



31 August 2017

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that the next Ordinary Meeting of Council will be held in the Council Chambers, on Wednesday, 6 September 2017 at 6.30 pm, for the purposes of transacting the undermentioned business.

AGENDA:

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Principles for Local Government

Exercise of functions generally

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

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

Council's Values

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

Our Community's Vision

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

Cessnock – thriving, attractive and welcoming.

Our Community's Desired Outcomes

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



Council Model Code of Conduct

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

Generally, the policies refer to the following issues:

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

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 16 AUGUST 2017, 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, Burke, Sander and Lyons.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Development Services Manager
Procurement and Contracts Manager
Consultant Development Engineer
Media and Communication Officer
Corporate Governance Officer
Administration Support Officer – Corporate & Community Services

APOLOGY:

MOTION

Moved: Councillor Lyons

Seconded: Councillor Sander

337

RESOLVED that the apology tendered on behalf of Councillor Dagg, for unavoidable absence, be accepted and leave of absence granted.

FOR

AGAINST

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

Total (12)

Total (0)

CARRIED UNANIMOUSLY

MINUTES:**MOTION****Moved:** Councillor Lyons**Seconded:** Councillor Burke

338

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 2 August 2017, as circulated, be taken as read and confirmed as a correct record.

FOR**AGAINST**

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

Total (12)**Total (0)****CARRIED UNANIMOUSLY**

The Director of Corporate & Community Services presented to the Mayor on behalf of the Council the 2016 RH Dougherty Award for Innovation in Special Events which was announced on the 3 August at the Local Government NSW Awards in Sydney.

The RH Dougherty Awards aim to recognise and encourage a greater understanding and communication by councils to their local communities and we are proud to have done just that.

The Cessnock City Seniors Festival theme was *Love Life* and our local program offered 45 events and activities for local seniors across the region, which attracted over 1,500 participants.

Council worked closely with the Seniors Week Advisory Committee, over 30 local organisations and the Cessnock City Senior Citizen of the Year to put the program together and this award is a great recognition of all the hard work that went in and the Director congratulated everyone involved.

The Cessnock Youth Week Organising Committee should also be very proud as they were acknowledged as a finalist for the Best Youth Week 2017 at the Local Government Awards.

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI14/2017

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.

PE44/2017 - DA 8/2017/160/1 Proposing Construction of a Multi-Dwelling Development – Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that a proponent is a family friend. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

PE45/2017 - Modification Under Section 75W to Existing Approvals Seeking Consent for the Purpose of Operating Thermal Processing Equipment for the Processing of Medical and Other Wastes in Conjunction with an Existing Facility ('Weston Aluminium') - 129 Mitchell Avenue, Kurri Kurri – Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that a proponent is a family friend. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

PE44/2017 - DA 8/2017/160/1 Proposing Construction of a Multi-Dwelling Development – Councillor Doherty declared a Non Pecuniary Interest – Significant Conflict for the reason that his daughter works for Urban Living. Councillor Doherty advised that he would leave the Chamber and take no part in discussion and voting.

PE45/2017 - Modification Under Section 75W to Existing Approvals Seeking Consent for the Purpose of Operating Thermal Processing Equipment for the Processing of Medical and Other Wastes in Conjunction with an Existing Facility ('Weston Aluminium') - 129 Mitchell Avenue, Kurri Kurri – Councillor Doherty declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that the owner of Weston Aluminium is a member of the Kurri Kurri District Business Chamber. Councillor Doherty advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because he has no direct interest that would influence his voting and affect him in doing his civic duty.

PE44/2017 - DA 8/2017/160/1 Proposing Construction of a Multi-Dwelling Development – Councillor Olsen declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that the one of the developers allowed him to erect a sign on his property during the last Council elections. Councillor Olsen advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

WI58/2017 - Minutes of Local Traffic Committee Held 17 July 2017 – Mayor Pynsent declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a Director of Cessnock Leagues Club. Mayor Pynsent advised that he would leave the Chamber and take no part in discussion and voting.

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

Alicia Peattie on behalf of Mr Geoff Boyd & Mr Paul Paynter	Against Recommendation	PE44/2017 - DA 8/2017/160/1 Proposing Construction of a Multi-dwelling Development	28	3 Mins
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The Speaker withdraw the request to address.

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU14/2017

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE44/2017

SUBJECT: DA 8/2017/160/1 PROPOSING CONSTRUCTION OF A MULTI-DWELLING DEVELOPMENT

Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that a proponent is a family friend. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.

Councillor Doherty declared a Non Pecuniary Interest – Significant Conflict for the reason that his daughter works for Urban Living. Councillor Doherty left the Chamber and took no part in discussion and voting.

Councillor Olsen declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that the one of the developers allowed him to erect a sign on his property during the last Council elections. Councillor Olsen remained in the Chamber and participated in discussion and voting.

Councillors Fitzgibbon and Doherty left the meeting, the time being 6.38pm

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
339

RESOLVED

That Council defer the report to a future meeting to provide an opportunity for the applicant to meet with staff and to address the concerns over the application.

FOR	AGAINST
Councillor Olsen	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

Councillor Doherty returned to the meeting, the time being 6.38pm

PLANNING AND ENVIRONMENT NO. PE45/2017

**SUBJECT: MODIFICATION UNDER SECTION 75W TO EXISTING APPROVALS
SEEKING CONSENT FOR THE PURPOSE OF OPERATING THERMAL
PROCESSING EQUIPMENT FOR THE PROCESSING OF MEDICAL AND
OTHER WASTES IN CONJUNCTION WITH AN EXISTING FACILITY
('WESTON ALUMINIUM')**

129 MITCHELL AVENUE, KURRI KURRI

Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that a proponent is a family friend. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.

Councillor Doherty declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that the owner of Weston Aluminium is a member of the Kurri Kurri District Business Chamber. Councillor Doherty remained in the Chamber and participated in discussion and voting.

MOTION Moved: Councillor Sander **Seconded:** Councillor Doherty

340

RESOLVED

That Council endorses the draft submission for forwarding to the NSW Department of Planning and Environment.

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

Total (11)

Total (0)

CARRIED UNANIMOUSLY

Councillor Fitzgibbon returned to the meeting, the time being 6.39pm

PLANNING AND ENVIRONMENT NO. PE46/2017

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING
REPORT - JUNE 2017 QUARTER**

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Gray
341
RESOLVED

That Council receives the report and notes the information.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC51/2017

SUBJECT: SUPPLY AND DELIVERY OF STATIONERY REGPRO021718

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Lyons
342

RESOLVED

That Council decline the Regional Procurement Tender for Supply and Delivery of Stationery (REGPRO 021718) and call for quotations for the supply and delivery of stationery for a period until 30 June 2018, with quotations to be obtained in accordance with Council's Procurement Policy.

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

Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC52/2017

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Burke
343
RESOLVED

1. That Council receive the report and note the information.
2. That Council note that PE32/2017, Page 86 point 6 is not complete and PE20/2017, Page 82 point 5 has not been completed and both actions should be reopened and marked as incomplete.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC53/2017

SUBJECT: INVESTMENT REPORT - JULY 2017

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Gray

344

RESOLVED

That Council receive the report and note the information.

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

Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC54/2017

SUBJECT: REVOTING OF EXPENDITURE FROM 2016-17 TO 2017-18

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

345

RESOLVED

1. That Council authorise the revoting of expenditure from 2016-17 to 2017-18 being:

	Council Funds	Section 94 Funds	Loan Funds	Grants	Total Revotes
Local Road Renewal Program	49,100			94,600	143,700
Bridge Construction Program	18,000				18,000
Drainage Program	5,200		153,300	824,700	983,200
Pathways Construction Program	64,300			104,500	168,800
Total Roads, Bridges & Drainage	136,600		153,300	1,023,800	1,313,700
Recreation Buildings Renewal Program	62,400				62,400
Recreation Facilities Construction Program	12,100				12,100
Community Buildings Renewal Program	28,200				28,200
Cessnock Civic Precinct Revitalisation Project	30,000	1,400		165,000	196,400
Total Recreation Services	132,700	1,400	0	165,000	299,100
Cemeteries Construction Program	41,100				41,100
Total Other Projects	41,100	0	0	0	41,100
Total Revotes – All sources	310,400	1,400	153,300	1,188,800	1,653,900

2. That a policy on Council's annual expenditure revotes be brought to Council for adoption. This policy will aim to promote:
- Early identification of expenditure revotes through the use of the quarterly budget review process.
 - The treatment of expenditure revotes as 'Reserve Movements' so that estimated budget surpluses or deficits are accurately forecast at any point in time.
 - The effective limitation, where practicable, of expenditure revotes in any given financial year.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)
<i>CARRIED UNANIMOUSLY</i>	

CORPORATE AND COMMUNITY NO. CC55/2017

**SUBJECT: MINUTES OF THE CULTURAL FACILITIES COMMITTEE MEETING OF
CESSNOCK CITY COUNCIL HELD ON WEDNESDAY 2 AUGUST 2017**

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Sander
346
RESOLVED

1. That the minutes of the meeting of the Cultural Facilities Committee held on 2 August 2017 be adopted as a resolution of the Ordinary Council.
2. That the amended Terms of Reference be adopted.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI57/2017

SUBJECT: RESTART NSW FIXING COUNTRY ROADS - ROUND THREE

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Stapleford
347
RESOLVED

That Council endorses the submission of three applications under the Restart NSW – Fixing Country Roads (Round 3) program for the following:

- 1. Paynes Crossing Bridge;**
- 2. Mount Vincent to Millfield (via Sandy Creek Road) Upgrade;**
- 3. Bridge and Route Load Assessments.**

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI58/2017

**SUBJECT: MINUTES OF LOCAL TRAFFIC COMMITTEE
HELD 17 JULY 2017**

Mayor Pynsent declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a Director of Cessnock Leagues Club. Mayor Pynsent left the Chamber and took no part in discussion and voting.

*Mayor Pynsent vacated the chair and left the meeting, the time being 6.57pm
Councillor Stapleford assumed the chair, the time being 6.57pm*

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
348
RESOLVED

That the recommendations of the Local Traffic Committee Meeting of 17 July 2017 be adopted as a resolution of the Ordinary Council being:

1. **TC18/2017** – That double barrier (BB) lines be marked on Rothbury Street, Morgan Street and Washery Road as follows:
 - 10m on each approach to the intersections.
 - 10m between the Morgan Street and Washery Road intersections.
2. **TC19/2017** – That existing NO STOPPING zones be modified on Government Road, Weston as follows:
 - Relocate the existing NO STOPPING sign 25m to the north on the eastern side.
 - Replace the existing double arrow NO STOPPING sign outside number 46 with a left arrow NO STOPPING sign.
 - Replace the existing double arrow NO STOPPING sign outside number 48 with a right arrow NO STOPPING sign.
3. **TC20/2017** – That signage and pavement marking be installed on Darwin Street, Cessnock as follows:
 - An ALL TRAFFIC LEFT ONLY (symbolic) sign at exit from Cessnock Leagues Club.
 - A left turn pavement arrow on the vehicle access crossing from Cessnock Leagues Club to Darwin Street.
4. **TC21/2017** – That angle parking zone signs be installed on Great North Road, Laguna as follows:
 - 90° ANGLE PARKING REAR TO KERB signs in the off-street parking area adjacent Laguna Public School.
 - 90° ANGLE PARKING REAR TO KERB signs on the western side, between Laguna Public School access road and the southern driveway of the Great Northern Trading Post.
5. **TC22/2017** – That existing signs and line marking be removed from on Barton Street, Kurri Kurri and signs and line marking be installed at 179 Lang Street, Kurri Kurri as follows:
 - Cross hatch pavement marking of two parking bays.
 - Two MAIL ZONE signs.

6. That a formal review of the proposed Keene Street pedestrian refuge be considered at the next Local Traffic Committee Meeting.

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

	Total (0)
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CARRIED UNANIMOUSLY

Councillor Stapleford vacated the chair, the time being 6.59pm

Mayor Pynsent returned to the meeting and assumed the chair, the time being 6.59pm

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN38/2017

SUBJECT: NARROW ROADS - FOOTPATH PARKING

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Burke
349

RESOLVED

That the General Manager investigate the possibility of allowing residents to park their vehicles with 2 wheels on the footpath in residential precincts that have narrow roads and rolled edge kerbs.

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

Total (12)

Total (0)

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN39/2017

SUBJECT: POLICE

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

350

RESOLVED

1. That the General Manager write to the Central Hunter Command thanking them for their continuous efforts in our local community.
2. That the General Manager writes to the NSW Premier The Hon. Gladys Berejiklian MP, Minister for Police The Hon. Troy Grant MP and the Member for Cessnock Clayton Barr MP calling on the State Government to provide a new Police Station in both Cessnock and Kurri Kurri, and:
 - i. That the letter also questions what resources will be provided to Central Hunter Command to support the strain on the Cessnock Community with the expansion of Cessnock Correctional Facility.
 - ii. That the letter question when will the State Government provide more police officers and resources to the Cessnock LGA to continue to allow Cessnock area to be a safer community.
 - iii. That the letter include up to date crime statistics to support points i. and ii.
3. That in corresponding with the Premier and Police Minister, the issue of Greta and Branxton townships being included in the Central Hunter Command be included.
4. That the General Manager promote this campaign.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN40/2017

SUBJECT: POOL FEES

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

That the General Manager brings a report back to Council prior to setting of the 2018/19 Budget with the effects of removing all charges for entry to Cessnock and Branxton pools.

FOR	AGAINST
Councillor Olsen	Councillor Doherty
Councillor Dunn	Councillor Fagg
	Councillor Stapleford
	Councillor Suvaal
	Councillor Fitzgibbon
	Councillor Gray
	Councillor Burke
	Councillor Sander
	Councillor Lyons
	Councillor Pynsent
Total (2)	Total (10)

The Motion was PUT and LOST.

BUSINESS WITH NOTICE NO. BN41/2017

SUBJECT: POOL OPENING HOURS

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

351

RESOLVED

That the General Manager investigates how we can allow having the Cessnock and Branxton pools open for longer hours on nights of extreme heat to encourage all local residents to utilise these facilities.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ92/2017

SUBJECT: REAL ESTATE SIGNAGE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ93/2017

SUBJECT: LEP

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ94/2017

SUBJECT: CESSNOCK SIGN - TESTERS HOLLOW

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ95/2017

SUBJECT: CONDITIONS OF CONSENT

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ96/2017

SUBJECT: CARPARK RESURFACING / REHABILITATION

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ97/2017

SUBJECT: RESPONSE TIMES TO QUESTIONS

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Rod Doherty

WOODBURY QUARRY COMMUNITY REFERENCE GROUP MEETING

Councillor Doherty asked has the Woodbury Quarry Community Reference Group met as yet and if so, when.

Councillor Rod Doherty

AIR BNB IN CESSNOCK LGA

Councillor Doherty asked if Council is doing anything to regulate Air BNB listings as there appears to be some 500 beds being marketed in the Cessnock LGA.

Councillor Ian Olsen

COST OF LEGAL REPRESENTATION TO COUNCIL FOR CENSURE MOTION

Councillor Olsen asked what the cost to Council of legal representation into the investigation for the censure motion against himself as he has not received a response as yet.

Councillor Mark Lyons

HANDBALL COURTS

Councillor Lyons asked do we have any hand ball courts in the Local Government Area and what is the rough cost of creating handball courts.

Councillor Mark Lyons

ELECTRIC VEHICLE RECHARGE POINTS

Councillor Lyons asked if there are any electric vehicle recharge points in the Local Government Area.

Councillor Di Fitzgibbon

STREET TREE STRATEGY OR POLICY

Councillor Fitzgibbon asked does Council currently have a street tree strategy or policy and is so, can it be circulated.

Councillor Di Fitzgibbon

SECTION 94 CONTRIBUTIONS

Councillor Fitzgibbon asked how much money from Section 94 contributions is earmarked for road improvements and kerb and guttering in the Nulkaba Contributions Plan for projects approved prior to December 2016.

Councillor Darrin Gray

HEDDON GRETA ROUNDABOUT & COMMUTER CAR PARK

Councillor Gray asked whether the Director of Works & Infrastructure could circulate to Councillors the concept plans for the design and costing for the Heddon Greta roundabout and commuter car park that has been presented.

CORRESPONDENCE

CORRESPONDENCE NO. CO22/2017

SUBJECT: **POSSIBLE RELOCATION OF HARNESS RACING TO CESSNOCK
LOCAL GOVERNMENT AREA - RESPONSE FROM CLAYTON BARR,
MP MEMBER FOR CESSNOCK**

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Sander
352
RESOLVED

That Council note the correspondence indicating support for Council's position.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLOR'S REPORTS

NIL

The Meeting Was Declared Closed at 7.40pm

CONFIRMED AND SIGNED at the meeting held on 6 September 2017

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI15/2017

Corporate and Community Services



SUBJECT: *DISCLOSURES OF INTEREST*

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

RECOMMENDATION

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

SUMMARY

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

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

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

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

ENCLOSURES

There are no enclosures for this report.

Motions of Urgency

Report No. MOU15/2017

Corporate and Community Services



SUBJECT: *MOTIONS OF URGENCY*

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

RECOMMENDATION

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

SUMMARY

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

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

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



SUBJECT: *MINUTES OF THE AUDIT COMMITTEE MEETING HELD 8 AUGUST 2017*

RESPONSIBLE OFFICER: *Internal Auditor - Ian Lyall*

RECOMMENDATION

1. That the Minutes of the Audit Committee Meeting of 8 August 2017 be adopted as a resolution of the Ordinary Council.
2. The Council extends the term of Audit Committee members Dr Felicity Barr by one year and Neal O'Callaghan by six months.
3. That the Audit Committee Charter is amended to reflect the staggering of Audit Committee Independent members' terms.

MINUTES OF AUDIT COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD IN MEETING ROOM 6 ON TUESDAY, 8 AUGUST 2017, COMMENCING AT 12.57PM MEETING

PRESENT: Mrs Jennifer Hayes – Independent Chair
Mayor Councillor Bob Pynsent
Councillor Paul Dunn
Mr Neal O'Callaghan – Independent Representative
Dr Felicity Barr – Independent Representative

IN ATTENDANCE: Mr Stephen Glen – General Manager
Mr Robert Maginnity – Director Corporate & Community
Mr Gareth Curtis – Director Planning & Environment
Mr Justin Fitzpatrick-Barr – Director Works & Infrastructure
Mr Cath Watson – External Auditor – Forsyths Business Services Pty Ltd (*via teleconference from 2.22pm to 3.23 pm*)
Mr Ian Lyall – Internal Auditor
Ms Lawrissa Chan – NSW Audit Office
Mr Furqan Yousuf – NSW Audit Office
Councillor Fagg
Councillor Doherty
Councillor Lyons (*arrived at 1.06pm*)
Mrs Robyn Keegan – Minute Taker

INVITEES: Mr Steve Hepple – Information Technology Manager
Mr Paul Grosbernd – Management Accountant
Ms Kelly McGowan – Operations Accountant
Ms Catherine Bradley – Infrastructure Accountant
Mr Michael Alexander – Environmental & Waste Services Manager

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



The Chair delivered an Acknowledgement of Country.

APOLOGIES

Ms Darrylen Allan – Human Resources Manager

CONFIRMATION OF MINUTES

MINUTES:

MOTION

Moved: Mayor Pynsent
Seconded: Councillor Dunn

RESOLVED that the Minutes of the Audit Committee held on 2 May 2017, as circulated, be taken as read and confirmed as a correct record.

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

COMMITTEE DISCLOSURE OF INTEREST NO. ACCDI2/2017

SUBJECT: DISCLOSURES OF INTEREST

NIL

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



LISTED MATTERS

LISTED MATTERS - COMMITTEE NO. ACCLM17/2017

SUBJECT: INTERNAL AUDIT QUALITY SELF ASSESSMENT

MOTION **Moved:** Neal O'Callaghan **Seconded:** Dr Felicity Barr

RESOLVED

1. That the Audit Committee receives and notes the report.
2. That subsequent future surveys include the Audit Committee members.
3. That an additional dot-point under self-assessment "Appendix A – Methodology" include Audit Committee members as part of the methodology.

CARRIED UNANIMOUSLY

LISTED MATTERS - COMMITTEE NO. ACCLM18/2017

SUBJECT: INTERNAL AUDIT REPORT JULY 2017

MOTION **Moved:** Neal O'Callaghan **Seconded:** Mayor Pynsent

RESOLVED

1. That the Audit Committee notes the Q4 Internal Audit Report.
2. That the Audit Committee notes the completion of 31 action items from previous internal audit and other reports.
3. That the Audit Committee supports the participation of the Internal Auditor in the Institute of Internal Auditors Guidance Development meetings in Orlando and Dubai, subject to the approval by the Council after its consideration of a separate report.
4. A report be presented to the next Audit Committee meeting, outlining strategies to move the Annual Audit Plan outcomes at an accelerated rate.

CARRIED UNANIMOUSLY

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



LISTED MATTERS - COMMITTEE NO. ACCLM19/2017

SUBJECT: AUDIT COMMITTEE ANNUAL PERFORMANCE REVIEW 2016/17

MOTION Moved: Dr Felicity Barr **Seconded:** Neal O'Callaghan

RESOLVED

That the Audit Committee recommends that the Council receive and note the Audit Committee Annual Performance Review for 2016/17 and endorse the goals contained therein subject to clarification of the completion of internal audits.

CARRIED UNANIMOUSLY

LISTED MATTERS - COMMITTEE NO. ACCLM20/2017

SUBJECT: INFORMATION TECHNOLOGY UPDATE

MOTION Moved: Mayor Pynsent **Seconded:** Councillor Dunn

RESOLVED

That the Audit Committee receives the report and notes the information.

CARRIED UNANIMOUSLY

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



LISTED MATTERS - COMMITTEE NO. ACCLM21/2017

SUBJECT: DRAFT ANNUAL FINANCIAL STATEMENTS 2016-17

MOTION ***Moved:*** Mayor Pynsent ***Seconded:*** Jennifer Hayes

RESOLVED

That the Audit Committee note the draft statements as presented and they be formally referred for external audit.

CARRIED UNANIMOUSLY

LISTED MATTERS - COMMITTEE NO. ACCLM22/2017

SUBJECT: 2016-17 INTERIM MANAGEMENT LETTER

MOTION ***Moved:*** Jennifer Hayes ***Seconded:*** Dr Felicity Barr

RESOLVED

That the Audit Committee note the Interim Management letter from the NSW Audit Office and the draft management responses corresponding to the issues raised in the interim letter, and that additional information and clarification be included in the management response.

CARRIED UNANIMOUSLY

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



LISTED MATTERS - COMMITTEE NO. ACCLM23/2017

SUBJECT: AUDIT COMMITTEE INDEPENDENT MEMBERS TERM EXTENSION

MOTION ***Moved:*** Mayor Pynsent ***Seconded:*** Jennifer Hayes

RESOLVED

1. The Audit Committee recommends that Council extends the term of Audit Committee members Dr Felicity Barr by one year and Neal O'Callaghan by six months, and
2. That the Charter is amended to reflect the staggering of Audit Committee Independent members' terms.

CARRIED UNANIMOUSLY

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



LISTED MATTERS - COMMITTEE NO. ACCLM24/2017

SUBJECT: STRATEGIC AUDIT PLAN - RISK ASSURANCE MAP

MOTION ***Moved:*** Jennifer Hayes ***Seconded:*** Neal O'Callaghan

RESOLVED

That Audit Committee notes the Risk Assurance Map which will be updated on an ongoing but at least on an annual basis.

CARRIED UNANIMOUSLY

LISTED MATTERS - COMMITTEE NO. ACCLM25/2017

SUBJECT: AUDIT COMMITTEE OUTSTANDING ITEMS REPORT

MOTION ***Moved:*** Councillor Dunn ***Seconded:*** Jennifer Hayes

RESOLVED

That the Audit Committee notes the report.

CARRIED UNANIMOUSLY

LISTED MATTERS - COMMITTEE NO. ACCLM26/2017

SUBJECT: AUDIT COMMITTEE CALENDAR

MOTION ***Moved:*** Mayor Pynsent ***Seconded:*** Councillor Dunn

RESOLVED

That the Audit Committee notes the Calendar.

CARRIED UNANIMOUSLY

General Manager's Unit
Report No. GMU12/2017
General Manager's Unit



CORRESPONDENCE

CORRESPONDENCE - COMMITTEE NO. ACCCO1/2017

SUBJECT: **FINANCIAL STATEMENTS ADOPTION PROCESS - RESPONSE
LETTER FROM THE OFFICE OF LOCAL GOVERNMENT**

MOTION **Moved:** Councillor Dunn **Seconded:** Dr Felicity Barr

RESOLVED

That the Audit Committee notes the correspondence received from the Office of Local Government.

CARRIED UNANIMOUSLY

GENERAL BUSINESS

The General Manager provided an overview of the organisational restructure, including reasons, funding and risk.

The Meeting Was Declared Closed at 3.42pm

PRESENTATION

Waste Transfer Station Development	Environmental & Waste Services Manager
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CONFIRMED AND SIGNED at the meeting held on 7 November 2017

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU13/2017
General Manager's Unit



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

SUMMARY

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

RECOMMENDATION

That the report be received and noted.

BACKGROUND

The Cessnock City Council Picnic Association (the Association) has written to the General Manager requesting that approval be given for the Annual Cessnock City Council Picnic Day to be held on Friday, 27 October 2017.

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

REPORT

The *Local Government (State) Award 2017* (the Award) at clause 20B Union Picnic Day provides

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

The General Manager has approved Friday, 27 October 2017 as the Union Picnic Day in accordance with the Award. The annual picnic will be held at Hunter Valley Zoo and consists of zoo entry, a catered lunch, animal encounters and amusement rides for the kids.

General Manager's Unit

Report No. GMU13/2017

General Manager's Unit



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

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

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

STRATEGIC LINKS

a. Delivery Program

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

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

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

c. Legislative Implications

Local Government (State) Award 2017

d. Risk Implications

N/A

e. Other Implications

N/A

CONCLUSION

Council is advised of the date and details of the 2017 Cessnock City Council Picnic Day.

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit

Report No. GMU14/2017

General Manager's Unit



SUBJECT: *PROPOSAL TO CLOSE COUNCIL OFFICES BETWEEN CHRISTMAS AND NEW YEAR*

AUTHOR: *Human Resources Manager - Darrylen Allan*

SUMMARY

Council Offices, including Libraries, have traditionally closed between Christmas and New Year, with staff available for emergency situations.

RECOMMENDATION

1. That Council close its offices, including Libraries, from 12 noon Friday, 22 December 2017 and reopen on Tuesday, 2 January 2018.
2. That Council close the Cessnock Performing Arts Centre from 2.00 pm Thursday, 21 December 2017 and re-open on Monday, 8 January 2018.

BACKGROUND

Council has traditionally closed its offices, including Libraries, between Christmas and New Year, with staff available for emergency situations.

REPORT

It is proposed that Council Offices, including Libraries, close from 12 noon Friday, 22 December 2017 and that the office and Libraries re-open on Tuesday, 2 January 2018 and the Performing Arts Centre close from 2.00 pm Thursday, 21 December 2017 and re-open on Monday, 8 January 2018.

Listed below is a breakdown of applicable Public Holidays and Office closure dates:

Monday, 25 December 2017	Christmas Day (Public Holiday)
Tuesday, 26 December 2017	Boxing Day (Public Holiday)
Wednesday, 27 December 2017	Office Closed
Thursday, 28 December 2017	Office Closed
Friday, 29 December 2017	Office Closed
Monday, 1 January 2018	New Year's Day (Public Holiday)

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

OPTIONS

Option 1: That Council Offices close between Christmas and New Year.

Option 2: That Council Offices remain open between Christmas and New Year.

General Manager's Unit
Report No. GMU14/2017
General Manager's Unit



Option 1 is the preferred option.

CONSULTATION

N/A

STRATEGIC LINKS

a. Delivery Program

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

N/A

b. Other Plans

N/A

CONCLUSION

It is proposed that Council Offices, including Libraries, close from 12 noon Friday, 22 December 2017 and re-open on Tuesday, 2 January 2018.

It is proposed that the Cessnock Performing Arts Centre, close from 2.00 pm Thursday, 21 December 2017 and re-open on Monday, 8 January 2018.

ENCLOSURES

There are no enclosures for this report.

SUBJECT: ***CESSNOCK COMMERCIAL PRECINCT PROJECT - POST EXHIBITION OF DRAFT DEVELOPMENT CONTROL PLAN, PUBLIC DOMAIN PLAN AND IMPLEMENTATION PLAN***

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

SUMMARY

The purpose of this Report is to seek Council's endorsement to adopt the Draft Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010, and the Cessnock Commercial Precinct Draft Public Domain Plan and Implementation Plan following public exhibition, consultation and consideration of submissions.

RECOMMENDATION

1. That Council adopt the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010, pursuant to the Environmental Planning and Assessment Act 1979;
2. That Council adopt the Cessnock Commercial Precinct Public Domain Plan and Implementation Plan.

Chronology

Date	Brief Description
19/06/2013	Council adopted the Community Strategic Plan 2013, including Objective 2.1.4b <i>Commence a development strategy for Cessnock CBD (including draft development control plan and draft contributions plan).</i>
6/04/2016	Council resolved at its Ordinary Meeting held 6 April 2016 to accept a quotation for consultancy services to undertake the Cessnock Commercial Precinct Project.
26/04/2016	Consultants engaged to undertake Cessnock Commercial Precinct Project.
10/06/2016 to 13/07/2016	Online and hard copy surveys completed. Online and large format interactive mapping used to engage the community.
17/06/2016 & 28/06/2016	Intercept surveys and community mapping undertaken at Businesses within the Cessnock Commercial Precinct.
18/06/2016	Intercept surveys and community mapping undertaken at Funky Junk Markets, Cessnock.
21/06/2017	Council adopted the Community Strategic Plan 2017, including Objective 2.1.5 <i>Finalise and commence implementation of the Cessnock Commercial Precinct, Public Domain Plan, DCP and s94 Plan.</i>

Planning and Environment

Report No. PE47/2017

Planning and Environment



28/06/2016	Intercept surveys and community mapping undertaken at Hunter Valley Wine Country Business Network Event.
12/07/2016, to 21/03/2017	Consultation with various key stakeholders 12/07/2016, 4/08/2016, 9/08/2016, 15/08/2016, 15/09/2016, 19/09/2016, 20/09/2016, 29/09/2016, 23/02/2017, and 21/03/2017
6/09/2016	Consultation with Hunter Water.
29/04/2017	Councillors briefed on the Cessnock Commercial Precinct Project.
19/04/2017	Council resolved to place the following documents on public exhibition for a minimum period of six weeks: <ul style="list-style-type: none"> • Draft Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010; • Cessnock Commercial Precinct Project Report; • Cessnock Commercial Precinct Project Background Reports; • Cessnock Commercial Precinct Public Domain Plan and DCP Engagement Outcomes Report.
3/05/2017 to 16/06/2017	Draft documentation placed on public exhibition in accordance with Council resolution 19 April 2017.
30/05/2017	Community drop-in session - corner of Charlton and Cooper Streets.
10/06/2017	Community drop-in session - corner of Charlton and Cooper Streets.
13/06/2017	Stakeholder presentation/consultation - Cessnock Business Chamber Breakfast.
28/06/2017	Stakeholder presentation/consultation - Cessnock Leagues Club Board.

BACKGROUND

The Cessnock Commercial Precinct Project consists of a suite of strategic planning documents that provide a long term vision, guidance and coordination for future development within the Cessnock Commercial Precinct. These documents will execute actions identified in the Cessnock CBD Masterplan adopted by Council on 12 December 2012, and complement the Hunter Regional Plan 2036 in its vision for the City of Cessnock as a regionally significant “strategic” centre.

Council also resolved at its Ordinary Meeting held 16 March 2016 to review the current parking arrangements in Vincent Street, Cessnock in conjunction with the Cessnock Commercial Precinct Project, with a view to looking at opportunities to consolidate the provision of car parking spaces, and to identify a site for the location of public toilets with access from Vincent Street Cessnock. This has been carried out in the process of developing the documents.

Planning and Environment

Report No. PE47/2017

Planning and Environment



REPORT/PROPOSAL

The following Cessnock Commercial Precinct Project documents were publicly exhibited for a period of six weeks from 3 May to 14 June 2017:

- Draft Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010;
- Cessnock Commercial Precinct Project Report;
- Cessnock Commercial Precinct Project Background Reports; and
- Cessnock Commercial Precinct Public Domain Plan and DCP Engagement Outcomes Report.

Further to the above documents being placed on exhibition, the Cessnock Commercial Precinct Planning Proposal was made available to the public for viewing on the projects exhibition webpage. The Planning Proposal endorsed by Council at its Ordinary Meeting held 19 April 2017 to be forwarded to the Department of Planning and Environment for a Gateway determination, and supports the vision of the Draft Development Control Plan and Public Domain Plan proposing changes to land use and development controls within the precinct. A Gateway determination has been sought from the Department of Planning and Environment and the Planning Proposal will be progressed separately.

The core components of the exhibition material that this Report seeks to adopt, includes:

1. Draft Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010; and
2. Draft Public Domain Plan and Implementation Plan (Extracted components of the Cessnock Commercial Precinct Project Report).

The remainder of the exhibition material was placed on exhibition for the purposes of background information and transparency in decision making.

The following provides a summary of the documents recommended for adoption:

Cessnock Commercial Precinct Development Control Plan

The Development Control Plan provides detailed locality specific development guidelines to complement those of the Cessnock Development Control Plan 2010 and the proposed amendments to the Cessnock Local Environmental Plan 2011 (Planning Proposal).

It identifies sites within the commercial precinct that are poised to act as catalysts in growing the city as a regional centre and gateway to the Vineyards District, in some instances providing development incentives for certain types of development.

Cessnock Commercial Precinct Public Domain Plan

The Public Domain Plan provides a framework for public domain infrastructure upgrades within the Cessnock Commercial Precinct to improve the cohesiveness and attractiveness of the streetscapes and general public domain. In particular, the Public Domain Plan

Planning and Environment

Report No. PE47/2017

Planning and Environment



introduces a town square that will become the future heart of the city, bringing improved life and vitality.

Cessnock Commercial Precinct Implementation Plan

The Implementation Plan provides a framework for implementing infrastructure upgrades identified in the Public Domain Plan. In combination with the Public Domain Plan, the Implementation Plan will significantly improve Council's ability to secure grant funding in the longer term, while supporting Council's ability to program and coordinate the identified works.

During the exhibition period:

- A total of six written submissions were received (refer **Confidential Enclosure 1**), one of which was received from the Cessnock Chamber of Commerce;
- 33 Responses were provided in response to an online and intercept survey;
- 177 people participated in a brief Facebook survey;
- Six Facebook posts were made reaching an audience of 20,579 people; and
- A digital advertisement was placed on the Cessnock Advertiser's website reaching an audience of 7,670 people.

Issues and comments raised in submissions predominantly relate to the Development Control Plan (16) rather than the Public Domain Plan (13) and Implementation Plan (5). A summary of the issues raised in submissions and Council's responses to those issues are **distributed under separate cover**. Key issues raised in submissions related to:

- Heritage;
- Urban / street character;
- Car Parking; and
- Public amenity.

Concerning the 33 responses to the online and intercept survey, the general feedback was positive with respondents expressing excitement and anticipation for the plan to be realised.

Some of the concerns raised in the survey included:

- Impact of traffic resultant from proposed town square and one-way streets;
- Potential for Town Square to take business away from Vincent Street;
- How the Plan would be funded; and
- A desire to see implementation happening now, not in the future.

Planning and Environment

Report No. PE47/2017

Planning and Environment



Notably, the following table illustrates a strong level of support for the proposed plans:

Category	Supports / Strongly Supports Proposal	Opposes / Strongly Opposes Proposal
Access and Transport	74%	10%
Character Measures	78%	10%
Public Domain Measures	82%	7%
Land Use Measures	72%	14%
Building Height Measures	57%	25%

Amendments to the publicly exhibited *Draft Development Control Plan*, *Draft Public Domain Plan* and *Draft Implementation Plan* consequent to submissions received and responses to surveys during its public exhibition have been made and **distributed under separate cover**. These amendments are considered to be minor and do not require the need for re-exhibition.

OPTIONS

Options available to Council include the following:

1. Adopt the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010, and Draft Cessnock Commercial Precinct Public Domain Plan and Implementation Plan **distributed under separate cover**. This is the preferred option.
2. Adopt the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010, and Public Domain Plan and Implementation Plan as it was placed on public exhibition. *This is not the preferred option*;
3. Not adopt the Cessnock Commercial Precinct Development Control Plan, Public Domain Plan and Implementation Plan for the following reasons:

(To be provided by Council).
This is not the preferred option

CONSULTATION

During the six week exhibition period from 3 May to 14 June 2017, the Cessnock Commercial Precinct Project exhibition webpage on Council's website received 3,464 hits.

A Post Consultation Report is **distributed under separate cover** to this Report. Notably, the following response to the exhibition was received via social and electronic media:

- 316 Facebook interactions (likes, comments or shares) and 1,393 clicks on hyperlinks to the Cessnock Commercial Precinct Project webpage or Facebook Survey;
- 718 visitors to the Facebook Survey of which 177 (25%) participated in the survey;
- 33 separate responses were provided to the detailed survey on Survey Gizmo (2 of which surveys were completed in hard copy format at the drop-in sessions); and

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- 7,670 views and 27 clicks on hyperlinks to the Cessnock Commercial Precinct Project webpage in response to an advertisement placed in the Cessnock Advertiser.

During the public exhibition period, two community drop-in sessions were held on Tuesday 30 May 2pm to 6pm and Saturday 10 June 10am to 2pm, both at the corner of Cooper and Charlton Streets, Cessnock, whereby approximately 30 people attended.

Various key stakeholders were consulted including the following:

1. Rover Buses;
2. Ausgrid as land owner – 1-5 South Avenue, Cessnock;
3. Cessnock Leagues Club;
4. Cessnock Chamber of Commerce
5. Land owner – Cessnock Plaza Shopping Complex;
6. Land owner – Cessnock City Centre Shopping Complex;
7. Land owner – 36 Vincent Street, Cessnock; and
8. Land owner – 103 Vincent Street, Cessnock

The following internal officers were consulted:

- Development Services Team;
- Recreation Services Team;
- Economic Development Team;
- Strategic Assets Team;
- Community and Cultural Engagement Team; and
- Strategic Land Use Planning Team.

The following external agencies were consulted:

- NSW Department of Planning and Environment;
- Hunter Water Corporation, and
- Roads and Maritime Services.

A web page specific to the Cessnock Commercial Precinct Project was created on Council's website at the start of the project to provide effective communication with the community by way of updates. The web page has been updated as the project has progressed.

STRATEGIC LINKS

a. Delivery Program

The Cessnock Commercial Precinct Development Control Plan, Public Domain Plan and Implementation Plan has been developed following significant community consultation, providing a strategic framework that will guide and coordinate future development and public domain infrastructure upgrades within the Cessnock Commercial Precinct. Consequently,

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Council's endorsement of the Development Control Plan, Public Domain Plan and Implementation Plan, aligns with the following objectives of the Cessnock 2027 Community Strategic Plan:

- 1.1 – Promoting Social Connections;
- 1.2 – Strengthening Community's Culture;
- 1.3 – Promoting Safe Communities;
- 1.4 – Fostering an Articulate and Creative Community;
- 2.1 – Diversifying Local Business Options;
- 2.2 – Achieving More Sustainable Employment Opportunities;
- 2.3 – Increasing Tourism Opportunities and Visitation in the Area;
- 3.1 – Protecting & Enhancing the Natural Environment & the Rural Character of the Area;
- 3.2 – Better Utilisation of Existing Open Space;
- 4.1 – Better Transport Links;
- 4.2 – Improving the road network; and
- 5.2 – Encouraging More Community Participation in Decision Making.

b. Other Plans

The documents subject of this Report have been coordinated with, or informed by, the following:

- Hunter Regional Plan;
- Cessnock City Wide Settlement Strategy 2010;
- Draft Cessnock LGA Traffic and Transport Strategy;
- Cessnock Economic Development Strategy;
- Recreation and Open Space Strategic Plan 2009;
- Recreation Needs Analysis 2017;
- Aquatic Needs Analysis 2014;
- Cessnock Aquatic Centre Feasibility and Design;
- Cessnock Cycling Strategy 2016.
- Cessnock CBD Masterplan; and
- Cessnock City Council Skate and BMX Facilities Needs Analysis 2011.

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IMPLICATIONS

a. Policy and Procedural Implications

This Report recommends adoption of the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010, which includes provisions for future development within the Cessnock Commercial Precinct. The adoption of the DCP is consistent with Council's normal procedures and policies.

This Report also recommends the adoption of a Public Domain Plan and Implementation Plan for the Cessnock Commercial Precinct. The Public Domain Plan will provide guidance for Council in upgrading, installing or designing public domain infrastructure within the Cessnock Commercial Precinct. It will also be used with the Implementation Plan to support applications made by Council in the future for grant funding to fund the construction and / or detailed design of public domain infrastructure within the precinct. The Implementation Plan will also be used by Council in staging the construction of public domain infrastructure identified in the Public Domain Plan, informing Council's delivery program.

b. Financial Implications

The original budget for the Cessnock Commercial Precinct Project comprised of \$266,120.00 (incl. GST), of which \$110,000.00 (incl. GST) is funded by the Department of Planning and Environment NSW. The project, now in its final stages, remains within the budget.

The works proposed by the Public Domain Plan and Implementation Plan will be considered in a revision of the Section 94 Contributions Plan for Car Parking in the Cessnock Central Business District. The Section 94 Plan will enable a small portion of the works proposed by the Public Domain Plan and Implementation Plan to be levied for and constructed, however a majority of the works proposed will need to be funded through Government grants or other forms of funding.

Importantly, the works identified by the Public Domain Plan and Implementation Plan will significantly improve Council's ability to secure grant funding in the longer term.

c. Legislative Implications

Council will be required to consider the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010 in the assessment of development applications in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979*.

d. Risk Implications

The Cessnock Commercial Precinct has suffered from ad-hoc development in the past due to the absence of a specific vision and strategic framework, resulting in a disconnected commercial precinct that is sensitive to commercial variabilities and economic climates.

The Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010 and Cessnock Commercial Precinct Public Domain Plan and Implementation Plan provides a vision, guidance and coordination for development within the Cessnock Commercial Precinct. The risk in Council resolving not to endorse the Plans includes development within the precinct not being managed in an orderly fashion, and the loss of

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opportunity to establish a Town Square within the precinct promoting economic vitality and improving connectivity between the precinct's main spine (Vincent Street) and its anchor commercial developments in Cessnock Plaza and Cessnock Civic Centre shopping complexes.

e. Environmental Implications

NIL

f. Other Implications

NIL

CONCLUSION

It is recommended that Council endorse the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010, and Cessnock Commercial Precinct Public Domain Plan and Implementation Plan to support future orderly development, and improvements to the public domain, of the Cessnock Commercial Precinct.

ENCLOSURES

- 1 Public Submissions to Cessnock Commercial Precinct Project Public Exhibition - *This matter is considered to be confidential under Section 10A(2) (j) of the Local Government Act, as it deals with Council Policy.*
- 2 Cessnock Commercial Precinct Exhibition of Draft Public Domain Plan and DCP Engagement Outcomes Report - PROVIDED UNDER SEPERATE COVER
- 3 Cessnock Development Control Plan 2010 - Part E16: Cessnock Commercial Precinct - PROVIDED UNDER SEPERATE COVER
- 4 Cessnock Commercial Precinct Public Domain Plan and Implementation Plan - PROVIDED UNDER SEPERATE COVER

SUBJECT: *REGULATION OF THE NUMBER OF DOGS AND CATS ON RESIDENTIAL PROPERTIES*

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

SUMMARY

This report is provided in response to Council's resolution regarding Notice of Motion BN34/2017 – Regulation of number of dogs and cats on residential properties.

RECOMMENDATION

That Council receive the report and note the information.

BACKGROUND

Council resolved at its meeting of 2 August 2017:

1. *That the General Manager report to Council on strategies to regulate the number of dogs and cats kept in a residential block '*
2. *That the report examines methods other Councils adopt to regulate dogs and cats under the Companion Animals Act 1998 and other relevant legislation.*

REPORT/PROPOSAL

Council's Powers to Control and Regulate Companion Animals

Generally, Council's powers to control and regulate the keeping of companion animals (dogs and cats) are provided under the *Companion Animals Act 1998* and *Companion Animals Regulation 2008*. Council can also exercise controls over companion animals under Section 124 of the *Local Government Act, 1993*.

Companion Animals Act 1998

The *Companion Animals Act 1998* and *Companion Animals Regulation 2008* provide the legislative framework for effective and responsible care and management of companion animals maintained through co-operation, self-regulation and compliance.

This includes but is not limited to, compulsory identification and registration of companion animals; Responsibilities for control of dogs including noise, defecating on property, dog attacks, damage to property, preventing escape, nuisance dog provisions; Dangerous and menacing dogs; Restricted dogs and animals in public places; Responsibilities for control of cats including noise, nuisance cat provisions, damage to property.

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Local Government Act 1993

Under Section 124 of the *Local Government Act 1993* the Council may, in the appropriate circumstances issue an Order to:

- prohibit the keeping of various kinds of animals.
- restrict the number of various kinds of animals to be kept on a premises.
- require the animals to be kept in a specific manner.

The Council may also issue Orders requiring:

- the demolition of animal shelters built without the prior approval of Council.
- the occupier to do or refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

Council can exercise further controls over companion animals under the following Acts:

- The *Protection of the Environmental Operations Act 1997* (noise, odour, pollution matters).
- The *Food Act 2003* (prohibits animals to be kept where food is handled for sale).

Strategies to Regulate the Number of Companion Animals Kept on a Residential Block

Under State legislation there is no provision for Council to place a blanket limit on the number of companion animals that can be kept on a residential block. In specific circumstances Council's throughout NSW use the provisions of Section 124 of the *Local Government Act 1993* to determine whether or not to issue an Order on the occupier of a particular premise to regulate the number of companion animals kept on the property.

For Council to take action under Section 124, Order 18 of the *Local Government Act 1993* the council officer must have a brief of evidence that can prove that the companion animals kept on the premises are of an inappropriate kind or number or are kept inappropriately.

Some Council's in NSW have adopted a Local Orders Policy pursuant to Section 159 of the *Local Government Act 1993* for the keeping of animals. A Local Orders Policy is prepared in accordance with the Act to achieve the following objectives:

- to provide guidelines for local residents on what is usually considered an appropriate number and kind of companion animals which may be kept; and
- to ensure the keeping of animals does not result in unhealthy or unsafe conditions or cause a nuisance to others.

In reality a Local Orders Policy is only a guideline to assist in understanding the responsibilities of keeping companion animals in an appropriate and lawful manner. It is not enforceable and is only a guide which Council can take into consideration in determining whether or not to issue an Order under Section 124 of the *Local Government Act 1993*.

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It is not a recommendation of this report that Council adopts a Local Orders Policy for the following reasons:

- A Local Orders Policy does not raise or introduce any new matters that are not already fully addressed within existing legislation.
- A review of Local Orders Policies from other Councils reveal significant inconsistencies in the numbers of companion animals recommended on residential properties.
- Council officers already have powers to issue Orders on the occupier of a residential property to limit numbers depending on the circumstances of the individual case and criteria under the Act. It is important to understand that the reasonable limits which apply concerning the maximum number of companion animals and the circumstances under which they may be kept will vary depending on responsible ownership, property characteristics, care and control, type and size of animals, etc. These elements need to be investigated and assessed by the officer and recommended maximum numbers of companion animals will vary on a case by case, property by property basis.
- Council has an adopted Companion Animals Management Plan 2014-2017 that is a guideline to assist owners in understanding the responsibilities of keeping companion animals in an appropriate and lawful manner.

In specific reference to the residential property that had in excess of 12 dogs and 10 cats within the property, Rangers in conjunction with the RSPCA carried out an investigation and Council issued an Order under Section 124 of the *Local Government Act 1993* to limit animal numbers and to put controls in place to manage waste. The following comments are provided:

- The owner has complied with all directions given by Council and RSPCA staff.
- All cats have been removed from the property.
- The number of dogs on the property has been reduced to 7 and all dogs are now microchipped, de-sexed and registered.
- A waste management plan has been implemented for the property, including living conditions for the dogs, in accordance with RSPCA requirements.

The outcomes of this investigation highlights that the existing regulatory framework is very effective in regulating companion animal matters.

CONSULTATION

In writing this report the following have been consulted:

- Ranger Team Leader
- Environmental Health Team Leader
- Director Planning and Environment

STRATEGIC LINKS

a. Delivery Program

This report is linked to Objective 1.3.2 of the Delivery Program “Carry out regulatory and education programs to protect residential amenity and community health and safety”.

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b. Other Plans

Companion Animal Management Plan 2014-2017.

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Nil

c. Legislative Implications

Council can exercise controls over companion animals under the following Acts/Regulations:

- *Companion Animals Act 1998 and Companion Animals Regulation 2008.*
- *Section 124 of the Local Government Act, 1993.*
- *Protection of the Environmental Operations Act 1997 (noise, odour, pollution matters).*
- *Food Act 2003 and Food Regulation 2015 (prohibits animals to be kept where food is handled for sale).*
- *Impounding Act 1993.*

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Nil

CONCLUSION

Under State legislation there are no provisions for Council to place a blanket limit on the number of companion animals that can be kept on a residential block. Existing legislation within NSW provides a comprehensive framework to regulate the keeping of companion animals on a residential property.

Council has an adopted Companion Animals Management Plan that is a guideline to assist owners in understanding the responsibilities of keeping companion animals in an appropriate and lawful manner.

ENCLOSURES

There are no enclosures for this report



SUBJECT: *MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD ON FRIDAY 11 AUGUST 2017*

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

RECOMMENDATION

1. That the minutes of the meeting of the Aboriginal and Torres Strait Islander Committee held on 11 August 2017 be adopted as a resolution of the Ordinary Council.
2. That Council revise its Acknowledgement of Country, with the inclusion of the wording 'and future' and it be:-

"That Council acknowledges the Wonnarua people as the traditional custodians of this land we are meeting on today, the Elders past and present and future.

We also acknowledge the Awabakal people to the east and the Darkinjung people to the south, and other Aboriginal peoples who now live within the Cessnock Local Government Area".
3. That Council display an Acknowledgement of Country as a banner on its website and the Committee be further consulted on the wording.
4. That Council display an Acknowledgement of Country in the foyer of its Administration Building and the Committee be further consulted on the banner and wording.

MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD IN THE ANTE ROOM ON FRIDAY, 11 AUGUST 2017, COMMENCING AT 9.00 AM

PRESENT: The Mayor Bob Pynsent (*left the meeting at 9:15am*)
Councillor Rod Doherty
Councillor Darrin Gray
Ms Michelle Earl – Community Representative
Mr Craig Layer – Community Representative
Ms Susan Mulyk – Community Representative (*arrived at 9.07am*)
Ms Sonia Sharpe – Community Representative
Ms Tara Dever – Community Representative
Ms Tracey Skene – Community Representative (*arrived at 9.14am*)

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IN ATTENDANCE:

Councillor Mark Lyons
Mr Robert Maginnity – Director Corporate and Community Services
Ms Joanne Walpole – Minute Taker

INVITEES:

Mr Paul Burton – Strategic Recreation & Facilities Planner
Mr Lyall Green – Vegetation and Civic Spaces Coordinator
Mr Stephen Merchant – Project Consultant for Moir Landscape Architects

APOLOGIES

Ms Natalie Drage – Acting Community & Cultural Engagement Manager
Ms Jo Miller – Community and Cultural Engagement Officer

CONFIRMATION OF MINUTES

MINUTES:

MOTION

Moved:

Mr Craig Layer

Seconded:

Councillor Gray

RECOMMENDED that the Minutes of the Aboriginal and Torres Strait Islander Committee held on 9 June 2017, as circulated, be taken as read and confirmed as a correct record.

CARRIED UNANIMOUSLY

LISTED MATTERS

LISTED MATTERS - COMMITTEE NO. AACLM12/2017

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

MOTION **Moved:** Ms Michelle Earl **Seconded:** Ms Sonia Sharpe

RECOMMENDATION

1. That the Committee recommends to Council the addition of wording “and future” to the Acknowledgement of Country as used by Council.
2. That the Committee recommends to Council the inclusion of the Acknowledgement of Country as a banner on the Council website.
3. That the Committee recommends to Council the installation of a banner in the foyer of the Administration Building with the Acknowledgement of Country.

CARRIED UNANIMOUSLY

Mayor Pynsent left the meeting, the time being 9.15am

LISTED MATTERS - COMMITTEE NO. AACLM13/2017

SUBJECT: ABORIGINAL TOURISM

MOTION **Moved:** Councillor Doherty **Seconded:** Ms Tracey Skene

RECOMMENDATION

That the Committee note the report.

CARRIED UNANIMOUSLY

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LISTED MATTERS - COMMITTEE NO. AACLM11/2017

SUBJECT: DRAFT CONCEPT DESIGN FOR BRIDGES HILL PARK PLAYGROUND

MOTION Moved: Mr Craig Layer Seconded: Ms Susan Mulyk

RECOMMENDATION

The Committee note the Draft Concept Design for the Bridges Hill Park Playground.

CARRIED UNANIMOUSLY

LISTED MATTERS - COMMITTEE NO. AACLM10/2017

SUBJECT: INNOVATE RECONCILIATION ACTION PLAN

MOTION Moved: Mr Craig Layer Seconded: Ms Susan Mulyk

RECOMMENDATION

That the Committee schedules a special workshop on 8 September 2017 at 9.00am to work through the development of the Draft Cessnock City Council Innovate Reconciliation Action Plan.

CARRIED UNANIMOUSLY

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LISTED MATTERS - COMMITTEE NO. AACLM14/2017

SUBJECT: ELSA DIXON ABORIGINAL EMPLOYMENT SCHOLARSHIP

MOTION ***Moved:*** Ms Sonia Sharpe ***Seconded:*** Councillor Gray

RECOMMENDATION

That the Committee note the successful Elsa Dixon Aboriginal Employment Scholarship for 2017/18.

CARRIED UNANIMOUSLY

CORRESPONDENCE

Nil

GENERAL BUSINESS

1. The youth of the area were unhappy in the leadup to Naidoc Week with stickers on garbage bins potentially being considered not respectful to their culture.
2. It was noted that the Aboriginal Flag at Kurri Kurri was originally placed upside down but was quickly corrected on the day.

The Meeting Was Declared Closed at 10.38am

ENCLOSURES

There are no enclosures for this report.

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Corporate and Community Services



SUBJECT: *LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017*

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

SUMMARY

The Local Government NSW Annual Conference 2017 is scheduled to be held in Sydney from Monday, 4 December to Wednesday, 6 December 2017. The purpose of this report is to provide the opportunity for Councillors to make application to attend as per Council policy, and to consider motions to be submitted to the Conference.

RECOMMENDATION

1. That Councillors wishing to attend the Local Government NSW Annual Conference make application to the General Manager by 13 September 2017 so that Council can determine attendees at the meeting of 20 September 2017.
2. That Councillors consider motions for the conference and that they be provided to the General Manager by 13 September 2017 for consideration/endorsement by Council at the meeting of 20 September 2017.

BACKGROUND

Council determines attendees and voting delegates to the Local Government NSW Annual Conference 2017 following an application process and subsequent consideration at a later Council meeting.

Local Government NSW has called for registration of motions by 9 October 2017, so as to enable the conference agenda to be completed.

REPORT/PROPOSAL

Local Government NSW has provided information regarding the Annual Conference to be held in Sydney from 4-6 December 2017. Refer to **Enclosure 1**.

In accordance with Council Policy, Councillors wishing to attend the Conference would be requested to make application to the General Manager by a specified date so that Council could determine the attendees and voting delegates at a subsequent Council meeting.

Early bird registration closes 23 October 2017, with delegate rate of \$899, and standard registration of \$999 closing 27 November 2017. The application to attend conference form is available at **Enclosure 2**.

Local Government NSW has also sought to have motions for consideration at the Conference submitted by Monday, 9 October 2017. Councillors are requested to notify the General Manager of any suggested motions by 13 September 2017 so that Council could determine the motions to be referred to the Association at the meeting of 20 September 2017.

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The Local Government NSW Board is seeking ways to ensure that the motions debate at the Conference centres on advancing section wide policy agenda. This means proposed motions should seek to be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

An online facility will be available for submission of motions. Those motions only will be included in the conference business paper where they:

1. are consistent with the objects of the Association;
2. relate to Local Government in NSW and/or across Australia;
3. concern or are likely to concern Local Government as a sector;
4. seek to advance Local Government policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature; and
7. do not express preference for one or several members over one or several other members.

For those Councils submitting motions, supporting evidence such as Council minutes from the meeting where the motions were endorsed by Council are required. Further, any such motion/s should be submitted to the Board by 9 October 2017.

CONSULTATION

Executive
Local Government NSW

STRATEGIC LINKS

a. Delivery Program

This report is linked to the Community's Desired Outcome Objective 5 "Civic Leadership and Effective Governance".

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

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

b. Financial Implications

Funding is available for attendance in the Councillors conference budget vote. The approximate cost per delegate will be \$3,000. This includes transport, accommodation, conference/workshop registration and meals.

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c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Other Implications

N/A

CONCLUSION

This report provides information on the upcoming Local Government NSW Annual Conference and provides Council with the opportunity to consider any motions to be submitted to the Conference.

ENCLOSURES

- 1 Draft Conference Program
- [2 Request to Attend Application Form](#)

SUBJECT: ***TENDER FOR PROVISION OF TREE MAINTENANCE
(T291718HUN)***

RESPONSIBLE OFFICER: ***Procurement and Contracts Manager - Renae Leayr***

SUMMARY

Evaluation and acceptance of Regional Procurement Tender for the Provision of Tree Maintenance (T291718HUN) for the period 1 October 2017 to 3 September 2019.

RECOMMENDATION

1. That Council accepts the Regional Procurement Tender for the Provision of Tree Maintenance (T291718HUN) for the period 1 October 2017 to 30 September 2019.
2. That Active Tree Services Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd and JK Cooper Tree Services Pty Ltd be accepted to a standing offer contract panel under the Regional Procurement Tender for the Provision of Tree Maintenance (T291718HUN) for the period 1 October 2017 to 30 September 2019.

BACKGROUND

Council has previously called quotations for provision of tree maintenance on an as needs basis. However, expenditure on tree maintenance has increased close to the tender threshold due to rising costs, the advent of unexpected workloads after severe storms as well as increased tree removals/reductions associated with roadworks.

Council sought the assistance of Regional Procurement to run an open standing offer panel tender for provision of tree maintenance which was called on behalf of Cessnock, Muswellbrook, Singleton and Upper Hunter Councils.

REPORT/PROPOSAL

Regional Procurement invited Tenders on 10 June 2017 on the Regional Procurement e-tender portal, Tenderlink and advertised in the following publications:

Publication:	Day:	Date:
Sydney Morning Herald	Saturday	10 June 2017
Newcastle Herald	Tuesday	13 June 2017

Tenders closed on 4 July 2017.

Sixteen tender documents were sold and seven service providers tendered for Cessnock:

1. Active Tree Services Pty Ltd
2. Asplundh Tree Expert (Australia) Pty Ltd
3. Assurance Trees Pty Ltd

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4. JK Cooper Tree Services Pty Ltd
5. Plateau Tree Services
6. Tree Serve Pty Ltd
7. UAM Pty Ltd

There were no late tenders received and all tenders were assessed as compliant and progressed to the evaluation process.

Tender submissions for Council were evaluated on 9 August 2017 using pre-determined weighted criteria by a panel comprising Council's Procurement and Stores Coordinator and Council's Vegetation and Civic Spaces Coordinator Parks and a Regional Procurement Officer as the Facilitator. All tender evaluation team members completed a Conflict of Interest Declaration form and the evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process.

The Regional Procurement Evaluation Report is attached as ***Confidential Enclosure 1***.

Of the seven submissions for Cessnock City Council, JK Cooper Tree Services Pty Ltd has a registered office in the Cessnock LGA, Assurance Trees Pty Ltd has a registered office in the Maitland LGA and the other five companies have their registered offices in the Sydney area. Active Tree Services Pty Ltd has a works depot in Newcastle to coordinate work for the Hunter Valley, Asplundh Tree Expert (Australia) Pty Ltd has a works depot on the Central Coast with their Coordinator located in Cessnock while Plateau Tree Services, Tree Serve Pty Ltd and UAM Pty Ltd all work out of Sydney.

The evaluation panel assessed the seven tender submissions and based on Council's previous experience with the service providers, the pricing on offer and the weighted criteria taken into consideration it was determined that Council would be best served by accepting the tenders from JK Cooper Tree Services Pty Ltd, Active Tree Services Pty Ltd and Asplundh Tree Expert (Australia) Pty Ltd.

All three preferred tenderers have provided excellent service to Council in the past, they offered very competitive pricing and were deemed the best fit for purpose tenderers as per the Regional Procurement recommendation. Assurance Trees Pty Ltd and UAM Pty Ltd offered prohibitive pricing when compared to the other five submissions while Plateau Tree Services and Tree Serve Pty Ltd are based wholly out of Sydney, all four submissions were deemed as not being as advantageous to Council as the three preferred tenderers.

RECOMMENDATION

Active Tree Services Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd and JK Cooper Tree Services Pty Ltd achieved the three highest evaluation scores for combined price and non-price criteria. All three tenderers have provided excellent service to Council in the past and offer very competitive pricing and are recommended as the best fit for purpose tenderers for the standing offer contract panel.

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OPTIONS

1. Council can resolve to accept Regional Procurement Tender for the Provision of Tree Maintenance (T291718HUN), and accept Active Tree Services Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd and JK Cooper Tree Services Pty Ltd to a standing offer contract panel. This is the preferred option as it offers competitive pricing from the preferred tenderers and involves minimal demand on Council resources to establish and administer the tender and contract.
2. Council can participate in the Procurement Australia tender 1711/1401 for Tree Pruning and Associated Services. This is not a preferred option as all contractors on the panel are based in Sydney and would be cost prohibitive to travel to the Cessnock LGA and carry out works or respond to emergency service requirements.
3. Council can decide to call its own tender for the Provision of Tree Maintenance. This is not the preferred option as it will be a costly process requiring additional demand on Council resources to establish and administer the tender and contract. Furthermore the results of Council's own tender are considered unlikely to be as competitive as the outcome under Option 1 and Council has signed a letter of participation for the Regional Procurement Tender where the outcome is equal to or better than the pricing, level of service and quality otherwise obtained by Council.

CONSULTATION

Regional Procurement Management and Staff
Procurement Depot and Building Services Manager
Procurement and Stores Coordinator
Procurement and Stores Officer
Parks and Gardens Coordinators
Works and Services Coordinators

STRATEGIC LINKS

a. Delivery Program

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

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

The tender process has been carried out in accordance with:

- Council's Procurement Policy
- Council's Procurement Procedure
- Tendering Guidelines for NSW Local Government 2009

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- NSW Government – Code of Practice for Procurement 2005
- Regional Procurements Tendering Code of Conduct and Tendering Evaluation Principles and Process

b. Financial Implications

Funding is provided in the Operational Plan, with the service to be primarily utilised in Council's Recreation and Facilities Works Program.

c. Legislative Implications

The report and recommendation is in accordance with Section 55 of the Local Government Act 1993 and the Local Government (General) Regulation 2005. Council's expenditure on the tender T291718HUN Provision of Tree Maintenance may be in excess of \$150,000 over the contract term, therefore a Council Resolution to accept the tender is necessary.

d. Risk Implications

The evaluation panel has been able to assess and minimise Council's exposure to business risk by mandating provision of the following information in the tender submission:

- Financial capacity
- Insurances
- Previous experience
- Quality assurance
- Work health & safety system
- References

e. Environmental Implications

Environmental risk has been minimised as all three of the preferred tenderers have Environmental Management Systems in place which are certified to ISO 14001:2004 standards with no prosecutions for environmental offences declared.

f. Other Implications

N/A

CONCLUSION

Participation in the Regional Procurement for the Provision of Tree Maintenance (T291718HUN) and acceptance of Active Tree Services Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd and JK Cooper Tree Services Pty Ltd to a standing offer contract panel offers best value for money and continuity of service from known suppliers.

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ENCLOSURES

- 1** Enclosure 1 _ Regional Procurement Evaluation Report - *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.*

SUBJECT: *FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017 - REFER FOR AUDIT AND COUNCIL CERTIFICATION*

RESPONSIBLE OFFICER: *Management Accountant - Paul Grosbernd*

SUMMARY

The draft financial reports for the year ended 30 June 2017 are required to be formally referred for external audit.

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

RECOMMENDATION

1. That the financial statements are formally referred for external audit.
2. That in accordance with Section 413(2)(c) of the Local Government Act, 1993 the General Purpose Financial Report has been prepared in accordance with:
 - The Local Government Act 1993 and the Regulations made thereunder.
 - The Australian Accounting Standards and professional pronouncements.
 - The Local Government Code of Accounting Practice and Financial Reporting.

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

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

We are not aware of any matter that would render the reports false or misleading in any way.
3. That in accordance with the Local Government Code of Accounting Practice and Financial Reporting the Special Purpose Financial Reports have been prepared in accordance with:
 - The Local Government Code of Accounting Practice and Financial Reporting.
 - NSW Government Policy Statement "Application of National Competition Policy to Local Government".
 - Department of Local Government Guidelines "Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality".

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

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

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

4. That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Council on its Opinion of the 2016-17 Financial Statements.

BACKGROUND

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

REPORT

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

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

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

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

The financial statements have been prepared and are scheduled for audit by Council's external Auditors, Forsyths Chartered Accountants in the week ending 8 September 2017.

The Audit Committee has reviewed the preliminary draft financial statements at the audit committee meeting held on 8 August 2017 and the final draft financial statements were distributed to the Audit Committee on 25 August 2017 for further review/comment. The Audit Committee is scheduled on the 26 September 2017 to review the audited Annual Financial Statements and external Auditor documentation for comment prior to presentation to Council and the public.

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Section 419 of the Local Government Act 1993 requires that following audit the Annual Financial Statements are to be presented to Council and the public. It is proposed that the audited financial statements be presented to Council and the public on 4 October 2017.

Copies of the Councillor and Management statements (**Enclosures 2 and 3**) and draft financial statements (**Enclosure 1**) are attached as enclosures to this report.

OPTIONS

N/A

CONSULTATION

Senior Finance Staff
Asset Management Staff
Forsyths Chartered Accountants
Audit Office of NSW

STRATEGIC LINKS

a. Delivery Program

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

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

This report has no direct policy implications.

b. Financial Implications

Nil

c. Legislative Implications

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

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

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d. Risk Implications

Nil

e. Other Implications

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

CONCLUSION

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

ENCLOSURES

- 1** Draft Annual Financial Statements for Audit
- 2** Statement by Councillors and Management GPFS
- 3** Statement by Councillors and Management SPFS

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SUBJECT: ***JUNE 2017 QUARTER REVIEW OF 2013-17 DELIVERY PROGRAM AND FIT FOR THE FUTURE IMPROVEMENT PROPOSAL***

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

SUMMARY

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

RECOMMENDATION

1. That Council note the progress in implementing the 2013-17 Delivery Program as at 30 June 2017.
2. That Council note the inclusion of individual projects in the Local Road Renewal Program
3. That Council continue to monitor the incomplete deliverables in future Delivery Program reviews.
4. That Council note the progress in the implementation of Council's Improvement Proposal and the updated forecasts against the Fit for the Future benchmarks.

BACKGROUND

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

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

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

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

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REPORT

Executive Summary - June 2017 Quarter



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

Some highlights of the June 2017 quarter included:

- Building works at CYCOS are complete. The works provide two additional professional offices and will attract other youth services to the venue, providing a youth hub to young people in the Cessnock Local Government Area.
- The library was awarded \$200,000 in grant funds for the installation of an elevator at the Cessnock Library branch by the Minister for Resources, Minister for Energy and Utilities, Minister for the Arts.
- The number of visits to Kurri Kurri Aquatic & Fitness Centre in 2016/17 was 118,547. This result was well above the target of 113,000.
- Successful grant application for Community Drop-Off Centre under Waste Less Recycle More approved (\$200,000). Included as part of Transfer Station.
- Successful grant application successful under Waste Less Recycle More program - Resource Recovery Extension and Enhancement Program as part of front end upgrade. Awarded \$375,000 included as part of site redevelopment.
- The online customer request system went live on the Council website.
- The Customer Service Centre now has a digital display and public customer (kiosk style) computer, both of which will be utilised for promotional and educational purposes.

2013-17 Delivery Program

At 30 June 2017, 56 (or 93%) of the deliverables (from the Delivery Program) were achieved. The remaining 4 deliverables (or 7%) were carried forward to the 2017-21 Delivery Program.

	Status of Deliverables	Number	%
	Achieved	56	93%
	Not achieved – <i>refer to comments below</i>	4	7%
	Total Actions	60	100%

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The following deliverables (in addition to those previously reported to Council) have been allocated to the category of 'Not Achieved' during the quarter.

Ref.	"Not achieved" Delivery Program Deliverables
3.1.4	Commence implementation of Council's Trunk Stormwater Drainage Strategy.
	<p><i>The Delivery Program Action: "Complete Trunk Stormwater Drainage Strategy" and "Complete the Trunk Stormwater Drainage Needs Analysis component of the City Wide Infrastructure Strategy" is not yet completed.</i></p> <p><i>Draft Trunk Stormwater Drainage Strategy prepared and internal consultation undertaken.</i></p> <p><i>Expected completion: 2017-18</i></p>
3.2.1	Complete the Recreation Needs Analysis and review the Recreation & Open Space Strategic Plan 2009-2014.
	<p><i>The Delivery Program Action: "Complete the review of the Recreation & Open Space Strategic Plan" is not yet completed.</i></p> <p><i>Council was briefed on 10 May about the Recreation & Open Space Strategic Plan which will include the Recreation Needs Analysis. Report to Council seeking exhibition of Recreation & Open Space Strategic Plan in the first quarter of 2017/18.</i></p> <p><i>Expected completion: 2017-18.</i></p>
4.1.3	Complete all components of the City Wide Infrastructure Strategy.
	<p><i>The Delivery Program Action: "Complete all components of the City Wide Infrastructure Strategy" is not yet completed.</i></p> <p><i>The adopted Community Strategic Plan is Council's overarching strategy for the provision of infrastructure, services and facilities. Traffic and Transportation Strategy draft report presented to Council at a briefing. Report on results of public exhibition due to come back to Council in second quarter 2017-18. Pedestrian Access & Mobility Plan (PAMP) adopted in July 2016. Cycleway Strategy completed in June 2016.</i></p> <p><i>Expected completion: 2017-18</i></p>
4.2.5	Adopt the City Wide Section 94 Contributions Plan.
	<p><i>The Delivery Program Action: "Adopt the City Wide Section 94 Contributions Plan" is not yet completed.</i></p> <p><i>During the quarter s94 plans continued to be prepared and reviewed as follows:</i></p> <ul style="list-style-type: none"> <i>Draft s94A Plan (applies city wide as outlined in plan) exhibited.</i> <i>Councillor briefing (October 2017) and report to Council seeking endorsement of the final s94A Plan scheduled, November 2017.</i> <i>Review of the Nulkaba s94 Plan undertaken in response to changes to RMS requirements. Draft Plan exhibited. Council report seeking endorsement of final Plan scheduled for September 2017 Council meeting.</i> <i>Review of the existing Bellbird North s94 Plan commenced (in response to substantial subdivision approval in the Urban Release Area).</i> <p><i>Expected completion: 2018-19</i></p>

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2016-17 Operational Plan

At 30 June 2017, 55 (or 92%) of the deliverables (from the Operational Plan) were achieved. The remaining 5 deliverables (or 8%) to be carried forward to the 2017-21 Delivery Program.

	Status of Deliverables	Number	%
	Achieved	55	92%
	Not achieved – refer to comments below	5	8%
	Total Actions	60	100%

The following deliverables (in addition to those previously reported to Council) have been allocated to the category of 'Not Achieved' during the quarter.

Ref.	"Not achieved" Operational Plan Deliverables
2.1.1	Continue to update marketing material for the Local Government Area. <i>The Operational Plan Action: "Develop an Investment Prospectus for the Cessnock Local Government Area" is not yet completed. The data collection and the analysis for the Business Capability study has been completed.</i> <i>An interim stand-alone Investment Prospectus was drafted and available for download via Council's ongoing Advance Cessnock City website under dedicated Business Investment Attraction programming.</i> <i>The data collection and analysis for the Business Capability Study and Gap Analysis have been completed, research on future industries has been compiled, and the land zonings and regional advantages are being strategically assessed in order to determine specific industry and business to target. The release of official 2016 ABS/ABR data in October 2017 will complement the portfolio. Multi-media has been procured and is being scheduled for development. Stakeholders are sidelined and supportive.</i> <i>Expected completion: October 2017.</i>
2.1.3	Commence implementation of the Economic Development Strategy. <i>The Operational Plan Action: "Develop a Business Investment Program" and "Implement the Business Investment Program" is not yet completed.</i> <i>The Business Investment Attraction portfolio is in the advanced stages of development, and is on track for launch with the formal roll over of official ABS /ABR data in October 2017.</i> <i>Expected completion: October 2017.</i>
3.1.4	Commence implementation of Council's Trunk Stormwater Drainage Strategy. <i>The Operational Plan Action: "Complete Trunk Stormwater Drainage Strategy" and "Complete the Trunk Stormwater Drainage Needs Analysis component of the City Wide Infrastructure Strategy" is not yet completed.</i> <i>Draft Trunk Stormwater Drainage Strategy prepared and internal consultation undertaken.</i> <i>Expected completion: 2017-18</i>

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3.2.1	Complete the Recreation Needs Analysis and review the Recreation & Open Space Strategic Plan 2009-2014.
	<p><i>The Operational Plan Action: "Complete the Open Space Needs Analysis" and "Complete the review of the Recreation & Open Space Strategic Plan" is not yet completed.</i></p> <p><i>Council was briefed on 10 May about the Recreation & Open Space Strategic Plan which will include the Recreation Needs Analysis. Report to Council seeking exhibition of Recreation & Open Space Strategic Plan in the first quarter of 2017/18.</i></p> <p><i>Expected completion: 2017-18.</i></p>
4.1.3	Complete all components of the City Wide Infrastructure Strategy.
	<p><i>The Delivery Program Action: "Complete all components of the City Wide Infrastructure Strategy" is not yet completed.</i></p> <p><i>The adopted Community Strategic Plan is Council's overarching strategy for the provision of infrastructure, services and facilities. Traffic and Transportation Strategy draft report presented to Council at a briefing. Report on results of public exhibition due to come back to Council in second quarter 2017-18. Pedestrian Access & Mobility Plan (PAMP) adopted in July 2016. Cycleway Strategy completed in June 2016.</i></p> <p><i>Expected completion: 2017-18</i></p>

2013-17 Delivery Program – Measures

At 30 June 2017, 14 (or 82%) of the Delivery Program measures were achieved.

Two of the remaining three measures could not be achieved due to a change in the way data is captured or calculated from the original four year Delivery Program (refer to comments below).

	Status of Measures	Number	%
	Achieved	14	82%
	Not Achieved – refer to comments below	3	18%
	Total Actions	17	100%

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Details of the “Not Achieved” measures are below:

Km of Cycleways in the LGA	
Target: >13.6km Actual: 10.9km	Asset data collection for the asset revaluation process confirmed the length of off-road cycleways (now defined as shared paths of 2m or more in width) as 10.9km.
Library Utilisation	
Target: >235,000 p.a. combined visits and hits Year to date: 194,447	E-resources are not captured in the data as they are hosted off site. However they form part of Council's borrowing collection. The rise of E-resources and their increased usage/ access, impacts on the actual visits to the library.
Response to Customer Requests	
Target: 80% Actual: 79.2%	During 2016-17 19,461 customer requests were closed and 79.2% of these (15,422) were within agreed timeframes.

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

2011-13 Delivery Program – carried forward deliverables

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

Ten deliverables were carried forward from the 2011-13 Delivery Program and, to date, seven of these deliverables have been completed. During the June 2017 quarter no further deliverables were completed. Of the remaining three deliverables, one of them is substantially (over 95%) complete.

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

2016-17 Capital Works Program

At 30 June 2017, 114 (or 86%) of the Capital Works Program projects were completed. The remaining 19 deliverables (or 14%) are proposed to be carried forward to 2017-21.

	Asset Management	Roads, Bridges & Pathways	Drainage & Floodplain Management	Recreation & Buildings	Total Projects	%
Achieved*	-	83	8	23	114	86%
Not Achieved	-	9	4	6	19	14%
Total Works	-	92	12	29	133	100%
Planning	14	-	6	-	20	
No Funding Received	-	1	-	-	1	
Total Program	14	93	18	29	154	

*Includes 49 new projects in the June quarter.

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Some of the works undertaken during the June quarter included:

- Frame Drive Abermain roadwork – commenced.
- Greta/Anvil Creek flood study commenced.
- Stockyard Creek Bridge – completed.
- New England Hwy, Greta - Relocation of services at Whitburn Estate progressed. Construction of drainage culvert commenced.
- Hillview Road, East Branxton - Construction of major culvert upgrade complete.
- Dalwood Road, East Branxton - Construction of drainage and roadwork commenced.
- Gillies Bridge Rothbury – Conservation Management Plan Complete.
- Buchanan Road Buchanan – Replacement of drainage culvert commenced.
- New Waste Transfer Station – progressing.
- Hermitage Road Upgrade – progressing.

In addition all 17 of the 17 carried forward projects from 2015-16 have been completed.

Fit for the Future Improvement Proposal

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

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

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

As at June 2017, most of the Improvement Proposal projects had commenced. Detailed information on progress against the Improvement Proposal is included as **Enclosure 3**.

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

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Summary of when Fit for the Future benchmarks will be met as at 30 June 2017

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

Source: Cessnock City Council Financial Data Return

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

CONSULTATION

The General Manager, Directors, Managers and Coordinators provided the information for inclusion into this report and its enclosures. Project Managers provided updates on the status of the adopted Council Improvement Proposal projects.

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

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

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

b. Other Plans

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

IMPLICATIONS

a. Policy and Procedural Implications

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

b. Financial Implications

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

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

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

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

c. Legislative Implications

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

d. Risk Implications

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

e. Other Implications

N/A

CONCLUSION

The final review of the 2013-17 Delivery Program is submitted for Council's consideration. It is recommended that Council continue to monitor incomplete deliverables in future reviews.

The progress in implementation of Council's Improvement Proposal and updated forecasts against the *Fit for the Future* benchmarks are submitted for Council's consideration.

ENCLOSURES

- 1** Enclosure 1 - June 2017 Quarter Review Executive Summary
- 2** Enclosure 2 - June 2017 Quarter Review of progress against 2013-17
- 3** Enclosure 3 - June 2017 Quarter Review of progress against Financial Sustainability Initiative and Fit for the Future Improvement Proposal

Works and Infrastructure

Report No. WI59/2017

Works and Infrastructure



SUBJECT: *COUNCIL FACILITIES ENERGY EFFICIENCY PROJECT*

RESPONSIBLE OFFICER: *Environmental & Waste Services Manager - Michael Alexander*

SUMMARY

This report provides an overview of energy efficiency investigations and seeks Council approval to implement a number of projects using a combination of methods and funding sources.

RECOMMENDATION

1. That Council utilises \$200,000 from the Revolving Energy Fund to undertake the lighting efficiency projects listed in Table 1 of the report and these works be undertaken in the 2017/18 Financial Year;
2. That Council calls an Expression of Interest (EOI) for suitably qualified Energy Performance Contractors to provide proposals for the undertaking of the larger, more complex projects that are listed in Enclosure 1.
3. That a further report be brought back to Council following the EOI process.

BACKGROUND

Since 2007, the delivery cost of power has increased 200% and this is impacting substantially on Council's operational costs.

Council has a Revolving Energy Fund Operational Standard, which was established to provide the framework for expenditure of allocated funding to improve energy efficiency. This standard focuses on operational energy efficiency projects that, following installation, aim to reduce Council's electricity costs. The framework allows for savings from these projects to be redirected to further energy efficiency projects in a stand-alone self-sustaining fund.

To advance energy efficiency across the organisation, Council employed an Energy Efficiency Officer (two days per week for twelve months) using grant funds from the Waste and Sustainability Improvement Program (WaSIP). A key role of this position has been the investigation into the energy use at all major sites and development of a program of energy efficiency initiatives.

The purpose of this report is to present the findings of the investigation and seek Council's approval to progress with the implementation of a number of energy efficiency projects.

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REPORT/PROPOSAL

The Energy Efficiency Project is identified as action E3 of Council's Carbon Management and Energy Reduction Plan (2015); with the linking action being:

"Review energy consumption at all sites - identify opportunities for elimination reduction, efficiency measures."

The aim of the project is:

- To identify the primary electricity use areas across Council operations;
- To eliminate, reduce or minimise power costs to as low a level as possible at these sites via efficiency improvements to both processes and equipment;
- To provide Council with financially sustainable options to achieve these savings in accordance with Council's Fit for the Future targets.

Council's top eleven energy consuming sites were assessed based on current power usage and sustainability of sites for energy efficiency initiatives. The assessment criteria, included:

- Suitability of the product for the environment;
- Current running costs;
- Capital expenditure (capex) required;
- Projected savings;
- Return on Investment (ROI); and
- Age of the current technology.

Given that Heating, Ventilation and Air Conditioning (HVAC) is the major consumer of power on most sites, data monitoring of the usage, power factor, age and set up was assessed in greater detail during the investigation.

A desktop analysis of the impact of replacing any equipment with modern technologies to reduce energy use was undertaken. This information was collated with other relevant details supplied by staff (including their observations), along with various assumptions in cases where there is a lack of defined detailed power supply information.

The possible returns from various initiatives have been calculated. This includes known returns achieved through the claiming of Energy Savings Certificates (ESC's) and Small-Scale Technology Certificates (STC's). In most cases these certificates reduce the cost of energy efficiency projects, however the cost benefit associated with gaining the certificates is not positive in a small number of cases.

In summary, the project proposes 39 actions across 11 sites at a total estimated net cost of \$1.2 million, (once rebates estimated at \$320,000 are recouped). A full list of these actions is provided in **Enclosure 1**.

It is estimated that these projects will save Council around \$260,000 per year in electricity costs alone excluding savings from maintenance. This provides an average return on investment of just over five years for the project.

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The implementation of the suggested technologies across all 11 sites would provide long term financial, environmental and social benefits to council. The benefits generated from the proposed projects include:

- Energy efficiency.
- Savings from maintenance.
- Increased employee and general public comfort in buildings.
- The ability to implement maintenance strategies with new equipment thus extending the life of the asset.
- Reduction of greenhouse gases.
- Demonstration and promotion opportunity for Council to promote energy efficiency as a good 'Corporate Citizens'.

PROJECT OPTIONS & BENEFITS

Funding and Project Management

In order to implement the projects consideration has been given to suitable methods and sources of funding. It is recognised that grant opportunities for these types of projects have been limited in recent years. With this in mind, Council officers have determined that the projects can be funded through a combination of Councils existing Revolving Energy Fund reserve for the lighting projects and entering into an Energy Performance Contract for the remaining projects.

In June 2016, a Revolving Energy Fund reserve of \$200,000 was established to fund energy efficiency projects. The intent of the Fund is to use the savings generated from each project to recharge the Fund so that it can then be used for further projects.

The implementation of the energy efficiency initiatives will require a significant amount of project management and procurement effort over a short period. This additional cost will be offset to some degree by the grouping of like projects to gain cost savings through bulk purchases (eg. lighting, HVAC, solar panels).

To illustrate the benefits of the proposal, Figure 1 (below) compares the recommendation to the option of implementing just the Revolving Energy Fund. This is also compared against a business as usual / do-nothing approach.

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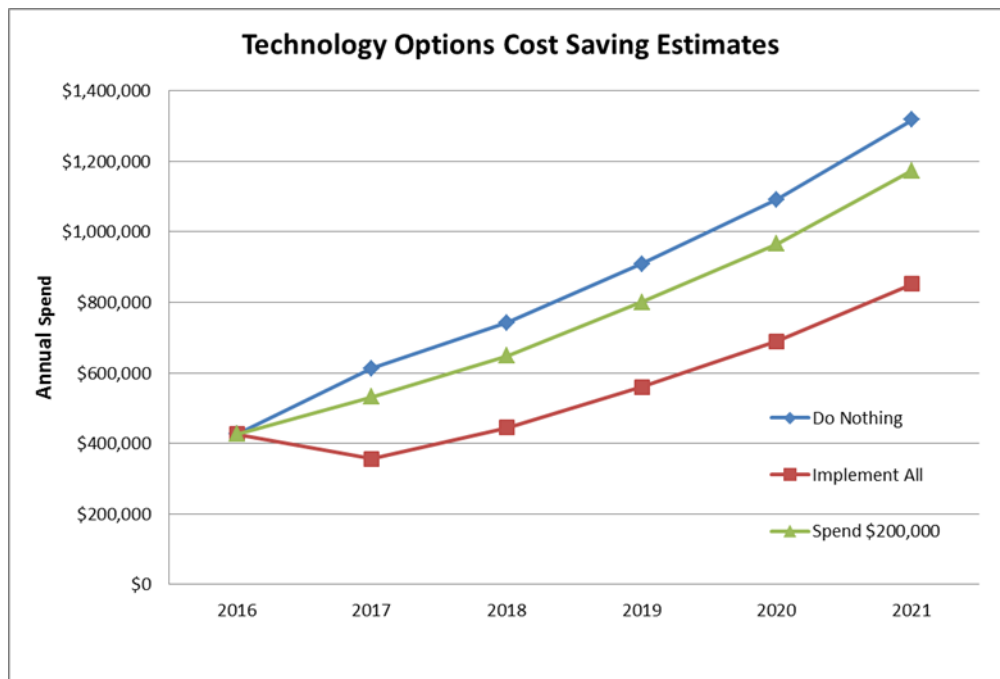


Figure 1: - Options Cost Savings estimates for the energy efficiency projects

During the recent Briefing to Council (26/7/2017), questions arose about energy efficiency and renewable opportunities to help minimise the impact of price increases. Figure 1, above, provides a summary overview of the energy efficiency options being developed that would address both issues. The identified options are as follows:

OPTIONS

Option 1 - Council commit to implement all 39 of the identified projects through a combination of the existing Revolving Energy Fund and calling for an Energy Performance Contract. (Recommended)

This Option proposes:

1. Using the Revolving Energy Fund to undertake the lighting efficiency projects listed in Table 1 below. These lighting projects are relatively simple to undertake and have a payback of less than three (3) years. Undertaking the project will allow some quick electricity consumption savings to be realised, while the other projects are being developed.

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Works and InfrastructureTable1: Lighting Projects:

Facility	Area	Est. Cost	Est. ESCs Rebate	Net Cost (after rebate)	Est. Savings post 1/1/17 (\$pa)	Est. Savings (kWhrs pa)	Simple ROI
Administration Building	Lighting	\$77,165	\$10,420	\$66,745	\$20,000	112,072	3.3
CPAC	Lighting	\$13,913	\$1,600	\$12,313	\$2,600	14,206	4.7
Cessnock Library	Lighting	\$21,913	\$3,783	\$7,228	\$5,000	27,227	1.4
HWC Tourist Info Centre	Lighting	\$15,435	\$3,783	\$11,652	\$5,555	27,227	2.1
Works Depot	Lighting	\$41,010	\$7,950	\$33,060	\$13,000	70,614	2.5
Airport	Lighting	\$29,810	\$4,089	\$25,721	\$12,560	50,241	2.7
Total		\$199,246	\$31,625	\$156,719	\$58,715	301,587	2.7

2. Calling an expression of interest for the Supply of Energy Performance Contracting Services to undertake the more complex projects identified under the energy efficiency project.

Energy Performance Contracting (EPC) involves engaging an energy service company (ESCO) to improve the energy efficiency of a facility/s, with the guaranteed energy savings paying for the capital investment required to implement improvements.

The ESCO takes the technical risk and guarantees the savings. The ESCO is usually paid a management fee out of the savings (if there are no savings, there is no payment). The ESCO is usually obligated to repay savings shortfalls over the life of the contract. At the end of the specific contract period the full benefits of the cost savings revert to the facility owner.

Council may need to borrow the upfront capital to undertake the projects, unless the contract is structured as an operating lease or if the ESCO provides direct financing (this is a variable in EPCs).

This is the preferred Option.

Option 2 - Implement a number of projects using the funds available in the Revolving Energy Fund

This option proposes to invest the \$200,000 allocated as initially proposed with a summary of possible projects in Table 2 (below). In this option the technologies and sites selected represent significant energy savings with an excellent ROI.

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Many of the benefits identified in Option 1 would be realised with this option, however, the quantum of savings generated over a much longer timeframe will not substantially offset the estimated energy price rises over the coming years, making this option financially unpalatable.

There will also be a lost opportunity for bulk purchase savings for the procurement of materials if this option is adopted.

Table 2: Suggested Shortlisted Projects:

Facility	Area	Equipment & Labour	Est. ESCs	Est. STCs	Net Cost (after rebate)	Est. Savings post 1/1/17 (\$pa)	Est. Savings (kWhrs pa)	Simple ROI Post 1/1/18
Council Sites								
Administration Building	Lighting	\$ 77,165	\$ 10,420		\$ 66,745	\$ 20,000	112,072	3.3
Administration Building	HVAC	\$ 97,000	\$ 15,615		\$ 81,385	\$ 15,000	83,636	5.4
CPAC	Lighting	\$ 13,913	\$ 1,600		\$ 12,313	\$ 2,600	14,206	4.7
Cessnock Library	Lighting	\$ 21,913	\$ 3,783		\$ 7,228	\$ 5,000	27,227	1.4
HWC Tourist Info Centre	Lighting	\$ 15,435	\$ 3,783		\$ 11,652	\$ 5,555	27,227	2.1
Cessnock Pool	Pump VSD	\$ 5,800			\$ 5,800	\$ 4,100	31,000	1.4
Cessnock Library	Reflective Blinds	\$7,840			\$7,840			
KK Library	Lighting	\$17,712	\$2,119		\$15,593	\$2,829	18,000	5.5
Subtotal		\$ 256,778	\$ 37,320	\$ -	\$ 208,556	\$ 55,084	313,368	3.8

NB: highlighted projects have already been completed

Option 3 - Do Nothing

If no energy efficiency projects are implemented the following outcomes are likely:

Increased Cost:

- Power Costs - current indications that energy costs will increase by up to 25% over the next two (2) years. This will add significant costs to the Council operating budgets with potential increases of 30% on the current contract values;
- No improvement to power factor on old, inefficient equipment will increase power costs;
- No reduction in kVA demand charges which will further increase power costs.

Loss of potential savings:

- Council will lose an estimated annual \$260,000 in potential direct savings.

Increased maintenance expenditure:

- Maintenance - as equipment ages, maintenance is required on a more frequent basis, hence increasing operational costs;
- Equipment failures - many of the current air conditioning systems have passed their end of life date and some could fail at any time. Many of these systems are running on older refrigerants which are ozone depleting and run less efficiently due to higher air compressor temperatures;
- The continual cost for tradesmen to adjust equipment on site;

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- The continual maintenance cost associated with contractors inspecting sites for faults.

Increasing Electricity Prices

At its meeting on 7 June 2017 (following a Briefing on 12 May 2017) Council adopted the recommendations of a report (WI31/2017) outlining the process for securing new electricity supply contracts for streetlighting and contestable sites from 1 January 2018. The report highlighted price increases being offered to other Councils, with rises of nearly 300% being quoted (see Figure 2 below). If Council experience a similar outcome it would result in an estimated increase of \$75,000 for Council for the six months from January – June 2018.

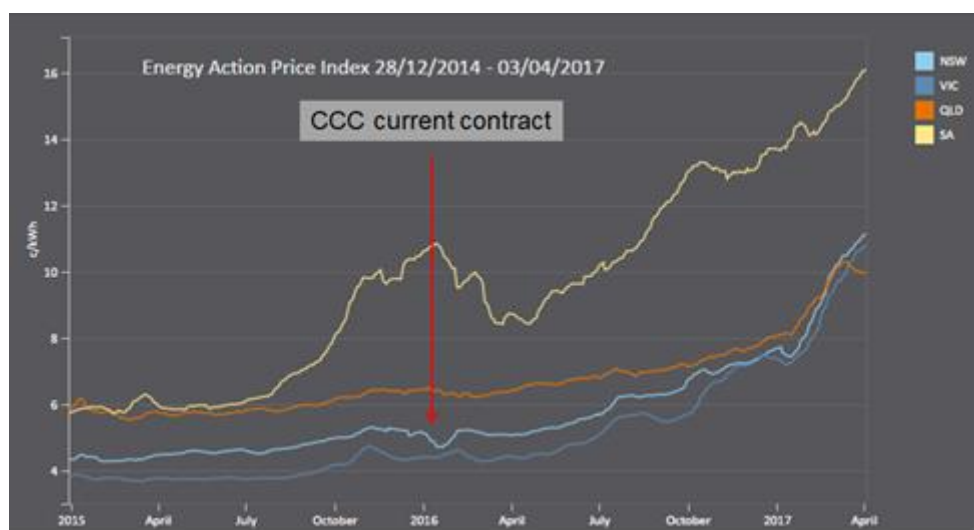


Figure 2: Electricity price increase trends 2014-2017

The actions proposed under the energy efficiency project will yield further benefits when the next energy contract is called, having reduced the quantum of energy being sourced.

CONSULTATION

The preparation of the projects involved input from a number of staff, management and a number of external consultants.

Council Staff:

- Recreation Services Manager
- Acting Community & Cultural Engagement Manager (Principal Community Planner)
- Visitor Information Centre Coordinator
- Centre Manager, Kurri Kurri Aquatic & Fitness Centre
- Management Accountant
- Information Technology Manager
- Procurement, Depot and Building Services Manager
- Kurri Kurri Community Centre representatives
- Integrated Planning & Strategic Property Manager
- Building Maintenance Coordinator
- Principal Natural Environment Planner

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- Library Services Coordinator
- Asset Engineering Officer
- Technical Manager - Cessnock Performing Arts Centre

Consultation has also occurred with a number of consultants and experts in the energy sector.

STRATEGIC LINKS

a. Delivery Program

This report is consistent with the community's desired outcome of:

- Civic Leadership and Effective Governance and; Council's responsibility to ensure the efficient and effective management of the community's resources.

This report links to the 2017-21 Delivery Plan through:

3.1.5 Continue to implement the Carbon Management & Energy Reduction Strategy.

3.1.5a Commence implementation of the Energy Efficiency Project.

b. Other Plans

Action E3 of Council's adopted Carbon Management and Energy Reduction Plan (2015):

"Review energy consumption at all sites - identify opportunities for elimination reduction, efficiency measures."

IMPLICATIONS

a. Policy and Procedural Implications

Council's Procurement Policy (adopted 6 November 2013) states that "Council will encourage open competition while seeking value for money".

To 'seek value for money' there are economies of scale savings to be realized in grouping tendering processes for similar types of projects (i.e. all HVAC, lighting or solar panel installations in one tender call).

In addition, the projects proposed have limited numbers of suppliers and contractors who undertake these types of works (for example, the first call for quotes on the Administration Building HVAC obtained only 1 quote). Undertaking the projects will look to 'encourage open competition'; however executive decisions may be required when the required number of quotes is not provided from a limited supplier and contractor pool.

b. Financial Implications

In 2016-17, Council's electricity costs totalled \$802,902 as detailed in Table 3 below:

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Works and InfrastructureTable 3: Summary of Council's 2016-17 Electricity Costs

Current Supply Contract Groups	2016-17 Cost	Percentage
Streetlighting (electricity only not including \$614,980 maintenance costs)	\$318,522	40%
Large/Contestable Sites (Administration Building, Works Depot, Cessnock Performing Arts Centre, Cessnock Library & Cessnock Pool) *Plus KKAC	\$231,799 \$106,452	29%
Small Sites (94 separate accounts ranging from Cessnock Sportsground to a single park BBQ's)	\$252,581	31%

*Account paid by leasee

The project investigated various funding models to implement the energy efficiency initiatives including:

1. Grants

- Submitted for the CPAC HVAC however success not guaranteed
- Opportunities currently limited.

2. Energy Performance Contracting:

- Energy Performance Contracting is when an ESCO is engaged to improve the energy efficiency of a facility/s, with the guaranteed energy savings paying for the capital investment required to implement improvements;
- The ESCO takes the technical risk and guarantees the savings. The ESCO is usually paid a management fee out of the savings (if there are no savings, there is no payment) and is usually obligated to repay savings shortfalls over the life of the contract. At the end of the specific contract period the full benefits of the cost savings revert to the facility owner;
- Council still may need to borrow the upfront capital to undertake the capital investment or may not if the contract is structured as an operating lease or if the ESCO provides direct financing (this is a variable in EPCs).

3. Loan from various commercial creditors including:

- TCorp - available to local councils who are deemed Fit for the Future
- Clean Energy Finance Corporation – minimum \$5 million
- Internal loan from reserves

The benefit of using a loan for this project is it will contribute to Council's Financial Sustainability Initiative's (FSI's). There is capacity within Council's Debt Service Ratio to undertake the borrowings required in the proposal and still meet the Fit for the Future benchmark (of >0 and <20%).

Currently the repayments for a loan (at 3.2% interest) of \$1.2million from TCorp are:

- \$21,669/month (or \$260,030/year) over 5 years resulting in total interest of \$100,000.
- \$11,698/month (or \$140,389/year) over 19 years resulting in total interest of \$200,000.

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In addition, the net impact on the Operating Performance Ratio would also be marginally positive.

c. Legislative Implications

Nil

d. Risk Implications

Engaging an energy service company through an Energy Performance Contract will reduce Council's exposure to risk in the event that an initiative doesn't realise the potential energy saving.

e. Environmental Implications

Positive environmental outcomes from implementing the initiatives outlined in this report will be achieved through reduced energy consumption and reduced greenhouse gas emissions.

f. Other Implications

The adoption of the recommendation will be contributing to the Financial Sustainable Initiative's, productivity improvements and cost saving project.

There is capacity within Council's Debt Service Ratio to undertake the borrowings required in the proposal and still meet the Fit for the Future benchmark (of >0 and <20%). Further, the net impact on the Operating Performance Ratio would be marginally positive.

CONCLUSION

Rising electricity costs and the quantum of those rises is an ongoing concern. Council has an opportunity to be proactive about energy efficiency through the implementation of large scale initiatives identified in this project. Once the initial efficiency measures have been taken, Council may wish to consider solar and other self-generation means of becoming even more energy efficient.

ENCLOSURES

1 Summary of Projects and Savings for Energy Efficiency Project

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SUBJECT: *ADOPTION OF ASSET MANAGEMENT PLANS*

RESPONSIBLE OFFICER: *Design Delivery Manager - Katrina Kerr*

SUMMARY

The purpose of this report is to seek the adoption of five Asset Management Plans following public exhibition.

RECOMMENDATION

That Council adopt the following five exhibited Asset Management Plans, with minor changes as outlined in this report:

- **Road and Road Infrastructure Network Asset Management Plan,**
- **Bridge and Major Culverts Asset Management Plan,**
- **Stormwater Network Asset Management Plan,**
- **Buildings Asset Management Plan, and**
- **Open Space and Other Structures Asset Management Plan.**

BACKGROUND

As part of the Integrated Planning and Reporting (IP&R) framework, Section 403 of the *Local Government Act 1993* requires Council to have a Resourcing Strategy that includes Asset Management Plans (AMP's), to implement the strategies identified in the Community Strategic Plan.

At its meeting of 17 May 2017 (Report WI28/2017) Council resolved to place five draft AMP's on public exhibition as part of Council's IP&R framework.

Asset management planning is a comprehensive process to ensure that the delivery of services from infrastructure is provided in a financially sustainable manner.

An AMP provides detailed information about infrastructure assets including the actions required to provide an agreed level of service in the most cost effective manner. AMP's define the services to be provided, how the services are provided and what funds are required to provide the services.

Effective asset management assists Council to make informed asset investment decisions that effectively balance costs, risks, opportunities and the level of service provided to the community.

REPORT/PROPOSAL

Preparation: The Draft AMPs were prepared internally by the Strategic Asset Planning Unit. The value and condition of Council's assets and financial position together with input, gathered from all relevant operational units across the organization, were considered.

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Exhibition: The five Draft AMPs were on public exhibition for 28 days from:

- Wednesday, 24 May to Wednesday, 21 June 2017.

The exhibition was advertised in the local press and on Council's website.

Copies of the Draft AMPs were made available for viewing at:

- Council Administration Centre, Cessnock,
- Cessnock City Library, Cessnock
- Kurri Kurri Library Kurri Kurri, and
- Council's website.

Submissions: No submissions were received.

Proposed Amendments: Along with minor typographical corrections the following minor change to all five exhibited Draft AMP's is proposed, as shown in Table 1 below.

Table 1 Proposed Amendments

AMP	Regarding	Amendment
All five	Maintenance	Add note: "Required Maintenance is considered to be the amount of funding originally budgeted for in the adopted Long Term Financial Plan, this is reviewed annually. Future iterations of this AMP will further define the required maintenance."
All five	Strategic Plans	Update references to the Objectives and Strategic Directions to be those of the current adopted Community Strategic Plan.

OPTIONS

1. Adopt the five exhibited Draft AMPs with the proposed amendments. This is the preferred option;
2. Not adopt the five exhibited Draft AMPs with the proposed amendments and additional changes as determined by Council. This option would contravene the IP&R Frameworks.

CONSULTATION

In compiling and exhibiting the Draft AMPs, internal consultation occurred as follows:

- Works Delivery;
- Building Services;
- Community and Cultural Engagement; and
- Recreation Services.

External consultation occurred as follows:

- Public exhibition.

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STRATEGIC LINKS

a. Delivery Program

The adopted AMP's will facilitate implementation of the following deliverables:

Delivery Program 2017-21

- 4.2.1 Develop prioritised capital works programs in line with adopted asset management plans.
- 4.2.3 Deliver prioritised on-ground capital works and maintenance programs.

b. Community Strategic Plan

The adopted AMP's will assist in achieving the community's desired outcomes:

Community Strategic Plan 2017-21

Accessible Infrastructure, Services and Facilities and the community's objectives of:

- 4.2 Improving the Road Network.
- 3.2 Better Utilisation of Existing Open Space.

IMPLICATIONS

a. Policy and Procedural Implications

The AMP's will introduce renewal criteria to assist in assessing the priority of asset renewal.

The preparation and adoption of AMP's is consistent with Council's existing policy:

- F22.1 - 'Cessnock City Council Asset Management Policy', adopted August 2015.

b. Financial Implications

The draft AMP's do not have direct financial implications, however they highlight the potential deteriorating position of the asset network due to funding shortfalls in Council's adopted Long Term Financial Plan.

c. Legislative Implications

Section 403 of the *Local Government Act 1993* requires Council to have a long-term strategy (called its "Resourcing Strategy") for the provision of the resources required to implement the strategies established by the Community Strategic Plan that the Council is responsible for.

Along with long-term financial planning and workforce management planning, the Resourcing Strategy includes asset management planning.

d. Risk Implications

The current level of funding for asset maintenance and renewal is expected, over time, to cause an increase in the number of assets in poor or very poor condition (condition 4 and 5), leading to increase in potential asset failures.

e. Environmental Implications

N/A

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f. Other Implications

N/A

CONCLUSION

Adoption of the exhibited AMPs is a significant step towards Council achieving improved asset management and prioritised capital works programs, more in line with Council's Long Term Financial Plan.

It is recommended that Council adopt the five Asset Management Plans with the proposed minor amendments outlined in this report.

ENCLOSURES

There are no enclosures for this report

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SUBJECT: *GLASS RECYCLING*

RESPONSIBLE OFFICER: *Environmental & Waste Services Manager - Michael Alexander*

SUMMARY

This report provides Council with an update on the current issues surrounding the recycling of glass and the impact of this on recycling in general.

RECOMMENDATION

1. That Council call on the NSW Government to address the current failures in the recycled products market, including support for the development of markets for recycled glass;
2. That Council call on the Federal Government to consider the implications for sustainable waste management of permitting import of cheap glass containers and glass products;
3. That Council advocate to peak industry bodies for the development of standards for use of recycled products in the construction industry.
4. That Council submits notices of motion to the NSW Local Government Conference and the National General Assembly of Local Governments for consideration by members;
5. That Council support action taken by the Waste Industry to stabilise recycling and its markets.

BACKGROUND

Hunter Resource Recovery (HRR) is a Company limited by guarantee, which was established in 1996 as a joint planning and purchasing entity for kerbside recycling services for its then three member Councils of Cessnock, Lake Macquarie and Maitland. Singleton Council became a member in 2011. HRR is funded by a Recycling Contributions Agreement with each of its member Councils.

In July 2013, HRR entered into a new ten year Kerbside Recycling Contract with a further two x 1-year extension options. HRR entered into this contract as a trustee and delegate of its member Councils.

A large portion of the material collected through the HRR recycling contract is glass. Recently the recycling of glass in Australia has attracted attention and concern from both industry and residents alike. A feature story broadcast by the ABC has heightened the focus and concern on this section of the industry.

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REPORT/PROPOSAL

In relation to Council's kerbside recycling contract the CEO of Hunter Resource Recovery reports:

Solo Resource Recovery was awarded the Recycling Contract and is responsible for the collection, sorting and lawful disposal of all collected product. Solo Resource Recovery nominated Polytrade Australia as its sorting and distribution agent. The HRR Recycling Contract currently provides about 58% of the Gateshead facility's annual throughput. Products collected and sorted under this contract include:

- Paper and cardboard (53 per cent);
- Steel and aluminium cans (11 per cent);
- Plastic bottles and jars (8 per cent);
- Glass bottles and jars (27 per cent).

Communities serviced by HRR recycling collections divert over 33,000 tonnes per year of waste from landfill. Glass represents 27.3% of all product but absorbs 44% of processing costs. HRR's objective is to keep this glass out of landfill. Stockpiling glass is the only viable option until market conditions improve or new re-use options are developed. As there is currently no market for glass products in Australia or overseas, glass sorted from the HRR facility is currently being stockpiled in Victoria, awaiting improvement in market conditions.

None of the recyclables collected from the HRR service are illegally dumped nor exported to Queensland landfills.

Australia consumes about 1.36 million tonnes of glass packaging per year including wine and beer bottles, glass jars and containers.

Glass consumption is at its highest in New South Wales, which produces about 460,000 tonnes of used glass per year.

The current practice of storage and transportation is unsustainable and is forcing the recycling industry to breaking point as no recycler is willing to be the first to reject glass bottles and jars from the kerbside recycling service.

In 2015 the last remaining glass recycling processing facility in Sydney ceased trading resulting in no outlet for glass processing and recovery in Eastern Australia. The closure was blamed upon the high costs of processing and a loss of traditional markets within Australia due to cheap imported glass products from the Middle East.

It is estimated that in the current financial year a further 9,000 tonnes of recycled glass will be generated by the HRR members further compounding the problem.

Industry experts have cited a need for a coordinated response to this unprecedented situation from governments and regulators to stop the situation from worsening, siting:

- Increasing freight costs, rendering the economic viability of sorting and transporting glass as marginal in many rural areas.
- While politically unacceptable, the increasingly attractive option for regional/rural areas is to landfill glass locally.

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- Multiple Australian states are experiencing the glass market downturn.

The Australian Council of Recycling has likened the situation to the decline of the mining industry and is calling for regulators and Governments to take action before the crisis becomes a disaster.

Exacerbating the situation, many recycling companies are locked into long-term contracts with local Councils, some as long as 10 years. The recycling industry is also experiencing a commodity price slump.

The situation with glass recycling has reached "crisis" point in New South Wales, being described as "a perfect storm" of negative conditions.

OPTIONS

1. That Council advocate for (both State and Federal) Government to consider the implications and current failures in the recycled product market(s) including support for the development of markets for recycled glass.

This is the preferred option.

2. Do nothing and allow the commercial sector to determine the future of processing and markets for recycled products and potentially the recycling industry within Australia.

CONSULTATION

Consultation has occurred between the HRR member Councils.
HRR has provided media statements/release.

STRATEGIC LINKS

a. Delivery Program

Council's 2017 – 2021 Delivery Program.

Community Desired Outcome – A Sustainable and Healthy Environment:

- Objective 3.3 – Better Waste Management and recycling.
- Objective 3.3.1.a – Priority projects from the revised Waste Management Strategy.

The better waste management and recycling objective has a strategic direction of diverting more of our waste for recycling and re-processing.

b. Other Plans

- NSW State Government Waste Avoidance and Resource Recovery Strategy 2013–2021
- Regional Waste Avoidance and Resource Recovery Strategy 2014–2021
- Community Strategic Plan 2023 – Objective 3.3 Divert more waste to recycling or re-processing
- Cessnock Council Waste Management Strategy 2014-19.

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IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

Potential exists for kerbside recycling to collapse under the unsustainable cost and lack of markets.

If this eventuated, the cost to all residents would be reflected in increased landfill consumption and loss of long term asset and accelerated replacement.

c. Legislative Implications

N/A

d. Risk Implications

Without Government intervention through the development of a national strategy and national coordinated response the viability of kerbside recycling is in danger of financial collapse.

e. Environmental Implications

The potential collapse of recycling would result in additional material being sent to landfill.

f. Other Implications

If the community becomes disengaged because of the poor publicity and potential for landfilling of material confidence may prove difficult to gain back.

CONCLUSION

The current situation with glass recycling caused by cheaper imports, falling commodity prices and lack of markets is having impact on the viability of existing recycling contracts and the long term sustainability of the industry in general.

Urgent assistance is being called for from all levels of government to develop a national strategy and national coordinated response.

ENCLOSURES

There are no enclosures for this report

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SUBJECT: *PROPOSED ROAD CLOSURE
OFF DEASYS ROAD, POKOLBIN*

RESPONSIBLE OFFICER: *Design Delivery Manager - Katrina Kerr*

SUMMARY

This report seeks Council's consent to the proposed closure of two sections of unformed public road off Deasys Road, Pokolbin.

RECOMMENDATION

1. That Council consent to the closure of two sections of unconstructed public road off Deasys Road, Pokolbin, as indicated on the Property Location Plan.
2. That Council notify the applicant to make application to the NSW Department of Industry – Lands to close the public road in accordance with the provisions of the *Roads Act 1993*.

BACKGROUND

An application was received from Insite Planning Engineering Environmental on behalf of Mrs C W Malouf for closure of two sections of unnamed, unconstructed public road off Deasys Road, Pokolbin.

The proposed closure is in connection with development consent 8/2007/688/1 for the consolidation and subdivision of nine lots into eight. The development consent is conditional on the subject roads being closed.

All lands adjoining the subject roads within the Cessnock LGA are owned by Mrs Malouf, who intends to consolidate the roads with her existing property and open a new public road to service the newly created lots.

REPORT/PROPOSAL

Location

The proposed road closures, (marked in red) are shown in Figure 1 below. These roads are within the Pokolbin locality.

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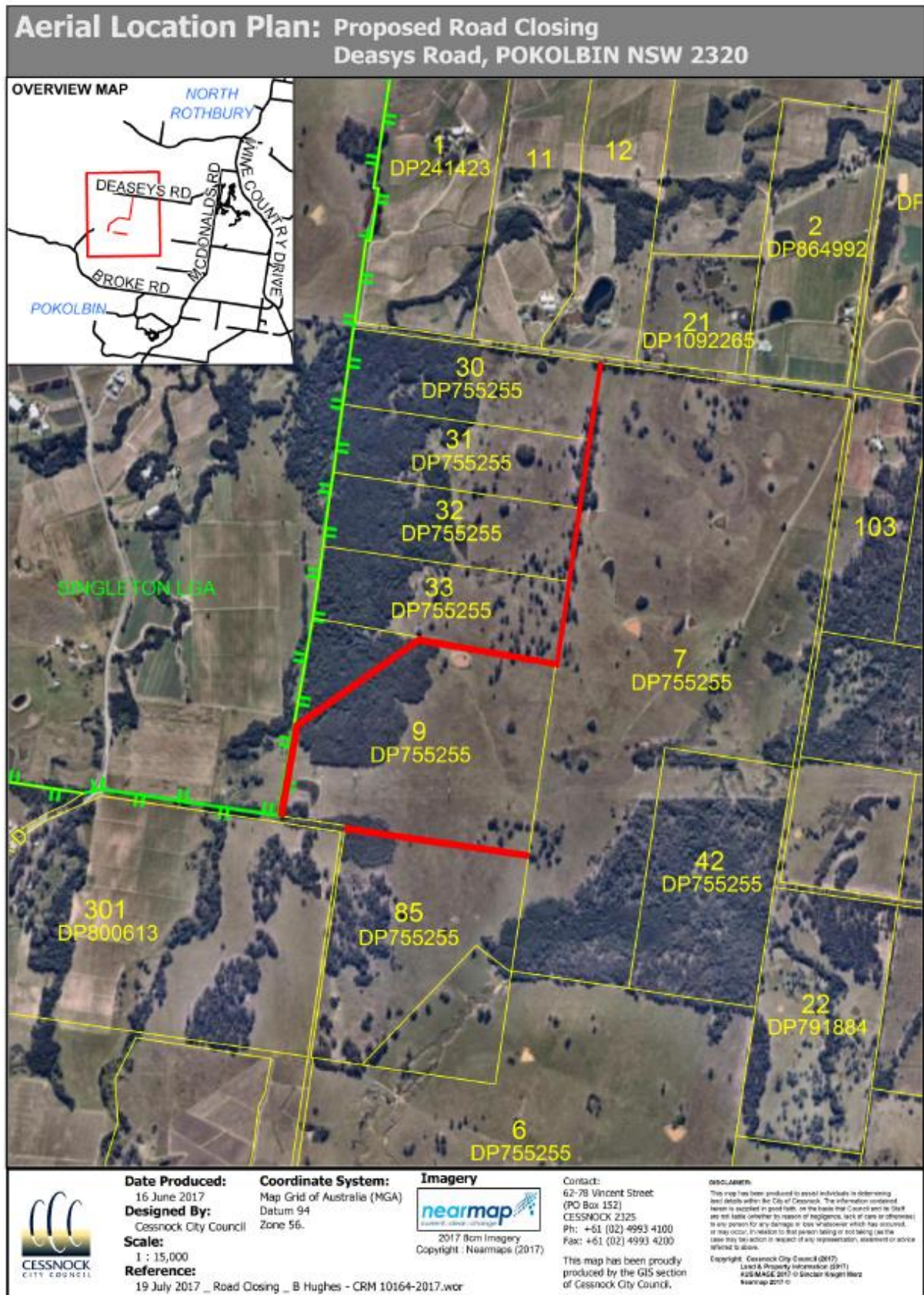


Figure 1 Aerial Location Plan

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Figure 2 Property Location Plan

Status of Road

The subject roads are currently Council Public Roads that have never been constructed.

The new lot layout, proposed road closures and new road to be constructed and opened by the property owner/developer are shown in Figure 3 below:

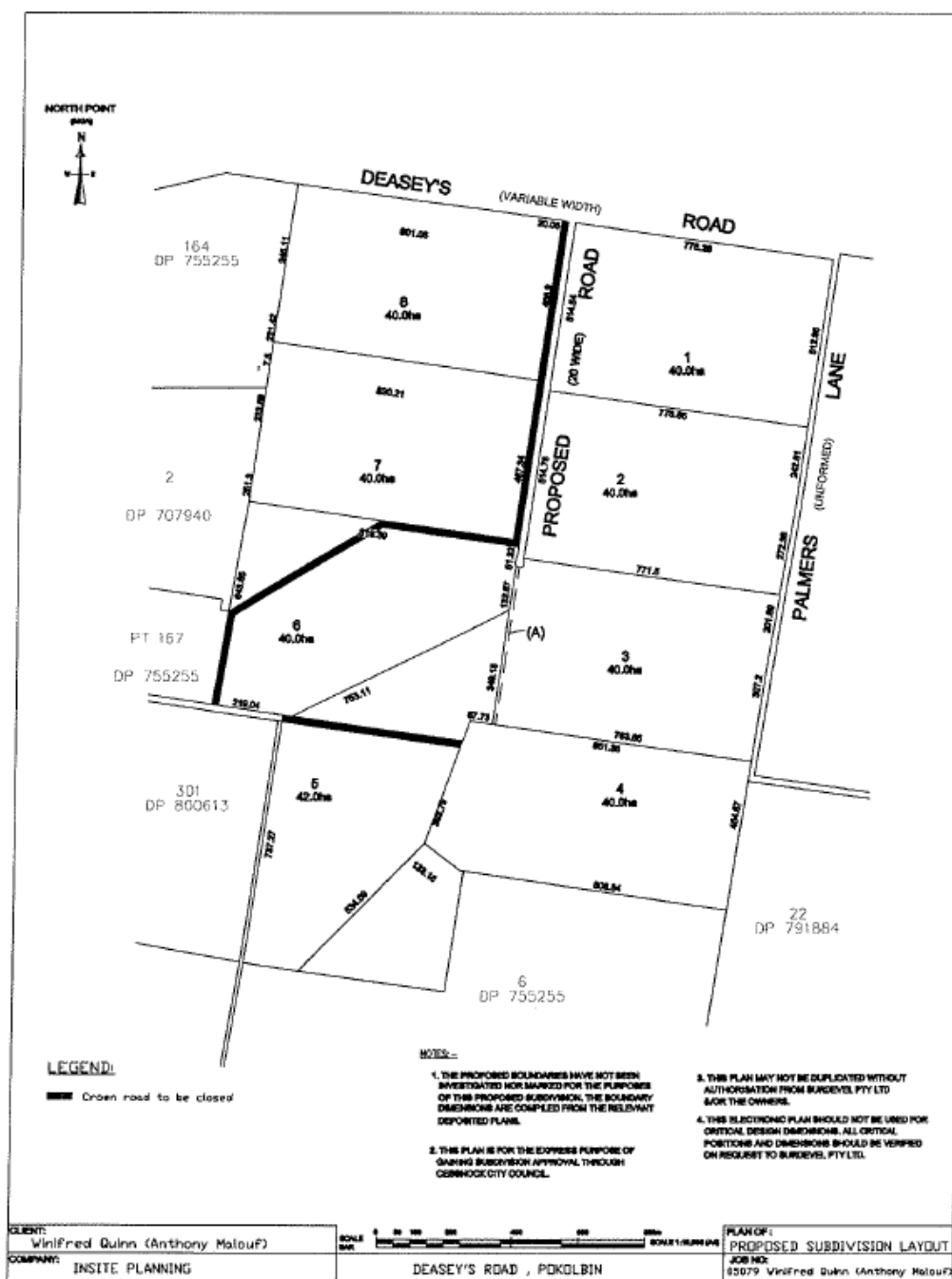


Figure 3 Proposed Road Closures and Opening

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In accordance with Information to Councils provided by Crown Lands, under the Roads Act 1993, unconstructed Crown and Council Roads will vest in the Crown upon closure. Where road closure applications are initiated by a third party, for unconstructed Council Roads, the Public Road Closure application (general) may be lodged by the third party with written consent from Council. The consent should acknowledge that the road will vest in the Crown upon closure and that the department may deal directly with the third party through the private treaty sale process.

Since the subject roads were never constructed or used by the public, it is proposed that a letter of consent be provided to the applicant to enable an application for the roads to be closed. Upon closure, the roads will vest in the Crown, and the Crown will receive any income from the sale.

Infrastructure and Utilities

The subject public road reserve contains no existing Council infrastructure.

A dial before you dig enquiry shows electricity lines crossing the road reserve and Telstra equipment in the southern area. Both public utilities have advised that they have no objection to the road closures.

Implications of Closure

The proposed road reserves are not required for public purposes and are not considered necessary for any future road links.

OPTIONS

Option 1 – Concur with the closures and provide a letter of consent enabling to the applicant to apply to the NSW Department of Industry – Lands to close the public roads in accordance with the provisions of the Roads Act 1993. This is the preferred option as Council has already given consent to the proposed development conditional on the subject roads being closed.

Option 2 – Council not consent to the road closures.

CONSULTATION

In preparation of this report, internal consultation has occurred as follows:

- Strategic Land Use Planner
- Development Planner

In preparation of this report, external consultation has occurred as follows:

- Crown Lands
- Ausgrid
- Telstra

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STRATEGIC LINKS

a. Delivery Program

This report is linked to the Community's Desired Outcome Objective 5 in the Delivery Program, being "Civic Leadership and Effective Governance".

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Should Council resolve to consent to the proposed closure, as the roads are unconstructed the procedure is to provide written consent to the applicant and acknowledge that the road will vest in the Crown upon closure.

b. Financial Implications

Nil. Council's costs are covered by the application fee and with the land vesting in the Crown, subsequent financial transactions are between the applicant and Crown Lands.

c. Legislative Implications

Local Government Act 1993: On closure of these roads, ownership of the residual land will vest in the Crown. Vesting in the Crown involves the surrender of the land to the Crown. Dealings in relation to land matters require a resolution of Council in accordance with the *Local Government Act 1993*:

- S.377 General power of the council to delegate.
- S.377 (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:
- S.377 (1)(h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).

Roads Act 1993: Closing public roads is undertaken in accordance with the provisions of the *Roads Act 1993*

- Part 4, Sections 33 to 38 regulates the closing of public roads.

d. Risk Implications

Nil

e. Environmental Implications

Should consent to the road closure not be supported, the development consent granted may not be able to be acted upon.

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f. Other Implications

Nil

CONCLUSION

It is recommended that Council support the proposed road closures as the road reserves are not necessary for any future road link. The anticipated opening of a new alternate road aligns with the planned development of the land.

ENCLOSURES

There are no enclosures for this report

SUBJECT: *BRIDGES HILL PARK PLAYGROUND CONCEPT DESIGN*

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

SUMMARY

This report seeks Council's endorsement to publicly exhibit the Bridges Hill Park playground concept design in accordance with the Cessnock City Council Playground Policy P55.1.

RECOMMENDATION

1. That Council place the draft Bridges Hill Park playground concept design on public exhibition for a minimum period of twenty eight (28) days and invite public submissions.
2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final playground concept design.

BACKGROUND

Bridges Hill Park is a regional park on the fringe of the Cessnock Central Business District (CBD). Key elements of the park in its current form include a children's playground, formalised car parking, skatepark, picnic facilities, natural bushland, lookout and pathways.

In 2015 Council was granted \$950,000 through the Federal Government's National Stronger Regions Fund to complete various stages of the Cessnock Civic Precinct Revitalisation project. One of the major activities funded by the grant was an upgrade to Bridges Hill Park, incorporating the construction of a themed regional playground as well as improvements to the drainage, paths and steps accessing the site from the CBD.

The funding opportunity, along with a bi-annual playground safety audit in 2015 that identified the playground at Bridges Hill Park to be approaching its end of life were the catalyst for the development a Masterplan for the Park.

In June 2016 Council adopted a Masterplan for Bridges Hill Park as part of the Convent Hill, Bridges Hill Park and East End Oval Masterplan. This plan proposes a number of upgrades and improvements for Bridges Hill Park, including the following:

- Amphitheatre
- Centrally located playground offering a diversity of user experiences
- Fitness stations
- Hardcourt/multi-use space
- Improved parking and pedestrian access from Millfield, Yango and Victoria Streets
- Key entry feature
- Pathways
- Picnic shelters and BBQ facilities
- Planting of green corridors and management of weed species

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- Public art
- Signage
- Toilet block
- Yarning circle

The concept design for the regional playground has now been developed and the purpose of this report is to exhibit the design and seek feedback from the broader community.

REPORT/PROPOSAL

Given the significance of the playground very specific objectives and design principles were set, in line with the proposed upgrades in the Masterplan. These objectives and principles focus on providing a playground that is unique to the Region, utilising the sloping topography of the site and being consistent with the natural landscape incorporating native gardens, indigenous theming and community art.

The proposed playground is expected to be a trip attractor for the Cessnock CBD, being inviting and interactive creating an exciting ambience within the park, whilst minimising adverse impacts on nearby residences.

The draft Playground Concept Design provided in **Enclosure 1** meets the following general design guidelines set by Council, including:

- A children's bicycle circuit
- Access for all ages and abilities
- Adventure elements
- Design and constructed to Australian Standard
- Elements suitable for all ages and abilities
- Fitness equipment
- Lighting, Bubblers, Barbeques and picnic settings
- Multi-purpose hard court
- Nature play, Sensory play and Water play
- Security lighting
- Strategically located rubber safety surfacing as well as loose fill surfacing

The draft design has been prepared to allow staged construction over a number of years and this has been based on past and projected budget allocations, as well as external funding opportunities such as partnerships and grants.

Hard copies of the draft design will be exhibited at various public locations and electronic copies will be available via Council's website.

OPTIONS

The following options are provided for Council's consideration:

1. That Council places the concept design on public exhibition for a minimum period of twenty eight (28) days and a report on the outcomes of the exhibition be provided to Council prior to adopting the final concept design.

This is the preferred option.

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2. Council does not support placing the concept design on public exhibition.

CONSULTATION

Council has engaged the following stakeholders so far in the preparation of the design:

- Ability Links
- Cessnock Landcare
- Cessnock Lions Club
- Council's Aboriginal and Torres Strait Islander Advisory Committee
- Members of the community (on site public consultation)
- Mindaribba Local Aboriginal Land Council
- Parks & Reserves Coordinator
- Performing Arts Centre Coordinator
- Recreation and Community Facilities Coordinator
- Strategic Recreation and Community Facilities Planner
- Students from local primary and high schools
- Vegetation and Civic Spaces Coordinator
- Wine Country Rotary Club

STRATEGIC LINKS

a. Delivery Program

The concept design is consistent with Council's Delivery Program Objective 3.2.3 to 'Continue to implement the adopted Masterplans for Council's recreation and community facilities and spaces'.

b. Other Plans

Other Council plans relevant to the concept design include:

- Generic Plan of Management – Parks (2014)
- Convent Hill, Bridges Hill Park and East End Oval Masterplan (2016)
- Draft Recreation and Open Space Strategic Plan (2017)

IMPLICATIONS

a. Policy and Procedural Implications

The Cessnock City Council Playground Policy P55.1 states that concept and/or landscape plans for each new playground or a playground which is to undergo major alterations will be placed on public exhibition for a minimum of twenty-eight (28) days. The purpose of this is to ensure the public have been afforded the opportunity to participate in the process.

b. Financial Implications

The requirement to publicly exhibit the draft Design will have minimal financial implications for Council. The service cost for advertising in various media is not anticipated to be significant and would be accommodated within current budget allocations.

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Implementation of the Design will be undertaken in stages and will compete against other projects within Council's Delivery Program and subsequent annual Operational Plans.

A total of \$600,000 has been included in the 2017/2018 and 2018/2019 budgets to enable Stage 1 of the design to be implemented. The scope of Stage 1 will be determined following a tender process to be undertaken once the Design has been adopted.

The adopted design along with the Convent Hill, Bridges Hill Park and East End Oval Masterplan will also support Council when applying for future grant funds as it will be able to demonstrate links to an adopted strategy, which has a high level of community involvement.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Other Implications

Participation in physical activity creates a wide range of benefits for individuals and the communities they live in. When people are physically active they are healthier, happier and more socially inclusive. By providing opportunities for social interaction, sport and recreation can help enhance community identity and promote community integration. Individuals learn and share community values and attitudes and can gain a better understanding of other groups in society. Participation can also have a deterrent effect on anti-social behaviour including vandalism and petty crime.

There is an increasing demand for recreational pursuits in parks, open spaces and natural environments in both urban and non-urban areas. Effective management practices will enable resources and facilities to be better utilised in a manner that is sustainable and equitable, improving the quality of life of individuals and the community in which they live.

CONCLUSION

The Design for the playground has been extensively consulted with key stakeholders and public exhibition provides the broader community an opportunity to participate. The Design meets the criteria outlined in the Convent Hill, Bridges Hill Park and East End Oval Masterplan and funding has been allocated to implement Stage 1 of the project. Construction of the playground will provide a space that integrates with the natural environment and provides for the social and recreation needs of the local community and visitors now and into the future.

ENCLOSURES

- 1** Bridges Hill Park Playground concept design

Works and Infrastructure

Report No. WI64/2017

Works and Infrastructure



SUBJECT: *MILLER PARK, MOUNT VIEW PARK AND TURNER PARK MASTERPLANS*

RESPONSIBLE OFFICER: *Manager Open Space & Community Facilities –Nicole Benson*

SUMMARY

This report seeks Council's endorsement to publicly exhibit the Miller Park, Mount View Park and Turner Park Masterplans (the Masterplans).

RECOMMENDATION

1. That Council place the draft Miller Park, Mount View Park and Turner Park Masterplans on public exhibition for a minimum period of twenty eight days and invite public submissions.
2. That a Briefing Session be scheduled for Councillors during the exhibition period.
3. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Masterplans.

BACKGROUND

A Masterplan provides a local level planning framework for future development of an area or site. It is a strategic document that outlines a site analysis, opportunities and developments that could occur in a particular area. The master planning process involves reviewing an existing physical location, analysing site issues and constraints and developing a strategic plan for the site.

The three sites covered by the Masterplans include Miller Park, Branxton (Lot 1-8 DP 1134121, Lot 1-8 DP 772428, Lot 18 Sec 1 DP 758153, Lot 9 DP 658961, Lot 2 DP 591952), Mount View Park, Cessnock (Lot 2 DP 1175046) and Turner Park, Cessnock (Lot 10 DP 1108887, Lot 501 DP 1108309).

Miller Park is a 14.57 hectare Regional Sportsground located on the New England Highway approximately 150 metres east of the town centre of Branxton. Mount View Park is a 20.09 hectare District Sportsground located on Mt View Road approximately 1.45 kilometres west of the town centre of Cessnock. Turner Park is a 9.6 hectare Regional Sportsground located on Aberdare Road approximately 335 metres east of the town centre of Cessnock.

To effectively plan for the future use and development of each site, Council commissioned Terras Landscape Architects to prepare three Masterplans that:

- Provide a clear vision on the future amenity and character of each site.
- Provide guidance on the type, form and phasing of improvements and development within each site.
- Integrate with Council's Strategic Planning framework.

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- Plan for development that can occur in a realistic and achievable manner.
- Assist in illustrating the vision for each site.

The purpose of this report is to seek Council's endorsement to publicly exhibit the Masterplans.

REPORT/PROPOSAL

A minimum exhibition period of twenty eight days will allow the community time to review the Masterplans and provide comments. At the conclusion of the exhibition period a further report will be prepared summarising the detail of the comments received and any subsequent changes to the Masterplans before seeking adoption.

The works outlined within the Masterplans can be considered in future Operation Plans and Delivery Programs. The adoption of the Masterplans is also important to support grant applications as it provides a clear strategic frame work for future developments at each of the sites.

Hard copies of the Masterplans will be exhibited at various public locations and electronic copies will be available via Council's website.

OPTIONS

The following options are provided for Council's consideration:

1. That Council places the Masterplans on public exhibition for a minimum period of twenty eight days and a report on the outcomes of the exhibition be provided to Council prior to adopting the final Masterplans. This is the preferred option.
2. That Council does not support placing the Masterplans on public exhibition.

CONSULTATION

The following stakeholders were consulted in the preparation of the Masterplans and this report:

Internal stakeholders

- Acting Manager Open Space and Community Facilities
- Parks and Reserves Coordinator
- Recreation and Community Facilities Coordinator
- Senior Strategic Land Use Planner
- Strategic Land Use Planner
- Strategic Recreation and Community Facilities Planner
- Road Safety Officer
- Vegetation and Civic Spaces Coordinator

External Stakeholders

- Branxton District Netball Club
- Branxton Greta Business Chamber

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- Branxton Greta Cricket Club
- Branxton Little Athletics
- Branxton Tidy Towns
- Cessnock Athletics
- Cessnock City Hornets Football Club
- Cessnock District Cricket Association
- Cessnock Healthy Lifestyle Network
- Cessnock Minor Rugby League
- Cessnock Target Archers
- Cessnock Tennis Club
- Greta-Branxton Touch Association
- Greta Branxton Wildcats Football Club
- Hunter Valley Football (Hawks)

STRATEGIC LINKS

a. Delivery Program

The Masterplans are consistent with Council's Delivery Program Objective 3.2 'Better utilisation of existing open space' and deliverable 3.2.3 'Continue to implement the adopted masterplans for Council's recreation and community facilities and spaces'.

b. Other Plans

Other Council Plans relevant to the Masterplans include:

- Aquatic Needs Analysis 2014
- Cessnock Aquatic Centre Feasibility and Design Report 2016
- Cessnock Cycling Strategy 2016
- Branxton Sub-regional Land Use Strategy 2016
- Branxton Town Centre Masterplan 2016
- Recreation Needs Analysis 2017
- Draft Recreation and Open Space Strategic Plan 2017

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

The requirement to publicly exhibit the Masterplans will have minimal financial implications for Council. The service cost for advertising in various media is not anticipated to be significant and would be accommodated within current budget allocations.

Implementation of the Masterplans, if adopted, will have implications on Council's long term financial plan and each element of the Masterplans will compete against other projects within Council's Delivery Program and subsequent annual Operational Plans.

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The cost schedule outlined as part of the Masterplans will provide Council with an estimate of itemised works outlined in each plan. The Masterplans will also support Council when applying for future grant funds as it will be able to demonstrate links to an adopted strategy, which has a high level of community involvement.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Participation in physical activity creates a wide range of benefits for individuals and the communities they live in. When people are physically active they are healthier, happier and more socially inclusive. By providing opportunities for social interaction, sport and recreation can help enhance community identity and promote community integration. Individuals learn and share community values and attitudes and can gain a better understanding of other groups in society. Participation can also have a deterrent effect on anti-social behaviour including vandalism and petty crime.

There is an increasing demand for recreational pursuits in parks, open spaces and natural environments in both urban and non-urban areas. More effective planning and management practices will enable resources and facilities to be better utilised in a manner that is sustainable and equitable, improving the quality of life of individuals and the community in which they live.

CONCLUSION

The Masterplans provide a local scale planning framework for the future development of land and facilities at Miller Park, Branxton, Mount View Park, Cessnock and Turner Park, Cessnock.

A minimum exhibition period of twenty eight days will allow the community time to review the Masterplans and provide comments.

ENCLOSURES

- 1** Draft Miller Park Masterplan
- 2** Draft Mount View Park Masterplan
- 3** Draft Turner Park Masterplan

Works and Infrastructure

Report No. WI65/2017

Works and Infrastructure



SUBJECT: ***RE-ESTABLISHMENT OF EXPIRED ALCOHOL FREE ZONES IN THE CESSNOCK, KURRI KURRI AND WESTON CENTRAL BUSINESS DISTRICTS***

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

SUMMARY

This report seeks Council's endorsement of the re-establishment of Alcohol Free Zones (AFZ) in the in Cessnock, Kurri Kurri and Weston Central Business Districts upon expiry of the existing AFZ on 30 September 2017.

RECOMMENDATION

That Council prepares a proposal for the re-establishment of Alcohol Free Zones in the Cessnock, Kurri Kurri and Weston Central Business Districts and undertakes the necessary advertising and consultation.

BACKGROUND

The existing AFZ in the Cessnock, Kurri Kurri and Weston Central Business Districts (CBD) have been in force since 1 October 2013 and these will expire on 30 September 2017.

Part 4 of Chapter 16 of the *Local Government Act 1993* and the Ministerial Guidelines on Alcohol Free Zones (2009) provide that although there is no provision for AFZ to be extended, areas comprising AFZ may be included in a proposal to re-establish AFZ immediately following the cessation of the existing zone or at any future time.

These zones aim to improve public safety as part of a "whole of community" approach in eliminating recognised and documented disorderly, anti-social behaviour caused by the consumption of alcohol in public areas.

The zones were established with and still enjoy the full support of the local community and business houses, Cessnock Liquor Accord and NSW Police Service, Central Hunter Local Area Command. The zones are one element of, and compliment, a range of harm minimisation measures implemented in the target areas.

REPORT/PROPOSAL

With the existing AFZ in the Cessnock, Kurri Kurri and Weston CBD approaching expiry on 30 September 2017, Council Officers commenced the consultative process associated with re-establishing the zones for a further 4 years.

The Local Area Commander, Central Hunter LAC provided his written endorsement for the re-establishment of the zones, stating that he is confident that by the re-establishment of the zones "the community's perception of safety would be enhanced".

Information about the zones and maps are publicly available on the Council website and provided in **Enclosure 1**.

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It is proposed that, in accordance with Part 4 of Chapter 16, of the *Local Government Act 1993* and the Ministerial Guidelines on Alcohol Free Zones (2009), Council prepare a proposal for the re-establishment of the three zones and undertake the necessary advertising and consultation.

Existing AFZ signage was updated when the zones were last re-established in 2013 and the sign content complies with the guidelines. Therefore, the dates may be updated by affixing a decal over the existing dates.

In the event that the re-establishment process is not completed prior to the expiry of existing zones, the AFZ signage may remain in place for up to 30 days, but will be unenforceable.

OPTIONS

1. Prepare a proposal for the re-establishment of Alcohol Free Zones in the Cessnock, Kurri Kurri and Weston CBD. This is the preferred option.
2. Do not prepare a proposal, remove the associated signage and advise stakeholders.

CONSULTATION

The process for re-establishment of the zones includes advertising, calling for submissions and consultation with local police, licensees, and community groups.

STRATEGIC LINKS

a. Delivery Program

Delivery Program 2017-21 – Promoting Safe Communities – 1.3.2 Carry out regulatory and education programs to protect residential amenity and community health and safety.

Operational Plan 2017-18 – 1.3.2a Commence a review of alcohol free zones across the Local Government Area.

b. Other Plans

Cessnock 2027 – Community Strategic Plan – *Objective 1.3: Promoting safe communities Strategic Directions.*

- Our residents and visitors feel safe in the Cessnock Local Government Area.
- Our CBD areas are safe at night.
- Our roads are safe for motorists and pedestrians.

IMPLICATIONS

a. Policy and Procedural Implications

N/A

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b. Financial Implications

The cost of advertising and consultation will be met from the Works & Infrastructure operational budget.

c. Legislative Implications

Proposals for the reestablishment of an AFZ, public consultation on proposed AFZ and operation of AFZ are regulated by Part 4 of Chapter 16 of the *Local Government Act 1993* and the Ministerial Guidelines on Alcohol Free Zones (2009).

d. Risk Implications

Council risks adverse community criticism should antisocial behaviour and alcohol related crime increase in the relevant areas, in the event that it is resolved not to pursue the reestablishment of AFZ.

e. Environmental Implications

AFZ are an important tool for police in dealing with irresponsible alcohol consumption and disorderly behaviour in public spaces, including malicious damage to the built environment. Establishment and maintenance of AFZ by Councils enhances the collaborative relationship between Council and Police in the combined quest for safer communities.

f. Other Implications

The zones manage alcohol consumption generally throughout the period. Suspension of existing zones, and creation of and Special Event AFZs occurs to throughout the year to accommodate major local events such as the annual STOMP Festival, and Australian Postie Bike Grand Prix.

CONCLUSION

The previous Alcohol Free Zones were considered by the general community, business community, local police and liquor licensees' as successful. Working towards re-establishment of the Zones is a worthwhile social initiative.

ENCLOSURES

1 Alcohol Free Zones _ Proposed Re-establishment - Maps

Notices Of Motion

Report No. BN42/2017

General Manager's Unit



NOTICES OF MOTION No. BN42/2017

SUBJECT: ***LOVEDALE ROAD AND WILDERNESS ROAD LOVEDALE - TRAFFIC ACCIDENTS REPORTS AND STATISTICS***

COUNCILLOR: ***John Fagg***

MOTION

1. That the General Manager urgently bring back a comprehensive report to Council relating to official Crash Data for the current 5 year reporting period for the junction of Lovedale Road and Wilderness Road, Lovedale;
2. That the report include any previous recommendations either from Council or the NSW State Government for revised traffic management at the above site;
3. That the report also provide recommendations, both temporary and permanent, for resolving this locus's traffic safety risk along with identifying any planned Delivery Program road or signage works.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 6 September 2017.

RATIONALE

Having witnessed the aftermath of quite a few road traffic accidents at the above locus I am alarmed at what is also described by the local residents as being a very dangerous junction with road traffic accidents just waiting to happen. Sight lines are poor, speed limit is 80kph, it's an elevated junction with existing local and advance signage requiring immediate review.

Accidents mostly appear to be at weekends. The RMS reports will or should highlight these date occurrences. Given that it is weekend traffic, it would be fair to conclude at this time the probability (fairly much known) that the accidents have an out of town visitor element. Those drivers would not have the local knowledge of this dangerous junction and could find it hard to reason why it is there.

This area of the Hunter is mainly reliant on tourism, viticulture and specific weekend cellar door business. We need to make our roads safe and welcoming to provide a good sound environment for our visitors.

Without question these are the main points of this motion.

Sgd: John Fagg

Date: 17 August 2017

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN43/2017

General Manager's Unit



NOTICES OF MOTION No. BN43/2017

SUBJECT: *SPONSORSHIP AND SUBSIDIES REVIEW*

COUNCILLOR: *John Fagg*

MOTION

1. That the General Manager provide a report to Council relating to sponsorship and subsidies, which identifies in-kind and monetary donations/sponsorships and other instances where market rates are not being charged.
2. The report should specifically detail the fees and charges applied by Council to all participants (individual or group) for each individual sporting activity and by location;
3. The report should also include a basic one line annual finance income and expenditure statement for each location, including any known recurrent maintenance and capital costs, along with any recommendations for future charging.
4. The report to be presented to Council within six (6) months to allow any new or modified fees and charges to be incorporated into the draft 2018/19 Operational Plan.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 6 September 2017.

RATIONALE

Having listened to a previous debate relating to swimming pool charges it became quickly apparent that this activity cannot be considered on its own. The motion was singularly defeated but the question remains with merit. Individual reviews can lead to confusion and aid lack of continuity.

In order to have a complete understanding of all sponsorship and subsidies, in particular sporting charges, it is necessary to have before us a composite list showing each activity by sport and location.

It is appreciated some sports contain a higher on site presence and some sports become a public necessity or benefit to the community such as swimming pools.

Notices Of Motion

Report No. BN43/2017

General Manager's Unit



The previous motion could be put again but only after considered opinion of the complete list of sponsorships and subsidies.

Sgd: John Fagg

Date: 17 August 2017

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN44/2017

General Manager's Unit



NOTICES OF MOTION No. BN44/2017

SUBJECT: *PLANNING AGREEMENT - ROSEHILL ESTATE, MILLFIELD*

COUNCILLOR: *Rod Doherty*

MOTION

That the General Manager provide a report on the background of the Planning Agreement (PA) for the Rosehill development at Millfield and when approved Millfield community works associated for this PA intend to start.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 6 September 2017.

RATIONALE

A number of residents are complaining about the lack of work to be undertaken in Millfield as a result of the Rosehill PA, and the timing of works to be undertaken.

As we understand it the developer has paid for their side of the PA and as of September they will have paid for 85 lots of the subdivision. That amount is believed to be somewhere in the vicinity of \$600K.

On reviewing the current Delivery Plan and Operational Plan for 2017-2021, there is only one mention on page 55 related to Millfield Road and Eleventh Avenue intersection.

The Council report should outline what works are planned for Crawfordville Park and their timing. Will the works in Crawfordville Park include skate board facilities? This is one hundred percent funded provided by the developer.

When will the two Bus Shelters be built? One hundred percent funding provided by the developer.

When will the shared pedestrian footpath/cycleway work start? One hundred percent funding provided by the developer.

Lastly, work is required to reconstruct Millfield Road/Eleventh Ave intersection and Kerb and Gutter work, and to reconstruct Eleventh Avenue, Wollombi Road through to Millfield Road with Kerb and Guttering and trunk drainage. The Developer of Rosehill has to contribute 37.3% through the PA for this work which we believe is being paid to Council.

Notices Of Motion

Report No. BN44/2017

General Manager's Unit



How is Council funding the remaining 62.7% of this project?

Sgd: Rod Doherty

Date: 21 August 2017

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN45/2017

General Manager's Unit



NOTICES OF MOTION No. BN45/2017

SUBJECT: *STRATEGIC EMERGENCY SERVICES PRECINCT*

COUNCILLOR: *Rod Doherty*

MOTION

1. That Council support and lobby for the establishment of an Emergency Services precinct adjacent to the Hunter Expressway.
2. That Council writes to the NSW Premier The Hon Gladys Berejiklian MP seeking the establishment of a working party between the Council, Emergency Services, NSW Police, Highway Patrol, NSW Ambulance and NSW Fire and Emergency Services and the community, to further the idea of having a combined Emergency Services Precinct located in the Central Hunter adjacent to the Hunter Expressway.

RATIONALE

Back in 2011, 50 University students from the UNSW completed a research document centered around the construction of the Hunter Expressway (HEX) and what impact it would have on the area, in particular the Kurri Kurri district.

Their research concluded that the Kurri Kurri Fire Station was inadequate to cater for a modern fire unit, being greater than 100 years old; the Kurri Kurri Police Station was inadequate to service a modern Police Station, being greater than 100 years old and the Kurri Kurri Ambulance Station needed replacing.

The current Maitland Police Station housed in the old Hunter Valley County Council building in Caroline Place, Maitland is stretched to the limit, with many overtures being made to the Highway Patrol to relocate into the old Kurri Kurri Police Station.

Senior Highway Patrol Commanders from Sydney, Newcastle and Maitland visited the Kurri Kurri Police Station in February of this year to evaluate whether the station was suitable for a Highway Patrol base. Their conclusion was that the Police Station would be inadequate for modern day policing and had no garage security for their cars.

Land was identified back in 2011 adjacent to the HEX near Heddon Greta, which has subsequently become a Service Centre.

Now that the Hydro Aluminium land will be sold and rezoned, there is an opportunity to secure land in that area for a future Emergency Services Precinct.

Notices Of Motion

Report No. BN45/2017

General Manager's Unit



The timing is important to establish a working party to progress this opportunity.

Sgd: Rod Doherty

Date: 22 August 2017

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN46/2017

General Manager's Unit



NOTICES OF MOTION No. BN46/2017

SUBJECT: *CESSNOCK AND BRANXTON POOL FAMILY FUN DAYS - TRIAL*

COUNCILLOR: *Dianne Fitzgibbon*

MOTION

That Council trial the offer of free entry to families at Cessnock and Branxton pools every Sunday from 10:00am until Close, starting from the first Sunday in the Christmas School Holidays ending on the last Sunday of February, where the pools are not already booked.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 6 September 2017.

RATIONALE

Some families struggle with activities over the hot summer months, especially those without air conditioning or home pools.

This is one way Council can encourage our locals to enjoy the great facilities at the pool as well as cooling off during those hot days.

Sgd: Dianne Fitzgibbon

Date: 31 August 2017

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ98/2017

Planning and Environment



SUBJECT: *WOODBURY QUARRY COMMUNITY REFERENCE GROUP MEETING*

RESPONSIBLE OFFICER: *Development Services Manager - Janine McCarthy*

Q86/2017 - Woodbury Quarry Community Reference Group Meeting

Asked by Councillor Doherty at the Ordinary Meeting of Council held on 16 August 2017:

“Has the Woodbury Quarry Community Reference Group met as yet and if so, when?”

On 16 December 2016, the ‘Blackhill Quarry Community Liaison Group’ (CLG) met for the first time. Subsequent to this initial meeting, the following meetings have occurred:

- An inspection of the quarry was carried out by the CLG on 3 April 2017; and
- A further meeting of the CLG was recently held on 17 August 2017.

The next scheduled meeting of the CLG is 15 February 2018.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ99/2017

Planning and Environment



SUBJECT: *AIR BNB IN CESSNOCK LGA*

RESPONSIBLE OFFICER: *Development Services Manager - Janine McCarthy*

Q87/2017 - Air BNB in Cessnock LGA

Asked by Councillor Doherty at the Ordinary Meeting of Council held on 16 August 2017:

"Is Council doing anything to regulate Air BNB listings as there appears to be some 500 beds being marketed in the Cessnock LGA?"

It is acknowledged that booking sites such as Airbnb and Stayz have resulted in an increase in the amount of properties being advertised for the purpose of short-term holiday letting across NSW, including within the Hunter Valley.

This kind of short-term holiday letting is largely unregulated by planning law in NSW, as the Standard Instrument (which Council's Local Environmental Plan adopts), does not define short-term holiday letting, and there is differing legal opinion on the proper characterisation of this type of development.

As part of the NSW Government's plan to address the regulation of short-term holiday letting, it released its '*Short-term Holiday Letting in NSW*' Options Paper on 20 July 2017. Stakeholders (including local councils), have been invited to respond to Options Paper by making a submission to the NSW Department of Planning and Environment by 31 October 2017. Council will be providing a draft submission for Council's consideration, prior to this date.

Until such time as the issue of short-term holiday letting is resolved, Council will continue to regulate all forms of 'tourist and visitor accommodation' under the *Environmental Planning and Assessment Act 1979*, and the provisions of Council's adopted Compliance and Enforcement Policy, where relevant.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ100/2017

Planning and Environment



SUBJECT: *CENSURE MOTION*

RESPONSIBLE OFFICER: *Director Planning and Environment - Gareth Curtis*

Q88/2017 – Cost of Legal Representation to Council for Censure Motion

Asked by Councillor Ian Olsen at the Ordinary Meeting of Council held on 16 August 2017.

“What is the cost to Council of legal representation into the investigation for the censure motion against himself as he has not received a response as yet?”

There were no legal representation costs incurred by Council in relation to the Confidential Code of Conduct matter which resulted in a censure motion against Councillor Ian Olsen. This is because there were no legal representatives engaged by Council in the matter.

There were, however, costs incurred in order to investigate the matter in accordance with the Procedures for the Administration of the Code of Conduct. An independent Code of Conduct Reviewer/Investigator was engaged from the Hunter Council’s endorsed panel of reviewers.

The actual cost of the investigation and final investigator’s report was \$8,270.00 (GST exc).

It is expected that further costs will be incurred to ensure the one-on-one training required by Council’s resolution is carried out in accordance with requirements. Council is currently awaiting revised quotes for the training and estimated costs are not yet known however are likely to be in the order of several thousand dollars.

Each year a report is provided in open session to Council on the cost of all code of conduct matters and the information is then provided to the NSW Office of Local Government.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ101/2017

Works and Infrastructure



SUBJECT: *HANDBALL COURTS*

RESPONSIBLE OFFICER: *Recreation Services Manager - Nicole Benson*

Q89/2017 – Handball Courts

Asked by Councillor Lyons at the Ordinary Meeting of Council held on 16 August 2017.

“Do we have any hand ball courts in the Local Government Area and what is the rough cost of creating handball courts?”

There are three common variations to handball being European (Olympic) Handball, Australian Handball and Square Handball.

European Handball is played on a court and can be described as a mixture of soccer and netball. Australian handball is similar to squash played without a racquet and can be played in singles or doubles format. Square Handball is typically played in school using squares painted on a concrete surface.

There are no known dedicated handball facilities in the Cessnock Local Government Area (LGA) apart from Square Handball courts marked in school grounds. Council managed facilities with multi-purpose courts that could be used for handball are as follows:

- Ayrfield Miners Memorial Park, North Rothbury;
- Ernie Dunlop Park, Weston;
- Laguna Community Hall;
- Millfield/Crawfordville Community Hall;
- Mulbring Park and
- Orange Street Oval, Abermain.

The cost to establish a handball court can range from several hundred dollars to line-mark an existing surface up to millions of dollars to construct an indoor handball facility.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ102/2017

Works and Infrastructure



SUBJECT: *STREET TREE STRATEGY OR POLICY*

RESPONSIBLE OFFICER: *Recreation Services Manager - Nicole Benson*

Q91/2017 – Street Tree Strategy or Policy

Asked by Councillor Fitzgibbon at the Ordinary Meeting of Council held on 16 August 2017.

“Does Council currently have a street tree strategy or policy and is so, can it be circulated?”

Council does not have currently a street tree strategy or policy. However, Objective 3.1 of the recently adopted 2017-2021 Delivery Program focuses on protecting and enhancing the natural environment and the rural character of the area. Under this Objective there is an action to commence the development of a street tree strategy in the 2017-18 Operational Plan.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ103/2017

Planning and Environment



SUBJECT: ***NULKABA SECTION 94 CONTRIBUTIONS PLAN 2014***

RESPONSIBLE OFFICER: ***Principal Strategic Land Use Planner - Wonona Fuzzard***

Q92/2017 – Nulkaba Section 94 Contributions Plan 2014

Asked by Councillor Fitzgibbon at the Ordinary Meeting of Council held on 16 August 2017.

“How much money from Section 94 contributions is earmarked for road improvements and kerb and guttering in the Nulkaba Contributions Plan for projects approved prior to December 2016?”

The Nulkaba Section 94 Contributions Plan Table 4 – Roads Traffic Drainage and Stormwater Management Facilities (page 49) list 14 projects to the cost of \$6,779,700.55. This amount is then apportioned between the developers and Council reflecting the percentage rate between new growth and existing development. The developers will contribute a total of \$4,940,224.68 and Council will be required to fund the remaining \$1,839,475.87. The link to the current Nulkaba Plan can be found on Council’s website at [Nulkaba Section 94 Contributions Plan 2014](#)

It should be noted that an amended Draft Nulkaba Plan was placed on exhibition from the 26 July to 25 August 2017. The Draft Plan recommends changes to the traffic network and will reduce the overall project costs to \$3,539,020.15 prior to CPI indexation. The Draft Plan will be reported back to Council following the review of any submissions received.

ENCLOSURES

There are no enclosures for this report

Correspondence

Report No. CO23/2017

Works and Infrastructure



SUBJECT: *40KM/H SCHOOL ZONE - ST PHILLIPS CHRISTIAN COLLEGE - WINE COUNTRY DRIVE*

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

RECOMMENDATION:

That Council note the correspondence received.

At its Ordinary Meeting of 19 April 2017, Council considered a Notice of Motion regarding the introduction of a 40Km/h School Zone at St Phillips Christian College – Wine Country Drive and resolved as follows:

“The General Manager write to the NSW Minister Roads, Maritime and Freight, the NSW Parliamentary Secretary for the Hunter and the State Member for Cessnock seeking support for the introduction of a 40km/h School Zone on Wine Country Drive, adjacent to St Phillips Christian College.”

Following the Council resolution, correspondence was sent to Federal Ministers and Members of Parliament seeking urgent assistance to address these community concerns.

A response from Kevin Anderson MP, Parliamentary Secretary for Regional Roads, Maritime and Transport has been received and is provided for Council’s information.

ENCLOSURES

- 1** Response Kevin Anderson MP, Parliamentary Secretary for Regional Roads, Maritime and Transport