



Vincent Street
CESSNOCK

26 September 2019

ORDINARY MEETING OF COUNCIL

WEDNESDAY, 2 OCTOBER 2019

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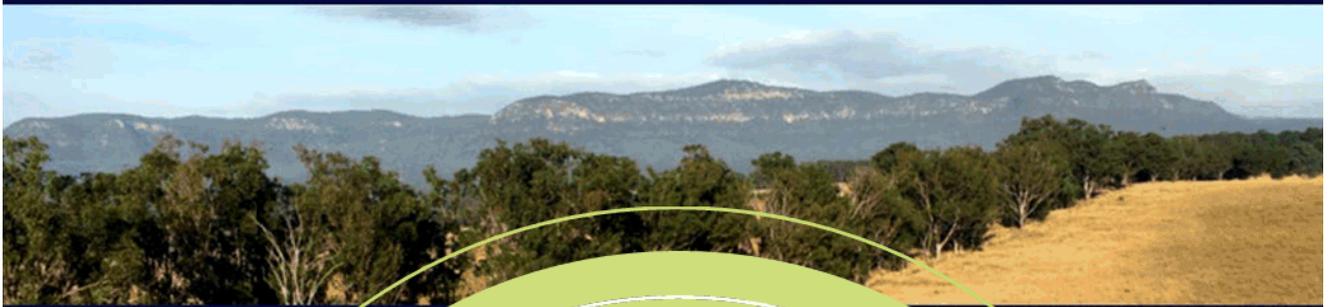
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Cessnock Section 7.12 Levy Contributions Plan 2019

*PLANNING FOR OUR PEOPLE
OUR PLACE OUR FUTURE*

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Document Revision:

Revision	Description	Adoption Dates
Section 94A Levy Contributions Plan 2017	Contributions plan originally adopted by Cessnock City Council	13 December 2017
Draft Section 7.12 Levy Contributions Plan	Amended contributions plan for exhibition. Amended plan updates section references and adds new work schedule item: Pokolbin Cycling Works	

Part 1

Administration and Operation

1. What is the name of the Plan?

The Plan is called Cessnock Section 7.12 Levy Contributions Plan 2019.

2. When does this Plan commence?

The Plan was adopted by Council on <to be updated> and commences on <to be updated>.

3. Purposes of this Plan?

The purposes of this Plan are:

- To authorise the Council to impose, as a condition of development consent, a requirement that the applicant pay to the Council a Levy to be determined in accordance with this Plan,
- To enable the Council to require the payment of a Levy to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation),
- To preclude the imposition of a condition under S94 of the *Environmental Planning and Assessment Act, 1979* (the Act) in relation to the development to which a Levy under this Plan applies,
- To require a certifying authority (the Council or an accredited certifier) to impose, as a condition of issuing a complying development certificate for development to which this Plan applies, a requirement that the applicant pay to the Council a Levy determined in accordance with this Plan, and
- To govern the application of money paid to the Council under a condition authorised by this Plan.

4. What does Section 7.12 of the Act provide?

Section 7.12 of the Act provides as follows:

7.12 Fixed development consent levies

- (1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.
- (2) A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 7.11.
- (2a) A consent authority cannot impose a condition under this section in relation to development on land within a special contributions area without the approval of:
 - a. the Minister, or
 - b. a development corporation designated by the Minister to give approvals under this subsection.
- (3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

- (4) *A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.*
- (5) *The regulations may make provision for or with respect to levies under this section, including:*
 - a. *the means by which the proposed cost of carrying out development is to be estimated or determined, and*
 - b. *the maximum percentage of a levy.*

5. Land to which this Plan applies

This Plan applies to all land in the Cessnock City Council Local Government Area.

6. Development to which this plan applies

This Plan applies to all forms of development not otherwise covered by an existing development contributions plan or planning agreement such as but not limited to, commercial, industrial, government agencies and mixed-use development. (Note: The reference to planning agreement only relates to those agreements developed for the purpose of being an alternate to applying Section 7.11 contributions).

For the avoidance of doubt, this Plan applies to an application for development consent or a complying development certificate to carry out development to which this Plan applies irrespective of whether the application was pending at the time this Plan commenced.

This Plan does not apply to development identified in any applicable Ministerial directions issued under s7.17 of the Act as exempt from levies under s7.12 of the Act as stated below:

- Development for the purposes of any form of seniors housing as defined in State environmental Planning Policy (Housing for seniors or People with a Disability) 2004 that is provided by a social housing provider as defined in that Policy.
- Development for the sole purpose of disabled access.
- Development for the sole purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building.
- Development for the sole purpose of the adaptive re-use of an item of environmental heritage.
- Development other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.

This Plan also does not apply to:

- Development where the proposed cost of carrying out development is \$100,000 or less
- Development for the purpose of a single dwelling on a single allotment where a contribution under Section 7.11 of the Act was paid at subdivision stage
- An application for demolition (where there is no replacement building or development)
- An application for or on behalf of Council for community infrastructure, such as but not limited to, libraries, community facilities, recreation areas, recreation facilities and carparks.

Note: For claims for an exemption to be considered for development referred to above, the development application should include a comprehensive submission detailing the case for exemption. No exemption can be given without a formal Council resolution.

7. Relationship to contributions plans

This Plan repeals the Car parking in the Cessnock Central Business District Section 94 Contributions Plan but does not repeal any other section 94 plans applying in the Cessnock Local Government Area.

8. Council may require payment of the Levy as a condition of a development consent

Subject to this Plan, this Plan authorises the Council to grant consent to development to which this Plan applies subject to a condition requiring the applicant pay Council a Levy in accordance with the following formula:

$$\text{Levy} = \text{PC} \times \text{L\%}$$

Where

Proposed cost of carrying out of the development (PC)	Percentage of Levy (L%)
\$0 to \$100,000	0.0%
\$100,001 to \$200,000	0.5%
More than \$200,000	1.0%

Alternatively, if any relevant Ministerial direction under s7.17 of the Act is in force this Plan authorises the imposition of a condition requiring a Levy subject to and in accordance with that direction to the extent of any inconsistency with the above formula.

This Plan precludes the imposition of a condition under s7.11 of the Act in relation to development to which a Levy under this Plan applies.

9. Certifying authority must require payment of the Levy as a condition of issuing a complying development certificate

Subject to the Act and to any direction of the Minister under section 7.17 of the Act, this Plan requires a certifying authority (the Council or an accredited certifier) to issue a complying development certificate in respect of development, subject to a condition requiring the applicant to pay to the Council a Levy of a percentage of the proposed cost of carrying out the development specified in the Table in clause 8 by the time specified in clause 18 of this Plan.

If a Ministerial direction under s7.17 is in force which requires that a different requirement should be imposed, this Plan authorises the certifying authority to issue a complying development certificate subject to a condition which is in accordance with that direction.

10. How is the proposed cost of carrying out development determined?

Clause 25j of the Regulation sets out how the proposed cost of carrying out development is to be determined. At the date of this Plan that clause provides as follows:

25j Section 7.12 levy—determination of proposed cost of development

- (1) The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- a. if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
 - b. if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
 - c. if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.
- (2) For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.
- (3) The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:
- a. the cost of the land on which the development is to be carried out,
 - b. the costs of any repairs to any building or works on the land that are to be retained in connection with the development,
 - c. the costs associated with marketing or financing the development (including interest on any loans),
 - d. the costs associated with legal work carried out or to be carried out in connection with the development,
 - e. project management costs associated with the development,
 - f. the cost of building insurance in respect of the development
 - g. the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),
 - h. the costs of commercial stock inventory,
 - i. any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law,
 - j. the costs of enabling access by disabled persons in respect of the development,
 - k. the costs of energy and water efficiency measures associated with the development,
 - l. the cost of any development that is provided as affordable housing,
 - m. the costs of any development that is the adaptive *reuse of a* heritage item.
- (4) The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.
- (5) To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.

11. How is the proposed cost of carrying out development indexed?

Pursuant to clause 25J(4) of the Regulation, the proposed cost of carrying out development is to be indexed before payment to reflect quarterly variations in the Consumer Price Index All Group Index Number for Sydney prepared by the ABS between the date the proposed cost was determined by the Council and the date the Levy is required to be paid.

The formula governing indexation of the proposed cost of carrying out development is as follows:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

IDC = the indexed proposed cost of carrying out development

ODC = the original proposed cost of carrying out development cost estimated by the Council

CP2 = the most recent quarterly *Consumer Price Index All Groups Index Number for Sydney* prepared by the ABS at the time a Levy is paid

CP1 = the most recent quarterly *Consumer Price Index All Group Index Number for Sydney* prepared by the ABS at the date the original development cost was estimated by the Council.

12. Cost estimate reports must accompany a development application or application for a complying development certificate?

A development application or an application for a complying development certificate is to be accompanied by a report, prepared at the applicant's cost in accordance with this clause and clause 13, setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the Regulation.

The following types of reports are required:

- where the estimate of the proposed cost of carrying out the development is less than \$1,000,000 a cost summary report in accordance with Schedule 2;
- or
- where the estimate of the proposed cost of carrying out the development is \$1,000,001 or more – a detailed cost report in accordance with Schedule 3.

13. Who may provide a report for the purposes of clause 12 of this Plan?

For the purpose of clause 25J(2) of the Regulation, the following persons are approved by the Council to provide an estimate of the proposed cost of carrying out development in the following circumstances:

- where the proposed development cost is less than \$1,000,000 a person who, in the opinion of the Council, is suitably qualified to provide a cost summary report;
- where the proposed development cost is \$1,000,001 or more - a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

The Council may, at the applicant's cost, engage a person referred to in this clause to review a report submitted by an applicant in accordance with clause 12.

14. How will the Council apply money obtained from the Levy?

Money paid to the Council under a condition authorised by this Plan is to be applied by the Council towards the provision, extension or augmentation, or the recoupment of the cost of the prior provision, of such of the Public Facilities listed in the Part A of Schedule 1 as the Council considers appropriate from time to time having regard to its capital works priorities, the public interest, and the amount of funding obtained by the Council and held under this Plan from time to time.

The locations of those Public Facilities are shown on the map/s in Part B of Schedule 1.

15. Are there priorities for the expenditure of money obtained from levies authorised by this Plan?

Subject to s7.3(2) of the Act and clauses 14 and 16 of this Plan, the Public Facilities listed in Schedule 1 are to be provided in accordance with the staging set out in that Schedule.

16. Pooling of levies

For the purposes of s7.3(2) of the Act, this Plan authorises money obtained from Levies paid in respect of different developments to be pooled and applied by the Council progressively towards the Public Facilities listed in Schedule 1 in accordance with the staging set out in that Schedule.

17. Obligation of certifying authorities

Under clause 127 of the Regulation, a council or accredited certifier may require the applicant for a complying development certificate to give the council or accredited certifier any additional information concerning the proposed development that is essential to the council's or accredited certifier's proper consideration of the application. This obligation extends to the provision of cost estimate reports under clause 12 of this Plan.

Pursuant to clause 146 of the Regulation, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it is satisfied of compliance with any condition requiring the payment of a Levy before work is carried out in accordance with the consent.

The certifying authority must cause the applicant's receipt for payment of the Levy to be provided to the Council at the same time as the other documents required to be provided under clause 142(2) of the Regulation.

18. When is the Levy payable?

A Levy required to be paid by a condition authorised by this Plan must be paid to the Council at the time specified in the condition.

The Council's policy is that the Levy must be paid prior to the first certificate issued in respect of the development under Part 4A of the Act. If no such certificate is required to be issued, then prior to the development or the use commencing, whichever comes first.

Pursuant to clause 27(1A) of the Regulation, and despite anything to the contrary in this Plan, the payment of a Levy in accordance with a condition of a complying development certificate is to be made before the commencement of any building work or subdivision work authorised by the certificate.

19. What is the Council's policy on the deferred or periodic payment of a Levy?

The Council does not allow deferred or periodic payment of a Levy authorised by this Plan, unless specifically approved by resolution following consideration at a Council meeting.

20. Are there alternatives to payment of the Levy?

If an applicant for development consent seeks to make a contribution towards the provision of Public Facilities other than by payment of a Levy, the applicant may adopt one of the following procedures.

Offer made to Council as part of a development application

The applicant may offer to enter into a voluntary planning agreement with the Council under s7.4 of the Act in connection with the making of a development application.

Under the planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. Those purposes need not relate to the impacts of the applicant's development nor to the items listed in Schedule 1.

The applicant's provision under a planning agreement may be additional to or instead of paying a Levy in accordance with a condition of development consent authorised by this Plan. This will be a matter for negotiation with the Council.

The offer to enter into the planning agreement together with a copy of the draft agreement should accompany the relevant development application.

The Council will publicly notify the draft planning agreement and an explanatory note relating to the draft agreement along with the development application and will consider the agreement as part of its assessment of that application.

If the Council agrees to enter into the planning agreement, it may impose a condition of development consent under s7.7(3) of the Act requiring the agreement to be entered into and performed. If the Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this Plan requiring the payment of a Levy.

Applicants should refer to any current policy of the Council in respect of planning agreements and the Development Contributions Practice Notes.

Offer made to Council following the grant of development consent requiring payment of a Levy.

If development consent has been granted to the carrying out of development subject to a condition authorised by this Plan to pay a Levy, the applicant must comply with the condition unless it is modified under s4.55 of the Act.

If the applicant does not wish to pay the Levy, the applicant may make an application to the Council under s4.55 of the Act to modify the consent by substituting for the condition requiring payment of the Levy for a condition requiring a voluntary planning agreement to be entered into.

If the Council approves the application, the applicant will be bound by the substituted condition and the planning agreement. If the Council does not approve the application, the applicant will remain bound by the condition authorised by this Plan requiring payment of the Levy.

In assessing the s4.55 application, the Council will have regard to the requirements of the current Development Contributions Practice Notes and Council's current planning agreement policy.

21. What definitions apply?

In this Plan unless the context or subject matter otherwise indicates or requires, the following definitions apply:

ABS means the Australian Bureau of Statistics

Act means the *Environmental Planning and Assessment Act 1979*

Council means The Cessnock City Council

Development Contributions Practice Notes means the practice notes titled '*Development Contributions Practice Notes*' published by the Department of Infrastructure Planning and Natural Resources dated July 2005, as amended from time to time

Levy means a levy under s7.12 of the Act authorised by this Plan,

Public Facilities means public amenity or public service

Regulation means the *Environmental Planning and Assessment Regulation 2000*



Part 2

Expected types of development in the Council's area and the demand for Public Facilities to be funded by the Levy

This part of the Plan broadly identifies the expected types of development in the Council's local government area that are linked to the demand for additional public amenities and public services proposed to be funded by Levies. The relationship is based upon current demographic information together with key trends in commercial, industrial and employment generating development expected in the local government area.

Cessnock City Council Local Government Area population is projected to grow by 8.4% by the year 2031. This will take the current population from 58,405 to 76,165 by 2031. This level of growth will continue to put more demand on the existing infrastructure as well as generate the need for additional public infrastructure. As the Section 7.12 Plan will mainly apply to commercial, industrial and mixed-use development it is considered more appropriate to target the works schedule to projects which enhance and promote economic growth and prosperity such as commercial area public domain works. Civil infrastructure facilities have been limited to the Pathways Program which addresses pedestrian and cycleway movement across the network of communities in the LGA. Extending the list of projects will limit the ability of the work to be completed due to low collection rates and long timeframes. Further, Section 7.11 plans will continue to apply to residential development which generally requires more localised infrastructure such as open space, civil works and community facilities.

The proposed levy will enable Council to provide additional public facilities to meet these expected demands. The type of public facilities to be provided is set out in Schedule 1 and explained below:

Public Domain Works

Cessnock Commercial Precinct – the Cessnock Commercial Precinct Project was undertaken in 2016/2017 consisting of a suite of strategic planning documents that provide a long term vision, guidance and coordination for future development. These documents complement the Hunter Regional Plan 2036 in its vision for the City of Cessnock as a regionally significant centre. The Implementation Plan provides a framework for implementing infrastructure upgrades identified in the Public Domain Plan. In combination with the Public Domain Plan, the Implementation Plan will significantly improve Council's ability to secure grant funding in the longer term, while supporting Council's ability to program and coordinate the identified works.

Kurri Kurri and Weston Commercial Masterplans – The Kurri Kurri District Strategy establishes a long term vision for the District including public domain masterplans for both Kurri Kurri and Weston commercial areas. Public domain masterplans for both Kurri Kurri and Weston commercial areas have now been adopted by Council.

The Branxton Sub-regional Land-Use Strategy and Structure Plan aims to guide future development within the Branxton Sub-region (encompassing land within both the Cessnock and Singleton Local Government Areas), through a period of increasing growth and change. The establishment of a new town at Huntlee and opening of the Hunter Expressway in 2014, will see the population of the Sub-region more than double by 2041. This growth will influence the future role and function of the Sub-region's traditional settlements at Branxton and Greta. As part of the Strategy, a Masterplan and Public Domain Plan were developed.

Other village commercial centres – Although these villages do not have individual strategies due to their size it is anticipated that masterplans will be progressively developed in the future to improve the visual amenity of the small commercial or community focal point in the area.

Street Tree Planting – A Street Tree Planting Plan will be required prior to the allocation of any funding from this Plan. However, the benefits of planned street tree planting are many. Street trees not only improve the visual amenity but provide practical benefits such as shade. Street trees play a significant role in the establishment of a positive local character for an area.

Civil Works

Pathways Construction Program – This Program has been developed through the combination of priorities in the Cessnock Cycling Strategy 2016 and the Pedestrian Access and Mobility Plan. Initial work from the 10-year forward works program have been included in the Schedule, however, as more detail and design work is undertaken on the Program, more projects will be included in this Schedule in line with the Council's Delivery Plan.

Pokolbin Cycling Works

A paragraph relating to the repeal of the Section 94 Tourism Contributions Plan and the inclusion of works from the Cycling Strategy will be placed here if the Section 94 Tourism Contributions Plan is repealed by Council and this plan is adopted.

Public Art

Public Art - Public art should be used as a tool to reflect and promote local identity, enhance buildings and open spaces, support cultural vitality and the creation of a strong and healthy community. It is also a platform from which Cessnock can promote itself regionally, nationally and internationally. The Public Art Policy was adopted by Council on the 15 November 2017. The Policy establishes a framework for managing public art.

Plan Administration

Plan Administration – This allocation covers the administrative costs of managing this Plan. Once the Plan is established, the time spent on administration will be reduced.

Schedule 1 (Clause 14)

Works Schedule

Part A –

Public Facilities for which levies will be sought

Description	Total Facility Cost	Cost anticipated to be funded by this Plan	Cost anticipated to be funded by other funding sources	Time Frame	Priority Low (L) Medium (M) High (H)
Public Domain Works					
Cessnock Commercial Precinct	\$40,000,000	\$1,000,000	\$39,000,000	35	High
Kurri Kurri Commercial Masterplan	\$10,500,000	\$500,000	\$10,000,000	20	High
Weston Commercial Masterplan	\$4,700,000	\$500,000	\$4,200,000	15	High
Branxton Commercial Masterplan	\$6,000,000	\$500,000	\$5,500,000	20	High
Other village commercial centres	\$1,000,000	\$300,000	\$700,000	30	Low
Street Tree Planting	\$1,500,000	\$100,000	\$1,400,000	ongoing	Low
Civil Works					
Pathways Construction Program	\$10,000,000	\$1,000,000	\$9,000,000	ongoing	Medium
Public Art	\$500,000	\$100,000	\$400,000	15	Low
Plan Administration (salaries, on costs, advice, corporate overheads)	\$150,000	\$10,000			Ongoing
Total	\$74,150,000	\$4,010,000	\$70,140,000		

Associated mapping is located in Part B of this Plan. Additional detail is also provided in Part C on works listed for the Pathways Construction Program.

Note: Project Total Facility Cost works listed above reflect works to be undertaken in a significantly greater time period than the life of this Plan. Timeframes are dependent on additional funding sources. Further details on projects can be found in Part 2 of this Plan.

Part B –

Maps

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Kurri Kurri Masterplan	18
Weston Masterplan	19

Cessnock Public Domain Plan

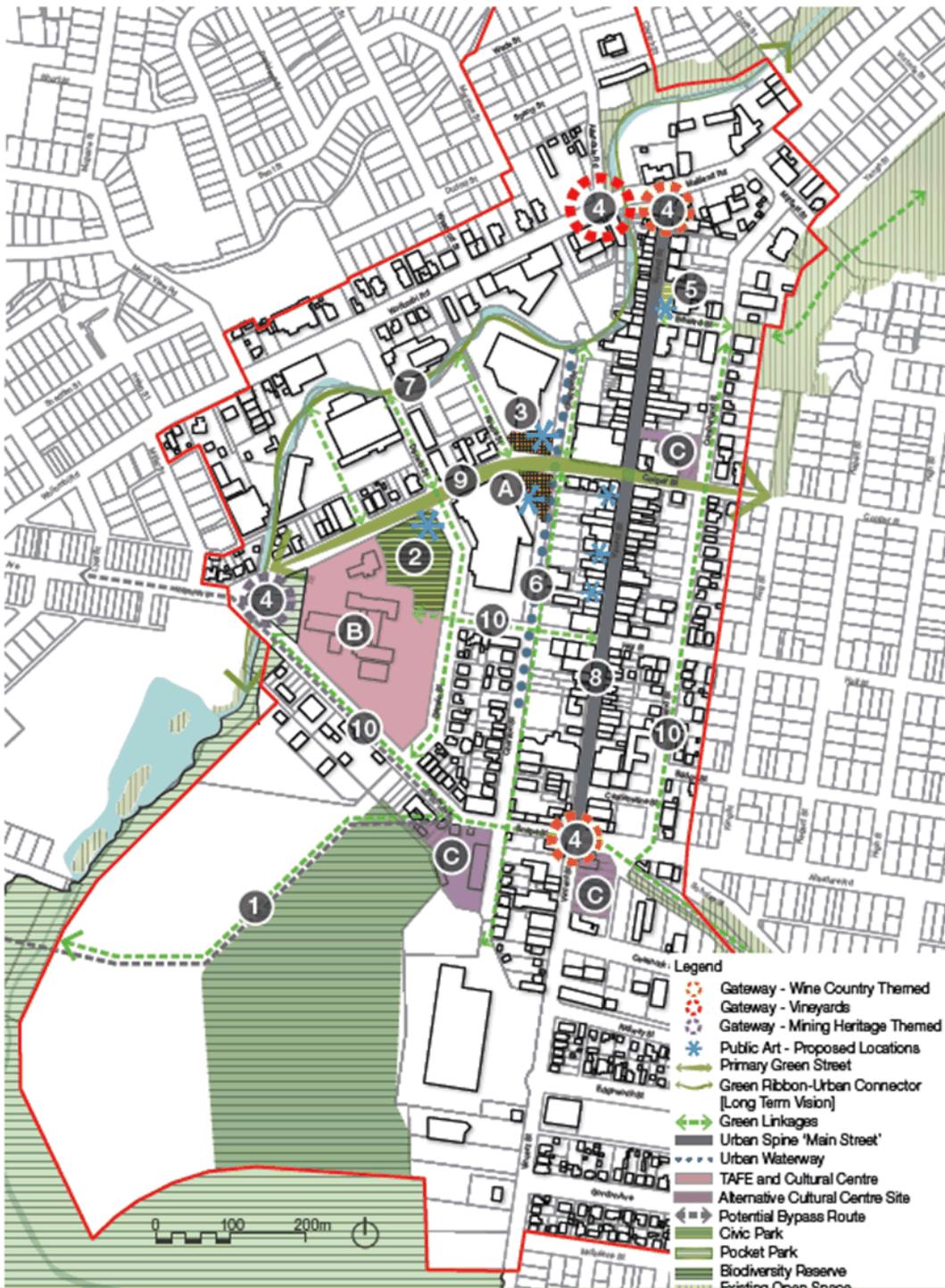
Legend

- A. TAFE and Cultural Centre
- B. Market / Event site
- 1 Enterprise Corridor
- 2 Club Park
- 3 Town Square
- 4 City Gateway
- 4A Gateway to Vineyards
- 5 Pocket Park
- 6 Urban Waterway
- 7 Green Ribbon - Urban Connector (along main waterway)
- 8 Urban Spine (Main Street)
- 9 Primary Green Street Connector (including Shared Zone)
- 10 Green Linkages
- 11 Existing Open Space
- 12 Potential Multi-Level Carpark Sites
- 13 Potential Cessnock Library Site
- 14 Incremental Streets



Cessnock Public Domain Plan – Open Space and Landscape Framework Plan

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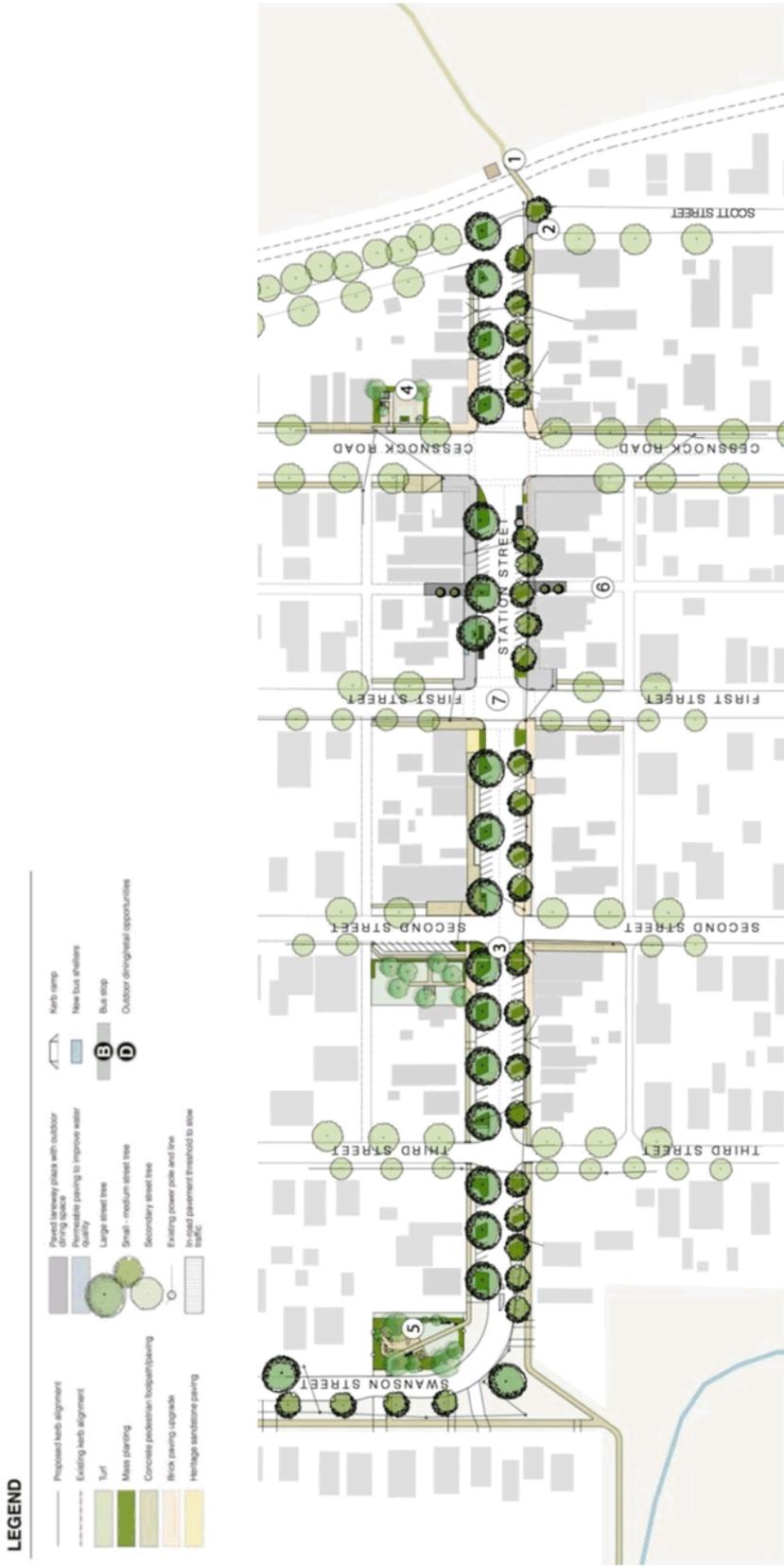


Branxton Commercial Zoning Map

Kurri Kurri Masterplan



Weston Masterplan



Part C
Works Schedule - Pathway Construction Program for which levies will be sought

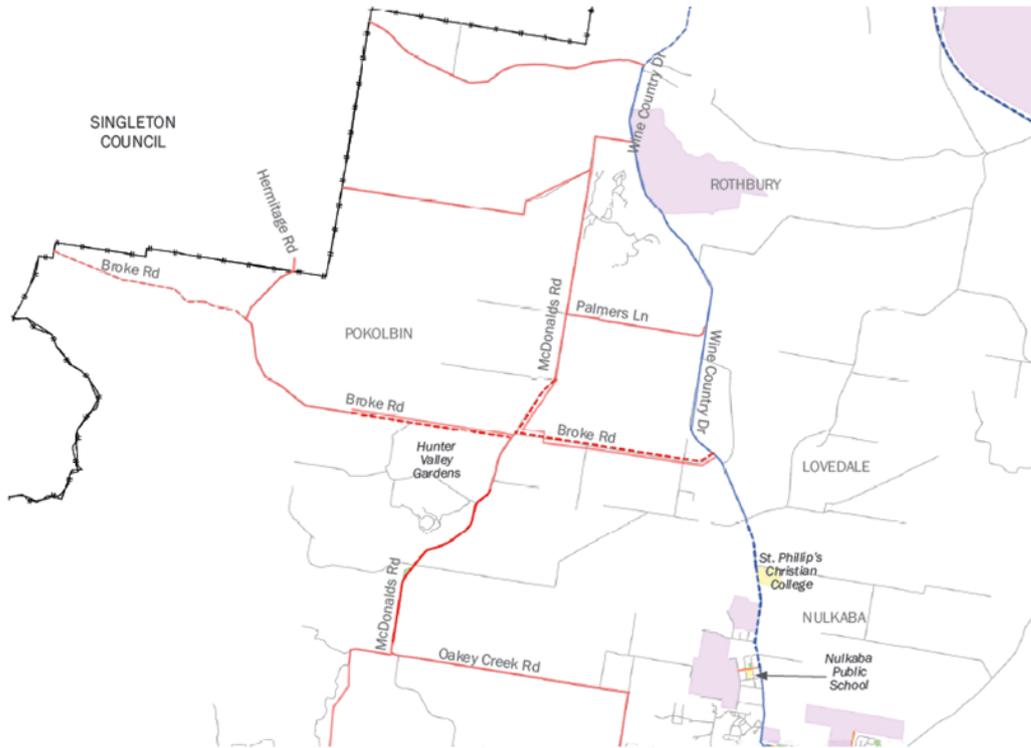
Map Ref	Category	Project Details		Completion Date					Notes
		Location	Works	2018/19	2019/20	2020/21	2021/22		
1	PAMP	Bellbird Kendall Street - from intersection of Doyle St to Mary St	Pathway	\$113,500					
2	Opens Space and Recreation	Bridge Street Cycleway Stage 1 - investigation and design	Cycleway	\$50,000					
3	PAMP	Cessnock Buckland Ave and View St - pram ramps and extension of path	Pathway	\$10,000					
4	PAMP	Cessnock Rawson St - pathway from Quarrybylong Street to Brandis Street	Pathway	\$60,000					
5	PAMP	Kearsley Caledonia St from Allandale St to Tomalpin St	Pathway	\$30,000					
6	Opens Space and Recreation	Bridge Street Cycleway Stage 2 construction	Cycleway		\$268,000				Connect existing shared pathway to proposed mixed traffic zone on Cessnock Road
7	PAMP	Abermain Melbourne St - construct path from Goulburn St to car parking	Pathway			\$10,000			
8	PAMP	Cessnock Alfred St - children's school crossing	Pathway			\$16,000			
9	PAMP	Cessnock Cumberland Street from Cooper St to Hall St	Pathway			\$55,000			
10	PAMP	Cessnock Hall St - (intersection with Darwin St)	Pathway			\$5,000			
11	PAMP	Cessnock Maitland Rd - intersection with Gallagher St	Pathway			\$10,000			
12	PAMP	Cessnock Quarrybylong St - replace a section of existing path	Pathway			\$5,000			

Map Ref	Category	Project Details		Works	Completion Date				Notes	
		Location			2018/19	2019/20	2020/21	2021/22		
13	PAMP	Kurri Kurri Merthyr St - from Lang St to Barton St (both sides)		Pathway			\$79,100			
14	PAMP	Kurri Kurri Mitchell Ave - pathway from Lang Street to Maitland Street		Pathway			\$20,000			
15	PAMP	Weston First St - kerb ramp and pedestrian refuge		Pathway			\$10,000			
16	PAMP	Weston First St - from Station St to Hall St		Pathway			\$63,000			
17	Opens Space and Recreation	Cessnock - Church Street		Shared path				\$275,000	Shared pathway connecting Wine Country Drive to Manning Park and forming part of the connection to Maitland Road.	
				Total			\$263,500	\$268,000	\$273,100	\$275,000

Part D
Works Schedule – Pokolbin Cycling Improvements

Ref	Item	Distance	Hierarchy	Priority	Cost Estimate
Pokolbin's cycling environment					
3.1.1	Extension of McDonalds Road cycleway to Oakey Creek Road	0.246km	District	Medium	\$\$
3.1.2	New off-road path on Oakey Creek Road - McDonalds Road to Mount View Road	5.790km	District	Low	\$\$\$
3.1.3	New off-road path on Palmers Lane - McDonalds Road to Wine Country Drive	2.037km	District	Low	\$\$\$
3.1.4	New off-road path on Broke Road - McDonalds Road to Hermitage Road	5.640km	District	Medium	\$\$\$
3.1.5	New off-road path on Hermitage Road - Broke Road to Deasys Road	1.220km (Cessnock Council section)	District	Low	\$\$\$
3.1.6	New off-road path on Broke Road - Wine Country Drive to McDonalds Road	3.616km	District	High	\$\$\$
3.1.7	New off-road path on McDonalds Road - Broke Road to Wine Country Drive	6.255km	District	Medium	\$\$\$
3.1.8	New off-road path on Deasy's Road - McDonalds Road to Hermitage Road	5.400km	District	Low	\$\$\$
3.1.9	New off-road path on Old North Road - Wine Country Drive to Hermitage Road	8.700km	District	Low	\$\$\$
3.1.10	New off-road path on McDonalds Road - McDonalds Road cycleway to Broke Road	1.000km	District	High	\$\$\$
3.2.1	New on-road connection on Broke Road - Hermitage Road to Singleton	1.500km	District	Low	\$
Sub-total of high priority works					\$1,625,000
Sub-total of medium priority works					\$4,274,000
Sub-total of low priority works					\$8,151,000
TOTAL for Pokolbin Environment					\$14,050,000

Map of Pokolbin's cycling environment and identified missing links



Existing conditions	Proposed cycleways
Regional on road	Regional on road
Regional off road	Regional off road
District on road	District on road
District off road	District off road
Local on road	Local on road
Local off road	Local off road
Open space	
Education/school	
Future urban release area	

DOC2017/011952 CESSNOCK CITY COUNCIL - Draft Section 7.12 Levy Contributions Plan 2019

Schedule 2 (clause 12)

Cost Summary Report*

(Development Cost less than \$1,000,000)

DEVELOPMENT APPLICATION NUMBER:	_____	COMPLYING DEVELOPMENT NUMBER:	_____
CONSTRUCTION CERTIFICATE NUMBER:	_____	DATE:	_____
APPLICANTS NAME:	_____		
APPLICANT'S ADDRESS:	_____		
DEVELOPMENT NAME:	_____		
DEVELOPMENT ADDRESS:	_____		

ANALYSIS OF DEVELOPMENT COSTS:

Demolition and alterations	\$
Structure	\$
External walls, windows and doors	\$
Internal walls, screens and doors	\$
Wall finishes	\$
Floor finishes	\$
Ceiling finishes	\$
Fittings and equipment	\$
Hydraulic services	\$
Mechanical services	\$
Fire services	\$
Lift services	\$
External works	\$
External services	\$
Other related work	\$
Sub-total	\$

Sub-total above carried forward	\$
Preliminaries and margin	\$
Sub-total	\$
Consultant Fees	\$
Other related development costs	\$
Sub-total	\$
Goods and Services Tax	\$
TOTAL DEVELOPMENT COST	\$

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate.
- calculated the development costs in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000* at current prices.
- included GST in the calculation of development cost.

Signed:

Name:

Position & Qualifications:

Date:

*Acknowledgment to City of Sydney for use of the Cost Summary Report

Schedule 3 (clause 12)

Detailed Cost Report*

Registered* Quantity Surveyor's Detailed Cost Report

(Development cost equal or greater than \$1,000,001)

*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION NUMBER:	_____	COMPLYING DEVELOPMENT NUMBER:	_____
CONSTRUCTION CERTIFICATE NUMBER:	_____	DATE:	_____
APPLICANTS NAME:	_____		
APPLICANT'S ADDRESS:	_____		
DEVELOPMENT NAME:	_____		
DEVELOPMENT ADDRESS:	_____		

DEVELOPMENT DETAILS:

Gross Floor Area - Commercial	m ²	Gross Floor Area - Other	m ²
Gross Floor Area - Residential	m ²	Total Gross Floor Area	m ²
Gross Floor Area - Retail	m ²	Total Site Area	m ²
Gross Floor Area - Car Parking	m ²	Total Car Parking Spaces	
Total Development Cost	\$		
Total Construction Cost	\$		
Total GST	\$		

ESTIMATE DETAILS:

Professional Fees	\$	Excavation	\$
% of Development Cost		% Cost per square metre of site area	\$ /m ²
% of Construction Cost		% Car Park	\$
Demolition and Site Preparation	\$	Cost per square metre of site area	\$ /m ²
Cost per square metre of site area	\$ /m ²	Cost per space	\$ /m ²
Construction - Commercial	\$	Fit-out - Commercial	\$
Cost per square metre of site area	\$ /m ²	Cost per square metre of commercial area	\$ /m ²
Construction - Residential	\$	Fit-out - Residential	\$
Cost per square metre of residential area	\$ /m ²	Cost per square metre of residential area	\$ /m ²
Construction - Retail	\$	Fit-out - retail	\$
Cost per square metre of retail area	\$ /m ²	Cost per square metre of retail area	\$ /m ²

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate.
- prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors.
- calculated the development costs in accordance with the definition of development costs in the Cessnock City Council S7.12 Levy Contributions Plan 2016 at current prices.
- included GST in the calculation of development cost.
- measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed:

Name: _____

Position & Qualifications: _____

Date: _____

*Acknowledgment to City of Sydney for use of the Detailed Cost Report



62-78 Vincent Street
Cessnock, NSW
Australia



Contact
tel.0249934300
tel.0249934100



Online help
council@cessnock.nsw.gov.au
<http://www.cessnock.nsw.gov.au>



23 September 2019

Review of Prices for Hunter Water
Corporation
Independent Pricing and Regulatory
Tribunal
PO Box K35
Haymarket Post Shop, SYDNEY NSW
1240

Contact: Mr Gareth Curtis
Our Ref:
Your Ref:

Dear Dr Paul Paterson

Submission regarding the Review of prices for Hunter Water Corporation From 1 July 2020

At its meeting on 2 October 2019, Council resolved:

"That Council endorse the submission to the IPART Issues Paper – Review of prices for Hunter Water Corporation From 1 July 2020"

In accordance with the above resolution, Council provides the following submission to the Issues Paper – Review of prices for Hunter Water Corporation From 1 July 2020

Proposed discontinuance of the Environmental Improvement Charge

References are made specifically to the Issues Paper Part 7.6 *Environmental Improvement Charge* (EIC) and the proposal to discontinue this levy from the beginning of the 2020 determination period. It is noted this matter has not been specifically included within the list of issues for stakeholder comment, notwithstanding Council must strongly emphasise the importance for IPART to consider this matter as part of its review.

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

Council has always been proactive and forthcoming with the supply of justifiable environmental and public health documentation to HWC and were under the impression the supply of sewerage services to North Rothbury was progressing.

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ABN 60 919 148 928

Council has also received ministerial assurances that *"following the successful connection of Wyee, Hunter Water is proposing to sewer the townships of North Rothbury, Raworth and Hexham...The EPA and NSW Health have endorsed the sewerage of these townships for environmental and public health reasons"* (The Hon Niall Blair MLC, 2016)

The Issues Paper Part 1.2.2 states:

"Hunter Water currently levies an Environmental Improvement Charge (EIC) which is \$41.20 per customer in 2019-20. It has proposed to discontinue this charge from the beginning of the 2020 Determination"

It is understood HWC's justification to discontinue the levied EIC is to offset proposed increased wastewater prices but to also change the current funding model in accordance with IPART's *Maximum prices to connect, extend or upgrade a service for metropolitan water agencies, Final Report*, October 2018 which determined that *"the existing property owner is liable for Hunter Water's cost of building an extension of the wastewater network to the connecting property"*.

In 2017 Council received correspondence from The Hon Don Harwin, MLC former Minister for Resources and former Minister for Energy and Utilities, on behalf of the former Minister for Land and Water, suggesting that the cost to provide reticulated sewer to North Rothbury was approximately \$12 million or a cost of \$55,000 per lot.

Any suggestion that each property owner within the township of North Rothbury can afford \$55,000 for the connection of sewer is completely unworkable. If the EIC is to be discontinued, the HWC Pricing Proposal needs to outline alternative equitably funded mechanisms to enable the sewerage of backlog areas.

Chapter 5 of the Issues Paper outlines the HWC proposed recycled water schemes which includes the recovering of \$11.5 million from its broader customer base equating to approximately *"\$2 per household to customers' annual bills"*. Specifically the list of issues for stakeholder comment asks *"Is there sufficient customer willingness to pay for Hunter Water's proposed new recycled water projects?"* The elected representatives of Cessnock City Council say "No". The proposed \$2 per household being sought for the recovery of *"less than expected"* revenue from HWC recycled water schemes represents the funding required to provide sewer to the township of North Rothbury.

Section 15 of the IPART Act requires (amongst other considerations), *"the need to maintain ecologically sustainable development (within the meaning of section 6 of the Protection of the Environment Administration Act 1991) by appropriate pricing policies that take account of all the feasible options available to protect the environment"*.

As has been previously stated, *"The EPA and NSW Health have endorsed the sewerage of [North Rothbury] for environmental and public health reasons"*. It is Council's view that there are more justifiable reasons, based on ESD principles, to charge the additional \$2 per household to cover the costs of sewerage services to North Rothbury than to recover costs associated with a less than successful recycled water scheme.

Council remains strongly committed to ensuring that the NSW Government and Hunter Water Corporation provide equitably funded backlog sewerage services to North Rothbury and other villages across the Cessnock Local Government Area as a high priority.

Council is strongly opposed to IPART's proposal to support HWC's discontinuance of the EIC from the 2020 determination period.

The increased time between our price reviews from 4 to 5 years

In context to the abovementioned issues, Council does not support the proposed increased time between price reviews. An extended time period will create further uncertainty and delay on receiving funding for the provision of sewer to North Rothbury if IPART determines to support the discontinuance of the EIC and/or no alternative funding model for backlog sewer areas.

Discretionary expenditure

Council agrees that HWC should have discretionary spending and the ability to recover costs from the broader customer base, however the identified projects are not supported, again, on the grounds of ESD principles. The provision of sewer to North Rothbury in Council's view is of more urgency and importance than the naturalisation of a 1km long stormwater channel or irrigating public open spaces within the Newcastle and/or Lake Macquarie local government area. Again, each of these projects are in proximity to the cost to provide sewer to North Rothbury which would have greater environmental, health and social benefits.

Council supports and encourages IPART's proposal to further investigate HWC's process of determining its discretionary projects and associated recovery of costs, in particular:

- Willingness to pay;
- Efficient cost principles still apply to discretionary projects;
- How discretionary costs should be shared across customer groups and other parties; and
- Transparency of discretionary expenditure to customers

Of specific interest is:

- What percentage of persons surveyed in the *Hunter Water's Pricing Proposal, 1 July 2019, Technical Paper 1, Attachment A, Hunter Water customer willingness to pay survey* live within the Cessnock LGA and;
- What percentage of those surveyed who live within the Cessnock LGA were comfortable with HWC determining where additional investments should occur

Council anticipates IPART will consider the matters raised in this submission thoroughly and independently. Council looks forward to receiving a detailed response from IPART in relation to this submission.

Should any further questions or clarification be required, please do not hesitate to contact Gareth Curtis, Council's Director of Planning and Environment on telephone 02 4993 4194 or via email gareth.curtis@cessnock.nsw.gov.au.

Yours faithfully

Lotta Jackson
General Manager

Local government election costs – submissions on Draft Report



1 August 2019



WHAT

We received 47 submissions in response to our Draft Report on our *Review of local government election costs*, which we published on 25 June 2019. All non-confidential submissions are now available on our website.

For our Final Report we are actively considering ways to increase choice for councils without increasing costs to councils.

Almost all of the submissions raised concerns about the impact of our draft recommendations on councils' budgets. Our draft recommendations would, on average, increase council bills for elections in 2020 by around 62% compared to elections held in 2016 and 2017.

Concerns about bill impacts for councils were also raised by councils that attended our Public Forum on 2 July 2019.

Overwhelmingly, councils are concerned that the move to cost-reflective prices for the NSW Electoral Commission's (NSWEC's) services would not be affordable, at least in the short term.

Those councils supportive of our recommended market reforms to provide councils with more choice in how elections are delivered (which may ultimately reduce costs), think they should be introduced prior to our proposed changes to the way costs are allocated.



WHY

Our Draft Report proposed cost-reflective pricing, so that councils would pay for the efficient cost of the election services they receive from the NSWEC.

We explained that this would help to:

- ▼ Ensure the NSWEC's costs are transparent and subject to appropriate scrutiny.
- ▼ Promote efficient decisions over time by the councils in relation to the provision of election services.
- ▼ Ensure that the NSWEC is not unduly advantaged or disadvantaged in competing with other potential electoral service providers (and thus help to facilitate competition in the provision of election services, and the efficiency gains associated with such competition).



WHO

The majority of the 47 submissions we received are from individual councils or organisations representing councils.

We also received submissions from the NSWEC, other electoral service providers and an individual.



WHAT NEXT

We will provide our Final Report to the Minister for Local Government on 30 August 2019.

NSW Government Response

IPART Review of Local Government Election Costs



Review of Local Government Election Costs

NSW Government Response to IPART Recommendations

The next local council elections will be held on 12 September 2020. Since 2008, council elections have been undertaken on a full cost recovery basis. The NSW Electoral Commission (NSWEC) pays the direct costs of the election and then invoices councils once the elections are completed plus an Election Management Fee to cover the NSWEC's corporate overheads.

The Government has asked the Independent Pricing and Regulatory Tribunal (IPART) to undertake a review of local government election costs for the 2020 elections. IPART has been asked to recommend a costing methodology that minimises the financial burden on councils and ensures local government elections are conducted efficiently and cost effectively.

The Government thanks IPART and all the stakeholders who participated in this process for their work on this review.

IPART's review has demonstrated the need for the Government to meet part of the costs of council elections. In response to IPART's review, the NSW Government is pleased to announce that it intends to fund the NSWEC's core costs in relation to the administration of local government elections, thereby reducing councils' election costs.

Under the new funding model, costs will be assigned as either direct or core costs and allocated to councils or the NSW Government accordingly. The funding model will see costs allocated on the following basis:

- Direct (or marginal) costs are the costs that would not be incurred if an election was not held. These will be recovered from councils on a direct allocation and per elector basis. These include election staffing, venues, ballot paper printing, council-specific advertising and voter information products.
- Core costs are defined as head office costs such as staff payroll, training, election security, project management, drafting of election procedures and policies, core IT system development and maintenance and ongoing voter roll maintenance. These are the costs the NSWEC must incur to maintain its capacity to conduct local government elections. The NSW Government will fund these core costs of \$19.9 million.

The NSW Government's funding contribution will result in an indicative weighted average cost per elector of \$8.21, which will be passed onto councils, compared to a weighted average cost per elector of \$12.72 if no NSW Government contribution was provided. Adoption of the new funding model offers the following benefits:

- it reduces councils' election costs ensuring all councils, regardless of size, can afford to retain an electoral services provider to administer their elections
- it is more efficient, cost effective and cost reflective
- it ensures a more equitable allocation of election costs, eliminating the need for larger councils to cross subsidise smaller councils' elections, and
- it reflects the practice in other jurisdictions where State Governments fund their Electoral Commissions' core operations in relation to local government elections resulting in lower costs per elector compared to NSW.

The Government is committed to further reducing the cost of local government elections.

NSW Government Response

IPART Review of Local Government Election Costs



Amendments were made to the Local Government (General) Regulation 2005 last year to give councils the option of avoiding the cost of by-elections in the first 18 months of councils' terms by filling vacancies by a countback. The option of countbacks will be available to councils following the September 2020 ordinary elections.

To achieve further efficiencies in the administration of council elections, the Government proposes to make amendments to the electoral provisions of the Regulation to modernise and align them with the more contemporary and efficient practices used at State elections. These amendments will be made in time for the September 2020 council elections.

The Government agrees with IPART that electoral service providers should be responsive to the needs of councils in administering their elections and, to accommodate this, amendments will also be made to the Regulation to require the NSWEC and other electoral service providers to exercise their functions as election managers in consultation with councils. To ensure the integrity of council elections, ultimate decision making in relation to the administration of council elections will rest with the election manager.

The Government is committed to identifying further opportunities for reducing councils' election costs and to this end, it will be consulting with the local government sector early next year on extending to all councils the option of conducting their elections by universal postal voting instead of attendance voting from the 2024 election.

Universal postal voting has operated successfully in Victoria for some years. At the 2016 Victorian local government elections, 72 out of 79 (92.7%) councils conducted their elections by universal postal voting. In 2016, universal postal voting elections cost 12.2% less than attendance voting elections and had higher participation rates. Participation rates at council elections using universal postal voting elections was 73.8% compared to 61.5% for attendance voting elections.

Cessnock City Council Naming of Council Assets Policy

Date Adopted xx/xx/xxxx Revision: 7

1. POLICY OBJECTIVES

- 1.1. Council is committed to the naming of Council Assets. This policy outlines the method by which Council will assign a name to a Council Asset after an individual, group or organisation.

2. POLICY SCOPE

- 2.1. This policy applies to Council staff following receipt of a proposal to formally dedicate a Council Asset after an individual or organisation.

3. POLICY STATEMENT

- 3.1. The Geographical Names Board of NSW (GNB) has the role of assigning names to places and natural features and this policy was established to provide a consistent and transparent process in the naming of Council Assets, which is compliant with the GNB's [Policy for Place Naming](#).

4. ASSESSMENT PROCESS

- 4.1. Requests for the naming of Council assets are to be made to Council in writing and comply with the GNB of NSW [Policy for Place Naming](#).
- 4.2. Where a Council Asset is to be named after a person, the person must have made a significant contribution to Council or the local community and meet the requirements prescribed in Clause 7 of the [GNB Policy for Place Naming](#).
- 4.3. Requests for the naming of Council Assets, including reserves under the management of Council must include the following information as a minimum:
- 4.3.1. Applicant's name and contact details (address, phone number, email etc.);
 - 4.3.2. Full name of the person the name commemorates;
 - 4.3.3. Proposed geographical name;
 - 4.3.4. Date of birth;
 - 4.3.5. Date of death;
 - 4.3.6. Association of the person with the asset to be named or reason for the choice of name;
 - 4.3.7. Person's association with and main contribution(s) to Council and/or local community;

4.3.8. If the application is for the dedication of a portion of land or piece of infrastructure (e.g. picnic shelter, park furniture), a suitable site map of the area;

4.3.9. Copy of committee resolution or minutes where the Applicant is a community group or committee (where applicable).

4.4. Where the proposal is to name a Council owned reserve, a report including a staff recommendation will be submitted to the elected Council for approval and referral to the GNB. The GNB will then consider the proposed name in accordance with the relevant policy and guidelines and advertise the proposal in the local media, also inviting public submissions. The GNB will consider any public submissions and advise Council of the outcome of the application.

4.5. Personal names, including those of persons still living, may be used for Council Assets e.g. amenities buildings, grandstands etc. however these features are not formally assigned by the GNB. Naming of these assets will be approved by Council's Executive Leadership Team (ELT) following consultation with key internal and external stakeholders.

5. RESPONSIBILITIES

5.1. The elected Council will decide on whether naming proposals shall proceed to the GNB for consideration.

5.2. ELT will approve proposals to name smaller Council Assets e.g. amenities buildings, grandstands etc. following consultation with key internal and external stakeholders.

5.3. Open Space & Community Facilities Team will consider proposals, undertake community engagement, consultation with relevant stakeholders and prepare a report for ELT's or the elected Council's consideration for all Open Space & Community facilities and assets.

5.4. Community & Cultural Engagement Team will consider proposals, undertake community engagement, consultation with relevant stakeholders and prepare a report for ELT's or the elected Council's consideration for all Cultural facilities assets.

5.5. Compliance, monitoring and review

5.5.1. Manager Open Space and Community Facilities is responsible for the compliance, monitoring and review of this policy.

5.6. Records management

5.6.1. Staff must maintain all records relevant to administering this policy in accordance with Council's [Records Management Policy](#).

6. POLICY DEFINITIONS

Applicant	A person or agency who applies to Council to consider naming a Council Asset (or part thereof). This is the person/agency Council will liaise with regarding the matter including requests for additional information and/or response on what action was taken in relation to the matter.
Council	means Cessnock City Council.

Council Asset	Includes sportsgrounds, parks, reserves, passive recreation areas community halls, cultural facilities, childcare facility, pre-school or other Council owned building (or part thereof). Council Assets can also include picnic shelters, park furniture, amenities buildings, grandstands, and rooms within buildings or other infrastructure.
ELT	means Council's Executive Leadership Team

7. POLICY ADMINISTRATION

Business Group	Works and Infrastructure
Responsible Officer	Manager Open Space and Community Facilities
Associated Procedure (if any)	Naming of Council Assets Procedure
Policy Review Date	Three years from date of adoption unless legislated otherwise
File Number / Document Number	DOC2019/090370 Previously DOC2013/029153
Relevant Legislation	Section 5 of the <i>Geographical Names Act 1966</i> (NSW)
Relevant desired outcome or objectives	A connected, safe & creative community Objective 1.1: Promoting social connections Objective 1.2: Strengthening Community Culture Civic leadership and effective governance Objective 5.1: Fostering and supporting community leadership Objective 5.2: Encouraging more community participation in decision making Objective 5.3: Making Council more responsive to the community
Related Policies / Protocols / Procedures	<ul style="list-style-type: none"> ▪ Records Management Policy ▪ Naming of Council Assets Procedure

8. POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
1	Assessing proposals for the naming of Council Assets to be presented to the elected Council & ELT.	Open Space & Community Facilities Team Community & Cultural Engagement Team
2	Approving proposals for the naming of smaller Council Assets.	ELT
3	Endorsing proposals for the naming of Council Assets to be forwarded to the GNB for consideration, public exhibition and gazettal.	Elected Council

9. POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
7	2 October 2019	Periodic Review (draft Policy for public exhibition)
6	19 March 2014 (PM25/2014 - 823)	Adoption of the new Policy including other park assets as exhibited.
5	22 January 2014 (PM1/2014 - 736)	Draft Policy recommending the inclusion of other park assets into the Policy
4	18 September 2013 (PM91/2013 - 581)	Periodic Review
3	1 September 2009	Periodic Review
2	5 March 2003 (DC&RS 26/2003 - 781)	Periodic Review
1	14 May 1997 (DS&CS 49/1997 - 496)	Establishment of the Policy

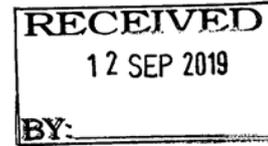
Placeholder for Enclosure 1

Works and Infrastructure No. WI64/2019

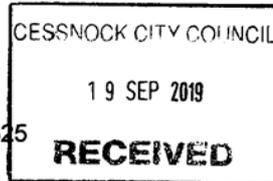
Greta Central Park Masterplan - Provided Under
Separate Cover



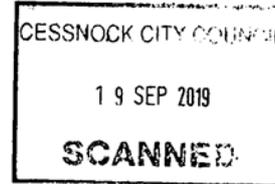
Mr Christopher Gulaptis MP
Parliamentary Secretary for Regional Roads and Infrastructure



Mr Clayton Barr MP
Member for Cessnock
PO Box 242
CESSNOCK NSW 2325



Our Ref: 00595547



Dear Mr Barr

Thank you for your correspondence to the former Minister for Roads, Maritime and Freight, which was referred to the Minister for Regional Transport and Roads, on behalf of Mr Stephen Glen, General Manager Cessnock City Council, about road safety on Wine Country Drive, Nulkaba. The Minister asked me to respond on his behalf.

I note Mr Glen's concerns and appreciate the reasons which prompted him to write.

Transport for NSW understands the morning and afternoon peak congestion at the intersection of Lomas Lane and Wine Country Drive relates to the operation of St Phillips Christian College. I am advised the number of students enrolled at the school has grown over time, and the school is required to address its impact on the intersection.

Transport for NSW has met with the school and made suggestions to reduce congestion in and around the school and the intersection. Transport for NSW also recommends the school contact the NSW Police Force to determine whether targeted enforcement at school times may be appropriate.

As the relevant consent authority for the school development, Cessnock City Council is responsible for ensuring the school addresses its impacts on the intersection. Transport for NSW has assisted Council with roads advice, and understands Council is in discussions with the school to reduce impacts.

Mr Glen may be interested to know, Transport for NSW completed a Draft Wine Country Drive Corridor Plan in June 2019. The Plan identifies the need to investigate safety improvements at key locations along the road, including from Nulkaba to Cessnock.

I trust this information is of assistance.

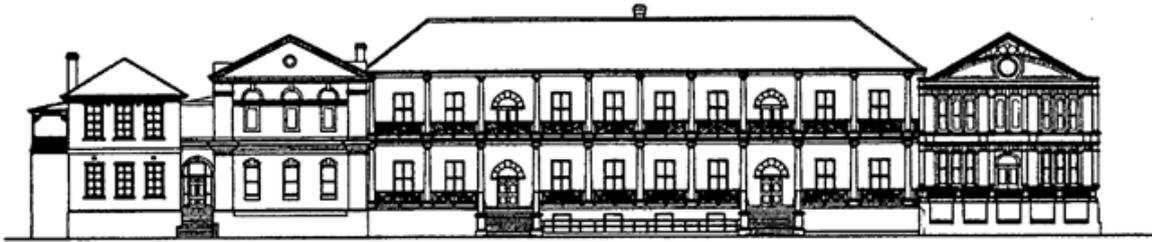
Yours sincerely

Chris Gulaptis

12/09/2019

Christopher Gulaptis MP
Parliamentary Secretary for Regional Roads and Infrastructure

GPO Box 5341, Sydney NSW 2001



12 September 2019

For your information

Forwarded With The Compliments Of

CLAYTON BARR, MP
STATE MEMBER FOR THE
ELECTORATE OF CESSNOCK

Electorate Office:
PO Box 242
Cessnock NSW 2325

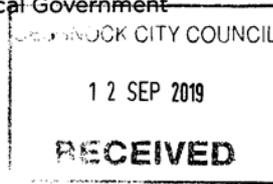
Phone: (02) 4991-1466
or 1300 550 114



The Hon. Shelley Hancock MP
Minister for Local Government

Mr Clayton Barr MP
Member for Cessnock

By email: cessnock@parliament.nsw.gov.au



Your ref: CB1- 2019-05-28
Ref: A862165



Dear Mr Barr *Clayton*

I am writing in response to your letter of 27 May 2019 making representations on behalf of the Mayor of Cessnock City Council, Cllr Bob Pynsent, regarding increases to the Emergency Services Levy. I apologise for the delay in my reply.

I have noted Council's concerns about this issue. As you will be aware, the Government recently announced that it will fund the first year increase of the Emergency Services Levy for all local councils to meet the cost of new workers' compensation arrangements for firefighters. The Government has listened to the concerns of local councils and this action will mean that the State's 128 councils will receive \$13.6 million in relief from the Government this financial year to help support firefighters with cancer.

It is clear that both the Government and local councils acknowledge the importance of providing support for those emergency service workers who have given so much to protect communities. Our emergency services have long been funded through a cost sharing arrangement between insurers, councils and the Government. It is important that this continues into the future to ensure we look after the health and wellbeing of our frontline firefighters.

However, the Government acknowledges that the additional Emergency Services Levy cost presented challenges for councils, particularly those in regional and rural areas badly affected by the drought. The Government also acknowledges that many councils had already developed and approved their 2019-20 Budgets before the invoices for the increased Emergency Services Levy were issued.

The Government will continue to consult with local councils to better manage the impacts of the Emergency Services Levy especially on their annual budgeting cycles. The Government remains committed to supporting local councils to deliver for their local communities. Since 2011, we have provided more than \$9 billion to councils to deliver and improve local infrastructure, services and facilities for their communities.

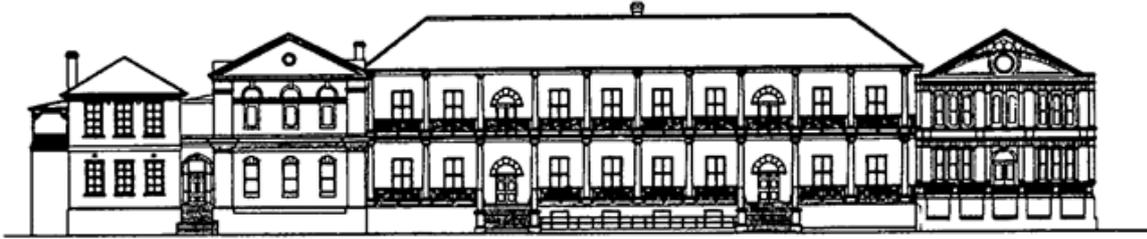
Thank you for raising Cessnock City Council's concerns with me about this important issue.

Yours sincerely

The Hon. Shelley Hancock MP
Minister for Local Government

02 SEP 2019

GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 5400 ■ W: nsw.gov.au/ministerhancock



2 September 2019

For your information

Forwarded With The Compliments Of

A handwritten signature in black ink, appearing to read 'Clayton Barr'.

CLAYTON BARR, MP
STATE MEMBER FOR THE
ELECTORATE OF CESSNOCK

Electorate Office:
PO Box 242
Cessnock NSW 2325

Phone: (02) 4991-1466
or 1300 550 114



The Hon Ray Williams MP
Parliamentary Secretary to the Premier and Western Sydney

RECEIVED
03 SEP 2019
BY:

Ref: A3021448

28 AUG 2019

Mr Clayton Barr MP
Member for Cessnock
PO Box 242
CESSNOCK NSW 2325

CESSNOCK CITY COUNCIL
13 SEP 2019
RECEIVED

CESSNOCK CITY COUNCIL
13 SEP 2019
SCANNED

Dear Mr Barr

Thank you for your representations on behalf of Cessnock City Council regarding the impact of the Emergency Services Levy (ESL) on local councils. I am replying on behalf of the Premier.

The NSW Government acknowledges this additional cost presents challenges for councils who have already developed and approved their 2019-20 budgets. As a result, the NSW Government recently announced it will fund the 2019-20 increase in the ESL to meet the cost of new workers' compensation arrangements for firefighters for all local councils. This will enable firefighters with cancer, who have risked their lives to keep the community safe, to receive the care and support they deserve. A copy of the media release for this announcement is attached.

This investment totals \$13.6 million and will particularly assist councils in regional and rural areas badly affected by the drought.

We will also continue to consult with local councils to help them better manage the impacts of the ESL on annual budgeting cycles for 2020-21 onwards.

Thank you for bringing this matter to the Government's attention.

Yours sincerely

Ray Williams MP
Parliamentary Secretary to the Premier and Western Sydney

CC: The Hon Shelley Hancock MP, Minister for Local Government

GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 5000 ■ F: (02) 9339 5500 ■ W: nsw.gov.au



John Barilaro
Acting Premier

Shelley Hancock
Minister for Local Government

MEDIA RELEASE

Tuesday, 13 August 2019

ONE YEAR REPRIEVE FOR COUNCIL EMERGENCY SERVICES LEVY

The NSW Government today announced it would fund the increase in the emergency services levy for NSW councils this financial year to meet the cost of new workers' compensation for firefighters.

Acting Premier and Minister for Regional NSW John Barilaro and the Minister for Local Government Shelley Hancock said the State's 128 councils would not have to pay the additional \$13.6 million this financial year.

"The NSW Government acknowledges that this additional cost presented challenges for councils, particularly those in regional and rural areas badly affected by the drought," Mr Barilaro said.

"That's why the Government will fund the \$13.6 million to cover the additional levy costs to support firefighters who develop cancer, to alleviate the immediate pressure on local councils.

"Our emergency services have long been funded through a cost sharing arrangement between insurers, councils and the Government. It's important that this continues and we look after the health and wellbeing of our frontline firefighters."

Mrs Hancock said the Government has listened to the concerns of local councils.

"We acknowledge that many councils had already developed and approved their 2019-20 Budgets before the invoices for the increased emergency services levy were issued and this has caused some angst," Mrs Hancock said.

"We will continue to consult with local councils to better manage the impacts of the emergency services levy especially on their annual budgeting cycles.

"It is clear that both State and local governments acknowledge the importance of providing support for those emergency service workers who have given so much to protect communities and I look forward to continuing to work with local councils to ensure this is the case."

Minister for Emergency Services David Elliott said firefighters risk their lives to keep the people of NSW safe every day and it's important they receive the full support of the communities they serve.

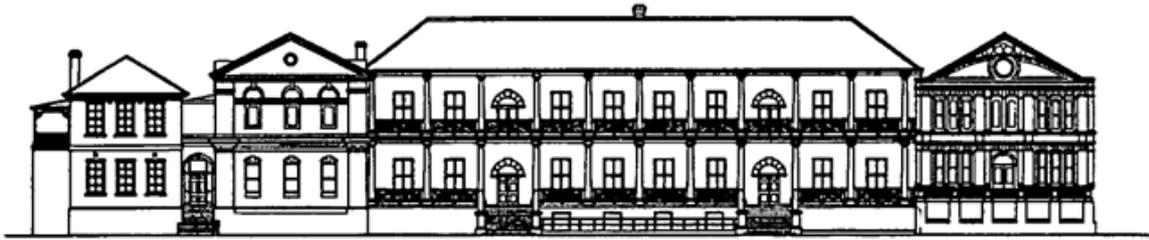
"The new laws enable eligible firefighters diagnosed with one of 12 cancers to automatically be presumed to have acquired that cancer because of their firefighting work," Mr Elliott said.

"These changes will ensure current and former firefighters – both volunteer and paid – who need care and support receive their entitlements immediately."

Mrs Hancock said the Government will continue to support local councils to deliver for their local communities.

"Since 2011, the NSW Government has provided more than \$9 billion to councils to deliver and improve local infrastructure, services and facilities for their communities," Mrs Hancock said.

**MEDIA: James Jooste | Deputy Premier | 0429 978 036
Jane Boag | Minister Hancock | 0419 417 514**



3 September 2019

For your information

Forwarded With The Compliments Of

A handwritten signature in black ink, appearing to read 'Clayton Barr'.

CLAYTON BARR, MP
STATE MEMBER FOR THE
ELECTORATE OF CESSNOCK

Electorate Office:
PO Box 242
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Phone: (02) 4991-1466
or 1300 550 114



Melanie Gibbons MP
Parliamentary Secretary for Families, Disability and Emergency Services

MAPS19/3247

Councillor Bob Pynsent
Mayor
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

council@cessnock.nsw.gov.au

Dear Mayor

Thank you for your correspondence to the Minister for Police and Emergency Services, the Hon David Elliott MP regarding the increase to the emergency services levy for 2019-20. The Minister has asked me to respond on his behalf. A copy of your letter was also referred by the Minister for Customer Service.

The Minister has also received representations from Mr Clayton Barr MP, Member for Cessnock, on behalf of Council, directly and via the Minister for Customer Service, on this issue. I trust Council will accept this response in reply to all letters.

The NSW Parliament passed the *Workers Compensation Legislation Amendment (Firefighters) Bill 2018* on 22 November 2018, with support from major and minor parties.

These changes ensure that current and former firefighters – both volunteer and paid – receive the care and support they need if they are diagnosed with one of the 12 cancers covered by the new legislation.

The increase came into effect for the 2019-20 financial year. The cost sharing is consistent with the existing funding arrangements with insurers contributing 73.7 per cent of the cost, local councils contributing 11.7 per cent and the Government funding the remaining 14.6 per cent.

The Government acknowledges the challenge for councils to fund the additional levy costs for the current financial year. I am pleased to inform you that on 13 August 2019, we announced that the NSW Government would fund the increase in the emergency services levy for NSW councils for the current financial year to meet the cost of new workers' compensation for firefighters who are diagnosed with cancer.

Thank you for taking the time to write to the Minister.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Melanie Gibbons'.

Melanie Gibbons MP
Parliamentary Secretary for Families, Disability and Emergency Services

cc Clayton Barr MP, Member for Cessnock, cessnock@parliament.nsw.gov.au

17 September 2019

GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 6290 ■ F: (02) 9339 5564 ■ W: nsw.gov.au