



Vincent Street
CESSNOCK 2325.

11 June 2008

To All Councillors

You are hereby notified that the next Ordinary Meeting of the Council will be held in the Council Chambers, on Wednesday, 18 June 2008, immediately following the conclusion of the City Planning Committee Meeting, for the purpose of transacting the undermentioned business.

**B R MORTOMORE
GENERAL MANAGER**

AGENDA:

PAGE NO.

(1) APOLOGIES.

(2) CONFIRMATION OF MINUTES.

Minutes of the Ordinary Meeting of the Council held on
4 June 2008

(3) MAYORAL MINUTES.

(4) COMMITTEES' REPORTS.

Report of Infrastructure & Services Committee
Meeting held on 18 June 2008

Report of Corporate & Community Committee
Meeting held on 18 June 2008

Report of City Planning Committee Meeting held
on 18 June 2008

(5) OFFICERS' REPORTS

GENERAL MANAGER

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30/2008	Draft Management Plan	5
31/2008	Authorisation of Expenditure for 2008/09 Financial Year	9
32/2008	Making of Rates and Charges for 2008/09 Rating Year	10
33/2008	Information News Sheet	13

(6) COUNCILLORS' REPORTS.

(7) QUESTIONS WITHOUT NOTICE.

**(8) REPORT OF THE COMMITTEE OF THE WHOLE MEETING HELD ON 18 JUNE
2008**

OFFICERS' REPORT

GENERAL MANAGER'S REPORT NO. 29/2008

SUBJECT: ROTHBURY BUSHFIRE SHED

Property Officer, Mr Joseph Lorriman, reports:

In 2006 Council was approached by the owner of Aerologistics Pty Ltd about the possibility of relocating the Rothbury Rural Fire Service (RFS) shed from its current location at Cessnock Aerodrome to another location, to enable his company to rent the existing shed. Aerologistics Pty Ltd currently rents a space within the Terminal Building at the Aerodrome but would prefer a shed to enable its helicopters to be housed undercover.

The idea of relocating the Rothbury RFS shed to another location was then discussed with members of the RFS, in which they advised that it was an idea that had merit, due to the fact that the majority of their members lived on the eastern side of Wine Country Drive, so a site near Lovedale Road would be ideal.

Following on from this, Council Officers commenced discussions with the owners of Lot 4 DP 755204, 310 Lovedale Road Lovedale, about the possibility of acquiring part of this property, in order to provide the brigade with a site for the relocation of the shed. A location map showing the proposed site is included in Enclosure 1.

Subsequently, negotiations have taken place with the land owners. The negotiated price for the land is \$8,200.00.

It is proposed that Council purchase the land at the negotiated price, with Council paying for all legal and survey costs associated with the sale as well as the boundary fencing. It is anticipated that the total cost for the acquisition will be in the vicinity of \$20,000.00.

The land acquisition would be funded via Section 94 contributions, being approximately \$11,500.00 and the balance to be financed from savings within the Property Management budget.

It should be noted that the land would need to be subdivided and the subdivision is subject to a Development Application (DA). The DA would need to be approved prior to the acquisition being completed.

Furthermore, in terms of the funding for the construction of the new shed, negotiations are currently taking place with the RFS and the Lessee of the Aerodrome, Aviation and Leisure Corporation (ALC), as to the best way for the new shed to be financed, as it is then proposed that ALC will look to take control of the existing shed on the Aerodrome site and derive a rental income from it. A further report will be submitted for Council's consideration once these negotiations are finalised.

RECOMMENDATION that:

1. Council agree to purchase part of Lot 4 DP 755204, 310 Lovedale Road, Lovedale, for the amount of \$8,200.00 with Council paying for all legal and survey costs associated with the sale as well as the boundary fencing.

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2. The purchase and associated costs be funded via Section 94 contributions, being approximately \$11,500.00 and the balance to be financed from savings within the Property Management budget.

3. Council's Seal be affixed to all necessary legal documentation pertaining to the purchase.

To: **Ordinary Council Meeting**
11 June 2008

B R MORTOMORE
GENERAL MANAGER
11 June 2008

GENERAL MANAGER'S REPORT NO. 30/2008

SUBJECT: DRAFT MANAGEMENT PLAN

Director Corporate & Community, Mr Craig Bennett, reports:

At the Council Meeting of 7 May 2008 Council resolved as follows:

1. Council adopt the Draft Management Plan for the period 1 July 2008 to 30 June 2011.
2. The Draft Plan be placed on public exhibition for 28 days and advertisements be placed in the local press calling for public submissions."

The Draft City Management Plan provides a summary of Council's proposed activities, principle policies, revenue raising proposals and sets out strategies for the next three (3) years. It also provides performance targets, as well as details of Council's proposed revenue policy, including rating structure, for the 2008/2009 year.

No public submissions in respect of the Draft Management Plan were received by the close of public exhibition on 6 June 2008.

Council should also note the following proposed amendments to the Fees and Charges document:

Item	Charge As Advertised	Charge Proposed to be Adopted
Purchase of Animal <i>(omit "Includes microchipping at the time of impounding")</i>	\$30.00	\$50.00
Septic Tank/On-Site Sewerage Management System Inspection Advisory Service Fee	-	\$90.00 per ½ half hour or part thereof
Community Reports and Plans Planning Document Publications	-	\$30.00
Signposting Private Works	-	\$2,000 per sq m + installation + GST
Linemarking Private Works	-	\$2.20 per lin metre
Traffic Classification Counts Plus Information	-	\$550 per location
Traffic Classification Information	-	\$110 per location
Charges for Keeping Animal at Pound		
Horses, Cattle (Large Animals)	\$30.00/day	\$25.00/day
Sheep, Goats & Small Animals	\$10.00/day	\$7.00/day

Item	Charge As Advertised	Charge Proposed to be Adopted
Cessnock Sportsground Bonds		
<ul style="list-style-type: none"> - Sporting/community events that are of a regional nature or higher. Eg League, union, hockey, soccer 	-	\$500.00
<ul style="list-style-type: none"> - Sporting/community events that are expected to have minimal impact on the playing surface training/playing field. Eg open air cinemas and concerts, or cultural displays and field days. 	-	\$2000.00
<ul style="list-style-type: none"> - Sporting/community events that have the potential to damage the playing surface of the main playing/training field eg. Moto-cross, rodeo, car and truck derbies 	-	\$10000.00
Line Marking Alterations	-	\$100.00
Removal & Re-instatement of Fence Panels/Goal Posts		
<ul style="list-style-type: none"> - Removal/re-instatement of fence panels 	-	\$500.00 per panel
<ul style="list-style-type: none"> - Removal/re-instatement of goal posts 	-	\$2000.00
Hire Fees – One-Off Larger Events		
<ul style="list-style-type: none"> - Applicable hire fees to be charged on the basis of quotation supplied by Council 	-	Per Quotation
Cleaning	-	\$500.00
Contributions Levied on Property Owners Towards Cost of Kerb and Gutter Construction		
<ul style="list-style-type: none"> - Frontage 	\$46.00	\$48.00
<ul style="list-style-type: none"> - Corner Lots 	\$32.00	\$34.00
<ul style="list-style-type: none"> - Rear Boundary – No future subdivision 	\$25.00	\$27.00
<ul style="list-style-type: none"> - Rear Boundary – Future subdivision permissible 	\$46.00	\$48.00

RECOMMENDATION that:

1. Council now adopt the Draft City Management Plan as its final Management Plan for the year 2008/2011.
2. Council adopt the Fees & Charges subject to the following amendments:

Item	Charge As Advertised	Charge Proposed to be Adopted
Purchase of Animal <i>(omit “Includes microchipping at the time of impounding”)</i>	\$30.00	\$50.00
Septic Tank/On-Site Sewerage Management System Inspection Advisory Service Fee	-	\$90.00 per ½ half hour or part thereof
Community Reports and Plans		
Planning Document Publications	-	\$30.00
Signposting Private Works	-	\$2,000 per sq m + installation + GST
Linemarking Private Works	-	\$2.20 per lin metre
Traffic Classification Counts Plus Information	-	\$550 per location
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Charges for Keeping Animal at Pound		
Horses, Cattle (Large Animals)	\$30.00/day	\$25.00/day
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Item	Charge As Advertised	Charge Proposed to be Adopted
Cessnock Sportsground Bonds		
- Sporting/community events that are of a regional nature or higher. Eg League, union, hockey, soccer	-	\$500.00
- Sporting/community events that are expected to have minimal impact on the playing surface training/playing field. Eg open air cinemas and concerts, or cultural displays and field days.	-	\$2000.00
- Sporting/community events that have the potential to damage the playing surface of the main playing/training field eg. Moto-cross, rodeo, car and truck derbies	-	\$10000.00
Line Marking Alterations	-	\$100.00
Removal & Re-instatement of Fence Panels/Goal Posts		
- Removal/re-instatement of fence panels	-	\$500.00 per panel
- Removal/re-instatement of goal posts	-	\$2000.00
Hire Fees – One-Off Larger Events		
- Applicable hire fees to be charged on the basis of quotation supplied by Council	-	Per Quotation
Cleaning	-	\$500.00
Contributions Levied on Property Owners Towards Cost of Kerb and Gutter Construction		
- Frontage	\$46.00	\$48.00
- Corner Lots	\$32.00	\$34.00
- Rear Boundary – No future subdivision	\$25.00	\$27.00
- Rear Boundary – Future subdivision permissible	\$46.00	\$48.00

To: **Ordinary Council Meeting -**
18 June 2008

B R MORTOMORE
GENERAL MANAGER
11 June 2008

GENERAL MANAGER'S REPORT NO. 31/2008

SUBJECT: AUTHORISATION OF EXPENDITURE FOR 2008/09 FINANCIAL YEAR

Financial & Administrative Services Manager, Robert Maginnity, reports:

Council at its Ordinary Meeting of 18 June 2008 considered for adoption the 2008/2011 Management Plan, incorporating the Estimates of Expenditure and Income for the year ending 30 June 2009. Under Regulation 211 of the Local Government (General) Regulation 2005 it is necessary for Council to vote the money necessary to meet the expenditure included in the estimates.

Regulation 211 of the Local Government (General) Regulation 2005 states:

- (1) A council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:
 - (a) has approved the expenditure, and
 - (b) has voted the money necessary to meet the expenditure.
- (2) A council must each year hold a meeting for the purpose of approving expenditure and voting money.
- (3) All such approvals and votes lapse at the end of a council's financial year. However, this subclause does not apply to approvals and votes relating to:
 - (a) work carried out or started, or contracted to be carried out, for the council, or
 - (b) any service provided, or contracted to be provided, for the council, or
 - (c) goods or materials provided, or contracted to be provided, for the council, or
 - (d) facilities provided or started, or contracted to be provided, for the council,before the end of the year concerned, or to the payment of remuneration to members of the council's staff.

RECOMMENDATION that Council approve the expenditure detailed in the Estimates of Expenditure and Income for 2008/09 as contained within the adopted Management Plan and that funds be voted to meet the expenditure in accordance with Regulation 211 of the Local Government (General) Regulation 2005.

To: **Ordinary Council Meeting -**
18 June 2008

B R MORTOMORE
GENERAL MANAGER
11 June 2008

GENERAL MANAGER'S REPORT NO. 32/2008

SUBJECT: MAKING OF RATES AND CHARGES FOR 2008/09 RATING YEAR

Financial & Administrative Services Manager, Robert Maginnity, reports:

Council at its Ordinary Meeting of 18 June 2008 considered for adoption the 2008/2011 Management Plan, incorporating rates and charges for the year ending 30 June 2009. Sections 535, 537 & 538 of the Local Government Act 1993 requires Council to make the rate and charges for the financial year commencing 1 July 2008, and extracts of the relevant sections of the Act are reproduced below for Council's information.

535 Rate or charge to be made by resolution

A rate or charge is made by resolution of the council.

537 Form of resolution specifying base amounts of rates

In the resolution that specifies a base amount of a rate, or the base amount of a rate for a category or sub-category of an ordinary rate, the council must state:

- (a) the amount in dollars of the base amount, and
- (b) the percentage, in conformity with section 500, of the total amount payable by the levying of the rate, or the rate for the category or sub-category concerned of the ordinary rate, that the levying of the base amount will produce.

538 Form of resolution for special rate

- (1) In the resolution that makes a special rate, the council must state whether the special rate is to be levied on all rateable land in the council's area or on only a part of that land.
- (2) If the special rate is to be levied on only a part of that land, the council must specify in the resolution the part on which it is to be levied.

RECOMMENDATION that:

The following rates and charges be now made for the year commencing 1 July 2008 to 30 June 2009.

1. Ordinary Rates

The following Ordinary Rates be now made for the year commencing 1 July 2008 to 30 June 2009.

Category	Sub Category	Ad-valorem Amount Cents in \$	Base Rate \$	Base % of Total Rate
Residential		0.407681	\$360	44.31
Residential	Rural	0.328816	\$350	24.28
Residential	Vintage	0.322443	\$590	43.89
Business		1.630266	\$490	11.59
Business	Rec. Golf Courses	1.704533	\$970	6.27
Business	Rec. Golf Courses – Public	1.225604	\$590	5.87
Business	Vineyards	1.230257	\$660	47.74
Farmland		0.243627	\$240	14.63
Farmland	Low Intensity	0.331537	\$350	26.14
Farmland	Mixed Use	0.402691	\$930	19.44
Farmland	Business Rural	0.464332	\$450	13.98
Mining		3.273905	\$90,700	43.60

2. Waste Charges

Council do hereby prescribe and order under Section 496 of the Local Government Act 1993, for rateable land categorised for rating purposes as residential or farmland and situated within the area in which a Domestic Waste Management Service is able to be provided, that the following waste charges be now made for the year commencing 1 July 2008 to 30 June 2009.

Domestic Waste Management Service Charge

Domestic Waste Management Availability Charge ¹	\$20.00
Domestic Waste Management Service Charge ²	\$312.00
Additional Domestic Waste Management Service Charge ³	\$312.00
Additional Domestic Waste Management Service Charge - Recycling	\$56.00

1. Charge applies to vacant rateable land situated within the area in which a Domestic Waste Management Service is able to be provided.
2. Each premise is entitled to one approved mobile waste bin mixed waste service per week and one fortnightly collection of recyclable material for each Domestic Waste Management Service Charge.
3. Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Domestic Waste Management Service Charge.

Council do hereby prescribe and order under Section 501 of the Local Government Act 1993, for land not categorised for rating purposes as residential or farmland and situated within the area in which a Waste Management Service is able to be provided, that the following waste charges be now made for the year commencing 1 July 2008 to 30 June 2009.

Waste Management Service Charge

Waste Management Service Charge ¹	\$364.00
Additional Waste Management Service Charge ²	\$364.00
Additional Waste Management Service Charge - Recycling	\$56.00

1. Each premise is entitled to one approved mobile waste bin mixed waste service per week and one fortnightly collection of recyclable material for each Waste Management Service Charge.
2. Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Waste Management Service Charge.

3. Stormwater Management Services Charges

Council do hereby prescribe and order under Section 496A of the Local Government Act 1993, for land situated within the designated stormwater area, that the following stormwater charges be now made for the year commencing 1 July 2008 to 30 June 2009.

Stormwater Management Service Charge

Stormwater Management Service Charge - Residential	\$25.00
Stormwater Management Service Charge – Residential Strata	\$12.50
Stormwater Management Service Charge – Business ¹	\$25.00 per 350m ² (or part thereof)

1. Charge calculated at \$25.00 per 350 square metres (or part thereof) up to a maximum charge of \$500.00.

4. Interest on Overdue Accounts

Council do hereby determine and order, in accordance with Section 566 of the Local Government Act 1993, that if rates and charges are unpaid at the due date, the amount shall be increased by a sum calculated at ten per cent (10.0%) per annum simple interest, calculated daily for the year commencing 1 July 2008.

5. Hunter-Central Rivers Catchment Management Authority (HCRCA)

Council in accordance with Clause 33, Schedule 4, Section 6 of the Catchment Authorities Act, 2003, as amended, as advised by the Hunter-Central Rivers Catchment Management Authority, levy in 2008/2009 a rate of 0.0109 (zero point zero one zero nine) cents in the dollar on the current Land Value of the land within the Council area. By virtue of the provisions of Clause 33, Schedule 4, Section 6 of the Catchment Authorities Act, 2003, the Council is authorised, empowered and required to levy the said Catchment contribution rate in respect of the lands.

To: **Ordinary Council Meeting –**
18 June 2008

B R MORTOMORE
GENERAL MANAGER
11 June 2008

GENERAL MANAGER'S REPORT NO. 33/2008

SUBJECT: INFORMATION NEWS SHEET

Included in the Enclosure document is the Information News Sheet relative to:

Staff Appointments
Outstanding Questions Without Notice

RECOMMENDATION that the information be noted.

To: **Ordinary Council Meeting**
18 June 2008

B R MORTOMORE
GENERAL MANAGER
11 June 2008