



29 April 2016

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, 4 May 2016 at 6.30 pm, for the purposes of transacting the undermentioned business.

AGENDA:

PAGE NO.

(1) OPENING PRAYER	
(2) ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS	
(3) RECEIPT OF APOLOGIES	
(4) CONFIRMATION OF MINUTES OF PREVIOUS MEETING	
Minutes of the Ordinary Meeting of Council held on 20 April 2016	5
(5) DISCLOSURES OF INTEREST	
DI7/2016 Disclosures of Interest	39
(6) PETITIONS	
(7) ADDRESS BY INVITED SPEAKERS	
(8) MOTIONS OF URGENCY	
MOU7/2016 Motions of Urgency.....	40
(9) GENERAL MANAGER'S UNIT	
GMU5/2016 Minutes of the Economic Development Strategy Committee Meeting held 19 April 2016	41
(10) PLANNING AND ENVIRONMENT	
PE32/2016 18/2015/6: Planning Proposal - Huntlee B4 Mixed Use Zone - Additional Permitted Uses	46
(11) CORPORATE AND COMMUNITY	
CC24/2016 Local Government NSW - Board of Directors Elections	55
(12) WORKS AND INFRASTRUCTURE	
WI22/2016 Operation of the Reuse Centre - Cessnock Waste Management Centre.....	58
WI23/2016 Pedestrian Access and Mobility Plan (PAMP).....	66

WI24/2016	Closure of Part of Public Road Adjacent to 1200 Old Maitland Road Sawyers Gully.....	70
WI25/2016	Frame Drive Bridge	78
(13)	<i>ANSWERS TO QUESTIONS FOR NEXT MEETING</i>	
‡	AQ33/2016 Disabled Parking - Abermain Hall.....	82
‡	AQ34/2016 Communication from Newcastle Muslim Association regarding inspection of premises at Wallsend.....	83
‡	AQ35/2016 Sterntaler Development - 814 Buchanan Road, Buchanan.....	84
(14)	<i>QUESTIONS FOR NEXT MEETING</i>	
(15)	<i>COUNCILLORS' REPORTS</i>	



Council's Charter

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
- To exercise community leadership.
- To exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism.
- To promote and to provide and plan for the needs of children.
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development.
- To have regard to the long term and cumulative effects of its decisions.
- To bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible.
- To engage in long-term strategic planning on behalf of the local community.
- To exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights.
- To facilitate the involvement of Councillors, members of the public, users of facilities and services and Council staff in the development, improvement and co-ordination of Local Government.
- To raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants.
- To keep the local community and State Government (and through it, the wider community) informed about its activities.
- To ensure that, in the exercise of its regulatory functions, its acts consistently and without bias, particularly where an activity of the Council is affected.
- To be a responsible employer.

Council's Values

- | | | |
|-------------|--------------|--------------|
| • Respect | • Innovation | • Teamwork |
| • Integrity | • Fairness | • Commitment |

Our Community's Vision

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

Cessnock – thriving, attractive and welcoming.

Our Community's Desired Outcomes

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



Council Model Code of Conduct

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

Generally, the policies refer to the following issues:

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

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 20 APRIL 2016, COMMENCING AT
6.30 PM**

PRESENT: His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Troy, Doherty, Wrightson, Ryan, Stapleford, Hawkins, Smith, Campbell and Parsons.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Manager Governance and Business Services
Strategic Land Use Planning Manager
Strategic Asset Manager
Management Accountant
Asset Engineering Officer
Acting Development Services Manager (Team Leader Development Services)
Media & Communication Officer
Corporate Administration Officer

APOLOGIES:

MOTION **Moved:** Councillor Troy
Seconded: Councillor Hawkins

1644

RESOLVED that the apologies tendered on behalf of Councillor Gibson and Olsen, for unavoidable absence, be accepted and leave of absence granted.

FOR

AGAINST

Councillor Troy
Councillor Doherty
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent

Total (9)

Total (0)

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Smith
Seconded: Councillor Stapleford

1645

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 6 April 2016, as circulated, be taken as read and confirmed as a correct record.

FOR

AGAINST

Councillor Troy
Councillor Doherty
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent
Total (9)

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI6/2016

SUBJECT: DISCLOSURES OF INTEREST

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Smith
1646
RESOLVED

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

PE28/2016 - Advice received in response to Notice of Motion from Council's meeting of 16 March 2016 - Councillor Stapleford declared a Non-Pecuniary - Less Than Significant Conflict for the reason that he knows some of the Woodbury family. Councillor Stapleford advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because he has had no close contact and it will not affect his voting.

PE29/2016 – Section 96 (AA) Application to Modify NSW Land and Environment Court Order No. 10515 of 1995 (Council reference: 5/1994/80115/1), Black Hill Road, Black Hill – Councillor Stapleford declared a Non Pecuniary - Less Than Significant Conflict for the reason that he knows some of the Woodbury family. Councillor Stapleford advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because he has had no close contact and it will not affect his voting.

CC20/2016 - Minutes of the Cultural Planning and Development Committee Meeting of Cessnock City Council held on 22 March 2016 - Councillor Parsons declared a Non Pecuniary - Significant Conflict for the reason that she is the Secretary of Abermain Eisteddfod Society and Central Hunter Community Broadcasters Association. Councillor Parsons advised that she would leave the Chamber and take no part in discussion and voting.

CC20/2016 - Minutes of the Cultural Planning and Development Committee Meeting of Cessnock City Council held on 22 March 2016 – Councillor Parsons declared a Non Pecuniary– Less Than Significant Conflict for the reason that she is a scripture teacher at Pelaw Main Public School. Councillor Parsons advised that should would leave the Chamber and take no part in discussion and voting.

PE30/2016 – 18/2015/4: Planning Proposal - James Street Cessnock - Pre-Gateway Review Update - Councillor Hawkins declared a Non Pecuniary– Significant Conflict for the reason that he has a close personal relationship with an adjoining objecting neighbour. Councillor Hawkins advised that he would leave the Chamber and take no part in discussion and voting.

PE30/2016 – 18/2015/4: Planning Proposal - James Street Cessnock - Pre-Gateway Review Update - Councillor Campbell declared a Non Pecuniary Significant Interest for the reason that a friend and work colleague is an objector. Councillor Campbell advised that he would leave the Chamber and take no part in discussion and voting.

CC20/2016 - Minutes of the Cultural Planning and Development Committee Meeting of Cessnock City Council held on 22 March 2016 – Councillor Campbell declared a Non Pecuniary - Less Than Significant Conflict for the reason that he is a presenter with and member of 2CHR FM. Councillor Campbell advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

CC20/2016 - Minutes of the Cultural Planning and Development Committee Meeting of Cessnock City Council held on 22 March 2016 - Councillor Smith declared a Pecuniary Interest for the reason that he is the Rector's Warden of the Anglican Parish of Mount Vincent and Weston, applicants for funding. Councillor Smith advised that he would leave the Chamber and take no part in discussion and voting.

PE30/2016 – 18/2015/4: Planning Proposal - James Street Cessnock - Pre-Gateway Review Update – The Mayor declared a Non Pecuniary Less Than Significant Conflict for the reason that he is a member of the Joint Regional Planning Panel. The Mayor advised that he remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

PE30/2016 – 18/2015/4: Planning Proposal - James Street Cessnock - Pre-Gateway Review Update – Councillor Wrightson declared a Non Pecuniary– Significant Conflict for the reason that she is a member of the Joint Regional Planning Panel (Hunter Central Coast) and dealt with the review.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI1/2016

**SUBJECT: NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL
SESSION**

**CC15/2016 – INVESTMENT - CONFIDENTIAL SETTLEMENT
COMMITTEE MEETING HELD ON 20 OCTOBER 2015**

**PE28/2016 – ADVICE RECEIVED IN RESPONSE TO NOTICE OF
MOTION FROM COUNCIL'S MEETING OF 16 MARCH 2016**

MOTION Moved: Councillor Smith **Seconded:** Councillor Hawkins

1. That Council consider in Confidential Session the following matters in accordance with Section 10A(2)(d)(i) & 10A(2)(g) of the Local Government Act 1993:

Report No. CC15/2016 – Investment - Confidential Settlement Committee meeting held on 20 October 2015 as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report No. PE28/2016 – Advice received in response to Notice of Motion from Council's meeting of 16 March 2016 as it contains advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

2. That Council request the Mayor in accordance with Section 253 of Local Government (General) Regulation 2005 to report on these matters to the meeting in Open Session following completion of the Confidential Session.

PROCEDURAL MOTION Moved: Councillor Ryan
Seconded: Councillor Troy

That Council note in the minutes that the public be clearly informed that the report was regarding legal advice requested at last Council meeting (6 April 2016) in regard to the Black Hill Quarry.

FOR	AGAINST
Councillor Troy	Councillor Doherty
Councillor Ryan	Councillor Pynsent
	Councillor Stapleford
	Councillor Hawkins
	Councillor Smith
	Councillor Campbell
	Councillor Parsons
Total (2)	Total (7)

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

The Motion was the **PUT** and **CARRIED**.

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
1647
RESOLVED

1. That Council consider in Confidential Session the following matters in accordance with Section 10A(2)(d)(i) & 10A(2)(g) of the Local Government Act 1993:

Report No. CC15/2016 – Investment - Confidential Settlement Committee meeting held on 20 October 2015 as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Report No. PE28/2016 – Advice received in response to Notice of Motion from Council's meeting of 16 March 2016 as it contains advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

2. That Council request the Mayor in accordance with Section 253 of Local Government (General) Regulation 2005 to report on these matters to the meeting in Open Session following completion of the Confidential Session.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

Confidential reports (closed session)

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1648

That the meeting move into closed session in order to consider confidential items.

FOR	AGAINST
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Councillor Troy	
Councillor Doherty	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	

Total (9)

Total (0)

CARRIED UNANIMOUSLY

7.00PM
Open Session

The meeting moved back into open session and the General Manager reported on the outcome.

PLANNING AND ENVIRONMENT NO. PE28/2016

**SUBJECT: ADVICE RECEIVED IN RESPONSE TO NOTICE OF MOTION FROM
COUNCIL'S MEETING OF 16 MARCH 2016**

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

MOTION Moved: Councillor Smith **Seconded:** Councillor Hawkins
1646
RESOLVED

That Council consider and note the report and confidential attachment in relation to Black Hill Quarry.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC15/2016

SUBJECT: INVESTMENT - CONFIDENTIAL SETTLEMENT

This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
1646
RESOLVED

1. That Council note the information regarding the confidential settlement.
2. That the settlement be recorded within Council's financial records as interest on investment.
3. That in accordance with Council's adopted quarterly budget review financial improvement strategy, the settlement be retained for purposes of improving Council's unrestricted cash position.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

Councillor Wrightson arrived at the meeting, the time being 7.00pm

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU6/2016

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE29/2016

SUBJECT: SECTION 96 (AA) APPLICATION TO MODIFY NSW LAND AND ENVIRONMENT COURT ORDER NO. 10515 OF 1995 (COUNCIL REFERENCE: 5/1994/80115/1)

BLACK HILL ROAD, BLACK HILL

Councillor Stapleford declared a Non Pecuniary Less Than Significant Conflict for the reason that he knows some of the Woodbury family. Councillor Stapleford remained in the Chamber and participated in discussion and voting.

MOTION Moved: Councillor Smith **Seconded:** Councillor Hawkins

1. That Council determine the Section 96(AA) Application to modify NSW Land and Environment Court Order No. 10515 of 1995, to extend existing gravel quarry operations for an additional 10 years, i.e., from 18 June 2016 until 18 June 2026, remove the reference to Lot 70 DP 755260 from the land description, and establish a Liaison Committee, at Lots 683 and 686, DP 619758; Lot 2 DP 123949; Lot 1 DP 957782; Lot 1 DP 536570; and Lot 70 DP 755260, Black Hill Road Black Hill, pursuant to Section 96(AA) of the Environmental Planning and Assessment Act 1979, by the granting of consent subject to the modified conditions contained in this report.
2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.
3. That Council endorse the revised Environmental Management Plan prepared by 'Kleinfelder,' dated 18 May 2015.
4. That Council endorse the Rehabilitation Plan prepared by 'Kleinfelder,' dated 18 May 2015.

MODIFIED CONDITIONS OF CONSENT

Portion 70 (DP 755260) Black Hill Road Black Hill, is removed from the property description

Condition No. 2 of Development Consent No 5/1995/80124 is amended to read as follows:

2. This consent shall lapse on 18 June 2016, 2026. ~~subject to any further approval granted by Cessnock City Council.~~

New Condition No. 48 is inserted and shall read as follows:

48. Liaison Committee

The applicant shall establish a Liaison Committee to oversee the quarry operation and the rehabilitation of the quarry in accordance with the consent granted by the Land and Environment Court and as subsequently amended by Council.

The Liaison Committee is to include the following people and be conducted in the following manner:

- i) One-two representatives of the Black Hill quarry;
 - ii) Interested Councillor;
 - iii) Council officer/s; and
 - iv) Two to four community members.
- To operate on a six monthly basis, commencing in July 2016.
 - To be held at Cessnock City Council or an agreed alternate venue.
 - Each meeting will be conducted by an independent convenor or chairperson engaged by Woodbury's Haulage and Earthmoving at the company's expense and who will also be responsible for circulation to the Committee of minutes taken at the meeting.

New Condition No. 49 is inserted and shall read as follows:

49. Environmental Management Plan

The requirements/conditions/recommendations contained within the Environmental Management Plan 2015 prepared by 'Kleinfelder,' dated 18 May 2015, shall be complied with at all times. The extent of the quarry operations are strictly confined to the area described under the approved plans and documentation. In addition to the land area described, quarry operations are restricted to a maximum wall height of 185 metres AHD in accordance with Condition 1 and shall not extend the depth of the existing quarry floor other than with the further approval of the consent authority.

All EMP rehabilitation requirements (inclusive of those requirements of Conditions 4, 31A and 31B) are to be met in conjunction with compliance with Condition 50.

New Condition No. 50 is inserted and shall read as follows:

50. Rehabilitation Plan

The requirements/conditions/recommendations contained within the Rehabilitation Plan prepared by 'Kleinfelder,' dated 18 May 2015, shall be complied with at all times. A report detailing rehabilitation of the eastern end of the quarry (as per the Block 1 requirements in the Rehabilitation Plan) is to be submitted to Council within six (6) months of the date of determination of the amended consent.

AMENDMENT **Moved:** Councillor Ryan **Seconded:** Councillor Troy

That Council declines to approve the modification application in question for the following reasons:-

1. There are reasonable grounds to believe that the development consent has lapsed at some point in time many years ago and therefore Council would be acting beyond their power to approve this modification.
2. The operations of the quarry since the Court approval have failed to implement the Court imposed conditions including the conditions precedent and this has been to the detriment of the public health and wellbeing for some time.
3. It cannot be in the public interest to continue the quarry at this location in Black Hill.

FOR	AGAINST
Councillor Ryan	Councillor Doherty
Councillor Troy	Councillor Stapleford
Councillor Wrightson	Councillor Hawkins
	Councillor Smith
	Councillor Campbell
	Councillor Parsons
	Councillor Pynsent
Total (2)	Total (7)

The Amendment was **PUT** and **LOST**.

The Motion was than **PUT** and **CARRIED**.

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
1649
RESOLVED

1. That Council determine the Section 96(AA) Application to modify NSW Land and Environment Court Order No. 10515 of 1995, to extend existing gravel quarry operations for an additional 10 years, i.e., from 18 June 2016 until 18 June 2026, remove the reference to Lot 70 DP 755260 from the land description, and establish a Liaison Committee, at Lots 683 and 686, DP 619758; Lot 2 DP 123949; Lot 1 DP 957782; Lot 1 DP 536570; and Lot 70 DP 755260, Black Hill Road Black Hill, pursuant to Section 96(AA) of the Environmental Planning and Assessment Act 1979, by the granting of consent subject to the modified conditions contained in this report.
2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.
3. That Council endorse the revised Environmental Management Plan prepared by 'Kleinfelder,' dated 18 May 2015.
4. That Council endorse the Rehabilitation Plan prepared by 'Kleinfelder,' dated 18 May 2015.

MODIFIED CONDITIONS OF CONSENT

Portion 70 (DP 755260) Black Hill Road Black Hill, is removed from the property description

Condition No. 2 of Development Consent No 5/1995/80124 is amended to read as follows:

2. This consent shall lapse on 18 June 2016, 2026. ~~subject to any further approval granted by Cessnock City Council.~~

New Condition No. 48 is inserted and shall read as follows:

48. Liaison Committee

The applicant shall establish a Liaison Committee to oversee the quarry operation and the rehabilitation of the quarry in accordance with the consent granted by the Land and Environment Court and as subsequently amended by Council.

The Liaison Committee is to include the following people and be conducted in the following manner:

- i) One-two representatives of the Black Hill quarry;
 - ii) Interested Councillor;
 - iii) Council officer/s; and
 - iv) Two to four community members.
- To operate on a six monthly basis, commencing in July 2016.
 - To be held at Cessnock City Council or an agreed alternate venue.
 - Each meeting will be conducted by an independent convenor or chairperson engaged by Woodbury's Haulage and Earthmoving at the company's expense and who will also be responsible for circulation to the Committee of minutes taken at the meeting.

New Condition No. 49 is inserted and shall read as follows:

49. Environmental Management Plan

The requirements/conditions/recommendations contained within the Environmental Management Plan 2015 prepared by 'Kleinfelder,' dated 18 May 2015, shall be complied with at all times. The extent of the quarry operations are strictly confined to the area described under the approved plans and documentation. In addition to the land area described, quarry operations are restricted to a maximum wall height of 185 metres AHD in accordance with Condition 1 and shall not extend the depth of the existing quarry floor other than with the further approval of the consent authority.

All EMP rehabilitation requirements (inclusive of those requirements of Conditions 4, 31A and 31B) are to be met in conjunction with compliance with Condition 50.

New Condition No. 50 is inserted and shall read as follows:

50. Rehabilitation Plan

The requirements/conditions/recommendations contained within the Rehabilitation Plan prepared by 'Kleinfelder,' dated 18 May 2015, shall be complied with at all times. A report detailing rehabilitation of the eastern end of the quarry (as per the Block 1 requirements in the Rehabilitation Plan) is to be submitted to Council within six (6) months of the date of determination of the amended consent.

FOR	AGAINST
Councillor Stapleford	Councillor Troy
Councillor Hawkins	Councillor Doherty
Councillor Smith	Councillor Wrightson
Councillor Campbell	Councillor Ryan
Councillor Parsons	
Councillor Pynsent	
Total (6)	Total (4)

CARRIED

PLANNING AND ENVIRONMENT NO. PE30/2016

SUBJECT: 18/2015/4: PLANNING PROPOSAL - JAMES STREET CESSNOCK - PRE-GATEWAY REVIEW UPDATE

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Smith
1650
RESOLVED

That the following Disclosure be accepted:-

Councillor Wrightson declared a Non Pecuniary– Significant Conflict for the reason that she is a member of the Joint Regional Planning Panel (Hunter Central Coast) and dealt with the review. Councillor Wrightson advised that she would leave the Chamber and take no part in discussion and voting.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

The Mayor declared a Non Pecuniary Less Than Significant Conflict for the reason that he is a member of the Joint Regional Planning Panel. The Mayor remained in the Chamber and participated in discussion and voting.

Councillor Hawkins declared a Non Pecuniary– Significant Conflict for the reason that he has a close personal relationship with an adjoining objecting neighbour. Councillor Hawkins left the Chamber and took no part in discussion and voting.

Councillor Campbell declared a Pecuniary Interest for the reason that a friend and work colleague is an objector. Councillor Campbell advised that he would leave the Chamber and take no part in discussion and voting.

Councillors Hawkins, Campbell & Wrightson left the meeting, the time being 7.21pm

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1651
RESOLVED

That Council advise the Minister for Planning and Environment that Council does not want to be the Relevant Planning Authority for the James Street Planning Proposal.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Ryan	
Councillor Stapleford	
Councillor Smith	
Councillor Parsons	
Councillor Pynsent	
Total (7)	Total (0)

CARRIED UNANIMOUSLY

Councillors Wrightson, Hawkins and Campbell returned to the meeting, the time being 7.24pm

PLANNING AND ENVIRONMENT NO. PE31/2016

SUBJECT: ADOPTION OF DRAFT 2016-17 OPERATIONAL PLAN FOR PUBLIC EXHIBITION

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1652
RESOLVED

That Council place the draft 2016-17 Operational Plan on public exhibition for 28 days in accordance with Section 405 of the Local Government Act 1993.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC16/2016

SUBJECT: CLASSIFICATION OF LAND - 32 AND 34 BENNETT STREET, MILLFIELD

MOTION **Moved:** Councillor Hawkins **Seconded:** Councillor Stapleford
1653
RESOLVED

That Council classify land; Volume 12337 Fol 172 (Folio 16/13687) – 32 Bennett Street, Millfield and Volume 12337 Fol 173 (Folio 17/13687) - 34 Bennett Street, Millfield, as “operational” land in accordance with s31 of the *Local Government Act 1993*.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC17/2016

SUBJECT: INVESTMENT REPORT - MARCH 2016

MOTION **Moved:** Councillor Troy **Seconded:** Councillor Wrightson
1654
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC18/2016

SUBJECT: LAND VALUATIONS FOR RATING JULY 2015 BASE DATE

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Troy
1655
RESOLVED

That the report be received and the information noted.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC19/2016

**SUBJECT: MINUTES OF THE CESSNOCK CITY YOUTH COUNCIL COMMITTEE
MEETING HELD ON 22 MARCH 2016**

MOTION **Moved:** Councillor Wrightson **Seconded:** Councillor Troy
1656
RESOLVED

That Council adopt the Minutes of the Cessnock City Youth Council Committee meeting held on 22 March 2016.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC20/2016

SUBJECT: MINUTES OF THE CULTURAL PLANNING AND DEVELOPMENT COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD ON 22 MARCH 2016

Councillor Campbell declared a Non Pecuniary - Less Than Significant Conflict for the reason that he is a presenter with and member of 2CHR FM. Councillor Campbell remained in the Chamber and participated in discussion and voting.

Councillor Parsons declared a Non Pecuniary– Less Than Significant Conflict for the reason that she is a scripture teacher at Pelaw Main Public School. Councillor Parsons left the Chamber and took no part in discussion and voting.

Councillor Parsons declared a Non Pecuniary - Significant Conflict for the reason that she is the Secretary of Abermain Eisteddfod Society and Central Hunter Community Broadcasters Association. Councillor Parsons left the Chamber and took no part in discussion and voting.

Councillor Smith declared a Pecuniary Interest for the reason that he is the Rector's Warden of the Anglican Parish of Mount Vincent and Weston, applicants for funding. Councillor Smith left the Chamber and took no part in discussion and voting.

Councillors Smith and Parsons left the meeting, the time being 7.26pm

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Hawkins
1657

RESOLVED

1. That Council adopt the minutes of the meeting of the Cultural Planning and Development Committee held on 22 March 2016.
2. That the applicants of the two ineligible applications for the Community Cultural Development Dollar for Dollar Grant Program, that is the Black Hill UCA Community Church and the North Rothbury Rural Fire Brigade, be informed of alternative grant programs for which they might be eligible, and be encouraged to submit their applications accordingly.
3. That the 2015/16 Community Cultural Development Dollar for Dollar Grant Program funding be provided to:-

APPLICANT	PROJECT	\$ AMOUNT FUNDED
Pelaw Main Public School	Story poles sculptural Installation	500.00
Anglican Parish of Mt Vincent and Weston, and Towns with Heart Inc.	Prize money for 52 nd Weston Art Show	3,000.00
Central Hunter Community Broadcaster	Replacement of chairs used by broadcasters and guests in studio	1,100.00

Association 2CHR		
Cessnock Regional Art Gallery Inc.	Expenses for the engagement of art teachers and the purchase of art materials for After School Art Classes, Holiday Art Classes, Art on the Street Art Classes	2,850.00
Branxton Greta Community Chamber of Commerce	Promotional material for Umbrella Festival	1,300.00
Abermain Eisteddfod Society	Trophies	1,900.00
Wollombi Valley Arts Council Inc.	Wollombi Valley Arts Council 2016 Emerging Artist Awards	1,900.00
Cessnock Woodturners Inc.	Purchase of a new modern 12" table saw	1,700.00
Coalfield Heritage Group	To undertake research of local history	2,000.00
Cessnock Community and Youth Development	Halloween Disco	1,850.00
Wollombi Sculpture in the Vineyards	Wollombi Sculpture in the Vineyards	2,850.00
Cessnock Multipurpose Children's Centre Ltd	Purchase of easels and art tables for an art preparation area in childcare centre extension	1,100.00
Cessnock City RSL Pipes and Drums	Band uniforms and equipment	2,550.00
Kurri Quills Writers Group	Writing tutor's fees at the writers' retreat	400.00
TOTALS		25,000.00

FOR

AGAINST

Councillor Troy
Councillor Doherty
Councillor Wrightson
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Campbell
Councillor Pynsent

Total (8)

Total (0)

CARRIED UNANIMOUSLY

Councillors Smith and Parsons returned to the meeting, the time being 7.26pm.

CORPORATE AND COMMUNITY NO. CC21/2016

SUBJECT: MINUTES OF THE ABORIGINAL ADVISORY COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD ON 1 APRIL 2016

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Campbell
1658
RESOLVED

1. That Council adopt the Minutes of the meeting of the Aboriginal Advisory Committee held on 1 April 2016.
2. That in delivery of the Reconciliation Action Plan action to participate or host one internal NAIDOC Week event, the General Manager consider hosting a Flag Raising and BBQ for staff and invited guests to launch the start of NAIDOC Week.
3. That in delivery of the Reconciliation Action Plan action to organise an event to recognise National Reconciliation Week, the General Manager consider hosting an event to launch the Week on Friday 27 May and extend an invitation to a local Wonnarua Elder to deliver a Welcome to Country.
4. That the General Manager review flagpole protocols and standards and report to Council on the feasibility and associated costs of expanding the number of flagpoles to accommodate as a minimum the addition of the Torres Strait Islander flag at the carpark entrance of the Council Administration.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC22/2016

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1659
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC23/2016

**SUBJECT: 2016 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT -
CONSIDERATION OF MOTIONS RECEIVED AND NOMINATIONS TO
ATTEND**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1660
RESOLVED

1. That the Mayor be Council's delegate to attend the 2016 National General Assembly of Local Government (the Mayor)
2. That the Mayor be Council's voting delegate for the 2016 National General Assembly of Local Government.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI19/2016

SUBJECT: PUBLIC EXHIBITION OF DRAFT ASSET MANAGEMENT PLANS

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Wrightson
1661
RESOLVED

1. That Council place the following five (5) draft Asset Management Plans on public exhibition for 28 days and invite public submissions:
 - Draft Road and Road Infrastructure Network Asset Management Plan
 - Draft Bridge and Major Culverts Asset Management Plan
 - Draft Stormwater Network Asset Management Plan
 - Draft Buildings Asset Management Plan
 - Draft Open Space and Other Structures Asset Management Plan
2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Asset Management Plans;
3. That a Councillor Briefing be held prior to the closure of the exhibition period.

FOR	AGAINST
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Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI20/2016

SUBJECT: MINUTES OF THE CESSNOCK CITY COUNCIL LOCAL TRAFFIC COMMITTEE MEETING HELD 15 FEBRUARY 2016

MOTION **Moved:** Councillor Wrightson **Seconded:** Councillor Hawkins
1662
RESOLVED

That Council endorse the recommendations of the Cessnock City meeting held on 15 February 2016 for the items *TC1/2016 TC2/2016* being:

1. That line marking and signage be installed on Charlton Street, Cessnock as follows:
 - S1 dividing separation centre line and E1 edge lines both sides for the remaining length;
 - BB double unbroken centre lines and raised reflective pavement markers from the intersection with Snape Street and Aberdare Road south for 20m;
 - Two symbolic W6-3 Children Crossing warning signs on the approaches to the childcare centre.
2. That three R5-400 NO STOPPING signs be installed on Charlton Street Cessnock, at locations as follows:
 - Immediately north of vehicle access crossing on the Charlton Street frontage of 223-225 Vincent Street, with a single arrow pointing south;
 - Immediately south of vehicle access crossing on the Charlton Street frontage of 223-225 Vincent Street, with a double arrow pointing north and south;
 - Immediately south of the vehicle access crossing on the frontage of 21 Charlton Street, with a single arrow pointing north.
3. That two existing NO STOPPING EMERGENCY VEHICLES EXCEPTED signs on Sperry Street, Cessnock be removed

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI21/2016

SUBJECT: TENDER FOR SUPPLY AND DELIVERY OF ELECTRICITY TO SMALL SITES

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
1663
RESOLVED

That Council enter into a retail energy supply contract with Origin Energy for a 24 month contract term for the supply of electricity to its small sites commencing 1 July 2016.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ29/2016

SUBJECT: MOUNT VIEW ROAD - ROAD WORKS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ30/2016

SUBJECT: ELECTION COMMITMENT FOR ROADWORKS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ31/2016

SUBJECT: NULKABA FOOTPATH - OVERGROWN

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ32/2016

SUBJECT: GRETA / COLLIERY STREETS INTERSECTION - STOP SIGN

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Graham Smith

STERNTALER DEVELOPMENT - BUCHANAN ROAD

Councillor Smith advised that residents have expressed concerns that the conditions in regard to the Sterntaler Development are not being complied with in regard to both construction within the Road Reserve and within the property regarding the number of animals and other issues and asked what action has Council taken to ensure compliance with those conditions.

Councillor Catherine Parsons

DISABLED PARKING - ABERMAIN HALL

Councillor Parsons advised of a previous question in regard to the Disabled parking space in front of the Plaza Hall at Abermain be assessed for the possibility of being nose to the kerb parking and asked for an update?

Councillor Catherine Parsons

COMMUNICATION FROM NEWCASTLE MUSLIM ASSOCIATION FOR INSPECTION OF PREMISES AT WALLSEND.

Councillor Parsons referred to a communication from the Newcastle Muslim Association where they have made an offer that Council can make an inspection of their development at Wallsend and asked is it possible to inspect before the Development Application comes to Council?

COUNCILLORS' REPORTS

Councillor Troy

Thanks from the people of Kitchener who have come back to her saying that the issue from the new construction has been figured out.

Councillor Smith

Councillor Smith advised that the Local Health Advisory Committee which was scheduled yesterday was cancelled at short notice and is now to be held in June.

The Meeting Was Declared Closed at 7.31pm

CONFIRMED AND SIGNED at the meeting held on 4 May 2016

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI7/2016

Corporate and Community Services



SUBJECT: *DISCLOSURES OF INTEREST*

RESPONSIBLE OFFICER: *Manager Governance and Business Services - Kim Appleby*

RECOMMENDATION

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

SUMMARY

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

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

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

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

ENCLOSURES

There are no enclosures for this report.

Motions of Urgency

Report No. MOU7/2016

Corporate and Community Services



SUBJECT: MOTIONS OF URGENCY

RESPONSIBLE OFFICER: Manager Governance and Business Services - Kim Appleby

RECOMMENDATION

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

SUMMARY

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

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

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU5/2016
General Manager's Unit



SUBJECT: *MINUTES OF THE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE MEETING HELD 19 APRIL 2016*

RESPONSIBLE OFFICER: *Economic Development Manager - Jane Holdsworth*

RECOMMENDATION

1. That the Minutes of the Economic Development Strategy Committee of 19 April 2016 be adopted as a resolution of the Ordinary Council.
2. That the draft Terms of Reference for the Economic Development Strategy Committee be adopted.
3. That the current membership is maintained for the life of the Economic Development Strategy Committee.
4. That Council thank the applicants that submitted an Expression of Interest to become a member of the Economic Development Strategy Committee and invite them to apply again, if appropriate, following the September 2016 council elections.

***MINUTES OF THE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE
MEETING OF THE CESSNOCK CITY COUNCIL HELD ON 19 APRIL 2016
COMMENCING AT 5.15PM***

PRESENT: Mayor Bob Pynsent
Councillor Rod Doherty
Councillor Graham Smith
Mr Toby Thomas (Towns With Heart)
Mr Bruce Tyrrell (HVW&TA)
Mr Geoff Walker (Cessnock Chamber of Commerce)

IN ATTENDANCE: Mr Stephen Glen (General Manager)
Ms Jane Holdsworth (Economic Development Manager)
Mr Gareth Curtis (Director Planning and Environment)
Mr Justin Fitzpatrick-Barr (Director Works and Infrastructure)
Mr Robert Maginnity (Director Corporate and Community)
Miss Melissa Carlill (Minute Taker)

APOLOGIES: **RESOLVED** that the apologies received from the following members be accepted:

Mr John Drayton
Ms Janet Murray
Mr William Nicholls
Mr Graham Skeates
Mr Michael Starkey

Moved: Councillor Doherty **Seconded:** Councillor Smith

MINUTES: **RESOLVED** that the Notes of the Economic Development Strategy Committee meeting held on 2 February 2016 as circulated, be taken as read and confirmed as a correct record.

Moved: Councillor Smith **Seconded:** Councillor Doherty

DISCLOSURE OF INTEREST

Nil

BUSINESS ARISING FROM PREVIOUS MINUTES

01-2016 Draft Terms of Reference

The Committee considered the draft Terms of Reference. The General Manager asked the Committee to consider the membership on page 3 and confirm they agreed with the composition of 3 Councillors, up to 8 business representatives and 2 community members. The Committee agreed.

RECOMMENDATION FOR COUNCIL'S CONSIDERATION: That the Terms of Reference be adopted.

Moved: Councillor Doherty

Seconded: Bruce Tyrrell

02-2016 Composition of Committee Members

The Expression of Interest process seeking new committee members was discussed. The General Manager advised that upon adoption of the new Terms of Reference, all positions on the Committee would be vacated and suggested it was appropriate that all sitting members reapply if desired. The Committee also discussed appointing new members in the context of the upcoming election, considering there would be one meeting before a new Council was elected. The Committee agreed it was most appropriate the status quo be maintained until following the Council elections.

General Manager's Unit

Report No. GMU5/2016

General Manager's Unit



RECOMMENDATION FOR COUNCIL'S CONSIDERATION: *That the current membership is maintained for the life of the committee.* That Council thank the applicants that submitted an Expression of Interest to become a member of the Economic Development Strategy Committee and invite them to apply again, if appropriate, following the council elections.

Moved: Toby Thomas

Seconded: Councillor Smith

DEFERRED BUSINESS

Nil

LISTED MATTERS

03-2016 Update on Hunter Valley Youth Unemployment Symposium

The Economic Development Manager provided an update following a meeting with the project group comprising representatives from TAFE, NSW Small Business Commissioner, Department of Employment and Department of Prime Minister and Cabinet.

- Currently consulting with stakeholders to identify gaps between programs in operation and key objectives outlined in strategy.
- \$6,000 funding allocated to develop a resource kit.
- 2 x \$50,000 funding over two years for trial programs targeting training for work readiness. Exploring options for host locations.

The information was received and noted.

04-2016 Update on Gap Analysis

The Economic Development Manager advised that the Economic Development Unit continued to engage businesses with the survey, so far recording 1,300 responses, and confirmed the data analysis would be complete by August.

The information was received and noted.

05-2016 Update on Economic Development Strategy Committee EOIs received

This was covered under discussion of matter 02-2016.

The information was received and noted.

06-2016 Update on Economic Development Strategy Plan

The Economic Development Manager advised the Plan was being revised subject to the budget process and requested the matter be deferred. Councillor Doherty requested a précis of the Economic Development Strategy.

The information was received and noted.

07-2016 Recent funding submissions

The Economic Development Manager provided the Committee an overview of the four projects submitted under the Resources for Regions program:

1. Joint application with Singleton Council for Old North Road Upgrade and Cycleway- \$11.2M
2. Hunter Expressway to Cessnock Cycleway - \$4.4M
3. Cessnock Airport Upgrade - \$7.58M
4. Cessnock CBD Regional Recreation Precinct Project - \$4.25M

The Economic Development Manager advised the total funding pool was \$32 million and applications with dollar for dollar matching were most likely to gain approval. In that context, the CBD project was considered the strongest application.

The Mayor asked if there was an announcement date for successful applications. The Economic Development Manager said that had not been advised by the Department, but that she would keep the Committee updated as information came to hand.

The information was received and noted.

CORRESPONDENCE

Nil

GENERAL BUSINESS

08-2016 Cessnock STOMP Festival

Mr Walker gave an overview of the STOMP Festival. Council's preliminary economic impact analysis – 11,000 estimated attendees worth \$3.08M to the local economy. Mr Walker advised the Cessnock Chamber of Commerce had received very positive feedback, and was in the process of analysing official survey data captured on the day.

The information was received and noted.

General Manager's Unit

Report No. GMU5/2016

General Manager's Unit



09-2016 Proposed expansion of Cessnock Correctional Facility

Mr Walker advised the Cessnock Chamber of Commerce had been discussing with its members the social and economic implications of the proposed expansion of the Cessnock Correctional Facility and had written to the Minister for Corrections outlining concerns and requesting specific statistics regarding the Facility's contribution to local employment and procurement. The Mayor advised that Council was also drafting a letter which would be sent by the end of the week and would request a meeting with the Minister and relevant departments which the Chamber and other stakeholders should be involved in.

The information was received and noted.

Next Meeting 7 June 2016

The Meeting Was Declared Closed at 5.40pm

ENCLOSURES

There are no enclosures for this report

SUBJECT: **18/2015/6: PLANNING PROPOSAL - HUNTLEE B4 MIXED USE ZONE - ADDITIONAL PERMITTED USES**

RESPONSIBLE OFFICER: **Strategic Land Use Manager – Martin Johnson**

APPLICATION NUMBER:	18/2015/6
PROPOSAL:	Planning Proposal – Huntlee B4 Mixed Use Zone Additional Permitted Uses
PROPERTY DESCRIPTION:	All land zoned B4 Mixed Use at North Rothbury and Branxton at the 'Huntlee' site, within the Local Government Area of Cessnock
PROPERTY ADDRESS:	As above
ZONE: (CURRENT)	B4 Mixed Use Zone
ZONE (PROPOSED)	Not Applicable
OWNER:	Huntlee Pty Ltd
PROPONENT:	JBA Urban Planning Consultants

SUMMARY

The purpose of this Report is to advise Council of the outcome of the public exhibition of the Planning Proposal, Huntlee B4 Mixed Use Zone – Additional Permitted Uses', and seek Council's endorsement to make the proposed amendment to the *Cessnock Local Environmental Plan 2011* (LEP 2011). In this instance, due to the low impact nature of the Planning Proposal, Council has been delegated the authority to exercise the functions of the Minister for Planning and Environment to make the proposed amendment to the LEP 2011.

RECOMMENDATION

That Council endorse the Planning Proposal, '18/2015/6: Huntlee B4 Mixed Use Zone Additional Permitted Uses', as provided at Enclosure 1 and exercise delegated authority provided by the Minister for Planning and Environment under Section 59 of the Environmental Planning and Assessment Act 1979, to make the amendment to the *Cessnock Local Environmental Plan 2011*.

BACKGROUND

The draft Planning Proposal was reported to the meeting of Council on 9 December 2015. At the meeting, it was resolved:

1. *That Council prepares a Planning Proposal to amend Clause 3(2) of Schedule 1 of the Cessnock Local Environmental Plan 2011 to include dual occupancies, secondary dwellings, recreation facilities (outdoor), and light industries as additional permitted uses in the B4 Mixed Use Zone at Huntlee.*

Planning and Environment

Report No. PE32/2016

Planning and Environment



2. *That Council requests a Gateway determination from the NSW Department of Planning and Environment pursuant to the Environmental Planning and Assessment Act 1979.*
3. *That Council undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.*
4. *That a further report be presented to Council following the public exhibition of the Planning Proposal, to consider any submissions and outcomes of the consultation.*
5. *That Council request authorisation to exercise the functions of the Minister for Planning under section 59 of the Environmental Planning and Assessment Act 1979 to make the Local Environmental Plan.*

A Gateway determination was issued by the Department of Planning and Environment (DoPE) in respect of the draft Planning Proposal on 15 February 2016. The determination specified a public consultation period of fourteen days. The determination also specified that no consultation was required with any public authority.

Due to the low impact nature of the Planning Proposal, Council has been delegated the authority to exercise the functions of the Minister for Planning and Environment to make the proposed amendment to the LEP 2011.

The Planning Proposal was placed on public exhibition between 24 February 2016 and 9 March 2016. The Proposal was re-exhibited on 23 March 2016 when it came to light that not all the affected properties had been notified during the original exhibition period. The re-exhibition period subsequently concluded on 13 April 2016 and included an additional week in consideration of the Easter long weekend holiday. On both occasions, the exhibition of the Proposal resulted in no submissions.

Chronology

Date	Brief Description
20 October 2015	Draft Planning Proposal lodged with Council.
9 December 2015	Council resolves to forward the draft Planning Proposal to the Department of Planning and Environment (DoPE) for Gateway determination.
15 February 2016	DoPE issue Gateway determination in respect of the draft Planning Proposal.
24 February 2016	Exhibition of the draft Planning Proposal commences.
9 March 2016	Exhibition period ends with no submissions received.

Planning and Environment

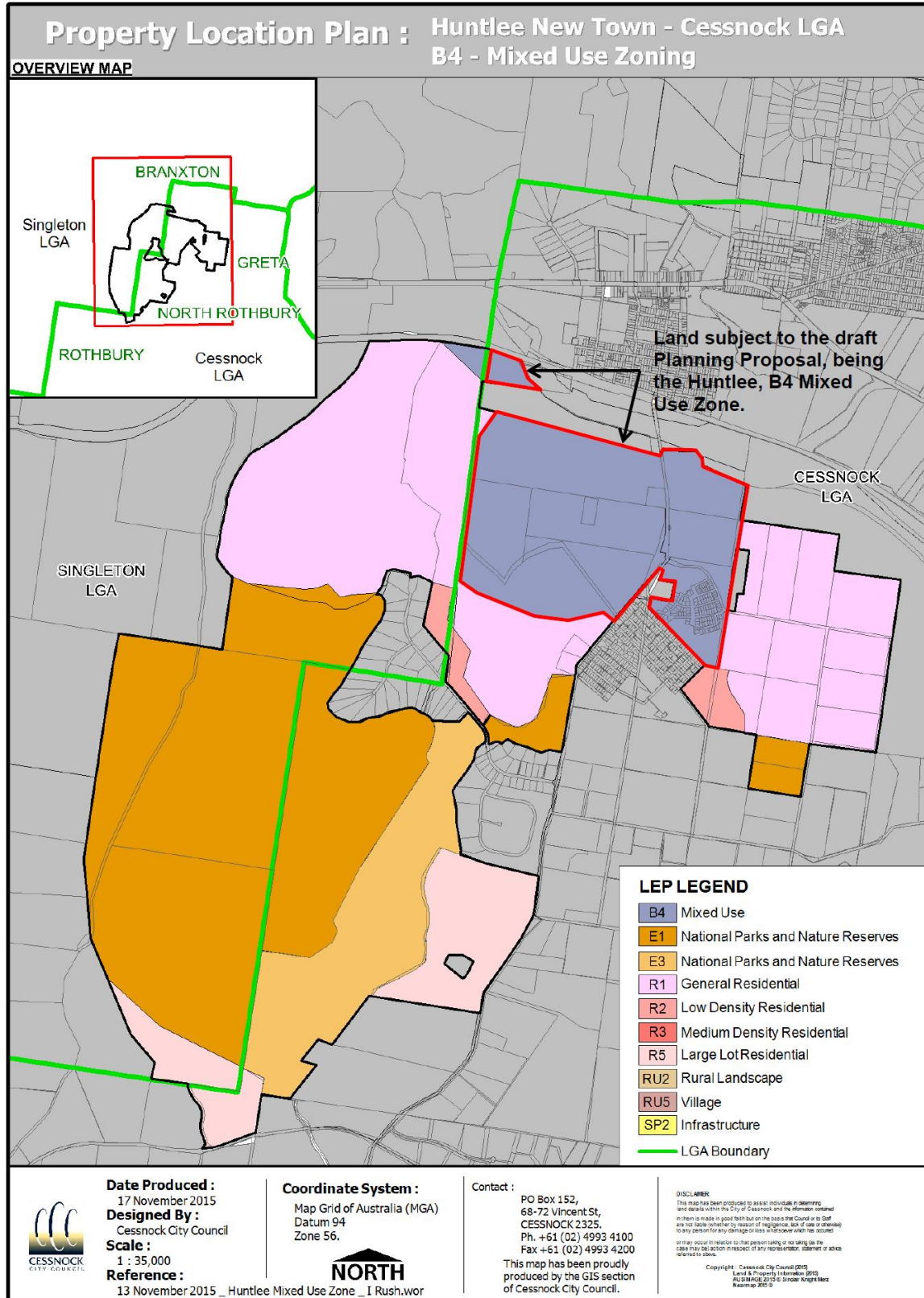
Report No. PE32/2016

Planning and Environment



23 March 2016	Planning Proposal is re-exhibited due to an administrative error.
13 April 2016	Re-exhibition period ends with no submissions received.

Figure 1: Land Subject to the Planning Proposal



Planning and Environment

Report No. PE32/2016

Planning and Environment



REPORT/PROPOSAL

The objective of the Planning Proposal is to permit development for *dual occupancies*, *secondary dwellings*, *recreation facilities (outdoor)*, and *light industries* in the B4 Mixed Use Zone at Huntlee.

- *Dual occupancy* means a dual occupancy (attached) or a dual occupancy (detached).
 - dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.
 - dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.
- *Secondary dwelling* means a self-contained dwelling that:
 - (a) is established in conjunction with another dwelling (the principal dwelling), and
 - (b) is on the same lot of land as the principal dwelling, and
 - (c) is located within, or is attached to, or is separate from, the principal dwelling.
- *recreation facility (outdoor)* means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).
- *light industry* means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:
 - (a) high technology industry,
 - (b) home industry.

Dual occupancies and *secondary dwellings* were not originally included as permissible land uses in the B4 Zone at Huntlee. This appears to have been an oversight in the drafting of the original provisions for the site under *SEPP Major Development* by the then Department of Planning and Infrastructure. The anomaly is peculiar given the broad range of residential accommodation already permissible in the Zone, including *dwelling houses*, *multi-dwelling housing*, *residential flat buildings*, *seniors housing*, and *shop top housing*.

The proposal also seeks to enable the land uses, *recreation facilities (outdoor)* and *light industries* as additional permitted uses in the B4 Zone at Huntlee. These land uses were originally permissible in the B4 Zone at Huntlee under *SEPP Major Development*; however, were not carried into the LEP 2011 by the Department of Planning and Environment when the provisions of the *SEPP* were transferred, which appears to have been a drafting error.

Planning and Environment

Report No. PE32/2016

Planning and Environment



Community consultation was undertaken as directed in the Gateway determination. Given the low impact nature of the Proposal, a 14 day exhibition period was required by the determination. The Planning Proposal was placed on public exhibition between 24 February 2016 and 9 March 2016. The Proposal was re-exhibited between 23 March 2016 and 13 April 2016, due to an administrative error. On both occasions, the exhibition of the Planning Proposal resulted in no submissions being received.

OPTIONS

Council has the following options:

1. Submit the Planning Proposal to the Department of Planning and Environment as an amendment to the *Cessnock Local Environmental Plan 2011*. This is the recommended option.
2. Not proceed with the Planning Proposal for the following reasons:

(To be provided by Council).

CONSULTATION

Community consultation was undertaken as directed in the Gateway determination. Given the 'low impact' nature of the Proposal, a 14 day exhibition period was required by the Determination. No consultation with public authorities was required by the Department of Planning and Environment.

The Planning Proposal was placed on public exhibition between 24 February 2016 and 9 March 2016. The Proposal was re-exhibited between 23 March 2016 and 13 April 2016, due to an administrative error. On both occasions, the exhibition of the Planning Proposal resulted in no submissions being received.

STRATEGIC LINKS

a. Delivery Program

A Sustainable and Healthy Environment: Objective 3.1 Protecting and Enhancing the Natural Environment and the Rural Character of the Area.

b. Other Plans

The Planning Proposal is considered to be consistent with relevant State Environmental Planning Policies and Section 117 Ministerial Directions.

Planning and Environment

Report No. PE32/2016

Planning and Environment



IMPLICATIONS

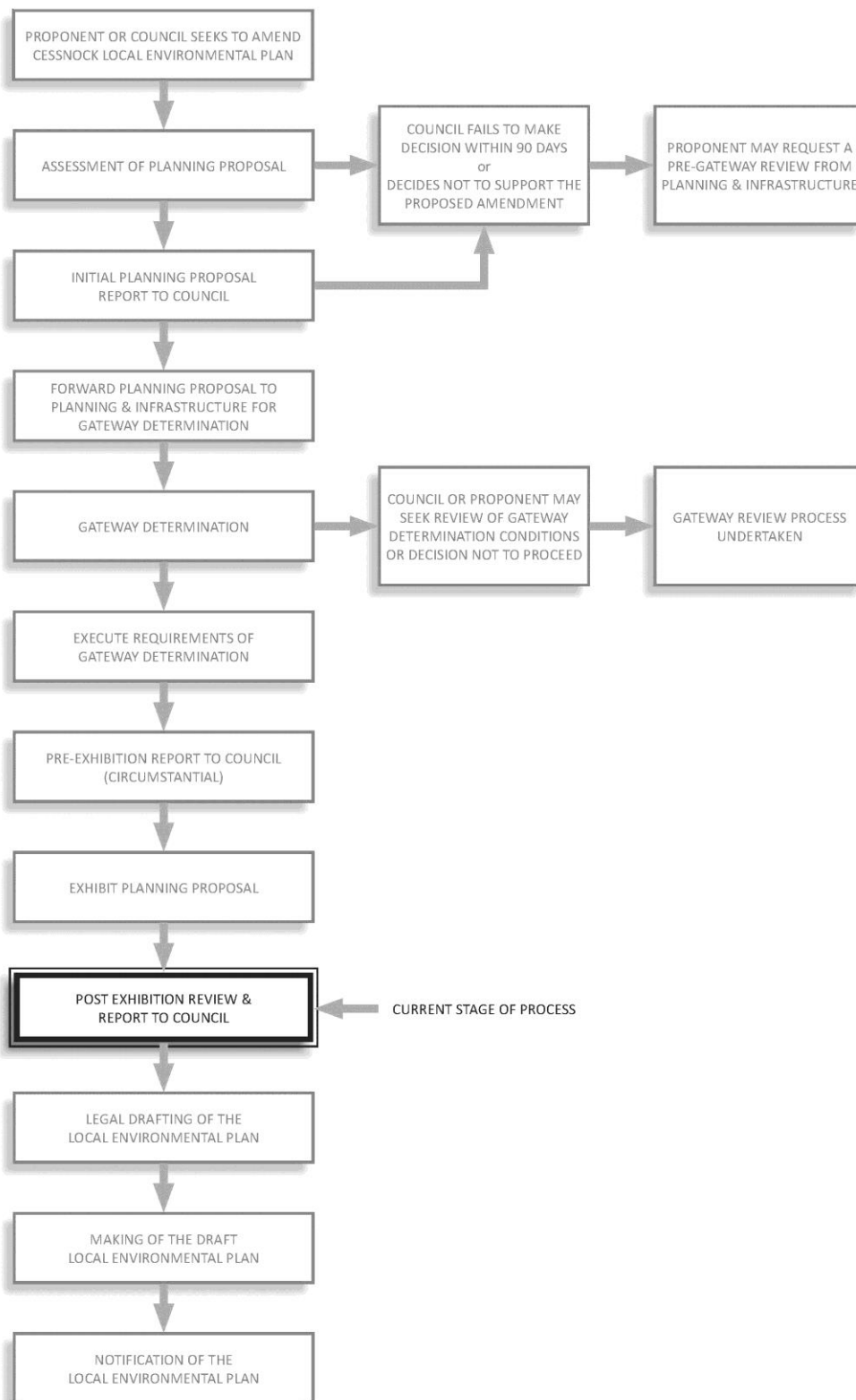
a. Policy and Procedural Implications

This Report has regard to the provision of the Environmental Planning and Assessment Act 1979 and associated Regulations. The current status of the planning proposal is identified in the following process.

Planning and Environment
Report No. PE32/2016
Planning and Environment



PLAN MAKING PROCESS - LOCAL ENVIRONMENTAL PLAN



Planning and Environment

Report No. PE32/2016

Planning and Environment



b. Financial Implications

The finalisation of the Planning Proposal will be met through rezoning fees. This Planning Proposal is considered to be a Category A rezoning application and attracts a Phase 1 fee of \$3,580.00 and Phase 2 fee of \$3,690.00.

c. Legislative Implications

The process underway to develop and finalise the Planning Proposal is consistent with Council's statutory responsibilities under the Environmental Planning and Assessment Act 1979.

d. Risk Implications

The proposed changes will remove potential problems and / or delays for planned or possible future development within the B4 Mixed Use Zone at the Huntlee site. It will also see land uses consistent across Singleton and Cessnock Councils.

e. Other Implications

Nil

CONCLUSION

The public consultation phase of the Planning Proposal has now concluded with no submissions received. It is recommended that Council now endorse the Planning Proposal as provided at **Enclosure 1** as an amendment to the *Cessnock Local Environmental Plan 2011* to include dual occupancies, secondary dwellings, recreation facilities (outdoor), and light industries as additional permitted uses in the B4 Mixed Use Zone at the Huntlee site.

ENCLOSURES

- 1 Planning Proposal
- 2 Gateway Determination and Ministerial Direction

Corporate and Community

Report No. CC24/2016

Corporate and Community Services



SUBJECT: *LOCAL GOVERNMENT NSW - BOARD OF DIRECTORS ELECTIONS*

RESPONSIBLE OFFICER: *Manager Governance and Business Services - Kim Appleby*

SUMMARY

This report provides an update regarding the election of LG NSW Board of Directors.

RECOMMENDATION

That Council re-confirms voting delegates as Councillors Pynsent, Smith, Stapleford and Ryan for the election of Local Government NSW Board of Directors.

BACKGROUND

At its meeting of 15 July 2015 Council resolved:

That Council determines Councillors Pynsent, Smith, Stapleford and Ryan as attendees and voting delegates to the Local Government NSW Annual Conference 2015.

Following the Board elections held at the 2015 Annual Conference, voting had been finalised for the positions of President and Treasurer for LG NSW, with Cr Keith Rhoades AFSM returned as President and Cr Scott Bennison of Lane Cove elected as Treasurer.

While the AEC formally declared the positions of President and Treasurer on Tuesday 13 October, the declaration of the remaining positions was placed on hold after Hawkesbury City Council was incorrectly categorised as a rural-regional Council. This meant the Council was given the wrong ballot papers and voted in the wrong category, affecting the results of elections for all Board positions other than President and Treasurer.

Following the declaration an application was made to the Federal Court, seeking an enquiry which would review the affected polls and determine the appropriate way forward, with LG NSW seeking the AEC to expedite an application for an enquiry. The Fair Work (Registered Organisations) Act allows those candidates declared by the AEC to serve on the LG NSW Board and conduct regular business".

REPORT/PROPOSAL

As advised by LG NSW (**Enclosure 1**) on 29 March 2016, the Federal Court of Australia made an order declaring that the election of 13 persons on the Board of Directors was void and that they had not been elected; though the positions of President and Treasurer were not affected. The Court also decided that three other Directors would not be impacted due to the size of their respective primary votes.

The AEC has been directed to conduct fresh elections via postal ballot for the positions of Vice President (Metropolitan/Urban Council), Vice President (Regional/Rural Council), five (5) Directors (Metropolitan/Urban Council) and six (6) Directors (Regional/Rural Council)

Corporate and Community

Report No. CC24/2016

Corporate and Community Services



Eligible candidates are those who stood in 2015. The AEC's Notice of Election is available at www.lgnsw.org.au/files/imce-uploads/79/2016_Election_Notice

Council is eligible for 4 voting delegates and Council is required to confirm delegate details to LG NSW by 2 June 2016. This report is represented to Council for its consideration of voting delegates and recommends that Council reaffirm the previous designated voting delegates.

OPTIONS

Reaffirm the voting delegates as resolved on 15 July 2015 or select new voting delegates.

CONSULTATION

Councillors and Executive

STRATEGIC LINKS

a. Delivery Program

This report is linked to "Civic Leadership and Effective Governance".

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

N/A

c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Other Implications

N/A

CONCLUSION

This report provides an update to Council regarding the election of Local Government NSW Board of Directors and to determine its voting delegates.

Corporate and Community

Report No. CC24/2016

Corporate and Community Services



ENCLOSURES

- 1** LG NSW Board of Directors Election - Voting Delegates

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



SUBJECT: *OPERATION OF THE REUSE CENTRE - CESSNOCK WASTE MANAGEMENT CENTRE*

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

SUMMARY

Evaluation of tenders for Tender No. T1516/08 – Operation of the Reuse Centre at the Cessnock Waste Management Centre.

RECOMMENDATION

1. That Council decline to accept any of the tenders;
2. That Council cancel the proposal for the contract for the Operation of the Reuse Centre;
3. That 3 months' notice of termination of the current License Agreement for the site is given to the current Reuse Centre Operator.

BACKGROUND

The redevelopment of the Cessnock Waste Management Centre (WMC) includes an extension to the landfill site, the construction of a new Waste Transfer Facility and considered relocation and construction of a new Reuse Centre. The new Reuse Centre is proposed to be located within a separate compound adjoining the Waste Transfer Facility in the western corner of the site. This planned new facility will have separate vehicular access.

The existing Reuse Centre is operated under a License Agreement by a contractor who has operated the Centre for over 20 years.

Under the NSW Environment Protection Authority's (EPA) Environmental Protection License (EPL) covering the operation on the WMC, a number of materials including metals and grass clippings are currently managed by the Reuse Centre. Under the planned redevelopment of the WMC, these materials will be managed as part of Council's operations. This will impact on the operations of the Reuse Centre as these materials have in the past provided revenue to subsidise the Centre.

In October 2015, Council called an expression of interest (EOI) to operate the new Reuse Centre. Two (2) submissions were received. In response to the EOI process Council called for tenders to operate the new Centre. This report details the evaluation of Tender No. T1516/08 - Operation of the Reuse Centre.

REPORT

The Request for Tender (RFT) documents were prepared by Council officers, and reviewed by the Tender Audit Panel (TAP) before tenders were called. The RFT contained key elements such as information for tenderers, conditions of tendering, draft licence agreement, service specification and returnable tender schedules.

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



The RFT called for an annual lump sum licence/management fee.

Invitation

Open tenders were invited on Saturday 30 January 2016 and were made available on Council's e-tender portal, Tenderlink and advertised in the following publications:

Publication:	Day:	Date:
Newcastle Herald	Saturday	30 January 2016 6 February 2016
Sydney Morning Herald	Tuesday	2 February 2016 9 February 2016
The Advertiser	Wednesday	3 February 2016

Addenda

No addenda were issued for this tender.

Closure

Tenders closed 2pm Friday 19 February 2016.

Evaluation of Tenders

Tender Evaluation Team: In accordance with Council's Procurement Procedure, a Tender Evaluation Team (TET) was formed with the following members:

- Sustainability Officer, Environment and Waste
- Waste Services Coordinator, Environment and Waste
- Environment and Waste Manager
- Procurement, Depot and Building Services Manager

Evaluation Process: The evaluation was conducted according to the following process:

1. Assessment of receipt
2. Assessment of conformance
3. Shortlisting
4. Detailed weighted evaluation
5. Due diligence checks on preferred tenderer
6. Determine evaluation result
7. Independent review of the tender selection process

The evaluation criteria and their weightings were documented in the Contract Initiation and Development Plan and Tender Evaluation Plan, which were reviewed by the Environment and Waste Manager prior to tenders being invited.

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure**1. Assessment of Receipt**

Tenders were received and assessed against the first threshold criteria.

Threshold Criteria:	
Criterion 1	Submission on time

At the time of tender closure, the following tenders were received:

No.	Tenderer:	Business Address:	Criterion 1:
1	East Cessnock Recycling Pty Ltd	East Cessnock	On time
2	Great Lakes Community Resources Inc. Trading As "Resource Recovery Australia"	Tuncurry	On time

2. Assessment of Conformance

The tenders received on time were then assessed for conformance with the remaining threshold criteria:

Threshold Criteria:	
Criterion 2	Tenderers declaration

All tenders were considered fully conforming and progressed to the shortlisting stage.

3. Shortlisting

Shortlisting was not considered necessary as there were only two tenders received and all within a competitive price range. Two tenders were progressed to the weighted evaluation stage.

4. Weighted Evaluation

Tenders were evaluated using the following weighted evaluation criteria:

Weighted Criteria:	
Criterion 3	Value for money
Criterion 4	Resource recovery capacity
Criterion 5	Social outcomes
Criterion 6	Management, staff and resources
Criterion 7	Experience and past performance
Criterion 8	Work health and safety performance
Criterion 9	Environmental management performance
Criterion 10	Quality management performance

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



To assess tenders against the weighed evaluation criteria, the TET used information obtained from the tender documents and site visits. A Tender Evaluation Matrix, containing full details of the pricing and weighted evaluation is provided as confidential **Enclosure 1**.

5. Due Diligence

An independent financial capacity assessment was undertaken on the preferred tenderer. The financial assessment was based upon the audited financial statements of the preferred tenderer as at 30 June 2015. The results of the assessment are included in confidential **Enclosure 1**.

In addition, referee checks on the preferred tenderer returned very positive feedback regarding the service and performance.

6. Evaluation Result

Following the evaluation process, the TET recommended that Council decline all tenders for the Operation of the Reuse Centre. This recommendation was based on value for money of the operations with the management fee tendered being substantially higher than anticipated and outside the realm of Council's current operating budget. This will be discussed further under a separate heading below.

7. Independent Review

The evaluation process and recommendations were reviewed by the TAP and determined to be in accordance with Council's *Procurement Policy*, *CCC Procurement Procedure* and relevant legislation.

TIME FRAME

The proposed tender contract period is for a period of 5 years, with a 2 year option to extend. The anticipated contract commencement date was 15 August 2016.

Three months' notice of termination of the current Licence Agreement will be provided to the current contractor.

LOCAL CONTENT

Local preference scoring was not applied to this tender, however, it was noted that both tenderers are located within the region.

EVALUATION RESULT

The aim of the Reuse Centre is to reduce waste to landfill by encouraging the community to reuse materials.

The construction of a new Reuse Centre has been considered as part of the redevelopment of the WMC.

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



Reuse Centre is considered to be beneficial based on social and environmental outcomes and the current patronage of the site, and therefore it was decided to call for tenders for the Centre operations in the knowledge that the decision would require capital investment and potentially on-going operational cost. Currently, the Reuse Centre returns a modest annual rent for the site.

While being recognised as a beneficial service to the community, it is noted that the majority of Council's in the Hunter Region have discontinued providing this service to their communities.

During the evaluation process consideration was given to a number of criteria, including consideration of environmental and social outcomes and value for money.

The financial investment required for both the capital investment and on-going operation of the Reuse Centre is considered unsustainable and not value for money for the community. On this basis the recommendation is that Council declines all tenders for the operation of the Reuse Centre.

OPTIONS

1. Council decline to accept any tenders and cancel the proposal for the contract of the operation of the Reuse Centre and Council provides the current contractor with 3 months' notice of termination of the current Licence Agreement. This is the preferred option due to the significant additional cost associated with the future operation of a new Reuse Centre.
2. Council decline to accept any of the tenders and enter into negotiations with the preferred tenderer in accordance with Clause 178 (3)(e) of the Local Government (General) Regulation 2005. This option is not recommended as the financial implications of the proposed operation of the Reuse Centre are not considered sustainable. Negotiation with new parties is not recommended as interest from other in the market has not been demonstrated.

CONSULTATION

The following officers were consulted in preparation of the report during the tender process:

- Tender Evaluation Team (TET)
- Tender Audit Panel (TAP)

Kingsway Financial Assessments were consulted regarding financial capacity of the preferred tenderer.

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



STRATEGIC LINKS

a. Delivery Program

The recommendation remains in line with Council's 2013 – 2017 Revised Delivery Program. Community Desired Outcome - A Sustainable and Healthy Environment:

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

b. Other Plans

Council's Waste Management Strategy 2014/19 – guides the management of Council's waste services and infrastructure to the highest standard, in terms of financial efficiency, technology use and waste diversion performance.

The recommendation is in line with the NSW Waste Avoidance and Resource Recovery Strategy 2014-21, which sets the following targets for 2021–22:

- increasing recycling rates to 70 percent for municipal solid waste.
- increasing waste diverted from landfill to 75 percent.

STATUTORY IMPLICATIONS

c. Policy and Procedural Implications

The tender process has been carried out in accordance with:

- Council's Procurement Policy;
- Council's Procurement Procedure;
- Tendering Guidelines for NSW Local Government 2009;
- NSW Government – Code of Practice for Procurement 2005.

d. Financial Implications

The change in the nature of operations of the Reuse Centre has resulted in tender submissions that require a management fee to be paid by Council to the tenderer, rather than the current situation where Council receives a site licence fee of \$7,500 per annum.

While a management fee was anticipated, largely due to falling commodity prices, the submitted tender prices from both tenderers was substantially higher than expected. This negative cash outflow will need to be funded by an increase in the Domestic Waste Management Charge (DWMC), if Council elects to maintain the service. This will lead to a further impost on ratepayers.

In addition to the operational cost, the redevelopment of the Reuse Centre is estimated to be a capital investment in the order of \$250,000 to \$300,000. This capital cost as well as ongoing maintenance and management of this asset, would be an additional recurrent cost to Council that would be funded from the Waste Reserve.

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



At present, the commodity price for metals is extremely low, however this price may rise again and may provide Council with an additional income stream that could subsidise the future operation of the Reuse Centre. For this reason, as market conditions change the value for providing the service can be reassessed.

Further discussion of the financial implications is provided in confidential **Enclosure 1**.

e. Legislative Implications

The tender process has followed the legislative provisions referenced in Council's *Procurement Policy* and *CCC Procurement Procedure*, which are as follows:

- Local Government Act 1993
- Local Government (General) Regulation 2005

In particular, reference is made to Part 7, Division 4, Clause 178 of the Local Government (General) Regulation 2005 (Acceptance of tenders):

1. After considering the tenders submitted for a proposed contract, the Council must either:
 - (a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or
 - (b) decline to accept any of the tenders.
2. A Council must ensure that every contract it enters into as a result of a tender accepted by the Council is with the successful tenderer and in accordance with the tender (modified by any variation under clause 176). However, if the successful tender was made by the Council (as provided for in section 55 (2A) of the Act), the Council is not required to enter into any contract in order to carry out the requirements of the proposed contract.
3. A Council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:
 - (a) postpone or cancel the proposal for the contract,
 - (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,
 - (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,
 - (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,
 - (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,
 - (f) carry out the requirements of the proposed contract itself.

Works and Infrastructure

Report No. WI22/2016

Works and Infrastructure



4. If a Council resolves to enter into negotiations as referred to in sub clause (3) (e), the resolution must state the following:
 - (a) the Council's reasons for declining to invite fresh tenders or applications as referred to in sub clause (3) (b)–(d),
 - (b) the Council's reasons for determining to enter into negotiations with the person or persons referred to in sub clause (3) (e).

f. Risk Implications

The Reuse Centre has been in operation for more than 20 years. To manage the risk of unfulfilled community expectation, Council will need to effectively communicate with the community if it elects not to proceed with the new Centre.

The Reuse Centre is located on Council land and has operated under Council's EPL for the landfill site.

The operation of the Reuse Centre is tied to Council's overriding waste management responsibility. The objective is to manage waste sustainably. Council is aiming to, as a minimum, achieve the 2014 New South Wales Waste Avoidance and Resource Recovery target of 66 percent diversion of waste from landfill and commence achievement of the 2022 target of 70 percent.

If the Reuse Centre closes additional materials may be sent to landfill. This may affect Council's waste diversion targets. The estimated quantity currently recovered through the Reuse Centre is 0.5 to 1.2 percent of waste generated per annum.

g. Other Implications

Nil

CONCLUSION

The Reuse Centre has a number of positive social and environmental outcomes, including employment and skill development opportunities and the opportunity to increase resource recovery and divert waste from landfill. Nonetheless, based on the significant financial investment, both capital and operational that is required to construct and operate the Reuse Centre, it is not considered a sustainable waste management option at this time.

In the variable resource market, should circumstances improve, the operation of a future service could be reconsidered by Council.

ENCLOSURES

- 1** Financial Capacity Assessment Results & Financial Implications - *This matter is considered to be confidential under Section 10A(2) (dii) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret. (Confidential financial information.)*

Works and Infrastructure

Report No. WI23/2016

Works and Infrastructure



SUBJECT: *PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP)*

RESPONSIBLE OFFICER: *Strategic Asset Planning Manager - Stephen Long*

SUMMARY

The purpose of this report is to seek Council's approval to publicly exhibit the draft Pedestrian Access and Mobility Plan for 28 days.

RECOMMENDATION

1. That Council place the draft Pedestrian Access and Mobility Plan on exhibition for 28 days.
2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Pedestrian Access and Mobility Plan.
3. That a Councillor Briefing be held prior to the closure of the Exhibition period for the draft Pedestrian Access and Mobility Plan.

BACKGROUND

The population of the Cessnock Local Government Area (LGA) as at the 2011 census was 50,840. This represented an increase of 4,631 persons (or 9.1 percent) since the 2006 census. Based on population projections, it is estimated that the Cessnock LGA population in 2021 will be between 59,274 (low scenario) and 76,467 (high scenario) and the 2031 population between 68,364 (low scenario) and 101,987 (high scenario).

In anticipation of this population growth, Council engaged a consultant in September 2015 to prepare a Pedestrian Access and Mobility Plan (PAMP).

The main objective of the PAMP is to provide Council with a long-term strategy and action plan for pedestrian facilities within the Cessnock LGA. It will facilitate a strategic and coordinated approach to the provision of safe, convenient and connected pedestrian routes and infrastructure to the community.

This report seeks Council's approval to place the draft PAMP on public exhibition for 28 days.

REPORT/PROPOSAL

The draft PAMP has been developed in accordance with the NSW Roads and Maritime Services (RMS) document "How to prepare a Pedestrian Access and Mobility Plan".

A copy of the draft PAMP is provided under separate cover.

Works and Infrastructure

Report No. WI23/2016

Works and Infrastructure



The core deliverables of the PAMP include:

- Mapping existing pedestrian networks and identifying opportunities to complete existing, or establish new networks;
- A long term strategy for the development of pedestrian routes and facilities to assist Council in planning future infrastructure projects;
- A costed works program for improving pedestrian facilities.

The draft PAMP recommendations are based on a comprehensive document review, pedestrian facilities audit, community and key stakeholder consultation, industry trends analysis and consideration of local environmental, economic and social influences.

Works Program

The identified priority works program (Appendix D of the draft PAMP) will form the basis of Council's 10 year Pathways Construction Program. It will also assist Council in seeking external funding opportunities as they become available.

The priorities identified in the draft PAMP take into consideration the contribution that each action makes to; pedestrian safety, ease of accessibility and the amenity of the surrounding environment.

The estimated costs to implement these identified priorities (see also Tables 5.2 and 5.3 contained in the draft PAMP) are as follows;

- **High priority** - essential for pedestrian safety, **\$1.5M**;
- **Medium priority** – desirable for pedestrian safety, convenience or amenity, **\$3.76M**;
- **Low priority** - little impact on pedestrian safety, desirable for pedestrian convenience or amenity, **\$5.88M**.

Council currently allocates \$250,000 to the Pathways Construction Program in its annual Capital Works Program.

OPTIONS

The following options are provided for Council's consideration:

1. That Council places the draft PAMP on public exhibition for 28 days and receives a further report for consideration prior to adopting the final PAMP. This option is recommended as the draft PAMP forms a critical component of Council's long term asset and strategic planning framework;
2. That Council does not place the draft PAMP on public exhibition.

Works and Infrastructure

Report No. WI23/2016

Works and Infrastructure



CONSULTATION

The following stakeholders were consulted in the preparation of the draft PAMP:

Internal

- Councillors (Briefing Session)
- Community and Cultural Engagement
- Strategic Land Use Planning
- Design Delivery
- Recreation Services

External

- Roads and Maritime Services
- Community / Public Consultation
- Various Bicycle Groups
- Online community survey
- Public Schools (Primary and Secondary)
- NSW Department of Primary Industries - Lands
- NSW Department of Transport

Further details of consultation, is included in the draft PAMP.

STRATEGIC LINKS

a. Delivery Program

Community's Desired Outcome: A connected, safe & creative community,
Objective 1.1 – Promoting Social Connections, specifically
1.1.3 e: Commence development of the Pedestrian Access and Mobility Plan.

b. Other Plans

All relevant plans and strategies are identified within the draft PAMP.

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Implementation of the priority works identified in the draft PAMP will be considered through Council's annual budget and Operational Plan processes.

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

Works and Infrastructure

Report No. WI23/2016

Works and Infrastructure



The PAMP would be considered as part of the development of new Developer Contributions Plans where there is a nexus between the identified works and the future growth in the Local Government Area.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Other Implications

Walking is one of the most efficient modes of transport; generating considerable health, economic and social benefits. With increased pedestrian activity in town centres and other recreational areas, Council has identified a need to develop a PAMP.

The PAMP was developed as part of Council's long term asset and strategic planning framework. The implementation of the improvements identified in the plan is expected to encourage people to walk rather than use their cars.

The PAMP provides a strategic framework to take advantage of the opportunities within the Cessnock LGA and maximise the community benefit from investment in pedestrian infrastructure.

CONCLUSION

The draft PAMP will facilitate evidence-based decision making with respect to Council's Pathways Construction program. It will also be used to inform Council policy, planning and strategic direction with regards to the pedestrian needs of the Cessnock LGA stemming from anticipated new development, increasing development densities and the resulting additional population.

Public exhibition of the draft PAMP will ensure the community has adequate opportunity to express their opinions on the strategic direction for the provision of pedestrian infrastructure in the Cessnock LGA.

ENCLOSURES

- 1 Draft Pedestrian Access and Mobility Plan (PAMP) - Provided under Separate Cover

Works and Infrastructure

Report No. WI24/2016

Works and Infrastructure



SUBJECT: *CLOSURE OF PART OF PUBLIC ROAD ADJACENT TO 1200 OLD MAITLAND ROAD SAWYERS GULLY*

RESPONSIBLE OFFICER: *Strategic Asset Planning Manager - Stephen Long*

SUMMARY

Council has received an application for the closure of a portion of the public road adjoining 1200 Old Maitland Road Sawyers Gully.

RECOMMENDATION

That Council not approve the application for road closure or give consent for the Applicant to lodge an application for road closure with Crown Lands for that portion of Old Maitland Road Sawyers Gully adjacent to the north east boundary of Lot 11 DP 755231 and west of the constructed Old Maitland Road.

BACKGROUND

Council received an application from the property owner (the Applicant) of 1200 Old Maitland Road, Sawyers Gully for the closure and subsequent purchase of a portion of the public road adjoining the owner's property.

The Applicant states that his property (Lot 67, number 1200 Old Maitland Road) has been in his family's ownership since around 1960. The existing physical access to this property is across the subject road reserve (see plan below titled "Lodgement Plan Tourist Information Shelter" for the approximate location).

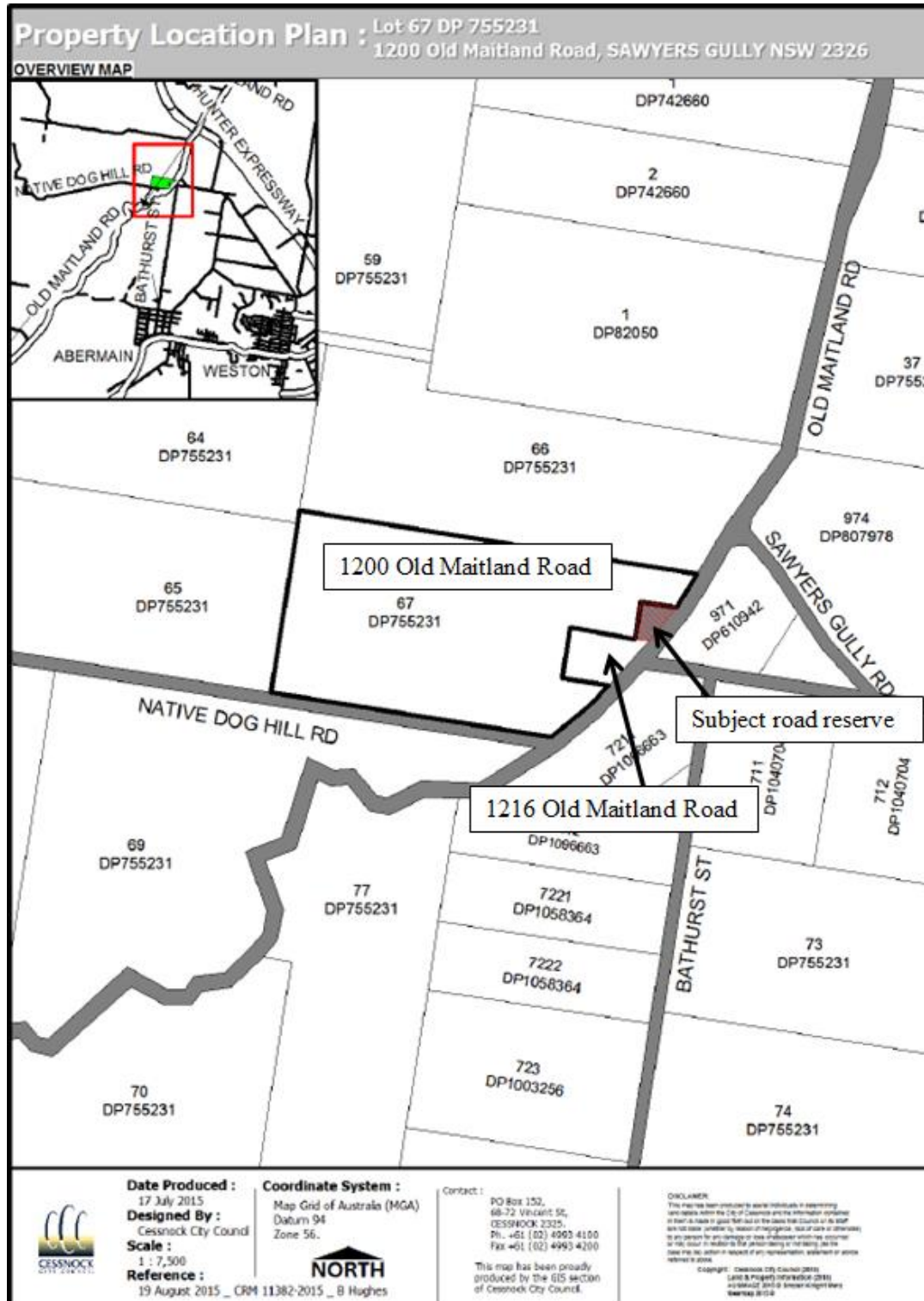
Historical records show that Old Maitland Road was formed as part of the Great North Road which was constructed between 1826 and 1836. The 1889 Heddon parish map shows Lot 67 and the adjacent widened road reserve in this location. A map dated 1895, adds the notation "spring" which appears to refer to what is now a small dam at the location. It is likely that the wider reserve was to enable the watering of travelling stock. The location is not listed as a heritage site but may have local historical value.

The report provides information to enable Council to determine the road closure application.

Works and Infrastructure
Report No. WI24/2016
Works and Infrastructure



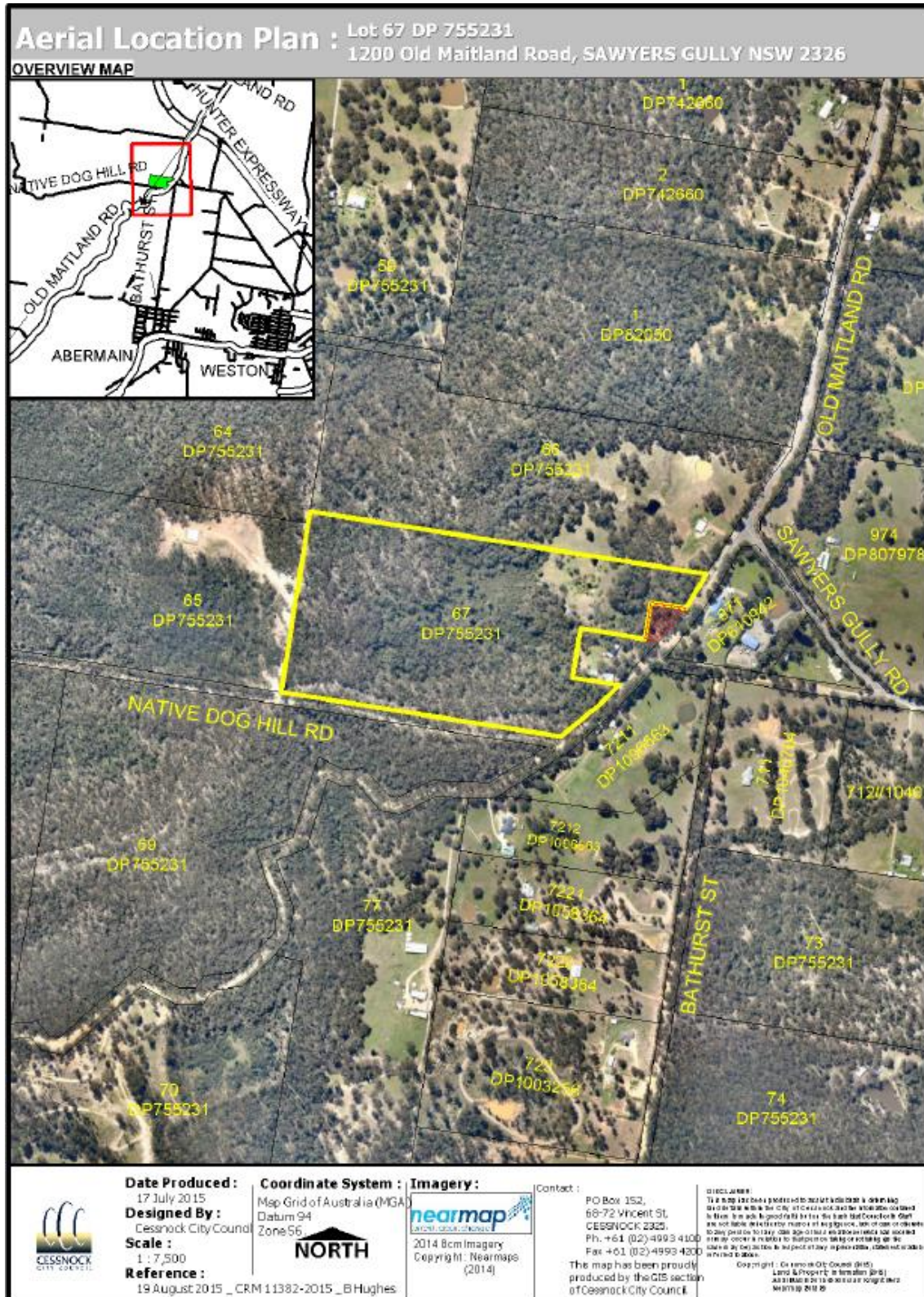
Plan



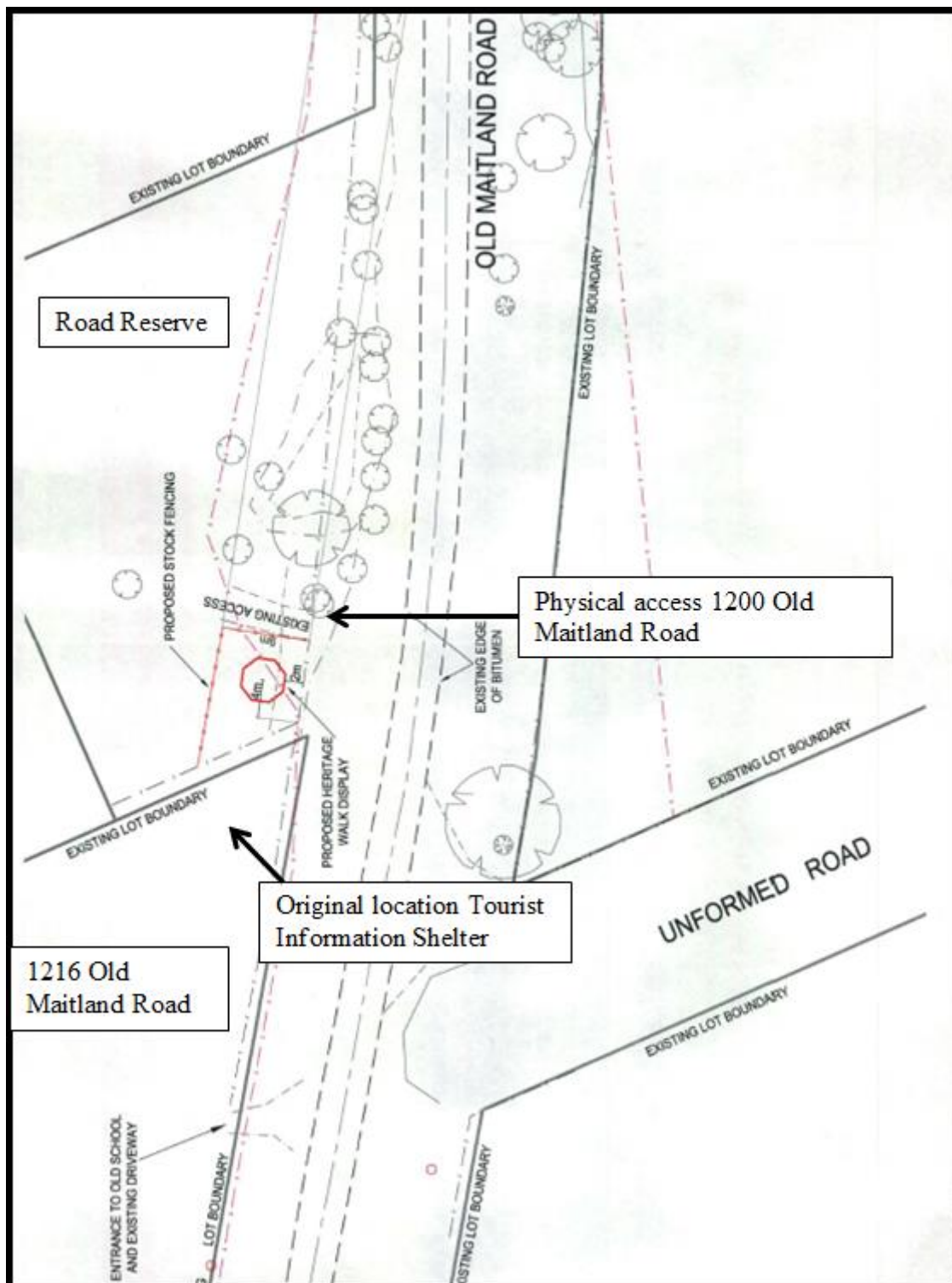
Works and Infrastructure
Report No. WI24/2016
Works and Infrastructure



Aerial View



Lodgement Plan Tourist Information Shelter



Works and Infrastructure

Report No. WI24/2016

Works and Infrastructure

**/PROPOSAL**

The Applicant's request is to close part of the road reserve as shown by the red hatching in the Location Plan above (total area of approximately 2375m², subject to survey). The area shown is not a separate lot but is part of the overall road reserve for Old Maitland Road.

Council's records show that the Applicant applied for closure of the section of road reserve on 1 November 2012. It is understood that the closure application did not proceed as the Abermain Heritage Preservation Society (AHPS) had submitted a S.138 Roads Act Application to construct a Tourist Information Shelter on the site, approximately 5 months earlier on 8 June 2011. The S.138 application was subsequently approved by Council on 15 January 2013.

Table 1. Summary of Issues relating to this site

Date	Action
11 Aug 2004	The Abermain Heritage Preservation Society (AHPS) lodged a development application (DA 8/2004/956/1) with Council to construct a Tourist Information Shelter on the adjacent property at 1216 Old Maitland Road Sawyers Gully.
24 Sep 2004	DA 8/2004/956/1 approved.
	The owner of 1216 Old Maitland Rd objected to the structure which was larger than they were expecting.
10 Nov 2010	The AHPS lodged a development application (DA 8/2010/730/1) with Council to construct a Tourist Information Shelter on the adjacent road reserve approximately 20 metres to the north of the initial location.
23 Nov 2010	All adjoining landowners were notified.
20 Apr 2011	Council records show the development application was withdrawn as the site is unzoned and a Development Consent could not be issued for the development.
8 Jun 2011	The AHPS completed a S.138 Roads Act Application to construct the Tourist Information Shelter.
1 Nov 2012	The Applicant applied for Council to proceed with the closure of a portion of the road reserve.
15 Jan 2013	Council granted conditional consent under S.138 of the Roads Act 1993 to AHPS to carry out works and erect structures in the road reserve subject to conditions of consent.
17 Apr 2013	A report was included in the agenda for the Council meeting seeking Council's determination of the road closure application. This report was withdrawn as a result of the S.138 consent.
17 Apr 2015	The Applicant telephoned querying the status of the application to close part of the road reserve. (The applicant has indicated that "My application was to purchase the whole parcel of land. This remains my intention".)
20 April 2015	The Applicant emailed Council notifying that their fence and gate (Officer Comment: the fence and gate were located on the road reserve) had been removed and fill placed across their access track, organised by the AHPS.

Works and Infrastructure

Report No. WI24/2016

Works and Infrastructure



Abermain Heritage Preservation Society were contacted in January 2016 and the Treasurer advised that their preferred location for the rotunda was as per the S.138 lodgement plan. The Treasurer expects that the adjoining landowner will have access along the pre-existing access at the completion of the project.

In view of the existence of the s138 approval Council may wish to:

- Revoke the s138 approval to the AHPS and close the entire part of the road reserve requested. This action is expected to create additional issues and may be counter-productive in respect to Council supporting community initiatives.
- Retain the s138 approval but make only part of the road reserve requested by the applicant available for closure. The actual area to be defined by survey.
- Not consent to the road closure.

It should be noted, that if Council consents to close the section of unformed/unconstructed road, it is expected that the land will vest in the Crown (as Crown Land), for disposal by the Department of Primary Industries. Any monetary payment for that land will also go to the Department of Primary Industries - Lands (Crown Lands).

Heritage Considerations

The retention of the road reserve around the small “spring” may be of benefit from a historical perspective as the site formed part of the Great North Road and the significance or otherwise of the site may need to be further investigated.

Council’s Heritage Advisor has noted that *“the proximity of this site to the listed area of The Great North Road could mean that this site does have remnants of convict structures”*.

The Advisor has also advised that any proposed road closure would not affect the potential heritage value of the site, providing that all new work in this area requires a DA and is assessed in a Statement of Heritage Impact. The Statement of Heritage Impact should be prepared by a qualified heritage consultant and should include:

- An assessment of the impact on the heritage items in the vicinity; and
- Advice on the requirements for archaeological assessment of the remnants of the Great North Road.

OPTIONS

Council has the following options:

1. Not consent to the road closure. This is the preferred option;
2. Council consents to the closure of part of the road reserve and retains an area for the works in the current S.138 approval;
3. Consent to the road closure as requested by the Applicant. Should Council wish to close the road reserve, the plan of road closure documents require the Council Seal to be affixed and executed.

Works and Infrastructure

Report No. WI24/2016

Works and Infrastructure



CONSULTATION

Consultation has taken place with:
Council's Senior Property Officer;
Heritage Advisor;
Abermain Heritage Preservation Society;
The Applicant.

STRATEGIC LINKS

a. Delivery Program

This matter is a routine road administrative function and as such is not a specific action within the Delivery Program.

b. Other Plans

IMPLICATIONS

a. Policy and Procedural Implications

Should Council wish to close the road reserve, the plan of road closure documents require the Council Seal to be affixed and executed. Council has a procedure for the use of Council's Seal and also has an Execution of Documents Matrix.

b. Financial Implications

If the subject road reserve area was to be closed all costs associated with the closure and sale of the land would be borne by the Applicant.

c. Legislative Implications

Section 33 – 38 and Section 43 Roads Act relate to the closure of public roads.

d. Risk Implications

Nil

e. Other Implications

Nil

Works and Infrastructure

Report No. WI24/2016

Works and Infrastructure



CONCLUSION

Council has the option to agree to the road closure however, retention of the road in the location would enable future consideration of the historical value and retention of the area under Council ownership and management. The erection of the proposed Tourist Information Shelter by the Abermain Heritage Preservation Society adjacent to the spring may provide additional interest to people stopping at the shelter. The report recommends that Council not approve the application for road closure.

ENCLOSURES

There are no enclosures for this report.

Works and Infrastructure

Report No. WI25/2016

Works and Infrastructure



SUBJECT: *FRAME DRIVE BRIDGE*

RESPONSIBLE OFFICER: *Strategic Asset Planning Manager - Stephen Long*

SUMMARY

This report is in response to a Council resolution of 3 June 2015. It provides an update on the progress of the Frame Drive Bridge replacement project and the associated road infrastructure to improve transport access from the Hunter Expressway (HEX) to the Cessnock Urban area.

RECOMMENDATION

That Council receives and notes the report.

BACKGROUND

In considering Business With Notice No. BN9/2015 at a meeting of Council on 3 June 2015, Council resolved the following:

1. *That Council agree in principal to allocate \$100,000 in the Local Road Renewal Program in the 2015-2016 Operational Budget to undertake detailed investigation, survey and design for upgrade of Frame Drive / Frame Drive Bridge to enable this project to be shovel ready subject to a further detailed report being brought back to Council.*
2. *That the \$100,000 be recouped from future external grant funding sources if this option is made available.*

This report is in response to Council's resolution of 3 June 2015.

REPORT/PROPOSAL

The Frame Drive Bridge project comprises the replacement of a single lane timber bridge with a two (2) lane concrete bridge, complete with a pedestrian/cycle path on each side of the bridge. The project will also include the relocation of a number of utility services to accommodate major road upgrade works on the approaches to the bridge. The estimated total cost of the bridge project is \$4M.

The project will facilitate the re-opening of an important secondary link road, improving transport access from the HEX via the Hart Road interchange/Gingers Lane/Frame Drive/Orange Street to Cessnock road and hence to the Cessnock Urban area.

Preliminary investigation and approval processes are well underway for the project following Council's decision to allocate \$100,000 in the 2015/16 Capital Works budget to have the project 'shovel ready'.

Works and Infrastructure

Report No. WI25/2016

Works and Infrastructure



Council has been successful in attracting funding through the Federal Government's Bridges Renewal Program (BRP) (Report No WI 7/2016) and in early 2016 was short listed for consideration under the NSW Government 'Fixing Country Roads' (FCR) Program. The following outlines progress to date.

Funding

Grant funding applications have been submitted through the Federal Government's BRP and NSW Government FCR Program.

Bridges Renewal Program

Council received on the 13 April 2016 formal approval of the funding of \$2.0M for the Frame Drive Bridge project with the receipt of a Project Agreement and associated project claim and reporting templates. These funds are provided on a 50:50 basis and this was detailed in the Council Report on 17 February 2016. Council's \$2M portion of funds includes the \$100,000 allocation to enable the project to be shovel ready.

The timeframes stipulated in the Project Agreement include:

- Milestone 1 - Commencement of bridge construction – September 2016;
- Milestone 2 - Completion of the bridge substructure - November 2016;
- Milestone 3 - Completion of the bridge superstructure – December 2016;
- Milestone 4 - Completion of construction and final report (bridge and road) – October 2017.

Activities undertaken on the project to date include:

- Completion of site survey;
- Completion of geotech investigation for road works;
- Preparation of the review of environmental factors for the bridge;
- Preparation of a bridge concept design;
- Procurement of utility relocations at the bridge site underway;
- Procurement of road design components underway;
- Procurement of bridge design and construction underway.

Council's website will be updated shortly to reflect the timeframe requirements of the agreement. In addition, an update on the bi-monthly community newsletter will be distributed at the end of April / early May.

Fixing Country Roads

FCR is a NSW Government Program totaling \$50M to provide targeted funding to local councils for road projects that will eliminate connectivity constraints on local roads in NSW and reduce the cost to market for local businesses.

The program aims to fund vital road and bridge upgrades to better connect local and regional roads to state highways and key freight hubs. Projects can include repairs to roads and bridges, or pavement works to increase road capacity, improve safety, improve or access for high productivity vehicles.

Works and Infrastructure

Report No. WI25/2016

Works and Infrastructure



An expression of interest for \$4.5M was submitted to the NSW FCR Program in December 2015 for the Frame Drive Bridge Project. In March 2016 Council received notification that the FCR EOI had been short listed to the full application phase. A full application is being prepared for submission by the closing date of 2 May 2016.

The works proposed to be funded through the FCR are additional to the works identified in the BRF and are expected to include an intersection upgrade at the Sawyers Gully Road/Gingers Lane intersection, road upgrade of the western section of Gingers Lane and an upgrade of Orange Street from Lismore Street to Cessnock Road.

The FCR program does not require matching funds from the applicant however co-contributions from applicants are strongly encouraged. The funding Council has already received through the BRP and Council's matching funding to that program would be highly regarded under the FCR.

Projects funded under the FCR can be spread over a 5 year period

OPTIONS

Option 1 – Council receives and notes the report. This is the preferred option;

Option 2 – Council does not receive and note the report.

CONSULTATION

Consultation has occurred with:

Director Works & Infrastructure
Manager Design Delivery

STRATEGIC LINKS

a. Delivery Program

Community's Desired Outcome: Accessible Infrastructure, services and facilities,

Objective - 4.2 – Improving the Road Network, specifically:

4.2.3 a: Renew and maintain roads, bridges and drainage infrastructure

b. Other Plans

Nil

IMPLICATIONS

a. Policy and Procedural Implications

Nil

Works and Infrastructure

Report No. WI25/2016

Works and Infrastructure



b. Financial Implications

Funding details for the construction of Frame Drive Bridge and the associated roadworks will be considered in the finalization of the 2016/17 budget. Funding for other components of the HEX connection are expected to be considered in future budgets.

c. Legislative Implications

Nil

d. Risk Implications

That Council is not willing to participate in the opportunity of securing external funds to undertake critical infrastructure projects.

e. Other Implications

Other risks include:

- On-going safety risk to road users if additional works are not undertaken to improve the HEX connection once the bridge is opened to traffic;
- Economic and social risks across the region due to limitations on the movement of freight, livestock, access for emergency services and other services if existing infrastructure is not upgraded in line with the opening of the new bridge; and
- Risk to Council's reputation as a manager of public infrastructure assets.

CONCLUSION

Council has been successful with a grant submission under the Federal Government's BRP and bridge construction works are programmed to commence in September 2016, with a planned completion of associated road works in October 2017.

An application for additional funding has been submitted to the NSW FCR program. The additional \$4.5M sought through this program will significantly improve transport access from the HEX to the Cessnock Urban area.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ33/2016

Works and Infrastructure



SUBJECT: *DISABLED PARKING - ABERMAIN HALL*

RESPONSIBLE OFFICER: *Design Delivery Manager - Katrina Kerr*

Q29/2016 – Disabled Parking – Abermain Hall

Asked by Councillor Parsons at the Ordinary Meeting of Council held on 20 April 2016.

Councillor Parsons advised of a previous question in regard to the Disabled parking space in front of the Plaza hall at Abermain be assessed for the possibility of being nose to the kerb parking and asked for an update?

Council officers have investigated the request for changes to the disabled parking space in Bathurst Street Abermain outside the Plaza Hall, and advise that the existing on-street mobility scheme parking on Bathurst Street, in front of Plaza Hall, does not meet all the requirements of the Australian Standards particularly due to the steep camber of road.

Although parking nose to the kerb would reduce the tendency for vehicle doors to close when occupants are getting in or out of vehicles, the camber makes maneuvering of mobility devices difficult.

To provide a mobility parking space in accordance with Australian Standards at this location would require significant work on the road, which would introduce other changes of level and further hazards to traffic and pedestrians.

Alternate locations for mobility parking in close proximity have been considered. A position in the laneway on the northern side of the Hall, which offers an area where a compliant parking space on a level pad can be constructed, has been identified as suitable, subject to conversion of the lane way to one way traffic. This location is also convenient as it is close to the entry ramp into the Hall.

Although currently unfunded, the cost of off-street parking and signage to effect the one way traffic in the lane compares favourably with upgrading the on-road parking. Whilst preserving the stone gutter crossing, the scope of work would also include changes to improve the approach into the entry of the lane.

The proposed new parking space and lane changes are listed for consideration in future road construction program.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ34/2016

Planning and Environment



SUBJECT: *COMMUNICATION FROM NEWCASTLE MUSLIM ASSOCIATION REGARDING INSPECTION OF PREMISES AT WALLSEND*

RESPONSIBLE OFFICER: *Development Services Manager - Janine McCarthy*

Q30/2016 - Inspection of Premises at Wallsend

Asked by Councillor Parsons at the Ordinary Meeting of Council held on 20 April 2016:

"Communication has been received from the Newcastle Muslim Association where they have made an offer that Council can make an inspection of their development at Wallsend. Is it possible to inspect before the Development Application comes to Council?"

Yes. A Councillor may accept the invitation and attend the premises at any time in their own capacity.

ENCLOSURES

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ35/2016

Planning and Environment



SUBJECT: ***STERNTALER DEVELOPMENT - 814 BUCHANAN ROAD, BUCHANAN***

RESPONSIBLE OFFICER: ***Development Services Manager - Janine McCarthy***

Q28/2016 - STERNALER DEVELOPMENT – 814 BUCHANAN ROAD, BUCHANAN

Asked by Councillor Smith at the Ordinary Meeting of Council held on 20 April 2016:

“Residents have expressed concerns that the conditions in regard to the Sterntaler Development are not being complied with in regard to both construction within the Road Reserve and within the property regarding the number of animals and other issues. What action has Council taken to ensure compliance with those conditions”

Council’s Development Compliance Officer has carried out ongoing investigations into the use of the abovementioned site to ensure compliance with the conditions of Development Consent 2013/526. As a result of these investigations, an application was submitted under Section 138 of the Roads Act 1993 for the construction of the required intersection in accordance with Conditions 5 and 9 of the relevant development consent. On 3 February 2016, the Section 138 Application was approved by Council.

It is noted that construction of the required intersection is yet to commence, however, on 3 April 2016, Council was notified that ‘Sterntaler Equestrian Services’ had requested information in relation to the location of underground services, which is required prior to excavation commencing. Council’s Development Compliance Officer will contact the applicant to obtain an approximate start-date for the intersection works.

A check of Council’s records has confirmed that Council is not in receipt of any complaints from surrounding residents concerning the number of animals being kept on the property, or other related issues.

The site will continue to be monitored in accordance with Council’s adopted Compliance and Enforcement Policy to ensure compliance with the conditions of Development Consent 2013/526.

ENCLOSURES

There are no enclosures for this report