Holly From: 18 Mar 2020 To: 01 Jun 2020</p> <p>6 Mar 2020 - 3:11 PM - Holly Taylor</p> <p>Movement and Place Workshop scheduled. Exhibition anticipated to occur mid year</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE76/2019	Ordinary Council 20/11/2019	Rush, Iain	Planning and Environment	Exhibition of the draft Cessnock Local Strategic Planning Statement	31/05/2020	
1074 MOTION 1074 RESOLVED	Moved:	Curtis, Gareth Councillor Doherty	Seconded:	Councillor Gray		
<p>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.</p> <p>2. That Council receives a further report following public exhibition of the Draft Cessnock Local Strategic Planning Statement.</p> <p>CARRIED UNANIMOUSLY</p> <p>5 Feb 2020 - 1:38 PM - Iain Rush Revised Target Date changed by: Rush, Iain From: 18 Dec 2019 To: 17 Apr 2020 Reason: Exhibition period extended until 28 February 2020. Submissions to be reviewed and addressed prior to final document being reported to Council. 8 Apr 2020 - 10:22 AM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 17 Apr 2020 To: 31 May 2020 Reason: Council briefing 8 04/20. Council report May 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE83/2018	Ordinary Council 12/12/2018	Taylor, Holly	Planning and Environment	Cessnock Local Environmental Plan 2011 - Planning Proposal to rezone land at Stonebridge Drive, Cessnock from RE2 Private Recreation to R2 Low Density Residential and include Multi-dwelling housing as an Additional Permitted Use	1/06/2020	
708 MOTION 708 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That Council forward the Planning Proposal to the Department of Planning and Environment seeking a 'Gateway determination.'</p> <p>2. That the Planning Proposal is amended prior to its referral to the Department of Planning and Environment to remove the existing Additional Permitted Use of 'hotel or motel accommodation' from the site the subject of the Planning Proposal.</p> <p>3. That Council undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.</p> <p>4. That Council receive a report back on the Planning Proposal if written objections are received during the consultation with the community; otherwise forward the Planning Proposal to the Department of Planning and Environment requesting the plan be made.</p> <p>19 Dec 2018 - 8:36 AM - Angela Tinlin 2. Planning Proposal amended to remove existing Additional Permitted Use of 'hotel or motel accommodation' from subject site of Planning Proposal. 1. Planning Proposal forwarded to Department of Planning and Environment 18 December 2018-confirmation of receipt received. (DOC2018/109641 and DOC2018/109758) 3. Pending Gateway 4. Pending Gateway 8 Feb 2019 - 8:31 AM - Angela Tinlin Gateway determination still pending. 2 May 2019 - 10:53 AM - Angela Tinlin</p>						

Gateway determination still pending. Additional information requested from proponent.
 3 Jun 2019 - 1:28 PM - Angela Tinlin
 Gateway determination still pending. Additional information received. Internal review underway.
 7 Aug 2019 - 12:02 PM - Angela Tinlin
 Gateway determination still pending. Additional information requested of proponent.
 2 Oct 2019 - 2:06 PM - Angela Tinlin
 Gateway determination still pending. Additional information requested.
 28 Oct 2019 - 3:20 PM - Angela Tinlin
 Revised Target Date changed by: Tinlin, Angela From: 11 Dec 2019 To: 05 Jun 2020
 Reason: Applicant still completing flood study.
 6 Mar 2020 - 3:09 PM - Holly Taylor
 Gateway determination still pending. Additional information requested and anticipated to be lodged mid year
 6 Mar 2020 - 3:10 PM - Holly Taylor
 Revised Target Date changed by: Taylor, Holly From: 5 Jun 2020 To: 01 Jun 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE9/2020	Ordinary Council 19/02/2020	McDermott, Emma	Planning and Environment	Adoption of Draft Climate Change Policy	2/05/2020	
1166 MOTION 1166 RESOLVED	Moved:	Curtis, Gareth Councillor Burke	Seconded:	Councillor Gray		
<ol style="list-style-type: none"> That Council place the draft Climate Change Policy on public exhibition for a period of twenty-eight (28) days. That should public submissions be received, a further report be prepared and submitted to Council for consideration. That should no public submissions be received, the draft Climate Change Policy is adopted by Council. 						
27 Feb 2020 - 2:04 PM - Emma McDermott Revised Target Date changed by: McDermott, Emma From: 18 Mar 2020 To: 02 May 2020 Reason: Draft Policy will be on public exhibition until the 25 March 2020						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W1100/2019	Ordinary Council 11/12/2019	Kerr, Katrina	Works and Infrastructure	Building Better Regions Fund - Round Four	30/06/2020	
1123 MOTION 1123 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Suvaal		
<ol style="list-style-type: none"> That Council endorses the submission of an application under the Building Better Regions Fund: <i>Infrastructure Projects Stream, Round Four – Drought Support</i> for the Branxton to Greta Cycleway project, 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. That the General Manager work towards ensuring that more projects are shovel ready from adopted strategies across the whole LGA. That Council write to the Federal Member for Hunter seeking his support. 						

7 Feb 2020 - 12:46 PM - Katrina Kerr

Item 1 - Submitted grant application Dec 2019.

Item 2 - Awaiting outcome of grant application.

Item 3 - Progressed list of projects from adopted Strategies suited to future grant applications.

Item 4 - Sent correspondence to Federal Member December 2019.

9 Mar 2020 - 5:59 PM - Katrina Kerr

Item 2 - Awaiting outcome of grant application.

Item 3 - Progressed list of projects from adopted Strategies suited to future grant applications.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI18/2018	Ordinary Council 7/03/2018	Harris, Kate	Works and Infrastructure	Options for Cessnock Pool	30/06/2020	
441 MOTION 441 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Sander		
<p>1. That Council notes the Report and endorses Option C (relocate to Turner Park) as the long term strategic direction for Cessnock Pool.</p> <p>2. That Council undertakes further work to determine the scope, design and cost of Option C (relocate to Turner Park), incorporating indoor and outdoor water and play features, with an estimated capital cost of up to \$20M to be partly funded through development contributions.</p> <p>3. That Council endorses Option B (upgrade at current location) as an interim strategic direction for Cessnock Pool.</p> <p>4. That Council undertakes further work to develop the scope, design and cost of upgrades identified in Option B (upgrade at current location).</p> <p>5. That Council receives a further report on how Options B (upgrade at current location) and C (relocate to Turner Park) will be staged and funded with consideration to the outcomes and recommendations of the Review of Plant at the existing Cessnock Pool.</p>						
<p>19 Mar 2018 - 3:19 PM - Rebecca Bailey</p> <p>Work on upgrade to current location has commenced. Work on scope design, and cost for relocation to Turner Park is presently unfunded. Report to Council on these matters scheduled for late 2018.</p> <p>1. Complete</p> <p>2. Pending budget allocation</p> <p>3. Noted</p> <p>4. Cessnock Pool Masterplan has been adopted. Detailed designs for the splashpad currently being prepared</p> <p>5. Reliant on resolution 4 to be finalised</p> <p>31 Oct 2018 - 10:48 AM - Natalie McCloy</p> <p>Revised Target Date changed by: McCloy, Natalie From: 1 Nov 2018 To: 06 Mar 2019</p> <p>Reason: Design Brief currently being developed with a view to finalise in November 2019</p> <p>5 Mar 2019 - 11:44 AM - Vickie Stovell</p> <p>Revised Target Date changed by: Stovell, Vickie From: 6 Mar 2019 To: 29 Mar 2019</p> <p>Reason: Design brief advertised and closes on 22 March 2019. Once a consultant has been engaged the timeframes will be added.</p> <p>17 Apr 2019 - 12:43 PM - Natalie McCloy</p> <p>Revised Target Date changed by: McCloy, Natalie From: 29 Mar 2019 To: 19 Apr 2019</p> <p>Reason: Design brief closed. Consultant to be engaged.</p> <p>7 Jun 2019 - 8:40 AM - Natalie McCloy</p> <p>Revised Target Date changed by: McCloy, Natalie From: 19 Jun 2019 To: 19 Jun 2019</p> <p>Reason: Facility Design Group has been engaged. Community engagement has commenced.</p> <p>10 Jul 2019 - 9:17 AM - Nicole Benson</p> <p>3. Complete</p> <p>4. Works underway and report to Council due September</p>						

3 Sep 2019 - 12:20 PM - Nicole Benson
 4. Council briefed on 28 August and report to be considered on 18 September
 15 Oct 2019 - 7:22 AM - Kate Harris
 4. Draft Cessnock Pool Masterplan placed on Public Exhibition. Exhibition period closes on 22 October 2019.
 3 Nov 2019 - 10:25 AM - Kate Harris
 4. Draft Cessnock Pool Masterplan placed on Public Exhibition. Submissions currently being collated with a view to report to Council before the end of the year
 3 Nov 2019 - 10:26 AM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 31 Oct 2019 To: 06 Dec 2019
 Reason: Masterplan has not yet been adopted by Council
 21 Jan 2020 - 2:41 PM - Vickie Stovell
 Revised Target Date changed by: Stovell, Vickie From: 31 Mar 2020 To: 31 Mar 2020
 4. Cessnock Pool Masterplan has been adopted. Detailed designs for the splashpad currently being prepared
 2 Apr 2020 - 10:58 AM - Kate Harris
 4. Cessnock Pool Masterplan has been adopted. Construction plans and estimate delayed by consultant until April 2020. Report continues to be drafted inclusive of funding options.
 2 Apr 2020 - 11:00 AM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 31 Mar 2020 To: 04 May 2020
 Reason: Detailed designs are currently being finalised.
 2 Apr 2020 - 11:11 AM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 4 May 2020 To: 30 Jun 2020
 Reason: Awaiting consultants to complete detailed designs

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W118/2020	Ordinary Council 4/03/2020	Vandermeer, Warren	Works and Infrastructure	Scholey & Quarrybylong Streets, Cessnock - Naming of Lane	1/06/2020	
1193 MOTION 1193 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council notes the proposed name of Felicia Lane for the existing unnamed lane between Scholey and Quarrybylong Streets, Cessnock in accordance with Council's adopted <i>Policy No.S35.2 – Streets - Listing of Names for Use in Naming of Streets</i> and the provisions of Section 162 of the <i>Roads Act 1993</i>.</p> <p>2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Clause 7 of the <i>Roads Regulation 2018</i>.</p> <p>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 Clause 7 of the <i>Roads Regulation 2018</i>.</p> <p>9 Mar 2020 - 3:13 PM - Katrina Kerr Item 1 - Noted. Item 2 - Drafted notification and advertisement in accordance with the provisions of Clause 7 of the Roads Regulation 2018. Item 3 - Awaiting outcome of Item 2. 3 Apr 2020 - 2:36 PM - Vivian Waugh Item 1 - Advertised for submissions, closing 16 April 2020 3 Apr 2020 - 3:25 PM - Vivian Waugh Revised Target Date changed by: Waugh, Vivian From: 1 Apr 2020 To: 01 Jun 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI21/2020	Ordinary Council 4/03/2020	Conner, Martin	Works and Infrastructure	Minutes of Extraordinary Floodplain Management Committee 19 February 2020	3/06/2020	
1196 MOTION 1196 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>That the Minutes of the Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council.</p> <p>FLOCLM4/2020 - That Council notes that preparation of the <i>Cessnock City Wide Flood Study</i> is in progress.</p> <p>FLOCLM5/2020:</p> <ol style="list-style-type: none"> That Council notes the findings of the <i>Draft Heddon Greta Minor Study and Concept Design</i>. That Council endorses a grant application under the NSW Floodplain Management Program to fund flood mitigation works in the upper catchment to address over floor flooding in Clift Street, Heddon Greta. That Council defers the previously planned drainage works lower in the catchment, which sought to address yard inundation in Cooper Street, Heddon Greta. That Council renegotiates the existing Deed of Agreement with the owner of 12 Cooper Street, Heddon Greta. That Council lists investigation and augmentation of street drainage between Main Road and Bowden Street for inclusion in the Delivery Program 2021-25 to alleviate over floor flooding in Trenchard Street, Heddon Greta. That Council considers updating s10.7 Planning Certificates once the final <i>Heddon Greta Minor Study and Concept Design</i> is adopted. <p>9 Mar 2020 - 10:28 AM - Rachael O'Hara</p> <p>FLOCLM4/2020</p> <p>Item 1 - Noted</p> <p>FLOCLM5/2020:</p> <p>Item 1 - Noted</p> <p>Item 2 - Prepared draft grant application for submission by April 2020.</p> <p>Item 3 - Deferred drainage works in Cooper Street, Heddon Greta.</p> <p>Item 4 - Arranged consultation with owner of 12 Cooper Street, Heddon Greta.</p> <p>Item 5 - Listed drainage in Trenchard Street, Heddon Greta for consideration in the Delivery Program 2021-25.</p> <p>Item 6 - Finalising Draft Heddon Greta Minor Study and Concept Design, preparing report and recommendation to Floodplain Management Committee endorsing exhibition of Final Study</p> <p>2 Apr 2020 - 1:30 PM - Katrina Kerr</p> <p>FLOCLM5/2020:</p> <p>Item 2 - Finalised draft grant application for submission by April 2020.</p> <p>Item 4 - Consulted with owner of 12 Cooper Street, Heddon Greta.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W122/2019	Ordinary Council 17/04/2019	Waghorn, Peter	Works and Infrastructure	Upgrade Carpark P8, 232A Wollombi Road, rear of Cessnock Hotel	23/03/2020	
MOTION 877 RESOLVED	Moved:	Maginnity, Robert Councillor Fitzgibbon	Seconded:	Councillor Sander		
<p>That the report be deferred until the adjoining property issues are resolved through the Strategic Property Committee.</p> <p>6 May 2019 - 4:18 PM - Tracey Cocking Revised Target Date changed by: Cocking, Tracey From: 15 May 2019 To: 29 Jun 2019 Reason: Council resolved to defer report until adjoining property issues are resolved through Strategic Property Committee. 6 May 2019 - 4:34 PM - Tracey Cocking Noted.</p> <p>6 May 2019 - 4:44 PM - Tracey Cocking Action reassigned to Johnson, Martin by: Cocking, Tracey for the reason: For advice when adjoining property issues are resolved. 2 Jul 2019 - 3:21 PM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 29 Jun 2019 To: 21 Aug 2019 Reason: Council resolved to defer report until adjoining property issues are resolved through Strategic Property Committee. 3 Jul 2019 - 11:09 AM - Martin Johnson Negotiation with owner of 2-4 Allendale Road ongoing 11 Jul 2019 - 4:33 PM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 21 Aug 2019 To: 31 Oct 2019 Reason: Council resolved to defer report until adjoining property issues are resolved through Strategic Property Committee. 28 Oct 2019 - 3:11 PM - Martin Johnson Update to be reported to 20 November 2019 Strategic Property and Community Facilities Committee meeting 4 Feb 2020 - 5:28 PM - Hannah McCauley Action reassigned to Glauser, Andrew by: McCauley, Hannah for the reason: Strategic Property now managed by Finance and Administration Manager. 11 Mar 2020 - 10:00 AM - Robyn Keegan Action reassigned to Waghorn, Peter by: Keegan, Robyn for the reason: Reassigned to newly appointed Senior Strategic Property Specialist. 11 Mar 2020 - 12:10 PM - Peter Waghorn Revised Target Date changed by: Waghorn, Peter From: 11 Dec 2019 To: 23 Mar 2020 Reason: Original W&I report recommendation deferred pending acquisition of 2 - 4 Allendale Road Cessnock; now complete. Internal discussions to be held with Works & Infrastructure to determine next steps in terms of recommendation to undertake upgrade works 31 Mar 2020 - 9:15 AM - Peter Waghorn Revised target date 23 March delayed due to current workplace arrangements. Asset Owner of newly acquired property 2 - 4 Allendale Road Cessnock yet to be determined. Initial discussions held with Works & Infrastructure re deferred consideration of upgrade works recommendation determined acquired property not required for upgrade of adjoining public car park.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W122/2020	Ordinary Council 4/03/2020	Conner, Martin	Works and Infrastructure	Minutes of the Confidential Extraordinary Floodplain Management Committee 19 February 2020	3/06/2020	
1202 MOTION 1202 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<p>That the Minutes of the Confidential Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council.</p> <ol style="list-style-type: none"> That Council notes that the joint community meeting with stakeholder agencies was held on the 25 November 2019 to engage with the South Cessnock community. That Council notes the advice from Subsidence Advisory NSW that it is prepared to contribute towards the cost of construction of a bund wall and diversion channel. That Council supports development of the Detailed Design for the bund wall and diversion channel, and subsequent submission in March 2020 of an application for funding under the NSW Floodplain Management Program. That Council pursues further liaison with Subsidence Advisory NSW to progress its offer, including details of implementation and coordination with any NSW Floodplain Management Program application. <p>9 Mar 2020 - 10:24 AM - Rachael O'Hara Item 1 - Noted Item 2 - Noted Item 3 - Progressed development Detailed Design for the bund wall and diversion channel, and submission for grant application in March 2020. Item 4 - Planned future liaisons with SA NSW. 2 Apr 2020 - 1:33 PM - Katrina Kerr Item 3 - Completed Detailed Design for bund wall and diversion channel, and progressed submission for grant application. Item 4 - Planned liaisons with SA NSW.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W132/2019	Ordinary Council 5/06/2019	Vandermeer, Warren	Works and Infrastructure	Henderson Avenue and Marlton Street, Cessnock and Cruickshank Street, Bellbird	1/06/2020	
MOTION 932 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<ol style="list-style-type: none"> That Council note the inclusion of investigation and design of upgrade to storm water drainage in Cruickshank Street, Bellbird in the draft Operational Plan 2019-20 That Council note the outcome of the investigation into the potential inclusion of renewal of Henderson Avenue and Marlton Street, Cessnock in the draft Operational Plan 2019-20. That Council includes the rehabilitation of Henderson Avenue and Marlton Street, Cessnock in the draft Operational Plan 2019-20 as a design and investigation project with a further report to come back to Council once rehabilitation costs are known. <p>18 Jun 2019 - 9:02 AM - Rachael O'Hara Item 1 - Noted Item 2 - Noted Item 3 - Listed for inclusion in the Operational Plan 2019-20. Drafting a report to Council. 4 Jul 2019 - 7:51 AM - Warren Vandermeer</p>						

Item 3 - Projects listed for Investigation & Design in Local Road Renewal Program. Preparing report for Council.
 10 Sep 2019 - 11:18 AM - Warren Vandermeer
 Item 3 - Awaiting results of Geotechnical report to determine treatment options for design.
 5 Feb 2020 - 9:32 AM - Warren Vandermeer
 Item 3 - Issued to consultant for Geotechnical investigation, design treatment options in the process of being finalised.
 3 Apr 2020 - 3:17 PM - Vivian Waugh
 Item 3 - Testing of boreholes undertaken. Pavement design and report in progress.
 3 Apr 2020 - 3:24 PM - Vivian Waugh
 Revised Target Date changed by: Waugh, Vivian From: 15 Apr 2020 To: 01 Jun 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI35/2017	Ordinary Council 21/06/2017	Hughes, Bruce	Works and Infrastructure	Hydro Aluminium Kurri Kurri Pty Ltd Proposed Road Closures	15/07/2020	
278 MOTION 278 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Sander		
<p>1. That Council resolve to make an application to NSW Department of Industry - Lands to close those parts of Bishops Bridge Road, McGarva Avenue, Horton Road and Dickson Road (hereafter referred to as Proposed Closed Roads) as indicated in the Property Location Plan in accordance with the provisions of the Roads Act 1993.</p> <p>2. That Council comply with the provisions of Section 35 of the Roads Act 1993 and the Memorandum of Understanding entered into with the Department of Lands, now the NSW Department of Industry - Lands, with respect to notifications and advertising in the local newspaper.</p> <p>3. That provided no unresolved submissions are received following notifications and advertising, Council proceed under the provisions of Section 37 of the Roads Act 1993 to advise NSW Department of Industry - Lands to place a notice in the Government Gazette to close the Proposed Closed Roads.</p> <p>4. That Council authorise the Common Seal of Cessnock City Council to be affixed to the Plan of Road Closure if required.</p> <p>5. That Council authorise the Mayor and the General Manager to execute the Plan of Road Closure for the Proposed Closed Roads if required.</p> <p>6. That following successful Gazettal of the closed roads and the land vesting in Council, Council grant to the General Manager delegated authority to negotiate the sale (based on an independent valuation) by private treaty with the adjoining landowner.</p> <p>8 Aug 2017 - 2:43 PM - Bruce Hughes Council has completed the first step in advertising the proposal and waiting 28 days for any submissions. The searches necessary to make application to Crown Lands have also been completed. Next step is to make application to Crown Lands for the proposed closure. 10 Oct 2017 - 9:42 AM - Bruce Hughes Item 1 - Council has made an application to NSW Department of Industry - Lands to close the subject roads. Item 2 - Council has advertised the proposed road closures in the local newspaper and notified the necessary agencies. The Department requested Council notify two additional agencies. item 3 - Council is presently waiting the required minimum 28 days for any submissions from these agencies before proceeding. Item 4 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action. Item 5 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action. Item 6 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action. 6 Nov 2017 - 2:17 PM - Rachael O'Hara item 3 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. Item 4 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. Item 5 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. Item 6 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. 12 Jul 2018 - 1:40 PM - Katrina Kerr</p>						

Item 1 - Completed.
 Item 2 - Completed.
 Item 3 - Awaiting NSW Dept of Industry.
 Item 4 - Awaiting NSW Dept of Industry.
 Item 5 - Awaiting NSW Dept of Industry.
 Item 6 - Awaiting NSW Dept of Industry.
 8 Aug 2018 - 3:01 PM - Bruce Hughes
 Item 3 - Waiting on further information from the Applicant due to a change in legislation.
 Item 4 - Awaiting the resolution of submissions to be completed prior to this action.
 Item 5 - Awaiting the resolution of submissions to be completed prior to this action.
 25 Oct 2018 - 2:11 PM - Bruce Hughes
 Item 3 - Followed up with applicant and still waiting for further information
 Item 6 - Awaiting the resolution of submissions to be completed prior to this action
 4 Feb 2019 - 11:20 AM - Bruce Hughes
 Item 3 - Followed up with applicant and still waiting for further information
 6 Mar 2019 - 11:41 AM - Bruce Hughes
 Item 3 - Awaiting advice from applicant before proceeding
 Item 4 - Item 3 needs to be completed before proceeding
 Item 5 - Item 3 needs to be completed before proceeding
 Item 6 - Item 3 needs to be completed before proceeding
 3 May 2019 - 8:47 AM - Bruce Hughes
 Item 3 - Followed up with applicant and awaiting advice before proceeding
 5 Jul 2019 - 11:43 AM - Bruce Hughes
 Item 3 - Contacted applicant seven times. Awaiting advice before proceeding
 9 Sep 2019 - 11:45 AM - Bruce Hughes
 Revised Target Date changed by: Hughes, Bruce From: 2 Oct 2019 To: 04 Dec 2019
 Reason: Waiting on advice from Hydro before proceeding
 9 Sep 2019 - 11:46 AM - Bruce Hughes
 Item 3 - Contacted applicant in August. Awaiting advice before proceeding
 4 Nov 2019 - 12:59 PM - Bruce Hughes
 Revised Target Date changed by: Hughes, Bruce From: 4 Dec 2019 To: 05 Feb 2020
 Reason: Waiting on advice from Hydro before proceeding
 5 Feb 2020 - 8:39 AM - Kelly Paterson
 Awaiting advice from Hydro before proceeding

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI40/2019	Ordinary Council 17/07/2019	Vandermeer, Warren	Works and Infrastructure	Minutes of the Local Traffic Committee of 24 June 2019	1/06/2020	
921 MOTION 921 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Fitzgibbon		
1.	That the Minutes of the Local Traffic Committee of 24 June 2019 be adopted as a resolution of the Ordinary Council, with the exception of TC20/2019 – Heddon Street, Kurri Kurri:					
1.	TC21/2019 - That Council authorise the temporary regulation of traffic for the winery running festival in accordance with the enclosed various roads Rothbury, winery running festival TCP's.					
2.	TC22/2019 - That Council authorise installation of line marking at the intersection of Sandy Creek Road and Wollong Road, Quorrobolong in accordance with the enclosed Sandy Creek Road Quorrobolong, signage and line marking diagram.					
3.	TC23/2019 - That Council authorise installation of line marking on Colliery Street, Aberdare in accordance with the enclosed Colliery Street Aberdare, line marking diagrams.					

4. TC24/2019 - That Council authorise installation of bus zone signage on Vincent Street, Cessnock, in accordance with the enclosed Vincent Street Cessnock bus zone signage diagram.
5. TC25/2019 - That Council authorise installation of line marking at the intersection of Barton and Stanford Streets, Kurri Kurri in accordance with the enclosed Barton Street Kurri Kurri, line marking diagram.
6. TC26/2019 - That Council authorise installation of signage and line marking on Rugby and Olney Streets, Ellalong in accordance with the enclosed Rugby Street Ellalong, signage and line marking diagram.
7. TC27/2019 - That Council authorise installation of line marking on McDonalds Road Pokolbin, in accordance with the enclosed McDonalds Road Pokolbin, line marking diagram.
2. TC20/2019 – Heddon Street Kurri Kurri – that this matter be referred to the General Manager for review to back to grass nature strip and further report back to Council

8 Aug 2019 - 9:27 AM - Nathan Goodbun

Item 1.1 - Provided approval to applicant 18 July 2019

Item 1.2 - Preparing detailed plans and CRM to works

Item 1.3 - Preparing detailed plans and CRM to works

Item 1.4 - Preparing detailed plans and CRM to works

Item 1.5 - Advised Development services of approval

Item 1.6 - Works currently being completed

Item 1.7 - Advised Development services of approval

Item 2 - Preparing report to Council

2 Sep 2019 - 2:16 PM - Nathan Goodbun

Item 1.2 - Issued CRM 16206/2019 to Works & Ops.

Item 1.3 - Scheduled for resurfacing prior to line marking.

Item 1.4 - Issued CRM 16213/2019 to Works & Ops.

Item 1.6 - Issued CRM 16149/2019 to Works & Ops.

Item 2 - Prepared report to Council.

5 Sep 2019 - 9:58 AM - Tracey Cocking

Item 2 - Allocation to Roads Officers to prepare report to Council.

5 Feb 2020 - 7:58 AM - Warren Vandermeer

Item 2 - Prepared Report W14/2020 to be considered at Ordinary Meeting of Council on 5 February 2020 providing update.

31 Mar 2020 - 10:37 AM - Vivian Waugh

Item 1. Inspected by officer and instructions given in letters sent to developer

3 Apr 2020 - 2:35 PM - Vivian Waugh

Item 1 - Arranging for works to be undertaken by Council.

3 Apr 2020 - 3:25 PM - Vivian Waugh

Revised Target Date changed by: Waugh, Vivian From: 15 Apr 2020 To: 01 Jun 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W142/2019	Ordinary Council 17/07/2019	Benson, Nicole	Works and Infrastructure	Stronger Country Communities Fund Round Three 2019	30/04/2020	
923 MOTION 923 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fitzgibbon	Seconded:	Councillor Gray		
1.	That Council endorses the submission of four applications under Round Three of the Stronger Country Communities Fund program for the following projects:					
	<input type="checkbox"/> Splashpad for Cessnock Pool					
	<input type="checkbox"/> Commercial Kitchen at CYCOS					
	<input type="checkbox"/> Sporting amenities replacement at Birralee Park					
	<input type="checkbox"/> Cessnock Regional Skatepark					

2. That if applications are successful Council contributes up to \$400,000 in co-contribution funding for the Cessnock Regional Skatepark project.

31 Jul 2019 - 1:44 PM - Nicole Benson

Item 1 - COMPLETE

Item 2 - awaiting outcome of application

12 Aug 2019 - 10:37 AM - Kelly Paterson

Item 2 - Announcement of successful projects From January 2020

23 Jan 2020 - 3:53 PM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 10 Jan 2020 To: 28 Feb 2020

Reason: Awaiting announcements

2 Mar 2020 - 11:55 AM - Nicole Benson

Awaiting funding announcements.

2 Apr 2020 - 12:10 PM - Kelly Paterson

1. Council has been formally notified its submissions for Cessnock Splashpad, Replacement of Amenities at Birralelee Oval and Cessnock Regional Skatepark were unsuccessful. Currently awaiting outcome for the Commercial Kitchen Upgrade at CYCOS.

2. Contribution not required as application was unsuccessful.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W147/2019	Ordinary Council 7/08/2019	Eveleigh, Nathan	Works and Infrastructure	Proposal to Rename Rotary Park, Kurri Kurri	29/05/2020	
942 MOTION 942 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Burke		
<p>1. That Council formally rename Rotary Park Kurri Kurri to “Col Brown Rotary Park”.</p> <p>2. That Council complete a Naming Proposal Application for determination and gazettal by the Geographical Names Board of NSW.</p> <p>3. That if assigned as a geographical name by the Geographical Names Board of NSW, Council install appropriate signage.</p> <p>4. That the Rotary Club of Kurri Kurri Inc, as the applicant for the renaming proposal be notified of the outcome of the application.</p> <p>5. That all persons who provided a submission be notified of the outcome of the application.</p> <p>14 Aug 2019 - 12:02 PM - Kelly Paterson</p> <p>Item 1 - Noted</p> <p>Item 2 - Application being prepared</p> <p>Item 3 - Noted</p> <p>Item 4 - Noted</p> <p>Item 4 - Noted</p> <p>26 Aug 2019 - 11:31 AM - Nathan Eveleigh</p> <p>Item 2 - Place Name Application and supporting documentation sent to GNB. Proposal will be considered at 10 September Board meeting.</p> <p>13 Sep 2019 - 8:57 AM - Nathan Eveleigh</p> <p>At the GNB meeting held on 10/9/19, the Board endorsed the naming proposal to go out for public comment for 28 days. This will be undertaken in the next 4-6 weeks.</p> <p>7 Nov 2019 - 11:55 AM - Kelly Paterson</p> <p>Revised Target Date changed by: Paterson, Kelly From: 31 Oct 2019 To: 24 Dec 2019</p> <p>Reason: GNB advised the proposal to be exhibited prior to Christmas as the GNB are testing a new naming system and non-critical tasks have been delayed.</p> <p>27 Nov 2019 - 8:14 AM - Nathan Eveleigh</p> <p>GNB have advised the commencement of their submission period will take place between 4/12/19 - 11/1/2020. The applicant has been advised accordingly.</p> <p>15 Jan 2020 - 11:00 AM - Nathan Eveleigh</p>						

GNB Submission period closed on 11 January 2020 with 32 submissions received. Further report giving consideration to the submission being prepared for 5 February 2020 meeting.

11 Feb 2020 - 10:05 AM - Nathan Eveleigh

Following 5/2/2020, correspondence has been forwarded to the GNB as per their request. This will be considered at the next GNB meeting on 10/3/2020.

6 Mar 2020 - 8:28 AM - Natalie McCloy

Revised Target Date changed by: McCloy, Natalie From: 19 Feb 2020 To: 19 Mar 2020

Await outcome of GNB meeting to be held 10 March 2020.

12 Mar 2020 - 3:41 PM - Nathan Eveleigh

Revised Target Date changed by: Eveleigh, Nathan From: 19 Mar 2020 To: 29 May 2020

Reason: GNB endorsed naming proposal at its 10/3/2020 meeting. Recommendation with the Minister for final sign-off. GNB unable to provide a timeframe on when this will occur. Rotary Club of Kurri Kurri have been updated accordingly.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI5/2020	Ordinary Council 19/02/2020	Kerr, Katrina	Deferred Business	Cessnock Road, Weston Naming of Lane	13/05/2020	
1161 MOTION 1161 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Burke		
<p>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 – <i>Streets - Listing of Names for Use in naming of Streets</i> and the provisions of Section 162 of the <i>Roads Act 1993</i>.</p> <p>2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Regulation 7 of the <i>Roads Regulation 2018</i>.</p> <p>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 <i>Roads Regulation 2018</i>.</p> <p>4. That Council update the Policy S35.2 and update the naming list.</p> <p>9 Mar 2020 - 3:04 PM - Katrina Kerr Action completed by: Kerr, Katrina Deferred and actioned subsequent resolution of Council. 18 Mar 2020 - 10:43 AM - Vivian Waugh Item 1 - Noted Item 2 - Prepared notifications and advertisement Item 3 - Awaiting outcome of Item 2 Item 4 - Prepared draft policy</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI57/2019	Ordinary Council 4/09/2019	Vandermeer, Warren	Works and Infrastructure	Allocation of Road Special Rate Variation Funds - 2019-2020	1/06/2020	
975 MOTION 975 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Gray		
<p>1. That Council notes the inherent value of the newly created Special Rate Variation Reserve, which allows for funding to be set aside across financial years in order to undertake specific projects in subsequent years.</p> <p>2. That Council allocates the balance of funds in the Special Rate Variation Reserve to the following projects:</p>						

- ☐ Sandy Creek Road (Fosters Bridge) - CBS-2016-001 - \$391,369
- ☐ Frame Drive, Abermain (Frame Drive Bridge) - CRL-2019-007 - \$102,000
- ☐ Paynes Crossing Road, (Paynes Crossing Bridge) - CBS-2019-001 - \$336,000
- ☐ Government Road, Cessnock - RRL-2019-010 - \$320,000
- ☐ Heddon Street, Kurri Kurri - RRL-2019-007 - \$340,000
- ☐ Sanctuary Road, Paxton - RRL-2020-010 - \$310,000

3. That the General Manager bring a report back identifying options to fund the rehabilitation of the section of Government Road, Weston from the bridge to Mitchell Avenue. If any residual funding is available from the 2019/2020 budget programs, this work is to be carried out.

5 Sep 2019 - 5:07 PM - Kelly Paterson

Item 1 - Noted

Item 2 - Action assigned to relevant officers as per DOC2019/091985

Item 3 - Report to be drafted

9 Oct 2019 - 10:56 AM - Rachael O'Hara

Item 2 - Preparing rate adjustments

Item 3 - Drafted report

3 Apr 2020 - 9:55 AM - Vivian Waugh

Item 3 - Applied for Fixing Country Roads grant, unsuccessful. Will resubmit in next round.

3 Apr 2020 - 3:25 PM - Vivian Waugh

Revised Target Date changed by: Waugh, Vivian From: 15 Apr 2020 To: 01 Jun 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI60/2018	Ordinary Council 1/08/2018	Harris, Kate	Works and Infrastructure	BMX & Skate Facilities Within the Cessnock Local Government Area	30/04/2020	
598 MOTION 598 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Lyons		
<p>1. That Council note the progress of the implementation of the Cessnock Skate and BMX Facilities Needs Assessment 2020.</p> <p>2. That Council complete a detailed review of the Cessnock Skate and BMX Facilities Needs Assessment 2020.</p> <p>3. That following the review, a further report be prepared for Council's consideration outlining key findings and recommendations.</p> <p>4. That following the completion of the Skate and BMX Facilities Needs Assessment, a review is undertaken of the Carmichael Park Masterplan, incorporating findings from the revised assessment as well as Council's adopted Recreation and Open Space Strategic Plan and other relevant documents and reported to Council.</p>						
<p>8 Aug 2018 - 2:02 PM - Kate Harris</p> <p>Item 1: Complete</p> <p>Item 2: Complete</p> <p>Item 3: Report in draft format - to be finalised following completion of Masterplan</p> <p>Item 4: Masterplan for Carmichael Park has commenced, analysis report and draft Masterplan has been completed for each site with final revisions being made.</p> <p>8 Aug 2018 - 2:11 PM - Kate Harris</p> <p>Revised Target Date changed by: Harris, Kate From: 29 Aug 2018 To: 21 Nov 2018</p> <p>Reason: The review of the BMX and Skate Facilities Needs Assessment needs to occur prior to reporting back to Council</p> <p>5 Mar 2019 - 11:45 AM - Vickie Stovell</p> <p>Revised Target Date changed by: Stovell, Vickie From: 28 Feb 2019 To: 31 May 2019</p> <p>Reason: A detailed audit/condition assessment is required to be undertaken for Council's 3 existing skateparks. Outcomes from this audit will inform the Needs Assessment and enable the strategy to be completed.</p> <p>7 Jun 2019 - 8:51 AM - Natalie McCloy</p>						

3. Report being drafted
 4. Carmichael Park Masterplan scheduled for 2019/20 FY
 10 Sep 2019 - 1:19 PM - Natalie McCloy
 Item 4: A consultant has been engaged to prepare a Masterplan for Carmichael Park. The Masterplan is scheduled to commence late September 2019.
 10 Sep 2019 - 1:24 PM - Natalie McCloy
 Revised Target Date changed by: McCloy, Natalie From: 27 Sep 2019 To: 31 Oct 2019
 Reason: Masterplan scheduled to commence late September 2019.
 15 Oct 2019 - 7:26 AM - Kate Harris
 Item 4: Masterplan for Carmichael Park has commenced and community engagement held with key stakeholders.
 3 Nov 2019 - 10:23 AM - Kate Harris
 Item 4: Masterplan for Carmichael Park has commenced, draft design options report has been provided for Council's review.
 3 Nov 2019 - 10:25 AM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 31 Oct 2019 To: 06 Dec 2019
 Reason: Masterplan has not yet been finalised.
 21 Jan 2020 - 2:41 PM - Vickie Stovell
 Revised Target Date changed by: Stovell, Vickie From: 6 Dec 2019 To: 30 Apr 2020
 Item 3: Report in draft format - to be finalised following completion of Masterplan
 Item 4: Masterplan for Carmichael Park has commenced, analysis report and draft Masterplan has been completed for each site with final revisions being made.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI74/2018	Ordinary Council 19/09/2018	Benson, Nicole	Works and Infrastructure	Stronger Country Communities Fund Round 2 - Successful Projects	30/06/2020	
667 MOTION	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Dagg		
667 RESOLVED						
1.	That Council notes the acceptance of the Stronger Country Communities Fund Round 2 grants offered as follows:					
a)	Community Hall Toilet Upgrade Program - \$126,700					
b)	Maitland Street, Branxton (Northside) – Pavement and Street Tree Planting - \$120,643					
c)	Bridges Hill Park Regional Themed Playground - \$936,315					
d)	Branxton Public Square - \$279,973					
e)	Part funding for Cessnock Pool Splash Pad - \$242,355					
2.	That a further report be brought back to Council detailing the final design of the Cessnock Pool Splash Pads, along with information on additional funding needs and funding sources to undertake the project.					
<i>4 Oct 2018 - 10:41 AM - Nicole Benson</i> Design brief under development. Suitably qualified consultant to be engaged to determine final design and cost estimate, then report back to Council. <i>22 Mar 2019 - 2:33 PM - Vickie Stovell</i> Revised Target Date changed by: Stovell, Vickie From: 29 Mar 2019 To: 31 May 2019 Reason: Request for quotation for the design of the splash pad closes on 5 April. Further information relating to timeframes and costs will be provided once the program has been determined. <i>10 Jul 2019 - 9:42 AM - Nicole Benson</i> Revised Target Date changed by: Benson, Nicole From: 17 Jul 2019 To: 30 Sep 2019 Reason: 1. Complete <i>10 Jul 2019 - 9:43 AM - Nicole Benson</i> Revised Target Date changed by: Benson, Nicole From: 30 Sep 2019 To: 30 Sep 2019 2. In line with WI18/2018 report due in September 2019 <i>31 Jul 2019 - 1:41 PM - Nicole Benson</i> Design progressing. Councillor briefing to be held in September 2019. <i>3 Sep 2019 - 12:30 PM - Nicole Benson</i>						

2. Councillors briefed in 28 August and report to be considered at 2 October 2019 Council meeting
 15 Oct 2019 - 11:07 AM - Kelly Paterson
 Item 2 - Draft Cessnock Pool Masterplan placed on Public Exhibition. Exhibition period closes on 22 October 2019.
 1 Nov 2019 - 12:04 PM - Nicole Benson
 Revised Target Date changed by: Benson, Nicole From: 31 Oct 2019 To: 28 Feb 2020
 Reason: Pending the design
 4 Dec 2019 - 6:51 AM - Nicole Benson
 Detailed construction plans and cost estimates due mid-February 2020
 2 Mar 2020 - 12:02 PM - Nicole Benson
 Revised Target Date changed by: Benson, Nicole From: 6 Mar 2020 To: 03 Apr 2020
 Reason: Report being drafted.
 2 Apr 2020 - 12:01 PM - Kelly Paterson
 Revised Target Date changed by: Paterson, Kelly From: 3 Apr 2020 To: 30 Jun 2020
 Reason: Report being drafted

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W179/2019	Ordinary Council 6/11/2019	Benson, Nicole	Works and Infrastructure	Minutes of the Dollar for Dollar Grants Committee Meeting of Cessnock City Council Held 23 October 2019	30/04/2020	

[1055](#)
MOTION **Moved:** Fitzpatrick-Barr, Justin
 1055 Councillor Fitzgibbon **Seconded:** Councillor Suvaal

RESOLVED

- That Council adopt the Minutes of the Dollar for Dollar Committee held on 23 October 2019.
- That Council write to all applicants advising them of the outcome of their applications and thank them for their ongoing support and commitment to the enhancement of either Council's sporting and community facilities, the local environment, community and the arts.
- That Council reaffirms the provision of funding for the projects listed in the Table below, noting that these projects were funded in the 2018/19 Community and Cultural Dollar for Dollar Grants Scheme and are scheduled to be delivered in October and November 2019.

APPLICANT	PROJECT DESCRIPTION	TOTAL COST	FUNDING SOUGHT	FUNDING PAYABLE
Kurri Kurri Community Services	Greta, Branxton, Huntlee Family Disco 2020 Promotions, decorations, entertainment, catering	\$4,500	\$2,250	\$2,250
Sculpture in the Vineyards Inc	Wollombi Sculpture in the Vineyards Marketing, venue hire, transportation, printing	\$26,000	\$3,000	\$3,000
Towns with Heart	2020 Town of Murals Show Major Award (\$2,200) Acquisitive art prize	\$13,750	\$2,200	\$2,200
TOTAL			\$7,450	\$7,450

- That Council provides Community and Cultural Development Dollar Grants funding in 2019/20 for the projects listed in the Table below:

APPLICANT	PROJECT DESCRIPTION	TOTAL COST	FUNDING SOUGHT	FUNDING PAYABLE
Abermain Eisteddfod	Purchase of a portable PA system	\$1,858	\$929	\$929
Cessnock Chamber of Commerce	Mt View Laneway - 5 ways to wellbeing Costs of production and installation of artwork into the Laneway.	\$8,800	\$3,000	\$3,000

Cessnock Chamber of Commerce	The Coalface Mining Laneway Costs of printing and installation of artwork into the Laneway.	\$11,000	\$3,000	\$3,000
Cessnock Seniors Citizens Association Inc	24 Music stands for Cessnock Seniors Choir Costs of purchase of stands.	\$648	\$324	\$324
Early links Inclusion Support service	Music therapy Costs of consultant/therapist and resources.	\$6,600	\$3,000	\$3,000
* Freemasons Cessnock (Lodge Cessnock No.252)	Cessnock Masonic Centre Transformation Project Purchase of 55 chairs for hall.	\$5999.25	\$2,999	\$1,487
Korrell Wonnai Aboriginal Education Consultative Group	Kullaburra Awards Promotion, printing, catering	\$5,000	\$2,500	\$2,500
Richmond Vale Railway Museum	Upgrade of administration and presentation equipment at RVRM Purchase of laptop, digital voice recorder, display panels and cash registers.	\$4847.95	\$2,423	\$2,423
Wine Country Music Association Inc	Stage Gear Upgrade Purchase of microphones, music stands and microphone.	\$1,773.20	\$887	\$887
TOTAL			\$19,062	\$17,550

5. That Council provides Sustainable Communities Dollar for Dollar Grant funding for the projects listed in the Table below.

TIDY TOWN GROUP	PROJECT	TOTAL COST (exc. GST)	GRANT FUNDS REQUESTED
Weston Heritage & Tidy Town	<input type="checkbox"/> Watering system for Jock Stewart Park <input type="checkbox"/> New whipper snippers/ brushcutters <input type="checkbox"/> Sander	\$1,723.41	\$861.71
North Rothbury Tidy Towns	Purchase water cart trailer for ride on mower.	\$3,345.50	\$1,672.73
	TOTAL	\$5,068.91	\$2,534.44

6. That Council offers a second round of grants for the remaining Sustainable Communities Dollar for Dollar Grant budget (\$7,465.56) to be run in February 2020.

7. That Council provides Schools Environment Grant funding for the projects listed in the Table below.

School	Project Description	Total Cost	Grant Requested	Grant Proposed
Honey Tree Preschool	Native stingless beehive	\$750	\$200	\$200
Cessnock Multipurpose Children's Centre	Herb and vegetable garden	\$471	\$200	\$200
Cessnock Kids Preschool and Early Learning Centre	Yarning circle with bush rock and bush tucker plants	\$400	\$200	\$200
Branxton Preschool	Espalier fruit trees to add to edible garden	\$389	\$200	\$200
*Bees Nees Early Learning	Seed germination 'grow table' and supporting education resources	\$318	\$200	\$200
Abermain Public School	Plastic bottle recycling program	\$2,822	\$500	\$500
Ellalong Public School	Enhance school grounds with native plants to support local fauna including endangered Regent Honeyeater.	\$1,200	\$500	\$500
Holy Spirit Primary Kurri Kurri	Mindfulness plaques for school gardens to encourage students to respect and protect their environment.	\$572	\$500	\$500
Nulkaba Public School	Bins to collect Return and Earn containers to fund vegetable garden	\$404	\$202	\$202
Bellbird Public School	TerraCycle recycling boxes for pens and markers	\$416	\$416	\$416
*Cessnock High School ¹	Sustainable garden (bed, water tank & seedlings) for middle school (year 7) area.	\$2,000	\$500	\$500
*Cessnock High School ¹	Bush-tucker garden for SEEK Learning Centre	\$1,000	\$500	\$500
*Cessnock High School ³	Stephanie Alexander garden	\$1,600	\$500	\$500
TOTAL		\$12,342	\$4,618	\$4,618

8. That Council provides Community Facilities Dollar for Dollar Grant funding for the projects listed in the Table below.

FACILITY/ORGANISATION	DESCRIPTION	TOTAL COST (ex. GST)	FUNDING SOUGHT (ex. GST)	FUNDING PAYABLE (ex. GST)
Branxton Community Hall Committee	Installation of solar panels at Branxton Community Hall	\$12,300	\$5,455	\$5,455
Cessnock Multipurpose Children's Centre	Construction of fairy house and gardens	\$12,000	\$4,500	\$4,500
Greta Community Preschool	Refurbishment of existing storeroom	\$7,200	\$2,727	\$2,727
Kurri Retired Mineworkers Association	Purchase of 1st Aid Kit and AED unit for Kurri Senior Citizens Hall	\$3,217	\$1,608	\$1,608
Wollombi Valley Progress Association Inc.	Upgrade and installation of sound system at Laguna Community Hall	\$2,504	\$1,252	\$1,252
	Various maintenance at Laguna Community Hall	\$1,800	\$900	\$0*
TOTAL		\$39,021	\$16,442	\$15,542

9. That Council transfers \$4,458 from the Community Facilities Dollar for Dollar Grant Scheme to the Sporting Facilities Dollar for Dollar Grant Scheme to offset the additional funding requested due to the excess number of applications lodged.

10. That Council provides Sporting Facilities Dollar for Dollar Grant funding for the projects listed in the Table below.

FACILITY/ORGANISATION	DESCRIPTION	TOTAL COST (\$) (ex. GST)	FUNDING SOUGHT (\$) (ex. GST)	FUNDING PAYABLE (\$) (ex GST)
Abermain Weston Hawks Rugby League Club	Purchase and installation of aluminum bench seating with concrete pads	\$10,517	\$5,259	\$5,259
Cessnock District Hockey Association	Repairs to existing synthetic hockey playing field at Baddeley Park Cessnock	\$11,650	\$2,727	\$2,727
Cessnock Dog Club	Installation of pathway, purchase of lawnmower and weed control	\$8,108	\$4,054	\$4,054
Kearsley Community Sporting Association	Manufacturing costs and installation of electronic scoreboard at Jeffery Park Kearsley	\$7,750	\$2,727	\$0*
Kurri Weston District Cricket Club	Upgrade wicket square at Kurri Central Oval	\$12,825	\$6,415	\$5,488**
Weston Workers Bears Football Club	Replace goalposts on main field at Weston Park	\$5,565	\$2,782	\$2,782
Wollombi Valley Pony Club Inc	Repairs to existing post and rail horse holding yards	\$2,673	\$1,350	\$1,350
Wollombi Valley Tennis & Sports Association	Purchase of new fridge, oven, cooktop, kitchen benches and stackable furniture. And painting of kitchen in Wollombi Tennis Clubhouse	\$5,596	\$2,798	\$2,798
TOTAL		\$64,684	\$28,112	\$24,458

11. That Council undertakes a review of the Sporting Facilities Dollar for Dollar Grant Scheme with a view to increasing the budget allocation for this scheme in the 2020/21 Operational Plan.

13 Nov 2019 - 8:58 AM - Vickie Stovell

Item 1 - Complete

Item 2 - Underway

Item 3 - Complete

Item 4 - A request has been sent to finance to authorise the payments

Item 5 - Complete

Item 6 - Schedule for late January 2020

Item 7 - Complete

item 8 - Underway

Item 9 - Complete

Item 10 - Underway

Item 11 - Review underway as part of 2020/21 budget development

A full project Acquittal has been received from Kurri Kurri Community Services, Sculpture in the Vineyards and Towns With Heart for projects funded through the 2018/19 Community and Cultural Dollar for Dollar Grants Scheme. The payments listed in resolution 3 have been authorised

4 Dec 2019 - 7:24 AM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 28 Feb 2020

Reason: Tidy Towns scheduled to run again late January 2020

6 Mar 2020 - 7:38 AM - Nicole Benson

Item 2 – Complete
 Item 4 - Complete
 Item 6 – Dollar for Dollar Committee Meeting schedule for late March 2020
 item 8 – Complete
 Item 10 – Complete
 Item 11 – Additional \$20,000 included in draft 2020/21 Operational Plan and Budget for Council's consideration

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI88/2019	Ordinary Council 11/12/2019	Jeffery, Warren	Works and Infrastructure	Traffic & Transport Strategy - Resourcing for Implementation Program	20/05/2020	
1111 MOTION 1111 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>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 <i>Cessnock LGA Traffic and Transport Strategy Report 2018 Technical Report</i>.</p> <p>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.</p> <p>4 Feb 2020 - 11:49 AM - Warren Jeffery Item 1 - Commenced drafting Position Descriptions for recruitment process. Item 2 - Scheduled allocation of \$140,000 in the 2020-21 Quarterly Budget Review. 4 Mar 2020 - 3:23 PM - Katrina Kerr Item 1 - Advertised and interviewed candidates 19/02/20. Item 2 - Complete. 1 Apr 2020 - 9:43 AM - Tracey Cocking Item 1 - Deferred commencement of selected Traffic Engineer candidate and suspended recruitment process for Technical Support Officer as per HR position due to COVID-19 situation.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI91/2019	Ordinary Council 11/12/2019	Conner, Martin	Works and Infrastructure	Roadside Drainage Strategy 2019 - Outcome of Exhibition and Adoption	6/05/2020	
1114 MOTION 1114 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council notes the outcome of the public exhibition and submission received.</p> <p>2. That Council adopts the Roadside Drainage Strategy 2019.</p> <p>3. That Council makes provision for the implementation of the Roadside Drainage Strategy in consideration of future Operational Plans and available resources.</p> <p>3 Feb 2020 - 2:01 PM - Rachael O'Hara Item 1 - Noted Item 2 - Noted Item 3 - Listed high priority projects for future Operational Plans. 9 Mar 2020 - 1:07 PM - Rachael O'Hara Item 3 - Listed high priority projects for future Operational Plans. 2 Apr 2020 - 1:01 PM - Katrina Kerr Item 3 - Listed 4 high priority Strategy Implementation Actions in the Draft Operational Plan 2020 - 21.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI93/2019	Ordinary Council 11/12/2019	Harris, Kate	Works and Infrastructure	Exhibition of Draft Trails Strategy	29/05/2020	
1116 MOTION 1116 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<p>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.</p> <p>2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Trails Strategy.</p> <p>21 Jan 2020 - 2:37 PM - Vickie Stovell Revised Target Date changed by: Stovell, Vickie From: 8 Jan 2020 To: 31 Mar 2020 1. The draft Trail Strategy will be on public exhibition from 28 January until 28 February 2020 2. Reliant on resolution 1 to be finalised 31 Mar 2020 - 8:55 AM - Kate Harris 1. Complete 2. Currently assessing submissions received during the exhibition period. Report to Council expected in May. 31 Mar 2020 - 8:58 AM - Kate Harris Revised Target Date changed by: Harris, Kate From: 31 Mar 2020 To: 29 May 2020 Reason: The exhibition period is complete. Time is now required to assess submissions and make the necessary changes to the document prior to reporting back to Council.</p>						

Corporate and Community

Report No. CC36/2020

Corporate and Community Services



SUBJECT: *INVESTMENT REPORT - MARCH 2020*

RESPONSIBLE OFFICER: *Financial Accountant - Manav Sharma 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 March 2020 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 \$41,110,698, year to date interest earned to 31 March was \$533,788 and the interest earned for March 2020 was \$52,789.

BACKGROUND

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 March 2020 exceeded the benchmark in the Investment Policy with an actual level of return at 107.84 % of the year to date budget.

The Reserve Bank of Australia (RBA) official cash rate as at 31 March 2020 was 0.25%. 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 07 April 2020 retained the official cash rate at 0.25%.

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Corporate and Community Services

**Investment Portfolio Information****Table 1** Total cash and investments held by Council as at 31 March 2020

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			0.00%	2,570
	Commonwealth Bank	At Call			0.10%	41
1243	AMP Bank	At Call			0.75%	500
1281j	National Bank	TD	245	31-Mar-20	1.81%	700
1298r	Newcastle Permanent Building Society	VRD	91	03-Apr-20	2.32%	800
1306h	Suncorp Bank	TD	214	14-Jul-20	1.50%	900
1325c	Members Equity Bank	TD	272	19-May-20	1.68%	900
1330c	National Bank	TD	160	29-Jun-20	1.57%	900
1332d	Suncorp Bank	TD	210	22-Sep-20	1.45%	1,000
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
1361a	AMP Bank	TD	339	05-Jun-20	2.20%	1,000
1362a	AMP Bank	TD	337	10-Jun-20	2.20%	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
1374a	National Bank	TD	272	27-Oct-20	1.50%	1,000
1375a	National Bank	TD	259	20-Oct-20	1.48%	1,000
1380b	Commonwealth Bank	TD	196	28-Jul-20	1.44%	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
1393	Commonwealth Bank	TD	209	29-Jun-20	1.32%	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
1398	National Bank	TD	239	06-Oct-20	1.53%	1,500
1399	Suncorp Bank	TD	210	15-Sep-20	1.46%	1,000
1400	Macquarie bank	TD	290	14-Dec-20	1.55%	1,000
1401	Macquarie bank	TD	284	08-Dec-20	1.55%	1,000
1402	Commonwealth Bank	TD	31	03-Apr-20	1.04%	1,000
1403	Macquarie bank	TD	286	22-Dec-20	1.65%	1,200
1404	Macquarie bank	TD	244	17-Nov-20	1.60%	1,200
1405	Suncorp Bank	TD	189	29-Sep-20	1.70%	1,000
TOTAL						41,111

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**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%	5,711	13.89%
IMB Bank	A2-	10%	1,000	2.43%
National Bank	A1+	25%	8,500	20.68%
Suncorp Bank	A1	25%	8,900	21.65%
Members Equity Bank	A2	10%	1,900	4.62%
Newcastle Permanent Building Society	A2	10%	800	1.95%
AMP Bank	A2-	10%	3,500	8.51%
Macquarie Bank	A1	25%	8,400	20.43%
ANZ Bank	A1+	25%	2,400	5.84%
TOTAL			41,111	100.00%

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	37,200	90.49%
Cash/At Call Deposits	Low	Low	3,111	7.56%
Variable Rate Notes	Low	Low	800	1.95%
TOTAL			41,111	100.00%

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)	1.78%	2.56%
BBSW Average Interest Rate (year to date) *	0.90%	1.96%
Actual Investment Interest Earned February	\$52,789	\$87,958
Actual Investment Interest Earned (year to date)	\$533,788	\$771,122
Budget Investment Interest (year to date)	\$495,000	\$626,265
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	\$41,110,698	\$39,854,876

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

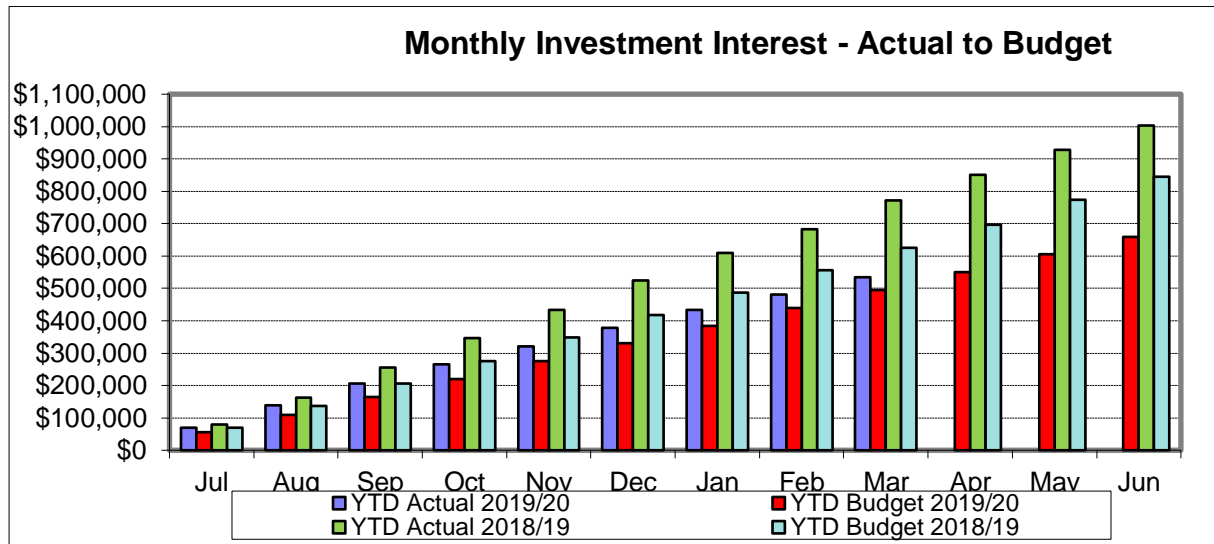
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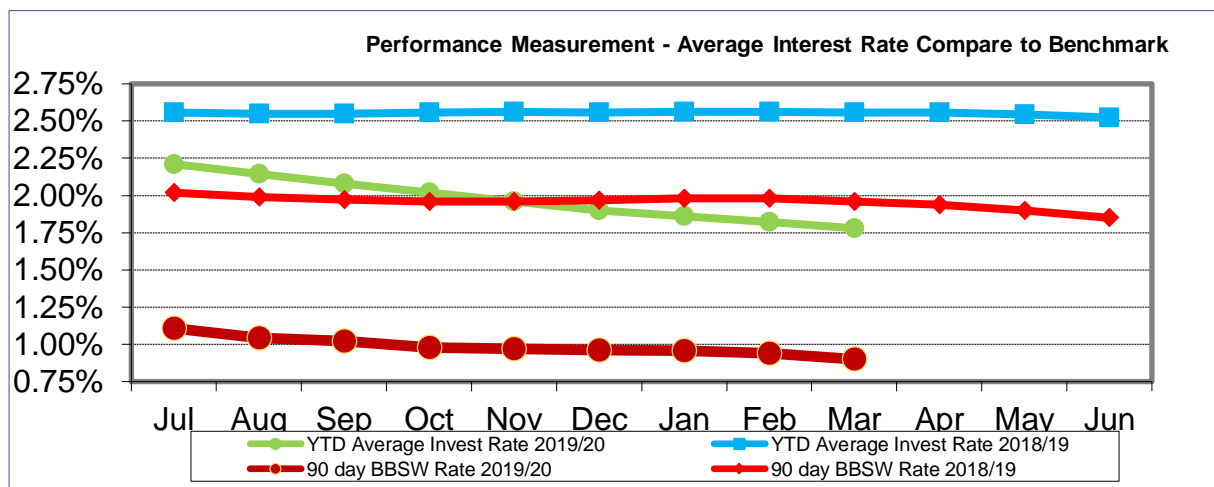
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Graph 1 Actual interest earned to budget for this year and last year



Graph 2 Current year portfolio performance to prior year performance



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**Table 5** Internal and external restrictions over cash and investments held

Month End Totals \$'000	Mar 2020	Feb 2020	Jan 2020	Dec 2019	Nov 2019	Oct 2019
Developer contributions	13,510	13,172	13,427	12,947	12,771	12,709
Committed Developer contributions	1,130	1,130	730	730	652	652
RMS contributions	2,083	2,083	2,083	2,083	2,083	2,083
Specific purpose unexpended grants	2,245	1,843	1,860	871	773	902
Domestic waste management reserve	430	430	430	430	430	430
Stormwater management	51	62	75	75	55	87
External Restrictions	19,449	18,720	18,605	17,136	16,764	16,863
Month End Totals \$'000	Mar 2020	Feb 2020	Jan 2020	Dec 2019	Nov 2019	Oct 2019
Plant and vehicle replacement	1,508	1,466	1,648	1,712	1,775	1,718
Employees leave entitlement	3,076	3,076	3,076	3,076	3,076	3,076
Carry over works	669	705	753	757	795	816
Bridge replacement	909	910	939	1,232	1,081	1,039
Lawn cemeteries	69	69	69	69	69	69
Computer services	366	366	366	366	453	485
Energy efficiency	101	101	101	101	38	38
Insurance provisions	1,420	1,420	1,420	1,420	1,349	1,349
Miscellaneous and property	1,602	1,642	1,668	1,647	1,141	1,141
Grant Fund Leverage	774	774	774	795	795	795
Operations and programs	604	604	604	604	604	612
Property investment fund	839	781	792	833	828	742
Rezoning fees	85	85	85	85	85	85
Civil Works	596	605	642	680	780	762
Waste depot and rehabilitation	3,998	3,998	3,998	3,998	3,998	3,998
Unexpended loan funds	142	143	143	143	131	147
Committed projects(SRV)	1,276	1,279	1,343	1,433	1,565	1,575
Internal Restrictions	18,034	18,024	18,421	18,951	18,563	18,447
Unrestricted - Balance of funds	3,628	6,296	2,677	4,447	6,510	2,746
Total Cash & Investments	41,111	43,040	39,703	40,534	41,837	38,056

The level of Unrestricted funds has decreased from the February reported figure by \$2.67 m. This variation primarily relates to payments made in the month of March, with no corresponding substantial rate payments received.

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The overall level of cash and investments remains relatively stable with increases during months when rate installments are due (August, November, February and May each year). There are usually moderate decreases for other months.

Other variations in income, which creates exceptions to this general trend, will occur when grant funding is received which is not directly related to expenditure incurred in that month for the grant purpose. The Financial Assistance Grant forms a large part of Council revenue and is received in equal instalments in August, November, February and May each year, with the exception of any early prepayment made which is received in June. This creates a mismatch due to associated expenditure occurring more evenly throughout the year.

Monthly expenditure remains relatively static throughout the year, with the exception of months where major payments are made for such things as contracts, insurances or other significant payments.

OPTIONS

N/A

CONSULTATION

Director Corporate and Community Services
Management Accountant

STRATEGIC LINKS

g. Delivery Program

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

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

h. Other Plans

N/A

IMPLICATIONS

i. Policy and Procedural Implications

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

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j. 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.

k. Legislative Implications

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

l. Risk Implications

Investment risks are detailed within this report.

m. 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. CC37/2020

Corporate and Community Services



SUBJECT: *LAND VALUATIONS FOR RATING JULY 2019 BASE DATE*

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

SUMMARY

The NSW Valuer-General (VG) has recently undertaken a revaluation of land values for all land within the Cessnock Local Government Area (LGA). The revised valuations have a base date of 1 July 2019 and are required to be used for rating purposes from 1 July 2020. This report provides a summary of this revaluation for Councillor's information.

RECOMMENDATION

That Council notes the following:

- Council is required to apply the most recent land valuation (1 July 2019) for rating purposes from 1 July 2020;
- There has been a 20.6% increase in rateable land value (to a total of \$5,768,275,782);
- Movement in the total land valuations from a general revaluation for Council does not directly result in increased revenues generated from rating;
- Council is only able to increase the total general rates by the permissible increase determined by IPART which has been announced at 2.6 percent, plus natural growth in the valuation total from development activity;
- Though valuations have increased significantly the average increase in general rates is anticipated to be around 2.78%, the increase above 2.6% recognises there will be some further sub-division activity for the remainder of this financial year;
- Land values increased within all categories however the largest increases were in farmland and mining;
- Due to the variation in the increase of land values across ratepayers there will be residents whose rates will reduce and others with an increase higher than the rate cap;
- The formula used to calculate rates includes a base rate (fixed amount) that moderates this variation.

BACKGROUND

The VG is the statutory body that provides land valuations for all Councils across NSW for rating purposes. The valuations are reviewed periodically (usually every 3 years) and Council is obliged to use the latest valuations when levying general rates.

Council has received the revised valuations for the LGA with a base date of 1 July 2019 and this report is provided to Councillors for information purposes to highlight the movement of valuations since the last general revaluation in 2016. The revised valuations are required to be used for rating purposes from 1 July 2020.

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REPORT/PROPOSAL

General rates are levied on all rateable properties in the LGA. Other charges as applicable (eg waste, stormwater and OSSM) are levied in addition to the general rates component to give the total rates and charges levy for a property.

The overall land value increase across the LGA was \$985,846,723.00 with a total land valuation of \$5,768,275,782. When assessing only rateable land within the LGA, based on Council's current records, rather than the original valuation provided by the VG, this shows an average **20.61 percent increase** in rateable land value to a total of \$5,768,275,782.

From a rating category perspective the 2019 valuations have seen land value increases in all categories with increases in Residential (17.12 percent), Residential Rural (32.18 percent), Farmland (30.67 percent), Farmland Mixed Use (24.41 percent), Farmland Business Rural (26.56 percent), Business (19.22 percent) and Mining (33.18 percent).

In Council's largest rating category of residential, 70 per cent have received a land value increase of 10 percent or greater. Based on the proposed current rating structure for 2020-21 only 10 percent of the category will experience rates increases of more than 10 percent.

The business category 71 percent of land values have increased by more than 10 percent, however based on the proposed current rating structure for 2020-21 only 8 percent will experience rates increases by more than 10 percent.

The farmland category 99.8 percent of land values have increased by more than 10 percent, however based on the proposed current rating structure for 2020-21 only 10.5 percent will experience rates increases by more than 10 percent.

The impact on individual ratepayers is difficult to predict during the first year after a general revaluation as a number of factors affect the rates to be levied. Council determines the breakup of the total rate yield across the various rating categories and is able to levy rates up to the permissible increase as announced by IPART. So in a rating year with no general revaluation, provided that Council does not materially alter the rate yield within categories, the individual increase in rates will generally be similar to the permissible income increase.

However, in the year after a general revaluation, the movement of land values in individual properties is not consistent, with some properties experiencing increases and others decreases. Provided that Council maintains the yields for the various categories, the level of any increase or decrease will be dependent on what movement an individual property land value experienced in comparison to the average for the whole of the LGA. If the land value movement for a property varies significantly from the average, it would be expected to experience a significant movement in rates payable.

Councillors need to note that any movement in the total land valuations from a general revaluation for Council does not directly correlate to increased revenues generated from rating. Council is only able to increase the total general rates by the permissible increase determined by IPART which has been announced at 2.6 percent.

For Councillors' information **Enclosure 1** contains a listing of towns/localities showing the percentage movement in rateable land values as extracted from council's rating system for all land in the LGA.

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The proposed rating structure for 2020-21 to be presented to Council as part of the Revenue Policy within the Draft Delivery Program will be based upon the revised land values that Council is required to use for rating for 2020-21.

OPTIONS

Nil - Council is required to utilise the latest land valuations for rating purposes.

CONSULTATION

NSW Valuer-General's Department representatives
Operations Accountant
Team Leader Revenue

STRATEGIC LINKS

a. Delivery Program

This report is a part of the organisation's governance framework – providing information Council and the Community. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance.*"

The general rates levied under the Revenue Policy incorporated into the Delivery Program and Operational Plan is largely based upon the valuations provided for rating purposes. The majority of the funding for the operations of Council is provided from general rates levied.

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

There are no financial implications to Council of this report. The increase in total land valuation does not increase the total amount of rates able to be collected. The total to be collected is subject to the permissible increase determined by IPART.

Changes in valuations may alter the distribution of the rate burden across individual properties or rating categories. Movements in individual valuations may affect individual properties dependant on the percentage movement in land value as compared to the overall increase for the LGA. If an individual property valuation movement is on par with the overall average, there should not be a significant increase/decrease in rates payable. However, if the movement is significantly more or less than the average there may be a variation in the amount of rates payable.

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c. Legislative Implications

Land value is the value determined specifically for rating purposes by the VG under the Valuation of Land Act 1916. Council is required to use the land value for calculation of the Ad-Valorem component of the general rate in accordance with Section 498 of the *Local Government Act 1993*.

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Nil

CONCLUSION

The report provides a summary for Councillor's information of the percentage changes in valuations required to be utilised for rating purposes for the year commencing 1 July 2020.

ENCLOSURES

[1](#) Land Values Comparison 2016 to 2019

Land Value Base Date 2016				Land Value Base Date 2019				Changes between 2016 & 2019		
Suburb	Total Assessments	Total Land Values	Average Land Value	Suburb	Total Assessments	Total Land Values	Average Land Value	Increase in Total Land Value	Average Land Value Increase	Percentage increase
ABERDARE	1029	\$119,427,090.00	\$116,061.31	ABERDARE	1029	\$148,788,600.00	\$144,595.34	\$29,361,510.00	\$28,534.02	24.59%
ABERMAIN	966	\$148,150,060.00	\$153,364.45	ABERMAIN	966	\$188,144,410.00	\$194,766.47	\$39,994,350.00	\$41,402.02	27.00%
ABERNETHY	118	\$17,669,600.00	\$149,742.37	ABERNETHY	118	\$22,474,000.00	\$190,457.63	\$4,804,400.00	\$40,715.25	27.19%
ALLANDALE	21	\$7,262,000.00	\$345,809.52	ALLANDALE	21	\$9,611,000.00	\$457,666.67	\$2,349,000.00	\$111,857.14	32.35%
BELLBIRD	874	\$132,627,631.00	\$151,747.86	BELLBIRD	874	\$153,637,100.00	\$175,786.16	\$21,009,469.00	\$24,038.29	15.84%
BELLBIRD HEIGHTS	337	\$44,663,000.00	\$132,531.16	BELLBIRD HEIGHTS	337	\$51,512,000.00	\$152,854.60	\$6,849,000.00	\$20,323.44	15.33%
BISHOPS BRIDGE	38	\$11,898,800.00	\$313,126.32	BISHOPS BRIDGE	38	\$16,089,200.00	\$423,400.00	\$4,190,400.00	\$110,273.68	35.22%
BLACK HILL	84	\$41,783,900.00	\$497,427.38	BLACK HILL	84	\$49,774,220.00	\$592,550.24	\$7,990,320.00	\$95,122.86	19.12%
BRANKTON	486	\$88,333,190.00	\$181,755.53	BRANKTON	486	\$97,501,160.00	\$200,619.67	\$9,167,970.00	\$18,864.14	10.38%
BRUNKERVILLE	77	\$26,636,610.00	\$345,930.00	BRUNKERVILLE	77	\$36,511,500.00	\$474,175.32	\$9,874,890.00	\$128,245.32	37.07%
BUCHANAN	80	\$36,050,900.00	\$450,636.25	BUCHANAN	80	\$51,615,700.00	\$645,196.25	\$15,564,800.00	\$194,560.00	43.17%
BUCKETTY	107	\$24,924,400.00	\$232,938.32	BUCKETTY	107	\$32,036,200.00	\$299,403.74	\$7,111,800.00	\$66,465.42	28.53%
BUTTAI	25	\$9,065,530.00	\$362,621.20	BUTTAI	25	\$12,927,690.00	\$517,107.60	\$3,862,160.00	\$154,486.40	42.60%
CEDAR CREEK	40	\$9,732,400.00	\$243,310.00	CEDAR CREEK	40	\$12,577,600.00	\$314,440.00	\$2,845,200.00	\$71,130.00	29.23%
CESSNOCK	6255	\$913,272,196.00	\$146,006.75	CESSNOCK	6254	\$1,001,331,631.00	\$160,110.59	\$88,059,435.00	\$14,103.84	9.64%
CLIFFLEIGH	828	\$134,364,800.00	\$162,276.33	CLIFFLEIGH	825	\$142,119,300.00	\$172,265.82	\$7,754,500.00	\$9,989.49	5.77%
CONGEWAI	129	\$50,749,500.00	\$393,406.98	CONGEWAI	129	\$64,943,800.00	\$503,440.31	\$14,194,300.00	\$110,033.33	27.97%
CORRABARE	1	\$156,000.00	\$156,000.00	CORRABARE	1	\$207,000.00	\$207,000.00	\$51,000.00	\$51,000.00	32.69%
DAIRY ARM	25	\$8,280,700.00	\$331,228.00	DAIRY ARM	25	\$10,811,300.00	\$432,452.00	\$2,530,600.00	\$101,224.00	30.56%
EAST BRANKTON	728	\$97,539,770.00	\$133,983.20	EAST BRANKTON	728	\$110,533,170.00	\$151,831.28	\$12,993,400.00	\$17,848.08	13.32%
ELLALONG	549	\$98,959,650.00	\$180,254.37	ELLALONG	549	\$126,159,350.00	\$229,798.45	\$27,199,700.00	\$49,544.08	27.49%
ELRINGTON	68	\$22,057,720.00	\$324,378.24	ELRINGTON	68	\$28,083,460.00	\$412,992.06	\$6,025,740.00	\$88,613.82	27.32%
FERNANCES CROSSING	30	\$8,058,000.00	\$268,600.00	FERNANCES CROSSING	30	\$10,533,000.00	\$351,100.00	\$2,475,000.00	\$82,500.00	30.71%
GRETA	1410	\$204,653,390.00	\$145,144.25	GRETA	1408	\$242,999,060.00	\$172,584.56	\$38,345,670.00	\$27,440.31	18.74%
GRETA MAIN	22	\$5,608,800.00	\$254,945.45	GRETA MAIN	22	\$7,153,500.00	\$325,159.09	\$1,544,700.00	\$70,213.64	27.54%
HEDDON GRETA	935	\$168,632,090.00	\$180,355.18	HEDDON GRETA	935	\$199,714,510.00	\$213,598.41	\$31,082,420.00	\$33,243.23	18.43%
KEARSLEY	331	\$60,054,430.00	\$181,433.32	KEARSLEY	331	\$70,224,840.00	\$212,159.64	\$10,170,410.00	\$30,726.31	16.94%
KEINBAH	49	\$19,432,000.00	\$396,571.43	KEINBAH	49	\$30,784,000.00	\$628,244.90	\$11,352,000.00	\$231,673.47	58.42%
KITCHENER	244	\$45,724,000.00	\$187,393.44	KITCHENER	244	\$53,274,000.00	\$218,336.07	\$7,550,000.00	\$30,942.62	16.51%
KURRI KURRI	2670	\$377,819,610.00	\$141,505.47	KURRI KURRI	2670	\$437,686,670.00	\$163,927.59	\$59,867,060.00	\$22,422.12	15.85%
LAGUNA	346	\$89,612,450.00	\$258,995.52	LAGUNA	346	\$114,920,430.00	\$332,139.97	\$25,307,980.00	\$73,144.45	28.24%
LOCHINVAR	8	\$2,121,000.00	\$265,125.00	LOCHINVAR	8	\$2,799,000.00	\$349,875.00	\$678,000.00	\$84,750.00	31.97%
LOVEDALE	411	\$104,995,300.00	\$255,463.02	LOVEDALE	411	\$133,021,100.00	\$323,652.31	\$28,025,800.00	\$68,189.29	26.69%
LOXFORD	46	\$12,191,781.00	\$265,038.72	LOXFORD	46	\$15,929,771.00	\$346,299.37	\$3,737,990.00	\$81,280.65	30.66%
MILLFIELD	566	\$104,425,150.00	\$184,496.73	MILLFIELD	566	\$141,611,960.00	\$250,197.81	\$37,186,810.00	\$65,701.08	35.61%
MOUNT VIEW	112	\$43,056,740.00	\$384,435.18	MOUNT VIEW	112	\$55,691,910.00	\$497,249.20	\$12,635,170.00	\$112,014.02	29.35%
MOUNT VINCENT	144	\$52,640,700.00	\$365,560.42	MOUNT VINCENT	144	\$72,585,700.00	\$504,067.36	\$19,945,000.00	\$138,506.94	37.89%
MULBRING	265	\$77,738,000.00	\$293,350.94	MULBRING	265	\$99,492,200.00	\$375,442.26	\$21,754,200.00	\$82,091.32	27.98%
MURRAY'S RUN	110	\$30,340,970.00	\$275,827.00	MURRAY'S RUN	110	\$38,775,670.00	\$352,506.09	\$8,434,700.00	\$76,679.09	27.80%
NARONE CREEK	1	\$296,000.00	\$296,000.00	NARONE CREEK	1	\$381,000.00	\$381,000.00	\$85,000.00	\$85,000.00	28.72%
NEATH	143	\$17,366,405.00	\$121,443.39	NEATH	143	\$22,608,200.00	\$158,099.30	\$5,241,795.00	\$36,655.91	30.18%
NORTH ROTHBURY	1036	\$193,375,030.00	\$186,655.43	NORTH ROTHBURY	1035	\$229,910,860.00	\$222,136.10	\$36,535,830.00	\$35,480.66	18.89%
NULKABA	292	\$80,347,420.00	\$275,162.40	NULKABA	292	\$96,418,670.00	\$330,200.92	\$16,071,250.00	\$55,038.53	20.00%
OLNEY	1	\$11,800.00	\$11,800.00	OLNEY	1	\$11,800.00	\$11,800.00	\$0.00	\$0.00	0.00%
PAXTON	495	\$69,423,300.00	\$140,249.09	PAXTON	494	\$85,072,050.00	\$172,210.63	\$15,648,750.00	\$31,961.54	22.54%
PAYNES CROSSING	82	\$20,500,000.00	\$250,000.00	PAYNES CROSSING	82	\$26,241,000.00	\$320,012.20	\$5,741,000.00	\$70,012.20	28.00%
PELAW MAIN	425	\$57,203,940.00	\$134,597.51	PELAW MAIN	425	\$67,552,970.00	\$158,948.16	\$10,349,030.00	\$24,350.66	18.09%
PELTON	36	\$4,654,400.00	\$129,288.89	PELTON	36	\$5,668,000.00	\$157,444.44	\$1,013,600.00	\$28,155.56	21.78%
POKOLBIN	1172	\$322,175,463.00	\$274,893.74	POKOLBIN	1172	\$410,577,770.00	\$350,322.33	\$88,402,307.00	\$75,428.59	27.44%
QUORROBOLONG	238	\$92,131,610.00	\$387,107.61	QUORROBOLONG	238	\$129,271,500.00	\$543,157.56	\$37,139,890.00	\$156,049.96	40.31%
RICHMOND VALE	38	\$19,373,293.00	\$509,823.50	RICHMOND VALE	38	\$25,908,000.00	\$681,789.47	\$6,534,707.00	\$171,965.97	33.73%
ROTHBURY	48	\$24,859,000.00	\$517,895.83	ROTHBURY	48	\$32,303,000.00	\$672,979.17	\$7,444,000.00	\$155,083.33	29.94%
SAWYERS GULLY	180	\$56,477,500.00	\$313,763.89	SAWYERS GULLY	180	\$74,888,900.00	\$416,049.44	\$18,411,400.00	\$102,285.56	32.60%
STANFORD MERTHYR	233	\$34,543,000.00	\$148,253.22	STANFORD MERTHYR	234	\$40,867,000.00	\$174,645.30	\$6,324,000.00	\$26,392.08	18.31%
STOCKRINGTON	30	\$9,246,900.00	\$308,230.00	STOCKRINGTON	30	\$12,209,000.00	\$406,966.67	\$2,962,100.00	\$98,736.67	32.03%
SWEETMAN'S CREEK	32	\$9,654,000.00	\$301,687.50	SWEETMAN'S CREEK	32	\$12,409,000.00	\$387,781.25	\$2,755,000.00	\$86,093.75	28.54%
WATAGAN	105	\$27,614,400.00	\$262,994.29	WATAGAN	105	\$36,539,000.00	\$347,990.48	\$8,924,600.00	\$84,996.19	32.32%
WESTON	1622	\$224,274,540.00	\$138,270.37	WESTON	1622	\$276,531,540.00	\$170,488.00	\$52,257,000.00	\$32,217.63	23.30%
WOLLOMBI	257	\$68,110,100.00	\$265,019.84	WOLLOMBI	257	\$88,213,810.00	\$343,244.40	\$20,103,710.00	\$78,224.55	29.52%
Yengo National Park	1	\$81,100.00	\$81,100.00	Yengo National Park	1	\$106,000.00	\$106,000.00	\$24,900.00	\$24,900.00	30.70%
Grand Total		\$4,782,429,059.00	\$248,559.02			\$5,768,275,782.00	\$320,020.61	\$985,846,723.00	\$71,461.59	20.61%

Works and Infrastructure

Report No. WI27/2020

Works and Infrastructure



SUBJECT: *HALLS & DE BEYERS ROAD, POKOLBIN - TRAFFIC MANAGEMENT & FUTURE VINEYARD CYCLEWAY PLAN*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

SUMMARY

The purpose of this report is to inform Council of the effectiveness of traffic management solutions implemented to reduce problem traffic incidents in Halls and De Beyers Roads, Pokolbin, and to consider inclusion of the public road reserve of De Beyers Road in the draft Concept Vineyard Cycleway Plan.

RECOMMENDATION

1. That Council notes the effectiveness of traffic management solutions implemented to reduce problem traffic incidents in Halls and De Beyers Roads, Pokolbin.
2. That Council notes the inclusion of De Beyers Road, Pokolbin in the draft Concept Vineyard Cycleway Plan.

BACKGROUND

At its Ordinary Meeting of 17 April 2019, Council resolved through Report WI18/2019:

1. That Council resolve to not close the Council public road between Halls Road and De Beyers Road Pokolbin as indicated in the Property Location Plan.
2. That the General Manager write to those who made submissions, informing them of Council's decision.
3. That the General Manager notify Google Maps and any other relevant mapping agencies that this is not a public road and should not show on their software.
4. That Council upgrade the existing road barriers to prevent car traffic but still allow for pedestrian and bicycle traffic flow in consultation with adjoining land owners.
5. That Council work to amend traffic management plans for major events in the surrounding areas to include measures to reduce traffic flow into Halls Road.
6. That a report come back to Council in 12 months to update Council on whether the traffic management items outlined above have reduced problem traffic incidents in the area.
7. That in the report to come back in 12 months time Council identify whether this road reserve will be included in the future vineyard cycleway plan.

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Works and Infrastructure



This report addresses items 6 and 7 above, describing the traffic management solutions implemented to reduce problem traffic incidents in Halls and De Beyers Roads, and outlining the draft Concept Vineyard Cycleway Plan.

REPORT/PROPOSAL

Traffic Management Solutions

The following solutions have been implemented:

- Provided information to Google Maps to have the area correctly identified as a no through road;
- Installed additional NO THROUGH ROAD signage at the intersection of Broke Road and Halls Road;
- Installed additional NO THROUGH ROAD signage at the intersection of De Beyers Road and the unnamed road (extension of Halls Road); and
- Gained modifications to concert Event Traffic Management Plans to include installation of 'NO THROUGH ROAD – LOCAL TRAFFIC ONLY' signs at the intersection of Broke Road and Halls Road during events.

These implemented solutions have been effective in that there have been:

- No reports of traffic congestion in Halls Road during event bump-outs;
- No related complaints received from adjoining landholders; and
- No reported crashes in Halls Road or De Beyers Road.

Draft Concept Vineyard Cycleway Plan

To facilitate consideration of the use of De Beyers Road as a cycle path, a draft Concept Plan has been formulated which connects the Hunter Valley Visitor Information Centre with existing cycleway infrastructure in McDonalds Road, Pokolbin.

The proposed route commences at the Hunter Valley Visitor Information Centre and comprises:

- Off-road cycleway around the perimeter of the Cessnock Airport;
- On-Road cycleway on Grady Road and De Beyers Road;
- Combination of on-road and off-road cycleway between De Beyers Road and Halls Road;
- Off-Road cycleway between Halls Road and Campbells Lane; and
- On-Road cycleway from Campbells Lane to McDonalds Road.

A map of the proposed route, and connections with existing cycling infrastructure is attached as **Enclosure 1**.

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OPTIONS

Nil.

CONSULTATION

Internal Consultation: Internal consultation on this matter has occurred as follows:

- Principal Engineer - Traffic & Transport, Infrastructure;
- Principal Engineer – Design & Project Management, Infrastructure;
- Traffic Engineering Officer, Infrastructure;
- Design Engineer, Infrastructure;
- Economic Development Officer, Economic Development, and
- Principal Recreation & Community Facilities Planner, Open Space & Community Facilities.

External Consultation: External consultation on this matter has occurred as follows:

- NSW Police;
- Event Traffic Management Companies; and
- Residents of Halls Road and De Beyers Road.

STRATEGIC LINKS

a. Delivery Program

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

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

b. Other Plans

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

- 1.3 Promoting safe communities - Our roads are safe for motorists and pedestrians.
- 4.0 Accessible infrastructure, services and facilities:
- 4.1 better transport links.
- 4.2 Improving the road network:
 - We have a quality road network; and
 - We have managed the traffic impact of the Hunter Expressway on local communities.

Operational Plan 2019-20: The recommendation of this report aligns with the following objectives:

- 1.3: Promoting Safe Communities:
- 1.3.5 Improve the safety of the road network.
- 4.1: Better transport links:
- 4.1.1: Advocate for increased road, public and community transport and associated infrastructure funding;
- 4.1.2 Commence implementation of the Traffic & Transport Strategy; and
- 4.1.3 Commence implementation of the Pedestrian Access & Mobility Plan.
- 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; and
- 4.2.2c Advocate for and support applications for grant funding to improve road infrastructure.

Cessnock City Council - Road Safety Strategic Plan (2014 - 2018) incorporating Road Safety Action Plan 2019-20: The recommendation of this report aligns with the following objectives:

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

- 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;
- 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; and
- 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.

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Cessnock Cycling Strategy (2016): The recommendation of this report aligns with the proposed improvements to Pokolbin's cycling environment – specifically the following objective:

3.1.6 New off-road path on Broke Road – Wine Country Drive to McDonalds Road.

IMPLICATIONS

a. Policy and Procedural Implications

Public Road Reserve: The draft Concept Vineyard Cycleway Plan identifies the public road reserve between Halls Road and De Beyers Road as a suitable route for connecting the Hunter Valley Visitor Information Centre with the vineyards for cyclists and pedestrians. It is appropriate that this road reserve be retained for future use for this purpose.

Local Traffic Committee: Council's delegation from Transport for New South Wales for the regulation of traffic and the operation of the Local Traffic Committee requires a unanimous recommendation from the Committee to Council, prior to installation of any regulatory traffic control facilities that may be included as part of a Detailed Cycleway Plan.

b. Financial Implications

Cost to Council: The proposed cycleway is currently un-funded.

Grant Funding: The recent grant funding guidelines for the Transport for NSW Walking & Cycling Program specifically excludes tourism related projects from consideration. Suitably aligned opportunities for grant funding will need to be identified to progress the project further.

Developer Contributions: Subject to alignment with a suitable Developer Contributions Plan, developer contributions may be available as co-contribution for a grant application.

c. Legislative Implications

Road Rules 2014:

- Part 8 – Traffic Signs & Road Markings;
- Part 11 – Other Driving Rules;
- Part 12 – Restrictions on Stopping & Parking;
- Part 14 – Rules for Pedestrians; and
- Part 15 – Rules for Bicycle Riders

Roads Act 1993:

- Section 7 – The council of a local government area is a roads authority;
- Section 71 – Powers of roads authority with respect to road work; and
- Section 145 – Roads authorities own public roads.

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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 non-feasance protection for roads authorities; and
- Section 46 - Exercise of function or decision to exercise does not create duty.

d. Risk Implications

Safety Risk: Hazards have been removed and resolved to reduce the safety risk associated with excessive traffic volumes in Halls Road.

Separated off road cycleways, where affordable and able to be achieved through suitable road reserve, provide a safe location for walkers, joggers and cyclists.

e. Environmental Implications

The environmental impacts of any future cycleway will be considered throughout the feasibility and detailed design phases of the project.

f. Other Implications

Property Matters: The current route muted by the draft Concept Vineyard Cycleway Plan the cycleway passes through private property to the west of Halls Road. The property in question boasts a vineyard and accommodation.

A suitable route would need to be negotiated through this property to provide a direct connection to McDonalds Road. Alternative routes are available if a suitable arrangement cannot be reached with the property owners.

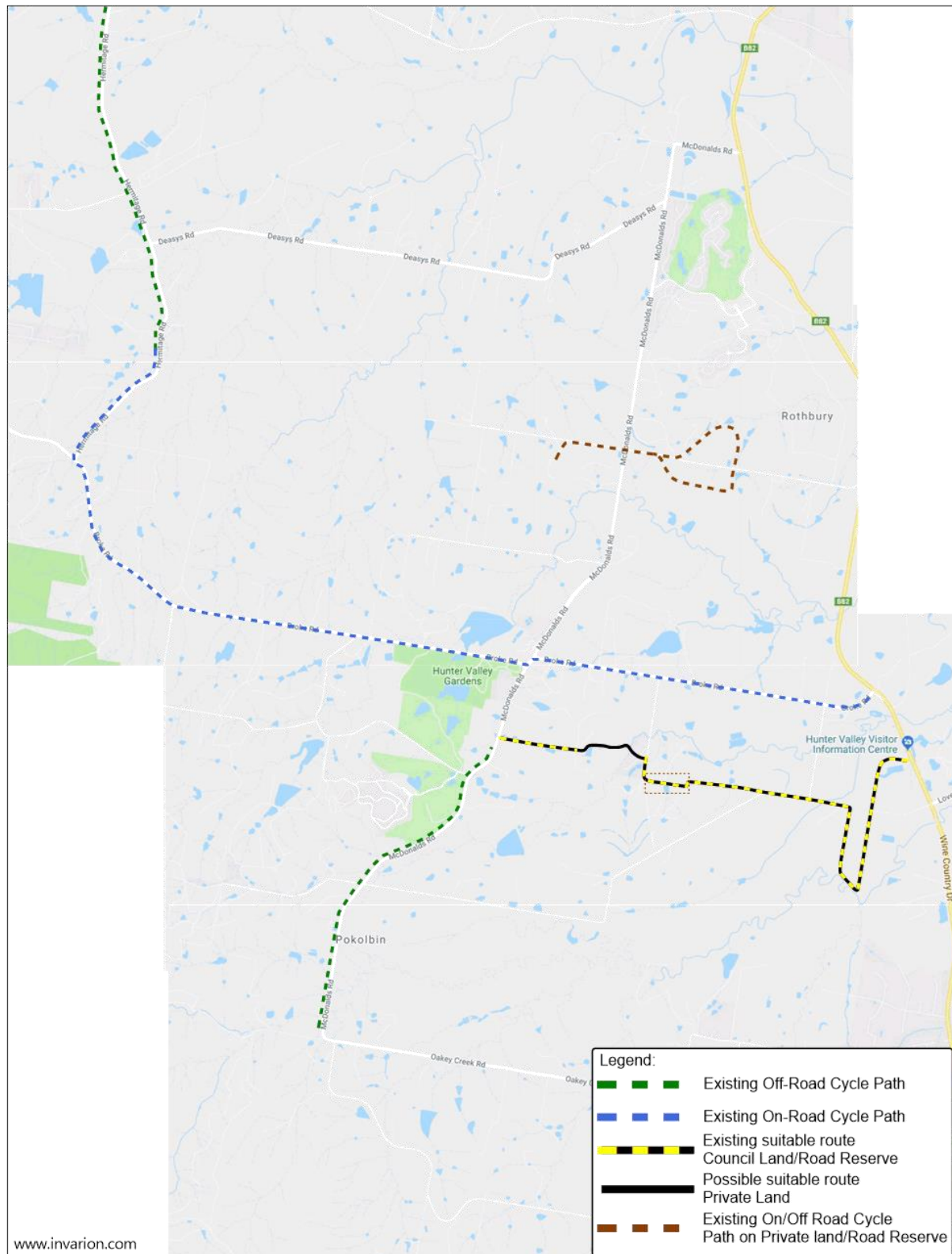
CONCLUSION

The traffic management solutions implemented have been effective in reducing traffic incidents in the area, particularly associated with traffic generated by concerts.

The draft Concept Vineyard Cycleway Plan identifies the public road reserve between Halls Road and De Beyers Road as a suitable route for connecting the Hunter Valley Visitor Information Centre with the vineyards for cyclists and pedestrians. Off road cycling facilities provide tremendous cycling, safety and amenity benefits for the local community and visitors to the Wine Country region. It is anticipated that the proposed cycling link would greatly enhance Pokolbin's cycling environment and markedly increase participation levels, as highlighted in the Cessnock Cycling Strategy. It is appropriate that this road reserve be retained into the future to use for this purpose.

ENCLOSURES

- [1](#) Concept Vineyard Cycleway Plan



Works and Infrastructure

Report No. WI28/2020

Works and Infrastructure



SUBJECT: ***CITY OF CESSNOCK _ DRAFT ROAD SAFETY STRATEGIC PLAN 2020-2024***

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

SUMMARY

The purpose of this report is to seek Council's endorsement for the public exhibition of the Draft Cessnock City Council Road Safety Strategic Plan 2020 – 2024.

RECOMMENDATION

- 1. That Council notes the content of the Draft Cessnock City Council Road Safety Strategic Plan 2020–2024.**
- 2. That Council endorses public exhibition of the Draft Cessnock City Council Road Safety Strategic Plan 2020 - 2024 for 28 days to seek public and stakeholder comment.**
- 3. That the General Manager organise a Councillor Briefing on the Strategy during the public exhibition period.**
- 4. That a further report be presented to Council at the end of the exhibition period prior to Council adopting the Strategy.**

BACKGROUND

Local Councils are uniquely positioned to plan, implement, and deliver road safety projects applicable to their communities.

As a participant in the NSW Local Government Road Safety Program (LGRSP), in partnership with Transport for NSW (TfNSW) Council supports actions to reduce the likelihood of road deaths and injuries in the local community.

At its Ordinary Meeting of 18 June 2014, Council resolved (W110/2014) to adopt the Cessnock City Council Road Safety Strategic Plan 2014-2018.

In 2019, a further Action Plan 2019-2020 was appended. Over the period of operation of the previous Strategic Plan and Action Plan, improvements in crash statistics have been realised. Cessnock City Council's ongoing commitment to road safety is delivering results consistent with the "Towards Zero" vision.

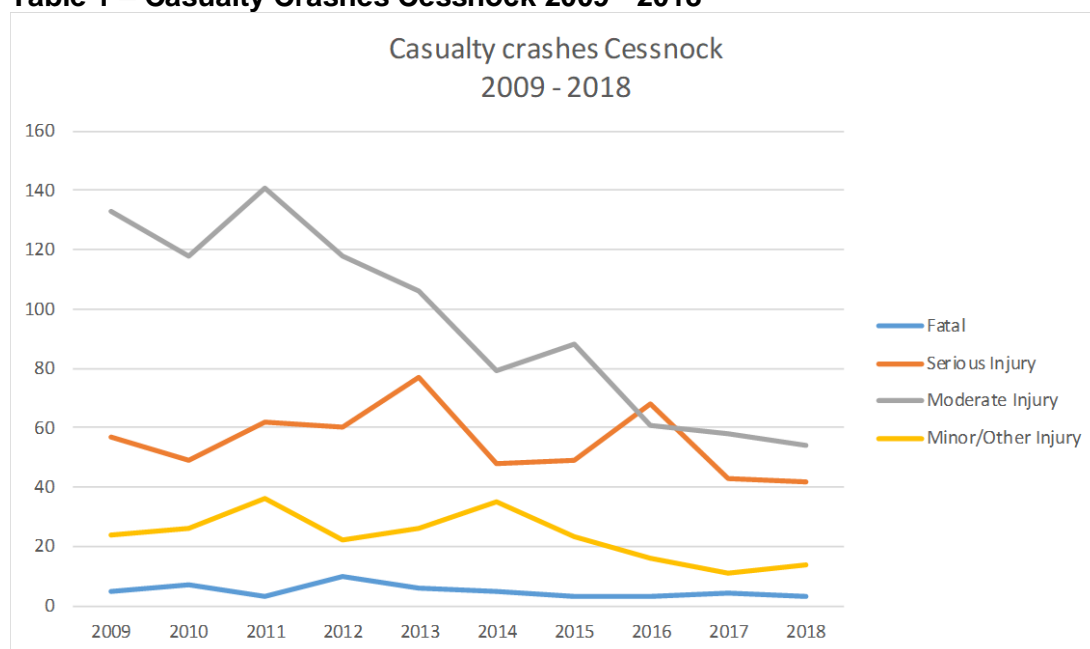
Based on existing demographic information and crash data analysis from the period 2014 to 2018, the previously adopted plan has been revised and updated ready for public exhibition. This report seeks endorsement to publicly exhibit the draft Plan and seek public and stakeholder comment.

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Works and Infrastructure**REPORT/PROPOSAL****Crash Statistic Results**

There is a demonstrated downward trend in casualty crashes across the City of Cessnock as shown in **Table 1** below. From a total of 1086 crashes for the five year reporting period 2009 to 2013, the number of casualty crashes has reduced from 707 for the five year reporting period 2014 to 2018, being the period covered by the outgoing Road Safety Strategic Plan.

Table 1 – Casualty Crashes Cessnock 2009 - 2018

Regular and targeted road maintenance, improved road treatments at selected locations, increased safety of modern motor vehicles, appropriate speed limits set for roads, increased penalties and enforcement activities of the NSW Police Force and the improved behavior of drivers have collectively contributed to this welcome reduction in road trauma in the Cessnock LGA - a Safe Systems approach.

Draft Cessnock City Council Road Safety Strategic Plan 2020-2024

The Draft 2020-2024 embraces the Safe System approach to road safety, as adopted in the National Road Safety Strategy 2011-2020, NSW Road Safety Strategy 2012-2021 and the NSW Road Safety Plan 2021. The objectives of the draft Plan are to:

- Establish clear road safety goals for Council and the community;
- Strive towards a reduction in road trauma in line with Transport for NSW *Towards Zero* vision and associated social and monetary costs to Council and the local community;
- Enhance community awareness and ownership of road safety issues to encourage voluntary compliance with traffic laws amongst all road users;

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- Continue to highlight road safety as a priority within Council design, development and delivery processes; and
- Improve Council's capacity to take advantage of Commonwealth and State road safety funding programs.

Community Engagement

Community: Public exhibition of the draft Plan will form part of a broader community engagement process, which aims to demonstrate the means by which road safety is integrated into the mainstream business of Council. It will also provide an opportunity for public and stakeholder comment.

As part of Covid 19 pandemic restrictions, the Council's Administration Building and public libraries are temporarily closed to the public. Should these offices re-open during the exhibition period copies will be made available at these locations for public viewing.

During the public exhibition period, the draft Plan will be available for viewing on Council's website. Social media will also be employed to advise the community of the draft Plan.

Councillors: Due to the current pandemic restrictions on gatherings, an appropriate Councillor Briefing will be organised during the exhibition period.

Industry Stakeholders: The draft Plan will also be sent directly to key stakeholders including, Transport for NSW, NSW Police, NRMA, NSW Motor Cycle Council, and other peak motoring groups.

In addition, the draft Plan will be provided to transport providers including Hunter Valley Busses, Rover Coaches, and Cessnock Radio Cabs.

Final Cessnock City Council Road Safety Strategic Plan 2020-2024

Feedback: Comments and feedback will be received by mail, email, and phone with all feedback reported to Council for consideration and incorporation into the final Plan.

Finalisation: The amended draft Plan will be updated as the final Plan, and presented to Council for adoption.

Way Forward: The final Plan will be the foundation document for the development of an annual Local Road Safety Action Plan, which will provide the framework for the development and implementation of linked road safety projects. These projects will be based on the internationally adopted Safe System approach to road safety.

OPTIONS

N/A

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CONSULTATION

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

- Works & Operations Manager;
- Development Services Manager;
- Community & Cultural Engagement Manager;
- Principal Ranger, Health and Building;
- Principal Community Planner, Development Services;
- Community Engagement Officer, Communications;
- Communications & Media Officer, Communications, and
- Workplace Health and Safety Officer, Works Delivery.

Key internal stakeholders to be specifically, invited to comment on the Strategy include Council's Risk & Safety Coordinator and Plant Superintendent.

External Consultation: Consultation on this matter has occurred with external stakeholders as follows:

- Hunter Region Office of Transport for NSW; and
- Port Stephens Council Road Safety Officer

Key external stakeholders to be invited to comment on the draft Plan include:

- Transport for NSW,
- NSW Police,
- NRMA,
- NSW Motor Cycle Council, and
- other peak motoring groups.

In addition, the draft Plan will be provided to transport providers for comment including:

- Hunter Valley Busses,
- Rover Coaches, and
- Cessnock Radio Cabs.

STRATEGIC LINKS

n. Delivery Program 2017-21

The recommendation of this report aligns with Council's Delivery Program 2017-21: specifically:

Objective 1.3 - Promoting Safe Communities.

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o. Operational Plan 2019-20

The recommendation of this report aligns with Council's 2019-2020 Operational Plan: specifically:

- 1.3.4 Continue implementation of local government road safety projects from the Road Safety Strategic Plan 2014-2018 1.3,
- 1.3.4.a Deliver road safety education and awareness programs under the joint Local Government Road Safety Strategic Plan,
- 1.3.4.b Implement the Road Safety Strategic Plan 2019-23.

p. Other Plans

The recommendation of this report aligns with the strategic directions of the Community Strategic Plan Cessnock 2027 and specifically:

- Objective 1.3 Promoting Safe Communities,
- 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.

IMPLICATIONS

q. Policy and Procedural Implications

The development, coordination, and implementation of a Council Road Safety Strategic Plan is prescribed by the Second Deed of Variation, RMS/Council Road Safety Officer Program Funding Agreement (clause 5.8) which was executed by Council on 18 April 2013.

Council's role in the Local Government Road Safety Program is to prepare a local road safety yearly Action Plan, develop and deliver local road safety projects, submit road safety project applications for grant funding, demonstrate financial and in-kind contributions to projects, and to evaluate and report on all road safety officer projects and activities. Council's Road Safety Officer (RSO) within the Traffic & Transport Team of the Infrastructure Unit is dedicated to fulfil this obligation.

Council's RSO reviewed and updated Council's existing Road Safety Strategic Plan 2014-2018 with Action Plan 2019-2020 addendum to include new A.B.S Census 2016 and current road safety crash data, as the existing Plan was developed using LGA demographic data derived from the A.B.S. Census 2012 and road safety crash data analysis relating to crash statistics for the period 2008-2012. National and State Road Safety Strategies have also evolved considerably in the intervening period. Similarly, road trauma trends and essential strategic responses have also been transformed under the influence of ever-changing trends and technological advances occurring during that period.

r. Financial Implications

Cost to Council: The costs associated with exhibiting the Draft Cessnock City Council Road Safety Strategic Plan will be funded from existing operational budgets.

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s. Legislative Implications

Implementation of a Road Safety Strategic Plan, which is intrinsically linked to the Delivery Program, would assist Council in complying with its obligations under section 404 of the *Local Government Act 1993*, which mandates that Council have a Delivery Program detailing the principal activities to be undertaken by the council to implement the strategies established by the Community Strategic Plan.

Similarly, implementation of a Road Safety Strategic Plan has implications for Council when exercising its functions under the *Roads Act 1993* as a "roads authority", as prescribed by Section 7 of the Act.

t. Risk Implications

Reputational Risk: There is a risk to Council reputation by failure to exhibit the Draft Cessnock City Council Road Safety Strategic Plan 2014-2018 will negate the community engagement process, and deny Council the opportunity of demonstrating to the community the means by which road safety is integrated into its mainstream business and preclude the opportunity for public comment on such an important area of public safety.

Council has committed to participating in the Local Government Road Safety Program, which adopts the Safe System approach, striving towards safe people, safe roads, safe speeds and safe vehicles.

u. Other Implications

Exhibition of the Draft Cessnock City Council Road Safety Strategic Plan 2020-2024 will raise the profile of road safety objectives within Council and amongst the broader community.

CONCLUSION

The development of the Draft Road Safety Strategic Plan 2020-2024 will provide a framework for addressing road safety across the City of Cessnock.

It is recommended that the Draft Cessnock City Council Road Safety Strategic Plan 2020-2024 be placed on public exhibition for a period of 28 days to seek comment and feedback prior to adoption by Council.

ENCLOSURES

- 1 [↓](#) Draft Cessnock City Council Road Safety Strategic Plan - Version 3 Low Resolution
- provided under Separate Cover

Placeholder for Enclosure 1

Works and Infrastructure No.

Draft Cessnock City Council Road Safety Strategic Plan
- Version 3 Low Resolution - provided under Separate
Cover

SUBJECT: ***ESTABLISHING A RURAL FIRE SERVICE BRIGADE IN THE COMMUNITY OF WESTON***

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

SUMMARY

This report is in response to a Notice of Motion (BN5/2020), which was considered by Council at its Ordinary meeting on 19 February 2020. The Motion relates to the establishment of a Rural Fire Service (RFS) Brigade in the Community of Weston.

RECOMMENDATION

1. That Council notes the NSW Rural Fire Service is not supportive of establishing a Brigade in Weston given the area is within a Fire and Rescue NSW Fire District.
2. That Council does not proceed with the acquisition of the recently vacated NSW Fire and Rescue property on Swanson Street, Weston.

BACKGROUND

At its Ordinary meeting on 19 February 2020 Council considered a Notice of Motion (BN5/2020) - Establishing a Rural Fire Station in the Community of Weston. In considering the Motion Council resolved as follows;

That the General Manager bring back a report and recommendations to Council as soon as possible outlining:

- A) *Council investigate whether the property at Swanson Street is suitable to the Rural Fire Service.*
- B) *Council investigate the acquisition of property from Property NSW located on Swanson Street Weston that is due to be vacated by NSW Fire and Rescue for the purpose of establishing a NSW Rural Fire Station at this current site.*
- C) *The costs and funding sources internal and external to establish a Rural Fire Station in Weston on the current site.*

This report provides relevant information for Council to consider, particularly with respect to Items 1 & 2 of the above resolution.

REPORT/PROPOSAL

Suitability of the Swanson Street Fire Brigade Building for Rural Fire Service Purposes

In response to the Council Resolution of 19 February 2020, Council's Director Works & Infrastructure met with the District Manager - Lower Hunter NSW RFS on 21 February 2020, to discuss the suitability of the Swanson Street building as an RFS station.

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The RFS District Manager advised at the meeting that a more relevant point was whether it is appropriate to set up a RFS Fire District within the boundaries of an existing Fire and Rescue NSW Fire District. This was later clarified in an email received from the District Manager on Monday 26 February 2020. An excerpt from the email is provided below;

As per conversation on Friday, The NSW RFS cannot take over a Fire and Rescue NSW (FRNSW) Fire District. Weston area still falls under FRNSW Fire District and therefore is in their care and control.

Fire Districts

In order to further clarify the position with regard to overlapping Fire Districts, the RFS District Manager provided the following excerpts from sections of the relevant Acts.

In the *Fire and Rescue NSW Act 1989 No 192*, a Fire and Rescue NSW Fire District is defined through the following;

Fire and Rescue NSW Act 1989 No 192

Part 1 Section 5

5 Fire districts

(1) In this section:

reserved area means land within a national park, historic site or state conservation area within the meaning of the [National Parks and Wildlife Act 1974](#) or any other land reserved or dedicated under that Act.

(2) The Governor may, by order published in the Gazette, constitute an area as a fire district, the area so constituted being described by reference to a local government area or reserved area or in any other manner.

Editorial note.

For orders constituting fire districts, see the Historical notes at the end of this Act.

(3) An area constituted as a fire district must not include any area that is within neither a local government area nor a reserved area.

(4) A reference in an order under this section to a local government area or a reserved area is to be construed as a reference to that area with boundaries as at the date of publication of the order in the Gazette.

In the *Rural Fires Act 1997 No 65*, a Rural Fire District is defined through the following;

Rural Fires Act 1997 No 65

Part 1 Section 6

6 Rural fire districts

(1) A rural fire district is constituted by this section for the area of each local authority, with boundaries of the district being the same as the boundaries of the area as at the date of commencement of this section.

Note.

The Dictionary defines area of a local authority. The area of a council is land within the local government area of the council. The area of the person appointed under section 7A is that part of the Western Division that is not within the local government area of a council. The area of the Lord Howe Island Board is Lord Howe Island.

(2) A rural fire district is not constituted by this section for, and does not include, any land within an area that is within a fire district.

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Note.

A fire district means land within a fire district constituted under the [Fire and Rescue NSW Act 1989](#).

(3) If the boundaries of the area of a local authority for which a rural fire district is constituted by this section change after the commencement of this section, the boundaries of the rural fire district change so as to correspond to the boundaries of the area.

(4) If the whole of the area of a local authority for which a rural fire district is constituted by this section is dissolved after the commencement of this section, the rural fire district is dissolved.

(5) If part of the area of a local authority for which a rural fire district is constituted is dissolved after the commencement of this section, the rural fire district constituted for the area is taken to have been constituted for the remaining part of the area

As detailed above, in *Section 6 (3) of the Rural Fires Act 1997 No 65*, it is not standard practice to set up a Rural Fire Brigade (RFB) within a Fire and Rescue NSW Fire District, as a RFB cannot be formed without a corresponding Rural Fire District.

It is noted that the current Rural Fire Districts in the immediate area of Weston are serviced by existing Rural Fire Brigades.

In light of the advice received from NSW RFS in relation to establishing a Brigade in Weston, it is recommended that Council does not proceed with the acquisition of the recently vacated NSW Fire and Rescue property on Swanson Street, Weston.

OPTIONS

Nil

CONSULTATION

NSW Rural Fire Service
Fire and Rescue NSW

STRATEGIC LINKS

a. Delivery Program

The report generally aligns with the following Objectives within the adopted Delivery Program 2017-21;

Objective 1.3
Promoting safe communities

Objective 3.1
Protecting and enhancing the natural environment and the rural character of the area.

Objective 5.2
Encouraging more community participation in decision making.

b. Other Plans

Nil

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IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Nil

c. Legislative Implications

The Acts relating to the decision of NSW RFS not to support the establishment of a RFS Brigade in Weston are;

- *Rural Fires Act 1997 No 65 and,*
- *Fire and Rescue NSW Act 1989 No 192*

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Nil

CONCLUSION

The District Manager Lower Hunter NSW RFS has advised that the Weston area falls under a Fire and Rescue NSW Fire District and under relevant legislation NSW RFS cannot take over this Fire District.

ENCLOSURES

There are no enclosures for this report

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Report No. WI30/2020

Works and Infrastructure



SUBJECT: ***NSW OFFICE OF SPORT - FUTURE NEEDS OF SPORT INFRASTRUCTURE STUDY***

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

SUMMARY

Council has been asked to participate in a Future Needs of Sport Infrastructure Study coordinated by the NSW Office of Sport.

The purpose of this report is to recommend that Council participate in the study and outline Council's priority unfunded projects in regards to active sport and recreation.

RECOMMENDATION

- 1. That Council endorse the active sport and recreation priorities for the Cessnock Local Government Area as identified in Enclosure 1.**
- 2. That the NSW Office of Sport be advised in writing of these priorities in line with the requirements of the Future Needs of Sport Infrastructure Study.**

BACKGROUND

The NSW Office of Sport has invited Council to participate in the Future Needs of Sport Infrastructure Study (FNOSIS). The FNOSIS is a research project that helps inform planning and investment for community sport and recreation infrastructure across NSW.

The data that will be provided is critical to the NSW Office of Sport in identifying priorities for future investment and will also play an important role in the development and implementation of strategic plans (regional and state).

The study was last completed in 2017 and has been vital in providing an evidence base for future funding. This includes \$300 million across the Regional Sports Infrastructure Fund, Stronger Country Communities Fund and the Greater Sydney Sports Facilities Fund. The NSW Office of Sport has also utilised the results of the study when assessing grant applications made to the Office of Sport and other government agencies.

REPORT/PROPOSAL

As part of the FNOSIS the NSW Office of Sport are seeking up to 20 sport and active recreation facility priorities for the Cessnock Local Government Area. For the purposes of the study, a priority is defined as a project that Council deems as being important but is not yet funded.

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A proposed list of priority projects for Council to consider is provided in Enclosure 1. This list of projects has been sourced from Council's adopted Recreation and Open Space Strategic Plan 2019, along with adopted Masterplans, Plans of Management and other Strategies. There has also been an attempt to identify priority projects throughout Council's four planning areas, being Cessnock, Kurri Kurri, Branxton Greta and the Rural West.

An additional item to note is that ranking projects for the FNOSIS is optional. Officers recommend that ranking not be provided due to the diverse nature of the listed projects and the competing grant funds for which the projects may be eligible. Officers believe there could be more opportunities for diverse funding streams if projects are not ranked.

Outlined below in Table 1 is a summary of the recommended projects:

Table 1 Cessnock Local Government Area priority active sport and recreation projects.

Location	Project
Cessnock Pool (Cessnock)	Installation of splashpads
Mount View Park (Cessnock)	Construction of regional skatepark
Baddeley Park (Cessnock)	Installation of floodlighting on cricket/football fields
Birralelee Oval (Kurri Kurri)	Construction of new amenity building
Greta Central Oval (Greta)	Installation of floodlighting on cricket/football field
Kurri Kurri Central Oval (Kurri Kurri)	Installation of floodlighting on main cricket oval
Weston Bears Park (Weston)	Installation of synthetic surface on main football field
Carmichael Park (Bellbird)	Upgrade to BMX track and installation of multipurpose court
Jeffries Park (Abermain)	Construction of skate dot/local skatepark
Richmond Vale Rail Trail (Pelaw Main)	Construct the Richmond Vale Rail Trail
Greta Central Oval (Greta)	Replace existing amenity building
Paxton Park (Paxton)	Installation of a multipurpose court
Cessnock Netball Courts (Cessnock)	Resurfacing of courts and upgrade to floodlighting
Crawfordville Park (Millfield)	Construct new amenities for sporting field
Miller Park (Branxton)	Construction of 2 additional netball and tennis courts as well as a multipurpose court
Turner Park (Cessnock)	Construction of new amenity building and seating
Wollombi Recreation Reserve (Wollombi)	Construction of equestrian sand based arena
Kurri Kurri Central Oval (Kurri Kurri)	Upgrade to existing grandstand
Mount View Park (Cessnock)	New covered amenity building and seating
Cessnock Civic Indoor Sports (Cessnock)	Extension of facility – provision of 2 additional courts

OPTIONS

Nil

CONSULTATION

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- Manager Open Space and Community Facilities
- Recreation and Community Facilities Planner
- Asset Engineering Officer (Buildings)
- Vegetation and Civic Spaces Coordinator
- Recreation and Community Facilities Coordinator
- Parks and Reserves Coordinator
- Building Projects Coordinator
- Building Maintenance Coordinator

STRATEGIC LINKS

a. Delivery Program

Objective 3.2 Better utilisation of existing open space particularly:-

3.2.1 Implement the Recreation & Open Space Strategic Plan 2018.

3.2.3 Continue to implement the adopted masterplans for Council's recreation and community facilities and spaces.

3.2.4 Provide and maintain recreation facilities, streetscapes and public open space

b. Other Plans

- Hunter Regional Plan 2036
- Greater Newcastle Metropolitan Plan 2036
- Recreation and Open Space Strategic Plan (2019)
- Draft Masterplans for Weston Park, Carmichael Park and Baddeley Park (2020)
- Greta Central Oval Masterplan (2019)
- Miller Park Masterplan (2018)
- Turner Park Masterplan (2018)
- Mount View Park Masterplan (2018)
- Skate and BMX Needs Analysis (2020)
- Plan of Management for Crawfordville Park (2010)

IMPLICATIONS

c. Policy and Procedural Implications

Nil

d. Financial Implications

As per the parameters of this study, the priorities identified within Enclosure 1 are unfunded. There is not expected to be a financial impact on Council in participating in the study.

e. Legislative Implications

Nil

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f. Risk Implications

Should Council not participate in the study there may be missed opportunities in regards to grant funding from the NSW Government. Having Council's projects known and familiar to the grant funding bodies may result in a positive outcome for Council when lodging submissions.

g. Environmental Implications

Nil

h. Other Implications

Participation in the FNOSIS will raise priority unfunded projects for Council and may assist in grant opportunities for the continued implementation of Council's adopted Masterplans and other Strategies. This will positively impact user groups and stakeholders who utilise Council's sporting and recreation facilities on a daily basis.

CONCLUSION

Participation in this study across NSW will further raise the profile of Council's unfunded projects and hopefully lead to more success when applying for sport and recreation grants.

ENCLOSURES

[1](#) ↓ Enclosure 1 - Cessnock LGA Facility Priorities

Organisation:	Cessnock City
Government Region:	Hunter
District:	N/A
Contact Details:	
First Name:	Kate
Last Name:	Harris
Role:	Principal Recreation & Community Facilities Planner
Phone:	(02) 4993 4238
Mobile:	0439 454 250
Email:	kate.harris@cessnock.nsw.gov.au

In submitting this form, you acknowledge that the office of sport may provide the information to third parties such as other government agencies, sporting bodies and engaged consultants. We also may place information on our website (excluding the priority and estimated project costs). If you do not wish this information to be shared, please let us know.

Priority	Facility name	Street number	Street name	Suburb	Postcode	Project name	New or upgrade	Facility Type	Short description (up to 300 characters) include 'why' project is needed	Total project cost	Origin of cost	Origin of cost, if Other (max 35 chars)	Has this project received Council approval?	If yes, please provide Council report number and date. Or list what Council approved public document/strategy
Not Ranked (NR)	Cessnock Pool	232	Wollombi Road	Cessnock	2325	Installation of Splashpad	Upgrade - existing	Aquatic / Swimming Pool	The project includes the installation of a splash pad at Cessnock Pool incorporating slides, fountains, tipping buckets, soft fall, shade and associated plant and equipment. The project is needed to continue to provide for youth in Cessnock and improve aquatic opportunities within a dated facility	\$994,200	Quote	N/A	Yes - Council resolution	W185/2019 - 20 November 2019
Not Ranked (NR)	Mount View Park	197	Mount View Road	Cessnock	2325	Construction of Regional Skatepark	Upgrade - existing	Other	Construction of a regional skatepark incorporating concrete flow style bowl, street style course, seating, ledges, viewing deck, advanced stock trees, pathways, carparking, lighting, drainage, picnic facilities including drinking fountain, shade and shelters. This is a much needed youth space	\$1,614,539	Quote	N/A	Yes - Council resolution	W120/2018 - 21 March 2018
Not Ranked (NR)	Baddeley Park	276	Vincent Street	Cessnock	2325	Installation of floodlighting	Upgrade - existing	Lighting	The project involves the provision of floodlighting to a minimum of 100 lux to allow for night training and competition (football, cricket). Floodlighting is currently limited at the site and not meeting the needs of growing sporting clubs.	\$1,304,900	Quote	N/A	Yes - Council resolution	Greater Newcastle Metropolitan Plan 2036, Draft Baddeley Park Masterplan (2020)
Not Ranked (NR)	Birrilee Oval	10	Grieve Street	Kurri Kurri	2327	Construction of a new amenity building	Upgrade - existing	Amenities	The project involves replacing the existing amenities which are in poor condition and not currently meeting the needs of players and spectators	\$1,000,000	Estimate based on similar projects	N/A	Yes - Council resolution	W142/2019 - 17 July 2019

Not Ranked (NR)	Greta Central Oval	31	Park Street	Greta	2334	Installation of floodlighting	Upgrade - existing	Lighting	The project involves the provision of floodlighting on the No 2 field to allow for training and competition (rugby league, cricket, touch football). This field is not currently floodlit and not meeting the needs of user groups.	\$350,000	Quote	N/A	Yes - Council resolution	W164/2019 - 2 October 2019
Not Ranked (NR)	Kurri Kurri Central Oval	15	Allworth Street	Kurri Kurri	2327	Installation of floodlighting	Upgrade - existing	Lighting	The project involves lighting the cricket oval to 500 lux to allow night training and competition	\$654,885	Quote	N/A	Yes - Council resolution	QS84/2011 - 2 November 2011
Not Ranked (NR)	Weston Bears Park	3	Government Road	Weston	2326	Installation of synthetic surface	Upgrade - existing	Field - synthetic	Conversion of the main field from turf to synthetic is identified within the draft Masterplan for Weston Bears Park. The volume and quality of players support the installation of this surface	\$839,538	Other	Opinion of Probable Cost	Yes - Council resolution	Recreation and Open Space Strategic Plan 2019, Draft Weston Bears Park Masterplan (2020)
Not Ranked (NR)	Carmichael Park	32	Sparke Street	Bellbird	2325	Upgrade to Youth Facilities	Upgrade - existing	Other	The project involves an upgrade to the BMX track, installation of a multipurpose court and supporting infrastructure. The existing BMX track is the only BMX track in the LGA and is currently in poor condition. Its upgrade is identified within the draft Carmichael Park Masterplan	\$488,600	Other	Opinion of Probable Cost	Yes - Council resolution	Recreation and Open Space Strategic Plan (2019), Draft Carmichael Park Masterplan (2020)
Not Ranked (NR)	Jeffries Park	320	Cessnock Road	Abermain		Construction of skate dots/local skatepark	Upgrade - existing	Other	The project involves construction of skate park dots and additional skate infrastructure at Jeffries Park. Demand for youth facilities in Abermain is identified within the Skate & BMX Needs Assessment 2020. The project is needed as there are minimal youth recreation facilities in this catchment	\$350,000	Estimate based on similar projects	Origin of Cost (if Other)	Yes - Council resolution	QS19/2011 - 4 May 2011
Not Ranked (NR)	Richmond Vale Rail Trail	N/A	Former Richmond Vale Railway	Pelaw main to Shortland	2327	Construct the Richmond Vale Rail Trail	New	Other	The Richmond Vale Rail Trail (RVRT) is a proposed 32k shared pathway along the former Richmond Vale Railway between Kurri and Shortland. The proposed pathway crosses 3 Local Government areas being Cessnock, Lake Macquarie and Newcastle with three Council's supporting and partnering in the Project.	\$38,410,858	Quote	N/A	Yes - Council resolution	Hunter Regional Plan 2036, Delivery Program 2017-2021

Not Ranked (NR)	Greta Central Oval	31	Park Street	Greta	2334	Replace existing amenity building	Upgrade - existing	Amenities	Replace the existing amenity building that is in poor condition and not meeting the needs of users.	\$2,000,000	Quote	N/A	Yes - Council resolution	W164/2019 - 2 October 2019
Not Ranked (NR)	Paxton Park	46	McDonald Avenue	Paxton	2325	Multipurpose Court	Upgrade - existing	Courts - outdoor	Upgrading Paxton Park to a District Park incorporating a multipurpose court.	\$200,000	Quote	N/A	Yes - Council resolution	In line with strategic directions within the Recreation and Open Space Strategic Plan
Not Ranked (NR)	Cessnock Netball Courts	23	Vernon Street	Cessnock	2325	Resurfacing of courts and upgrade to floodlighting	Upgrade - existing	Courts - outdoor	Resurfacing the 12 netball courts. This is Council's regional netball facility, and the existing courts are in poor condition	\$1,000,000	Estimate based on similar projects	N/A	Yes - Council resolution	In line with strategic directions of the Recreation and Open Space Strategic Plan
Not Ranked (NR)	Crawfordville Park	42	Bennett Street	Millfield	2325	Provide new amenities	Upgrade - existing	Amenities	The project involves replacing the existing storage containers servicing the sporting fields with an amenities building (particularly storage and changerooms)	\$350,000	Estimate based on similar projects	N/A	Yes - Council resolution	QS80/2010 - 6 October 2010
Not Ranked (NR)	Miller Park	8	Branxton Street	East Branxton	2335	Court Upgrade	Upgrade - existing	Courts - outdoor	The project involves the provision of 2 additional netball and tennis courts as well as a multipurpose court. Demand for these facilities is growing with existing provision insufficient	\$800,000	Estimate based on similar projects	N/A	Yes - Council resolution	W140/2018 - 6 June 2018
Not Ranked (NR)	Turner Park	49A	Aberdare Road	Cessnock	2325	Construction of new amenity building and seating	Upgrade - existing	Amenities	The project is in line with the adopted Masterplan for Turner Park 2018. The existing amenities are dated, not in a central location and not currently meeting the needs of users.	\$1,500,000	Estimate based on similar projects	N/A	Yes - Council resolution	W120/2018 - 21 March 2018
Not Ranked (NR)	Wollombi Recreation Reserve	66	Christina Street	Wollombi	2325	Construction of equestrian sand based arena	Upgrade - existing	Other	Wollombi Recreation Reserve is the only formal horse sports facility serving the Millfield, Ellalong, Wollombi catchment. The equestrian facility will provide diversity in horse offerings to the local community.	\$200,000	Estimate based on similar projects	N/A	No	In line with strategic directions of the Recreation & Open Space Strategic Plan 2019
Not Ranked (NR)	Kurri Kurri Central Oval	15	Allworth Street	Kurri Kurri	2327	Upgrade to existing grandstand	Upgrade - existing	Amenities	Upgrade existing grandstand to cater for additional users and ensure this regional facility is DDA compliant.	\$1,000,000	Estimate based on similar projects	N/A	Yes - Council resolution	QS84/2011 - 2 November 2011

Not Ranked (NR)	Cessnock Aquatics Facility	49A	Aberdare Road	Cessnock	2325	Construction of new aquatics facility	New	Aquatic / Swimming Pool	Relocating Cessnock Pool to Turner Park to meet the needs of the current and future population. Works to include a 51m outdoor pool and associated amenities, an indoor 25m pool, program pool, leisure pool and Learn to Swim Pool.	\$20,000,000	Quote	N/A	Yes - Council resolution	W118/2018 - 7 March 2018
Not Ranked (NR)	Mount View Park	197	Mount View Road	Cessnock	2325	New covered amenity and seating	Upgrade - existing	Amenities	New roofed seating and amenity block located on top of embankment slope to provide facilities and storage to the eastern area of the site.	\$1,500,000	Quote	N/A	Yes - Council resolution	W120/2018 - 21 March 2018
Not Ranked (NR)	Cessnock Civic Indoor Sports Centre	105	Mount View Road	Cessnock	2325	Additional Courts	Upgrade - existing	Courts - outdoor	Extension of existing centre to incorporate 2 additional sports courts	\$2,742,689	Quantity Surveyor	N/A	Yes - Council resolution	In line with strategic directions within the Recreation and Open Space Strategic Plan

Works and Infrastructure

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SUBJECT: *O'CONNORS ROAD, NULKABA - SCHOOL ZONE SAFETY*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

SUMMARY

This report provides the findings of the investigation into road safety around Nulkaba Public School, particularly during operation of Schools Zones.

RECOMMENDATION

That Council lists the previously adopted road safety and parking treatments within the Nulkaba Public School precinct for inclusion in the Operational Plan 2020-21 funded in the amount of \$53,500 from Council's annual Traffic Facilities Block Grant.

BACKGROUND

At its Ordinary Meeting of 20 June 2018, Council resolved inter-alia through Report WI44/2018:

6. *TC22/2018 - That regulatory parking, line marking and a Children's Crossing be installed on O'Connors Road, Rothbury Street, Branxton Street, and Ivanhoe Street, Nulkaba, in accordance with the enclosed diagrams.*

That Council Officers consult with the occupier of 7 – 9 Ivanhoe Street, Nulkaba to cause the removal of the obstructions and encroachments outside those premises from the public road and reclaim the footpath for use by pedestrians.

At its Ordinary Meeting of 11 December 2019, Council resolved through Report BN32/2019:

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.

This report details the findings of the investigation into road safety and parking infrastructure within the Nulkaba Public School precinct, and the treatments previously recommended by the Local Traffic Committee (LTC) and subsequently adopted by Council as recorded above.

REPORT/PROPOSAL

Traffic & Parking Issues

In response to representations from residents and the school community expressing concerns about pedestrian safety and poor parking discipline in O'Connors Road, Rothbury Street, Branxton Street and Ivanhoe Street Nulkaba, in the immediate vicinity of the Nulkaba Public School, Council officers investigated the matters and consulted stakeholders, including site

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meetings with the school community and the Department of Education representatives about road safety issues at the school.

The issues stemmed from, increased traffic, compliance with road rules, and the road environment.

In response Council Rangers have continued with regular patrols of the school zone to enforce the road rules in relation to parking, and to raise awareness and educate drivers and pedestrians of their responsibilities when using the road.

One of the issues identified in the school zone was encroachment by the neighbouring preschool's parking infrastructure and gardens into the road reserve of Rothbury Street.

Concept Design

A Concept Design for the proposed improvements in the road environment was prepared as shown in **Enclosure 1**.

Local Traffic Committee

The proposed improvements and recommended treatments, including regulatory line marking and signage, were reported to the LTC Meeting of 21 May 2018.

Details of the road safety investigation, consultation and proposed regulatory treatments to address the issues were set out in the report to the Committee entitled Nulkaba School Childrens Crossing & Regulatory Parking (**Enclosure 1**).

Council

The recommendation of LTC was reported to, and adopted by Council on 11 December 2019.

The resolution approved the installation of the regulatory traffic treatments including enforceable line marking and signs, however approval for traffic treatments does not extend to funding for the recommended improvements.

Concept Cost Estimate

The Concept Cost Estimate for improvement works is \$53,500 as shown in **Table 1** below.

Table 1 - Nulkaba - School Zone – Concept Cost Estimate

Description	Construction	Contingency	Estimate
Survey and design	\$5,000.00	\$1,000.00	\$6,000.00
Removal of existing pedestrian refuge island and install kerb blister with kerb ramps	\$22,500.00	\$4,500.00	\$27,000.00
Signs and line markings	\$17,000.00	\$3,500.00	\$20,500.00
TOTAL	\$44,500.00	\$9,000.00	\$53,500.00

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Potential Funding

The Concept Cost Estimate of the proposed works may be funded from Council's Traffic Facilities Block Grant, provided annually by Transport for New South Wales for the purpose of installing and maintaining traffic facilities on local and regional roads.

OPTIONS

Council may consider other high priority works ahead of this proposed school zone improvement.

Council may allocate funds from alternative sources.

CONSULTATION

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

- Principal Engineer - Traffic & Transport, Infrastructure;
- Principal Engineer – Design & Project Management, Infrastructure;
- Traffic Engineering Officer, Infrastructure;
- Design Engineer, Infrastructure;
- Senior Infrastructure Contributions Planner Health & Building;
- Maintenance Coordinator, Works & Operations, and
- Rangers, Health & Building.

Council officers have had continuing consultation, including site meetings, with the school community and the Department of Education about road safety issues at the school.

External Consultation: External consultation on this matter has occurred as follows:

- School Principal, Nulkaba Public School;
- School community (via the Principal in school newsletter and website);
- Work Health and Safety Consultant, Department of Education;
- Asset Management Unit, Department of Education;
- Work Health & Safety Manager, Rover Coaches;
- Roads & Maritime Services; and
- Business Operations Manager, Nulkaba Preschool

The issue of encroachment by the neighbouring preschool's parking infrastructure and gardens into the road reserve of Rothbury Street has been raised with management of the preschool, whom are understanding of the issue and are willing to work cooperatively with Council to achieve an unobstructed nature strip and footpath area for use by pedestrians.

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STRATEGIC LINKS

a. Delivery Program

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

- 1.3 Promoting Safe Communities – Our roads are safe for motorists and pedestrians
- 1.3.5 Improve the safety of the road network
- 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.
- 4.2 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:

- 1.3 Promoting safe communities - Our roads are safe for motorists and pedestrians.
- 4.0 Accessible infrastructure, services and facilities:
- 4.1 better transport links
- 4.2 Improving the road network
 - We have a quality road network.
 - We have managed the traffic impact of the Hunter Expressway on local communities.

Operational Plan 2019-20: The recommendation of this report aligns with the following objectives:

- 1.3: Promoting Safe Communities
- 1.3.5 Improve the safety of the road network
- 4.1: Better transport links
- 4.1.1: Advocate for increased road, public and community transport and associated infrastructure funding.
- 4.1.2 Commence implementation of the Traffic & Transport Strategy.
- 4.1.3 Commence implementation of the Pedestrian Access & Mobility Plan.
- 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.

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Cessnock City Council - Road Safety Strategic Plan (2014 - 2018) incorporating Road Safety Action Plan 2019-20: The recommendation of this report aligns with the following objectives:

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

- 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.
- 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.
- 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

Installation of the proposed treatments aligns with Council's operational strategy of prioritising road safety works where vulnerable road users are frequent, including school zones.

b. Financial Implications

The Concept Cost Estimate of the proposed works is approximately \$53,500. This cost may be funded from Council's Traffic Facilities Block Grant, provided annually by Transport for New South Wales for the purpose of installing and maintaining traffic facilities on local and regional roads.

The approved treatments are not currently funded or programmed in the Operational Plan 2019-20 but have been flagged for inclusion in the Operational Plan 2020-21.

Any costs arising from the removal of the obstructions and encroachments outside 7 – 9 Ivanhoe Street, Nulkaba, should be met by the owner / occupier of those commercial premises.

c. Legislative Implications

Road Rules 2014:

- Part 8 – Traffic Signs & Road Markings;
- Part 11 – Other Driving Rules;
- Part 12 – Restrictions on Stopping & Parking; and
- Part 14 – Rules for Pedestrians.

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Roads Act 1993:

- Section 7 – The council of a local government area is a roads authority;
- Section 71 – Powers of roads authority with respect to road work;
- Section 107 – Removal of obstruction or encroachment on public roads; and
- Section 145 – Roads authorities own public roads.

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 non-feasance protection for roads authorities; and
- Section 46 - Exercise of function or decision to exercise does not create duty.

d. Risk Implications

A number of risks are present as outlined below;

Safety Risk: There is a safety risk to Council workers and the travelling public when undertaking road works. Constructing a road under live traffic introduces several risks which exposes the work crew to several dynamic hazards which will be eliminated through effective traffic control measures. The proposed works would be carried out under an approved Traffic Control Plan, in accordance with the Transport for NSW Traffic Control at Work Sites Manual.

Financial Risk: There is a financial risk to Council in the event of a serious crash involving pedestrian casualties, having identified the need, should the proposed pedestrian and parking treatments not be installed, Council may be liable for damages, should successful personal injury litigation ensue.

Reputational Risk: Council may face reputational risk in the event of a serious crash involving pedestrian casualties if the proposed pedestrian and parking treatments are not installed.

e. Environmental Implications

The works will maintain existing drainage paths and will require minimal pruning of trees on the nature strip to provide for unfettered pedestrian access.

f. Other Implications

Nil

CONCLUSION

Children are the most vulnerable of road users and having considered the realistic options to alleviate genuine road safety concerns in the School Zone of Nulkaba Public School it is considered appropriate that, the treatments recommended by the LTC at its meeting of 21 May 2018 and as resolved by Council at its Ordinary Meeting of 20 June 2018 be applied, as a component of the Operational Plan 2020-21.

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The proposed treatments would provide immediate road safety and amenity benefits as well as improve capacity in light of expected regional population growth.

ENCLOSURES

- [1](#) LTC Report of 21 May 2018 - Nulkaba School Childrens Crossing & Regulatory Parking

Report To Traffic Committee - 21 May 2018

Listed Matters

Report No. TC22/2018

Works and Infrastructure



SUBJECT: O'CONNORS ROAD AND IVANHOE, ROTHBURY &
BRANXTON STREETS, NULKABA
CHILDRENS CROSSING & REGULATORY PARKING

RESPONSIBLE OFFICER: Roads Officer - Nathan Goodbun

REFERENCE:**RECOMMENDATION**

That regulatory parking, line marking and a Children's Crossing be installed on O'Connors Road, Rothbury Street, Branxton Street, and Ivanhoe Street, Nulkaba, in accordance with the enclosed diagrams.

That Council Officers consult with the occupier of 7 – 9 Ivanhoe Street, Nulkaba to cause the removal of the obstructions and encroachments outside those premises from the public road and reclaim the footpath for use by pedestrians.

MATTER: Residents and the school community have expressed concern regarding pedestrian safety and poor parking discipline in O'Connors Road, Rothbury Street, Branxton Street and Ivanhoe Street Nulkaba, in the immediate vicinity of the Nulkaba Public School.

COMMENT: The road environment at the location is:

O'Connors Road:

- Two lane, two way road with kerb and gutter;
- Centre and edge line marking;
- 60° angle parking opposite the school entrance;
- A disabled parking space adjacent the school entry;
- Posted 50km/h speed limit, with a 40km/h School Zone in operation on school days, during posted times; and
- A pedestrian refuge adjacent the school entrance.

The imminent expansion of the school will result in increased use of this access point. The proposed Children's Crossing will service this new development. The proposed NO PARKING areas will provide a kiss and drop area immediately adjacent the Children's Crossing, to service this school entry.

Rothbury Street:

- Two lane, two way road with unformed shoulders;
- No line marking; and
- Posted 50km/h speed limit, with a 40km/h School Zone in operation on school days, during posted times.

Information from Council Rangers, complaints from residents and the school community, confirmed by observations by Council officers show poor parking discipline in Rothbury Street, particularly at the intersections of O'Connors Road and Ivanhoe Street, with illegally parked vehicles creating a pinch point with insufficient road width to allow vehicles to pass safely and a lack of pedestrian amenity, forcing pedestrians onto the carriageway.

Branxton Street:

Report To Traffic Committee - 21 May 2018

Listed Matters

Report No. TC22/2018

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- Two lane, two way road with kerb and gutter;
- Centre and edge line marking;
- A school bus stop;
- Posted 50km/h speed limit, with a 40km/h School Zone in operation on school days, during posted times;
- Kerb extensions on its intersections with O'Connors Road and Ivanhoe Street, and
- A Children's Crossing.

Ivanhoe Street:

- Two lane, two way road with unsealed shoulders;
- No line line marking;
- Posted 50km/h speed limit, with a 40km/h School Zone in operation on school days, during posted times.

As with Rothbury Street, information from Council Rangers, complaints from residents and the school community, confirmed by observations by Council officers show poor parking discipline in Ivanhoe Street, particularly at the intersection of Branxton Street, with illegally parked vehicles creating a pinch point, with insufficient road width to allow vehicles to pass safely and a lack of pedestrian amenity.

This is exacerbated by the presence of a child care centre opposite the school, with a semi-formed unapproved 90° angle parking area, gardens and signage in the road reserve, adjacent the centres entry driveway, in the area that would otherwise be nature strip and footpath.

Under Section 107 of the *Roads Act 1993*, a roads authority may direct any person who causes an obstruction or encroachment on a public road, or the owner of any land that is used, or is able to be used, in connection with an obstruction or encroachment on a public road, to remove the obstruction or encroachment.

Reinstatement of the unobstructed nature strip and footpath area for use by pedestrians is important to improve safety for children walking in the area.

PROPOSAL: To install regulatory controls as shown in the enclosed diagram in compliance with applicable standards, guidelines, and technical directions, as follows:

O'Connors Road:

- Remove existing pedestrian refuge, and install a Children's Crossing, including kerb extensions on the south side of O'Connors Road;
- Install a disabled parking space on the south side of O'Connors Road, west of the children's crossing;
- Install NO PARKING 8am – 9:30am & 2:30pm to 4pm SCHOOL DAYS on the south side of O'Connors Road, east of the children's crossing, to provide a kiss and drop area of 21m;
- Install NO STOPPING signs across two residential driveways on the north side of O'Connors Road; and
- Install 1 hour parking 8am – 9:30am & 2:30pm to 4pm SCHOOL DAYS, on the north side of O'Connors Road.

Rothbury Street:

- Install NO STOPPING signs on all corners of the intersection with O'Connors Road.

Report To Traffic Committee - 21 May 2018

Listed Matters

Report No. TC22/2018

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Branxton Street:

- Install NO STOPPING signs on all corners of the intersection with Ivanhoe Street.

Ivanhoe Street:

- Install NO STOPPING signs on all corners of the intersection with Rothbury Street.

CONSULTATION: Consultation has occurred with:

- Department of Education personnel;
- school Principal, and
- LTC members during inspection on 14 May 2018.

PRIORITY: Installation of the proposed treatments is considered a high priority as it relates to the safety of vulnerable road users.

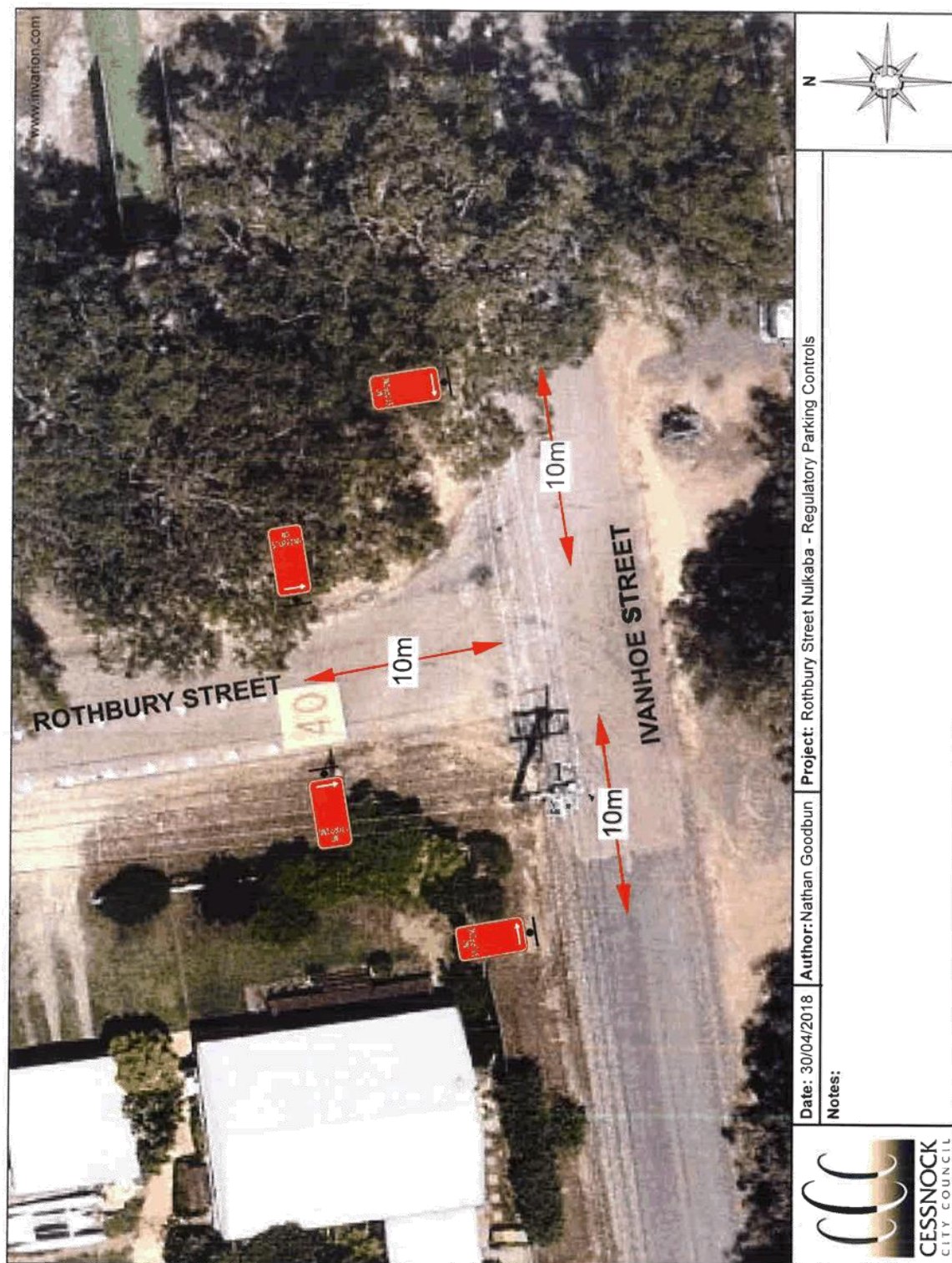
FINANCIAL: The proposal is to be funded by Council's Traffic Facilities Block Grant.

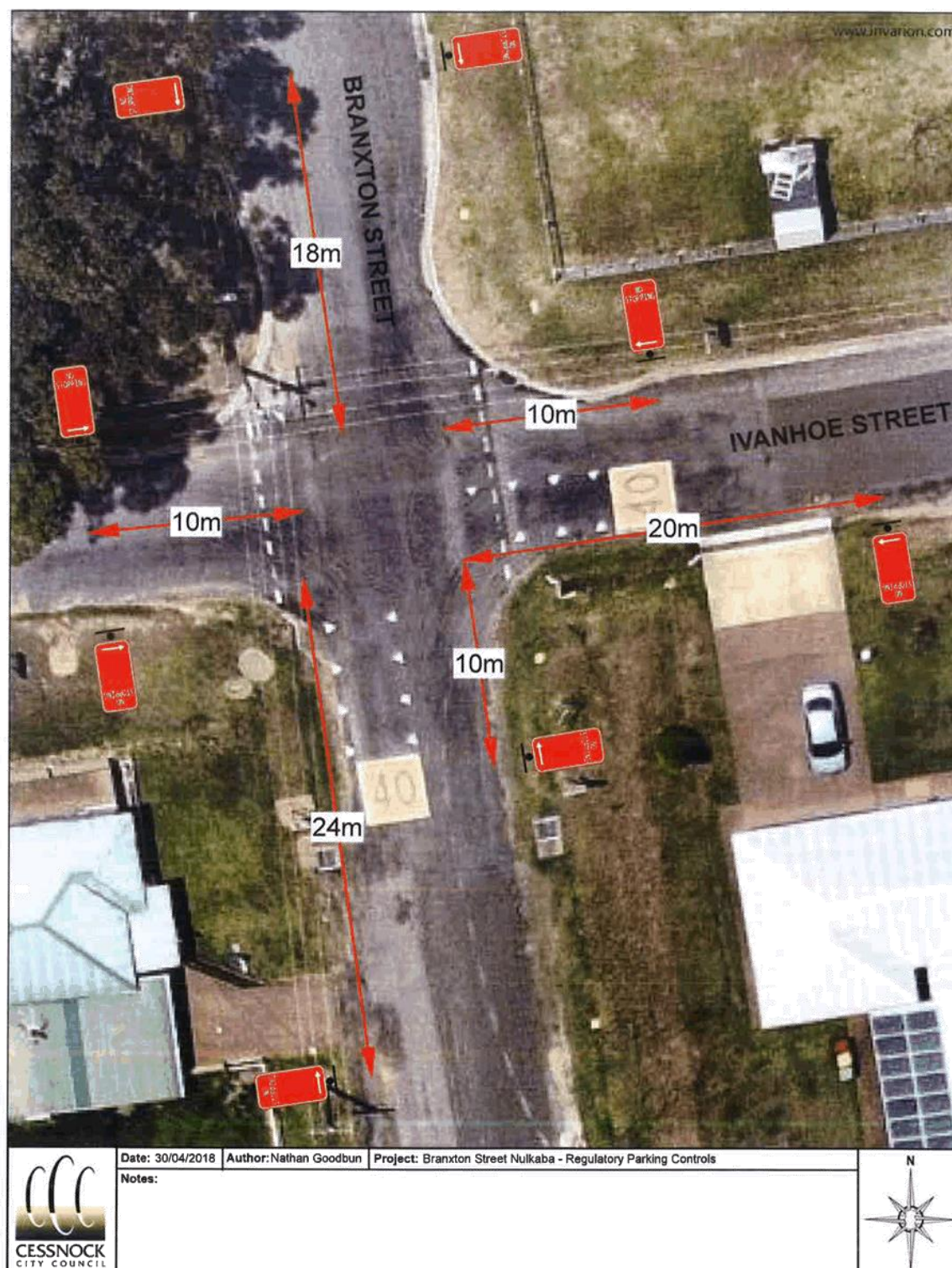
Any costs arising from the removal of the obstructions and encroachments outside 7 – 9 Ivanhoe Street, Nulkaba, should be met by the owner / occupier of those premises.

ENCLOSURES

- 1 O'Connors Road Nulkaba _ Childrens Crossing & Parking Diagram
- 2 Rothbury Street Nulkaba _ Regulatory Parking Diagram
- 3 Branxton Street Nulkaba _ Regulatory Parking Diagram







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SUBJECT: *CESSNOCK CBD - STREET PARKING AUDIT*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

SUMMARY

This report details the findings of an audit of parking in the Cessnock CBD.

RECOMMENDATION

1. That Council notes the findings of the Cessnock CBD On-Street Parking Audit.
2. That Council notes that on-street parking capacity in the Cessnock CBD meets the current demand.
3. That Council retains the existing Multi-Use Zones and Special Purpose Zones within the Cessnock CBD.

BACKGROUND

At its Ordinary Meeting of 21 August 2019, Council considered a Notice of Motion (BN22/2019) and resolved inter-alia the following:

That the General Manager undertake an audit of Cessnock CBD street parking to identify any possible multiple use of zones to increase the number of parking spaces available.

An audit of parking capacity and utilisation within the Cessnock CBD has been undertaken. This report details the findings of the audit, and provides an appraisal of multiple use parking zones.

REPORT/PROPOSAL

THE AUDIT

Audit Area

The Audit considered the Cessnock CBD, as defined in the Cessnock LGA Traffic & Transport Strategy 2018, to be the area bounded by:

- Wollombi Road,
- Cumberland Street,
- Aberdare Road,
- Snape Street,
- South Avenue,
- Darwin Street,
- North Avenue, and
- Black Creek.

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The Audit Area is shown on the attached Cessnock CBD – Audit Area Map at **Enclosure 1**.

Audit Scope

In order to provide a quantitative analysis of the parking situation within the Cessnock CBD the audit considered the following factors:

- Number of:
 - on-street parking spaces;
 - on-street special parking spaces (taxi, bus and loading zones, mobility parking spaces and coach parking);
 - off-street parking spaces provided by council, and
 - off-street parking spaces provided by private operators.
- Occupancy of:
 - on-street parking spaces, and
 - off-street parking spaces.
- Usage of:
 - bus zones, and
 - taxi zones.

Audit Methodology

The Audit was performed by Council officers utilising data already on hand, satellite mapping systems and general on-site observations. The opportunity was also taken to include off-street parking areas provided by both Council and private operators, to obtain a complete picture of parking capacity and utilisation in the Cessnock CBD.

It is important to note that the above methodology is a high level desk top audit. A more comprehensive parking Audit is very labour intensive. As such Council officers explored the option of using consultants to undertake a detailed Audit and a quote with a value of \$24,772 was obtained. In light of the quote, and given the project was unfunded, officers elected to undertake the exercise in-house as resources permitted.

AUDIT FINDINGS**On-Street Parking Capacity**

A review of parking spaces showed 594 on-street parking spaces within the Audit Area, including Special Zone parking spaces, as shown in **Tables 1** and **2** below.

Table 1 – On-Street Parking Spaces

On Street Parking Spaces	No
Untimed	310
Timed 30min, 1hr, 2hr & 3hr	262
Motorcycle (spatial equivalent to two car spaces)	9
Mobility Parking Scheme	8
Multi-Use (timed Taxi Zone & untimed parallel parking)	5
Total	594

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**Table 2 – On-Street Special Use Zone Parking Spaces**

Special Use Zone Parking Spaces	No
Multi-Use (Coach, Driver Testing Vehicles, & untimed parallel)	2
Loading Zones	6
Bus Zones	11
Special Parking spaces:	
NO PARKING pick-up and set-down areas	2
NO PARKING FRNSW Authorised Vehicles Excepted	6
Sub Total	27

On-Street Parking Occupancy

A review of parking space occupancy using satellite imagery was conducted during business hours in January, August, October, and December 2019. The on-street parking space occupancy is shown in **Table 3** below.

Table 3 – On-Street Parking Space Occupancy

Day	Date	Spaces	Occupancy
Monday	7 Jan 2019	281	47%
Wednesday	14 Aug 2019	227	38%
Friday	18 Oct 2019	247	42%
Friday	20 Dec 2019	257	43%

Off-Street Parking Capacity

A review of Council provided, and privately provided, off street parking (i.e. shopping centre) spaces showed 589 and 1005 off-street parking spaces respectively within the Audit Area, as shown in **Tables 4** and **5** below.

Table 4 – Off-Street - Council Provided Public Parking Spaces

Off-Street Parking Spaces	No
Untimed parking	575
Mobility Parking Scheme	14
Sub Total	589

Table 5 – Off-Street - Privately Provided Public Parking Spaces

Off-Street Parking Spaces	No
Untimed parking	978
Mobility Parking Scheme	27
Informal Taxi Zones	6*
Sub Total	1005

*Capacity excludes 6 informal Taxi Zones.

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Works and Infrastructure**Off-Street Parking Occupancy**

A review of the off street parking space occupancy using satellite imagery was conducted during business hours in February, August, October, and December 2019. The off-street parking space occupancy is shown in **Table 6** below.

Table 6 – Off-Street –Parking Occupancy

Day	Date	Spaces	Occupancy	Spaces	Occupancy
		Council Provided		Privately Provided	
Monday*	4 Feb 2019	365	62%	621	62%
Wednesday	14 Aug 2019	367	62%	593	58%
Friday	18 Oct 2019	337	57%	582	57%
Friday	20 Dec 2019	311	53%	604	60%

*Minor anomalies were noted with satellite imagery date stamping. Satellite imagery relied upon for the Audit is based on observations evidencing that the images were obtained during business hours on week days.

A detailed breakdown of parking capacities and occupancy is shown in the attached Cessnock CBD – Parking Audit Data at **Enclosure 2**.

Multi-Use Zones

The Audit considered the purpose, location and number of various parking zones in the Cessnock CBD.

Purpose: Multi-Use zones are not defined in the relevant Australian Standard, AS 2890 Parking facilities, Part 5: On-street parking. There is no provision in this Standard for an area to have more than one use during any specific time period.

The establishment of a parking zone with multiple uses can be achieved by implementing a regulatory parking control for specified days/times with either default parallel, or another regulatory parking control applying outside of such specified days/times. Multiple varying regulatory controls may be implemented, conditional on only one control applying at any given time.

Multi –Use zones are suitable to address a particular need at a certain location during a defined period of time.

Multiple controls are known to result in reduced driver compliance, primarily due to confusion over which particular sign applies at any given time, which also leads to difficulty in performing enforcement activities.

Existing Multi-Use Zones: The Audit identified three areas of parking currently in use as Multi-Use zones:

- Vincent Street:
 - Timed TAXI ZONE 6PM-6AM FRI-SUN, reverting to
 - 5 x Untimed default parallel parking spaces outside of the specified times.

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- North Avenue:
 - Timed COACH PARKING 8:30AM SAT – 8:30AM MON for 2 tourist coaches, and
 - Timed MOTOR REGISTRY HEAVY VEHICLE DRIVER TESTING VEHICLES EXCEPTED 8:30AM-6PM MON-FRI, reverting to
 - 9 x Untimed default parallel parking outside of the specified times.
- Schofield Way:
 - Timed LOADING ZONE 8:30AM - 6PM MON - FRI, 8:30AM -12:30PM SAT reverting to
 - 4 x Untimed default parallel parking spaces outside of the specified times.

The above three areas are on the periphery of the CBD, where demand for Special Parking zones is lower, and for only limited periods during the day.

An existing Multi-Use zone in Vincent Street, outside the Cessnock Bar & Grill (formerly Cessnock Ex-Services Club) is a day/time specific Taxi Zone is signposted as shown in **Figure 1** below.



Figure 1 – Vincent Street, Cessnock - TAXI ZONE 6PM-6AM FRI-SUN

As the Taxi Zone applies only during the days/times specified, the area operates as untimed default parallel parking at all other times.

Such controls are achieved, due to the taxi demand in this part of the CBD being driven by several licensed premises (Pedens Hotel, Cessnock Bar & Grill and Cessnock Performing Arts Centre), all of which operate at peak during the evening, particularly on weekends.

Special Purpose Zones

Purpose: The purpose of Special Purpose zones is to accommodate vehicles with particular need for space, location, grade and visibility such as Bus, Taxi and Loading Zones.

Bus Zones: The operation of Bus Zones in NSW is governed by Division 5, of Part 12, of the *Road Rules 2014*, which makes no provision for the multi-use of Bus Zones.

RMS Technical Direction TDT 2013/07 notes that even buses and coaches are not permitted to “layover at bus zones”; stopping in a Bus Zone is statutorily restricted to a driver of a public bus that is dropping off, or picking up passengers or stopping for the purpose of a regular bus service.

Taxi Zones: The operation of Taxi Zones in NSW is governed by Division 5, Part 12, of the *Road Rules 2014*, which makes no provision for the multi-use of Taxi Zones.

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Division 2, of Part 6 of the *Point to Point (Taxis and Hire Vehicles) Regulation 2017* prohibits the standing of a taxi, when available for hire, otherwise than in a Taxi Zone.

Existing Special Purpose Zones: The Audit identified Special Purpose zones within the Cessnock CBD as follows:

- 11 Bus Zones;
- 2 x Taxi Zones (total capacity of 11 vehicles); and
- 6 x Loading Zones.

Each of these zones has been installed based on need, with Bus and Taxi Zones installed to provide essential public passenger transport connections to the CBD, whilst the Loading Zones provide suitable access for deliveries to the CBD businesses.

Enquiries with the management of Cessnock's major bus / coach operator, Rover Coaches, revealed that all existing Bus Zones have been assessed, approved and mapped by Transport for NSW.

Enquiries with the management of Cessnock Radio Cabs, revealed that the existing Taxi Zones do not provide sufficient rank capacity to accommodate the 16 taxis in operation within Cessnock, to ensure compliance with the above regulation.

The existing Taxi Zones are conveniently located to provide drop-off services in close proximity to CBD services, such as shopping facilities, financial institutions and Council services.

Recent reviews of Loading Zones has been undertaken to assess requests from retailers. The current zones have been found to be sufficient for demand and appropriately located.

AUDIT CONCLUSION

Low Level of Occupancy

The Austrroads Guide to Traffic Management, Part 11 – Parking, identifies a consistent occupancy rate of 85% as being the trigger to consider changes to parking management for an area. This is recognised as the 'best practice' approach to the management of on-street parking.

Based on the high level Audit that was undertaken, the average on-street parking occupancy within the Cessnock CBD is 42.5%, whilst off-street parking has an average occupancy of 59%.

The results of the high level audit indicates that the on-street parking capacity in the Cessnock CBD adequately provides for current usage rates, and that changes to the existing parking regime are not required at this time.

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Retain Existing Multi-Use Zones

The audit identified no additional areas suitable for conversion to Multi-Use zones, as the Special Purpose zones identified above are required for their intended purpose during business hours, when the highest demand for public transport and deliveries exists. The demand for these Special Purpose zones coincides with the demand for general parking spaces.

Retain Existing Special Purpose Zones

As the Special Purpose zones make up less than 5% of the available on-street parking capacity within the Cessnock CBD, and given that observations show only 42.5% usage of existing available parking capacity; it is considered unnecessary and imprudent to diminish existing Special Purpose zone arrangements within the CBD, which would ultimately be detrimental to the special needs of some road users, to benefit the already adequately catered for needs of general road users.

OPTIONS

N/A

CONSULTATION

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

- Principal Engineer - Traffic & Transport, Infrastructure;
- Principal Engineer – Design & Project Management, Infrastructure;
- Traffic Engineering Officer, Infrastructure;
- Design Engineer, Infrastructure;
- Principal Development Engineer, Development Services, and
- Rangers, Health & Building.

External Consultation: Consultation on this matter has occurred with external stakeholders as follows:

- Cessnock Chamber of Commerce;
- Rover Coaches; and
- Cessnock Radio Cabs.

STRATEGIC LINKS

a. Delivery Program

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

- 1.3 Promoting Safe Communities – Our roads are safe for motorists and pedestrians:
- 1.3.5 Improve the safety of the road network.

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- 4.1 Better transport links:
 - 4.1.1: Advocate for increased road, public and community transport and associated infrastructure funding; and
 - 4.1.1a: Prepare applications for available grant funding to improve commuter, freight and tourism transport links.
- 4.2 Improving the road network:
 - 4.2.1 Develop prioritised capital works programs in line with adopted asset management plans; and
 - 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:

- 1.3 Promoting safe communities - Our roads are safe for motorists and pedestrians.
- 4.0 Accessible infrastructure, services and facilities:
 - 4.1 better transport links.
 - 4.2 Improving the road network:
 - We have a quality road network; and
 - We have managed the traffic impact of the Hunter Expressway on local communities.

Operational Plan 2019-20: The recommendation of this report aligns with the following objectives:

- 1.3: Promoting Safe Communities:
 - 1.3.5 Improve the safety of the road network.
- 4.1: Better transport links:
 - 4.1.1: Advocate for increased road, public and community transport and associated infrastructure funding;
 - 4.1.2 Commence implementation of the Traffic & Transport Strategy; and
 - 4.1.3 Commence implementation of the Pedestrian Access & Mobility Plan.
- 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; and
 - 4.2.2c Advocate for and support applications for grant funding to improve road infrastructure.

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Cessnock City Council - Road Safety Strategic Plan (2014 - 2018) incorporating Road Safety Action Plan 2019-20: The recommendation of this report aligns with the following objectives:

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

- 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;
- 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; and
- 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

c. Policy and Procedural Implications

Local Traffic Committee: Council's delegation from Transport for New South Wales for the regulation of traffic and the operation of the Local Traffic Committee requires a unanimous recommendation from the Committee to Council, prior to installation of any regulatory traffic control facilities

Cessnock Development Control Plan 2010: Council's Plan requires applicants to consider the impact of new development on the existing road network and to make adequate provision for off-street parking to meet the needs of the general public, employees and service vehicles.

d. Financial Implications

Cost to Council: The cost to maintain on-street parking is borne by Council's road maintenance budget and Traffic Facilities Block Grant, which is received from Transport for New South Wales for works relating to Traffic Facilities on Regional and Local roads.

e. Legislative Implications

Road Rules 2014:

- Part 8 – Traffic Signs & Road Markings;
- Part 11 – Other Driving Rules;
- Part 12 – Restrictions on Stopping & Parking; and
- Part 14 – Rules for Pedestrians.

Roads Act 1993:

- Section 7 – The council of a local government area is a roads authority;
- Section 71 – Powers of roads authority with respect to road work; and
- Section 145 – Roads authorities own public roads.

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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 non-feasance protection for roads authorities; and
- Section 46 - Exercise of function or decision to exercise does not create duty.

Point to Point Transport (Taxi and Hire Vehicles) Act 2016

- Part 1 – Taxi services and taxis
- Part 4 – Taxi Licences

Point to Point Transport (Taxi and Hire Vehicles) Regulation 2017

- Part 6 – Other obligations relating to passenger and booking services
- Part 7 – Miscellaneous

Australian Standard 2890 Parking facilities, Part 5: On-street Parking

- Section 4 – Provision for Special Groups
- Section 5 – Parking Control Measures

Australian Standard 1742 Manual of Uniform Traffic Control Devices, Part 11: Parking Controls

- Section 2 – Regulatory Controls and Road Rules
- Section 3 – Linear Parking Control Signs

Austroads Guide to Traffic Management, Part 11: Parking

- Part 2 – Principles of Parking Management
- Part 3 – Demand for Parking
- Part 4 – Supply of Parking
- Part 7 – Off-Street Parking
- Part 8 – On-Street Parking
- Part 11 – Parking Guidance and Control Devices

f. Risk Implications

Nil

g. Environmental Implications

Nil

h. Other Implications

Nil

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CONCLUSION

The high level desktop Audit found that the average parking occupancy rates in the Cessnock CBD is 42.5% for on-street and 59% for off-street. As this level of occupancy is below the Austroads best practice occupancy rate for management of on-street parking of 85%, the Audit indicates that the on-street parking capacity in the Cessnock CBD adequately provides for current demand.

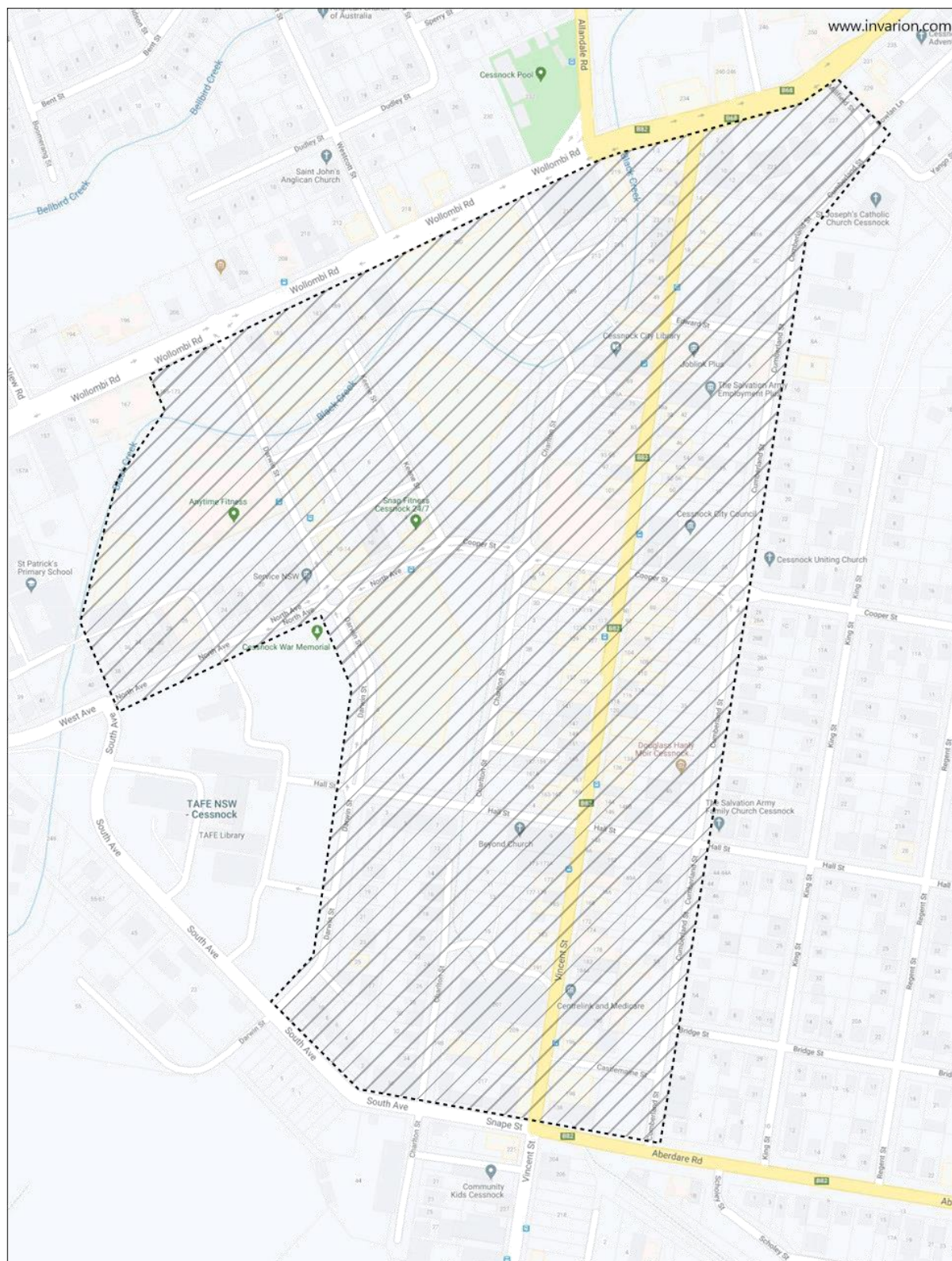
The Audit found no additional areas suitable for conversion to Multi-Use zones, as the Special Purpose zones identified are required for their intended purpose during business hours, when the highest demand for public transport and deliveries exists, and the demand for these Special Purpose zones coincides with the demand for general parking spaces.

Based on the high level desktop Audit, it is noted that on-street parking capacity appears to be suitable for the current demand, and it is recommended that the existing Multi-Use zones and Special Purpose zones be retained.

In order to undertake a more comprehensive Audit a funding allocation of \$25,000 would be required.

ENCLOSURES

- 1 [↓](#) Cessnock CBD _ Audit Area Map
- 2 [↓](#) Cessnock CBD _ Parking Audit Data



Cessnock CBD – Parking Audit Data

Cessnock CBD - On-Street Parking Capacity by Type

Type	Darwin St	North Av	Schofield Way	Keene St	Cooper St	Charlton St	Hall St	Vincent St	Castlemaine St	Cumberland St	Edward St	
30min	0	0	0	0	0	0	0	0	0	2	0	2
1hr	0	0	0	0	7	0	33	117	0	0	9	166
2hr	0	4	0	27	0	0	14	0	0	40	0	85
3hr	9	0	0	0	0	0	0	0	0	0	0	9
M/Cycle	0	0	0	6	0	0	0	3	0	0	0	9
Untimed	108	35	5	0	0	47	0	5	13	102	0	315
Mobility	0	0	0	1	0	0	1	4	2	0	0	8

Total	117	39	5	34	7	47	48	129	15	144	9	594
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Cessnock CBD - On-Street Special Zones by Type

Taxi	0	0	0	0	6	0	0	5	0	0	5	16
Bus	2	1	0	0	0	0	0	7	0	1	0	11
Loading	0	1	1	0	1	0	1	1	0	1	0	6
Coach	0	2	0	0	0	0	0	0	0	0	0	2
Special*	0	0	0	0	0	0	0	2	0	3	3	8

Total	2	4	1	0	7	0	1	15	0	5	8	43
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Cessnock CBD - On-Street Parking Occupancy

Date	Darwin St	North Av	Schofield Way	Keene St	Cooper St	Charlton St	Hall St	Vincent St	Castlemaine St	Cumberland St	Edward St	Total	% Occupancy
20/12/2019	15	9	0	29	6	29	10	79	7	67	6	257	43%
18/10/2019	13	14	1	27	6	33	11	75	13	50	4	247	42%
14/08/2019	12	9	0	29	4	37	11	72	10	37	6	227	38%
7/01/2019	20	10	1	28	3	37	15	80	9	74	4	281	47%

Cessnock CBD - Off-Street Parking Capacity (Council)

Type	P1	P2	P3	P4	P5	P6	P7	P8	P9	
Untimed	130	123	83	36	36	20	76	51	20	575
Mobility	4	4	0	0	0	0	2	1	3	14
Total	134	127	83	36	36	20	78	52	23	589

Cessnock CBD - Off-Street Parking Occupancy (Council)

Type	P1	P2	P3	P4	P5	P6	P7	P8	P9	Total	% Occupancy
20/12/2019	77	124	8	34	11	7	29	11	10	311	53%
18/10/2019	100	101	17	33	7	13	39	13	14	337	57%
14/08/2019	118	110	22	30	12	17	26	14	18	367	62%
4/02/2019	120	107	18	34	11	18	22	15	20	365	62%

Cessnock CBD - Off-Street Parking Capacity (Private Centres)

Type	Coles	Woolworths	IGA	Big W	Aldi	
Untimed	275	234	145	236	88	978
Mobility	7	6	5	7	2	27
Taxi	2	0	4	0	0	6
Total	284	240	154	243	90	1011

Cessnock CBD - Off-Street Parking Occupancy (Private Centres)

Type	Coles	Woolworths	IGA	Big W	Aldi	Total	% Occupancy
20/12/2019	202	146	71	139	46	604	60%
18/10/2019	167	194	77	99	45	582	57%
14/08/2019	174	190	76	109	44	593	58%
4/02/2019	165	198	74	137	47	621	62%

Works and Infrastructure
Report No. WI33/2020
Works and Infrastructure



SUBJECT: ***WILDERNESS ROAD, LOVEDALE - TRANSFER OF GILLIES BRIDGE TO TRANSPORT FOR NSW***

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

SUMMARY

This report seeks Council's approval to transfer a Council owned timber bridge, known as Gillies Bridge, to Transport for NSW (TfNSW) as part of TfNSW's Timber Truss Bridge Conservation Strategy.

RECOMMENDATION

That Council approves the transfer of the Council owned Gillies Bridge, Wilderness Road, Lovedale to Transport for NSW.

BACKGROUND

TfNSW staff met with Council staff on 27 February 2020 to discuss the revised TfNSW Timber Truss Bridge Conservation Strategy and the significance of the Council owned Gillies Bridge as part of this strategy.

It is proposed that Gillies Bridge be transferred to TfNSW for ongoing management. The date proposed for the transfer of the bridge is 1 July 2020. Council is to maintain the bridge in a safe condition until the date of transfer.

Gillies Bridge is a de Burgh Truss bridge designed and built in 1902. Over the past two to three years Council has spent in excess of \$370,000 to maintain the bridge. These typical costs for maintenance will continue to be an impost on local rate payers while ever Council owns the bridge.

TfNSW is seeking Council's acceptance for the transfer of the bridge in order to take on the ongoing management of the bridge, including all associated costs. Once acceptance is received, the gazettal process can be finalised by TfNSW and the transfer will be complete.

REPORT/PROPOSAL

TfNSW recently completed a review of timber truss bridges across NSW and this has led to the identification of the heritage significance of Gillies Bridge, on Wilderness Road, Lovedale. TfNSW is now seeking to take over ownership of the bridge so that it can be retained by the NSW State Government to reflect the history and diversity of timber truss style bridges, while balancing the current and future transport needs and heritage conservation.

It was agreed at the above mentioned meeting on 27 February 2020 that Council would provide TfNSW with all documentation and records currently held in regard to the bridge if

Works and Infrastructure

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the transfer proceeds. TfNSW will also undertake a detailed inspection of the bridge prior to the transfer date.

OPTIONS

Council may elect to retain ownership of Gillies Bridge.

CONSULTATION

Director Works and Infrastructure
Infrastructure Manager
Project Manager Infrastructure
Finance and Administration Manager
TFNSW Officers

STRATEGIC LINKS

a. Delivery Program

This report aligns with the following Community Desired Outcomes in the Delivery Program 2017-21;

A Sustainable and Healthy Environment

Objective 3.1 – Protecting and Enhancing the Natural Environment and the Rural Character of the Area;

Accessible Infrastructure, Services and Facilities

Objective 4.2 – Improving the Road Network

b. Other Plans

TfNSW Timber Truss Bridge Conservation Strategy

IMPLICATIONS

a. Policy and Procedural Implications

If Council elects to transfer Gillies Bridge to TfNSW the transfer will be reported as an asset disposal in Council's Annual Financial Statements in accordance with the appropriate accounting standards.

b. Financial Implications

The current asset value of Gillies Bridge is \$740,690. If Council elects to transfer this asset to TfNSW the asset will be administratively disposed and the write down of the asset will be reported in the Annual Financial Statements

c. Legislative Implications

Nil

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d. Risk Implications

If Council elects to retain Gillies Bridge there will be an expectation that Council acknowledges the heritage significance of the bridge and maintains the asset in good condition.

e. Environmental Implications

Nil

f. Other Implications

Nil

CONCLUSION

A revised TfNSW Timber Truss Bridge Conservation Strategy has identified the significance of the Council owned Gillies Bridge, on Wilderness Road, Lovedale.

TfNSW is seeking Council's acceptance for the transfer of the bridge in order to take on the ongoing management of the bridge, including all associated costs. Once acceptance is received, the gazettal process can be finalized by TfNSW and the transfer will be complete.

It is recommended that TfNSW take over ownership of the bridge so that it can be retained by the NSW State Government to reflect the history and diversity of timber truss style bridges, particularly in the Cessnock Local Government Area.

ENCLOSURES

There are no enclosures for this report

Works and Infrastructure

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Works and Infrastructure



SUBJECT: *MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 4 MARCH 2020*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

RECOMMENDATION

1. That the Minutes of the Floodplain Management Committee of 4 March 2020 be adopted as a resolution of the Ordinary Council.
2. That Council endorses the recommendations of the *Mount View Detention Basin 2019 Surveillance Report*.
3. That Council notes the ongoing legislative dam safety activities to be funded from Council's operational budget for Strategic Asset Planning.
4. That Council notes the costs to meet the recommendations of the *Mount View Detention Basin 2019 Surveillance Report* (Table 4 of the Report) and that these costs will be funded from Council's existing capital works budget for the Drainage Construction Program.

**MINUTES OF FLOODPLAIN MANAGEMENT COMMITTEE MEETING
OF CESSNOCK CITY COUNCIL HELD IN COUNCIL CHAMBERS - ANTE ROOM
ON WEDNESDAY, 4 MARCH 2020, COMMENCING AT 9.03AM**

PRESENT: The Mayor, Councillor Pynsent (in the Chair)
Ms Lotta Jackson – General Manager
Ms Angela Halcrow – Department of Planning, Industry & Environment
Mr Jesse Roberts - SES Cessnock (9:05am)
Mr Craig Schulz - Community Representative of Cessnock

IN ATTENDANCE: Mr Gareth Curtis - Director Planning & Environment
Mr Martin Johnson - Strategic Planning Manager
Mrs Katrina Kerr - Infrastructure Manager
Ms Jules Bosco – Principal Development Engineer – Development Services.
Mr Martin Conner - Principal Engineer - Environmental Infrastructure
Mr Phillip Townsend – Projects Engineer - Environmental Infrastructure
Ms Rachael O'Hara – Technical Support Officer (Minute Taker)

INVITEES: Nil

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Works and Infrastructure



ACKNOWLEDGEMENT OF COUNTRY

Acknowledgement of Country was delivered by Mayor Pynsent.

APOLOGIES

MOTION **Moved:** Mr Shultz **Seconded:** Mayor Pynsent

APOLOGIES: **RECOMMENDED** that the apologies tendered on behalf of the following, for unavoidable absence, be accepted:

Councillor Gray,
Mr Chad Ellis – State Emergency Service, and
Ms Julia Irwin – Hunter Water Corp

CONFIRMATION OF MINUTES

MOTION **Moved:** Mr Shultz **Seconded:** Mayor Pynsent

MINUTES: **RECOMMENDED** that the Minutes of the Extraordinary Floodplain Management Committee held on 19 February 2020, as circulated, be taken as read and confirmed as a correct record.

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

Nil

LISTED MATTERS

REPORT NO: *FLOCLM6/2020*

SUBJECT: *MOUNT VIEW ROAD, MOUNT VIEW - THE BASIN*

MATTER: Findings of the recent Type 2 Surveillance Inspection Report developed for the Mount View Road Detention Basin and a proposed course of action for Council to comply with current dam safety legislation was outlined.

DISCUSSION: Council's Projects Engineer - Environmental Infrastructure provided an overview of the purpose and function of the Mount View Road Detention Basin (The Basin), and context relating to the recommendations from the Mount View Detention Basin 2019 Surveillance Report.

The staging and financial implications of the various recommendations from the Report were discussed as follows.

Regarding Dam Break Study:

- Current legislation requires dam break studies to be undertaken every 15 years, or earlier in the event of structural defects or changes to design criteria.
- The previous dam break study was undertaken by Cardno in 2014.
- The anticipated timing for reassessing dam break impacts is within the next 4 year Delivery Program.
- Public Works Advisory recommended that revised hydrology and dam break studies based on Australian Rainfall and Runoff (2019) methodology be undertaken prior to the next Surveillance Inspection Report (within 5 years).
- In the meantime, downstream land owners and developers to the east and north of The Basin would be required to reassess dam failure consequences as part of any future development application process.
- In addition to dam break assessments, there are various other dam safety recommendations that need to be factored into forward budgets including:
 - Removal of selected trees (trees penetrating earth fill or within by-wash zone),
 - Removal of ant nests,
 - Improvement of grass cover,
 - Removal of vegetation in outlet channels, and
 - Installation of grating over the entrance to the outlet pipe.

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Regarding monitoring:

- Legislation also requires regular monitoring of The Basin by undertaking monthly inspections of:
 - Structural elements (e.g. integrity of embankments and appurtenances such as outlet pipes and channels), and
 - Non-structural elements (e.g. vegetation, grass cover, security and WHS).

Regarding structural elements:

- A grate over the entrance to the outlet pipe is required that minimises the hazard of people becoming held on the grating during flooding conditions.
- Sufficient surface area is required so the grate can be angled to mitigate this risk.
- The Queensland Urban Drainage Manual (QUDM) will be followed to develop a suitable grate.
- NSW Public Works are developing similar guidelines.

Regarding non-structural elements:

- Trees on the embankments were planted approximately 20 to 30 years, and some will be required to be removed.
- Tree roots can destabilize embankments and any trees showing penetration of the earth fill need to be closely monitored and/or removed if the risk is deemed.
- Depressions were reported which have become hazardous to walkers and runners using the area. Periodic inspections will identify these hazards and corrective action taken to fill depressions.
- Mr Schultz offered to provide photos of The Basin and downstream areas during flood events.

Regarding costs relating to Dam Safety:

Table 4 of the *Mount View Detention Basin 2019 Surveillance Report* provided a summary of costs associated with dam safety activities. An excerpt from the report (being Table 4) is provided below.

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Works and Infrastructure



Table 4: Dam Safety Activities – Estimated Cash Flow 2019-20 to 2025-26

Financial Year	Capital Works Program	Activities	Estimated Budget
2019-2020	2017-2021	Develop O&M Manual \$10k Channel Clearing \$5k Arborist Assessments \$5k	\$20,000
2020-2021		Dam Break Study \$30k Crest Level Survey \$5k DSEP Update \$10k Selected Tree Removal \$25k Outlet Pipe Screens \$5k	\$75,000
2021-2022	2021-2025 Approx. \$130k needed	Dam Safety Exercise \$10k Geotechnical Investigations \$20k Replace Grass Cover \$50k DSEP Update \$10k	\$90,000
2022-2023		DSEP Update \$10k	\$10,000
2023-2024		DSEP Update \$10k	\$10,000
2024-2025		Type 2 Surveillance Report \$10k DSEP Update \$10k	\$20,000
2025-2026	2025-2029	Dam Break Study \$30k DSEP Update \$10k	\$40,000
		Total Estimate 2019-20 to 2025-26	\$265,000

MOTION**Moved:** Ms Halcrow**Seconded:** Mr Schultz**RECOMMENDATION**

1. That the Committee endorses the recommendations of the *Mount View Detention Basin 2019 Surveillance Report*.
2. That the Committee notes the ongoing legislative dam safety activities to be funded from Council's operational budget for Strategic Asset Planning.
3. That the Committee notes the costs to meet the recommendations of the *Mount View Detention Basin 2019 Surveillance Report* (Table 4 of the Report) and that these costs will be funded from Council's existing capital works budget for the Drainage Construction Program.

CARRIED UNANIMOUSLY**CLOSURE:** The open meeting was declared closed at 9.25am.**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN14/2020

General Manager's Unit



NOTICES OF MOTION No. BN14/2020

SUBJECT: *MAYBURY PEACE PARK*

COUNCILLOR: *Anthony Burke*

MOTION

That Council writes to Andrew Constance MP the Minister for Transport & Roads and Paul Toole MP Minister for Regional Transport & Roads, seeking an update and advice regarding Councils report sent to Transport for NSW, regarding the investigation of the intersection of Maybury Peace Park Weston.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 15 April 2020.

RATIONALE

The concerns of safety at the intersection of Maybury Peace Park are growing within the community. In the last couple of months there has been an increase of accidents due to the safety of this intersection.

This park is a popular spot and during peak times there is significant traffic flow in this area including entering and exiting the park itself.

SOURCE OF FUNDING:

Nil required.

DELIVERY PROGRAM:

Not applicable.

Sgd: Anthony Burke

Date: 24 March 2020

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ2/2020

Corporate and Community Services



SUBJECT: *ANSWERS TO QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser
Development Services Manager – Janine Maher
Infrastructure Manager - Katrina Kerr*

FOR COUNCIL'S INFORMATION

REPORT/PROPOSAL

Questions/Answers of Which Written Notice Has Been Given

Councillor	Date Received	Subject	Question
Fitzgibbon	8/2/2020	Blood Donation Bus	Has Council spoken to anyone regarding the relocation of the Blood Bus to a less busy carpark?
Answer	<p>Council officers most recently liaised with representatives of the Australian Red Cross Blood Service (ARCBS) in December 2019, when processing an application for consent under section 138 of the <i>Roads Act 1993</i>, for use of a portion of the carpark in Charlton Street, Cessnock, for blood collection services.</p> <p>The ARCBS used the Charlton Street carpark during 2019, under a previous consent which was issued by Council officers following the rescinding of previous arrangements with local shopping centres for use of their privately owned car parks by the blood collection bus.</p> <p>The Charlton Street site conveniently meets the needs of the ARCBS and local blood donors, due to its central location, visibility, lighting and access.</p> <p>The current consent for use of the car park by ARCBS, issued under section 138 of the <i>Roads Act 1993</i>, applies to various dates throughout 2020.</p> <p><i>Responsible Officer – Infrastructure Manager</i></p>		
Question	8/2/2020	Vegetation Opposite Pool	When will the undergrowth of the trees, on Council owned land opposite the pool, be cleared?
Answer	<p>Works will be programmed when the teams are next in the area. At this stage the clearing should be undertaken within the next 4 weeks, however this may change due to the current COVID 19 Pandemic.</p> <p><i>Responsible Officer – Finance & Administration Manager</i></p>		

Answers To Questions For Next Meeting

Report No. AQ2/2020

Corporate and Community Services



Councillor	Date Received	Subject	Question
Question	9/2/2020	Shade Trees – Charlton Street Carpark	What will replace the shade trees, which were removed, from the western side of the Charlton St carpark opposite Coles carpark?
Answer	<p>The four Robinia trees that were removed have been replaced with five advanced Tristaniopsis Laurina var Luscious, commonly known as the Luscious Water Gum. The Luscious Water Gum is an evergreen Australian Native tree growing to around 5m tall providing summer shade.</p> <p><i>Responsible Officer – Infrastructure Manager</i></p>		
Sander	10/3/2020	Development 112 Aberdare Street, Kurri Kurri	Did this development have a DA condition to place Kerb and Gutter along the frontage of this site?
Answer	<p>Development Consent No. 2018/474 was issued by Council on 13 November 2018, and approved demolition works, along with erection of a multi-dwelling housing development and associated strata subdivision.</p> <p>Condition 15 of the notice of determination requires the applicant to construct kerb and gutter for the full frontage of the site in question (Lot 1 DP 1038908), for a distance of approximately 20 metres.</p> <p>The condition requiring the developer to construct kerb and gutter was imposed in accordance with Council's resolution dated 2 October 2014, which requires the kerb and gutter condition to be imposed in the following circumstances (emphasis added in bold):</p> <ul style="list-style-type: none"> • For dual occupancy, granny flats and 2 lot residential subdivisions, a condition of consent requiring the construction of kerb and gutter, will only apply in circumstances where kerb and gutter exists immediately adjacent the subject site; • For residential subdivision of 3 lots or more, and multi-dwelling development and any other form of residential development (with the exception of single dwellings), a condition of consent requiring the construction of kerb and gutter, will apply in all circumstances; and • For all commercial and industrial development, a condition of consent requiring the construction of kerb and gutter, will apply in all circumstances. <p><i>Responsible Officer – Development Services Manager</i></p>		
Question		Buskers on Council Footpaths	Would Council have an insurance liability if a member of the community was injured by a busker obstructing a footpath?

Answers To Questions For Next Meeting

Report No. AQ2/2020

Corporate and Community Services



Councillor	Date Received	Subject	Question
Answer			<p>Whilst engaging in busking activities on a road related area (e.g. footpath), irrespective as to whether they are operating with consent or otherwise, buskers remain subject to Part 14 of the <i>Road Rules 2014</i>, relevantly Regulation 236, which makes it illegal for a pedestrian to cause a hazard or obstruction.</p> <p>In all likelihood, should a person be injured by a busker, then the liability for damages would likely be sheeted home to the feisor (wrong doer who caused the injury) and should a plaintiff (injured person bringing a legal action) seek to join Council in a legal proceedings as a joint defendant, Council would likely be able to rely on the statutory protections afforded to public and other authorities under Part 5 of the <i>Civil Liability Act 2002</i>.</p> <p><i>Responsible Officer – Infrastructure Manager</i></p>
Question		Sale of Council Assets	Does Council have a resolution regarding sale of Council assets having to be spent in the Ward where the property was located?
Answer			<p>There is no resolution regarding sale of Council assets having to be spent in the Ward where the property was located.</p> <p>Funds received from sale of assets and usage are held in reserve in accordance with the Property Investment and Development Policy and Property Management Policy adopted by Council.</p> <p>As with all general revenue received by Council such as rates and charges, there is no specified allocation of funds received being quarantined for expenditure in the area where the funds are collected.</p> <p><i>Responsible Officer – Finance & Administration Manager</i></p>

ENCLOSURES

There are no enclosures for this report

Correspondence

Report No. CO4/2020

Corporate and Community Services



SUBJECT: *CESSNOCK CORRECTIONAL CENTRE ACCESS*

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

RECOMMENDATION

That the correspondence from the Minister for Counter Terrorism and Corrections the Hon Anthony Roberts MP, regarding the access road to the Cessnock Correctional Centre be received.

At its Ordinary Meeting of 18 March 2020 Council considered report GMU6/2020 – Cessnock Correctional Centre Access and resolved:

1. That Council notes the final option from the State Government for the Correctional Centre Access is option 3A in the *Cessnock Correctional Complex Road Options Analysis report (December 2019)*.
2. That Council writes to the Department of Corrections stating their support for option 3A in the *Cessnock Correctional Complex Road Options Analysis report (December 2019)* pending written confirmation from Minister Roberts that this is the only option the State Government will consider and that item 6 & 7 from resolution (1158) at the Ordinary Council meeting held on 19 February 2020 be supported and funded by the State Government before Council will give its approval.

A response has been received from the Minister for Counter Terrorism and Corrections the Hon Anthony Roberts MP and a copy is enclosed for Councillors information.

ENCLOSURES

- [1](#) Letter - Minister for Counter Terrorism and Corrections



The Honourable Anthony Roberts MP
Minister for Counter Terrorism and Corrections

Monday, 30 March 2020

Ms Loretta Jackson
General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325
(via email: Lotta.Jackson@cessnock.nsw.gov.au)

Dear Ms Jackson

Thank you for your letter dated 23 March 2020.

As Council is aware, since 2016 Corrective Services NSW (Corrections) have been investigating options for a new access road to Cessnock Correctional Centre.

On 20 May 2019, I met with the then General Manager of Council, Mr Stephen Glen, the Mayor, the Director of Works and Infrastructure, Director Planning and Environment and the Member for Cessnock. At this meeting I committed to Council that I would ask Corrections to revisit all proposals presented to Council at that time and reconsider new ways to access the site.

Over the next 6 months Corrections carried out extensive investigations as to the viability and suitability of a number of options and was left with only one option for consideration by Council: a route connecting to Occident Street, Nulkaba.

On 14 November 2019 I met with you as General Manager of Cessnock City Council, Mayor Bob Pynsent and the Member for Cessnock in Parliament House. At that meeting I presented to you and the Mayor all of the options considered and explained in detail the viability of each option. It was clearly explained that the only viable option remaining was option 3(a). This was discussed at length along with detailed explanations as to why other options were excluded.

This was further outlined to Cessnock City Council in my letter to the Mayor dated 22 January 2020. In that letter I advised Council that following all other avenues for access being exhausted, Government had agreed, in principle, to fund and construct a new access road to the Correctional Centre via Occident and Kerlew Streets, Nulkaba. To further explore this option I sought Councils support for this investment and for its co-operation in rezoning and subdividing land to facilitate construction.

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Following the acquisition and subdivision of the identified NSW Health and private property, the proposed 3(a) option would have established a direct route from the Correctional Centre to the State Road Network at Wine Country Drive without Correctional Centre traffic passing any residential properties unlike the existing Lindsay Street access.

I was advised in January 2020 that the Mayor intended to move a Mayoral Minute at the next Council meeting granting you (as General Manager) the ability to negotiate with Government for an approved outcome of the option presented, but this was not supported by Councillors.

At the Council meeting of 19 February 2020, Council resolved a number of points that were contrary to the information supplied to you in November 2019 and outlined in my letter to the Mayor in January 2020. I will outline those points below:

- Resolution 1: Information contained in resolution 1 is incorrect so far as the decision is not entirely a decision of Government as it needs Council support and endorsement for the reasons outlined in my letter from January.
- Resolution 2: Reasons as to why the route identified in resolution 2 is not viable were clearly outlined in my letter from January.
- Resolutions 3 and 4: Information contained in resolutions 3 and 4 are merely factual.
- Resolution 5: In my letter from January, I provided information relating to why this option is not viable. Specifically, this information can be located on the last paragraph of page one.
- Resolution 6: Resolution 6 lists a number of demands that are simply not acceptable and are not feasible for Corrections to comply with.

To reaffirm the position of Government and to explain the difficulties with the Resolutions of Council's meeting on 19 February, a representative of Corrections met with you to explain why option 3(a) was the only remaining option available to Government and why Council's support was necessary so that planning and design work could begin.

Regrettably, the resolution of Council at its next meeting on 18 March 2020 continued to list a number of demands, including a resolution for me to repeat the letter already supplied to Council by me in January this year.

Further to this, items 6 and 7 of Council Resolution 1158 included the same repetitive conditions of 19 February with an additional 'accept all or none' clause. As outlined earlier, Corrections simply cannot meet those conditions prior to any planning and design work.

In light of this resolution and the reluctance of Cessnock City Council to negotiate in a reasonable manner, despite considerable effort and expenditure by Corrections who, in good faith, since 15 May 2019, have spent a considerable amount of time trying to find an acceptable outcome, Corrections will not be expending any further time or resources on this matter.

Corrections has no option but to formally withdraw its offer of 3(a) and will continue accessing the facility via Lindsay Street.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'AR', enclosed within a thin blue rectangular border.

Anthony Roberts MP
Minister for Counter Terrorism and Corrections

cc. The Hon Clayton Barr MP