



10 August 2018

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 Chamber, on Wednesday, 15 August 2018 at 6.30 pm, for the purposes of transacting the undermentioned business.

AGENDA:

PAGE NO.

(1) OPENING PRAYER	
(2) ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS	
(3) RECEIPT OF APOLOGIES	
(4) CONFIRMATION OF MINUTES OF PREVIOUS MEETING	
Minutes of the Ordinary Meeting of Council held on 1 August 2018.....	5
(5) DISCLOSURES OF INTEREST	
D114/2018 Disclosures of Interest.....	30
(6) PETITIONS	
(7) ADDRESS BY INVITED SPEAKERS	
(8) CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS	
(9) MOTIONS OF URGENCY	
MOU14/2018 Motions of Urgency.....	31
(10) GENERAL MANAGER'S UNIT	
‡ GMU17/2018 Cessnock City Council Picnic Day.....	32
(11) PLANNING AND ENVIRONMENT	
‡ PE43/2018 Development Application Performance Monitoring Report - June 2018 Quarter.....	34
‡ PE44/2018 Hunter Regional Plan - Monitoring Report	41
‡ PE45/2018 NSW Government Changes to Parking Fines.....	44
(12) CORPORATE AND COMMUNITY	
CC55/2018 Draft Councillor Training and Development Policy	48
CC56/2018 Draft Copyright Policy	53

‡	CC57/2018	Investment Report - July 2018.....	56	
‡	CC58/2018	Resolutions Tracking Report	62	
(13)	WORKS AND INFRASTRUCTURE			
	WI63/2018	Road Naming Anomalies - Paxton, Quorrobolong and Abernethy.....	63	
	WI64/2018	Proposed Road Closure - off Broke Road, Pokolbin	70	
	WI65/2018	Minutes of Local Traffic Committee held 16 July 2018	77	
	WI66/2018	Request for Sponsorship - Kearsley Community Dawn Service Committee Inc.	84	
	WI67/2018	Request for Sponsorship & Fee Waiving - Australian Postie Bike Grand Prix	88	
	WI68/2018	Request for Sponsorship - Richmond Vale Rail Museum - Cranky Handle Rally	92	
(14)	BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN			
	BN25/2018	Great North Walk.....	95	
(15)	ANSWERS TO QUESTIONS FOR NEXT MEETING			
	‡	AQ74/2018	Woolworths Carpark - Copy of Approved Plans.....	97
	‡	AQ75/2018	Kerlew Street Access to Correctional Centre.....	98
	‡	AQ76/2018	List and Locations of Suburb Signs	99
(16)	QUESTIONS FOR NEXT MEETING			
(17)	CORRESPONDENCE			
	‡	CO29/2018	Library Funding - State Government Funding Cut	100
(18)	COUNCILLORS' REPORTS			



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
- Respect
- Teamwork
- Accountability
- Excellence

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 CHAMBER ON WEDNESDAY, 1 AUGUST 2018, COMMENCING AT
6.30 PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Development Services Manager
Principal Development Engineer
Economic Development Manager
Finance & Administration Services Manager
Senior Media & Communication Officer
Corporate Governance Officer

APOLOGY:

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

588

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

Councillor Sander's Leave of Absence from 5 July 2018 to 10 August 2018 is noted.

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Lyons
Councillor Pynsent
Total (11)

AGAINST

Total (0)

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Burke

Seconded: Councillor Dagg

589

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 18 July 2018, 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 Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Lyons
Councillor Pynsent

Total (11)

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI13/2018

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.

PE42/2018 – DA 8/2017/160/1 proposing construction of a multi-dwelling development - 288 - 290 Maitland Road, Cessnock – Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that the developer is a family friend therefore it could not reasonably be regarded her decision was not influenced by this. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

PETITIONS

Nil

ADDRESS BY INVITED SPEAKERS

The following people addressed the meeting of Council:

Speakers	For / Against	Report	Page No.	Duration
Mr Grant Gibson	For Recommendation	RM2/2018 - WI55/2018 - Status of Dalwood Street, Greta	38	3 mins

RESCISSION MOTIONS

RESCISSION MOTIONS NO. RM2/2018

SUBJECT: *WI55/2018 - STATUS OF DALWOOD STREET, GRETA*

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Olsen

That the recommendation to Report No. WI55/2018 – Status of Dalwood Street, Greta:-

1. That Council note the outcome of investigations and advice regarding the private ownership of Dalwood Street, Greta;
2. That Council not pursue dedication of the land as public road;
3. That Council notify those property owners on Dalwood Street, Greta who enquired of the outcome of the investigations and advice.

be rescinded

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg

Total (4)

AGAINST

Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Lyons
Councillor Pynsent

Total (7)

The Rescission Motion was ***PUT*** and ***LOST***

Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that the developer is a family friend therefore it could not reasonably be regarded her decision was not influenced by this. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.

Councillor Fitzgibbon left the meeting, the time being 7.02pm

Heath Wilkinson	For Recommendation	PE42/2018 - DA 8/2017/160/1 proposing construction of a multi-dwelling development 288 - 290 Maitland Road, Cessnock	70	3 mins
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Mr Graeme Holmes (Forum Engineering) representing the applicants	Against Recommendation	PE42/2018 - DA 8/2017/160/1 proposing construction of a multi-dwelling development 288 - 290 Maitland Road, Cessnock	70	3 mins
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PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE42/2018

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

288 - 290 MAITLAND ROAD, CESSNOCK

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Gray
590
RESOLVED

That the report be deferred to the first meeting in September to allow the proponent's Engineer and Council staff to negotiate further.

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

CARRIED UNANIMOUSLY

Councillor Fitzgibbon returned to the meeting, the time being 7.13pm

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

NIL

MAYORAL MINUTES

MAYORAL MINUTES NO. MM7/2018

SUBJECT: PUBLIC LIBRARY FUNDING

MOTION **Moved:** Councillor Pynsent

591

RESOLVED

1. That Council endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. That Council make representation to the Member for Cessnock, Clayton Barr MP, in relation to the need for additional funding from the NSW State Government for the provision of public library services.
3. That Council write to the Hon. Don Harwin, MLC, Minister for the Arts and the Hon. Walt Secord, MLC, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.
4. That Council take a leading role in activating the *Renew Our Libraries* campaign locally.
5. That Council endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
6. That Council formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.
7. That Council request the Hunter Joint Organisation to advocate in support of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries* campaign, on a regional basis.

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

CARRIED UNANIMOUSLY

MAYORAL MINUTES NO. MM8/2018

SUBJECT: ANGLICAN DIOCESE OF NEWCASTLE - PROPERTY RATIONALISATION

MOTION **Moved:** Councillor Pynsent

592

RESOLVED

1. That Council writes to The Right Reverend Dr Peter Stuart, Bishop of Newcastle, outlining the concern that the rationalisation of churches in the Cessnock Local Government Area may have in regards to the provision of vital community services, the potential loss of accessibility to historic cemeteries and buildings and the loss of key community hubs that the church provides.

2. That the Mayor and General Manager meet with Bishop Peter to discuss the ramifications to the Local Government Area of the Anglican Church rationalisation.

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

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU13/2018

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU16/2018

SUBJECT: DRAFT SUBMISSION TO THE FEDERAL GOVERNMENT INQUIRY INTO HOW THE MINING SECTOR CAN SUPPORT BUSINESSES IN REGIONAL ECONOMIES

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Burke
593
RESOLVED

That Council endorse the draft submission to the Federal Government Inquiry into How the Mining Sector Can Support Businesses in Regional Economies, with additional wording to strengthen the section relating to Discrepancy between the contribution of Mining in the Hunter Region & NSW to Resources for Regions Funding Levels.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC53/2018

SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018

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

594

RESOLVED

1. That Council determines attendees to the Local Government NSW Annual Conference 2018 as Councillors Pynsent, Dunn, Lyons, Suvaal, Dagg and Gray.
2. That Council determines voting delegates to the Local Government NSW Annual Conference 2018 as Councillors Pynsent, Suvaal, Dagg and Gray.
3. That the motion adopted by Council on 21 February 2018 regarding Mobility Parking being "*There be greater cooperation between Local Government, State Government and Federal Government to occur for the provision of mobility parking*" be submitted to Local Government NSW Board for consideration of inclusion as an agenda item for the 2018 Annual Conference.
4. That the motion adopted by Council on 18 July 2018 regarding Recycling and Waste Levy Implications be submitted to Local Government NSW Board for consideration of inclusion as an agenda item for the 2018 Annual Conference.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC54/2018

SUBJECT: ADDITION TO 2018-19 LOAN BORROWING PROGRAM

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg
595
RESOLVED

1. That Council endorse the amendment of the 2017-2020 Delivery Program and 2018-19 Operational Plan to include the additional grant funding (\$3,500,000), proposed loan borrowing (\$1,765,000) and associated increase in expenditure for RNSW1506 Cessnock CBD Revitalisation and RNSW1508 Cessnock CBD Regional Recreation Precinct Upgrade.
2. That Council endorse the inclusion of an additional loan facility in the maximum amount of \$1,765,000 for a maximum period of ten (10) years with a fixed interest rate for the period of the loan as part of Council's Loan Borrowing Program, repayable by instalments of principal and interest.
3. That Council authorise the General Manager to determine the timing and negotiate with various financial institutions to obtain the best available loan facilities in accordance with Policy F12.2 Loan Borrowing and to execute the documents relating to the Loan Agreement.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI58/2018

SUBJECT: NEW FEES AND CHARGES FOR OUTDOOR AQUATIC FACILITIES

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Fitzgibbon
596
RESOLVED

That Council place the draft Learn to Swim and Aqua Fitness fees and charges on public exhibition for 28 days and if no significant submissions are received, Council adopt the fees and charges and incorporate them into the 2018/19 Fees and Charges.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI59/2018

SUBJECT: GARBAGE BINS AT SLACKS PARK, WOLLOMBI

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Stapleford
597
RESOLVED

That Council install two bin cabinets at the front of Slacks Park, Wollombi.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI60/2018

SUBJECT: BMX & SKATE FACILITIES WITHIN THE CESSNOCK LOCAL GOVERNMENT AREA

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Lyons
598

RESOLVED

1. That Council note the progress of the implementation of the Cessnock Skate and BMX Facilities Needs Assessment 2020.
2. That Council complete a detailed review of the Cessnock Skate and BMX Facilities Needs Assessment 2020.
3. That following the review, a further report be prepared for Council's consideration outlining key findings and recommendations.
4. That following the completion of the Skate and BMX Facilities Needs Assessment, a review is undertaken of the Carmichael Park Masterplan, incorporating findings from the revised assessment as well as Council's adopted Recreation and Open Space Strategic Plan and other relevant documents and reported to Council.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI61/2018

SUBJECT: INSTALLATION OF RACQUETBALL COURT

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

599

RESOLVED

That Council note the information contained within the report.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI62/2018

SUBJECT: AIRVENTURE AUSTRALIA - FINANCIAL PLAN

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg
600
RESOLVED

That Council note AirVenture Australia's financial plan for the AirVenture airshow to be held at Cessnock Airport in September 2018.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN23/2018

SUBJECT: WASTE VOUCHERS

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

That Council allow residents to use the 4 Waste Vouchers distributed for 2018/19 without proof of address but proof of being a Cessnock Local Government Area resident.

FOR	AGAINST
Councillor Olsen	Councillor Doherty
Councillor Dunn	Councillor Fagg
	Councillor Stapleford
	Councillor Fitzgibbon
	Councillor Gray
	Councillor Dagg
	Councillor Burke
	Councillor Lyons
	Councillor Pynsent
Total (2)	Total (9)

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

BUSINESS WITH NOTICE NO. BN24/2018

SUBJECT: GOVERNMENT AID FUNDING

MOTION **Moved:** Councillor Olsen

That Council write to the Australian Government regarding the amount of funding that is sent overseas, over \$4.2 Billion, and ask them to consider reducing this funding as they continue to reduce funding to all areas of Australia.

The letter should be sent to the following:-

The Hon Malcolm Turnbull MP, Prime Minister of Australia
The Hon Michael McCormack MP, Deputy Prime Minister of Australia
The Hon Scott Morrison MP, Treasurer
The Hon Bill Shorten MP, Leader of the Opposition
The Hon Tanya Plibersek MP, Deputy Leader of the Opposition,
The Hon Chris Bowen MP, Labor Shadow Treasurer
The Hon Joel Fitzgibbon MP, Member for Hunter
Ms Meryl Swanson MP, Member for Paterson

The letter should state we believe in a better share of funding for Australians before we start funding overseas aid.

It should also ask for the current stand on funding by the opposition with a view to the next election.

The Motion lapsed for want of a Seconder.

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ68/2018

SUBJECT: KURRI KURRI COMMUNITY CENTRE AND AMBULANCE HALL

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ69/2018

SUBJECT: NEW LGA SIGNAGE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ70/2018

SUBJECT: CAMP ROAD AND LOVEDALE ROAD

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ71/2018

SUBJECT: JRPP MEETING - GOLDEN BEAR

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ72/2018

SUBJECT: WESTON DAY SURGERY

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ73/2018

SUBJECT: DCP AND OTHER PLANNING DOCUMENTS

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Ian Olsen

WOOLWORTHS CARPARK – COPY OF APPROVED PLANS

Councillor Olsen referred to emails that had been sent and received in regard to the works being carried out at Woolworths and asked when he will be getting a copy of the plan for the carpark.

Councillor Ian Olsen

KERLEW STREET ACCESS TO JAIL

Councillor Olsen advised that the Jail has announced that they will not be going down Kerlew Street and asked when the funding will be put back into Mount View Road.

Councillor Di Fitzgibbon

LIST AND LOCATION OF SUBURB SIGNS

Councillor Fitzgibbon asked for an updated list of the location and suburb signs in the Cessnock Signage Strategy.

Councillor Anthony Burke

WASTE VOUCHERS

Councillor Burke asked if Council budgets on the four waste vouchers being used in each financial year.

The Director Corporate and Community Services advised that yes, it is based on the quantity of vouchers used and tonnage over a long period of time, with the estimated cost spread over all Domestic Waste Management Charges.

COUNCILLORS REPORTS

Councillor Dagg

Mine Subsidence Board

Councillor Dagg reported on her attendance at the Mine Subsidence Board and advised that the Cessnock claim for mine subsidence at South Cessnock will be dealt with at the meeting to be held in September. Also SANSW has met with mining industry for feedback on the administration of the legislative changes which has all come back positive. The declaration of the Branxton Mine Subsidence District is not yet finalised.

Mayor

2017 Senior's Week Activities

The Mayor advised that the 2017 Senior's Week Activities has been nominated and are a finalist at the RH Doherty Awards by Local Government NSW to be held 2 August 2018.

The Meeting Was Declared Closed at 8.05pm

CONFIRMED AND SIGNED at the meeting held on 15 August 2018

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI14/2018

Corporate and Community Services



SUBJECT: DISCLOSURES OF INTEREST

RESPONSIBLE OFFICER: Finance and Administration Manager - Andrew Glauser

RECOMMENDATION

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

SUMMARY

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

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

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

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

ENCLOSURES

There are no enclosures for this report.

Motions of Urgency

Report No. MOU14/2018

Corporate and Community Services



SUBJECT: *MOTIONS OF URGENCY*

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

RECOMMENDATION

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

SUMMARY

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

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

ENCLOSURES

There are no enclosures for this report.

SUBJECT: *CESSNOCK CITY COUNCIL PICNIC DAY*
RESPONSIBLE OFFICER: *Human Resource 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 has written to the General Manager requesting that approval be given for the Annual Cessnock City Council Picnic Day to be held on Friday, 26 October 2018.

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, 26 October 2018 as the Union Picnic Day in accordance with the Award. The event will be a Dolphin Cruise at Nelson Bay followed by lunch at Nelson Bay Golf Club.

General Manager's Unit

Report No. GMU17/2018

General Manager's Unit



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 2018 Cessnock City Council Picnic Day.

ENCLOSURES

There are no enclosures for this report.

Planning and Environment

Report No. PE43/2018

Planning and Environment



SUBJECT: *DEVELOPMENT APPLICATION PERFORMANCE
MONITORING REPORT - JUNE 2018 QUARTER*

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

SUMMARY

The purpose of this report is to provide Council with the June 2018 quarterly report in relation to development assessment performance monitoring data and provide an overview of development activity within the Cessnock Local Government Area.

RECOMMENDATION

That Council receives the report and notes the information.

BACKGROUND

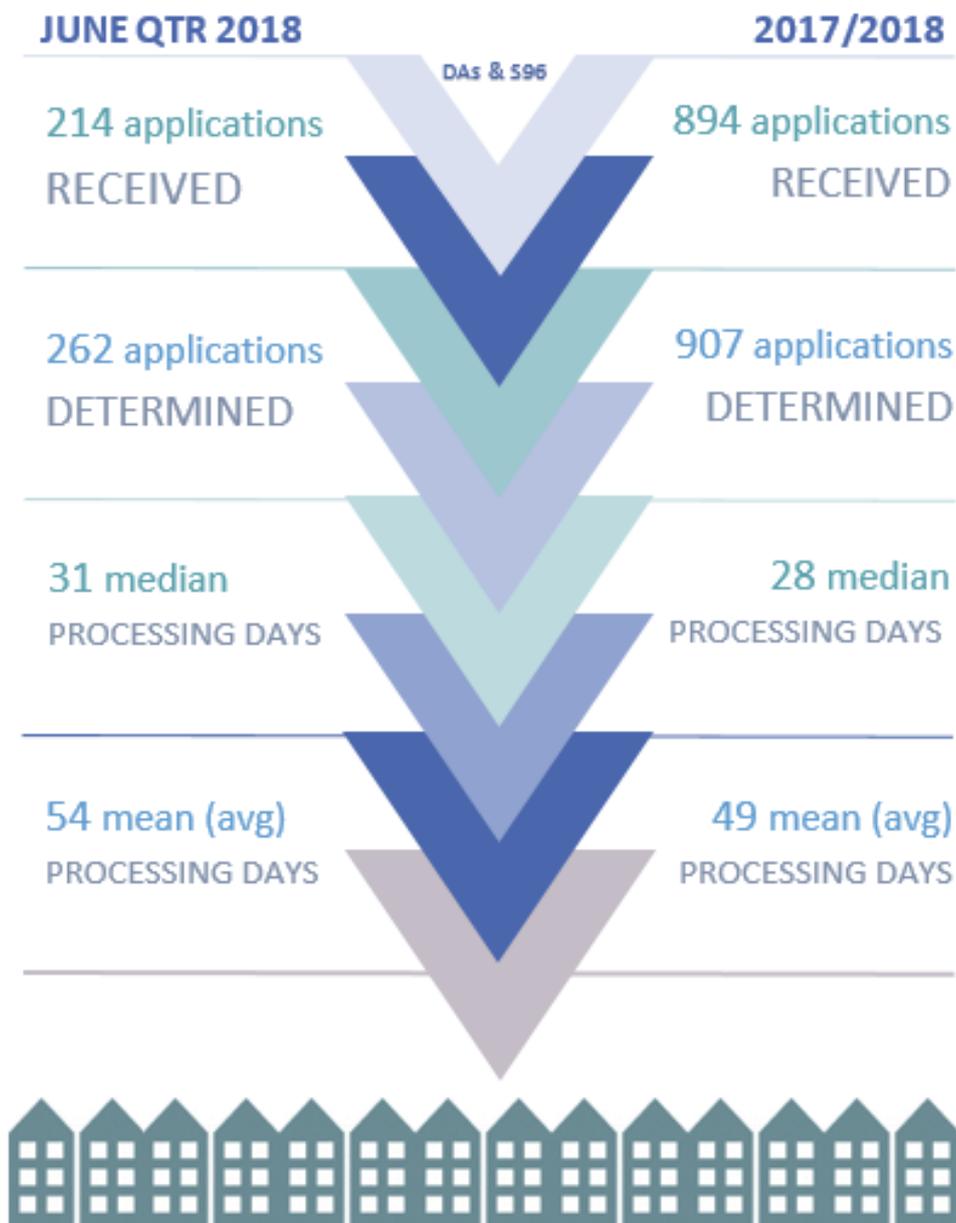
Each year, the NSW Department of Planning and Environment analyses data from each Council in NSW to provide comprehensive information on the operation of the local development assessment system for DAs, Section 96 Applications and complying development.

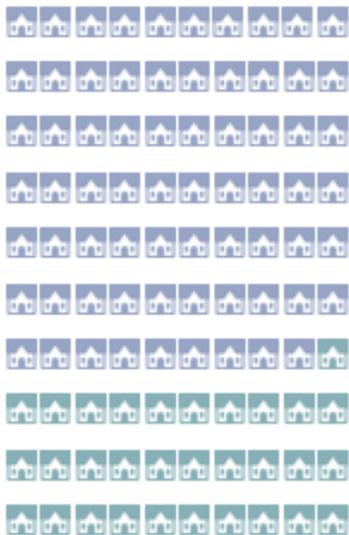
Over recent years, Council has continued to work with key stakeholders to improve processes and the overall performance in relation to development assessment and processing times.

REPORT/PROPOSAL

DEVELOPMENT ASSESSMENT

Key Highlights





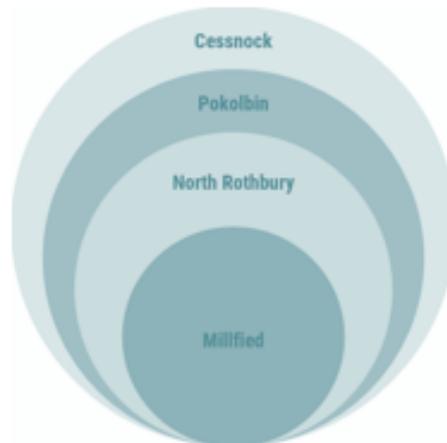
Determination Body
DELEGATED AUTHORITY

97%



Determination Type
APPROVED

92%



JUNE QTR 2018

2017/2018

\$74,908,175
Development
 Value for approvals



\$202,382,998
Development
 Value for approvals

\$12,224,664
Complying Development
 Value for approvals



\$66,389,217
Complying Development
 Value for approvals

BUILDING APPROVALS

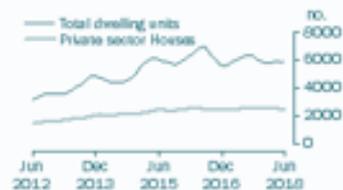
NUMBER OF TOTAL DWELLING UNITS



The trend estimate for Australia rose 0.1% in June.

DWELLING UNITS APPROVED STATE TRENDS

NEW SOUTH WALES



The trend estimate for total number of dwelling units approved in New South Wales rose 0.2% in June. The trend estimate for the number of private sector houses fell 0.8% in June.

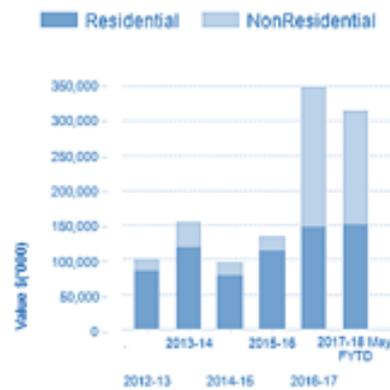
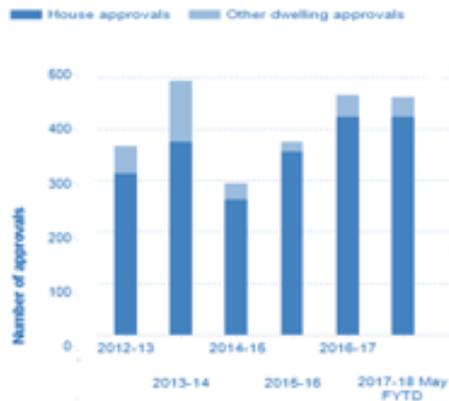


Residential building approvals

export reset

Cessnock City		Number			Annual change		
Year (ending June 30)	Houses	Other	Total	Houses	Other	Total	
2017-18 May FYTD	424	39	463	--	--	--	
2016-17	423	44	467	+68	+24	+92	
2015-16	355	20	375	+93	-13	+80	
2014-15	262	33	295	-112	-87	-199	
2013-14	374	120	494	+60	+67	+127	
2012-13	314	53	367	+29	-28	+1	

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



463 residential buildings approved to be built in the financial year 2017-18 May FYTD.



The value of building approvals was **\$314m** in the 2017-18 May FYTD financial year.

Value of total building approvals

export

Financial year	Cessnock City			New South Wales			Cessnock City as a % of New South Wales
	Residential (\$'000)	Non-residential (\$'000)	Total (\$'000)	Residential (\$'000)	Non-residential (\$'000)	Total (\$'000)	
2017-18 May FYTD	150,733	163,160	313,893	23,976,033	13,020,820	36,996,853	0.85%
2016-17	146,563	200,917	347,480	25,294,965	14,322,685	39,617,649	0.88%
2015-16	112,573	20,406	132,979	24,507,071	11,286,909	35,793,980	0.37%
2014-15	76,046	19,245	95,291	15,651,703	12,000,977	27,652,680	0.34%
2013-14	117,126	37,315	154,441	15,651,703	12,000,977	27,652,680	0.56%

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

CONSULTATION

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

STRATEGIC LINKS

a. Delivery Program

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

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Nil

c. Legislative Implications

The statistics will continue to be prepared and submitted annually as required by the NSW Department of Planning and Environment.

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

Nil

Planning and Environment

Report No. PE43/2018

Planning and Environment



CONCLUSION

The report is provided for Council information and outlines an overview of the quarterly performance of Development Assessment as at the end of the June 2018 Quarter.

ENCLOSURES

There are no enclosures for this report

Planning and Environment

Report No. PE44/2018

Planning and Environment



SUBJECT: *HUNTER REGIONAL PLAN - MONITORING REPORT*

RESPONSIBLE OFFICER: *Strategic Planning Manager - Martin Johnson*

SUMMARY

The Department of Planning and Environment (the Department) has committed to prepare an annual monitoring report on the implementation of the Hunter Regional Plan 2036. The first report has been released. This report contains information relevant to the Cessnock Local Government Area.

RECOMMENDATION

That Council notes the contents of this report.

BACKGROUND

The Department released the Hunter Regional Plan 2036 in October 2016. The Plan includes 9 priority actions and 126 *other* actions. The Department has committed to report annually on the progress of those actions. The first progress report has been released by the Department (*Enclosure 1*).

REPORT/PROPOSAL

The following actions that are relevant to the Cessnock local government area have been reported in the Hunter Regional Plan – Annual Monitoring Report 2018. Council's involvement in each of these has been indicated.

1. Preparation of a Strategy for land along the Hunter Expressway has commenced. Council has been consulted in the drafting of this document and has provided a formal response to the draft document.
2. Revise and finalise the Hunter Special Infrastructure Contributions (SIC) Plan. Council has attended workshops/briefings and provided a formal submission on the draft Plan.
3. Establish and implement Urban Development Program (UDP). Council provided baseline information to the Department to help establish the UDP.
4. Draft Greater Newcastle Metropolitan Plan has been exhibited. Council has worked closely with the Department and has provided a formal submission to the Department of the draft Plan. The final Plan is expected to be release in the coming months.
5. The Department has issued a gateway for the Cessnock Civic Precinct planning proposal to amend the Cessnock LEP to rezone land in the Cessnock Commercial Precinct for medium density mixed uses and to introduce a town square or plaza. Council is continuing to resolve issues identified by Roads and Maritime Services and the Office of Environment and Heritage.
6. The Department is working with Council to progress planning proposal that identify and protect heritage values and sites. Planning proposal 18/2014: Administrative Heritage Amendments was gazetted on 6/7/2018. Planning proposal 18/2017 – City Wide Heritage Amendments that proposes new heritage items and heritage conservation areas.

Planning and Environment

Report No. PE44/2018

Planning and Environment



Over the next 12 months the Department proposes the following actions that have implications for the Cessnock Local Government Area:

1. Finalise the Greater Newcastle Metropolitan Plan 2036.
2. Apply principles for land use planning along the Hunter Expressway.
3. Deliver a scenic analysis of the Hunter Valley vineyards which will inform the ongoing protection of the vineyard's landscape amenity (and work proposed to be undertaken by Council)
4. Progress Hydro, Kurri Kurri Planning proposal which will improve access between Cliftleigh/Kurri Kurri and Gillieston Heights during flooding.
5. Deliver the Cessnock Civic Precinct planning proposal which seeks to revitalise the Cessnock CBD.
6. Exhibit the draft Hunter Regional SIC.
7. Finalise the outcomes of the investigation into housing opportunities within the Greater Newcastle Metropolitan Area and finalise the Hunter Urban Development Program.

The Department has not advanced the planning or delivery of the Richmond Vale Rail trail and it is not identified as *an activity* to be progressed by the Department over the next 12 months. However, the annual report acknowledges that Newcastle City Council has progressed investigations regarding the Richmond Vale Rail Trail and is continuing to establish evidence to support the necessary approvals for the Shortland to Tarro section. Council has included the Richmond Vale Rail Trail project in its 4 year delivery program.

The next monitoring report on the Hunter Regional Strategy is expected mid-2019.

OPTIONS

To note the information in this report.

CONSULTATION

The Department has not sought comments about the monitoring report from Council.

STRATEGIC LINKS

a. Delivery Program

The implementation of the Hunter Regional Plan 2036 aligns with the following objectives of the Cessnock 2027 Community Strategic Plan

- 1.2 Strengthening community's culture
- 2.1 Diversifying local business options
- 2.2 Achieving more sustainable employment opportunities.
- 2.3 Increasing tourism opportunities and visitation in the area
- 4.1 Better transport links

Planning and Environment

Report No. PE44/2018

Planning and Environment



b. Other Plans

The Hunter Regional Plan: Annual Monitoring Report, provides an update on the progress of the Department on its implementation of the Hunter Regional Plan 2036.

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

N/A

c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

The Hunter Regional Plan: Annual Monitoring Report is an important account of the Department's progress on the implementation of the Hunter Regional Plan 2036.

Council has participated in many of the items relevant to the Cessnock LGA.

ENCLOSURES

[1](#) Hunter Regional Plan - Monitoring Report

SUBJECT: *NSW GOVERNMENT CHANGES TO PARKING FINES*

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

SUMMARY

This purpose of this report is to detail the NSW Government changes to parking fines.

RECOMMENDATION

That Council receive and note the content of this report.

BACKGROUND

At the Council meeting of 18 July 2018 (Report No. AQ67/2018) Council was advised as follows:

Q64/2018 - NSW Government Changes to Parking Fines

Asked by Councillor Fitzgibbon at the Ordinary Meeting of Council held on 4 July 2018.

“When a report will be coming to Council regarding the NSW Government changes to parking fines?”

Investigations by Council staff are ongoing and once they have been completed information will be provided to Councillors.

The investigation is now complete and the following information is provided to Councillors.

REPORT/PROPOSAL

Since 2002 council's in NSW have been charged with the responsibility of enforcing parking legislation such as the *Road Rules 2014* within their local areas. The laws in relation to parking are set by the NSW Government and the penalties for parking offences are set by legislation administered by the NSW Government.

Each year, the NSW Government reviews the penalty amounts and, following legislative amendments made through the State budget process, then releases updated penalty notice handbooks for authorised officers.

Following a major penalty overhaul as part of the 2018/19 State Budget, the NSW Government has implemented new legislation to reduce parking fines in areas under the direct control of the NSW Government. The *Road Transport (General) Amendment (Parking Fines Reduction) Regulation 2018* (the Regulation) came into effect on 1 July 2018 – refer **Enclosure 1**.

Planning and Environment

Report No. PE45/2018

Planning and Environment



There is no evidence that Councils were consulted or advised of this amendment prior to gazettal. This may be due to the fact that the amendments do not relate to Council's enforcement responsibilities.

The reduction in parking penalties under the Regulation only applies to areas under the control of the NSW Government. The changes came into effect on 1 July 2018 and will affect zones such as Barangaroo, in the Sydney CBD and Sydney Harbour foreshore, the Royal Botanic Gardens Sydney, Centennial Park, Sydney Olympic Park, and Wentworth and Parramatta Parks.

The Regulation specifically excludes penalty notices issued under the *Local Government Act 1993* and the *Road Rules 2014* by a Class 12 officer. A Class 12 officer (defined in Schedule 4 of the *Road Transport (General) Regulation 2013*) includes a person employed by or who is subject to the control and direction of a local council. Council Rangers are Class 12 Officers. This means the changes do not allow Council Rangers to issue fines with reduced penalties where parking offences occur within their LGA.

The NSW Treasurer, The Hon. Dominic Perrottet MP was quoted in an article in the Newcastle Herald on 28 June 2018 ("*Newcastle City Council rejects state push to lower parking fines*") as follows:

He said he had given councils the "flexibility" to reduce their fines and intended that every council would be rated based on its level of fines.

"This is about making sure parking fines are about fairness and not about revenue raising," he said. "For way too long councils have charged people too much on their fines. They are disproportionate to the offence."

Whilst it is possible the article may have taken the Treasurer's comments out of context, they do come across as factually incorrect and misleading. As outlined above, it is not legally possible for Council's to reduce parking fines without a further amendment to the regulations by the NSW Government. If the NSW Government feels the amount of the fines are disproportionate to the offence, then the NSW Government has the power to rectify the disproportionality. This could then apply across the state, not just in areas under State control.

Ultimately, Council has no legislative powers to reduce penalties for parking fines. The NSW Government has the authority to consider and adopt legislation on the matter.

Of some concern is that the comments indicate Council's have been given 'flexibility' to reduce fines and will be rated on the level of fines. Cessnock City Council has received no information or contact from the NSW Government on what flexibility exists in relation to fine amounts nor any proposed rating of Council's or the basis for such a rating system. Council staff will continue to monitor the issue and provide further reports to Council in the even such a system eventuates and what the impact might be.

Council's approach to parking fines

Council's position in relation to parking enforcement is to issue fines where offences are found in accordance with the use of authorised officer's enforcement powers.

Planning and Environment

Report No. PE45/2018

Planning and Environment



Council also specifies that fines are only issued in relation to breaches and are not issued to generate revenue.

Council's total revenue related to parking infringements in 2017/18 was \$358,000. This is approximately 0.4% of total revenue.

Rangers performance is not measured on revenue generated but on the diversity of the work performed, which indicates a broad range of duties from rehoming animals, community education programs as well as multiple areas of enforcement activity.

OPTIONS

N/A

CONSULTATION

Director Planning and Environment
Ranger Team Leader
Australian Institute of Local Government Rangers

STRATEGIC LINKS

a. Delivery Program

The report is linked to Action 1.3.2: "Carry out regulatory and education programs to protect residential amenity and community health and safety"

b. Other Plans

Cessnock 2027 Community Strategic Plan - "A connected, safe and creative community"

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

Nil

c. Legislative Implications

N/A

d. Risk Implications

Nil

e. Environmental Implications

Planning and Environment

Report No. PE45/2018

Planning and Environment



N/A

f. Other Implications

Nil

CONCLUSION

Following a major penalty overhaul the NSW Government has implemented new legislation to reduce parking fines in areas under the control of the NSW Government. The *Road Transport (General) Amendment (Parking Fines Reduction) Regulation 2018* (the Regulation) came into effect on 1 July 2018.

The Regulation specifically excludes penalty notices issued under the *Local Government Act 1993* and the *Road Rules 2014* by an enforcement officer of a local council. Council therefore has no powers to reduce penalties for parking fines.

ENCLOSURES

- [1](#) → Road Transport (General) Amendment (Parking Fines Reduction) Regulation 2018 and Explanatory Note

SUBJECT: *DRAFT COUNCILLOR TRAINING AND DEVELOPMENT POLICY*

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

SUMMARY

Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their civic roles and responsibilities. As part of this program, the General Manager will work with the Mayor and each Councillor to develop a professional development plan that identifies and addresses the particular skills and knowledge that the Mayor, Councillors and/or Council have identified as needing attention.

RECOMMENDATION

1. That Council adopt the draft Councillor Training and Development Policy.
2. That Council adopt the draft Councillor Training and Development Plan 2018/19.

BACKGROUND

The OLG released, in December 2017, a consultation draft [Councillor Induction and Professional Development Guidelines](#).

The OLG Councillor Induction and Professional Development Guidelines (**Guidelines**) have been issued under section 23A of the *Local Government Act 1993* (NSW) (**Act**) to assist general managers and council staff to develop, deliver, evaluate and report on the induction and professional development programs they are required to provide mayors and councillors under the *Local Government (General) Regulation 2005* (NSW) (**Regulation**).

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

The Guidelines also provide a model Councillor Training and Development Policy for Councils. In addition to this, Council has developed a draft Plan for 2018/19.

REPORT/PROPOSAL

This report proposes:

1. A draft Councillor Training and Development Policy (**Policy**) which aligns to the Office of Local Government (**OLG**) model policy set out in the OLG's draft Councillor Induction and Professional Development Guidelines released in December 2017 and which are currently made available for consultation.

Corporate and Community

Report No. CC55/2018

Corporate and Community Services



2. A draft Councillor Professional Development and Training Plan 2018/19 (**Plan**)

Council recognises that it is essential to provide Councillors with ongoing professional development and training, as well as early relationship building between councillors if the community is to be well served by their elected representatives.

Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the General Manager will work with the Mayor and each Councillor to develop a professional development plan that identifies and addresses the particular skills and knowledge that the Mayor, Councillors and/ or Council have identified as needing attention.

The draft policy objectives are to:

- Ensure Councillors have equal access to training and educational opportunities that give them the opportunity to maintain and develop their knowledge and skill base relevant to contemporary standards and community expectations.
- Demonstrate Council's commitment in assisting Councillors to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the Act.

Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so.

The Professional Development Plans are to be developed in consultation with the Mayor, each individual Councillor and the governing body as a whole, and the General Manager. Training activities will be provided within budgetary constraints and in accordance with Council's adopted Councillor Expenses and Facilities Policy.

Council will evaluate the Professional Development Program at the end of each council term to assess whether it was effective in assisting the Mayor and Councillors to develop the skills and knowledge listed in Council's needs analysis.

Responsibilities:

The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the Council term.

The Public Officer is responsible for planning, scheduling and facilitating induction and professional development sessions for the Mayor and Councillors in consultation with the General Manager. The General Manager has overall responsibility for Council's Induction and Professional Development Program.

Corporate and Community

Report No. CC55/2018

Corporate and Community Services



An annual budget allocation will be provided to support the training and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly within the quarterly budget review.

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

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

The General Manager will:

- report to the first Council meeting held after the induction program is completed about the activities offered to the Mayor and each Councillor as part of the induction program, and whether or not they participated in them;
- report to the first Council meeting held after 30 June each year identifying:
 - professional development activities offered to the Mayor and each Councillor in the year to 30 June;
 - attendance; and
 - evaluation and an action plan for improvement; and
- publish these Council reports on Council's website.

Draft Councillor Professional Development and Training Plan

The draft (**Plan**) has been created following Councillor feedback obtained through both the online survey and the capability assessments completed via the 'PD in a Box' Portal.

The draft Plan contains a selection of generic proposed learning activities and is not intended to be a one-size-fits-all but a guide to assist in putting together a plan for Councillors. The Plan will be tailored to meet each individual Councilor's needs and will be assessed according to priority, need and budget. In addition, a forward plan will be developed for Councillors for the remaining period of the Council term and will be presented to Council for review, feedback and endorsement.

This Policy is not identified as one of the policies requiring public exhibition under the *Local Government Act 1993* (NSW) and feedback from the community would not change the already identified areas requiring further training and development of Councillors.

OPTIONS

This Policy can be adopted as presented or adopted with amendments as determined by Council.

CONSULTATION

This report has been prepared in consultation with:

- General Manager
- Executive Leadership team
- Management Team

Councillors were provided with a briefing on the draft Policy and the draft Plan on 25 July 2018. A copy of the draft documents were provided at that time.

STRATEGIC LINKS

a. Delivery Program

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

5.1 Fostering & supporting community leadership

5.1.1 Foster professional development of Councillors.

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

5.3 Making Council more responsive to the community

5.3.7 Continue to educate staff on statutory obligations.

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

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Following adoption, the Policy will be published on Council's website and the individual Councillor's Professional Development and Training Plans will be finalised and commencement of structured learning and self-paced learning can begin.

b. Financial Implications

The Professional Development and Training for Councillors has been included in the budget for Councillor Expenses and Facilities.

c. Legislative Implications

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

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

d. Risk Implications

Once adopted, the Policy will be published on Council's website, and whilst variations due to local conditions are allowed, significant variations to the model policy may expose Council to review by the OLG. The Guidelines set out reporting requirements in regard to the Training and Development of the elected members. Non-compliance with the reporting requirements may expose Council to review by the OLG.

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the General Manager will work with the Mayor and each Councillor to develop a professional development plan that identifies and addresses the particular skills and knowledge that the Mayor, Councillors and/ or Council have recognised as needing attention.

The draft Policy adopts the OLG's model policy and incorporates some Council specific requirements. The draft Plan contains a selection of generic proposed learning activities and is not intended to be a one-size-fits-all but a guide to assist in putting together a plan for Councillors. The Plan will be tailored to meet each individual Councillor's needs and will be assessed according to priority, need and budget.

ENCLOSURES

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

Corporate and Community

Report No. CC56/2018

Corporate and Community Services



SUBJECT: *DRAFT COPYRIGHT POLICY*

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

SUMMARY

This report outlines a draft Copyright Policy whose purpose is to ensure that Council complies with legal requirements arising from Council's usage and distribution of copyright protected material.

RECOMMENDATION

That Council adopts the draft Copyright Policy.

BACKGROUND

Council is subject to the provisions of the *Copyright Act 1968* (NSW) (**Act**). All usage and distribution of copyright-protected material owned by Council and others must be in accordance with the provisions of the Act and any relevant copyright agreement(s) or licence(s) currently in force. The draft policy is provided at **Enclosure 1**.

REPORT/PROPOSAL

To ensure Council remains compliant with copyright-protected material held by Council, this policy establishes a framework for handling copyright-protected materials both internal and external to Council. It also serves to protect its own copyright and the copyrights of others in relation to copyright-protected materials.

This Policy may have been appropriate to propose as a Protocol (Internal Policy, approved by the General Manager) due to the fact that it deals with internal processes, management of operational documentation and personal information. However as a gesture of transparency and good will the Copyright Policy has been drafted as a Policy of Council to demonstrate Councils commitment to protecting the Copyrights of its stakeholders and the community as well as the copyrights of Council.

It is also noted however that whilst this Policy is to be adopted by council it is not required to be exhibited under the *Local Government Act 1993* (NSW). Examples of policies which do require public exhibition are; Payment of Expenses to Councillors, Code of Conduct and Code of Meeting Practice.

OPTIONS

This Policy can be adopted as presented or adopted with amendments as determined by Council.

CONSULTATION

This report has been prepared in consultation with:

- General Manager
- Executive Leadership team
- Management Team

STRATEGIC LINKS

a. Delivery Program

This report links directly to the community's desired outcome of strong civic leadership and effective governance. More specifically, this report links to strategic direction:

- 5.3.7: continue to educate staff on statutory compliance obligations, and
- 5.3.8: carry out governance functions, provide advice and conduct education programs to comply with legislation and best practice.

b. Other Plans

N/A.

IMPLICATIONS

a. Policy and Procedural Implications

Once adopted, the policy will be supported by a Protocol which will outline the controls, checks and balances to be implemented by Council Officials. Soon after, education and training initiatives will be rolled out soon to ensure Council Officials receive proper understanding about the purpose and implementation of the copyright compliance framework.

b. Financial Implications

The implementation of the policy will attract costs associated with the education and training of Council Officials, however these costs are already budgeted for within the Learning and Development budget.

c. Legislative Implications

- *Copyright Act 1968 (NSW);*
- *Government Information (Public Access) Act 2009 (NSW);*
- *Environmental Planning and Assessment Regulation 2000 (NSW);*
- *Local Government Act 1993 (NSW);*
- *State Records Act 1998 (NSW).*

Corporate and Community

Report No. CC56/2018

Corporate and Community Services



d. Risk Implications

Non-compliance with copyright laws has already been identified as one of the areas which exposes both Council and Council officials to a liability for not having a policy in place. The adoption of the policy and associated documents and initiatives will ensure this liability exposure is minimised.

e. Environmental Implications

N/A.

f. Other Implications

Not having a mechanism in place that discourages and minimises or prevents copyright non-compliance may have a negative impact on Council's insurance coverage.

CONCLUSION

Copyright infringement through inappropriate copying or distribution of copyright-protected material may be a personal as well as a corporate liability. Council respects the copyrights of others and has made it a priority to ensure all Council officials comply with copyright law and adhere to Council's Copyright Policy and Protocol.

ENCLOSURES

[1](#) ⇨ Draft Copyright Policy

Corporate and Community

Report No. CC57/2018

Corporate and Community Services



SUBJECT: *INVESTMENT REPORT - JULY 2018*

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

SUMMARY

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

RECOMMENDATION

That Council receive the report and note the information.

BACKGROUND

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

REPORT

Statement by the Responsible Accounting Officer

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

General Investment Commentary

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

The Reserve Bank of Australia (RBA) official cash rate as at 31 July 2018 was 1.50%. Scheduled RBA Board meetings are held on the first Tuesday of each month (excluding January) at which the official cash rate is one of the matters considered. The meeting held on 7 August 2018 retained the official cash rate at 1.50%.

Investment revenues to the end of July 2018 exceeded the benchmark in the Investment Policy with an actual level of return 15.68 % more than budget.

Corporate and Community

Report No. CC57/2018

Corporate and Community Services

Investment Portfolio Information

Total cash and investments held by Council as at 31 July 2018 are:

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			1.15%	4,231
	Commonwealth Bank	At Call			0.50%	41
1243	AMP Bank	At Call			1.80%	500
1263l	Westpac Bank	TD	128	31-Oct-18	2.84%	600
1270r	Bendigo & Adelaide Bank	FRN	92	14-Aug-18	3.19%	500
1277q	Greater Bank	FRN	92	24-Aug-18	3.39%	500
1281h	National Bank	TD	273	20-Feb-19	2.66%	700
1286h	IMB Bank	TD	181	11-Sep-18	2.50%	900
1288g	Members Equity Bank	TD	195	04-Sep-18	2.50%	800
1297f	Members Equity Bank	TD	187	24-Sep-18	2.50%	900
1298l	Newcastle Permanent Building Society	VRD	92	03-Oct-18	3.48%	800
1303f	IMB Bank	TD	210	29-Jan-19	2.75%	700
1304e	AMP Bank	TD	279	15-Jan-19	2.65%	800
1305e	Commonwealth Bank	TD	273	29-Aug-18	2.50%	900
1306e	Suncorp Bank	TD	182	07-Nov-18	2.65%	900
1307g	Bankwest	TD	181	04-Dec-18	2.70%	800
1308g	Bankwest	TD	182	31-Oct-18	2.70%	900
1311e	Bankwest	TD	273	13-Feb-19	2.65%	600
1312e	Newcastle Permanent Building Society	TD	90	11-Sep-18	2.50%	700
1320c	Bankwest	TD	179	14-Dec-18	2.75%	600
1322b	Bankwest	TD	272	23-Apr-19	2.80%	900
1323a	Bankwest	TD	273	13-Feb-19	2.65%	800
1324b	National Bank	TD	153	19-Nov-18	2.75%	900
1325a	Members Equity Bank	TD	273	20-Feb-19	2.75%	900
1327a	Members Equity Bank	TD	182	15-Aug-18	2.55%	700
1330	National Bank	TD	306	26-Sep-18	2.50%	900
1331	IMB Bank	TD	273	24-Aug-18	2.45%	800
1332a	Suncorp Bank	TD	176	30-Nov-18	2.75%	1,000
1334	Commonwealth Bank	TD	187	17-Sep-18	2.54%	800
1335	Suncorp Bank	TD	91	01-Aug-18	2.75%	1,000
1336	Maitland Mutual Building Society	TD	182	27-Nov-18	2.80%	1,000
1337a	Bankwest	TD	98	08-Oct-18	2.10%	1,200
1338	Bankwest	TD	273	26-Feb-19	2.65%	800
1339	Suncorp Bank	TD	211	22-Jan-19	2.82%	1,000
1340	AMP Bank	TD	211	22-Jan-19	2.85%	1,000
1341	AMP Bank	TD	224	05-Feb-19	2.85%	1,000
1342	Suncorp Bank	TD	224	05-Feb-19	2.82%	1,000
1343	National Bank	TD	111	16-Oct-18	2.76%	1,000
1344	Suncorp Bank	TD	192	07-Jan-19	2.85%	1,200
1345	National Bank	TD	106	23-Oct-18	2.73%	800
TOTAL						36,072

Corporate and Community

Report No. CC57/2018

Corporate and Community Services



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

Financial Institution	Amount \$'000	% of Portfolio
Bankwest	6,600	18.71%
Suncorp Bank	6,100	17.29%
Commonwealth Bank	5,972	16.93%
National Bank	4,300	9.92%
Members Equity Bank	3,300	9.36%
AMP Bank	3,300	9.36%
IMB Bank	2,400	6.80%
Newcastle Permanent Building Society	1,500	4.25%
Maitland Mutual Building Society	1,000	2.84%
Westpac Bank	600	1.70%
Greater Bank	500	1.42%
Bendigo & Adelaide Bank	500	1.42%
TOTAL	36,072	100.00%

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

Investment Type	Risk Assessment		Amount \$'000	% of Portfolio
	Capital	Interest		
Term Deposits	Low	Low	29,500	81.37%
Cash/At Call Deposits	Low	Low	4,772	13.52%
Variable Rate Deposit	Low	Low	800	2.27%
Floating Rate Notes	Low	Low	1,000	2.84%
TOTAL			36,072	100.00%

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

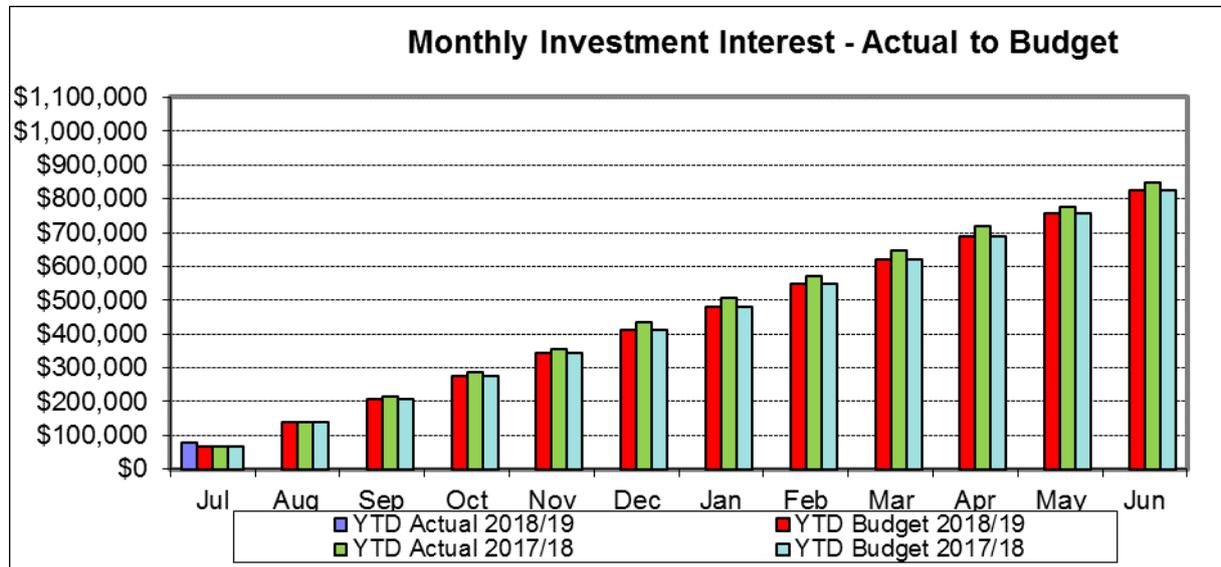
Performance Measures	This Year	Last Year
Portfolio Average Interest Rate (year to date)	2.54%	2.40%
BBSW Average Interest Rate (year to date) *	2.02%	1.70%
Actual Investment Interest Earned (year to date)	\$79,527	\$68,799
Budget Investment Interest (year to date)	\$68,750	\$68,750
Original Budget Investment Interest (Annual)	\$825,000	\$825,000
Revised Budget Investment Interest (Annual)	\$825,000	\$825,000

Investment Balances (Par Value)	This Year	Last Year
Opening Balance as at 1 July	\$38,760,390	\$36,277,000
Month End Current Balance	\$36,071,556	\$33,178,666

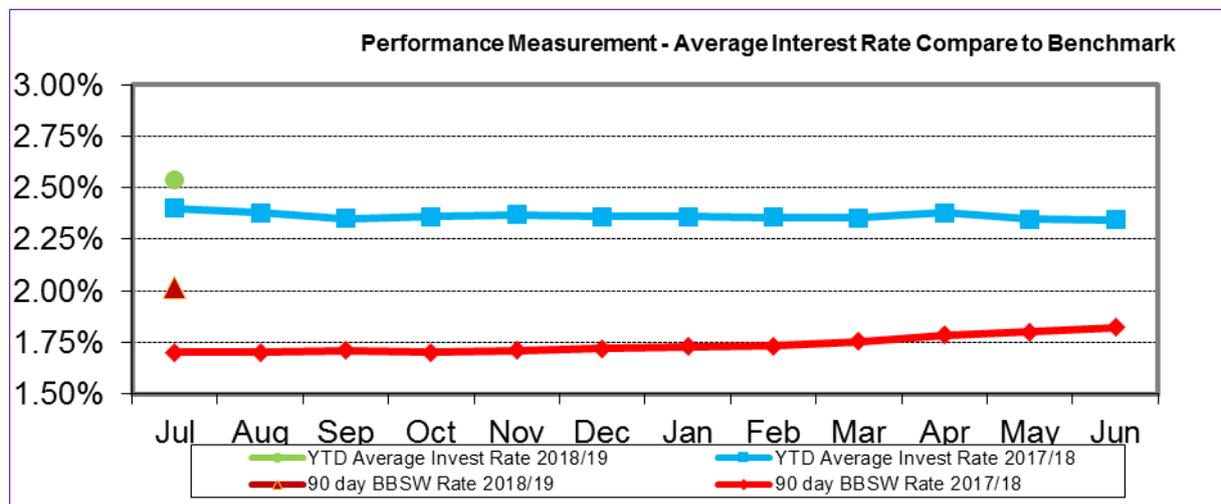
- BBSW 90 day Bank Bill Reference Rate (performance measure as per Council's Investment Policy)



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



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



Corporate and Community

Report No. CC57/2018

Corporate and Community Services



Restrictions over cash and investments:	
Developer Contributions	11,475
RMS Contributions (Reserve)	2,303
Specific Purpose Unexpended Grants	1,500
Loan Funds Unexpended	500
Plant & Vehicle Replacement Reserve	1,471
Employees Leave Entitlement Reserve	2,264
Bridge Replacement	721
Insurance Provisions	933
Miscellaneous and Property Reserve	4,866
Property Investment Fund	872
Single Invitation Contracts	1,764
Waste Depot and Rehabilitation Reserve	5,588
Other Reserves and Council funds still to be spent	1,815
TOTAL	<u>36,072</u>

OPTIONS

N/A

CONSULTATION

Director Corporate & Community Services
 Management Accountant

STRATEGIC LINKS

a. Delivery Program

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

This report is a part of the organisation’s governance framework – providing feedback on the progress against the investment policy and budget adopted by Council. This is in line with the community’s desired outcome of: “*Civic Leadership and Effective Governance*” and more specifically links to strategic direction:

- 5.3.7: Continue to educate staff on statutory compliance obligations.
- 5.3.8: Carry out governance functions to comply with legislation and best practice.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

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



b. Financial Implications

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

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

c. Legislative Implications

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

d. Risk Implications

Investment risks are detailed within this report.

e. Other Implications

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

CONCLUSION

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

ENCLOSURES

There are no enclosures for this report.

Corporate and Community

Report No. CC58/2018

Corporate and Community Services



SUBJECT: *RESOLUTIONS TRACKING REPORT*

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

SUMMARY

The enclosure contains pending actions from previous meetings as well as completed actions for period 13 July 2018 to 9 August 2018.

Councillors are advised that the format for the reports are currently under review.

RECOMMENDATION

That Council receive the report and note the information.

ENCLOSURES

- 1 ➡ Completed Actions
- 2 ➡ Outstanding Actions

Works and Infrastructure

Report No. WI63/2018

Works and Infrastructure



SUBJECT: *ROAD NAMING ANOMALIES - PAXTON, QUORROBOLONG AND ABERNETHY*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

SUMMARY

The purpose of this report is for Council to consider renaming three sections of road where the name in use differs from the official Gazetted name.

RECOMMENDATION

1. That Council provide notifications and advertise the proposed renaming of:
 - Middle Road, Paxton, between Anderson Avenue and Millfield Road, to Main Road;
 - Barraba Road, Quorrobolong to Barraba Lane;
 - Abernethy Road, Abernethy to Abernethy Street.
2. That the General Manager consider any submissions received in response to the notifications and advertising, and report any objections or controversial issues raised;
3. That under delegation, the General Manager proceed with the proposed renaming, provided no submissions are received to the contrary.

BACKGROUND

A request has been received from the former NSW Land & Property Information, now NSW Land Registry Services (NSW LRS), to correct some anomalies in road naming in the City of Cessnock.

In 1981, Council considered a report on the naming of country roads throughout the City and resolved to name roads as follows:

- the road from Pelton to Paxton as: Middle Road,
- road number 88 off Sandy Creek Road as: Barraba Road, and
- the road from Abernethy to Kitchener as: Abernethy Road.

The name in use for all or parts of these roads differs from that gazetted on 16 October 1981.

REPORT/PROPOSAL

Within the town limits of Paxton, the road commonly known as Middle Road, is officially addressed as Main Road. See **Figure 1 – Locality Plan** below.

Works and Infrastructure
 Report No. WI63/2018
 Works and Infrastructure

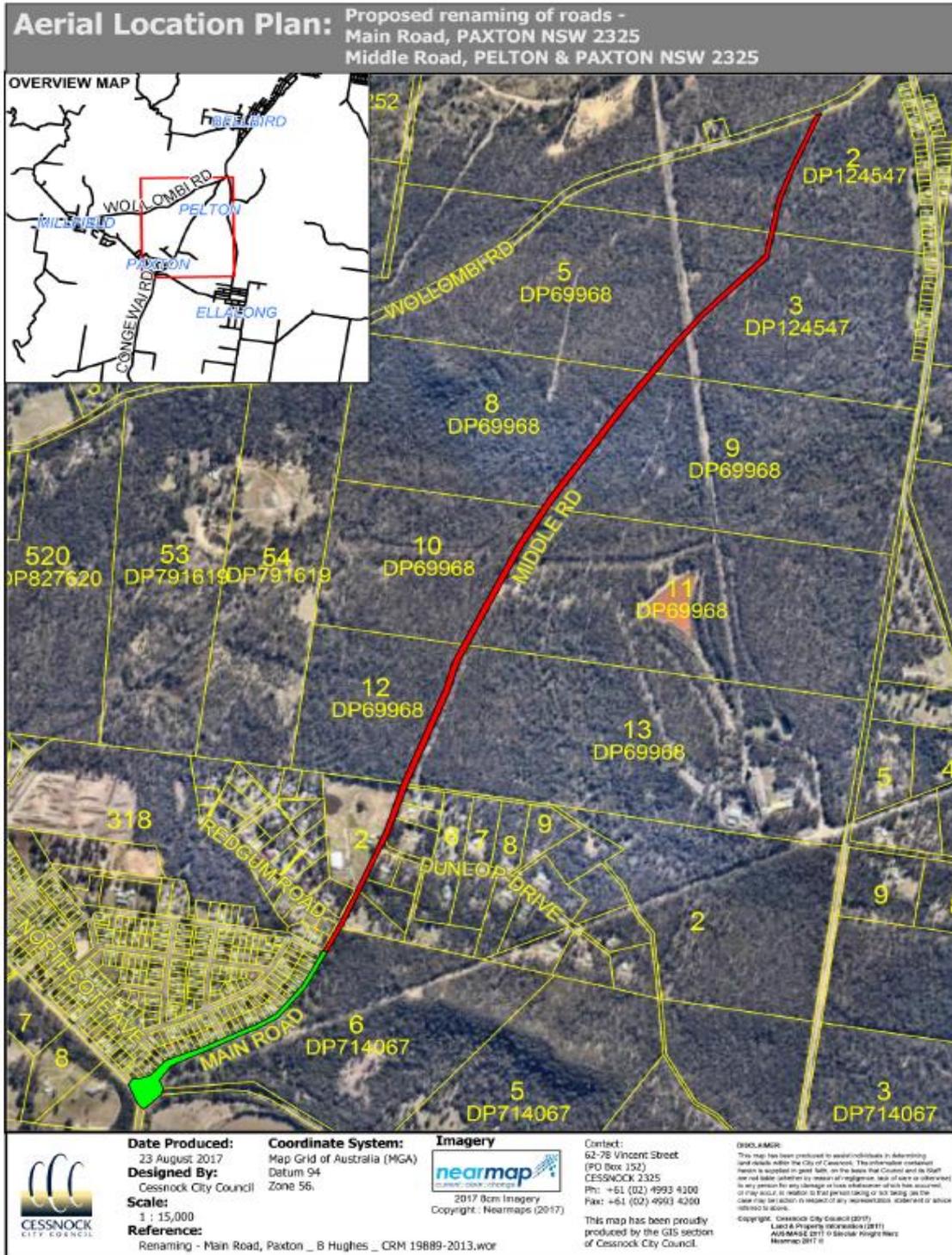


Figure 1 – Locality Plan

Works and Infrastructure

Report No. WI63/2018

Works and Infrastructure



In the Quorrobolong Valley, the road off Sandy Creek Road commonly known as Barraba Lane, is officially addressed as Barraba Road. See **Figure 2 – Locality Plan** below.

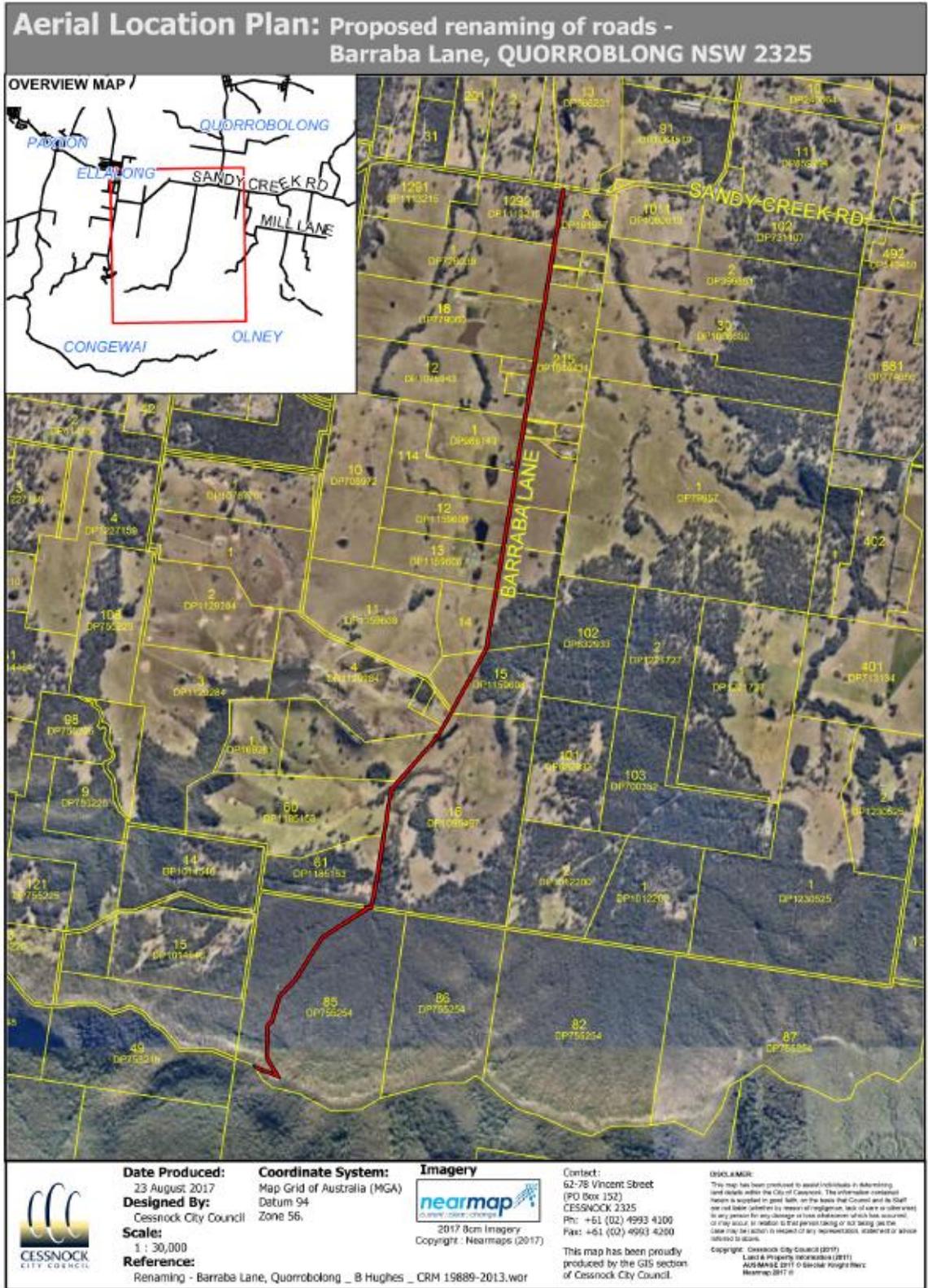


Figure 2 – Locality Plan

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Report No. WI63/2018

Works and Infrastructure



The road between Abernethy and Kitchener, commonly known as Abernethy Road is officially addressed as Abernethy Street. See **Figure 3 – Locality Plan** below.

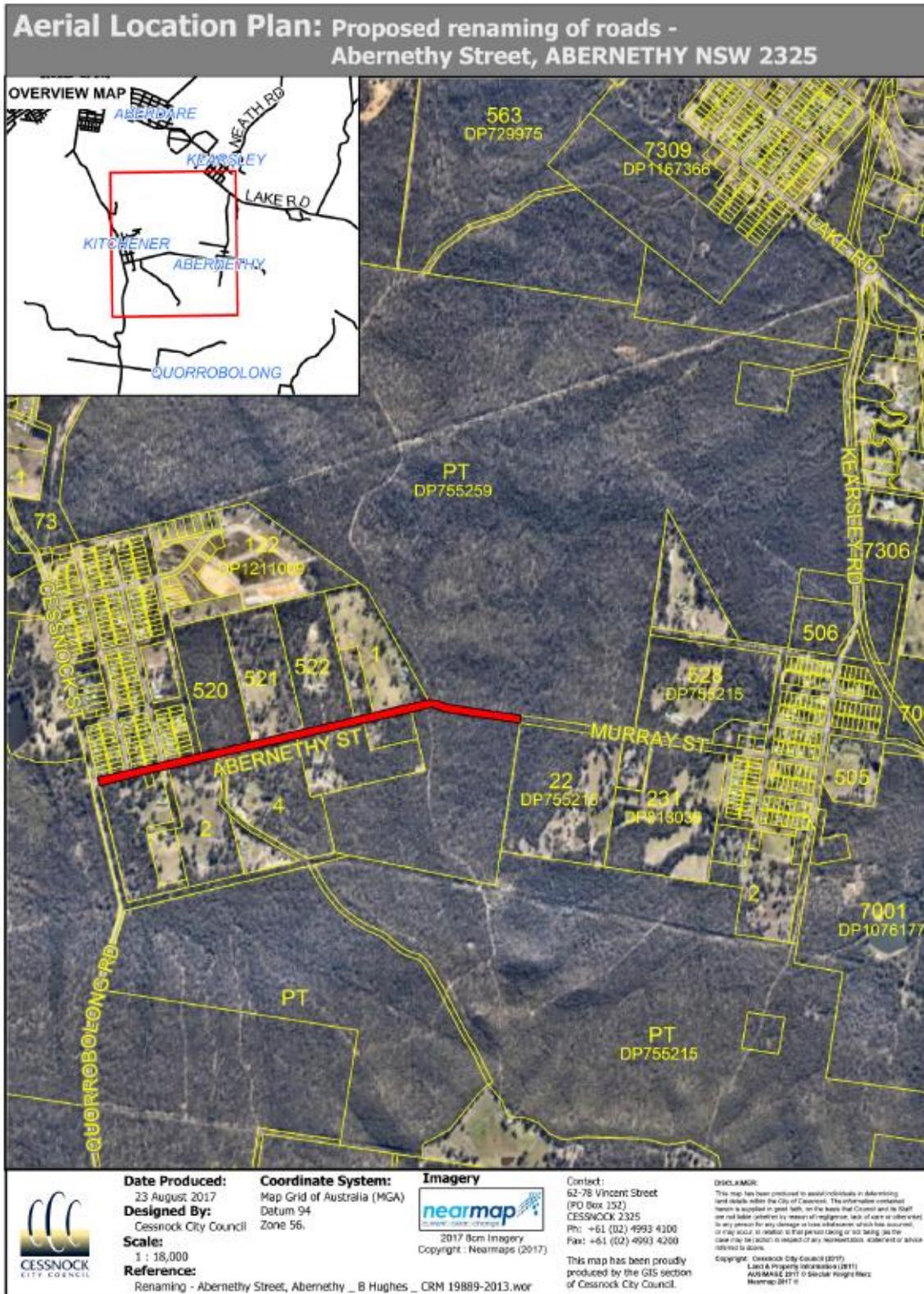


Figure 3 – Locality Plan

Works and Infrastructure

Report No. WI63/2018

Works and Infrastructure



The anomalies between the names in use and the official address may be resolved in one of two ways:

1. The first and simplest is for Council to rename those sections of road to their current name in use, and re-gazette.

Should renaming proceed, Council is required to give notice and advertise as outlined under the "Legislative Implications" section of this report.

2. The second would require Council to notify the owners and residents that their present postal addresses are incorrect and require them to change their addresses to the official road names.

In this case, approximately 60 property owners/residents would need to change their postal address details, which would result in extensive correspondence with banks, utility providers, government authorities and so on. It would also require Council to update all its associated records and install new street name blades. The costs associated with this scenario is anticipated to be more than the advertising costs to rename the roads.

OPTIONS

Option 1:

1. That Council provide notifications and advertise the proposed renaming of:
 - Middle Road, Paxton, between Anderson Avenue and Millfield Road, to Main Road;
 - Barraba Road, Quorrobolong to Barraba Lane;
 - Abernethy Road, Abernethy to Abernethy Street.
2. That the General Manager consider any submissions received in response to the notifications and advertising, and report any objections or controversial issues raised;
3. That under delegation, the General Manager proceed with the proposed renaming, provided no submissions are received to the contrary.

This is the preferred option.

Option 2:

1. That Council note the anomalies and not rename the roads.
2. That Council notify the residents/owners of the need to correct their addresses.

This is not a preferred option, as continued use of the incorrect names may cause confusion.

CONSULTATION

Internal consultation has occurred with:

- Information Technology, GIS Section

Works and Infrastructure

Report No. WI63/2018

Works and Infrastructure



In the event that Council resolves to proceed with the proposal, relevant Authorities will be notified in accordance with Regulations 7 & 9 of the *Roads Regulation 2008*.

STRATEGIC LINKS

a. Delivery Program

Delivery Program 2017-21: This matter is a routine road administrative function and as such is not a specific action within the Delivery Program, however it broadly aligns to the community's desired outcome of "Accessible infrastructure, services and facilities" and Objective 4.2 Improving the Road Network.

The report also indirectly aligns with the community's desired outcome of "Civic Leadership and Effective Governance".

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

This activity has been undertaken broadly in accordance with Council's *Road Naming Procedure – Public Roads*.

b. Financial Implications

To advertise the proposed renaming, and if necessary publish the new names, is estimated to cost approximately \$400. The Gazette notice, when processed through the NSW Governments online naming systems, is cost free to Council.

The preferred option can be funded through the 2017/2018 operational budget under 'Strategic Asset Planning, Road Administration costs'.

The costs of leaving the names unchanged and asking property owners to amend their records is an impost on affected community members.

c. Legislative Implications

Roads Act 1993: This activity has been undertaken in accordance with s162 wherein Council, as the Roads Authority, may name and number Council public roads.

Roads Regulation 2008: This activity has been undertaken in accordance with Regulations 7 – 10 that also sets out the process to name or rename public roads.

Notice is given when a Council proposes to rename the road by advertising in a local newspaper and serving notice on specific government bodies, allowing time for submissions. If, after considering any submissions made to it, Council decides to proceed with the proposed name, it then publishes notice of the new name and notifies the required Government bodies.

Works and Infrastructure

Report No. WI63/2018

Works and Infrastructure



d. Risk Implications

At present, naming of the roads is inconsistent and could lead to issues when dealing with NSW Government Land Registry Services and updating records.

e. Environmental Implications

N/A

f. Other Implications

Nil

CONCLUSION

Renaming of the three roads to align with the names in use will correct a historic anomaly, and prevent any future confusion in dealings with NSW LRS or for property owners.

ENCLOSURES

There are no enclosures for this report

SUBJECT: *PROPOSED ROAD CLOSURE - OFF BROKE ROAD,
POKOLBIN*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

SUMMARY

This report seeks Council's consent to the proposed closure of a section of unformed public road off Broke Road, Pokolbin.

RECOMMENDATION

1. That Council consent to the closure of a section of unconstructed public road off Broke Road, Pokolbin, as indicated on the Property Location Plan.
2. That Council writes to the Hon. Melinda Pavey MP, Minister for Roads, Maritime and Freight requesting to transfer the road to the Crown in accordance with the provisions of the *Roads Act 1993*.

BACKGROUND

An application has been received from HDB Town Planning & Design on behalf of Ms A M Johnston for closure of a section of unnamed, unconstructed public road off Broke Road, Pokolbin.

All lands adjoining the subject road are owned by Ms A M Johnston who intends to consolidate the road with her existing property.

REPORT/PROPOSAL

Location

The proposed road closure, marked in red, is shown in Figure 1 below. This road is within the Pokolbin locality.

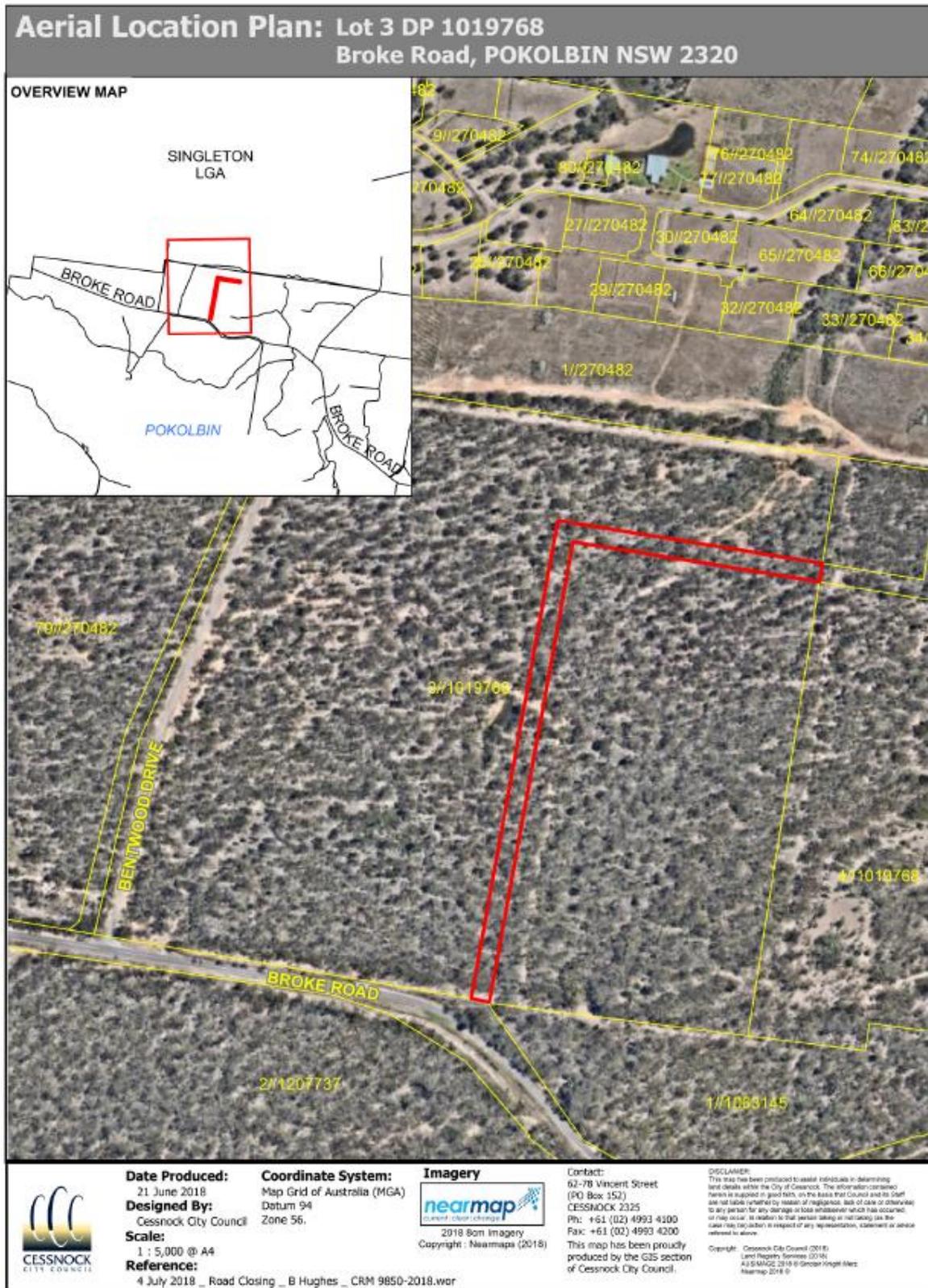


Figure 1 - Aerial Location Plan

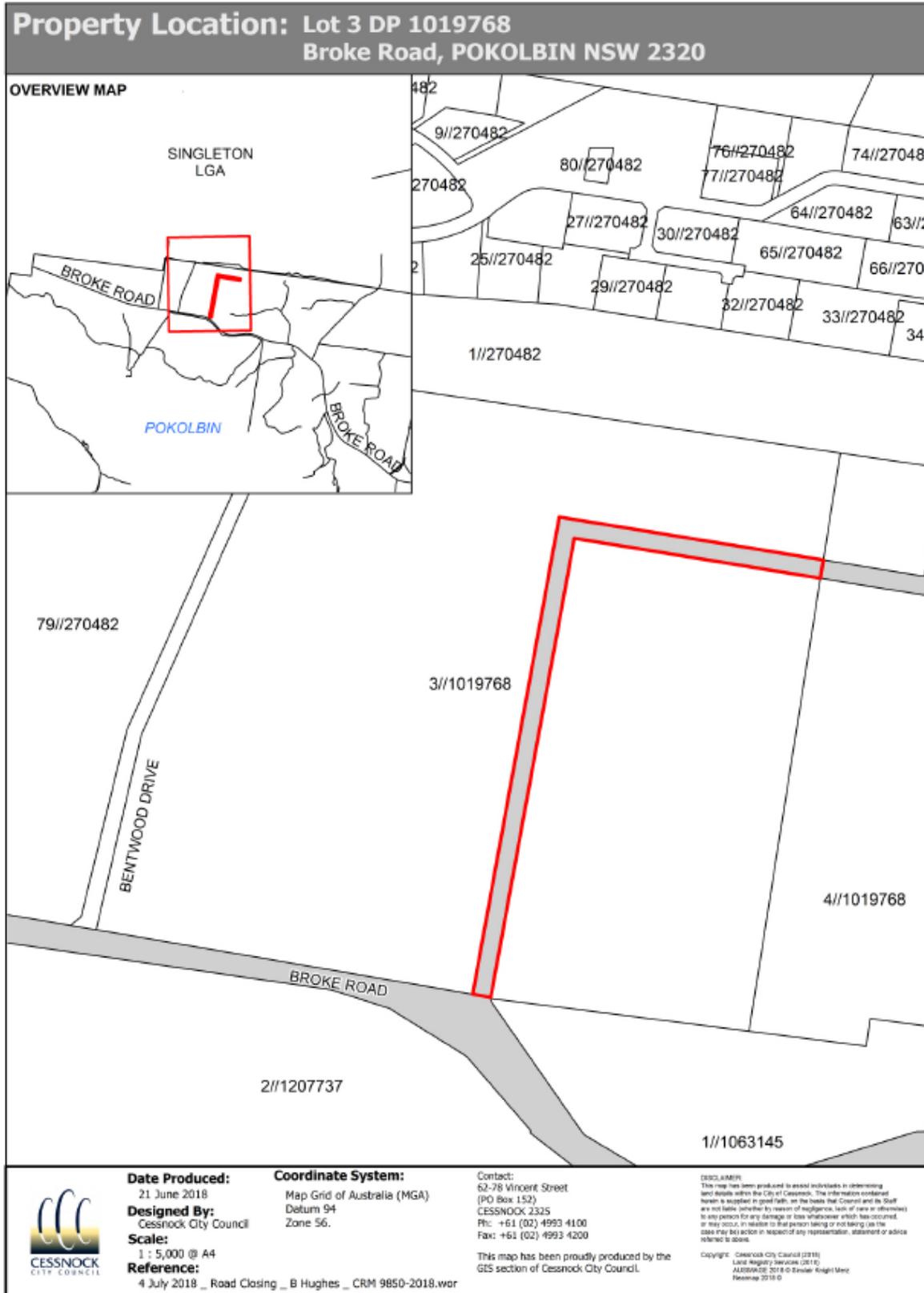


Figure 2 - Property Location Plan

Works and Infrastructure

Report No. WI64/2018

Works and Infrastructure



Status of Road: The subject road is council public road that has never been constructed. The road reserve is not required for public purposes and is not considered necessary for any future road links.

Infrastructure and Utilities: The subject public road reserve contains no existing Council infrastructure.

A Dial Before You Dig enquiry did not indicate any service utility infrastructure in that location however, should Council or the Crown resolve to close the road, utility providers will be contacted in accordance with legislative requirements.

Road Closure: Avenues toward closure of the road are:

- transfer the road back to the Crown, for subsequent closure by the Crown, or
- for Council to complete the road closure process in accordance with the *Roads Act 1993*.

Transfer is anticipated to be relatively straight forward, while closure is a more complex process. Details of these processes are described under the *IMPLICATIONS*, Policy and Procedural Implications section of this report.

OPTIONS

Option 1:

1. That Council consent to the closure of a section of unconstructed public road off Broke Road, Pokolbin, as indicated on the Property Location Plan.
2. That Council request the Minister to transfer the road to the Crown in accordance with the provisions of the *Roads Act 1993*.

This is the preferred option as transfer of the road back to the Crown achieves the desired outcome without significant effort for Council.

Option 2:

1. That Council consent to the closure of a section of unconstructed public road off Broke Road, Pokolbin, as indicated on the Property Location Plan.
2. That Council close the road and complete the road closure process.

This is not the preferred option as it imposes significant impost on Council for no financial return operational benefit.

Option 3:

1. That Council not consent to the road closure.

This is not the preferred option as the road has never been constructed, and the road reserve is not required for public purposes and is not considered necessary for any future road links.

Works and Infrastructure

Report No. WI64/2018

Works and Infrastructure



CONSULTATION

External consultation has occurred with the following:

- NSW Department of Industry – Crown Lands & Water

Should Council, or the Crown consent to the closure of the road the following external consultation and notification will occur calling for any submissions on the proposal:

- public advertising,
- nearby landowners notified,
- various government authorities and utility providers referenced.

Internal consultation has occurred with the following:

- Senior Property Officer, Finance & Administration Unit,
- Senior Strategic Planner, Strategic Planning Unit,
- Strategic Traffic & Transport Planning Engineer.

STRATEGIC LINKS

a. Delivery Program

Delivery Program 2017-21: The recommendation of this report aligns with the Community's Desired Outcome:

- Objective 5 Civic Leadership and Effective Governance

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Road Transfer Process: The alternate to a road closure is to seek consent to transfer the road back to the Crown. The Crown would then complete the road closure process, significantly reducing the work required by Council. This is the preferred option considering that Council doesn't receive the proceeds of sale.

Road Closure Process: Section 38 of the *Roads Act 1993* legislates that a road, of which no construction has ever taken place, vests in the Crown as Crown Land upon closure,

Prior to 1 July 2018, if Council consented to the closure of an unconstructed council public road, it could supply a letter of consent to the closure, acknowledging that the road, upon closure, would vest in the Crown and the Crown would complete the closure process.

Works and Infrastructure

Report No. WI64/2018

Works and Infrastructure



Post 1 July 2018 the *Roads Act 1993* has been amended so that Councils are responsible for the council public road closure process. This involves:

- notifying the required authorities,
- considering and if necessary resolving any objections,
- commissioning the survey of the road and preparation of plans,
- obtaining appropriate signatures and consents (e.g. subdivision certificate, S88b instrument),
- lodging plans and documents with NSW Land Registry Services,
- Gazetting the road closure notice, and
- notifying NSW Department of Industry – Crown Lands & Water to facilitate the sale of land for which the Crown receives the proceeds.

b. Financial Implications

Council's direct 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.

The process of transfer, being simpler imposes less on Council resources. The process of closure in relatively labour intensive and will require a greater level of resourcing by Council officers.

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

Nil

Works and Infrastructure

Report No. WI64/2018

Works and Infrastructure



f. Other Implications

Nil

CONCLUSION

It is appropriate to support the proposed road closure as the road is unconstructed and the road reserve is not necessary for any future road link.

The most straightforward approach to achieve closure of the road is to transfer it to the Crown for their consideration.

ENCLOSURES

There are no enclosures for this report.

SUBJECT: *MINUTES OF LOCAL TRAFFIC COMMITTEE
HELD 16 JULY 2018*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

RECOMMENDATION

That the Minutes of the Local Traffic Committee of 16 July 2018 be adopted as a resolution of the Ordinary Council being:

1. TC28/2018 - That a satisfactory Traffic Management Plan (TMP) and Traffic Control Plan (TCP) for the Great North Walk Ultra's on Congewai Road, Congewai be provided by the applicant, specifically detailing measures to ensure the safe conduct of the event, with explicit detail regarding safety at intersections and side roads;
2. TC29/2018 - That parking restrictions and line marking be installed on Keene Street, Cessnock in accordance with Keene Street Cessnock _ Line Marking Diagram that was provided at the meeting;
3. TC30/2018 - That a pedestrian refuge and line marking be installed on Cumberland Street, Cessnock in accordance with Cumberland Street Cessnock _ Pedestrian Refuge Diagram that was provided at the meeting; and
4. TC31/2018 - That a Local Area Traffic Management Scheme be installed on Fourth Street, Weston in accordance with Fourth Street Weston _ LATM Diagram that was provided at the meeting.

**MINUTES OF TRAFFIC COMMITTEE MEETING
OF
CESSNOCK CITY COUNCIL
HELD IN ANTE ROOM ON MONDAY, 16 JULY 2018, COMMENCING AT 9.30 AM**

OPENING: The meeting was opened at 9.52am

PRESENT: Councillor Gray (in the Chair)
Ms Perri Hodge – NSW State Member Representative

IN ATTENDANCE: Councillor Lyons
Ms Jules Bosco – Principal Development Engineer
Mr Nathan Goodbun – Traffic Engineering Officer
Mr Richard Ingall – Rover Coaches
Mr Warren Jeffery – Road Safety Officer
Mrs Katrina Kerr – Design Delivery Manager
Mr Michael Kolos – Strategic Infrastructure Project Officer
Ms Maria Nikolaidis – Strategic Traffic & Transport Engineer

Works and Infrastructure

Report No. WI65/2018

Works and Infrastructure



APOLOGIES

RESOLVED that the apology tendered on behalf of:

Mr Clayton Barr MP – NSW State Member
Senior Constable Amy Sweeney – NSW Police
Mr Nicholas Trajcevski – RMS

for unavoidable absence be accepted.

NOTED that the RMS Representative attended the inspections, reviewed and provided written commentary on reports, and agreed to support recommendations *in absentia*.

CONFIRMATION OF MINUTES

NOTED that the Minutes of the Local Traffic Committee held on 18 June 2018, as circulated, were previously confirmed as a true and correct record.

DISCLOSURES OF INTEREST

NIL

BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

MOTIONS OF URGENCY

NIL

LISTED MATTERS

SUBJECT: CONGEWAI ROAD, CONGEWAI
TEMPORARY REGULATION OF TRAFFIC
GREAT NORTH WALK ULTRA'S

REPORT NO.: TC28/2018

REFERENCE.: 46 2018 2

MATTER: Council has received an application for the temporary regulation of traffic for the Great North Walk Ultra's, and has assessed the application along with the associated Traffic Management Plan (TMP) and Traffic Control Plan (TCP).

Approval is sought from RMS under Section 116 of the *Roads Act 1993*, to regulate traffic on Congewai Road, Congewai in connection with this event.

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

- It was noted that the RMS representative questioned the insufficiency of detail in the TMP and TCP by email;
- Clarification was provided to RMS Representative via email that the following conditions would be placed on any approval:
 - TCP to be compliant with AS 1742.3 and the RMS Traffic Control at Work Sites Manual;
 - VMS to be placed on each approach to event area, displaying a message regarding *runners on road/40km/h speed limit* or similar, for the duration of the event;
 - Speed limit signage to be repeated at maximum 500m intervals as per RMS Traffic Control at Work Sites Manual; and
 - Appropriate signage is required for all side streets (Eglinford Lane).
- Clarification was provided on the roles of Marshalls and Traffic Controllers.

RECOMMENDATION

That a satisfactory TMP and TCP be provided by the applicant, specifically detailing measures to ensure the safe conduct of the event, with explicit detail regarding safety at intersections and side roads.

MOTION: **Moved:** Perri Hodge **Seconded:** Nicholas Trajcevski (*in absentia*)

SUPPORT: Unanimous

Works and Infrastructure

Report No. WI65/2018

Works and Infrastructure



SUBJECT: **KEENE STREET, CESSNOCK
REGULATORY PARKING & LINE MARKING**

REPORT NO.: **TC29/2018**

REFERENCE.: **CRM 18748/2016**

MATTER: The recent installation of a pedestrian refuge, as previously approved by the Local Traffic Committee (TC9/2017), necessitates amendments to existing line marking and parking arrangements in Keene Street.

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

- The RMS representative requested via email that the time restriction be removed from motor bike parking area, due to difficulties with enforcement. Amendment accepted and modified diagram shown to committee;
- The availability of long term parking was discussed, with Darwin Street, and the Charlton and Cumberland Street Council car parks identified as suitable long term parking areas within a suitable distance of Keene Street;
- It was noted that advice regarding the availability of suitable long term parking will be provided to adjacent businesses, and to the general public via social media.

RECOMMENDATION

That parking restrictions and line marking be installed on Keene Street, Cessnock in accordance with Keene Street Cessnock _ Line Marking Diagram.

MOTION: **Moved:** Perri Hodge **Seconded:** Nicholas Trajcevski (*in absentia*)

SUPPORT: **Unanimous**

Works and Infrastructure

Report No. WI65/2018

Works and Infrastructure



SUBJECT: CUMBERLAND STREET, CESSNOCK
PEDESTRIAN REFUGE

REPORT NO.: TC30/2018

REFERENCE.:

MATTER: As part of the Cessnock Civic Precinct Revitalisation project, Council is improving pedestrian connectivity between the Cessnock CBD and Bridges Hill Park. To facilitate safe pedestrian movements between the two locations, it is proposed to install a pedestrian refuge on north eastern end of Cumberland Street, Cessnock.

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

- It was discussed that the current pedestrian desire line between Bridges Hill Park and the CBD followed Edward Street. It was noted that the improvements to pedestrian facilities in Yango Street was expected to alter the desired pedestrian route, particularly when travelling towards the CBD from the park;
- It was noted that the intersection of Edward Street and Cumberland Street is unsuitable for a pedestrian refuge, due to the presence of Cessnock Fire Station, and a significant difference in levels between the road and pedestrian path on the eastern side of Cumberland Street;
- The general availability of car parking was discussed, with Cumberland Street Council owned car park noted as being in close proximity;
- It was also noted that the area is generally not amenable to the installation of standards compliant Mobility Parking Scheme spaces, due to the adverse grades, but the St Joseph's Catholic Church has a suitable area off Yango Street that satisfies mobility parking requirements at the Church;
- It was noted that the refuge would serve as a traffic calming device by constricting the travel lane, and preventing poor lane discipline on the corner.

RECOMMENDATION

That a pedestrian refuge and line marking be installed on Cumberland Street, Cessnock in accordance with Cumberland Street Cessnock _ Pedestrian Refuge Diagram.

MOTION: **Moved:** Perri Hodge **Seconded:** Nicholas Trajcevski (in absentia)

SUPPORT: Unanimous

Works and Infrastructure

Report No. WI65/2018

Works and Infrastructure



SUBJECT: *FOURTH STREET, WESTON,
LOCAL AREA TRAFFIC MANAGEMENT SCHEME*

REPORT NO.: *TC31/2018*

REFERENCE.: *DOC2014/020739*

MATTER: The residents of Fourth Street Weston have made multiple complaints regarding excessive travel speeds and dangerous driver behaviour on Fourth Street, particularly in the area of the Bob Wells Bridge.

Information from the Weston Public School Principal and P & C Association is that the concerns expressed by Fourth Street residents are shared by the school community. Particular concerns relate to the eastern side of the Bob Wells Bridge, where a 'pedestrian desire line' exists for school children and other pedestrians approaching the school using the shared path, which connects the Weston CBD to Fourth Street. No pedestrian facilities exist at this location.

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

- It was explained that the location was not suitable for the installation of a pedestrian crossing or pedestrian refuge, due to the mandatory warrant requirements for pedestrian crossings, the proximity of the guard railed bridge abutments, and several residential driveways;
- It was noted that suitable locations for a pedestrian refuge would be well away from well-established pedestrian desire lines, and would therefore be largely unused;
- It was explained that the relocation of the GIVE WAY sign to the western approach to Bob Wells Bridge was to avoid creating the impression that approaching vehicles were giving way to pedestrians, when in fact they are only slowing down to give way if required;
- It was noted that the extension of the single lane would reduce pedestrian exposure to traffic, due to the crossing point on the pedestrian desire line being narrower.

RECOMMENDATION

That a Local Area Traffic Management Scheme be installed on Fourth Street, Weston in accordance with Fourth Street Weston _ LATM Diagram.

MOTION: *Moved:* Perri Hodge *Seconded:* Nicholas Trajcevski (in absentia)

SUPPORT: *Unanimous*

CORRESPONDENCE

NIL

GENERAL BUSINESS

NIL

CLOSURE: *The Meeting Was declared closed at 10.37am*

NSW POLICE TECHNICAL REVIEW

The NSW Police representative provided individual technical review of the above reports and recommendations following the meeting. All recommendations were accepted.

ENCLOSURES

There are no enclosures for this report.

Works and Infrastructure

Report No. WI66/2018

Works and Infrastructure



SUBJECT: *REQUEST FOR SPONSORSHIP - KEARSLEY COMMUNITY DAWN SERVICE COMMITTEE INC.*

RESPONSIBLE OFFICER: *Acting Manager Open Space & Community Facilities - Nathan Eveleigh*

SUMMARY

His Excellency General The Honourable David Hurley AC DSC (retired), Governor of New South Wales and his wife, Mrs Linda Hurley have accepted an invitation from the Kearsley Community Dawn Service Committee Inc (KCDSC) to unveil memorial plaques for 20 local service personnel and attend a community morning tea at Kearsley Community Hall on 11 September 2018. The purpose of this report is to detail a request for sponsorship made by the KCDSC to assist in delivering this event.

RECOMMENDATION

- 1. That Council provides sponsorship to Kearsley Community Dawn Service Committee Inc. for the community morning tea to be attended by His Excellency General The Honourable David Hurley AC DSC (retired), Governor of New South Wales and his wife Mrs Linda Hurley to the value of \$700;**
- 2. That Council loan the Kearsley Community Dawn Service Committee Inc. indoor flagpoles to display the NSW and Australian Flag;**
- 3. That the Kearsley Community Dawn Service Committee Inc. provide an acquittal of the sponsorship within 60 days of the event.**

BACKGROUND

The KCDSC has written to Council to advise that His Excellency General The Honourable David Hurley AC DSC (retired), Governor of New South Wales and his wife, Mrs Linda Hurley have accepted an invitation to unveil memorial plaques for 20 local service personnel from Kearsley and Abernethy who were engaged in conflict during World War I. Following the unveiling of the plaques the KCDSC will host a community morning tea at Kearsley Community Hall.

To ensure the event is successful, the KCDSC have requested Council sponsorship in order to purchase catering from local businesses for the 70 invited guests.

REPORT/PROPOSAL

The KCDSC request fits with Council's adopted Community Sponsorship and Fee Waiving Policy. Under the policy, financial and/or in-kind support may be provided by Council to community groups, not for profit organisations and other eligible applicants to support the provision of a range of activities and services that:

- Respond to an identified community need and provides benefit to the community.
- Are in accordance with key objectives of Council's Community Strategic Plan.

Works and Infrastructure

Report No. WI66/2018

Works and Infrastructure



The activities and services may include, but not be limited to, community projects, events, cultural programs, sporting programs and other community services that provide benefit to the Cessnock LGA community. Financial support, by way of reduced fees or fee waiver, may be provided by Council in cases of hardship or any other category that Council has determined it may consider waiving payment, or reducing a fee.

Proposed Event

The planned ceremony and morning tea will be held at the Kearsley Community Hall and will see 70 invited guests attend a special ceremony to unveil memorial plaques for 20 local service personnel from Kearsley and Abernethy who were engaged in conflict during World War I.

The special ceremony will be held on 11 September 2018 in the grounds of the Kearsley Community Hall, where the Governor will unveil individual plaques for each serviceman. The plaques will be located on the World War I Bench of Remembrance and the Remembrance Bench that have been established by the KCDSC in the grounds of the Kearsley Community Hall.

Following the ceremony, the Committee will be hosting a morning tea where members of the local community will have the opportunity to meet the Governor and Mrs Hurley inside the Kearsley Community Hall.

Request

The request is to cover the cost of the morning tea valued at \$700, plus the loan of two of Council's indoor flagpoles.

OPTIONS

Option 1

1. That Council provides sponsorship to Kearsley Community Dawn Service Committee Inc. for the community morning tea to be attended by His Excellency General The Honourable David Hurley AC DSC (retired), Governor of New South Wales and his wife Mrs Linda Hurley to the value of \$700.
2. That Council loan the Kearsley Community Dawn Service Committee Inc. indoor flagpoles to display the NSW and Australian Flag.
3. That the Kearsley Community Dawn Service Committee Inc. provide an acquittal of the sponsorship within 60 days of the event.

This is the preferred option as it best meets the Principles for the Provision of Sponsorship as detailed in the Community Sponsorship and Fee Waiving Policy.

Option 2

That Council does not provide any community sponsorship to the Kearsley Community Dawn Service Committee Inc. This is not the preferred option as the request fits with Council's adopted Community Sponsorship and Fee Waiving Policy.

Works and Infrastructure

Report No. WI66/2018

Works and Infrastructure



CONSULTATION

- Community and Cultural Engagement Manager
- Kearsley Community Dawn Service Committee Inc.
- Office of the Governor of New South Wales
- Mayor's Office

STRATEGIC LINKS

a. Delivery Program

The request for sponsorship is consistent with the following Objectives of the Delivery Program 2017-21:

- 1.1 – Promoting Social Connections
- 2.3 – Increasing Tourism Opportunities and Visitation in the Area
- 5.3 – Making Council more responsive to the Community of the Cessnock LGA

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

This report has been prepared in line with the Cessnock City Council Community Sponsorship & Fee Waiving Policy adopted on 6 June 2018.

b. Financial Implications

Should Council endorse Option 1 to provide \$700 in sponsorship, this amount can be absorbed into existing operational budgets within the Open Space and Community Facilities Section.

c. Legislative Implications

The Community Sponsorship and Fee Waiver Policy is in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Nil

Works and Infrastructure

Report No. WI66/2018

Works and Infrastructure



CONCLUSION

The acceptance by His Excellency General The Honourable David Hurley AC DSC (retired), Governor of New South Wales and his wife, Mrs Linda Hurley to attend a special ceremony and morning tea will be a great opportunity for the Kearsley community. Council support for these events will enable the KCDSC to leverage the opportunity and engage with the broader community to assist in the delivery of other priority projects.

ENCLOSURES

There are no enclosures for this report.

SUBJECT: *REQUEST FOR SPONSORSHIP & FEE WAIVING - AUSTRALIAN POSTIE BIKE GRAND PRIX*

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

SUMMARY

Council has been approached by the organisers of the upcoming Australian Postie Bike Grand Prix seeking in-kind support for the event, which is to be held in the streets of the Cessnock Business District (CBD) on the weekend of 17 and 18 November 2018.

The Grand Prix is a not for profit event being run by the Cessnock Motor Cycle Club (CMCC) to entertain the local community and benefit local businesses.

The purpose of this report is to detail the request for sponsorship and waiving of fees. The report has been prepared in line with Council's Community Sponsorship and Fee Waiving Policy.

RECOMMENDATION

1. **That Council supports the Australian Postie Bike Grand Prix on the weekend of 17 and 18 November 2018 by providing the following in-kind support:**
 - a) **Waive all Council application fees in conjunction with the 2018 event;**
 - b) **Erection and removal of the relevant variable message boards and road closure/detour signage as required by Council and NSW Roads and Maritime Services, under the approved Traffic Management Plan and Traffic Control Plan; and**
 - c) **Provide additional general waste bins throughout the main spectator and PIT areas of the circuit and remove the collected waste at the conclusion of the event.**

BACKGROUND

The CMCC is hosting its fifth Australian Postie Bike Grand Prix event over the weekend of 17 and 18 November 2018.

Organisers of the event have approached Council seeking various forms of support. This report details the extent of the sponsorship being requested by CMCC and seeks Council's endorsement to provide the support.

REPORT/PROPOSAL

In previous years, the Australian Postie Bike Grand Prix has attracted riders and their families and support crews from all over Australia. It is anticipated that this year's event will again draw large numbers of people to the Cessnock LGA.

Works and Infrastructure

Report No. WI67/2018

Works and Infrastructure



A majority of the costs to host the event are being covered by the organising Club, with most of these funds being raised via the collection of entry fees and the sale of track advertising to businesses. To further assist with hosting the event, CMCC has approached Council seeking the following support:

1. Supply all RTA approved road closure signage as per that required in the traffic control plan (TCP)
2. Supply four (4) Variable Message signs to be installed prior to the event to notify commuters of the up-coming event as per the traffic management plan (TMP)
3. Supply accredited staff to erect and perform all road closures at 5.00AM on the morning of the event and remove all signage and re-open roads at completion of event
4. Due to the anticipated increase of refuse on the day due to crowd numbers, supply additional garbage bins in areas where spectators will gather
5. Supply staff to maintain these extra garbage bins
6. As part of the 2018 Police request to make the streets in the vicinity of the event Alcohol free, we ask council assistance in re-erecting required signage for this already designated date
7. Support the event wherever possible in local media and functions, due to the positive exposure and people that the event brings to the City of Cessnock.

With the exception of providing staff to maintain the waste collection bins, the estimated cost to supply the remaining above items is as follows:

Eligible items for Sponsorship		Estimated Cost
1.	Waive all Cessnock City Council application fees in conjunction with the 2018 event;	\$500
3.	Supply four (4) Variable Message Signs (VMS) to be installed prior to the event to notify commuters of the up-coming event as per the Traffic Management Plan (TMP);	\$3,000
4.	Supply all RMS approved road closure signage as per that required in the Traffic Control Plan (TCP); Supply accredited staff to erect and perform all road closures at 5.00am on the morning of the event and remove all signage and re-open roads at the completion of the event;	\$7,500
5.	Due to the anticipated increase of refuse on the day due to crowd numbers, supply additional garbage bins in areas where spectators will gather and remove the collected waste at the conclusion of the event.	\$2,700
7.	As part of a Police request to make the streets in the vicinity of the event Alcohol free, we ask Council assistance in implementing this request and supplying the required signage. Supply and affix date decal to existing Special Event Alcohol free signage as an extension of the existing Alcohol Free Zone in the Cessnock CBD.	\$400
8.	Support the event wherever possible in local media and functions, due to the positive exposure and people that the event brings to the City of Cessnock.	\$0
TOTAL COST OF ELIGIBLE ITEMS		\$14,100

Works and Infrastructure

Report No. WI67/2018

Works and Infrastructure



In reviewing the requests, Council officers have determined that in-kind support detailed in Table 1 above can be provided within existing recurrent operating budgets. Please note this does not include staff to maintain extra garbage bins. Officers are of the opinion that CMCC volunteers could carry out this task.

Additional Information

The existing four-year approval under section 645 of the *Local Government Act 1993*, expires on 1 November 2018, accordingly a report to Council is being prepared for the re-establishment of the Special Event Alcohol Free Zone.

OPTIONS

1. Council provides in-kind support as shown in Table 1 at a total estimated cost of \$14,100. This is the preferred option;
2. Council provides partial support for the requests;
3. Council provides no support.

CONSULTATION

In writing this report the following have been consulted:

1. Community and Cultural Development Manager
2. Works Delivery Manager
3. Environment & Waste Services Manager
4. Infrastructure Manager
5. Representatives of CMCC

STRATEGIC LINKS

a. Delivery Program

The proposed in-kind sponsorship for this event supports:

- Objective 1.2 – Our community organisations have opportunities to work together;
- Objective 2.3 – Increasing Tourism Opportunities & Visitation in the Area;
- Objective 5.3 – Our Council is responsive to the community.

b. Other Plans

Nil.

IMPLICATIONS

a. Policy and Procedural Implications

Community Sponsorship and Fee Waiving Policy.

Works and Infrastructure

Report No. WI67/2018

Works and Infrastructure



b. Financial Implications

The cost of providing the assistance as detailed in Table 1 is estimated to be approximately \$14,100. This does not include the request for staff to man extra garbage bins. The in-kind support for the above can be provided within existing recurrent operating budgets.

c. Legislative Implications

Local Government Act 1993.

d. Risk Implications

Nil.

e. Environmental Implications

Recycling bins will be provided by Council.

f. Other Implications

Nil.

CONCLUSION

On the basis of supporting events that provide opportunity for the community to work together and promote visitation across the Cessnock LGA, it is recommended that Council provide in-kind sponsorship to the fifth Australian Postie Bike Grand Prix.

ENCLOSURES

There are no enclosures for this report

Works and Infrastructure

Report No. WI68/2018

Works and Infrastructure



SUBJECT: *REQUEST FOR SPONSORSHIP - RICHMOND VALE RAIL MUSEUM - CRANKY HANDLE RALLY*

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

SUMMARY

The Richmond Vale Rail Museum Board is seeking in-kind support, in the way of road base material, to allow for maintenance works to be carried out on an earth ramp at the Richmond Main site.

RECOMMENDATION

That Council provides in-kind support to the Richmond Vale Rail Museum by supplying road base material to allow for maintenance works to be carried out on an earth ramp to assist in the movement of vintage farm machinery.

BACKGROUND

The Richmond Vale Rail Museum (RVRM) will be hosting the Cranky Handle Rally of vintage farm machinery on 18-19 August 2018.

RVRM Board is seeking sponsorship, in the form of road base material, to rebuild and strengthen a loading ramp that was constructed to assist in the movement of the vintage equipment prior to the 2017 event.

The purpose of this report is to seek Council's endorsement to provide the requested support for a stock pile of road base material.

REPORT/PROPOSAL

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

The RVRM Board is planning to repair an existing earth loading ramp to assist with the movement of vintage farm machinery that will be part of the Cranky Handle Rally on 18-19 August 2018. The subject ramp was used on the Queen's Birthday weekend for the Coalfields Steam event, where it was found that its condition had deteriorated and one of the large machines got bogged.

The estimated cost to provide additional road base material for the RVRM Board to repair the subject ramp is in the order of \$1000.

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

Works and Infrastructure

Report No. WI68/2018

Works and Infrastructure



OPTIONS

1. Council provides in-kind support to the RVRM by supplying road base material to allow for maintenance works to be carried out on an earth ramp at the Richmond Main site at an estimated cost of \$1000.
(This is the preferred option)
2. Council does not provide in-kind support to the RVRM

CONSULTATION

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

STRATEGIC LINKS

a. Delivery Program

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

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

The cost of providing road base material to the RVRM Board is estimated to be in the order of \$1000. This in-kind support can be funded within existing recurrent operating budgets.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Nil

Works and Infrastructure

Report No. WI68/2018

Works and Infrastructure



CONCLUSION

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

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN25/2018

General Manager's Unit



NOTICES OF MOTION No. BN25/2018

SUBJECT: *GREAT NORTH WALK*

COUNCILLOR: *Paul Dunn*

MOTION

That the General Manager provide a report back to council detailing:

- a) **The current status of the Great North Walk in the Strategic Plan and any other associated plans and strategies.**
- b) **A comprehensive list of the types of grants that have previously been and are able to be sought for funding to promote and improve the walk.**
- c) **Ways in which Cessnock City Council can leverage off the Great North Walk to increase tourism to the area.**
- d) **A comprehensive list of organisations both government and voluntary that hold a stake in the future of the Great North Walk.**
- e) **A guide as to what bordering councils are doing to promote and leverage off the Great North Walk, how we differ and what we can adopt as strategy.**
- f) **A comprehensive list of any policies that council have that affect external organisations and the way they carry out their using of the Great North Walk.**
- g) **A recommendation to council on how the Great North Walk is to be treated in future plans as to further Council's ability to access grants, further market the walk, and liaise with external stakeholders.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 15 August 2018.

RATIONALE

The Great North Walk is an iconic 250km walk between Sydney and Newcastle that comes through our great local government area.

Originally a convict route, the Great North Walk was refurbished as Australia's most accessible hiking track as part of the 1988 bicentennial.

Notices Of Motion

Report No. BN25/2018

General Manager's Unit



Currently it seems that it is only volunteer-coordinated - previously administered by the NSW Property Land and Management Authority, but since approximately 2008 has only been managed by small private / volunteer groups.

The track features:

- National Parks NSW run a 10-stage program, available in 10 days or single-day programs
- One leg near Berowra is a World Heritage walk
- Sectioned walks including one called 'Congewai to Millfield' and 'Spur to Hunter Wineries'
- Includes Bimbadeen Lookout and walks on to Pokolbin
- Australia's longest railway tunnel
- Hundreds of mapped landmarks including rock art, obelisks/ monuments, heritage walls, bridges and huts, including individual maps of each
- An established system of novel activities including treasure hunts and ghost walks with thousands of domestic and international tourists visiting each year
- NSW Parks and Wildlife sell merchandise including t-shirts, hooded jumpers, mugs, and travel mugs.

Website / newsletter currently says "Supported By: The Hills Shire Council, Cessnock City Council, Hornsby Shire Council, Central Coast Council, Newcastle City Council, Ryde City Council, The Heritage Council of NSW and the Office of Environment & Heritage of NSW"

Popularity

The Great North Walk/ Convict Trail

Website gets 2,100 visitors per month

Has 2,200 Facebook followers

Has 3,900 Instagram posts (which are consumer-led)

Featured in detail on the AllTrails app which includes terrain information for 50,000 trails around the world.

Social/ Economic outcomes

Healthy, free, family-friendly activity to complement our regions wine and food offerings.

Cultural and heritage tourists seem to spend considerably more than other forms of tourism, as they are seeking experiences.

To be the leaders in Tourism in the lower Hunter, including leaders in cooperatives, Cessnock City Council needs to accommodate this tourist-led demand for cultural and heritage tourism, and recognise the economic contribution of industry, as well as leverage publicity of the Great North Walk through the not-for-profit volunteer organisations that give their own time to its promotion.

Sgd: Paul Dunn

Date: 7 August 2018

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ74/2018

Planning and Environment



SUBJECT: *WOOLWORTHS CARPARK - COPY OF APPROVED PLANS*

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

Q73/2018 - Woolworths Carpark - Copy of Approved Plans

Asked by Councillor Olsen at the Ordinary Meeting of Council held on 1 August 2018:

“referred to emails that had been sent and received in regard to the works being carried out at Woolworths and asked when he will be getting a copy of the plan for the carpark?”

On 15 June 2018, Council’s Director Planning and Environment issued a Councillor memo in respect of Development Consent No. 2017/34, which approved alterations to the existing shopping centre.

The Councillor memo stated that a copy of the approved plans relating to Development Consent No. 2017/34, were attached to the memo. Upon recent review, it has been ascertained that the plans were not sent via e-mail with the Councillor memo, and I apologise for this oversight.

On 15 July 2018, Councillor Olsen requested a copy of the approved plans. A response was provided by the Director Planning and Environment’s EA that the plans, i.e., electronic file, exceeded Council’s permitted plan/file size to send via e-mail, and in consideration of this, the plans would be sent via ‘Objective Connect’, which is Council’s file sharing platform. It is noted that the file was uploaded accordingly on that same day.

A hard copy of the plans have since been provided to Councillor Olsen.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ75/2018

Works and Infrastructure



SUBJECT: *KERLEW STREET ACCESS TO CORRECTIONAL CENTRE*

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

Q74/2018 – Kerlew Street Access to Correctional Centre

Asked by Councillor Olsen at the Ordinary Meeting of Council held on 1 August 2018.

advised that the Jail has announced that they will not be going down Kerlew Street and asked when the funding will be put back into Mount View Road.

At the Cessnock Correctional Centre Access Road Working Group meeting on Thursday, 2 August 2018 Council officers were informed by the Project Manager, Justice Infrastructure and Assets that his team are continuing to work through issues pertaining to the alternate access for the upgraded Correctional Centre.

In accordance with Council's resolution in considering BN54/2018, the following is noted:

That Council reaffirms its position to not undertake significant road works on Mount View Road until the NSW State Government has constructed an alternate access to the Cessnock Correctional Centre.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ76/2018

Works and Infrastructure



SUBJECT: *LIST AND LOCATIONS OF SUBURB SIGNS*

RESPONSIBLE OFFICER: *Infrastructure Manager - Katrina Kerr*

Q75/2018 – List and Locations of Suburb Signs

Asked by Councillor Fitzgibbon at the Ordinary Meeting of Council held on 1 August 2018.

“For an updated list of the location and suburb signs in the Cessnock Signage Strategy.

The *Cessnock Signage Strategy* provides for a family of signs including:

- Gateway Entry Signs
- Suburb Entry Signs, and

Gateway Entry Signs: The purpose of Gateway Entry signs is to welcome visitors to the City of Cessnock and signify arrival. These signs are to be located at six key entry points in accordance with the Strategy, being:

1. Brunkerville
2. George Booth Drive
3. John Renshaw Drive
4. Broke
5. Laguna and
6. Branxton

Planning is currently in progress for Gateway Entry Signs at Brunkerville, John Renshaw Drive, Black Hill, and Branxton. These signs are being funded through the Building Better Regions Fund (BBRF).

Suburb Entry Signs: The purpose of Suburb Entry signs is to identify suburbs within the LGA. These signs are to be located at the entry to individual suburbs.

Planning is currently in progress for Suburb Entry signs at North Rothbury and Bellbird. These signs are being funded through the BBRF grant.

At this stage no further Gateway or Suburb Entry signs are planned to be installed.

The roll out of further Gateway Entry and Suburb Entry Signs will occur once additional funding is made available. The location of these signs will be in accordance with the Signage Strategy.

ENCLOSURES

There are no enclosures for this report

Correspondence

Report No. CO29/2018

Corporate and Community Services



SUBJECT: *LIBRARY FUNDING - STATE GOVERNMENT FUNDING CUT*

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

RECOMMENDATION

That the correspondence be noted.

At its Ordinary Meeting of 4 July 2018 council considered a Mayoral Minute No. 6/2018 – Library Funding and resolved:-

1. *That Council write to the Premier, The Hon. Gladys Berejiklian MP and the Treasurer, The Hon. Dominic Perrottet MP condemning the NSW Government cutting funding to libraries in the recent State budget with copies to be sent to Parliamentary Secretary for Planning, the Central Coast and the Hunter, Scot McDonald MLC, Temporary Chair of Committees, The Hon. Taylor Martin MLC and State Member for Cessnock, Clayton Barr MP.*
2. *In the communication, advocate for a statewide review of the Funding Model for Regional Libraries.*

A response has been received the Parliamentary Secretary for Treasury, Jonathan O’Dea advising Council’s correspondence has been forwarded to the Minister for the Arts, Hon Don Harwin MLC.

Council has also now received a response from Hon Don Harwin MLC, Minister for the Arts.

Copies of the letters are provided for Council’s information.

ENCLOSURES

- 1⇒ Correspondence from Parliamentary Secretary for Treasury
- 2⇒ Correspondence from Minister for the Arts