



16 October 2024

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that the next Ordinary Meeting of Council will be held in the Council Chambers, on Wednesday, 23 October 2024 at 6.30pm, for the purposes of transacting the undermentioned business.

AGENDA:

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(1) ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS	
(2) OPENING PRAYER	
(3) RECEIPT OF APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE, OR ATTENDANCE BY AUDIO-VISUAL LINK	
(4) CONFIRMATION OF MINUTES OF PREVIOUS MEETING	
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Principles for Local Government

Exercise of functions generally

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

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

Council's Values

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

Our Community's Vision

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

Cessnock – thriving, attractive and welcoming.

Our Community's Desired Outcomes

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



Council Code of Conduct

Council adopted its current Code of Conduct on 1 November 2022. This Code provides details of statutory requirements and gives guidance in respect of the way in which pecuniary and conflict of interest issues must be disclosed. Councillors took an oath or affirmation at the commencement of their term of office under section 233A of the *Local Government Act 1993* (NSW) and are therefore obligated under Council's Code of Conduct to disclose and appropriately manage their conflicts of interest.

Generally, the Code outlines the following issues:

1. Councillors are under an obligation at law to disclose any interest they may have in any matter before the Council as soon as practicable and to refrain from being involved in any consideration or to vote on any such matter where required and out outlined in the Code of Conduct.
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 disclosure.
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 disclosures of interest shall be recorded in the minutes of the meeting.
6. All disclosures of interest shall as far as is practicable be given in writing.
7. Any member having a pecuniary or non-pecuniary significant conflict of interest shall leave the meeting and remain absent while the subject of the interest is being considered by Council.
8. The meeting shall not discuss any matter in which a Councillor has a pecuniary or non-pecuniary significant conflict of interest while the Councillor is present at the meeting.



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**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 21 AUGUST 2024, COMMENCING
AT 6.30PM**

PRESENT: His Worship the Mayor, Councillor J Suvaal (in the Chair) and Councillors Dunn, Jurd, Hawkins, Burke, Moores, Jackson, Watton, Sander, Grine, Hill and Paynter.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Chief Financial Officer
Strategic Planning Manager
Digital Media Officer
Media & Communications Officer
Help Desk Support Officer
Council Services Team Leader

Council Prayer:

The Prayer was conducted by Pastor Rachel Main.

LEAVE OF ABSENCE: The Leave of Absence granted to Councillor Olsen from 17 July 2024 to 13 September 2024 be noted.

MINUTES: **MOTION** **Moved:** Councillor Sander
Seconded: Councillor Hill
807
RESOLVED that the Minutes of the Ordinary Meeting of Council held on 17 July 2024, as circulated, be taken as read and confirmed as a correct record.

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI7/2024

SUBJECT: DISCLOSURES OF INTEREST

NIL

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

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

Item lapsed for want of a Mover and Seconder.

MAYORAL MINUTES

MAYORAL MINUTES NO. MM6/2024

SUBJECT: KURRI KURRI TO MAITLAND ROAD CORRIDOR SAFETY

MOTION **Moved:** Councillor Suvaal

808

RESOLVED

That Council write to the NSW Minister for Regional Transport and Roads, The Hon. Jenny Aitchison MP, to request an update on the planning and Strategic Business Case relating to the upgrade of MR195 along the corridor between the Hunter Expressway (HEX) at Kurri Kurri and the Maitland Roundabout intersection of the New England Highway.

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU7/2024

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE16/2024

SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING REPORT - JUNE 2024

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Paynter
809
RESOLVED

That Council notes the Development Performance Monitoring Report for the YTD June quarter 2023/2024.

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

MOTION

Moved: Councillor Hill

Seconded: Councillor Sander

810

RESOLVED

1. That Council place the draft Aboriginal Cultural Heritage Management Plan on public exhibition for a period of 90 days.
2. That Council receives a further report following the public exhibition of the draft Aboriginal Cultural Heritage Management Plan.

FOR

AGAINST

Councillor Jackson
Councillor Moores
Councillor Dunn
Councillor Burke
Councillor Grine
Councillor Sander
Councillor Hill
Councillor Hawkins
Councillor Paynter
Councillor Watton
Councillor Jurd
Councillor Suvaal
Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC45/2024

SUBJECT: CARRY FORWARDS AND REVOTES 2024-25

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Paynter
811
RESOLVED

That Council approve the following additions to the 2024-25 budget, as outlined in the report:

- Carry forward operating expenditure totaling \$221,990.
- Revote of operating expenditure of \$31,282.
- Carry forward capital expenditure of \$6,367,562 for capital projects commenced prior to 30 June 2024.
- Revote of capital expenditure of \$170,000 for capital programs.

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC46/2024

**SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2024 -
REQUEST FOR MOTIONS**

Item lapsed for want of a Mover and Seconder.

CORPORATE AND COMMUNITY NO. CC47/2024

SUBJECT: NOTES OF THE INQUORATE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD 30 JULY 2024

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Sander
812
RESOLVED

1. That the notes of the inquorate meeting of the Aboriginal and Torres Strait Islander Committee held on 30 July 2024 be noted.
2. That Council receives and notes the Aboriginal and Torres Strait Islander Committee Performance Review and that the approved performance review report will be included in the Annual Report.

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC48/2024

**SUBJECT: DRAFT ABORIGINAL AND TORRES STRAIT ISLANDER
COMMUNITY ACTION PLAN**

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Grine
813
RESOLVED

**That Council place the draft 2024-2028 Aboriginal and Torres Strait Islander
Community Action Plan on public exhibition for a period of 90 days.**

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC49/2024

**SUBJECT: FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2024 -
REFERRAL FOR AUDIT AND COUNCIL CERTIFICATION**

MOTION **Moved:** Councillor Paynter **Seconded:** Councillor Hill
814

RESOLVED

1. That Council formally refer the draft Financial Statements to Council's external auditor, the Audit Office of NSW, to provide an opinion and report to Council.
2. That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose Financial Statements for the year ended 30 June 2024.
3. That Council fix the date of 20 November 2024 as the date for the public meeting to present the audited Financial Statements and the Audit Reports for the year ended 30 June 2024, and that Council's external auditor be requested to be present to answer questions.
4. That the General Manager be delegated authority to seek an extension of time for lodgment of the Financial Statements to the Office of Local Government should the need arise during finalisation of the audit.

FOR	AGAINST
Councillor Jackson	Councillor Watton
Councillor Moores	Councillor Jurd
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Suvaal	
Total (10)	Total (2)

CARRIED

CORPORATE AND COMMUNITY NO. CC50/2024

SUBJECT: DISCLOSURES OF INTERESTS IN WRITTEN RETURNS

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Sander
815
RESOLVED

That Council notes the tabling of the disclosures of interests written returns for the period 1 May 2024 to 31 July 2024 in accordance with Council's Code of Conduct.

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC51/2024

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Burke
816
RESOLVED

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

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI22/2024

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD 15 JULY 2024.

MOTION **Moved:** Councillor Hawkins **Seconded:** Councillor Paynter
817
RESOLVED

That the Minutes of the Cessnock Local Traffic Committee Meeting of 15 July 2024 be adopted as a resolution of the Ordinary Council.

- **TC17/2024** – That Council authorises the temporary regulation of traffic on Wilderness Road Lovedale for the Hunter Valley Highland Games in accordance with the Wilderness Road Lovedale _ Hunter Valley Highland Games Traffic Guidance Schemes.
- **TC18/2024** - That Council authorises the temporary regulation of traffic on McDonalds Road and Thompsons Road, Pokolbin for the End2End Festival in accordance with Various Roads Pokolbin _ End2End Festival Traffic Guidance Schemes.
- That Council note the General Manager or the General Managers sub-delegate authorised the following Local Traffic Committee reports in accordance with Division 2 of Part 8 of the Roads Act 1993:
 - **TC19/2024**
 - **TC20/2024**
 - **TC21/2024**
 - **TC22/2024**

FOR	AGAINST
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Jurd	
Councillor Suvaal	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLOR REPORTS

Councillor Hill

The Kurri Curry & Arts Festival

This past weekend, Col Brown Rotary Park in Kurri Kurri hosted the first Kurri Curry & Arts Festival. This event was proposed by Councillor Rosa Grine via a Notice of Motion at the May 2023 Council meeting and was made possible by a grant from the NSW Government. Overall, the two days of the event were a massive success and feedback was positive throughout the community regarding the festivities.

I wanted to express my gratitude to all who were involved in getting this event off the ground, with special reference to the dedication of Council's Economic Development and Tourism Manager, Tony Chadwick alongside his team. The local community and all who attended were also critical to the success of the weekend with local organisations such as the Kurri Rotary Club and Hunter Food Relief Centre putting on their own variety of curry to spice up the event.

As with any first-time event, there were lessons to learn from and notes on how to improve, and I'm hopeful that we can look forward to next year and work towards pulling together an event like this again!

IMAGES:

Courtesy of RVRT Inc.



IMAGES:

- Courtesy of RVRT Inc.



Councillor Hawkins

Hunter Homeless Connect

Councillor Hawkins attended the Hunter Homeless Connect exhibition in Newcastle stating that it was a fantastic event, with 100's of stalls and 1,000's of people. It was a wonderful networking event for the brilliant services that all the organisations provide to the people of need through homelessness and all of the other situations they find themselves in and he bought back a box of community directories that he hopes can be distributed in our public buildings, libraries and CYCOS so that people that are in need can be put in touch with the right service providers.

The Meeting Was Declared Closed at 7.07pm

CONFIRMED AND SIGNED at the meeting held on 23 October 2024

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI8/2024

Corporate and Community Services



SUBJECT: *DISCLOSURES OF INTEREST*

RESPONSIBLE OFFICER: *Chief Finance Officer - Matthew Plumridge*

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.

Mayoral Minute

Report No. MM7/2024

General Manager's Unit



MAYORAL MINUTE No. MM7/2024

SUBJECT: LGA BULKY WASTE SERVICE

RECOMMENDATION

That Council investigate neighboring LGA's bulky waste service implementation, and return to brief Councilors on the experience, cost, and outcome - and how that may translate to Cessnock LGA if we were to decide on such a service by early 2025.

REPORT/PROPOSAL

Cessnock City Council does not offer a bulk kerb side collection. Bulk waste service is offered by many neighboring Council's, allowing residents to dispose of large items that cannot be placed in their regular bins.

ENCLOSURES

There are no enclosures for this report

General Manager's Unit
Report No. GMU8/2024
General Manager's Unit



SUBJECT: *CHRISTMAS CLOSURE 2024*
AUTHOR: *People and Culture Manager - Michelle Honeyman*

SUMMARY

Council offices, including Libraries, have traditionally closed between Christmas and New Year, with staff available for emergency situations. Due to Christmas falling mid-week, the Executive Leadership Team have decided to extend the shutdown by a further two days, and reopen on a Monday rather than a Thursday.

RECOMMENDATION

1. That Council notes its offices, including Libraries will close from 12 noon Tuesday, 24 December 2024 and reopen on Monday, 6 January 2025.
2. That Council notes that the Performance Arts Culture Cessnock will close from 12 noon Tuesday, 24 December 2024 and re-open on Thursday, 2 January 2025.

BACKGROUND

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

REPORT

If the usual shutdown period applied, Council offices would reopen on Thursday 2 January 2025. As it is a quiet period, the Executive Leadership team have decided that Council offices, including Libraries, close from 12 noon Tuesday, 24 December 2024 and re-open on Monday, 6 January 2025.

The Performance Arts Culture Cessnock (PACC) is holding an art gallery exhibition until 6 January 2025, therefore; the PACC will reopen on Thursday 2 January 2025.

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

Wednesday, 25 December 2024	Christmas Day (Public Holiday)
Thursday, 26 December 2024	Boxing Day (Public Holiday)
Friday, 27 December 2024	Office, Libraries and PACC closed
Monday, 30 December 2024	Office, Libraries and PACC closed
Tuesday, 31 December 2024	Office, Libraries and PACC closed
Wednesday, 1 January 2025	New Year's Day
Thursday, 2 January 2025	Office and Libraries closed
Friday, 3 January 2025	Office and Libraries closed

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



OPTIONS

Nil

CONSULTATION

N/A

STRATEGIC LINKS

a. Delivery Program

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

N/A

b. Other Plans

N/A

CONCLUSION

Council offices, including Libraries, will close from 12 noon Tuesday, 24 December 2024 and re-open on Monday, 6 January 2025. The Performance Arts Culture Cessnock will close from 12 noon Tuesday, 24 December 2024 and re-open on Thursday, 2 January 2025.

ENCLOSURES

There are no enclosures for this report.

Planning and Environment

Report No. PE18/2024

Planning and Environment



SUBJECT: ***DRAFT WASTE MANAGEMENT DEVELOPMENT CONTROL PLAN***

RESPONSIBLE OFFICER: *Strategic Planning Manager - Martin Johnson*

SUMMARY

The purpose of the report is to seek Council endorsement to place the draft Waste Management Development Control Plan (Draft DCP), Waste Management Guidelines and amended Dictionary on public exhibition.

The Draft DCP provides controls to ensure waste is appropriately managed, separated and collected at each premises. The Waste Management Guidelines provide design requirements to support the Draft DCP. A draft set of changes to the Cessnock DCP 2010 Dictionary has also been prepared to support the use and interpretation of the draft Waste Management DCP. The draft Waste Management DCP will replace the current Section C5 of the Cessnock DCP 2010.

RECOMMENDATION

- 1. That Council place the draft Waste Management DCP and draft Cessnock DCP Dictionary amendments for waste on public exhibition for a minimum period of 28 days.**
- 2. That Council receive a further report following the public exhibition period if unresolved objections are received or significant amendment to the draft Waste Management DCP are made post exhibition. Where there are no unresolved objections nor significant amendments proposed post exhibition, the draft Waste Management DCP be adopted by Council pursuant to the Environmental Planning and Assessment Regulation.**

BACKGROUND

Section C5 Waste Management and Minimisation of the Cessnock Development Control Plan (DCP) 2010 was adopted in September 2010 and outlines waste requirements for development in the Cessnock LGA. The comprehensive review of the DCP project identified that the development controls and data underpinning Section C5 of the Cessnock DCP are required to be updated to meet best practice standards issued by the NSW Environment Protection Authority (EPA).

The draft Waste Management DCP (**Enclosure 1**) utilises updated data and standards to ensure development within the Cessnock LGA provides necessary waste storage and collection facilities and to minimise issues for Council's waste collection service. The draft Waste Management DCP will replace the current Section C5 of the Cessnock DCP 2010.

REPORT/PROPOSAL

The draft Waste Management DCP seeks to address multiple Council objectives including:

- Providing effective controls in the development assessment process under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to ensure appropriate waste storage facilities are provided and waste can be collected efficiently.
- Ensure Council's waste collection service can continue to service sites efficiently and is not restricted by inappropriately designed waste collection areas.
- Facilitate waste minimisation targets outlined in the NSW *Waste Avoidance and Resource Recovery Act 2001* and Council's Waste and Resource Recovery Strategy.

The draft Waste Management DCP includes updated development controls that are aligned to landuse definitions under the EP&A Act and *Cessnock Local Environmental Plan 2011*. The development controls for landuses are supported by a series of Waste Management Guidelines (**Enclosure 2**). These Waste Management Guidelines provide detailed guidance in relation to how waste management systems are to be designed for the proposed development type and draw from various sources including:

- NSW EPA 2012, Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities
- NSW EPA 2019, Better practice guide for resource recovery in residential developments

The Dictionary provided as part of the Cessnock DCP 2010 has been updated with new definitions for the proposed draft Waste Management DCP (**Enclosure 1**). This updated section of the Dictionary will replace the previous waste section of the Dictionary.

It is proposed that Council place the draft Waste Management DCP, draft Cessnock DCP 2010 Dictionary changes and associated Waste Management Guidelines on public exhibition for twenty-eight (28) days for comment from the local community and planning and waste sectors.

CONSULTATION

Consultation with internal stakeholders and technical experts has been conducted in the drafting of the Waste Management DCP and Waste Management Guidelines. Consultation was undertaken with the following internal Council departments

- Development Services
- Compliance Services including Building Services and Environmental Health Services
- Waste and Environment
- Infrastructure including Traffic Services.
- Strategic Planning

The Draft DCP will be exhibited in accordance with the Community Participation Plan. Notification will be sent to key industry groups such as the Property Council of Australia and UDIA.

STRATEGIC LINKS

a. Delivery Program

The Cessnock Community Strategic Plan 2036 (CSP) identifies the community's main priorities and expectations for the future and ways to achieve these goals. The proposal is consistent with the following objectives.

- Objective 3.3 Better resource recovery and waste management

The Cessnock Delivery Program 2022-2026 specifically mentions the review of the Waste Management DCP:

3.3.3 Continue implementation of projects from the Waste and Resource Recovery Strategy 2020-25

3.3.3.b Develop policies and procedures to increase the efficiency of waste services

Target

- Review and update Waste Chapter of DCP
- Draft guidelines for waste management in new developments.

b. Other Plans

Cessnock Local Strategic Planning Statement 2036

The draft DCP Chapter is consistent with the following planning priorities and actions:

- Planning Priority 20: Our community adapts to climate change and builds climate resilience
- Planning Action 6 Review the Cessnock Development Control Plan
 - To include land-use policies that reduce resource consumption and minimise waste generation.

Waste and Resource Recovery Strategy 2020-25

The draft DCP Chapter is consistent with the following action:

- Action 6.4 Review and develop policies, protocols and procedures to increase efficiency of the waste service (eg. Bin presentation, business continuity, development control plan, alternative services, landfill management).

IMPLICATIONS

a. Policy and Procedural Implications

The draft Waste Management DCP and Waste Management Guidelines support Council's Waste Management Policy.

The Draft DCP is at the following stage of the process.



PROCESS - CESSNOCK DEVELOPMENT CONTROL PLAN



b. Financial Implications

NIL

c. Legislative Implications

The making and exhibition of the Waste Management DCP along with Cessnock DCP 2010 Dictionary changes is in accordance with the EP&A Act and *Environmental Planning and Assessment Regulation 2021*.

d. Risk Implications

NIL

e. Environmental Implications

The draft Waste Management DCP and Waste Management Guidelines will provide enhanced guidance for designing waste management systems for development within the LGA. This will assist property owners and operators to separate waste streams and minimise waste to landfill. The draft Waste Management DCP and Waste Management Guidelines will also assist Council to meet NSW waste minimisation targets.

f. Other Implications

NIL

CONCLUSION

The draft Waste Management DCP, draft Cessnock DCP 2010 Dictionary changes and associated Waste Management Guidelines have been prepared to provide updated development controls and best practice guidance for waste management in new developments. The draft Waste Management DCP will replace Section C5 Waste Management and Minimisation of the Cessnock DCP 2010 and will provide clear waste storage and waste collection requirements for various landuse types within Cessnock LGA.

It is recommended that the draft Waste Management DCP, draft Cessnock DCP 2010 Dictionary changes and Waste Management Guidelines be publicly exhibited for twenty-eight (28) days in accordance with Council's Community Participation Plan and the requirements of the *Environmental Planning and Assessment Regulations 2021*.

ENCLOSURES

- [1](#) ⇨ Draft Waste Management Development Control Plan
- [2](#) ⇨ Draft Waste Management Guidelines
- [3](#) ⇨ Draft Development Control Plan Dictionary amendment - Waste Management

Planning and Environment

Report No. PE19/2024

Planning and Environment



SUBJECT: ***VISITOR ECONOMY GRANTS AND SPONSORSHIP PROGRAM 2024/2025 ROUND 1 APPLICATIONS***

RESPONSIBLE OFFICER: ***Economic Development & Tourism Manager - Tony Chadwick***

SUMMARY

The purpose of this report is to inform Council of the applications received under Round 1 of the 2024/2025 Visitor Economy Grants and Sponsorship Program and to seek Council's endorsement to offer conditional sponsorship funding for the purpose of attracting events, conferences and projects to the Cessnock Local Government Area (LGA).

RECOMMENDATION

That Council endorses the following funding bids to attract events under Round 1 of the 2024/2025 Visitor Economy Grants and Sponsorship Program:

- 1. 'Site Unseen' Feature Film Sponsorship of \$10,000,**
- 2. 2024 Australian Society of Travel Writer Conference Sponsorship of \$7,500,**
- 3. 2025 Festival of Golf Sponsorship of \$10,000, and**
- 4. 2025 Wollombi Taste Festival Sponsorship of \$5,000.**

BACKGROUND

At its Ordinary Meeting of 18 May 2022, Council resolved (GMU12/2022, resolution 118):

- 1. That Council endorses the creation of the Visitor Economy Grants and Sponsorship Program with an annual budget allocation of \$50,000 from the existing Tourism Related Activities budget.*
- 2. That Council endorses the Visitor Economy Grants and Sponsorship Program Guidelines.*

This report addresses the above resolution by presenting to Council the Visitor Economy Grants and Sponsorships Program grant applications.

Visitor Economy Grants and Sponsorship Program

The \$50,000 annual Visitor Economy Grants and Sponsorship Program is a targeted program aimed at growing the visitor economy in areas where opportunities exist and maximum benefits are achieved. Data shows that increasing the visitor's length of stay or encouraging overnight visitation provides the greatest economic benefit to the region. The program also recognises that at certain times of the year accommodation availability is limited and additional activities during these periods may have a negative benefit to the region by reducing customer satisfaction and driving up costs.

Planning and Environment

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Planning and Environment



Grant and sponsorship applications are reviewed and selected based on the assessment criteria shown in **Table 1**.

Table 1 - Visitor Economy Grants and Sponsorship Program assessment criteria

Weighting	Assessment Criteria Description
20%	Alignment to Council's adopted strategies and plans
20%	Job creation within the Cessnock LGA
20%	Value for money
15%	The number of visitors, residents and businesses supported by the project, or the number of bed nights booked as a result of the project
10%	How the project boosts visitation from Tuesday to Thursday during off-peak periods
5%	Project co-contribution amount
5%	Measures and key performance indicators provided by the applicant for the project
5%	Acknowledgement for Council's support as part of the project
100%	Total

The Visitor Economy Grants and Sponsorship Program opens for applications from 1 to 31 August each year (round one). If funds remain available after round one, an additional secondary round of applications will be accepted from 1 to 28 February in the following calendar year.

REPORT/PROPOSAL

2024/2025 Visitor Economy Grants and Sponsorship Program Round 1 Applications

Council received ten grant applications under Round 1 of the 2024/2025 Visitor Economy Grants and Sponsorship Program to the value of \$129,450.

Using the Visitor Economy Grants and Sponsorship Program assessment criteria shown in **Table 1** the applications were reviewed for their economic and social benefits to the Cessnock LGA. After considering the available program funding, proposed projects and project benefits, the following four (4) projects are recommended for funding. The proposed funding is shown beside each project:

- 'Site Unseen' Feature Film - \$10,000
- 2024 Australian Society of Travel Writer Conference - \$7,500
- 2025 Hunter Valley Festival of Golf - \$10,000
- 2025 Wollombi Taste Festival - \$5,000

If all funding offers are accepted and the events, conferences and projects proceed then approximately \$809,600 in local expenditure will occur as a result of these four projects.

Planning and Environment

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Planning and Environment



OPTIONS

N/A

CONSULTATION

- Community and business via grant program promotion
- Visitor Information Centre Coordinator
- Economic Development Officer
- Economic Development Digital Officer

STRATEGIC LINKS

a. Delivery Program

This report aligns with the following Delivery Program 2022 – 2026 actions:

- A Sustainable and Prosperous Economy:
 - 2.1 Diversifying and growing our economy,
 - 2.2 Achieving more sustainable employment opportunities, and
 - 2.3 Increasing tourism opportunities and visitation in the area.

b. Other Plans

This report aligns with the following plans:

- Greater Cessnock Jobs Strategy 2036;
- Hunter Regional Economic Development Strategy; and
- Hunter Valley Destination Management Plan 2030.

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

An annual budget allocation of \$50,000 is available for the Visitor Economy Grants and Sponsorship Program. **Table 3** shows the funding allocation for proposed and accepted funding offers.

Table 3 – Proposed and Accepted Financial Year (FY) Funding Allocation

Project #	Funding Round	FY24/25	FY25/26
22-31	2023/2024 Round 2 (Accepted in previous round)	\$19,000	-
32-41	2024/2025 Round 1 (Proposed funding)	\$22,500	\$10,000
	Financial Year Proposed Funding	\$41,500	\$10,000



c. Legislative Implications

Nil

d. Risk Implications

Risk	Risk Ranking	Proposed Treatment	Proposed Risk Ranking
Reputation – Council fails to support projects that grow the visitor economy	C1 Low	Adopt the recommendation	D1 Low
Reputation – Council is unable to deliver assigned actions from the Hunter Valley DMP	C1 Low	Adopt the recommendation	D1 Low

e. Environmental Implications

Nil

f. Other Implications

Nil

CONCLUSION

Round 1 of the 2024/2025 Visitor Economy Grants and Sponsorship Program has resulted in ten grant applications totaling \$129,450 being received by Council. Of these applications four events, conferences and projects are proposed to be financially supported to a value of \$32,500.

If all funding offers are accepted and the events, conferences and projects proceed as planned then approximately \$809,600 in local expenditure will occur.

This report seeks Council endorsement to offer Visitor Economy Grants and Sponsorship Program funding to applicants.

ENCLOSURES

There are no enclosures for this report.

Corporate and Community

Report No. CC52/2024

General Manager's Unit



SUBJECT: *MINUTES OF ORGANISATIONAL AND GENERAL MANAGERS REVIEW COMMITTEE MEETING HELD 5 AUGUST 2024*

RESPONSIBLE OFFICER: *Executive Assistant to Mayor - Tracey Cocking*

RECOMMENDATION

That the Minutes of the Organisational and General Manager's Performance Review Committee of 5 August 2024 be adopted as a resolution of the Ordinary Council.

REPORT/PROPOSAL

PRESENT: The Mayor, Councillor Jay Suvaal (Chair)
Councillor Burke
Councillor Dunn (via teams)
Councillor Paynter

IN ATTENDANCE: Councillor Jurd
Councillor Sander
Ken Liddell – General Manager
Christian Morris – LGNSW
Michelle Honeyman – People & Culture Manager
Tracey Cocking – Minute Taker

APOLOGIES: Councillor Grine
Councillor Jackson
Councillor Olsen – Leave of Absence

Corporate and Community

Report No. CC52/2024

General Manager's Unit



LISTED MATTERS

1. Review set key performance indicators for the performance review of the General Manager for the period of employment being 30 November 2023 to 30 August 2024.
2. Review and set key performance indicators for the performance review of the General Manager for the period of employment being 1 September 2024 to 30 August 2025.

RESOLUTIONS

1. That the Performance Review of the General Manager for the period of 30 November 2023 to 30 August 2024 contained in the Confidential Attachment be received and noted.

Moved: Councillor Burke **Seconded:** Councillor Paynter

2. That the General Manager be awarded a discretionary increase of 4% in the total remuneration package (TRP) effective from the first full pay period on or after 30 August 2024. The Panel agreeing that the General Manager has exceeded expectations in performance and that the General Manager be afforded the increase in accordance with paragraph 8.4 of the Standard Contract-

Moved: Councillor Paynter **Seconded:** Mayor Suvaal

3. That Key Performance Indicators for the period of employment 1 September 2024 to 30 August 2025 be reviewed and set at a formal meeting of the Committee in consultation with the General Manager in November 2024.

Moved: Mayor Suvaal **Seconded:** Councillor Paynter

GENERAL BUSINESS

Nil

Meeting Closed at-10.31am

ENCLOSURES

- 1 [🔗](#) General Managers Performance Review and Development Plan (Provided to Councillors as a Confidential Enclosure under Separate Cover)

SUBJECT: ***PUBLIC EXHIBITION - REVISED COUNCILLOR EXPENSES AND FACILITIES POLICY***

RESPONSIBLE OFFICER: ***Governance and Council Support Coordinator - Keri Neveltsen***

SUMMARY

The purpose of this report is to present the revised Councillor Expenses and Facilities Policy (the Policy) for public exhibition. A summary of key changes is detailed in this report.

RECOMMENDATION

- 1. That Council place the revised Councillor Expenses and Facilities Policy 2024 on public exhibition for a period of 28 calendar days.**
- 2. That Council adopts the revised Councillor Expenses and Facilities Policy the day after the public exhibition period concludes, if no unresolved submissions are received.**
- 3. That Council rescinds the Councillor Expenses and Facilities Policy 2022 from the date the revised Councillor Expenses and Facilities Policy 2024 is adopted.**

BACKGROUND

The Councillor Expenses and Facilities Policy was last adopted by Council in April 2022. The Policy is based on the model '*Councillor Expenses and Facilities Policy*' provided by the OLG in June 2017. The Model Policy is available on the OLG's [website](#).

REPORT/PROPOSAL

This Policy enables the reasonable and appropriate reimbursement of expenses. It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations.

The Policy has been updated with amendments to:

- Structure of the Policy to more closely align with the Model Policy
- Clarification of what constitutes long-distance intrastate travel
- Updates to summary table of revised expenses/amounts, noting this should be read in conjunction with the body of the Policy
- Minor updates throughout to provide additional clarity
- New clause 5.3 to clarify 'official business' for the purposes of claiming expenses
- New clause 6.15 to clarify responsibilities
- Updates to cl. 9.1 and 9.3 to reflect current practice
- Update to cl. 9.6 with reference to Councillor Staff and Interaction Policy
- Update to cl. 10.9 to include reference to Council's Corporate Credit Card Policy.

Corporate and Community

Report No. CC53/2024

Corporate and Community Services



Three significant changes include:

- Increase to the total amount that Councillors can claim for travel expenses for official business
- Reduced access to corporate dress with Councillors now only able to access a Council blazer. This is to reduce any tax implications to Council and eliminate the potential point of connection to Councillors being “employees”
- Removal of provision for reimbursement for alcoholic beverages to ensure consistency with the Model Policy, and to reflect the principles in Council’s Councillor Alcohol and Other Drugs Policy.

The current Policy has been reviewed and compared to examples from other Councils, the Model Policy and OLG Guidelines with the revised Policy wording being based on the Model Policy.

In accordance with legislative requirements, the Councillor Expenses and Facilities Policy must be placed on public exhibition for 28 days prior to adoption.

OPTIONS

N/A

CONSULTATION

Executive Leadership Team
Chief Financial Officer
Governance team

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:

5.3.7 Continue to manage Council governance functions and statutory requirements

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Following adoption, the revised Policy will be published on Council’s website.

b. Financial Implications

Budgeted items are included in revised Policy to provide visibility to the community as to the total level of facilities and expenses provided to the Council.

Corporate and Community

Report No. CC53/2024

Corporate and Community Services



c. Legislative Implications

Following a local government election, the newly elected Council must, within the first 12 months of its term, review and adopt a Councillor Expenses and Facilities Policy, and if there are any changes, must publicly exhibit the proposed Policy.

Local Government Act 1993, sections 252 and 253

Local Government (General) Regulation 2021, clauses 217 and 403

OLG "Guidelines for the payment of expenses and provision of facilities for Mayors and Councillors in NSW".

d. Risk Implications

NIL

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

The revised Policy adopts the OLG's model policy and incorporates Council specific requirements.

ENCLOSURES

[1](#) Councillor Expenses and Facilities Policy

Corporate and Community

Report No. CC54/2024

Corporate and Community Services



SUBJECT: *CODE OF CONDUCT AND PROCEDURES*

RESPONSIBLE OFFICER: *Governance and Council Support Coordinator - Keri Neveltsen*

SUMMARY

The purpose of this report is to provide Council with the Code of Conduct (Code) and Procedures for the Administration of the Code of Conduct (Procedures).

RECOMMENDATION

That Council adopts the revised Code of Conduct and Procedures for the Administration of the Code of Conduct 2024 and rescinds the Code of Conduct and Procedures for the Administration of the Code of Conduct 2022.

BACKGROUND

The *Local Government Act 1993 (NSW)* (Act) requires that Council have a Code of Conduct and that it is reviewed within 12 months after each ordinary election.

Council's are required to adopt a Code of Conduct which incorporates the provisions of the Office of Local Government's (OLG) Model Code of Conduct for Local Councils in NSW (Model Code) and Model Procedures for the administration of the Model Code of Conduct for Local Councils in NSW (Model Procedures). Council's may include additional provisions that are not inconsistent with the Model Code.

REPORT/PROPOSAL

The Code of Conduct sets the minimum requirements of conduct for Council Officials in carrying out their functions. It is prescribed to assist Council Officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty of act honestly and exercise a reasonable degree of care and diligent
- act in a way that enhances public confidence in local government.

Council's Code of Conduct applies to Councillors, staff, committee members, contractors and volunteers. The Procedures support the Code and ensure that it is administered and enforced appropriately.

OPTIONS

Option 1 – Council review its Code of Conduct and Procedures. **This is the preferred option.**

Option 2 – Council postpone review of its Code of Conduct and Procedures to a later date.

CONSULTATION

Executive Leadership Team

STRATEGIC LINKS

a. Delivery Program

Adoption of the proposed Code of Conduct and Procedures is consistent with the community's desired outcome of *Civic Leadership and Effective Governance*.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

The adopted Code of Conduct and Procedures will be published on Council's website.

b. Financial Implications

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

c. Legislative Implications

Section 440(3) of the Act requires that Council adopt a code of conduct that incorporates the provisions of the Model Code. The adopted code of conduct may include provisions that supplement the Model Code.

Section 440(6) of the Act states that a provision of a council's adopted code of conduct is not inconsistent with the Model Code merely because the provision makes a requirement of the model code more onerous for persons required to observe the requirement.

Section 440(7) of the Act requires that Council review its adopted Code of Conduct and make such adjustments as it considers appropriate within 12 months after each ordinary election.

d. Risk Implications

If Council does not review its Code of Conduct and Procedures it would result in a statutory non-compliance.

e. Environmental Implications

N/A

f. Other Implications

N/A

Corporate and Community

Report No. CC54/2024

Corporate and Community Services



CONCLUSION

This mandatory review of Council's existing Code and Procedures takes place following the local government election in 2024.

This review proposes minimal changes to the existing Code of Conduct and Procedures to ensure alignment with the OLG's Model Code and Model Procedures and the community's expected outcomes.

ENCLOSURES

[1](#) Code of Conduct Procedures

Corporate and Community

Report No. CC55/2024

Corporate and Community Services



SUBJECT: *PUBLIC EXHIBITION - REVISED CODE OF MEETING PRACTICE 2024*

RESPONSIBLE OFFICER: *Governance and Council Support Coordinator - Keri Neveltsen*

SUMMARY

The purpose of this report is to provide Council with proposed revisions to the Code of Meeting Practice.

RECOMMENDATION

- 1. That Council place the revised Code of Meeting Practice on public exhibition for a period of 28 calendar days.**
- 2. That Council adopts the revised Code of Meeting Practice the day after the public submission period of 42 days concludes, if no unresolved submissions are received.**
- 3. That Council rescinds the Code of Meeting Practice 2022 from the date the revised Code of Meeting Practice 2024 is adopted**

BACKGROUND

All NSW Council's must review and adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Office of Local Government's Model Code of Meeting Practice (Model Code) within 12 months of the local government elections.

Under the *Local Government Act 1993 (NSW)*, before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

REPORT/PROPOSAL

Council's Code of Meeting Practice (COMP) is revised in accordance with section 360 of the *Local Government Act 1993 (NSW) (Act)* and regulation 232 of the *Local Government (General) Regulation 2021 (Regulation)* and it incorporates the mandatory provisions of the prescribed Model Code. The Model Code provides a uniform set of meeting rules for councils across the State to help ensure more accessible, orderly, effective and efficient meetings.

Councils are required to adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code prescribed by the Regulation, no later than 12 months after an ordinary election. If council does not do so section 117(2) of Schedule 8 to the Act will operate and make any existing code of no effect to the extent that it is inconsistent with the mandatory provisions of the Model Code.

Corporate and Community

Report No. CC55/2024

Corporate and Community Services



Council's adopted COMP may also incorporate the non-mandatory provisions of the Model Code and any other supplementary provisions adopted by the elected Council provided they are not inconsistent with the mandatory provisions.

The COMP has been updated with amendments to:

- Structure of the COMP to more closely align with the Model Code
- Change the meeting commencement time from 6.30pm to 5.30pm and changing the meeting conclusion time from 10.00pm to 9.00pm
- Clarification of clause 3.13 as the provisions were already incorporated and a Mayoral minute does not require a motion of urgency or notice
- Reducing speaking time to three minutes at any one time

Council's COMP contributes to include non-mandatory provisions for public access to allow members of the public to address Council on matters on the agenda.

OPTIONS

Option 1 – Council place the Revised Code of Meeting Practice on public exhibition. **This is the preferred option** as it allows members of the public to make submissions.

Option 2 – Council postpone review of its Code of Meeting Practice, noting that this must occur within 12 months following the election.

CONSULTATION

Executive Leadership Team
Governance

STRATEGIC LINKS

a. Delivery Program

Adoption of the revised COMP based on the model provided by the OLG is consistent with the community's desired outcome of *Civic Leadership and Effective Governance*.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

The adoption of the revised COMP will be published on Council's website and govern future meetings once adopted.

b. Financial Implications

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

Corporate and Community

Report No. CC55/2024

Corporate and Community Services



c. Legislative Implications

Council's revised COMP is reviewed in accordance with section 360 of the Act and the Regulation and it incorporates the mandatory provisions of the prescribed Model Code.

Section 361 of the Act requires councils to publicly exhibit its Code of Meeting Practice before it is adopted and councils must give public notice of the draft code of meeting practice after it is prepared. The period of public exhibition must not be less than 28 days. The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to councils.

d. Risk Implications

If Council does not incorporate the mandatory amendments of the Model Code it would result in a statutory non-compliance.

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

This review provides an opportunity to enhance the existing COMP by making adjustments to ensure ongoing compliance with the Model Code and updated practice.

ENCLOSURES

[1](#) Code of Meeting Practice

Corporate and Community

Report No. CC56/2024

Corporate and Community Services



SUBJECT: *REVISED COUNCILLOR AND STAFF INTERACTION POLICY*

RESPONSIBLE OFFICER: *Governance and Council Support Coordinator - Keri Neveltsen*

SUMMARY

The purpose of this report is to present the revised Councillor and Staff Interaction Policy for adoption.

RECOMMENDATION

1. That Council adopts the revised Councillor and Staff Interaction Policy 2024.
2. That Council rescinds the Councillor and Staff Interaction Policy 2022.

BACKGROUND

The Councillor and Staff Interaction Policy was last adopted by Council in September 2022. The Policy is based on the model 'Councillor and Staff Interaction Policy' published by the Office of Local Government (OLG) in 2022 (the Model Policy). The Model Policy is available on the OLG's [website](#).

REPORT/PROPOSAL

Positive, professional working relationships between Councillors and staff are a key element of any council's success. If relationships between Councillors and staff are functioning effectively, Council is more likely to perform effectively. If these relationships break down, it can lead to dysfunction, create a potential corruption risk, and ultimately Council's performance will suffer and the community will lose confidence in Council.

The purpose of this Policy is to establish appropriate, effective and timely processes for Councillors to obtain information to enable them to perform their civic duties.

Proposed changes to the policy include:

- Structure of the Policy to more closely align with the Model Policy
- New clause 5.6 – regarding Councillor requests to be submitted in writing via email, not text message
- New clauses 5.9 and 5.10 relating to operational matters and raising requests on behalf of customers
- Update to clause 7.1 regarding meeting rooms available to Councillors consistent with the Councillor Expenses and Facilities Policy
- Change of email address for Councillors to submit requests for information
- Annexure A (list of authorised staff contacts) updated to reflect changes to position titles

OPTIONS

N/A

CONSULTATION

Executive Leadership Team
Chief Financial Officer
Executive Assistant to the General Manager and Executive Assistant to the Mayor
Governance team

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:
5.3.7 Continue to manage Council governance functions and statutory requirements

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Following adoption, the revised Policy will be published on Council's website.

b. Financial Implications

NIL

c. Legislative Implications

The Model Policy is not mandatory, and councils are free to choose whether to use it or to adapt them for their own purposes. If adopted, the Model Policy will operate to supplement the provisions of Council's adopted Code of Conduct.

d. Risk Implications

NIL

e. Environmental Implications

N/A

f. Other Implications

N/A

Corporate and Community

Report No. CC56/2024

Corporate and Community Services



CONCLUSION

The revised Policy adopts the OLG's model policy and incorporates Council specific requirements.

ENCLOSURES

[1](#) ⇨ Revised Councillor and Staff Interaction Policy

Corporate and Community

Report No. CC57/2024

Corporate and Community Services



SUBJECT: *REVISED COUNCILLOR TRAINING AND DEVELOPMENT POLICY*

RESPONSIBLE OFFICER: *Governance and Council Support Coordinator - Keri Neveltsen*

SUMMARY

The purpose of this report is to present the revised Councillor Training and Development Policy for adoption. A summary of key changes is detailed in this report.

RECOMMENDATION

- 1. That Council adopts the revised Councillor Training and Development Policy 2024.**
- 2. That Council rescinds the Councillor Training and Development Policy 2023.**

BACKGROUND

The Councillor Training and Development Policy (Policy) was last adopted by Council in April 2023. The Policy is based on the 'Councillor Induction and Professional Development Guidelines', which includes the model 'Councillor Induction and Professional Development Policy' published by the Office of Local Government (OLG) in 2018. The guideline and Model Policy is available on the OLG's [website](#).

REPORT/PROPOSAL

Council is committed to developing an effective 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 Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities (i.e. their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

The objective of this Policy is 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.

Minor amendments to the Policy are proposed to ensure alignment with the OLG model policy as set out in the Guidelines.

Proposed changes to the policy include:

- Amendments to reflect the model policy
- Updates to clause 6 regarding professional development plans
- Updates to clause 11.1 regarding reporting requirements
- Changes to provide for the Director Corporate and Community Services to approve training and professional development, to streamline administration

OPTIONS

N/A

CONSULTATION

Executive Leadership Team
Chief Financial Officer
Executive Assistant to the General Manager and Executive Assistant to the Mayor
Governance team

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:

5.1.1 Provide professional development opportunities for Councillors

5.1.2 Conduct pre-induction and induction programs for the 2024 Local Government election.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Following adoption, the revised Policy will be published on Council's website.

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.

d. Risk Implications

NIL

Corporate and Community

Report No. CC57/2024

Corporate and Community Services



e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

The revised Policy adopts the OLG's model policy and incorporates Council specific requirements.

ENCLOSURES

[1](#) Revised Councillor Training and Development Policy

SUBJECT: *LAND ACQUISITION - SOUTH CESSNOCK BUND WALL*

RESPONSIBLE OFFICER: *Chief Finance Officer – Matthew Plumridge*

SUMMARY

This report seeks Council authorisation to purchase White Energy land required for the South Cessnock Bund Wall Flood Mitigation Scheme. Land owned by Austar Coal Mine Pty Ltd is also required but acquisition terms are yet to be finalized. Purchase of both land parcels is being negotiated as acquisitions by agreement in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (Just Terms Act).

RECOMMENDATION

1. That Council authorise purchase of land owned by White Energy Company Limited by voluntary agreement, the land being a portion of Lot 1 DP 1145540 as identified in the report and required for the South Cessnock Flood Mitigation Scheme Bund Wall project;
2. That Council delegates authority to the General Manager to purchase the land at the assessed market value for the sum of \$235,000 and compensate the landowner for reasonably incurred valuation and legal costs on presentation of paid invoices;
3. That Council delegates authority to the General Manager to execute all relevant documentation to affect the transaction; and
4. On transfer of ownership, Council resolves to classify the land as operational land.

BACKGROUND

At the 20 May 2020 Council meeting, Council adopted the South Cessnock Flood Mitigation Scheme (The Project). The Project seeks to address adverse flooding impacts in South Cessnock brought on by mine subsidence in the 1980s and involves construction of an earth bund wall, channel diversion and widening downstream from the junction of the Kearsley and Oliver Street Channels. The scope of these capital works initially required acquisition of land and/or easements from three separate landowners:

- State of New South Wales - lot 1 DP 1134371 (Crown land);
- Austar Coal Mine Pty Ltd - lots 34, 35 & 36 DP 755215 (Austar land); and
- White Energy Company Limited – lot 1 DP 1145540 (WEC land).

REPORT/PROPOSAL

Elements of this matter were previously considered by Council on 17 May 2023 when Council Officers obtained authorisation to initiate compulsory acquisition of a parcel of Crown land required for bund wall access (lot 1 DP 1134371). It was reported discussions with affected private landowners on the eastern side of the former rail line had commenced. At that time, it

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was anticipated negotiations would continue and the final details and terms of both acquisitions would be the subject of a later report.

Both landowners have since entered into early access/construction licences with Council to facilitate project commencement but negotiations to purchase the Austar land are yet to be finalized. The CEO of White Energy Company (WEC) has now requested prompt completion of the negotiations, having recently advised the company's acceptance of Council's in-principle purchase offer of \$235,000.

Council is an authority of the State (Acquiring Authority) under the Just Terms Act, however councils are empowered to acquire land by s.377(1)(h) of the *Local Government Act 1993*. This power cannot be delegated and a resolution of Council is required authorising the General Manager to affect the transaction.

OPTIONS

No alternative options are considered economically viable to reduce the flood risk in South Cessnock. Early access / construction licences have been granted by the owners of all land affected by the project on the understanding the land or easement rights will be acquired.

CONSULTATION

Consultation and negotiations with all landowners affected by the project have been conducted on the basis their land or easement rights will be acquired at market value and by voluntary agreement.

STRATEGIC LINKS

a. Delivery Program

The acquisitions are linked to the Delivery Program 2017-21 and specifically aligned with Sustainable & Healthy Environment Objective 3.1.9 - 'Commence implementation of the priority recommendations from flood studies and risk management plans for major catchments in the local government area.'

The Project is included in the current year Operational Plan Capital Works Program - Flood Management Program: Project ID PMF-2022-006.

b. Other Plans

Not applicable

IMPLICATIONS

a. Policy and Procedural Implications

N/A

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b. Financial Implications

Funding for acquisition of the land required for the project was approved as part of the council contributions under the current year Operational Plan.

c. Legislative Implications

Council's authority to acquire land in accordance with the *Just Terms Act* is subject to s.377(1)(h) of the *Local Government Act 1993* which provides acquisition or purchase of land cannot be delegated and a resolution of Council is required.

d. Risk Implications

Failure to complete the purchases in accordance with voluntarily agreed terms and valuations carries significant reputational risk for Council.

e. Environmental Implications

Nil

f. Other Implications

Nil

CONCLUSION

The property acquisitions are required in order to effect transfer of the land and public infrastructure assets currently being constructed thereon to Council. The drainage infrastructure is critical to mitigating the impact of flooding in South Cessnock.

ENCLOSURES

There are no enclosures for this report.

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SUBJECT: *ANNUAL DISCLOSURE OF INTEREST IN WRITTEN RETURNS*

RESPONSIBLE OFFICER: *Governance and Council Support Coordinator - Keri Neveltsen*

SUMMARY

The purpose of this report is to table the annual written returns received from designated persons and Councillors for the period of 1 July 2023 – 30 June 2024.

RECOMMENDATION

That Council notes the tabling of the annual disclosures of interests in written returns the period of 1 July 2023 – 30 June 2024 by the General Manager, in accordance with Council's Code of Conduct.

BACKGROUND

Part 4 of the Code of Conduct (the Code) governs matters concerning pecuniary interests and disclosures of interests in written returns. The General Manager must keep a register of returns lodged by Councillors and designated persons, and table the register at a meeting of Council.

REPORT/PROPOSAL

Clause 4.8 of the Code provides that designated persons are:

- (a) *The General Manager;*
- (b) *Senior staff for the purposes of section 332 of the Act;*
- (c) *A person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest;*
- (d) *A person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

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The Code requires:

- i) designated persons to lodge a written return (disclosing certain pecuniary interests) by 30 September each year for the prior financial year;
- ii) the General Manager to table the register of returns at the first Ordinary Council Meeting held after the 30 September; and
- iii) the General Manager to make the register of written returns accessible in accordance with the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act).

Following the Council meeting, the register of written returns is available for public inspection on request to Council.

OPTIONS

N/A

CONSULTATION

Designated persons were provided the Self-Help Guide from the NSW Office of Local Government to assist them in the completion of their written returns.

STRATEGIC LINKS

a. Delivery Program

Completion of the written returns for the period links to the community's desired outcome of "*Civic Leadership and Effective Governance*", and in particular, it links to:

- Strategic direction 5.3.7 within the Delivery Program 2022-2026 – *continue to manage Council governance functions and statutory requirements*, and
- Strategic action 5.3.7b within the Operational Plan 2023-2024 – *carry out governance functions, provide advice and conduct education programs to comply with legislation and best practice including in relation to delegations, legislative interpretation, compliance, complaints, UCCs, GIPA, PPIPA, Copyright, PIDs, Fraud and Corruption Prevention, policies, etc.*

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Clause 4.24 of the Code requires the General Manager to keep a register of returns lodged by Councillors and designated persons. Clause 4.25 of the Code requires the General Manager to table such returns at the first meeting of Council after the last day the returns are required to be lodged.

b. Financial Implications

N/A

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c. Legislative Implications

N/A

d. Risk Implications

Failure by a Councillor or designated person to lodge a written return of interest may constitute a breach of the Code.

e. Environmental Implications

N/A

f. Other Implications

Tabling the register of written returns and allowing access to it demonstrates Council's commitment to openness and transparency, and is a crucial element of Council's civic leadership and effective governance.

CONCLUSION

Tabling of the register of returns satisfies Council's requirements under the Code.

ENCLOSURES

There are no enclosures for this report.

SUBJECT: *INVESTMENT REPORT - JULY 2024*
RESPONSIBLE OFFICER: *Chief Finance Officer – Matthew Plumridge*

SUMMARY

Section 625 of the *Local Government Act 1993* (the Act), Clause 212 of the *Local Government (General) Regulation 2021* (the Regulation) and Council's Investment Policy (the Policy) requires a monthly report to Council detailing all money invested.

RECOMMENDATION

That Council receives the Investment Report for July 2024 and notes that:

- Investments are held in accordance with Council's Investment Policy, which is in accordance with the Ministerial Investment Order.
- Council's month end cash and investments balance was \$73,193,745.

BACKGROUND

A monthly report to Council detailing money invested as per the Act, Regulation and Policy.

REPORT

Statement by the Responsible Accounting Officer

The Responsible Accounting Officer has certified that this report is produced in accordance with Clause 212 of the Regulation and that all investments have been made in accordance with the Act, Regulation and Policy.

General Investment Commentary

Council officers monitors and manages the cash and investment portfolio by taking into consideration credit ratings of financial institutions, interest rates offered for periods of investment, counterparty exposures and cash flow requirements.

Following assessment of projected cash flow requirements, surplus funds are invested in accordance with Council's Investment Policy. Investment returns of the portfolio to the end of July 2024 are exceeding the budget. As older term deposits mature and new term deposits are invested, yields are increasing compared to the last few years as demonstrated on Table 1 below.

Council has engaged Prudential Investment Services Corp for investment advice. In summarising Council's portfolio Prudential advises:

- Council's investment portfolio posted a marked-to-market return of 6.37%pa for the month versus the bank bill index benchmark return of 4.49%pa. Over the past 12 months, Council's portfolio has returned 5.21% versus the benchmark's 4.37%.

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- The NSW TCorpIM's Medium Term Growth Fund (+1.87% actual in July) picked up where it left off last month, recording a strong gain.
- Without marked-to-market influences, Council's investment portfolio yielded 5.25%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the TCorp growth fund.
- During July, Council had a \$5m nine-month Suncorp TD mature that had been yielding 5.35%pa. No new investments were made during the month.
- Council has a well-diversified portfolio invested predominantly among a range of term deposits from highly rated Australian banks. Council also has exposure to a wide range of asset classes, including international and domestic shares via the NSW TCorp Medium Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection.

Investment Portfolio Information

Table 1 Total cash and investments held by Council as at 31 July 2024

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			4.00%	9,769
	Commonwealth Bank	At Call			4.35%	2,941
	Commonwealth Bank	At Call				723
1243	AMP Bank	At Call			3.30%	545
1490	Westpac Bank	TD	729	25-Sep-24	4.91%	4,000
1501	National Australia Bank	TD	371	06-Aug-24	5.40%	5,000
1502	Commonwealth Bank	TD	364	06-Aug-24	5.55%	5,000
1503	Commonwealth Bank	TD	363	28-Aug-24	5.27%	4,000
1504	Suncorp Bank	TD	369	24-Sep-24	5.30%	4,000
1505	National Bank	TD	364	25-Sep-24	5.33%	5,000
1508	Commonwealth Bank	TD	365	29-Oct-24	5.39%	5,000
1509	National Australia Bank	TD	365	21-Jan-25	5.16%	5,000
1510	Westpac Bank	TD	365	23-Jan-25	5.20%	5,000
1512	Suncorp Bank	TD	274	03-Dec-24	5.12%	3,000
1513	Suncorp Bank	TD	274	05-Mar-25	5.21%	5,000
1514	Bank of Queensland	TD	181	03-Dec-24	5.20%	5,000
1463	Treasury Corporation	Growth Fund				4,215
TOTAL						73,194

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

Financial Institution	Credit Rating	Institution Maximum	Amount \$'000	% of Portfolio
Commonwealth Bank	AA-	40%	14,000	23.64%
Westpac Bank	AA-	40%	9,000	15.20%
National Australia Bank	AA-	40%	15,000	25.33%
Suncorp Bank	AA-	40%	12,000	20.27%
Bank of Queensland	A-	20%	5,000	8.44%
Treasury Corporation	Unrated	10%	4,215	7.12%
TOTAL			59,215	100.00%

In accordance with the Policy, figures in Table 2 above exclude cash and at call balances in Council's main operating account held with the Commonwealth and AMP banks.

Investment in NSW Treasury Corporation (TCorp)

TCorpIM Funds are unit trusts. Distributions are made annually and are automatically reinvested into the fund to buy additional units. As this investment is held for medium to long-term capital appreciation, gains or losses will only be realised on redemption of the investment. However due to accounting requirements any unrealised gains or losses will be processed between investments and the operating statement.

The preliminary July 2024 unrealised return was a gain of \$77,393.21 or 1.87% (1.87% annualised). Rates of return fluctuate monthly and can be negative from time to time with the medium-term investment horizon. The fund performance summary as at 31 July 2024 is shown below. The TCorp benchmark is CPI + 2.00% p.a. (over rolling 5 years).

Table 3 NSW Treasury Corporation Performance Summary

	10 year (% pa)	7 year (% pa)	3 year (% pa)	1 year %	FYTD %	1 month %
IM Medium Term Growth Fund	4.24	3.96	1.96	7.39	1.88	1.88
Benchmark: CPI + 2.0% p.a. (over rolling 5 years)	4.69	5.03	6.97	5.86	0.45	0.45
Return above benchmark p.a.	(0.45)	(1.07)	(5.01)	1.53	1.43	1.43

Table 4 Investment types, risk, amount and percentage invested compared to total

Investment Type	Risk Assessment		Amount	% of
	Capital	Interest	\$'000	Portfolio
Term Deposits	Low	Low	55,000	75.14%
Cash/At Call Deposits	Low	Low	13,979	19.10%
Capital Growth Fund	Medium	Medium	4,215	5.76%
TOTAL			73,194	100.00%



Table 5 Comparison of interest rates, earnings and balances this year to last year

Performance Measures	This Year	Last Year
Investment Portfolio Average Interest Rate (year to date)	6.37%	4.14%
BBSW Average Interest Rate (year to date) *	4.49%	4.48%
Actual Investment Interest Earned (for the current month)	\$302,364	\$238,834
Actual Investment Interest Earned (year to date) ^	\$302,364	\$238,834
Original Budget Investment Interest (year to date)	\$208,333	\$115,010
Original Budget Investment Interest (annual)	\$2,500,000	\$1,380,122
Revised Budget Investment Interest (annual)	\$2,500,000	\$1,680,122
TCorp unrealised movement (year to date)	1.87%	0.94%

Investment and Cash Balances (Par Value) #	This Year	Last Year
Opening Balance as at 1 July	\$83,084,775	\$73,085,190
Closing Balance as at 31 July	\$73,171,910	\$73,436,237

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

^ Excludes TCorp unrealised returns

Excludes Section 355 Committee cash held

Graph 1 Actual interest earned compared to revised budget and actual interest last year

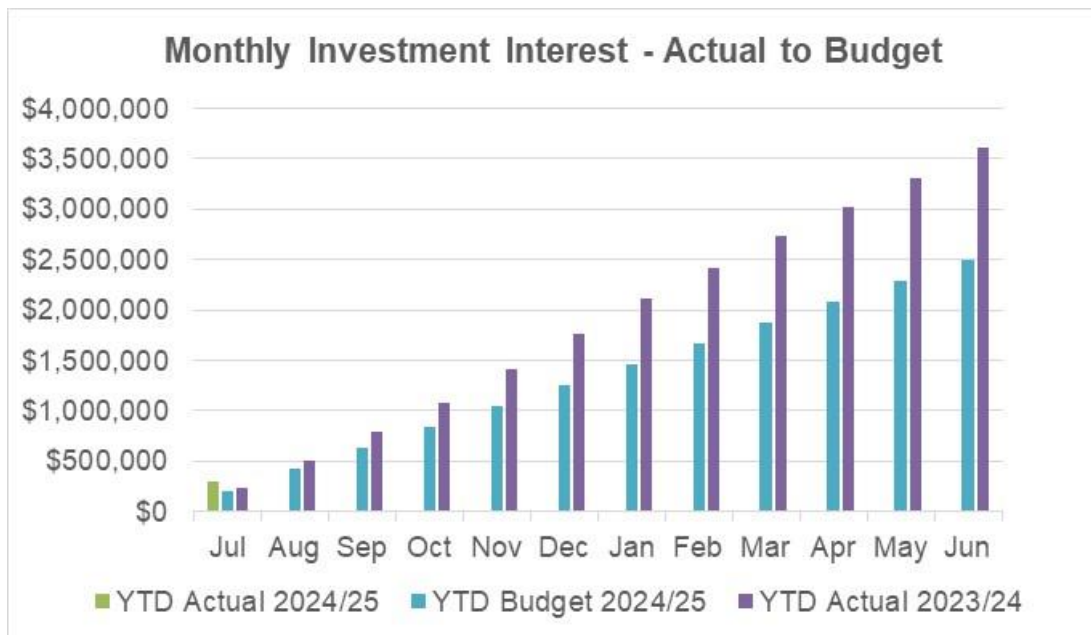


Table 6 Internal and external restrictions over cash and investments held

Month End Totals \$'000	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024	Feb 2024
External Restrictions	57230	61297	59898	56197	56309	57853
Internal Restrictions	15360	18527	17667	18667	20043	21368
Total Restrictions	72590	79824	77565	74864	76352	79221
TfNSW Claims to be received**	-	(269)	(2,200)	(2,200)	(1,273)	
Unrestricted	603	3282	765	1835	1637	2958
Total Cash & Investments	73193	83106	76130	74499	76716	82179

** TfNSW Works are completed and paid by Council in advance, with Transport paying after each month. This artificially lowers the unrestricted cash balance of Council. Until the works are complete, the investment report will provide amounts owing from Transport to show a true unrestricted cash balance.

*The restricted funds shown above (for June and July) are provisional and are subject to change through the financial statement process. This will only be final once audited and published in the annual financial statements. Material changes will be advised to Council.

CONSULTATION

- Director Corporate and Community Services
- Chief Financial Officer
- Finance staff

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:

- 5.3.2: Our Council’s processes are efficient and transparent;
- 5.3.3: Our Council is financially sustainable.

IMPLICATIONS

a. Policy and Procedural Implications

Investments are held in accordance with Council’s Investment Policy.

b. Financial Implications

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

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A portion of the portfolio and its associated investment income is restricted as it relates to funds from developer contributions, payments in advance for grant projects, Domestic Waste Management, and stormwater management income to be applied to specific purposes and not available for general operational projects.

c. Legislative Implications

This report meets Council's statutory obligations under the Act and Regulation.

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 at month end and meets Councils reporting obligations.

ENCLOSURES

There are no enclosures for this report.

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SUBJECT: *INVESTMENT REPORT - AUGUST 2024*

RESPONSIBLE OFFICER: *Chief Finance Officer – Matthew Plumridge*

SUMMARY

Section 625 of the *Local Government Act 1993* (the Act), Clause 212 of the *Local Government (General) Regulation 2021* (the Regulation) and Council's Investment Policy (the Policy) requires a monthly report to Council detailing all money invested.

RECOMMENDATION

That Council receives the Investment Report for August 2024 and notes that:

- **Investments are held in accordance with Council's Investment Policy, which is in accordance with the Ministerial Investment Order.**
- **Council's month end cash and investments balance was \$78,651,658.**

BACKGROUND

A monthly report to Council detailing money invested as per the Act, Regulation and Policy.

REPORT

Statement by the Responsible Accounting Officer

The Responsible Accounting Officer has certified that this report is produced in accordance with Clause 212 of the Regulation and that all investments have been made in accordance with the Act, Regulation and Policy.

General Investment Commentary

Council officers monitors and manages the cash and investment portfolio by taking into consideration credit ratings of financial institutions, interest rates offered for periods of investment, counterparty exposures and cash flow requirements.

Following assessment of projected cash flow requirements, surplus funds are invested in accordance with Council's Investment Policy. Investment returns of the portfolio to the end of August 2024 are exceeding the budget. As older term deposits mature and new term deposits are invested, yields are increasing compared to the last few years as demonstrated on Table 1 below.

Council has engaged Prudential Investment Services Corp for investment advice. In summarising Council's portfolio Prudential advises:

- Council's investment portfolio posted a marked-to-market return of 4.91%pa for the month versus the bank bill index benchmark return of 4.54%pa. Over the past 12 months, Council's portfolio has returned 5.24% versus the benchmark's 4.39%.

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- The NSW TCorp's Medium Term Growth Fund (0.11% actual) recorded a modest gain in August. After shaking off a poor start to the month, the Australian, US and European share markets ended August higher following calming words coming out of central banks in the US and Japan. Bond valuations within the fund benefited from expectations that the RBA is finished raising rates in this cycle and will cut rates in early 2025.
- Without marked-to-market influences, Council's investment portfolio yielded 5.18%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the TCorp growth fund.
- During August, Council had maturities of \$14m across three 12 month term deposits which were yielding an average of 5.42%pa. Council invested \$16m among five new term deposits with maturities of 4, 8 and 9 months at an average rate of 5.06%pa. Given the recent decline in interest rates, term deposit offers above 5%pa are becoming more rare.
- Council has a well-diversified portfolio invested predominantly among a range of term deposits from highly rated Australian banks. Council also has exposure to a wide range of asset classes, including international and domestic shares via the NSW TCorp Medium Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection.

Investment Portfolio Information

Table 1 Total cash and investments held by Council as at 31 August 2024

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			4.00%	13,221
	Commonwealth Bank	At Call			4.35%	2,941
	Commonwealth Bank	At Call			4.00%	723
1243	AMP Bank	At Call			3.30%	547
1490	Westpac Bank	TD	729	25-Sep-24	4.91%	4,000
1504	Suncorp Bank	TD	369	24-Sep-24	5.30%	4,000
1505	National Bank	TD	364	25-Sep-24	5.33%	5,000
1508	Commonwealth Bank	TD	365	29-Oct-24	5.39%	5,000
1509	National Bank	TD	365	21-Jan-25	5.16%	5,000
1510	Westpac Bank	TD	365	23-Jan-25	5.20%	5,000
1512	Suncorp Bank	TD	274	03-Dec-24	5.12%	3,000
1513	Suncorp Bank	TD	274	05-Mar-25	5.21%	5,000
1514	Bank of Queensland	TD	181	03-Dec-24	5.20%	5,000
1515	AMP Bank	TD	301	03-Jun-25	5.20%	2,500
1516	National Bank	TD	253	16-Apr-25	5.07%	5,000
1517	National Bank	TD	283	16-May-25	5.07%	2,500
1518	National Bank	TD	125	31-Dec-24	4.95%	3,500
1519	AMP Bank	TD	302	26-Jun-25	5.02%	2,500
1463	Treasury Corporation	Growth Fund				4,220
TOTAL						78,652

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

Financial Institution	Credit Rating	Institution Maximum	Amount \$'000	% of Portfolio
Commonwealth Bank	AA-	40%	5,000	8.17%
Westpac Bank	AA-	40%	9,000	14.70%
National Australia Bank	AA-	40%	21,000	34.30%
Suncorp Bank	AA-	40%	12,000	19.60%
AMP Bank	BBB	5%	5,000	8.17%
Bank of Queensland	A-	20%	5,000	8.17%
Treasury Corporation	Unrated	10%	4,220	6.89%
TOTAL			61,220	100.00%

In accordance with the Policy, figures in Table 2 above exclude cash and at call balances in Council's main operating account held with the Commonwealth and AMP banks.

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Investment in NSW Treasury Corporation (TCorp)

TCorpIM Funds are unit trusts. Distributions are made annually and are automatically reinvested into the fund to buy additional units. As this investment is held for medium to long-term capital appreciation, gains or losses will only be realised on redemption of the investment. However due to accounting requirements any unrealised gains or losses will be processed between investments and the operating statement.

The final August 2024 unrealised return was a gain of \$4,689.26 or 0.11% (1.98% annualised). Rates of return fluctuate monthly and can be negative from time to time with the medium-term investment horizon. The fund performance summary as at 31 August 2024 is shown below. The TCorp benchmark is CPI + 2.00% p.a. (over rolling 5 years).

Table 3 NSW Treasury Corporation Performance Summary

	10 year (% pa)	7 year (% pa)	3 year (% pa)	1 year %	FYTD %	1 month %
IM Medium Term Growth Fund	4.18	3.92	1.71	7.17	2.00	0.11
Benchmark: CPI + 2.0% p.a. (over rolling 5 years)	4.70	5.06	6.98	5.75	0.89	0.45
Return above benchmark p.a.	(0.52)	(1.14)	(5.27)	1.42	1.11	(0.34)

Table 4 Investment types, risk, amount and percentage invested compared to total

Investment Type	Risk Assessment		Amount	% of
	Capital	Interest	\$'000	Portfolio
Term Deposits	Low	Low	57,000	72.47%
Cash/At Call Deposits	Low	Low	17,432	22.16%
Capital Growth Fund	Medium	Medium	4,220	5.37%
TOTAL			78,652	100.00%

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Table 5 Comparison of interest rates, earnings and balances this year to last year

Performance Measures	This Year	Last Year
Investment Portfolio Average Interest Rate (year to date)	5.64%	4.65%
BBSW Average Interest Rate (year to date) *	4.52%	4.44%
Actual Investment Interest Earned (for the current month)	\$287,001	\$266,215
Actual Investment Interest Earned (year to date) ^	\$589,365	\$505,051
Original Budget Investment Interest (year to date)	\$416,667	\$230,020
Original Budget Investment Interest (annual)	\$2,500,000	\$1,380,122
Revised Budget Investment Interest (annual)	\$2,500,000	\$1,680,122
TCorp unrealised movement (year to date)	1.98%	1.26%

Investment and Cash Balances (Par Value) #	This Year	Last Year
Opening Balance as at 1 July	\$83,084,775	\$73,085,190
Closing Balance as at 31 August	\$78,651,658	\$80,126,872

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

^ Excludes TCorp unrealised returns

Excludes Section 355 Committee cash held

Graph 1 Actual interest earned compared to revised budget and actual interest last year

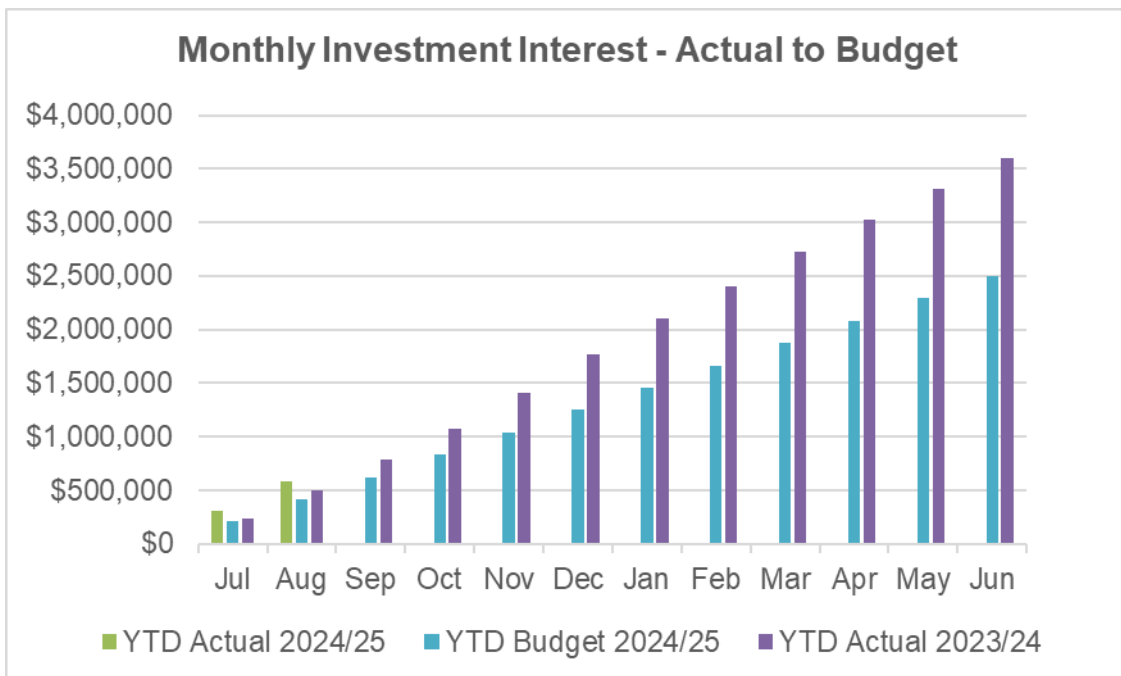


Table 6 Internal and external restrictions over cash and investments held

Month End Totals \$'000	Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024
External Restrictions	57624	57230	61297	59898	56197	56309
Internal Restrictions	16619	15360	18527	17667	18667	20043
Total Restrictions	74243	72590	79824	77565	74864	76352
TfNSW Claims to be received**	-	-	(269)	(2,200)	(2,200)	(1,273)
Unrestricted	4409	603	3282	765	1835	1637
Total Cash & Investments	78652	73193	83106	76130	74499	76716

** TfNSW Works are completed and paid by Council in advance, with Transport paying after each month. This artificially lowers the unrestricted cash balance of Council. Until the works are complete, the investment report will provide amounts owing from Transport to show a true unrestricted cash balance.

*The restricted funds shown above (for June to August) are provisional and are subject to change through the financial statement process. This will only be final once audited and published in the annual financial statements. Material changes will be advised to Council.

CONSULTATION

- Director Corporate and Community Services
- Chief Financial Officer
- Finance staff

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:

5.3.2: Our Council's processes are efficient and transparent;

5.3.3: Our Council is financially sustainable.

IMPLICATIONS

a. Policy and Procedural Implications

Investments are held in accordance with Council's Investment Policy.

b. Financial Implications

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

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Corporate and Community Services



A portion of the portfolio and its associated investment income is restricted as it relates to funds from developer contributions, payments in advance for grant projects, Domestic Waste Management, and stormwater management income to be applied to specific purposes and not available for general operational projects.

c. Legislative Implications

This report meets Council's statutory obligations under the Act and Regulation.

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 at month end and meets Councils reporting obligations.

ENCLOSURES

There are no enclosures for this report.

SUBJECT: *INVESTMENT REPORT - SEPTEMBER 2024*
RESPONSIBLE OFFICER: *Chief Finance Officer – Matthew Plumridge*

SUMMARY

Section 625 of the *Local Government Act 1993* (the Act), Clause 212 of the *Local Government (General) Regulation 2021* (the Regulation) and Council's Investment Policy (the Policy) requires a monthly report to Council detailing all money invested.

RECOMMENDATION

That Council receives the Investment Report for September 2024 and notes that:

- **Investments are held in accordance with Council's Investment Policy, which is in accordance with the Ministerial Investment Order.**
- **Council's month end cash and investments balance was \$78,234,715.**

BACKGROUND

A monthly report to Council detailing money invested as per the Act, Regulation and Policy.

REPORT

Statement by the Responsible Accounting Officer

The Responsible Accounting Officer has certified that this report is produced in accordance with Clause 212 of the Regulation and that all investments have been made in accordance with the Act, Regulation and Policy.

General Investment Commentary

Council officers monitors and manages the cash and investment portfolio by taking into consideration credit ratings of financial institutions, interest rates offered for periods of investment, counterparty exposures and cash flow requirements.

Following assessment of projected cash flow requirements, surplus funds are invested in accordance with Council's Investment Policy. Investment returns of the portfolio to the end of September 2024 are exceeding the budget. As older term deposits mature and new term deposits are invested, yields are increasing compared to the last few years as demonstrated on Table 1 below.

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Council has engaged Prudential Investment Services Corp for investment advice. In summarising Council's portfolio Prudential advises:

- Council has a well-diversified portfolio invested predominantly among a range of term deposits from highly rated Australian banks. Council also has exposure to a wide range of asset classes, including international and domestic shares via the NSW TCorp Medium Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection. Council's investment portfolio posted a marked-to-market return of 5.35%pa for the month versus the bank bill index benchmark return of 4.45%pa. Over the past 12 months, Council's portfolio has returned 5.39% versus the benchmark's 4.41%.
- The NSW TCorp Medium Term Growth Fund (+0.73% actual) recorded a good gain aided by strong performance in the Australian and US share markets. Bond valuations within the fund also benefited from further indications of cooling inflation pressures and expectations that the RBA will start cutting rates in early 2025.
- Without marked-to-market influences, Council's investment portfolio yielded 5.10%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the TCorp growth fund.
- During September, Council had maturities of \$13m among three term deposits with original terms of 12 and 24 months that had been yielding an average of 5.19%pa. Council invested \$17m among five new term deposits with terms ranging between 1 and 12 months yielding an average rate of 4.86%pa, the highest being a 6 month Suncorp TD paying 5.09%pa.
- Council has a well-diversified portfolio invested predominantly among a range of term deposits from highly rated Australian banks. Council also has exposure to a wide range of asset classes, including international and domestic shares via the NSW TCorp Medium Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection.

Investment Portfolio Information

Table 1 Total cash and investments held by Council as at 30 September 2024

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			4.00%	8,768
	Commonwealth Bank	At Call			4.35%	2,941
	Commonwealth Bank	At Call			4.00%	726
1243	AMP Bank	At Call			3.30%	548
1508	Commonwealth Bank	TD	365	29-Oct-24	5.39%	5,000
1509	National Bank	TD	365	21-Jan-25	5.16%	5,000
1510	Westpac Bank	TD	365	23-Jan-25	5.20%	5,000
1512	Suncorp Bank	TD	274	03-Dec-24	5.12%	3,000
1513	Suncorp Bank	TD	274	05-Mar-25	5.21%	5,000
1514	Bank of Queensland	TD	181	03-Dec-24	5.20%	5,000
1515	AMP Bank	TD	301	03-Jun-25	5.20%	2,500
1516	National Bank	TD	253	16-Apr-25	5.07%	5,000
1517	National Bank	TD	283	16-May-25	5.07%	2,500
1518	National Bank	TD	125	31-Dec-24	4.95%	3,500
1519	AMP Bank	TD	302	26-Jun-25	5.02%	2,500
1520	Commonwealth Bank	TD	30	03-Oct-24	4.36%	3,000
1521	Suncorp Bank	TD	273	03-Jun-25	5.01%	4,000
1522	Suncorp Bank	TD	182	25-Mar-25	5.09%	4,000
1523	National Bank	TD	363	23-Sep-25	4.90%	4,000
1524	National Bank	TD	88	23-Dec-24	4.98%	2,000
1463	Treasury Corporation	Growth Fund				4,252
TOTAL						78,235

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

Financial Institution	Credit Rating	Institution Maximum	Amount \$'000	% of Portfolio
Commonwealth Bank	AA-	40%	8,000	12.26%
Westpac Bank	AA-	40%	5,000	7.66%
National Australia Bank	AA-	40%	22,000	33.72%
Suncorp Bank	AA-	40%	16,000	24.52%
AMP Bank	BBB	5%	5,000	7.66%
Bank of Queensland	A-	20%	5,000	7.66%
Treasury Corporation	Unrated	10%	4,252	6.52%
TOTAL			65,252	100.00%

In accordance with the Policy, figures in Table 2 above exclude cash and at call balances in Council's main operating account held with the Commonwealth and AMP banks.

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Investment in NSW Treasury Corporation (TCorp)

TCorpIM Funds are unit trusts. Distributions are made annually and are automatically reinvested into the fund to buy additional units. As this investment is held for medium to long-term capital appreciation, gains or losses will only be realised on redemption of the investment. However due to accounting requirements any unrealised gains or losses will be processed between investments and the operating statement.

The final September 2024 unrealised return was a gain of \$32,061.50 or 0.76% (2.76% annualised). Rates of return fluctuate monthly and can be negative from time to time with the medium-term investment horizon. The fund performance summary for September 2024 is not yet available at the time of this report. The fund performance summary as at 31 August 2024 is shown below. The TCorp benchmark is CPI + 2.00% p.a. (over rolling 5 years).

Table 3 NSW Treasury Corporation Performance Summary

	10 year (% pa)	7 year (% pa)	3 year (% pa)	1 year %	FYTD %	1 month %
IM Medium Term Growth Fund	4.18	3.92	1.71	7.17	2.00	0.11
Benchmark: CPI + 2.0% p.a. (over rolling 5 years)	4.70	5.06	6.98	5.75	0.89	0.45
Return above benchmark p.a.	(0.52)	(1.14)	(5.27)	1.42	1.11	(0.34)

Table 4 Investment types, risk, amount and percentage invested compared to total

Investment Type	Risk Assessment		Amount	% of
	Capital	Interest	\$'000	Portfolio
Term Deposits	Low	Low	61,000	77.97%
Cash/At Call Deposits	Low	Low	12,983	16.60%
Capital Growth Fund	Medium	Medium	4,252	5.43%
TOTAL			78,235	100.00%

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Table 5 Comparison of interest rates, earnings and balances this year to last year

Performance Measures	This Year	Last Year
Investment Portfolio Average Interest Rate (year to date)	5.54%	4.29%
BBSW Average Interest Rate (year to date) *	4.50%	4.35%
Actual Investment Interest Earned (for the current month)	\$299,460	\$278,485
Actual Investment Interest Earned (year to date) ^	\$888,825	\$783,536
Original Budget Investment Interest (year to date)	\$625,000	\$345,030
Original Budget Investment Interest (annual)	\$2,500,000	\$1,380,122
Revised Budget Investment Interest (annual)	\$2,500,000	\$1,680,122
TCorp unrealised movement (year to date)	2.76%	-0.02%

Investment and Cash Balances (Par Value) #	This Year	Last Year
Opening Balance as at 1 July	\$83,084,775	\$73,085,190
Closing Balance as at 30 September	\$78,234,715	\$74,054,728

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

^ Excludes TCorp unrealised returns

Excludes Section 355 Committee cash held

Graph 1 Actual interest earned compared to revised budget and actual interest last year

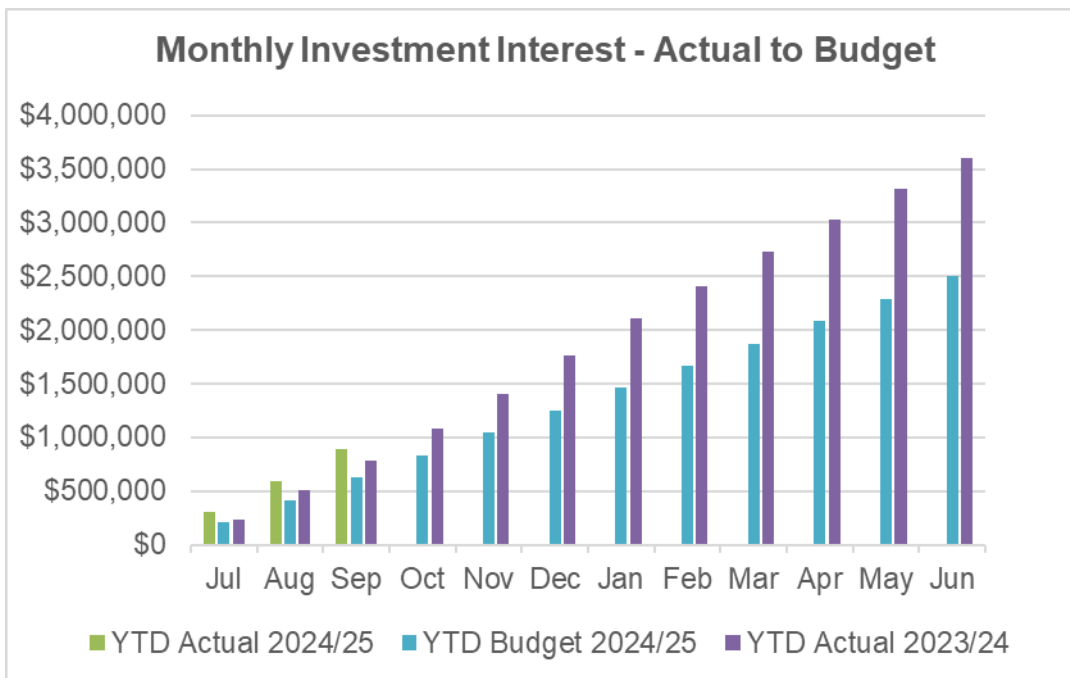


Table 6 Internal and external restrictions over cash and investments held

Month End Totals \$'000	Sep 2024	Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024
External Restrictions	59096	57624	57230	61297	59898	56197
Internal Restrictions	18015	16619	15360	18527	17667	18667
Total Restrictions	77111	74243	72590	79824	77565	74864
TfNSW Claims to be received**	-	-	-	(269)	(2,200)	(2,200)
Unrestricted	1124	4409	603	3282	765	1835
Total Cash & Investments	78235	78652	73193	83106	76130	74499

** TfNSW Works are completed and paid by Council in advance, with Transport paying after each month. This artificially lowers the unrestricted cash balance of Council. Until the works are complete, the investment report will provide amounts owing from Transport to show a true unrestricted cash balance.

*The restricted funds shown above (for June to September) are provisional and are subject to change through the financial statement process. This will only be final once audited and published in the annual financial statements. Material changes will be advised to Council.

CONSULTATION

- Director Corporate and Community Services
- Chief Financial Officer
- Finance staff

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:

5.3.2: Our Council's processes are efficient and transparent;

5.3.3: Our Council is financially sustainable.

IMPLICATIONS

a. Policy and Procedural Implications

Investments are held in accordance with Council's Investment Policy.

b. Financial Implications

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

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A portion of the portfolio and its associated investment income is restricted as it relates to funds from developer contributions, payments in advance for grant projects, Domestic Waste Management, and stormwater management income to be applied to specific purposes and not available for general operational projects.

c. Legislative Implications

This report meets Council's statutory obligations under the Act and Regulation.

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 at month end and meets Councils reporting obligations.

ENCLOSURES

There are no enclosures for this report.

Corporate and Community
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Corporate and Community Services



SUBJECT: *RESOLUTIONS TRACKING REPORT*
RESPONSIBLE OFFICER: *Chief Finance Officer - Matthew Plumridge*

SUMMARY

The enclosure contains pending actions from previous meetings as well as completed actions for period 14 August 2024 to 15 October 2024.

RECOMMENDATION

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

ENCLOSURES

- [1](#) ⇨ Finalised Actions
- [2](#) ⇨ Outstanding Actions

Works and Infrastructure

Report No. WI23/2024

Works and Infrastructure



SUBJECT: *MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD 19 AUGUST 2024*

RESPONSIBLE OFFICER: *Traffic and Transport Coordinator - Warren Jeffery*

RECOMMENDATION

That the Minutes of the Cessnock Local Traffic Committee Meeting of 19 August 2024 be adopted as a resolution of the Ordinary Council.

- That Council note the General Manager or the General Managers sub-delegate authorised the following Local Traffic Committee reports in accordance with Division 2 of Part 8 of the Roads Act 1993:
 - TC23/2024
 - TC24/2024
 - TC25/2024
 - TC26/2024
 - TC27/2024
 - TC28/2024
 - TC29/2024
 - TC30/2024
 - TC31/2024

**MINUTES OF TRAFFIC COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ANTE ROOM ON MONDAY, 19 AUGUST 2024,
COMMENCING AT 9:30AM**

OPENING: The meeting was opened at 9:29am

PRESENT: Councillor James Hawkins (Chairperson)
Sergeant Jon Cassidy - NSW Police
Mr Andy Gaudiosi - TfNSW (Remote Attendance)

IN ATTENDANCE: Mr Richard Ingall - Rover Coaches
Mr Mark Morrison – TfNSW
Senior Constable Paul Murphy – NSW Police
Mr Cameron Clark – Infrastructure Manager
Ms Alison Shelton – Road Safety Officer (Remote Attendance)
Mr Ethan Walton – Engineering Officer, Traffic & Transport
Mrs Melissa Vile – Senior Business Support Officer, Traffic & Transport

APOLOGIES

RESOLVED that the apology tendered for unavoidable absence be accepted on behalf of:
Mr Warren Jeffery – Principal Engineer, Traffic & Transport

Works and Infrastructure

Report No. WI23/2024

Works and Infrastructure



CONFIRMATION OF MINUTES

MINUTES:

That the Minutes of the Local Traffic Committee held on 15 July 2024, as circulated, be taken as read and confirmed as a correct record.

DISCLOSURES OF INTEREST

NIL

BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

CLOSURE

The Meeting Was Declared Closed at 10:01am

ENCLOSURES

There are no enclosures for this report

Works and Infrastructure

Report No. WI24/2024

Works and Infrastructure



SUBJECT: *MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD 16 SEPTEMBER 2024*

RESPONSIBLE OFFICER: *Traffic and Transport Coordinator - Warren Jeffery*

RECOMMENDATION

That the Minutes of the Cessnock Local Traffic Committee Meeting of 15 July 2024 be adopted as a resolution of the Ordinary Council.

- **TC32/2024 - That Council authorises the temporary regulation of traffic for the Summer Salt & Red Hot Summer concert events on Broke Road, McDonalds Road and Wine Country Drive, Pokolbin in accordance with Various Roads Pokolbin - Summer Salt & Red Hot Summer Concert Event Traffic Guidance Scheme.**
- **TC33/2024 - That Council authorises the temporary regulation of traffic on Broke Road, McDonalds Road, Palmers Lane and Wine Country Drive, Pokolbin for A Day on the Green in accordance with Various Roads Pokolbin - A Day on the Green Traffic Guidance Scheme.**
- **That Council note the General Manager or the General Managers sub-delegate authorised the following Local Traffic Committee reports in accordance with Division 2 of Part 8 of the Roads Act 1993:**
 - **TC34/2024**

MINUTES OF TRAFFIC COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD IN COUNCIL CHAMBERS ANTE ROOM ON MONDAY, 16 SEPTEMBER 2024, COMMENCING AT 9:30AM

OPENING: The meeting was opened at 9:32am

PRESENT: Cameron Clark - Infrastructure Manager (Chairperson)
Mr Andy Gaudiosi – TfNSW (By Zoom)

IN ATTENDANCE: Mr Mark Morrison – TfNSW
Mr Warren Jeffery –Traffic & Transport Coordinator
Ms Alison Shelton – Road Safety Officer
Mr Ethan Walton – Engineering Officer, Traffic & Transport
Ms Jules Bosco – Principal Development Engineer
Mrs Melissa Vile – Senior Business Support Officer, Traffic & Transport

APOLOGIES

Sergeant Jon Cassidy - NSW Police – No formal apology

Works and Infrastructure

Report No. WI24/2024

Works and Infrastructure



CONFIRMATION OF MINUTES

MINUTES: That the Minutes of the Local Traffic Committee held on 19 August 2024, as circulated, be taken as read and confirmed as a correct record.

DISCLOSURES OF INTEREST

NIL

BUSINESS ARISING FROM PREVIOUS MINUTES

RE: TC28/2024: Response from Northrop Consulting Engineers as to whether regulatory signage was previously approved at the cross intersection of Guild Lane and Artisan Road is pending.

LISTED MATTERS

SUBJECT: **VARIOUS ROADS, POKOLBIN
TEMPORARY REGULATION OF TRAFFIC
SUMMERSALT & RED HOT SUMMER CONCERT EVENTS**

REPORT NO.: **TC32/2024**

REFERENCE.: **46/2024/8/1**

MATTER: Council has received an application for the temporary regulation of traffic in connection with an existing development consent for the Red Hot Summer & Summer Salt outdoor concert events, and has assessed the application along with the associated Traffic Management Plan (TMP) and Traffic Control Plans (TCPs).

Approval is sought under Section 116 of the *Roads Act 1993*, to regulate traffic on various roads in Pokolbin, in connection with this event.

DISCUSSION: The matter was discussed with reference to the report and it was confirmed that the non-standard signage denoting the drop-off-zones will be posted on private land – not within the public road reserve.

RECOMMENDATION

That Council authorises the temporary regulation of traffic for the Summer Salt & Red Hot Summer concert events on Broke Road, McDonalds Road and Wine Country Drive, Pokolbin in accordance with Various Roads Pokolbin _ Summer Salt & Red Hot Summer Concert Event Traffic Guidance Scheme.

SUPPORT: Unanimous

Works and Infrastructure

Report No. WI24/2024

Works and Infrastructure



SUBJECT: **VARIOUS ROADS, POKOLBIN
TEMPORARY REGULATION OF TRAFFIC
A DAY ON THE GREEN**

REPORT NO.: **TC33/2024**

REFERENCE.: **46 2024 6 1**

MATTER Council has received an application for the temporary regulation of traffic in connection with an existing development approval for the 'A Day on the Green' outdoor concert event, and has assessed the application along with the associated Traffic Management Plan (TMP) and Traffic Guidance Schemes (TGS).

Consent is sought under Section 116 of the *Roads Act 1993*, to regulate traffic on various roads in Cessnock in connection with this application.

DISCUSSION: The matter was discussed with reference to the report, without further discussion.

RECOMMENDATION

That Council authorises the temporary regulation of traffic on Broke Road, McDonalds Road, Palmers Lane and Wine Country Drive, Pokolbin for A Day on the Green in accordance with Various Roads Pokolbin _ A Day on the Green Traffic Guidance Scheme.

SUPPORT: Unanimous

Works and Infrastructure

Report No. WI24/2024

Works and Infrastructure



SUBJECT: MCDONALDS ROAD POKOLBIN _ REGULATORY SIGNAGE & LINEMARKING

REPORT NO.: TC34/2024

REFERENCE.: 10/1998/20/1

MATTER: Development consent has been provided for Pokolbin Estate subdivision Lot 101 DP755252 & Lot 612 DP 568840 - 298 McDonalds Road, Pokolbin. Approval is sought for the installation of regulatory signage and line marking associated with this consent. This item relates to a historical development approval, construction certificate reference: 10/1998/20/1.

DISCUSSION: The matter was discussed with reference to the report, and discussed as follows:

- Submitted signage plan is over two decades old and relates to an approved DA for a 24 lot community title subdivision;
- The DA was activated within time, by the carrying out of on-site development works;
- The proposed AUR intersection type is not consistent with current Australian Standards and installation of an AUR is not supported by TfNSW;
- A CHR (short) intersection type is recommended and would likely fit within the existing intersection footprint. It was suggested that an overlay be provided to confirm same;
- The relevant length of McDonalds Road has a posted 80km/h speed limit and an ADV of approximately 3,000;
- Council's Development Services team has obtained legal advice to the effect that since it is an active approval, Council may not be successful in any attempt to compel the developer to amend plans to comply with contemporary standards; and
- Recommend to defer and provide feedback to the developer with a view to arriving at a negotiated outcome for installation of a standards compliant intersection treatment that the Committee is able to support.

RECOMMENDATION

That the General Manager or the General Manager's Sub-Delegate, notes that installation of regulatory controls on McDonald's Road, Pokolbin, in accordance with McDonald's Road Pokolbin _ Signage & Line Marking Diagram Plan 12/4767-8 Issue A. is deferred until sufficient information is provided by the proponent for the matter to be reconsidered by the Committee

SUPPORT: Unanimous

Works and Infrastructure

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Works and Infrastructure



CLOSURE

The Meeting Was Declared Closed at 10:12am

ENCLOSURES

There are no enclosures for this report